

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 127**

# March 2010

# Announcement of the Secretary General

Our ILO colleagues have updated the ILO's Digest on Termination of Employment Legislation, which is now replaced by EPLEX, a database on termination of employment regulation.

EPLEX provides information on all the key topics that are regularly examined in national and comparative studies on employment termination legislation. The information is broken down to cover more than 50 variables, and will be updated annually to facilitate analysis of impacts and trends over time. It is a reliable source of information, and a useful comparative tool for a wide range of different users - lawyers, economists, government officials, employers' and workers' organisations and lay readers. The database is linked to comments made by the ILO's supervisory bodies on the Termination of Employment Convention (No. 158), available in the ILO's APPLIS database and provides on-line access to national laws, principally through the ILO's NATLEX database.

EPLEX can be accessed online at the following address: http://www.ilo.org/dyn/terminate/termmain.home

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## Dear colleagues

# **News from our Society**

# 1. Task Group Servais

Further to a decision by the Executive Committee in Sydney, September 2009, a working group has been set up, with the mandate of reviewing:

- (a) the format of our congresses;
- (b) the design of a more attractive and interactive webpage, which would include information on substantial developments in Labour Law and Social Security in the countries where our Society has national associations, and
- (c) how to better promote and expand our activities?
- (d) how to attract young scholars and researchers from all parts of the world?

The Group is chaired by our Honorary President and former Secretary General Jean-Michel Servais. In addition to the Chair, it is made up of the Officers, the Honorary Presidents Blanpain and Sugeno, Vice-Presidents Araki, du Toit, Potocnjak, Valdés dal Ré, Trudeau and Pereira, and the following members: Steve Adler, Ronnie Eklund, François Gaudu, Alvin Goldman, Oscar Hernández Alvarez, Richard Mitchell and Jeffrey Sack.

Professor Servais has prepared a detailed questionnaire, which was circulated to all of the other Group members. Some of them have already replied. On the base of the replies and his own reflections on the subject Professor Servais will prepare a paper, which would include recommendations. The Executive Committee will discuss this report at its meeting in Seville, 2011.

# 2. VIII Regional Americas Congress of ISL&SSL, Cartagena de Indias, 25-28 May 2010

Our colleagues of the Colegio de Abogados del Trabajo y Seguridad Social are working hard in the organization of this congress, for which many national papers on the agenda items have already been received.

The Congress venue is the Convention Center of the City of Cartagena de Indias. The Congress will be held from 25 to 28 May 2010, and will take place together with the XXVIII National Congress of Labour and Social Security Law of Colombia.

The agenda includes the following themes:

Theme 1: Current situation and the future of public and private pension systems in the light of the worlwide crisis. General Reporter: Carmelo Mesa-Lago, United States.

Theme 2: Public and private systems of settlement of individual and collective labour disputes. Co-reporters: G. Valdés S. (Colombia) and Steven Willborn (United States)

Theme 3: The protection of worker's privacy at the workplace. Co-reporters: Cristina Mangarelli (Uruguay) and Gilles Trudeau (Canada)

Round Table 1: The so-called "news forms of employment" and their impact on:

- a) individual employments relations;
- b) collective labour relations; and,
- c) the social proteccion of workers concerned

#### Moderator:

Round Table 2:

The use of international law by national courts in view of the adjudication of labor disputes

Moderator: Xavier Beaudonnet (ILO)

Keynote Speech: Strike in the Public Service. Speaker: Carlos Álvarez Pereira

(Colombia)

Avianca is the official airline of the congress. It offers discounted rates to participants at the Congress. Contact Andrea Garcia <a href="mailto:andreagarcia@gematours.com">andreagarcia@gematours.com</a>

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Bogotá, Colombia

## 3. X European Regional Congress, Seville, 2011

Together with our President Michal Sewerynski I have travelled to Spain, to meet with the Congress Organizing Committee to discuss and work out arrangements for this Congress.

The organization of this Congress looks very well. The Government of the Region Andalucía, the State Ministry of Labour and the National Economic and Social Council have committed their support to the Congress.

The Congress will be held from 21 st to 23 September 2011. The venue will, in principle, be the Faculty of Law; however it is very likely that the venue will be moved if the number of participants exceeds 400, which is the maximum capacity of the Faculty's Great Amphiteater, something which also looks very likely. Below is the congress provisional programme:

#### Wednesday, September 21

10 am ISL&SSL Executive Comittee meeting 5 pm Opening Ceremony

- Jesús Cruz Villalón, Vice-president of the Spanish

Association for Labour and Social Security Law, AEDTvSS

Michal Seweryński, President, International Society for

Labour and Social Security Law, ISL&SSL

5.30 pm Theme I : Labour Law and Industrial Relations in the Light of

the Economic and Social Changes

- General Reporter: Miguel Rodríguez-Piñero y Bravo-

Ferrer (Spain)

- Chair: Jean-Michel Servais (Belgium)

8 pm Welcome cocktail

#### Thursday, September 22

9.30 am Theme II

Collective Bargaining Rights in a Globalized Economy - General Reporter: Fausta Guarriello (Italy)

Chair: Antoine Lyon-Caen (France)

10.30 am Individual submissions on Theme II

11.15 pm Wrap-up by the Chair

12 pm Coffee Break

12.30 pm Round Table: Public and private employment services as

intermediaries in the hiring of workers

Moderator: Remedios Roqueta Buj (Spain)

Panelists:

Philippe Auvergnon (France)

Catherine Barnard (United Kingdom)

Jens Kristiansen (Denmark)Arkadiusz Sobczyk (Poland)

Round Table: Groups of people who risk labour and social

protection

Moderator: Steve Adler (Israel)

**Panelists** 

Manfred Weiss (Germany)

- Daria Chernyaeva (Russian Federation)

Julio Vieira Gomes (Portugal)Teun Jaspers (Netherlands)

Friday, September 23

5 pm.

9.30 am Theme III: Social Protection of the Unemployed

General Reporter: Joszef Hajdu (Hungary)

- Chair: Ludwik Florek (Poland) Individual submissions on Theme III

10.30 am Individual submissions 11.15 pm Wrap-up by the Chair

12 pm Coffee Break

12.30 pm Workshop 1: The role of the judiciary vis a vis the changes in

labour law

- Chair: Jean-Marc Béraud (France)

Workshop 2: Interruptions and suspensions of the

employment relationship

- Chair: Ronnie Eklund (Sweden)

2 pm Wrap-up of the Congress by Arturo Bronstein, Secretary

General of ISL&SSL

2.45 pm Closing ceremony

Fernando Valdés dal Ré, President of AEDTySS

Registration fees will be 315 euros for ISL&SSL members and 450 € for non ISL&SSL members. A rebate of 20 per cent from the above will apply to registrations confirmed

and paid until May 31 st, 2011. Students will pay only 60 euros. A separate ticket for the congress dinner will be sold at 50 euros.

English, French and Spanish, with interpretation, will be the congress working languages. German may be added if the number of German-speaking participants is sufficient to finance the cost of German interpretation.

More information and updates will regularly be put on the AEDTySS webpage: <a href="http://www.aedtss.com/">http://www.aedtss.com/</a>

# 4. XX World Congress of ISL&SSL, Santiago de Chile, 2012

Despite heavy damages caused by the recent earthquake in Chile, our Chilean friends will go ahead with the organization of this Congress. Santiago has been less damaged than the Chilean southern regions. The Congress will be held in the week beginning September, 24, 2012. Details relating to the venue of the Congress, agenda items, registration fees, reporters and social programme are being worked out by the organizing committee in consultation with the officers.

# 5. News from our members

# **Argentina**

I bring to you attention the webpage of the Asociación Argentina de Derecho del Trabajo y de la Seguridad Social (AADTySS), which also lodges our website. http://www.asociacion.org.ar/

The AADTy SS website contains great deal of information on labour law news, including landmark judicial decisions. It also informs on the training and other scientific activities of AADTySS.

I regret to inform the death of Professor Hugo R. Carcavallo, in Buenos Aires, at the age of 88. He was a distinguished scholar and a well known labour law practitioner, and had authored many labour law publications. During many years he attended ILO meetings and conferences, sitting on the employers' benches. I express my deep condolences to his family.

#### Australia

The Australian Labour Law Association has appointed its new Board as following:

President: Professor Andrew Stewart, University of Adelaide (email

Andrew.stewart@adelaide.edu.au)

Vice-President: Professor Marilyn Pittard, Monash University Melbourne (email

marilyn.pittard@law.monash.edu.au)

Secretary: Dr Shae McCrystal, University of Sydney (email <a href="mailto:s.mccrystal@usyd.edu.au">s.mccrystal@usyd.edu.au</a>) Treasurer: Mr Michael Tamvakologos (email <a href="mailto:Michael.Tamvakologos@blakedawson.com">Michael.Tamvakologos@blakedawson.com</a>)

#### Malaysia

A Malaysian association for labour and social security law has recently been set up. It intends to apply for membeship with ISL&SSL. Below are the names of its pro-term committee members:

Chair: Dato Cyrus Das

General Secretary: Ms. Catherine Eu

Treasurer: Ms. A. Selvamalar

Other members:
Dato Roy Rajasingam
Anand Ponnudurai
Sharifa Suhanna
Dato T. Tavalingham
Tomas Chow
N. Sivabalah
Peh Lee Keng
P Jayasingam
S. Muhendran
Steven Thiru
K. Kumaguru

Mr. Ram Thiagarajah <e-mail: <a href="mailto:ramthiaga@hotmail.com">ramthiaga@hotmail.com</a>> acts as consultant and representative of the Committee before the ISL&SSL.

#### Mexico

#### New Executive Board of the Mexican Society for Labour and Social Security Law

Chair: Patricia Kurczyn Villalobos E-mail patriciakurczyn@yahoo.es

pkv@pkcj.com.mx

Vice-Chair: Tomas Héctor Natividad Sánchez E-mail: <a href="mailto:tomas@natividad-abogados.com.mx">tomas@natividad-abogados.com.mx</a>

Secretary : Rafael Tena Suck E-mail: <a href="mailto:tenasuck@gmail.com">tenasuck@gmail.com</a>

Treasurer: Domingo Carlos Oliveros García

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Other Members

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Jesús Cantú Esparza

E-mail: <u>j\_cantu@prodigy.net.mx</u>

### **New Zealand**

Professor Gordon Anderson informs that the New Zealand Labour Law Society (Inc) has recently been set up and incorporated. It is made up of New Zealand labour law academics and practitioners and has the primary goal of "promoting the study of, and exchange of ideas about, labour law and social security in New Zealand and at the international level". The Society will shortly seek formal affiliation with the ISL&SSL. The officers of this Society are:

Professor Gordon Anderson (Faculty of Law. Victoria University of Wellington) Chair Professor Margaret Wilson (Faculty of Law. Waikato University) Deputy Chair Ms Pam Nuttall (Faculty of Business and Law, AUT University) Secretary.

#### **United States**

The following announcement has been drawn from the Bulletin of our US Chapter:

Members William Keller and Timothy Darby are co-editors-in-chief of the 3<sup>rd</sup> edition of BNA's two volume INTERNATIONAL LABOR AND EMPLOYMENT LAWS, an ABA Labor and

Employment Law Section project that provides summary descriptions of labor and employment law in 41 countries plus chapters devoted to specific topics of interest to those representing parties in global transactions and operations. Congratulations to them for completion of this substantial undertaking that enhances the research resources available to all of us in this field.

Information relating to our US chapter is available on its webpage: <a href="http://law2.unl.edu/islssl/index.html">http://law2.unl.edu/islssl/index.html</a>

# The Philippines

The Philippine Society for Labor Law and Social Security is making plans to organize a regional conference sometime next year, 2011. Its title will be Post-Crisis Labor Law Reforms in the Asia Pacific, with the following tracks: 1. Social Dialogue; 2. Social protection; 3. Job contracting, 4. Informal sector.

Our friend Bach Macaraya informs his new e-address: macarayabachm@yahoo.com

#### **ILO Section**

New Board of the ILO Section of ISL&SSL:

- Giuseppe Casale, President
- Humberto Villasmil, Vice-president
- Angelika Muller, Secretary-Treasurer

Corinne Vargha has resigned from her previous position of Secretary-Treasurer of the ILO Section, so as to take care only of her responsibilities as Treasurer of ISL&SSL.

## **Spain**

The University of Seville, Spain, together with the European Industrial Relations Institute, organizes an advanced course on Labour Law for post-graduate students, from 30 August to 24 September 2010. Spanish and Portuguese will be the working languages of this course. Registration fees are 800€. For more information, please write to <a href="ieri.secretaria@hotmail.com">ieri.secretaria@hotmail.com</a>

Kind regards

Arturo Bronstein Secretary General