



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 No. 143

February 2016

Dear colleagues and friends,

It is a pleasure to share with you the latest news on the activities of the International Society:

## Message from the President

Dear friends and colleagues,

The congress of Cape Town where I had the honour to be elected President of our International Society was a great success and gave further impulse to our activities. The publication of the papers presented to the congress will certainly contribute to enrich our future discussions and research.

In the few months after Cape Town I have seen the launch of many important activities of various format and contents which are presented in this bulletin.

I am grateful to the organizers of the coming meetings to have accepted to insert in their programs some of the 7 research themes approved in Cape Town.

Many national associations have responded to our invitation to suggest scholars to participate to the research groups. We have reached already a good number of participants representing different countries and disciplines, which will be coordinated by experts specialist in each given theme. We will circulate shortly the list of members and coordinators of the groups which are open to wider participation.

We are confident that their participation will fully correspond to the aim of these groups to promote a systematic exchange of views and research materials on important issues of labour laws and industrial relations., also using our website.

The results of the research groups at the various stages of their work will certainly contribute to the success of our future seminars and regional congresses from now until the next world congress which will be held in Turin on September 2018.

Dear friends and colleagues, I thank you all for your contribution to the organization and to the scientific success of the many activities indicated in our programs.

A special thank to Giuseppe Casale for his intelligent and efficient work as general secretary of the International Association.

*Prof. Tiziano Treu*

## **World Congress in Cape Town 15-18 September 2015**

The XXI World Congress of Labour and Social Security Law of the International Society for Labour and Social Security Law took place from 15 to 18 September 2015 in Cape Town (South Africa). The successful event was organized by our national member society, the South African Society for Labour Law. There were more than 500 participants attend the Congress coming from all over the world. Some of the papers presented at the World Congress can be found on our web page at <http://islssl.org/world-congress/>

## **Seminar on International and Comparative Labour Law (Venice, Italy)**

The 3<sup>rd</sup> International Seminar on International and Comparative Labour Law will be organised in Venice in June-July 2016. Under the direction of Professor Adalberto Perulli, the Seminar will deal with the theme “Sustainable Development, Global Trade and Social Rights”. The seminar programme, designed at the highest academic level, is available in Annex. As the previous two editions, the participation of young legal scholars under the age of 40 is encouraged. The ISLSSL with the assistance of the Seminar’s Scientific Committee will grant six fellowships of 1,000 Euro each. According to the terms and conditions of the grant application process, preference will continue to be given to those legal scholars aged under 35.

## **Graduate Seminar on International and Comparative Law (Margarita Island, Venezuela)**

A new edition of the Graduate Seminar on International and Comparative Law will take place at the Margarita Island (Venezuela) between 16-25 May 2016. Please find in Annex the information on the Seminar. As in the past, the ISLSSL will award grants to facilitate the participation of young legal scholars under the age of 40, preferably under 35.

## **Meeting of the European Labour Law Young Scholars (Santiago de Compostela, Spain)**

A Meeting of the European Labour Law Young Scholars on “Foreign workers in the European and national labour markets” will take place at Santiago de Compostela, (Spain) between 9-10 June 2016. Please find in Annex the information on the Meeting.

## **1<sup>st</sup> Iberian Meeting of Labour Law (Lisbon, Portugal)**

The 1<sup>st</sup> Iberian Meeting of Labour Law on “Collective Bargaining: new and old challenges in Portugal and Spain” at Lisbon, (Portugal) between 28-29 April 2016. Please find in Annex the information on the Meeting.

## **Upcoming ISLSSL Congresses**

### *a. American Regional Congress of Labour and Social Security Law (Panama, 2016)*

Our colleagues in Panama have provided us with the academic contents for this Congress as well as useful information on its organization. See programme in Annex.

*b. XII European Regional Congress (Prague 2017)*

The XII European regional Congress will take place in Prague (Czech Republic) on 20-22 September 2017. The organisers are working on the programme of the regional event and we will soon share the information with you.

*c. XXII World Congress of Labour and Social Security Law*

The XXII World Congress of Labour and Social Security Law will take place in Italy on 5-7 September 2018 in the City of Turin.

In light of the preparation of the above mentioned events, and more specifically for the World Congress, President Prof. Tiziano Treu, Secretary General Dr Giuseppe Casale and a group of academics in strict collaboration with the national associations of the Society have created seven international research groups open to everyone who would like to take part in them. These international research groups will be coordinated by a group of selected scholars. In this regard, there has been a very good response from the national associations which we warmly thank for their active participation. In addition, the Young Legal Scholars Section has also been very active. The international research groups are in the process of being finalised and we will circulate soon their composition. Just let us remind you the content of the seven international research groups.

## **I. Informal and irregular work**

Most of the world's workers are in the informal sector. In many emerging economies, over 75 per cent of the labour force is composed of informal businesses and workers (ILO data). As a consequence, labour law studies should focus more specifically on the informal sector.

Major objectives of this research group should be

- to deepen our understanding of the multifaceted aspects of informal and irregular work as they exist in different national and territorial contexts.
- to evaluate the different policy approaches and best practices in labour law and social security adopted by public institutions and by social actors, having regard to the various aspects of informal work and taking into account the regulations most frequently disregarded in the various situations.
- to investigate the possible techniques and policy measures (incentives, disincentives, private and public controls, development programs etc.) useful for promoting the opportunities of informal work to emerge and to be stably accepted in the formal economy.
- to discuss whether and to what extent labour unions and employers, by ensuring collective agreements application, also within SME, may help to fight irregular work, and promote the access of informal workers to the essential protections and benefits of professional training, of labour law and of social security.

## **II. Migrant workers**

Many factors have given new and dramatic dimensions to people migrations: economic globalisation, divergent conditions of work and life among different areas of the world, political and

civil conflicts in many regions which force entire groups to expatriate. The pressure of various forms of migrations is hitting in different degree many national states and communities.

Some progress has been made in the definition of the legal status of migrants, setting forth the general obligations to respect basic human rights. Nevertheless, more intense attention has to be paid also considering the expansion of this trend, to factors as the high rate of unemployment, the risk of exploitation, trafficking and social segregation, the lack of adequate social protection which makes migrant workers more vulnerable than others employees.

Such vulnerability and distortion determines, among other effects, human labour trafficking. This has attracted a renewed interest due to changing trends in migration flows and the globalization of labour.

- The research group should give priority to some aspects of migratory trends, in particular of workers.
- How to find new measures, national and international, to regulate the flow of migrants workers across national and continental borders in a socially sustainable way.
- How to combine controls and security checks necessary to guarantee social acceptance of migrants with measures to promote their integration in the civil communities and in the labour markets.
- Which specific provisions are effective to protect migrant workers against labour exploitation and to favour their employability in the formal economy?

### **III. Global trade and labour**

International trade has been promoted and regulated in recent years through various regional and international agreements.

The analysis of the agreements of various dimensions (bilateral, regional or continental) should be focused on their impact not only on economic growth but also on employment and on working conditions and workers' rights. In this respect the group should investigate:

- Possible contents of social clauses, and the technologies which they adopt in order to guarantee international labour standards to the individuals and groups affected by trade agreements.
- The role of the law and social actors in implementing and enforcing social clauses.
- The increasing legal relations between foreign direct investments, multilateral trade agreements, domestic labour law regimes.
- International trade agreement effects, in the name of free trade on national measures addressing inequality such as minimum wages, prevailing wage requirements, unemployment benefits, affirmative action for historically excluded groups and other social protections.
- The compliance of recent international trade agreements with the ILO standards.
- A special focus will be placed on ISDS clauses.

#### **IV. Organization, productivity and well-being at work**

In the last years the role played by Trade Unions and collective bargaining at national and international level has decreased in importance, while, as a consequence of decentralization processes, a central role is played by collective bargaining at enterprise and at plant level.

Enterprise collective bargaining is regarded as a possible way of fostering workplace flexibility/productivity, efficiency and workers' well-being. Also individual negotiation appears to be a possible tool to regulate working conditions, to increase the individual worker's productivity and, at the same time, his/her satisfaction about wages and other benefits.

For this group research project will focus on:

- The role of collective and individual negotiation in the regulation of wages and working conditions.
- The role of enterprise level collective bargaining in fostering workplace flexibility/productivity and workers' well-being.
- The role of enterprise collective bargaining in the regulatory competition.
- The role of corporate social responsibility
- National reforms concerning enterprise collective bargaining in a comparative perspective.
- Best practices of high involvement and team work systems, and of innovative use of technology in work organization (e.g. remote and smart working) in respect to their impact on firms' performance and on employee's wellbeing.
- Role of management initiatives and of collective agreements in promoting new forms of welfare, such as supplementary pension funds, supplementary health insurance, flexible benefits of various contents.

#### **V. Transnational collective agreements**

With the internationalization of the economy and increasing competitive pressures, collective bargaining is developing in new directions. The growing number of transnational companies has introduced new actors and different strategies for collective action, on both the employees and the employers side: Transnational collective bargaining is a response to this challenge.

The transnational dimension acquired by collective bargaining addresses new questions to be investigated by labour law research:

- New and old social actors involved. Is unionism suited for a transnational action?
- New and old issues negotiated at transnational levels: distinguish firm level and sectoral collective agreements;
- The link between the agreements signed by transnational firms and the governance of these firms;
- The role of national governments;
- The role of international organizations;
- The legal and practical effects on labour relations, national and local: distinguish firm level and sectoral collective agreements;
- Relations between firm- level agreements and corporate social responsibility.
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## **VI. New forms of social security**

The social security systems of most countries, developed and developing, are facing new and pressing problems.

Suitable social security models need to address the challenge of widespread precariousness in work as well as the low wages often provided for precarious workers. While often benefits are conferred according to the length and the status of employment relationship, new types of employment based on a low and fragmented income are spreading and are increasing the number of working poor for which the States must provide means of support. A wider scenario of social exclusion is present in less developed countries, but also in some areas of Europe.

The research project of this group should analyse:

- The challenges to sustainability of the national social security system;
- The possible response to these challenges by public institutions and social actors, at national and international level;
- The role and domains of private and collective forms of supplementary social security and welfare benefits;
- The possibility to extend social security schemes to non-standard employees; and
- The ways to strengthen social security systems through minimum income or other inclusion measures and how to activate the beneficiaries.

## **VII. The role of the State and industrial relations**

The globalization of markets is changing the traditional power relations among countries and among their institutions. To what extent it is altering the role and power of the national states it is an open question. The question is of particular importance with respect to industrial relations because the national states have played in most countries a major role in the foundation and development of collective labour relations and institutions.

This research group will analyse in particular:

- the impact of globalization on the national regulations of the various aspects of industrial relations: rights and representativeness of the social actors, collective bargaining structure and effects, strike action and other adversarial activities.
- the old and new forms of state intervention in Industrial relations:
  - legislation, soft law guidelines, mediation and conciliation, promotion of social pacts, etc.
- national reactions to global trade agreements:
  - social clauses and other measures to prevent social dumping, promotion of fair trade practices, support to transnational collective bargaining, conditions to foreign investments and to labour mobility, etc.;
- cooperation among national states and institutions to monitor the effects of interstate commerce and to guarantee the enforcement of transnational agreements.

## **Young Legal Scholars Section**

The coordinator of the Young Legal Scholars Section, Prof. Stefano Bellomo, has sent us a report of the Section's activities which you will find herewith.

***1. Decision and events related to the ISLSSL Young Scholars Section in the last World Congress of Cape Town (15<sup>th</sup> -18<sup>th</sup> September 2015). Institutional formalization of the Section approved by the Executive Committee.***

As announced in the ISLSSL Bulletin and in the Cape Town World Congress' program, during the Congress held in Cape Town from 15<sup>th</sup> to 18<sup>th</sup> of last September took place some important events and initiatives regarding the Young Scholars.

Firstly, has to be emphasized that in the Executive Committee Meeting held on 15<sup>th</sup> of September has been decided the institutional formalization of the Young Legal Scholars Section, as a merge between the existing embryos of the Latin America and European Region. This decision has been adopted also as a consequence of the positive evaluation of the activities carried out during the period 2012-2015 by the European and Latin American Embryos, as summarized in the report presented by the Treasurer (and coordinator of the European Embryo) to the Executive Committee.

The Section will be composed by the Young Scholars who will be selected or appointed by the National Associations, according the criteria which every National Member will choose to identify and define the requirements of the Young Scholars.

During the preliminary discussion, the President, the General Secretary and the Treasurer clarified that even if the Section will be considered as a sole entity, the Regional Subsections will follow to promote initiatives and to organize activities mainly addressed to the Young Scholars of the respective areas. Currently are active two Subsections, the European one coordinated by Jose Maria Miranda Boto (Spain), Nicola Gundt (Netherlands) and Maciej Łaga (Poland) and the Latin American one, coordinated by Juan Pablo Mugnolo (Argentina).

All the national representatives and the honorary Presidents who attended the Executive Committee Meeting expressed the wish that the Section could follow to enhance in the same way as the first three years of activity.

Furthermore, as a possible enlargement of the Section, Honorary President Prof. Kazuo Sugeno also informed that as from 2017 a spring seminar would be organized in Tokyo by the Japan Institute for Labour Studies and Training (for participants from Asia and other regions) open to young legal scholars. It could be a precious occasion for the creation of an Asian Subsection.

Likewise, if other national associations which belong to some geographical area in which still does not exist some Regional Subsection, could join and participate to the other Regional Subsection activities (on which see below).

At the same time, the formalization of the Young Scholars Section could represent also an exhortation to the National Members of ISLSSL to promote internally the activity of Young Scholars, also through the creation of their own Young Scholars Section or appointing some national coordinator or delegate to keep the contacts with the ISLSSL Young Scholars Section.

It should be reminded that until now 16 National Associations sent their representatives to the initiatives promoted by the European Embryo (now European Subsection) and 9 National Associations sent their representatives to the initiatives promoted by the Latin American Embryo (now Latin American Subsection).

## ***2. Confirmation and Stabilization of Young Scholars' Sessions during the ISLSSL Congresses***

With reference to the activities dedicated to the Young Scholars which have been taken and developed during the last three years and which are currently continuing, it is important to stress that the inclusion of a Young Scholars Session is becoming a stable item within the ISLSSL Congresses'.

This idea was launched in the Guayaquil American Congress in 2013 and the opening of a meeting and discussion space for the Young Scholars has been confirmed in 2014 Dublin European Congress as well as in the Cape Town World Congress.

In the Cape Town Young Scholars Session, held on 15<sup>th</sup> of September, there have been interventions of the representatives of the SASLAW Young Scholars Section (Sarvani Morgan, Nicholas Preston and Neil Searle), who presented their reports on the issue "Statutory intervention and justifiable limitations to the right to strike" in South African Labour Law. For the Latin American Embryo attended the Meeting Mauricio Pangol Lascano from Ecuador, who presented a report which title was "Crecimiento económico y ampliación de derechos sociales". Stefano Bellomo, as Coordinator of the European Embryo, presented his report summarizing the experience of the two Meetings organized by the European Young Scholars; furthermore and taking into account the institutional formalization of the Young Scholars Section approved by the Executive Committee he described the path taken in during the start up period 2012-2015 and outlined some possible future development of the action taken and of the project launched by the Latin American and the European Embryo. During the meeting, Professor Takashi Araki confirmed and expressed also to all those who attended the Session the intention of Japan Institute for Labour Policy and Training to organize a Seminar in 2016 mainly aimed at Asian Young Scholars and declared his willing to look for coordination with the Young Scholars Section.

With reference to the next Congresses, during the Executive Committee held in Cape Town has been illustrated the program of the next American Regional Congress which will be held in Panama from 26 to 30 September 2016 and which provides (scheduled on 26 September) a Young Scholars Session. Before the end of the current year will be provided some more specific information about the organization and the issues of this session.

It is appropriate right now express the wish that, with the combined help of the National Associations, of the ISLSSL and of the Organizers of the congress, it will be possible to have an assorted participation to the session, hopefully including also young scholars coming from other Regional Areas as European, Asian and African ones.

Among the other measures which could be adopted, one of the more important could be the fixing of reduced participation Congress' fees and hopefully the offer of affordable accommodation solutions for the Young Scholars who wish to attend the Sessions organized during the Regional and World Congresses.

## ***3. Initiatives taken and underway projects***

Beside the activities of the Section organized during the ISLSSL Congresses, there have been some initiatives organized by the Young Scholars active in Europe and Latin America, which could be cultivated, confirmed and improved.



Concerning the European Subsection, after its formalization, Young Scholars members of national Labour Law Societies are welcome to join it officially. This communication of interest should be made by an e-mail to [josemaria.miranda@usc.es](mailto:josemaria.miranda@usc.es).

More specifically, the European Embryo, now European Subsection of Young Scholars' Section, has promoted in June 2015 a very successful Meeting in Santiago de Compostela on the issue *Labour Law and Social Rights in Europe: the Jurisprudence of the International Courts*. The intervention to this Meeting will be soon published in a volume edited by Stefano Bellomo, Maciej Łaga, Nicola Gundt and Jose Maria Miranda Boto .

A new edition of this Meeting is in preparation for the days 9<sup>th</sup> and 10<sup>th</sup> June 2016 and it will be dedicated mainly to the issue of third-country nationals in the European and national labour markets.

In the same way, also the reports presented in the equally very interesting Guayaquil Young Scholars' Session, dedicated to the more significant evolutions in National Labour Law systems, with specific reference to the reflects on Labour Law of the general context of economic development of many countries of the Central America and South America Area, have been edited in a volume entitled *Panorama de derecho del trabajo y de la seguridad social en América latina*, México, UNAM-SIDTSS, 2014, coordinated by Juan Pablo Mugnolo and Oscar Zavala Gamboa.

Moreover, the Latin America Subsection promoted more recently a volume with the general (provisional) title "Encuentro Intercontinental" in which young scholars of Europe and Latin America could express their respective opinion about the issues of the effects and reflects of International Labour Law on the national systems in Latin America and of the influence of the jurisprudence of the International Courts in Europe, starting from the reports submitted to the previous Meetings.

Another field of activity of the Young Scholars Regional Subsection is represented by the cooperation with the ISLSSL traditional Seminar as the one held in Venice (following the tradition started in the previous edition Trieste, Szeged, Bordeaux, Lyon), and the other which is by now stabilized in Isla Margarita. The Latin American Embryo experimented in 2014 the launch of a call for paper on the new issues of the labour relationship, which results were discussed in a specific session of the seminar.

For the next year 2016, the European Young Scholars Subsection and the organizers of the Venice Seminar are organizing a specific session during the Seminar which will be conducted by the same Young Scholars, who will put on the dialogue and the debate with the participants and with the Senior Professors who will be invited to the Seminar.

#### ***4. Possible contribution of the Young Scholars to the Working Groups promoted by President Tiziano Treu and Secretary General Giuseppe Casale***

It is also important to emphasize, with reference of the future activities of the Young Scholars, the two concurrent needs to promote and improve the specific initiatives aimed to favour meetings, contacts, debates, collection of papers etc. among the Young Scholars belonging to different countries and Regional Areas. At the same time, it appears as much important to foster form of interchange and cooperation between Scholars of different range of ages.

At this purpose, the initiative taken by President Tiziano Treu and Secretary General Giuseppe Casale to promote the creation of seven research groups on the issues listed in the letter of last 23<sup>rd</sup> of October could represent also a precious occasion to experiment new forms of involvement of the Young Scholars in the activities promoted by the ISLSSL. That is because, on one side, the initiatives planned within the Section and the Regional Subsections could be devoted to some of the issues proposed for the working group, so the products of these initiatives (surveys, papers etc.) could be addressed to the working group as contributions to the implementation of the respective researches. On the other side, it could be highly remarkable if the composition of the working groups could include young scholars who could contribute from the inside to this innovative experience which could result so important for the future of the ISLSSL.

The National Members of the ISLSSL will be kept informed of every initiative and project which will be promoted (with the prior agreement with the ISLSSL Board) within the Young Scholars Section.

### **ISLSSL website**

Once again, we would like to express our thanks to Lancaster House for generously hosting our new website, created in 2013, free of charge. This has allowed us to provide a sphere for the dissemination of documentation related to our institutions, our activities, projects and proposals, member news, the activity of our young scholars, and scientific publications. Along with our congresses and activities, our website is another meeting place for our members and their affiliates.

Giuseppe Casale  
Secretary-General

Tiziano Treu  
President

## ANNEX I

# **VI seminario de postgrado internacional y comparado de Derecho del Trabajo sobre derechos fundamentales (16 al 25 de Mayo 2016)**

**Organizado por Universitas Fundación en la Isla de Margarita, Venezuela.  
Auspiciado por la Sociedad Internacional de Derecho del Trabajo y de la  
Seguridad Social (SIDTSS).**

**Avalado académicamente adicionalmente por:**

Universidad de Margarita (UNIMAR).

Academia Iberoamericana de Derecho del Trabajo y de la Seguridad Social (AIDTSS).

### **NOTA HISTÓRICA:**

El Seminario de Postgrado Internacional y Comparado de Derecho del Trabajo se ha venido realizando en la Isla de Margarita, Venezuela, por iniciativa de la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social que propuso a Universitas Fundación, la realización de un ciclo de estudios avanzados dedicados a jóvenes especialistas en estas disciplinas. Su primera edición se celebró en el año 2011. A finales del año 2012, en el Congreso Mundial de Derecho del Trabajo y de la Seguridad Social celebrado en Santiago de Chile, la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social dispuso considerarlo como una de sus actividades formativas para la América Latina al modo de los seminarios que la Sociedad auspiciara desde hace décadas en Europa, sucesivamente en Szeged luego Bordeaux, actualmente en Lyon-Saint Etienne y Venecia.

Se han celebrado a la fecha cinco (5) programas de este Seminario Internacional cumpliéndose este año con su sexta edición, donde se ha abordado las variadas modalidades en que se manifiesta el Derecho del Trabajo y sus ramas afines.

### **OBJETIVO GENERAL:**

El objetivo general del programa consiste que los participantes profundicen sobre el conocimiento teórico y práctico en relación con el contenido y funcionamiento de las últimas tendencias en el Derecho del Trabajo, atendiendo sus ramas afines, sus principios articuladores, los actores sociales y las instituciones que del ordenamiento jurídico emanan. Se persigue perfeccionar el conocimiento de los participantes sobre el Derecho del Trabajo, mediante el estudio de la legislación laboral, la jurisprudencia, la

doctrina y la práctica forense a nivel comparado internacional.

### **OBJETIVO ESPECÍFICO:**

El tema de la VI edición de este Seminario versará sobre **los derechos fundamentales laborales** y las variadas modalidades en que se manifiestan.

Este seminario contará con la directriz de distintos profesores especialistas en la materia de diversas nacionalidades como lo son: Arturo BRONSTEIN (Argentina) Giuseppe CASALE (OIT), Héctor JAIME MARTÍNEZ (Venezuela), Humberto VILLASMIL (OIT), Jorge ROSENBAUM (Uruguay), José Luis UGARTE (Chile), Napoleón GOIZUETA (Venezuela) y Oscar HERNÁNDEZ ALVAREZ (Venezuela). Su contenido ha sido diseñado con la premisa de atender todas y cada una de las necesidades de formación en esta actualización específica.

### **JUSTIFICACIÓN:**

Este Seminario de postgrado internacional y comparado, tiene como propósito actualizar integralmente a los profesionales con grado universitario vinculados a las relaciones laborales brindándole los elementos necesarios para un adecuado desempeño en el ejercicio de sus actividades profesionales, ya sea en la administración de justicia, en el manejo de las relaciones industriales o recursos humanos empresariales, sindicales, funcionariales, en actividades independientes en el ámbito de asesoría, investigación o en el litigio. Igualmente el Seminario permite una interacción de los alumnos con los profesores, por tratarse de un pequeño grupo de participantes donde se podrán exponer casos de la vida cotidiana para obtener respuestas a sus inquietudes.

### **DURACIÓN:**

El Seminario de Postgrado Internacional de Derecho Comparado del Trabajo tendrá una duración de ochenta (80) horas académicas, para un total de ocho días de trabajo más un día de descanso.

### **LUGAR Y FECHAS:**

**Lugar:** Isla de Margarita, Estado Nueva Esparta, Venezuela. **Clases:** Avaladas por la Universidad de Margarita (UNIMAR)

**Hospedaje y alimentación:** Hotel Lagunamar, Pampatar, Isla de Margarita (5 estrellas). **Fechas:** Del 16 al 25 de mayo 2016.

### **METODOLOGÍA ACADÉMICA:**

Los aspirantes a participar en el seminario deberán leer previamente sobre los temas que serán tratados en el seminario y deberán elaborar un informe escrito nacional, para compartir su experiencia con los participantes de otros países, en el cual, expondrán sus ideas, haciendo referencia específica a la realidad nacional de su país en la materia, siguiendo un esquema o matriz que será proporcionado por los organizadores. El informe deberá contar entre quince y veinte páginas escritas en letra Arial punto 12 a espacio 1,15. El mismo deberá ser enviado por correo electrónico a la Fundación al menos con una semana de anticipación al seminario. Los informes serán expuestos oralmente durante la realización del seminario, de acuerdo con la organización y metodología que se informará el día de la instalación del seminario.

El primer día de clases se dictará una clase introductoria del Derecho Comparado del Trabajo para interiorizar la modalidad de trabajo que será aplicada durante todo el seminario. Ese mismo día se formarán grupos de participantes procurando mezclar dentro de cada grupo a alumnos de diferentes nacionalidades. Cada uno de los temas será expuesto por el profesor respectivo escogido para tal fin durante una hora. A continuación se realizará un panel, en el cual, los otros profesores presentes expondrán sus comentarios ante la conferencia. Luego habrá un receso para el café. Después del receso se abre un debate con participación de los asistentes al seminario y los profesores. Los grupos formados con los asistentes al seminario recibirán del conferencista de cada día varios puntos a discutir relativos al tema de la conferencia, un punto para cada grupo, el grupo se reunirá durante tres horas en la tarde luego del almuerzo para discutir y resolver la pregunta asignada, y deberán redactar un informe breve de máximo 3 páginas. Posteriormente, todos los grupos se reunirán con el profesor para presentar y discutir sus conclusiones.

#### **COORDINADORES ACADÉMICOS:**

Oscar HERNÁNDEZ ÁLVAREZ. Profesor de Derecho del Trabajo de la Universidad Centro Occidental Lisandro Alvarado. Presidente de la Academia Iberoamericana de Derecho del Trabajo y de la Seguridad Social. (Venezuela).

Iván MIRABAL RENDÓN Profesor de Derecho del Trabajo de la Universidad Fermín Toro. Director de Universitas Fundación (Venezuela).

#### **COMITÉ CONSULTIVO INTERNACIONAL:**

Carlos AYALA MONTERO (Academia Panameña de DT) / Juan Manuel CHARRÍA SEGURA (Colegio de Abogados del Trabajo de Colombia) / Flor ESPINOZA HUACÓN (Sociedad Ecuatoriana de DTySS) / Cesar Landelino FRANCO LÓPEZ (Asociación Guatemalteca de DTySS Mario López Larrave) / Graciela GONZÁLEZ (Asociación Argentina de DT ySS)/ Patricia KURCZYN VILLALOBOS (Asociación Mexicana de DTySS) / Héctor A. JAIME MARTÍNEZ (Asociación Venezolana de Profesores de DT) / Rafael PEREIRA LAGOS (Sociedad Chilena de DTySS)/ Jorge ROSENBAUM RÍMOLO (Asociación Uruguaya de DTySS).

#### **INVERSION:**

**Incluye: Inscripción + Hospedaje + Alimentación + uso de la playa y demás instalaciones del hotel.**

- a) **Valor de inversión U\$ 1.400,°°.** Incluye: participación en el seminario, alojamiento en el Hotel Lagunamar (5 estrellas) durante todo el tiempo del seminario con entrada el 15/05/2016 y salida el 26/05/2016, incluye todas las comidas (desayuno, almuerzo y cena), bebidas nacionales, material de apoyo, paseo por la Isla y certificado avalado por la Universidad de Margarita, la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social, la Academia Iberoamericana de Derecho del Trabajo y de la Seguridad y Universitas Fundación. Asimismo los participantes del seminario que deseen asistir al 9° Congreso Internacional del Derecho del Trabajo y de la Seguridad Social que se realizarán Caracas el fin de semana previo al seminario (los días 13 y 14 de Mayo 2016), en el Aula Magna de la Universidad Católica Andrés Bello, estarán exonerados del pago de la matrícula, debiendo correr únicamente con los gastos de hotel alimentación y transporte. Quienes, además de participar en el Seminario lo hagan también en el Congreso se les otorgará un certificado que indique el total de las horas académicas cumplidas en cada uno de los eventos.

**Reserva de cupo:** Para garantizar el cupo debe enviarnos su síntesis curricular con la manifestación de su interés de participar en el seminario. Una vez verificada la disponibilidad de cupo se debe transferir la cantidad de U\$ 400,°° antes del 31 de marzo de 2016 para hacer un anticipo al pago de su alojamiento en el Hotel sede, lo cual es exigido por éste.

**INSCRIPCIONES:**

Para poder realizar su inscripción debe escribir al correo [secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com) manifestando su interés de participar en el Seminario. Debe acompañar en el correo su resumen curricular. Para mayor información escribir al correo mencionado.

**POSIBILIDAD DE BECAS**

Se otorgarán becas parciales internacionales por la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social y Universitas Fundación. Los beneficiarios de las becas tendrán asegurado su cupo en el seminario. Igual que los demás participantes deben transferir la cantidad de U\$ 400,°° antes del 31 de marzo de 2016 para hacer un anticipo al pago de su alojamiento en el Hotel sede.

**1. La Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social** otorgará algunas becas de un mil dólares norteamericanos (U\$D 1.000,°°) cada una. Los beneficiarios de las becas deberán pagar el resto del monto de inversión, es decir, los otros U\$ 400,°°. La modalidad de la beca será conforme a los lineamientos de la SIDTSS, a saber, son los siguientes:

- A) Sólo son elegibles los candidatos y candidatas de países distintos del país sede;
- B) Los candidatos deben ser profesionales.
- C) Edad máxima de cuarenta (40) años, se dará preferencia a quienes tengan menos de 35 años;
- D) Quienes ya se han beneficiado de una beca de la SIDTSS no son elegibles.
- E) Los becarios deberán presentar a la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social, dentro de los 30 días de concluido el Seminario, un informe sobre sus actividades y contenidos.
- F) Ambos sexos son igualmente bienvenidos; se alienta la presentación de candidaturas por parte de candidatas de sexo femenino.
- G) Las solicitudes deben ser presentadas dentro del plazo fijado por la Asociación Nacional de Derecho del Trabajo y de la Seguridad Social integrante de la SIDTSS del país de la nacionalidad del postulante y por ante la misma, adjuntándose a las mismas el curriculum vitae del postulante y demás elementos y requisitos que la asociación nacional considerare pertinente exigir. Para averiguar los datos de la asociación nacional de su país integrante de la SIDTSS los aspirantes pueden consultar la página web de ésta ([www.islssl.org](http://www.islssl.org)). Debe enviarse copia de la solicitud a Universitas Fundación a la siguiente dirección electrónica: [secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com)
- H) Con el fin de asegurar la más amplia distribución internacional de sus becas, la SIDTSS acuerda una sola beca por cada país, de modo que si la asociación nacional recibiere más de una candidatura deberá hacer ella misma la selección conforme al procedimiento, basado en consideraciones de mérito y trayectoria, que cada asociación nacional establezca; pudiendo declarar desierta la selección en el caso de que considerare que ninguno de los postulantes reúne las calidades necesarias para ser beneficiario de la beca. La asociación nacional además, seleccionará y presentará una candidatura suplente para ocupar el lugar del titular de su propio país en la hipótesis de que éste desistiera de participar en el seminario. Las asociaciones nacionales deberán comunicar a la SIDTSS en la persona de su presidente y antes del día 31 de Enero de 2016 los nombres y síntesis curricular de los candidatos (titular y suplente) que hubiere elegido. En el caso de que el número de candidatos propuestos por las asociaciones nacionales fuere superior al número total de becas disponibles, la SIDTSS procederá a seleccionar entre estos a los beneficiarios, tarea que llevará a cabo por medio de un “subcomité de becas” escogido entre los integrantes del Comité Consultivo Internacional. Las candidaturas suplentes, sólo será consideradas en el supuesto de que el número de candidatos propuestos por la asociaciones nacionales no hubiere sido superior al número total de becas disponibles; si lo hubiere sido, las vacantes serán previamente ofrecidas a los candidatos que hubieren sido desestimados en primera instancia por el Subcomité de becas intervinientes.

**2.** Universitas Fundación otorgará hasta un máximo de tres becas de U\$ 500 dólares (atendiendo a los mismos criterios de requisitos establecidos por la SIDTSS). Los beneficiarios de las becas deberán abonar el saldo restante, cuyo monto asciende a novecientos dólares (USD 900) que deberán ser pagados previamente por el beneficiario

de la beca a través de transferencia bancaria. Los aspirantes a la beca parcial deben ser profesionales en el área relacionada con el tema del seminario. Se dará preferencia a quienes ejercen la docencia o la judicatura en el área o hayan cursado o estén cursando o hayan cursados estudios de post grado en el área. Los becarios deberán presentar a la Fundación, dentro de los 30 días de concluido el Seminario, un informe sobre sus actividades y contenidos. Las solicitudes de beca deben ser presentadas a Universitas Fundación antes del 28 de Febrero del 2016 al siguiente correo electrónico: [secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com). La solicitud debe ser acompañada con un resumen curricular del aspirante, una carta de recomendación de un profesor de Derecho del Trabajo en su país de origen. Si se tratase de profesor universitario o Juez, será suficiente la certificación que lo acredite como tal.

Por otra parte, se reservarán tres (3) cupos para ex-alumnos de las ediciones anteriores del seminario y éstos contarán con una beca parcial de igualmente U\$ 500,°, debiendo pagar sólo la cantidad de U\$ 900,° cuyo monto incluirá a modo de subvención, la matrícula de inscripción, el hospedaje y la alimentación durante todos los días de la celebración del seminario.

## PROGRAMA

### DERECHOS FUNDAMENTALES LABORALES

#### Lunes 16 de mayo de 2016.

8H.00 - 9H.00. Registro de Participantes y Entrega de Material. 9H.00 Instalación

9H.30 **INTRODUCCIÓN AL DERECHO COMPARADO DEL TRABAJO.**

10H.30 - 11H.00. Receso.

11H.00 - 12H.30. Taller: **Aspectos prácticos y Metodológicos. Oscar HERNANDEZ ÁLVAREZ** (Venezuela. Presidente AIDTSS) 12H.30. Receso para almuerzo.

15H.00 - 16H.00 **DEFINICIÓN DE DERECHOS FUNDAMENTALES.**

**Héctor JAIME MARTÍNEZ** (Venezuela. Universidad Católica del Táchira) 16H.00 -

17H00 Panel de profesores

17H.00 -17H30 Receso

17:30 -18H.30.Debate.

#### Martes 17 de mayo de 2016.

9H.00. **Tema: DECLARACIÓN DE LA OIT SOBRE PRINCIPIOS Y DERECHOS FUNDAMENTALES EN EL TRABAJO.**

**Giuseppe CASALE** (Italia. OIT. Secretario General de la SIDTSS)

10H.00. Panel de profesores.

11H.00. Receso.

11H.30/12H.30. Debate. 13H00. Almuerzo.

15H.00-18H.00. Grupos de trabajo.

18H.00 -19H00 informe.

#### Miércoles 18 de mayo de 2016.

9H.00. **Tema: DERECHOS FUNDAMENTALES DE LOS TRABAJADORES A SU INTIMIDAD, DIGNIDAD Y PROPIA IMAGEN.**

**Arturo BRONSTEIN** (Argentina. Ex funcionario OIT y Ex Secretario General de la SIDTSS) 10H.00. Panel de profesores.

11H.00. Receso.



11H.30 -12H.30. Debate.  
13H.00. Almuerzo.  
15H.00-18H.00. Grupos de trabajo  
18H.00 -19H00 informe.

#### **Jueves 19 de mayo de 2016.**

09H.00. **DERECHO FUNDAMENTAL DE LOS TRABAJADORES A LA LIBERTAD DE CORRESPONDENCIA, EXPRESIÓN Y RELIGIÓN.**

**Humberto VILLASMIL PRIETO** (OIT. Suiza) 10H.00. Panel de profesores.

11H.00. Receso.  
11H.30 -12H.30. Debate.  
13H.00. Almuerzo.  
15H.00-18H.00. Grupos de trabajo.  
18H.00 -19H00 informe.

#### **Viernes 20 de mayo de 2016.**

9H.00. **TUTELA DE DERECHOS FUNDAMENTALES DEL TRABAJADOR.**

**José Luis UGARTE CATALDO** (Chile. Profesor Diego Portales)

10H.00. Panel de profesores.  
11H.00. Receso.  
11H.30 -12H.30. Debate.  
13H.00. Almuerzo.  
15H.00-18H.00. Grupos de trabajo.  
18H.00 -19H00 informe.

**Sábado y Domingo 21 y 22 de mayo de 2016. Libres.**

#### **Lunes 23 de mayo de 2016.**

9H.00. **DERECHO FUNDAMENTAL DE LOS TRABAJADORES AL EJERCICIO DE LA AUTONOMÍA COLECTIVA.**

**Napoleón GOIZUETA** (Venezuela. Universidad de Carabobo)

10H.00. Panel de profesores.  
11H.00. Receso.  
11H.30 - 12H.30. Debate.  
13H.00. Almuerzo.  
15H.00-18H.00. Grupos de trabajo.  
18H.00 -19 H00 informe.

#### **Martes 24 de mayo de 2016.**

**Tema: CONFRONTACIÓN DE DERECHOS FUNDAMENTALES. MECANISMOS DE SOLUCIÓN.**

**Jorge ROSENBAUM RÍMOLO** (Uruguay. Universidad de la República. Secretario General de la AIDTSS)

10H.00. Panel de profesores.  
11H.00. Receso.  
11H.30 - 12H.30. Debate.  
13H.00. Almuerzo.  
15H.00-18H.00. Grupos de trabajo.  
18H.00 -19 H00 informe.  
19H:30 a 20:30 Clausura y entrega de certificados.

**Miércoles 25 de mayo de 2016.**

9H.00 a 11H.00: **PRESENTACIÓN Y EXPOSICIÓN DE INFORMES MONOGRÁFICOS NACIONALES.**

15H.00-18H.00 **ACTIVIDAD A CARGO DE LA SECCIÓN LATINOAMERICANA DE JÓVENES JURISTAS DE LA SOCIEDAD INTERNACIONAL DE DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL.**

18H:00 Clausura

21H:00 Cena de clausura.

**Modalidad de Pago:**

Transferencia:

Bank of America, Cta. N°: 3340 4379 7695, Titular: Iván Alí Mirabal Rendón. Forma: wire el Routing o ABA es 026009593, SWIFT: bofaus3n. Si la transferencia se hace como ACH el routing number es 063100277. Dirección del Banco: 3210 Holcomb Bridge Road Norcross, GA 30092. USA.

Cuenta en España. Banco Santander: Número de Cuenta: 0049 2604 4720 9507 5482 a nombre de Iván Mirabal Rendón. SWIFT: BSCHEMMXXX. CODIGO IBAN: ES57 0049 2604 4720 9507 5482. Dirección: Toledo, España, Comercio 47-45001. Si decide transferir a esta cuenta el monto debe ser igual a 1.400 dólares convertidos a euros.

Banco: Chase. Número de Cuenta 000000752733444 Routing number: 071000013. Dirección Banco P.O.BOX 260180 BATON ROUG LA 70826 .0801. Depósitos a nombre de Óscar Hernández Álvarez.

**INFORMACIÓN:**

Comunicarse con Universitas Fundación por los Teléfonos: (0058) (251) 2320492 / 2320749 / 414-7855710 o a la siguiente dirección electrónica:

[secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com)  
[www.universitasfundacion.com](http://www.universitasfundacion.com)

ANNEX II

**Meeting of the  
European Labour Law Young Scholars**

**Foreign workers in the European  
and national labour markets**

Santiago de Compostela, Faculty of Law  
9-10 June 2016

**Promoted by  
Universidade de Santiago de Compostela  
and  
AEDTSS – Asociación Española de Derecho del Trabajo y de la  
Seguridad Social**

**Under the auspices of  
ISLSSL - International Society for Labour and Social Security Law**

## **Organization Committee**

Stefano Bellomo, ISLSSL, Università degli Studi di Perugia; Jesús Cruz Villalón, AEDTSS, Universidad de Sevilla; Yolanda Maneiro Vázquez and José María Miranda Boto, Universidade de Santiago de Compostela; Nicola Gundt, Universiteit Maastricht; Maciej Łaga, Uniwersytet Gdański.

## **Attendance Rules**

Participation will be possible in this Meeting under two roles: discussant and attendant.

Each National Association affiliated to the International Society of Labour and Social Security Law can propose one or two discussants; the nomination will be communicated to both [stefanobellomo@mmba.it](mailto:stefanobellomo@mmba.it) and [josemaria.miranda@usc.es](mailto:josemaria.miranda@usc.es) before the 1<sup>st</sup> March 2016. The final selection of discussants will be made by the ISLSSL, as well as the proposals for the introductory remarks. The choice of the subjects by the discussants will be made through the YS website (<http://www.euryoungscholars.unimi.it/>) under the supervision of the ISLSSL, during the month of March. The proceedings of the Meeting will be published.

As attendants, each National Association can appoint a wider number of representatives according to its own rules – no grant will be given to them by the ISLSSL. Furthermore, the attendance to the academic session and to the debate is open to each Young Scholar who is interested in studying the issues that will be examined and debated in the Seminar, up to a total limit of 30 people. Attendants are invited to engage in the debate following the exposition by the discussants. Of course, attendants from extra-European countries are welcomed to participate in the meeting.

Anyway, the organizers wish that the Seminar could represent an occasion for the National associations to establish and promote the activity of the respective national Young Scholars' Sections.

The working language will be English and the dress code is casual.

## **Registration fees**

175 Euros. The fees include academic materials, accommodation in individual room for two nights in a University Residence, one lunch, two dinners and social events. Extra nights can be booked at the time of the registration (35 Euros per night, including breakfast)

The ISLSSL will give a grant of 50 Euros to each of the selected discussants, with a top expenditure of 1000 Euros.

## **Payment**

Please, make a bank transfer to:

Banco Santander Central Hispano (BSCH)

SWIFT code: BSCHEM

IBAN code: ES40 0049 2584 90 2214002210

(Bank Code: 0049, Counter Code: 2584, Account Number: 2214002210, Key: 90)

Bank Account Holder: Universidade de Santiago de Compostela-Congresos.

Address of the bank: Rúa Calderería 56/58, 15703, Santiago de Compostela, Spain.

Address of the bank account holder: Casa da Balconada, 15782, Santiago de Compostela, Spain.

In order to guarantee the university accommodation, the total amount of the registration and accommodation fees has to be paid before April 30, 2016. Please mention YSM-USC and the full name of the participant in the bank order. Payments must be made in Euros. Possible transfer fees are on the participant's charge.

## **Contact**

José María Miranda Boto

[josemaria.miranda@usc.es](mailto:josemaria.miranda@usc.es)

Facultad de Derecho, s/n

15782 Santiago de Compostela

España

(34) 881814719

# Timetable

## Thursday, 9<sup>th</sup> June

16:00 Welcome speech

16:10 First track of presentations and debate

- Introductory remarks: New developments of free movement of workers
- Panel and debate on different worldwide approaches, recent case-law and national practices

19:30 End of sessions

21:00 Dinner

## Friday, 10<sup>th</sup> June

10:00 Second track of presentations and debate

- Introductory remarks: The EU migration policy
- Panel and debate on national measures

14:00 End of sessions – Lunch

16:00 Third track of presentations and debate

- Introductory remarks: Social Security inside the internal market
- Panel and debate on recent case-law and national practices

18:00 Assembly of the ELLYS

19:30 End of sessions

21:00 Pulpada (typical Galician dinner with octopus)

ANNEX III

**1<sup>ST</sup> IBERIAN MEETING**

**“Collective Bargaining: new and old  
challenges in Portugal and Spain”**

**Promoted by:**

**APODIT – Associação Portuguesa de Direito do Trabalho**

**AJJ – Associação de Jovens Juslabouralistas**

**AEDTSS – Asociación Española de Derecho del Trabajo y de la Seguridad Social**

**Under the auspices of**

**ISLSSL – International Society for Labour and Social Security Law**

**and**

**ILO – Lisbon Office**

## **The Philosophy**

Further to the Institutional formalization of the Young Legal Scholars Section in Cape Town, South Africa, in September 2015, the National Associations of Portugal and Spain decided to promote the I Iberian Meeting of the European Young Scholars' Section of the International Society for Labour and Social Security Law, with representatives from different Schools of Law from Portugal and Spain.

In September 2015, the President of the International Society for Labour and Social Security Law, Professor Tiziano Treu, proposed to the Executive Committee the creation of seven international groups dedicated to the development of the main labour questions.

The I Iberian Meeting will address the important subject of "Collective Bargaining: new and old challenges in Portugal and Spain" which falls under the scope of two different groups for research: "Organization, productivity and well-being at work" (IV) and "The Role of the State and the industrial relations" (VII).

## **Methodology**

The Meeting will count with the participation of two keynote speakers on the 1<sup>st</sup> and on the 2<sup>nd</sup> day. On the 1<sup>st</sup> day, the Meeting will start with a presentation by Eng. João Proença, Chairman of the Centro das Relações Labourais and former General Secretary of one of the major Portuguese Trade Union Federation that will present his perspective of Collective Bargaining in Portugal, considering his long experience in social dialogue and collective bargaining. On the 2<sup>nd</sup> day a keynote speech will be presented by Mr. Youcef Ghellab, PhD and Head of the Social Dialogue and Tripartism Unit of the ILO Governance and Tripartism Department, and will tackle the issue of Social Dialogue and Collective Bargaining from an International and European Perspective.

The Meeting will be developed in six Panels, where specific issues under the general subject of collective bargaining will be addressed, all of them being intended to give a comparative perspective on the subject, based on individual presentations from representatives from Portugal and Spain followed by the discussion with the participants and public.

In those Panels speakers will be invited to analyse the role of collective agreements in their relation to law and to the employment contract, the legitimacy and representativeness of the Social Partners and their responsibilities in promoting the development of work conditions, the role of the State on defining the structure of the national collective bargaining system and the coverage of the collective labour agreements, the effects and after effects of existing collective agreements. Besides, the Meeting will also promote the debate on two



other relevant topics: the collective bargaining in the public service and the content of collective agreements.

The Iberian Meeting will end with a keynote speech from a Senior Scholar from another European Country who will present the main conclusions of the six panels, which could support further discussions, on a national or international level, and give proposals on future national reforms.

This Conference will be open to the public and the speakers will be invited to deliver their papers that will be published on line in the site of APODIT and, eventually, in an edited version.

The organizing entities also intend to seek for the active collaboration and participation in this event of other entities aside Law Schools, mainly social partners and public authorities in the area of collective bargaining.

### **Provisional Program**

**28 April 2016**

<b>14:00</b>	<b>Registration and reception of the participants</b>
<b>14:30</b>	<b>Opening session</b> (representatives of the promoters and partners)
<b>15:00</b>	<b>Keynote Speech – Collective Bargaining and Social Dialogue: the Portuguese experience and challenges of the future</b> <b>João Proença</b> (Chair of the Centre for Industrial Relations and former General Secretary of UGT - General Union of Workers)
<b>15:30</b>	<b>Panel 1 – The collective labour agreement, the law and the employment contract</b> <b>Chair: José Maria Miranda Boto</b> , Professor PhD (Chair of the European Young Scholars' Section of the ISLSSL) <b>Lucía Dans Sotomayor</b> , Professor PhD (University of La Laguna) <b>Joana Vasconcelos</b> , Professor PhD (Law School of the Catholic University of Portugal, Lisbon School)
<b>16:30</b>	Discussion
<b>16:45</b>	Coffee break

<b>17:00</b>	<b>Panel 2 – Legitimacy and representativeness in collective bargaining</b>
	<b>Chair: Jesús Cruz Villallón</b> , Professor PhD (Seville University and chair of the AEDTSS) <b>Esther Carrizosa Prieto</b> , Professor PhD (University of Pablo de Olavide) <b>João Reis</b> , Professor PhD (Faculdade de Direito de Coimbra)
<b>18:00</b>	Discussion
<b>18:15</b>	End of sessions

## 29 April 2016

<b>9:00</b>	<b>Reception of the participants</b>
<b>9:30</b>	<b>Keynote Speech – Social dialogue and collective bargaining: International and European overview</b> <b>Youcef Ghellab</b> , Head of the Social Dialogue and Tripartism Unit of the ILO Governance and Tripartism Department
<b>10:00</b>	<b>Panel 3 – Levels of collective bargaining and “erga omnes” coverage of the collective agreements: traditional approach and new trends</b>
	<b>Chair: Stefano Bellomo</b> , Professor PhD (University of Perugia) <b>Mariola Serrano Argüeso</b> , Professor PhD (University of Deusto) <b>Isabel Vieira Borges</b> , Professor PhD (Law School of the University of Lisbon)
<b>11:00</b>	Discussion
<b>11:15</b>	Coffee break
<b>11:30</b>	<b>Panel 4 – Validity and after effect of the collective agreement</b>
	<b>Chair: Bernardo Lobo Xavier</b> , Professor PhD (Law School of the Catholic University of Portugal, Lisbon School) (to be confirmed) <b>Albert Pastor Martínez</b> , Professor PhD (Autonomous University of Barcelona) <b>David Carvalho Martins</b> , Master in Law (Law School of the University of Lisbon)
<b>12:30</b>	Discussion
<b>12:45</b>	End of sessions – Lunch

<b>14:30</b>	<b>Panel 5 – The collective bargaining in the public service</b>
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	<p><b>Chair: José João Abrantes</b>, Professor PhD (Law School of the New University of Lisbon)</p> <p><b>Yolanda Maneiro Vázquez</b>, Professor PhD (University of Santiago de Compostela)</p> <p><b>Pedro Madeira de Brito</b>, Professor PhD (Law School of the University of Lisbon)</p>
<b>15:30</b>	Discussion
<b>15:45</b>	Coffee break
<b>16:00</b>	<b>Panel 6 – The content of collective agreements in a flexible and precarious labour market</b>
	<p><b>Chair: Maria do Rosário Palma Ramalho</b>, Professor PhD (Law School of the University of Lisbon, chair of APODIT)</p> <p><b>Djamil Tony Kahale Carrillo</b>, Professor PhD (University for Distance Learning of Madrid)</p> <p><b>Teresa Coelho Moreira</b>, Professor PhD (Law School of the University of Minho)</p>
<b>17:00</b>	Discussion
<b>17:15</b>	<p><b>Keynote Speech – conclusions of the conference</b></p> <p>Stefano Bellomo, Professor PhD (University of Perugia)</p>
<b>17:45</b>	<b>End of sessions</b>

## ANNEX IV



Università  
Ca' Foscari  
Venezia

Dipartimento di Economia  
Master Lavoro  
Centro Studi Giuridici



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

### **3rd International Seminar on International and Comparative Labour Law**

### ***Sustainable Development, Global Trade and Social Rights***

**26 June 2016 – 2 July 2016**

Venice Ca' Foscari University

#### ***Presentation of the Seminar***

Sustainable Development is an interdisciplinary concept, which regards the environment, the economy and the social sphere. While relations between sustainability and environmental law have long been investigated, the "social pillar" of sustainability has yet to be adequately studied and developed by scholars of labor law. Sustainability concerns in fact, primarily, the "human and social capital" of any economic organization and its preservation over time. The social pillar needs then to be considered, analysed and studied, as it is more and more important in the Global Trade context, where Social Rights need to be supported and promoted, at national and international level, by all the stakeholders (employers, states, employees, consumers, trade unions, citizens, institutions, Ngos, communities and organizations).

This updated issue has been recently re-launched for example on the debate due to the recent USA trade agreement: the TTIP, *Transatlantic Trade and Investment Partnership* (with the EU) from the one side and the TPP, *Trans-Pacific*

*Partnership* (with Brunei, Chile, New Zealand, Singapore, Australia, Canada, Japan, Malaysia, Mexico, Peru, United States and Vietnam) from the other side. In which way these agreements combine the promotion of economic reasons and social issues? Are they following the example of the other international trade agreement (ASEAN, MERCOSUR, NAFTA, etc...) or could be they considered as “a new era agreements”?

Scholars, both economists and jurists, needs to underlines this new interest in the link between international trade and social rights, which emerges not only in trade agreements context but also thanks to the new generation social clause (as for example in the new EU GSP), the Horizontal Social Clause of Article 9 TFEU, the new relationship between investments and sustainable development, the social rights respects as a component of an economic and social growth model in line with the ILO Agenda of Decent Work, the ISDS (Investor-State Dispute Settlement) Clause, etc. These are all examples of the promotion of the so called social Sustainability.

The interdisciplinary process of analysis that we propose to deepen during the Seminar, also thanks to the call for papers of the Young Scholars' Section ISLSSL, looks at Sustainability as a new scientific paradigm of Labor Law, providing a new legitimacy to social rights today increasingly questioned by the prevalence of a purely economic rationality, in this context of trade liberalization moved by globalisation. The ISLSSL Venice Seminar is aimed at analysing the most updated aspects of this linkage between social rights and international trade with an intensive and highly interactive week program that includes lectures, briefing by experts, working groups and case analyses on those topics. The seminar is aimed at PhD students, research fellows, academics and experts in the area of Labour Law, Sustainability, Economics, Trade and International Law.

## **Program**

### **June 26<sup>th</sup>, Sunday**

***Participants arrival and welcome drink. Establishment of working groups.***

### **June 27<sup>th</sup>, Monday**

#### **Morning**

##### ***Welcoming regards***

Prof. M. Bugliesi – Venice Ca' Foscari University Magnificent Rector

Prof. M. Billio – Venice Ca' Foscari University, Economics Department Chair

Dott. L. Brugnaro – Mayor of Venice

Prof. T. Treu – ISLSSL President

Prof. M. Ricci – AIDLASS (Italian Society for Labour Law and Social Security Law) President

Prof. G. Casale – ISLSSL Secretary General, International Training Centre of the ILO Director and Venice Ca' Foscari University Visiting Professor

### ***Introduction to the Seminar***

Prof. A. Perulli – Venice Ca' Foscari University

### ***Sustainable Development and International Trade***

Prof. C. Carraro – Venice Ca' Foscari University

- ***Sustainable Development and International Trade***

Prof. S. Giupponi – Venice Ca' Foscari University

- ***Sustainable Development, Economic Theory and Social Rights: why we need a linkage***

Prof. A. Lyon-Caen – Université Paris Ouest Nanterre La Défense, École des Hautes Études en Sciences Sociales (EHESS)

- ***The Social Clause: issues, concepts, origins and concerns. Theoretical assumptions***

Prof. T. Treu – ISLSSL President

- ***Weak and strong examples of Social Clause as a concrete example of linkage between the economic and the social dimension of trade***

### **Lunch**

### **Afternoon**

Working groups and discussion

## **June 28th, Tuesday**

### **Morning**

***International Trade Agreements: the linkage between trade and social rights.***

Prof. A. Goldin – University of Buenos Aires

- ***The MERCOSUR (Southern Common Market): Argentina, Brazil, Paraguay, Uruguay and Venezuela***

Prof. J. Bellace – University of Pennsylvania

- ***Bilateral Free Trade Agreements (FTAs), the NAFTA (North American Free Trade Agreement) and the TPP (Trans-Pacific Partnership)***

Prof. T. Araki – University of Tokyo

- ***The ASEAN (Association of Southeast Asian Nations) Agreement***

Prof. M. Faioli – University Tor Vergata of Rome

- ***The TTIP (Transatlantic Trade and Investment Partnership) Agreement***

### **Lunch**

### **Afternoon**

Working groups and discussion

## **June 29th, Wednesday**

### **Morning**

***The European Union internal and external action in the international trade relationships context.***

Prof. A. Perulli – Venice Ca' Foscari University

- ***Fundamental Social Rights in the Era of Globalization: the EU's strategy to promote respect for social rights in its external actions***

Prof. J. Kenner – University of Nottingham

- ***The EU vision of Sustainable Development and the Cotonou Agreement***

Prof. S. Giubboni – University of Perugia

- ***The Social Clause with reference to the internal dimension of the European Union market***

Prof. M. Weiss – University of Frankfurt

- ***The EU Generalised Scheme of Preferences and the Special Incentive Arrangement for Sustainable Development and Good Governance ("GSP+")***

### **Lunch**

### **Afternoon**

Working groups and discussion

## June 30th, Thursday

### Morning

#### ***Investments, IMF, ISDS (Investor-State Dispute Settlement) Clauses and the Arbitral Procedures to resolve a conflict***

Prof. S. Leader – University of Essex

- ***Social rights promotions and new strategies for global investments: the role of the World Bank and of the International Monetary Fund***

Prof. F. Valdes Dal Re – Complutense University of Madrid, Judge of the Constitutional Court of Spain

- ***The so called “internationally recognised” social rights: problems of identification and compliance***

Prof. G. Casale – ISLSSL Secretary General, International Training Centre of the ILO Director and Venice Ca' Foscari University Visiting Professor

- ***An overview on the ILO tools in the Organisation social rights promotion's activity***

Prof. F. Marrella – Venice Ca' Foscari University

- ***The ISDS (Investor-State Dispute Settlement) Clause: examples, content, application problems and consumers' worries***

### Lunch

### Afternoon

Working groups and discussion

## July 1st, Friday

### Morning

#### ***Young Scholars' Section ISLSSL Papers presentation***

Prof. S. Bellomo – University of Perugia

### Lunch

### Afternoon

Working groups and discussion



**July 2nd, Saturday**

**Morning**

***Final reports presentation and discussion***

Prof. A. Perulli – Venice Ca' Foscari University

Prof. V. Brino – Venice Ca' Foscari University

Prof. G. Zilio-Grandi – Venice Ca' Foscari University

**Seminar conclusion by 1 am.**

***Notes***

Lectures and working groups will be in English.

Registration period: February 1 – May 30, 2016.

Scientific Direction and Coordination: Prof. A. Perulli.

International Scientific Committee: A. Goldin, T. Treu, G. Casale, A. Lyon-Caen, F. Valdes Dal-Re, L. Compa, S. Sciarra, M. Weiss, J-M. Servais, A. Brugiavini.

**For any information, please write an email to [dirittodellavoro@unive.it](mailto:dirittodellavoro@unive.it)**

## ANNEX V



### **10<sup>th</sup> Labor and Social Security Law American Regional Congress, 2016 “Call”**

#### **1. Call**

The International Society for Labor and Social Security Law and its partner in Panama, the Labor Law Academy of Panama (APADETRA, for its name in Spanish), are pleased to convene the 10<sup>th</sup> Labor and Social Security Law American Regional Congress (“10<sup>th</sup> LSSLARC 2016”) which will take place in Panama City in the RIU hotel from the 26<sup>th</sup> to 30<sup>th</sup> September 2016.

#### **2. Congress Topics**

The 10<sup>th</sup> LSSLARC 2016 will address three official topics and include three round tables, opening conference, event for young scholars, national event, special conference on seafarers work and presentation of posters, national reports and free papers. Please refer to the topics and round tables at the end of this call.

#### **3. Accommodation**

The event will take place in RIU HOTEL, a 5 stars premium hotel in Panama City and a second premium tourist hotel will be available to accommodate participants. Participants will be able to choose between standard deluxe and tourist standard tariffs (prices will be announced in the congress website).

Accommodation will be handled by the Congress Official Agency Pesantez Tours (contact details below in section 11 “**Tourism**”).

#### **4. Transportation**

The Organizing Committee will offer airport-hotel- airport to participants who wish to book said service. Additionally, the Organizing Committee will take required actions to provide ground transportation to foreign participants (included in registration fee).

#### **5. Registration Fee**

There will be different fees for each of the following four types of participants: foreigners, locals, local students and companions.

There will be three different dates for payment of registration fees. The first date is until January 31, 2016 and grants 20% discount on registration fees. Up to three months before the event (June 25, 2016), 10% discount will be granted.

Registration fee:

Foreigners: USD400.00

Panama Citizens: USD 300.00

Panama B.A. Students: USD 150.00

Companions: USD 150

Closing Dinner: USD 75.00

Payment of Registration Fee entitles to, in addition to attendance to Congress sessions, to the following:

- Opening cocktail
- Coffee breaks during the event
- Panama Canal Tours (foreigners only)
- Cultural event
- Congress work materials
- USB with official and non-official Congress papers.

Companions will be entitled to:

- Opening cocktail
- Panama Canal Tours (foreigners only)
- Cultural event
- City Tour **or** Shopping Tour

## **6. Presentation of national reports and free papers**

Presentation of selected free papers will be allowed. The Organizing Committee, together with the Board of Directors of the International Society for Labor and Social Security Law (ISLSSL), will prepare the rules for drafting and presentations of free papers. Said contributions will be published in electronic format for distribution amongst participants.

The Organizing Committee will provide a template for submission of reports per country and Congress topic. The Organizing Committee, together with the Board of Directors of the ISLSSL, will prepare the rules for drafting and presentation of country reports.

## **7. Languages**

The 10<sup>th</sup> LSSLARC will use two (2) languages: Spanish as official working language and English via simultaneous translation.

## **8. Organizing Committee**

The Organizing Committee in charge of logistics and academic aspects of the event is led by:

- Vasco Torres De León, President of the Organizing Committee, [vascotorres@cableonda.net](mailto:vascotorres@cableonda.net)
- Rolando Murgas Torrazza, Honorary President, [rmurgas@cwpanama.net](mailto:rmurgas@cwpanama.net)
- Carlos Ayala Montero, President of APADETRA, [ayalaabogado@hotmail.com](mailto:ayalaabogado@hotmail.com)

## **9. Cultural and networking activities**

The Organizing Committee, through the Official Agency of the 10<sup>th</sup> LSSLARC, will organize a series of cultural and touristic events as follows:

- City tour or Shopping tour for companions (included in companion registration fee).
- Cultural event (included in registration fee).
- Visit to the new Panama Canal (included in foreigner and companion registration fee).
- Opening Cocktail (included in registration fee).
- Closing Dinner, at an additional fee for those wishing to attend.

## **10. Information**

The Organizing Committee has created the web page: [www.xcrame2016.com](http://www.xcrame2016.com) with all the information required to participate in the event. You also can get information asking to: [info@xcrame2016.com](mailto:info@xcrame2016.com) APADETRA will provide required information via [administracion@apadetra.org](mailto:administracion@apadetra.org).

## **11. Tourism**

The Official Agency of the 10<sup>th</sup> LSSLARC Pesantez Tours will offer pre and post Congress options for those participants and companions wishing to enjoy further their stay in Panama. Pesantez Tours contact details: (507) 223-5374 / 366-9100, [gerencia@pesantez-tours.com](mailto:gerencia@pesantez-tours.com), [www.pesantez-tours.com](http://www.pesantez-tours.com).

## **12. Flights**

The Organizing Committee will negotiate with the Panama flag airline COPA discounted rates in air flights to Panama City. Information will be provided in the 10<sup>th</sup> LSSLARC webpage.

## **TOPICS OF THE 10<sup>th</sup> LSSLARC**

The subjects that have been proposed to the Board of Directors of the International Society for Labor and Social Security Law (ISLSSL) are the following:

### **1. Opening Conference**

#### **The use of control technologies and their impact on work and workers**

Who gathers personal information? Should they be held in custody? How and which technologies can be used to control the working environment and work activities? Limits to monitoring work activities through new technologies. Should privacy be waived in light of the employer's right to control and the inevitable advancement of new technologies?

### **2. Core subjects**

#### **2.1 Evolution and transformation of the sources of Labour Law**

A. The impact of social clauses in Free Trade Agreements (FTAs) in the system of sources. B. New scenarios; "soft law" (codes of conduct, declarations of principles). C. Judicial interpretation as a means of evolution of the system of sources. D. Constitutional block theory. E. International labour laws and national legal systems. F. Effectiveness of pronouncements by control organs and protection of international law. G. Tendency towards Contract.

#### **2.2 Syndicalism in face of the transformation of businesses and the presence of new social actors**

A. Effects of the new forms of business organization over the development of syndicalism. B. The syndicate in face of the new means of representation in businesses. C. New forms of syndical participation in the control of the application of regulations in the business: syndical seal. D. The new social actors. E. The use of new technology as an element of transformation and strengthening of syndical action.

#### **2.3 Social security: how to make it to 2050 with a healthy system, economically and socially**

A. New forms of financing. B. Broadening of coverage. C. Profitability of pension systems. D. Protection in times of crisis. E. Financial stability. F. Solidarity vs. Profitability.

### **3. Round tables**

#### **3.1 The formalization of work-place informality**

A. What is work-place informality? B. How informal work should be formalized. C. Role of the ILO. D. Role of governments, employers and syndicates. E. Sub-protection of informality.

#### **3.2 The effectiveness of the labour process reform**

A. Beyond orality: the keys to labour process reforms. B. Development of new resources for new matters. C. Shortcomings of oral systems. D. Obsolescence of process figures. E. Others.

#### **3.3 Individual expressions of citizenship and their impact in the labor world**

A. Conduct excesses in work festivities: consequences and who to hold responsible. B. Hygiene policies and attire: tattoos, lip sticks, hats or equivalents, non-occidental attire. C. Domestic violence and its impact in the work-place: victims or aggressors as workers... how to handle it? D. Appointing tasks based on gender-based stereotypes: legal or illegal; where to draw the line?

#### **4. Special Maritime Labor Conference**

**An updated vision of seafarers' work:** A. hiring and intermediation; B. practical application of the 2006 Convention; C. access to justice and applicable law; D. labour conditions and fundamental rights of seafarers.

Four specialists will approach the subject with the presentation of ILO or related international organizations. Later, short, simultaneous workshops will take place for discussion of the four sub-topics.

#### **5. Poster Presentations**

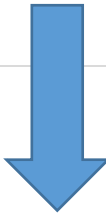
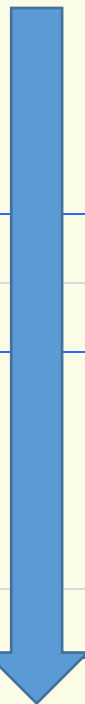
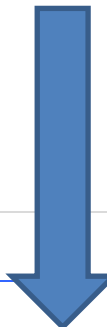



Participants will be allocated adequate space for the presentation of their posters. Parallel to the Special Labor Maritime Conference, the space for posters and their presentations will be open for the public. The Organizing Committee will arrange for poster discussions by topic and language, to enhance their discussion.

#### **6. Young labor law scholars of America Discussion**

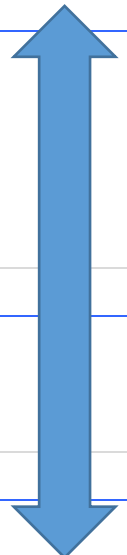
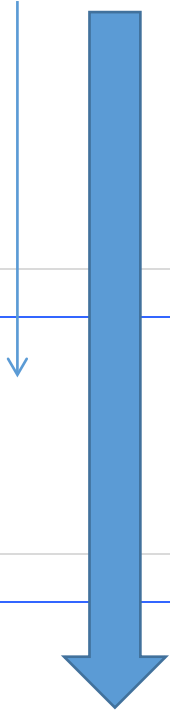
A panel for discussion will be presented, in accordance with the subject proposed by the Young labor law scholars of America.

#### **7. National event**

A panel will be opened for one or two topics of national interest. Said panel will take place during the foreigners' visit to the new Panama Canal.

Hora	Lun	Mar	Mie	Jue	Vie	Sab
<b>7 am</b>	<b>Arribo de congresistas</b>					
<b>8 am</b>		<b>Registro de congresistas</b> Tema 1: “La evolución y transformación de las fuentes del Derecho del trabajo”	<b>Registro de congresistas</b> Tema 2: “El sindicalismo frente a la transformación de la empresa y la presencia de nuevos actores sociales”	<b>Registro de congresistas</b> Tema 3: “Seguridad social: cómo llegar al 2,050 con un sistema sano económica y socialmente”		<b>Salida de congresistas</b> 
<b>9 am</b>		<b>Oradores oficiales:</b> 1. Lance Compa. USA(P/C)	<b>Oradores oficiales:</b> 1. Nelson Manrich. Brasil	<b>Orador oficial</b> 1. Sergio Velasco. OIT. Lima (P/C)	<b>Conferencia Laboral Marítima.</b>	
<b>10 am</b>		2. Humberto Villasmil. Venezuela.  <b>Comentarista:</b> Fernando Bolaños. Costa Rica	2. Anil Verma. Canada  <b>Comentarista:</b> Juan Raso. Uruguay.	<b>Comentaristas:</b> 1. Martha Monsalve. Colombia. 2. Patricia Kurczyn. México (P/C)		
			Ponencias Libres. Comentarios	<b>Café</b>		
<b>11 am</b>		<b>Discusión y Presentación de ponencias libres</b>	<b>Mesa Redonda 3:</b>	Ponencias Libres. Comentarios		
			Las expresiones individuales de ciudadanía y su impacto en el mundo del trabajo			

Hora	Lun	Mar	Mie	Jue	Vie	Sab
12 pm			<b>Integrantes:</b>	Ponencias Libres. Comentarios		
			<b>1. USA 2. Chile 3. Brasil 4. Por determinar</b>			
1 pm	Registro de congresistas					
2 pm	Evento de Jóvenes juristas	Mesa Redonda 1: La formalización de la informalidad laboral	Actividad nacional (Tema 1: “Legislación especial del sector público” Tema 2: Por determinar) 2. Visita al Nuevo Canal de Panamá (para extranjeros)	Presentación de posters Talleres temáticos (Por determinar)	<b>Taller temático: “Solución de conflictos laborales”:</b> <b>1. USA 2. Canadá</b>	
3 pm		<b>Integrantes:</b> <b>1. Colombia. 2. Argentina 3. México. 4. Bolivia</b>			<b>-Taller temático: “Enseñanza del Derecho del trabajo”</b> <b>1. Costa Rica 2. Chile</b>	
4 pm		Mesa redonda 2: La eficacia de la reforma del proceso laboral		-Presentación de posters -Taller temático (Por determinar)	<b>Cierre y clausura</b>	





Hora	Lun	Mar	Mie	Jue	Vie	Sab
5 pm		<b>Integrantes:</b> <b>1. Perú. Adolfo Ciudad.</b> <b>2. Por definir</b> <b>3. Ecuador. Por definir</b> <b>4. Rep. Dominicana. Carlos Hernández</b>				
6 pm	<b>Ceremonia de Inauguración:</b> <b>-Bienvenida. Presidente Apadetra</b> <b>-Presentación de Congreso, por Comité Organizador</b> <b>-Inauguración de Congreso, por Ministro de Trabajo de Panamá.</b>		Tarde libre			
7 pm	<b>Conferencia Inaugural: ‘El uso de las tecnologías de control y su aplicación en el trabajo y los trabajadores’, por: Tizziano Treu (Italia)</b>					
8 pm	<b>Coctel de Bienvenida</b>	<b>Noche cultural</b>		<b>Cena de Clausura</b>		

Hora	Lun	Mar	Mie	Jue	Vie	Sab
<b>9 pm</b>						
	<b>Fin de sesión</b>					
<b>10 pm</b>						
<b>11 pm</b>						