



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. 145

January 2017

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 colleagues and friends,

Since the 2015 World Congress of Cape Town, we have had very intense and busy months in our Society. Evidence of this is given by the number of the various initiatives and activities that have been recorded in this and in the previous Bulletins.

In particular, I would like to emphasize the importance of the work of the seven international research groups established in Cape Town. Some of these groups have produced early research analysis presented at recent meetings such as the Venice seminar on “Sustainable Development, Global Trade and Social Rights”, the seminar in Santiago de Compostela on “Foreign workers in the European and national labour markets”, the meeting in Lisbon on “Collective Bargaining: new and old challenges in Portugal and Spain”.

The current state of research will be discussed among the coordinators of the seven groups in the meeting scheduled in Turin on 3 February 2017. The results of this meeting will be reported in the next Bulletin.

Some research materials prepared by the groups will be presented in the forthcoming ISLSSL events announced in this Bulletin such as in Cordoba on “Decent work vs. precarious work and vulnerable sectors”, in Prague on “Current challenges in Labour Law and Social Security”, in Venice on “Global Trade and Labour”.

I am convinced that the discussion of the various research results in our next seminars will deepen the exchange of views not only among individual researchers but also among all those who have an interest in our initiatives.

With the same objective, we will continue our commitment to comparative research and we will gradually present the results with a view to sharing their content in the Society's meetings scheduled in the coming months. The final results of the comparative researches will be presented at the next World Congress in Turin (Italy) to be held on 4-7 September 2018.

I believe that with everyone's contribution to the Turin Congress, we will create another important moment in our Society's life.

Dear friends and colleagues, with best wishes for the New Year and for your work, let me thank you again for the contribution that you constantly provide to the Society and to the success of our national and international activities.

Many thanks to all of you.

Prof. Tiziano Treu

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

The 10<sup>th</sup> American Regional Congress took place in Panama City on 26-30 September 2016. The Congress addressed three main topics and included round tables, opening conference, event for young scholars, national event, special conference on seafarers work and presentation of posters, national reports and free papers. All the information related to the event can be found at <http://islssl.org/10th-labor-and-social-security-law-american-regional-congress-2016/>.

During the Congress, on 27 September, there was an informal Executive Committee meeting. Several topics were discussed. The following national associations were present: Argentina, Brazil, Costa Rica, Czech Republic, Ecuador, Guatemala, Panama, Peru, Portugal, Spain, and Venezuela. In addition to President Tiziano Treu, Secretary General Giuseppe Casale, Treasurer Janice Bellace, Honorary President Arturo Bronstein, and President of ILO Section of the ISLSSL, Humberto Villasmil, participated in the meeting. We would very much like to congratulate all the members of the Organising Committee of the X American Regional Congress for the excellent work done. The Congress was a success and this was thanks to the dedication and professional commitment of our colleagues of Panama in the organization of such an important event.

### **Seminar on Comparative Labour Policy (Tokyo, Japan)**

The first international JILPT Labour Policy Seminar will take place in Tokyo on 27-29 March 2017. The theme is: "Identifying Major Labour Policy Issues in Contemporary World of Labour — Commonalities and Differences Crossing Regions and Nations". The following topics will be discussed: 1) The changing features of industrial sectors, business organizations and business activities; 2) The changing features of work relations, work organizations and working styles; 3) Their background factors; such as progressing globalization, new waves of IT, AI, IoT and the

demographic changes; 4) Major issues of labour policies arising therefrom; such as tackling with enlarging social inequality, redefining the demarcation of labour law, reforming the labour market, reconstructing the worker representation system and controlling migrant workers, etc. Please get in touch with the Japan Institute for Labour Policy and Training for receiving more information on the event.

### **Graduate Seminar on International and Comparative Law “Isla de Margarita” (Cordoba, Argentina)**

A new edition of the Graduate Seminar on International and Comparative Law usually held at Isla Margarita (Venezuela) will take place in Villa Carlos Paz, Cordoba on 7-15 May 2017. Please find in Annex I the information on the seminar which will focus on decent work, precarious work and vulnerable sectors. As in the past, the Society will award grants to facilitate the participation of young legal scholars under the age of 40, preferably under 35.

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

The 4<sup>th</sup> International Seminar on International and Comparative Labour Law will be organised in Venice on 19-24 June 2017. Under the direction of Professor Adalberto Perulli, the Seminar will deal with the theme “Global Trade and Labour”. The seminar programme, designed at the highest academic level, will be soon available. As the previous three 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.

### **Meeting of the ISLSSL Research Groups’ Coordinators (Turin, Italy)**

The coordinators of the seven international Research Groups will meet on 3 February 2017 on the campus of the International Training Centre of the International Labour Organization in Turin to discuss and organise the activities related to the research groups in view of the forthcoming events organised by the Society.

### **Meeting of the Latin American Labour Law Young Scholars (Santiago, Chile)**

A meeting of the Latin American Labour Law Young Scholars will be held in Santiago, Chile on 27 and 28 April 2017. The meeting, convened by the American Subsection of Young Legal Scholars Section of the International Society, and co-organized by the Chilean Section, will take place at the Pontifical Catholic University of Chile and at the ILO Office in Santiago. The theme of the meeting will be “Labour disputes, their forms of resolution and their impact on the effectiveness of labour rights”. There will be conferences, panels and parallel activities. Please find in Annex III the programme of the event.

### **Meeting of the European Labour Law Young Scholars (Gdańsk, Poland)**

A Meeting of the European Labour Law Young Scholars on “Organization, productivity and well-being at work” will take place at Gdańsk (Poland) on 5-7 July 2017. Please find in Annex V the information about the Meeting.

### **African Labour Law Society (ALLS)**

During the World Congress of the International Society for Labour and Security Law (ISLSSL) held in Cape Town in September 2015 concerns were expressed as to the absence of a wider African voice. This prompted the arrangement of the inaugural South African Society for Labour Law (SASLAW) and International Labour Organisation (ILO) Regional Labour Law Workshop hosted in Johannesburg on 21 July 2016. With the backing of the ILO and the law firms ENSafrica and Bowman Gilfillan, 45 attendees from 11 African countries attended the workshop. This workshop culminated in the formation of an interim committee to establish and activate the African Chapter of the ISLSSL. An African Labour Law conference with wider representation will take place at Sun City, South Africa on 7 September 2017. The program is available in Annex IV.

### **Upcoming ISLSSL Congresses**

#### *a. XII European Regional Congress (Prague 2017)*

The XII European Regional Congress will take place in Prague (Czech Republic) on 20-22 September 2017. Please find in Annex II the programme of the event. The registration will be opened as of 1 March 2017 at <https://www.ercprague2017.cz/> (currently under construction).

#### *b. XXII World Congress of Labour and Social Security Law (Turin 2018)*

The XXII World Congress of Labour and Social Security Law will take place in Italy on 4-7 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.

## **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: Initiatives 2016-2017**

During 2016, the Society's Initiatives organized by and dedicated to Young Scholars have been strengthened. There are recurring opportunities for young scholars to meet with a view to exchanging ideas and information, establishing contacts and setting projects of mutual cooperation.



With regard to European Subsection “Ellys” (European Labour Law Young Scholars), mention should be made of the 2016 edition of the European Young Scholars Meeting which took place in Santiago de Compostela on 9-10 of June on “Foreign workers in the European and national labour markets”. Twenty two young scholars from eight European Countries attended the meeting and the coordinators of the subsection (Nicola Gundt, José Maria Miranda Boto and Maciej Łaga), after discussion at the general assembly, decided to collect the interventions in a single volume.

In 2016, the volume “Labour Law and Social Security law at the Crossroads”, edited by Charles University Faculty of Law, Prague was published. It collects studies produced by Latin American and European Young Scholars during a two-year period that preceded the formal institution of the Section which has been approved by the Executive Committee Meeting in Cape Town on 15 September 2015. This is the second volume containing essays carried out within the Young Scholars Section, after the issuing of the collection of studies on “La efectividad de los derechos y libertades contenidas en las normas internacionales del derecho del trabajo y de la seguridad social: una visión comparada latinoamericana”, edited by the Coordinator of the Latin American Subsection, Juan Pablo Mugnolo.

Another initiative organized in Europe (and addressed to young scholars coming from all the countries in which there are national associations affiliated to the ISLSSL) was the Call for Papers on “Sustainable Development, Global Trade and Social Rights”, which was included in the programme of the Venice Seminar on Sustainable Development, Global Trade and Social Rights (Venice, Università Cà Foscari, 19-25 June 2016). Ten papers were presented by young scholars from Argentina, Belgium, Italy, Korea, Spain and United Kingdom. The organizers have considered repeating this initiative for the 2017 edition of the Venice Seminar.

Another initiative for the young scholars promoted by the Portuguese and Spanish organizations APODIT and AEDTSS took place on 28-29 of April 2016 at the Universidade Católica Portuguesa of Lisboa, with a broad participation of young scholars and professors of both national associations. As announced in Bulletin No. 144, the activity program of ELLYS for 2017 is focused on the issue of “Organization, Productivity and Well-Being at Work”. This program will be carried out in two steps. The first study session where this theme will be dealt with will be the annual meeting of the European Young Scholars, which will take place in Gdansk on 5-7 of July (see Annex V). The second phase will take place during the XII European Regional Congress of Prague (20-22 September 2017) which will be organized before the opening ceremony of 20 September. This Session will be dedicated to the presentation of the final version of the essays exposed in the Gdansk meeting and of other essays which will be presented by the national representatives at the European Regional Congress. After the official opening date of the Congress registration (1 March 2017), a Call for Papers will be announced.

With regard to the Latin America subsection, besides the traditional Seminar of Isla de Margarita, mention should be made of the Young Scholar Session organized on 26 September 2016 during the Regional American Congress held in Panamá. The Young Scholar session saw the participation of thirty young scholars from Chile, Brasil, México, Uruguay, Venezuela, Argentina and Panamá. The theme was: “Aplicación Interna de las Normas Internacionales del Trabajo en Materia de Libertad Sindical”. The organizers will send final versions of the papers to the President and to the Secretary General of the ISLSSL with a view to evaluating the opportunity to publish them on the website of the Society website as well as and in a prestigious Latin American journal. At the same time, the Latin American Subsection has started to organize its annual meetings. The 2017 edition will be held in Santiago, Chile, on April 27-28, discussing the theme: “La resolución de los conflictos laborales” (see annex III).

### **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

# IN MEMORIAM: ROGER BLANPAIN



## **Roger Blanpain**

(Geraardsbergen, 5 November 1932 – Leuven, 11 October 2016)

Dear colleagues,

I have the sad duty to inform you about the passing away of professor Roger Blanpain (emeritus professor KU Leuven, Belgium). Professor Blanpain suffered from health problems since quite a while and he ultimately had to give up the struggle. He died in the hospital in Leuven on 11 October 2016. He would have become 84 years old within a couple of weeks.

Roger Blanpain (born in Belgium, Geeraardsbergen, 5 November 1932) studied law at the University of Leuven, Belgium. In Leuven, he obtained his doctoral degree in law in 1956. In 1957 he obtained a Master of Arts degree at Columbia University, New York.

In 1961, Blanpain became assistant and later professor at the Law Faculty of the University of Leuven where he held the chair in labour law until 1998. His academic work covered Belgian, European, international and comparative labour law.

Besides his teaching, Roger Blanpain took up various functions. He was dean of the law faculty, member of the Board of Directors of the University of Leuven, member of the Royal Academy of Arts and Sciences, and president of the Leuven law alumni-society. He was a Belgian senator between 1987 and 1989.

Roger Blanpain was one of the founding fathers and later president of the International Society for Labour Law and Social Security Law and the International Industrial Relations Association (now ILERA). He was visiting professor at various prestigious universities around the world.

With the passing away of Professor Roger Blanpain the academic community loses one of the founding fathers of international and comparative labour law. Blanpain believed very strongly in studying labour law in comparative perspective and in close connection with broader industrial

relations. His publication and contributors list is endless. He is famous for his worldwide scope and reach.

Among his well-known publications can be mentioned the International Encyclopaedia of Laws, a worldwide series of monographs that started with 'Labour Law and Industrial Relations'. Another reference work is his 'Comparative Labour Law and Industrial Relations in Industrialized Market Economies'.

I had the privilege to work with him as a student, an assistant and later as a colleague. Above all, he was a true friend and, even more, my intellectual father. His eternal enthusiasm and energy, his capability of bringing people together, and his personal warmth, are now great memories. Let us keep them in our heart forever.

**Frank Hendrickx**  
*Professor of Labour Law at the University of Leuven*

ANNEX I

**VII Seminario Internacional de Derecho  
comparado del Trabajo “Isla de Margarita”.  
Trabajo decente  
Vs. trabajo precario y sectores vulnerables.**

**(7 de mayo al 15 de mayo 2017)**

**Organizado por Universitas Fundación**

**Auspiciado por:**

**La Universidad Nacional de Córdoba, Argentina.**

**La Universidad de Margarita, Isla de Margarita, Venezuela.**

**La Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social (SIDTSS).**

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

**La Asociación Argentina de Derecho del Trabajo y de la Seguridad Social, Córdoba.**

**Lugar: Villa Carlos Paz, Provincia de Córdoba, Argentina.**

**NOTA HISTÓRICA:**

El Seminario Internacional de Derecho Comparado del Trabajo se ha venido efectuando en la Isla de Margarita, Venezuela, por iniciativa de la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social (SIDTSS) que propuso a Universitas Fundación la realización de un ciclo de estudios avanzados dedicados a especialistas en esta disciplina, idea propuesta en la ciudad de Colonia, Uruguay, en el año 2009 que, previamente había sido gestada en la discusión de la SIDTSS durante la reunión ejecutiva de su directiva en el Congreso Mundial de Sidney, Australia, de ese mismo año. Así, Universitas Fundación aceptó el compromiso y celebró en el año 2011 su primera edición del Seminario, con el auspicio de la Universidad de Margarita.

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 de manera formal 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, Bordeaux, en Lyon-Saint Etienne, Francia y actualmente en Venecia, Italia.

Se han celebrado a la fecha seis (6) programas de este Seminario Internacional, cumpliéndose en el año 2017 su séptima edición, donde se ha abordado las variadas modalidades en que se manifiesta el Derecho del Trabajo y sus ramas afines.

Para la realización de su séptima edición (2017) se ha decidido celebrarlo en Villa Carlos Paz, Provincia de Córdoba, Argentina.

### **OBJETIVO GENERAL:**

El objetivo general del programa consiste que los participantes profundicen en el conocimiento teórico y práctico en relación con el contenido y funcionamiento de las últimas tendencias del 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 VII edición de este Seminario versará sobre **el trabajo decente Vs. el trabajo precario y los sectores vulnerables** con las variadas modalidades en que se manifiestan.

Este seminario contará con la directriz de nueve (9) profesores especialistas en la materia de diversas nacionalidades, como lo son: Adrián GOLDÍN (Argentina. Ex-Presidente de la SIDTSS) Arturo BRONSTEIN (Argentina. Ex-Secretario General de la SIDTSS), César ARESE (Argentina. Universidad Nacional de Córdoba), Héctor Omar GARCÍA (Argentina. Universidad de Buenos Aires), Jorge Rosenbaum (Uruguay. Universidad de la República), José Luis UGARTE (Chile. Universidad Diego Portales), Iván MIRABAL RENDÓN (Venezuela. Universidad Fermín Toro), Oscar HERNÁNDEZ ALVAREZ (Venezuela. Universidad Centro Occidental Lisandro Alvarado) y Tiziano TREU (Italia. Presidente en la actualidad de la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social). 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 internacional y comparado, tiene como propósito actualizar integralmente a los profesionales 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 Internacional de Derecho Comparado del Trabajo tendrá una duración de setenta (70) horas académicas, repartidos en seis (6) días de trabajo más un día de descanso.

## **LUGAR Y FECHAS:**

**Lugar:** Hotel Mónaco de Villa Carlos Paz, Provincia de Córdoba, Argentina.

**Clases:** Organizadas por Universitas Fundación, y auspiciadas por la Universidad de Margarita, la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social (SIDTSS), la Academia Iberoamericana de Derecho del Trabajo y de la Seguridad Social y la Asociación Argentina de Derecho del Trabajo y de la Seguridad Social, Córdoba.

**Hospedaje y alimentación:** Hotel Mónaco, incluye: desayuno, almuerzo y cena.

**Fechas:** Ingresando el domingo 7 de mayo y saliendo el lunes 15 de mayo 2017.

## **METODOLOGÍA ACADÉMICA:**

Los aspirantes a participar en el seminario deberán leer previamente sobre los temas que serán tratados en el seminario y habrán de 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 (15-20) páginas escritas en letra Arial punto 12 a espacio 1,5. 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.

El primer día del seminario se dictará una clase introductoria sobre el Derecho Comparado del Trabajo para interiorizar la modalidad metódica 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 los profesores respectivos escogido para tal fin, durante una hora académica. A continuación se realizará un panel, en el cual, los otros profesores presentes, expondrán sus comentarios ante la conferencia. Luego habrá un receso. 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, éstos se reunirán durante tres horas en la tarde, luego del almuerzo, en el lugar previamente fijado por la coordinación del seminario, para discutir, trabajar y resolver la pregunta asignada, y así deberán redactar un informe breve (máximo 3 páginas). El conferencista estará a la disposición de los grupos para cualquier asesoría. 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. Ex 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 )/ Iván MIRABAL RENDÓN (Asociación Venezolana de Profesores de DT)/ Rafael PEREIRA LAGOS (Sociedad Chilena de DTySS)/ Jorge ROSENBAUM RÍMOLO (Asociación Uruguay de DTySS).



## PROGRAMA

### TRABAJO DECENTE VS. TRABAJO PRECARIO Y SECTORES VULNERABLES

**Domingo 7 de mayo de 2017. Entrada al hotel y reunión preliminar con los participantes.**

**Lunes 8 de mayo de 2017.**

**8:00** Desayuno.

**9:00** Palabras de instalación.

**9:30H.00 - METODOLOGÍA DEL SEMINARIO e INTRODUCCIÓN AL DERECHO COMPARADO DEL TRABAJO.**

**Oscar HERNANDEZ ALVAREZ** (UCLA. Venezuela)

**11H.00 - 11H.30** Receso.

**11H.30 - 12H.30. EL TRABAJO DECENTE VS. TRABAJO PRECARIO.**

**Adrián GOLDÍN** (Universidad de Buenos Aires. Argentina).

**12H.30 - 13H.30.** Panel de profesores.

**13:30** Almuerzo.

**15H.30 -18H.30.** Grupos de trabajo.

**18H.30 -20H00.** Presentación informe de los grupos.

**21H.00 Cena de bienvenida.**

**Martes 9 de mayo de 2017.**

**9H.00 a 10H.30: LOS TRABAJADORES INFORMALES, TEMPORALES y A TIEMPO PARCIAL.**

**Tiziano TREU** (Presidente de la Sociedad Internacional de Derecho del Trabajo y de la S. S. Italia)

**César ARESE** (Universidad Nacional Córdoba. Argentina).

**10H.30.** Receso.

**11H.00** Panel de profesores.

12H.00 - 13H.30. Debate.

13H.15. Almuerzo.

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

18H.00 -20H.00. Presentación informe de los grupos.

### **Miércoles 10 de mayo de 2017.**

09H.00 a 10H.30: **LA TERCERIZACIÓN COMO FORMA DE PRECARIZACIÓN DEL TRABAJO.**

**Jorge ROSENBAUM** (Universidad de la República. Uruguay).

**Héctor Omar GARCÍA** (Universidad de Buenos Aires. Argentina).

10H.30. Receso.

11H.00 Panel de profesores.

12H.00 - 13H.30. Debate.

13H.15. Almuerzo.

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

18H.00 -20H.00. Presentación informe de los grupos.

### **Jueves 11 de mayo de 2017.**

9H.00 a 10H.30: **DISCRIMINACIÓN LABORAL CONTRA LOS SECTORES VULNERABLES.**

**Arturo BRONSTEIN** (Ex-Secretario General de la SIDTSS. Argentina).

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

10H.30. Receso.

11H.00 Panel de profesores.

12H.00 - 13H.30. Debate.

13H.15. Almuerzo.

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

18H.00 -20H.00. Presentación informe de los grupos.

**Viernes 12 de mayo de 2017.**

9H.00 a 10H.30: **TRABAJO AUTÓNOMO Y TELETRABAJO.**

**Oscar HERNÁNDEZ ÁLVAREZ.** (UCLA. Venezuela).

**Iván MIRABAL RENDÓN.** (UFT. Venezuela).

10H.30. Receso.

11H.00 Panel de profesores.

12H.00 - 13H.30. Debate.

13H.15. Almuerzo.

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

18H.00 -20H.00. Presentación informe de los grupos.

**Sábado 13 de mayo de 2017.**

9H.00. **Tema: PRESENTACIÓN DE INFORMES NACIONALES.**

11H.15. Receso.

11H.45 -13H.15. Continuación.

13H.15. Almuerzo.

15H.00-19H.30. **Tema: ACTIVIDAD A CARGO DE LA SECCIÓN DE JÓVENES JURISTAS DE LA SOCIEDAD INTERNACIONAL DE DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL.**

19H.30. Clausura y entrega de certificados.

21H:00 Cena de clausura.

**Domingo 14 de mayo de 2017.**

**Día libre para Paseo.**

**Lunes 15 de mayo de 2017.**

**Salida del hotel.**

**INVERSION la cual incluye: Inscripción + Hospedaje + Alimentación + uso de las instalaciones del hotel.**

- a) **Valor de inversión U\$ 1.400,°°.** Incluye: participación en el seminario, alojamiento durante nueve (9) días y ocho (8) noches en el Hotel sede durante todo el tiempo del seminario con **entrada el 07/05/2017 y salida el 15/05/2017**, todas las comidas (desayuno, almuerzo y cena), material de apoyo, día libre para paseo y certificado avalado por las instituciones correspondientes.
- b) **Reserva de cupo:** Para garantizar el cupo, debe enviarnos su síntesis curricular con la manifestación de su interés de participar en el seminario al correo [secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com). Una vez verificada la disponibilidad de cupo se debe transferir la cantidad de U\$ 400,°° antes del 15 de marzo de 2017 para asegurar su inscripción con alojamiento en el hotel sede. El resto debe ser transferido antes de comenzar el Seminario, específicamente, antes del 1° de mayo 2017.

### **MODALIDAD DE PAGO POR TRANSFERENCIA BANCARIA:**

**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.

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

### **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. Sin embargo, al igual que los demás participantes deben transferir la cantidad no cubierta por la beca antes del 31 de marzo de 2017, para hacer un anticipo al pago de su alojamiento en el Hotel sede.

### **Procedimiento para las becas:**

**1. La Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social** otorgará becas de un mil dólares norteamericanos (USD 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 considere 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 considere 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, Tiziano TREU** <[tiziano.treu@yahoo.it](mailto:tiziano.treu@yahoo.it)> y su **Secretario General Giuseppe CASALE** <[G.Casale@itcilo.org](mailto:G.Casale@itcilo.org)> con copia a Universitas Fundación [secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com) antes del día **15 de Marzo de 2017**, 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 éstos, 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 becas de U\$ 500 dólares (atendiendo a los mismos criterios de los requisitos establecidos por la SIDTTS). 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 estudios de postgrado 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 **15 de Marzo de 2017** 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 de acuerdo a la disponibilidad 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.

### **MAYOR INFORMACIÓN:**

Comunicarse con Universitas Fundación por los Teléfonos: (0058) (251) 4163033 / 2318233 / 414-5292324 o a la siguiente dirección electrónica: [secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com)



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

# ISLSSL XII European Regional Congress

Prague, 20 – 22 September 2017

Czech Society for Labour Law and Social Security Law  
with cooperation ESTEC, s.r.o

under the **auspices**  
of the President of the Senate of the Czech Parliament, **Mr. Milan Štěch**  
and  
Charles University Rector **Prof. MD. Tomáš Zima, DrSc., MBA**,  
at (venues) Charles University (Carolinum) and at the Faculty of Law

## Agenda

### Wednesday, 20 September 2017

**Young Scholars' Section - Theme: Organization, productivity and well-being at work** (Collegium Maximum)

**Co-ordinators:** José Maria Miranada (Spain)

Stefano Bellomo (Italy)

**Participants - discussants:**

Jakub Tomšej (Czech Rep.)

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**Opening Ceremony** (Grand Hall of the Carolinum)

**Welcome Cocktail** (Gothic ground floor of the Carolinum)

**Thursday, 21 September 2017**

**Plenary session - Theme 1: Migrant Workers** (Collegium Maximum)

**Chair** Kubra Dogan Yenisey (Turkey)

**Keynote Speaker** Yves Jorens (Belgium)

**Discussants** Polonca Koncar (Slovenia)  
Catherine Barnard (UK)

**Plenary session - Theme 2: European Works Council** (Collegium Maximum)

**Chair** Manfred Weiss (Germany)

**Keynote Speaker** Dagmara Skupień (Poland)

**Discussants** Frederic Turlan (France)  
Romuald Jagodziński (ETUI)

**Session 1 (Theme 1 workshop: Social integration of immigrants** (Collegium Maximum)

**Chair/Speaker** Kristina Koldinská (Czech Rep.)  
*Facing the migration crisis with social integration instruments*

**Panellists** Jean-Philippe Lhernould (France)  
Maximilian Fuchs (Germany)  
Eberhard Eichenhofer (Germany)

**Session 2: Sport and Labour Law** (Room n. 300 – only in English)

**Chair /Speaker** Frank Hendrickx (Belgium)

**Panellists** Stefano Bellomo (Italy)  
Costas Papadimitriou (Greece)  
Lubomír Ptáček (Czech Republic)

**Session 3: Work – life balance** (Collegium Maximum)

**Chair/Speaker** Věra Štangová (Czech Rep.)  
*La conciliation des vies familiales et professionnelles des femmes*



**Panellists** Martine Le Friat (France)

Susanne Burri (Netherlands)

Patrice Adam (France)

*Vie personnelle - vie professionnelle : quel(s) équilibre(s) en droit français du travail?*

Krassimira Sredkova (Bulgaria)

**Session 4: Social Dialogue in Europe: recent trends and practices** (Room n. 120-only in English)

**Chair/Speaker** Angelika Muller (Belarus/ILO)

**Panellists** Martin Štefko (Czech Republic)

Marek PLISYKIEWICZ (Poland)

Vit Samek (Czech Republic)

**Gala Dinner** – French restaurant Art Nouveau (Municipal House)

## **Friday, 22 September 2017**

**Plenary Session Theme 3: New forms of Social Security** (Collegium Maximum)

**Chair** Jean-Pierre Laborde (France)

**Keynote Speaker** Franz Marhold (Austria)

**Discussants** Roman Lang (Czech Rep.)

Jozsef Hajdú (Hungary)

Ulrich Becker (Germany)

**Plenary Theme 4: The role of the State in industrial relations** (Collegium Maximum)

**Chair** Stein Evju (Norway)

**Keynote Speaker** Jesus Cruz Villalon (Spain)

**Discussants** Petr Hůrka (Czech Republic)

Grega Strban (Slovenia)

*“Obligations states impose to employers for providing income security to workers”*

Tiziano Treu (Italy)

### **Session 5: Temporary Agency Work** (Collegium Maximum)

**Chair/Speaker** Ronnie Eklund (Sweden)

**Panellists** Mijke S. HOUWERZIJL (Netherlands)

Maria Do Rosario PALMA-RAMALHO (Portugal)

Jaroslav Stránský (Czech Republic)

### **Session 6: Recent labour law reforms in Europe** (Room n. 300 – only in English)

**Chair/Speaker** Giuseppe Casale (Italy/ITCILO)

*“Balancing regulations to promote jobs”*

**Panellists** Antoine Lyon-Caen (France)

Magdalena NOGUEIRA GUASTAVINO (Spain)

*“Crisis and labor reforms in Spain: a change of paradigm?” (“Crisis y reformas laborales en España: ¿un cambio de paradigma?”)*

Adalberto Perulli (Italy)

*“Le "Jobs Act" italien: un nouveau paradigme pour le droit du travail”*



## CONVOCATORIA

ENCUENTRO LATINOAMERICANO DE JÓVENES JURISTAS

SUBSECCIÓN AMERICANA DE JÓVENES JURISTAS  
SOCIEDAD INTERNACIONAL DE DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

SANTIAGO, CHILE – 27 y 28 de abril, 2017



FACULTAD DE DERECHO  
PONTIFICIA UNIVERSIDAD CATÓLICA DE CHILE

MASCCHILE  
Proyecto Anillo



Organización  
Internacional  
Del Trabajo



Dirección del  
Trabajo

Gobierno de Chile



ibrat  
Instituto Brasileiro de Direito do Trabalho

## **I. Presentación**

El “Encuentro Latinoamericano de Jóvenes Juristas” es una iniciativa que incluye un conjunto de actividades tendientes a materializar unas jornadas de reunión, debate e intercambio académico entre jóvenes estudiosos del Derecho del Trabajo y de la Seguridad Social, provenientes de distintos países del Continente.

El Encuentro, convocado por la Subsección Americana de Jóvenes Juristas de la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social, se realizará en la ciudad de Santiago de Chile, los días 27 y 28 de abril de 2017. La organización está a cargo de la Subsección de Jóvenes Juristas de la Sociedad Chilena de Derecho del Trabajo y de la Seguridad Social, en conjunto con el Departamento de Derecho del Trabajo y de la Seguridad Social de la Facultad de Derecho de la Pontificia Universidad Católica de Chile.

El Encuentro es una actividad asociada al Proyecto Anillo “Mecanismos alternativos de resolución de conflictos como herramienta de modernización de la justicia. Construcción dogmática a partir de un análisis multidisciplinario”, financiado por CONICYT (SOC 1406).

El Encuentro tendrá como entidad internacional invitada a la Comunidad CIELO Laboral.

Cuenta, además, con el patrocinio de la Organización Internacional del Trabajo (Oficina de la OIT para el Cono Sur de América Latina), la Dirección del Trabajo (Chile), la Asociación de Magistrados de Chile y el Instituto Brasileiro de Direito do Trabalho.

## **II. Objetivos**

A partir de los propósitos declarados por las entidades organizadoras y convocantes, el Encuentro pretende el logro de los siguientes objetivos:

- Promover el estudio y discusión de temas relevantes para el Derecho del Trabajo y de la Seguridad Social en los diferentes países de la Región, a partir de un foco temático específico.
- Fortalecer la institucionalidad y desarrollo de la Subsección Americana de Jóvenes Juristas, mediante el diálogo e intercambio de experiencias entre los participantes y las subsecciones nacionales de jóvenes juristas.
- Generar redes de contactos entre los participantes para favorecer futuras actividades e intercambios académicos y/o profesionales en diversos países y subsecciones de la Región.

## **III. Destinatarios de la iniciativa**

Este proyecto convoca a participar tanto a las distintas delegaciones nacionales de las subsecciones de jóvenes juristas constituidas en países latinoamericanos, como a jóvenes juristas que, no siendo miembros de las referidas asociaciones, estén insertos en ámbitos

académicos o profesionales referidos preferentemente al Derecho del Trabajo y de la Seguridad Social.

#### **IV. Tema central**

El eje temático central del Encuentro Latinoamericano de Jóvenes Juristas será: Los conflictos laborales, sus formas de solución y su incidencia en la eficacia de los derechos laborales.

En particular, los paneles y mesas de trabajo abordarán las cuestiones dogmáticas, los sistemas normativos (institucionalidad, judicialización, métodos alternativos de solución de conflictos), los problemas aplicativos y los desafíos.

#### **V. Metodología**

Se considera un esquema metodológico participativo, que permita el debate e intercambio de experiencias entre los asistentes de los diferentes países latinoamericanos. Esta metodología incluye:

- Conferencias de inicio y clausura, a cargo de destacados académicos latinoamericanos especialistas en los temas del Encuentro.
- Paneles temáticos integrados por representantes de las distintas delegaciones, en que se presenten informes nacionales y comunicaciones libres.
- Mesa redonda sobre conflicto colectivo, negociación colectiva y diálogo social.
- Actividades satélite. Reuniones y actividades temáticas, sobre aristas específicas del tema central u otros temas laborales de interés, previamente coordinadas.

Serán idiomas oficiales del Encuentro el castellano y el portugués.

#### **VI. Programa**

##### **Jueves 27 de abril 2017 (Facultad de Derecho, PUC)**

09:00 a 10:00 hrs.	Registro de participantes y entrega de material
10:00 a 10:30 hrs.	Ceremonia de inauguración
10:30 a 11:30 hrs.	Conferencia inaugural: Prof. Dr. Fábio Túlio Barroso (Brasil)
11:30 a 12:00 hrs.	Café
12:00 a 14:00 hrs.	Panel 1. La judicialización de los conflictos individuales de trabajo: el proceso laboral y la eficacia de los derechos laborales
14:00 a 16:00 hrs.	Almuerzo libre

16.00 a 18.00 hrs.	Panel 2. La solución alternativa (judicial y extrajudicial) de conflictos individuales de trabajo: conciliación, renunciabilidad de los derechos laborales, eficacia de los derechos laborales
18:00 a 18:30 hrs.	Café
18.30 a 19.30 hrs.	Asamblea de la Subsección Americana de Jóvenes Juristas
21.00 hrs.	Cena de camaradería (previa inscripción)

### **Viernes 28 de abril 2017 Facultad de Derecho, PUC**

09.30 a 11.30 hrs.	Panel 3. La solución de conflictos colectivos de trabajo: judicialización vs mecanismos alternativos de solución de conflictos
11.30 a 12.00 hrs.	Café
12.00 a 14.00 hrs.	Panel 4. Estado actual del Derecho del Trabajo en Latinoamérica: últimas reformas y líneas jurisprudenciales y doctrinales (Informes Nacionales)
14:00 a 16:00 hrs.	Almuerzo libre

### **Sede OIT Santiago (Oficina OIT para el Cono Sur de América Latina)**

16.00 a 17.00 hrs.	Ponencias seleccionadas Comunidad CIELO Laboral
17:00 a 18:30 hrs.	Mesa redonda. Conflictos laborales y diálogo social  Presenta el tema y dirige debate: Sr. Humberto Villasmil, Especialista Principal en Normas Internacionales del Trabajo y Relaciones Laborales, OIT Conosur de América Latina
18.30 a 19.00 hrs.	Café
19.00 a 20.00 hrs.	Conferencia de clausura: Prof. Dr. Alfredo Villavicencio (Perú)

Se considera un esquema metodológico participativo, que permita el debate e Las conferencias

y paneles se desarrollarán en el Salón Aquiles Portaluppi, ubicado en el edificio de la Facultad de Derecho, Casa Central de la Pontificia Universidad Católica de Chile (Avenida Alameda Bernardo O'Higgins 340, Santiago). La mesa redonda tendrá lugar en la Oficina OIT para el Cono Sur de América Latina (Av. Dag Hammarskjöld 3177, Vitacura, Santiago).

Las actividades satélite se desarrollarán en salas o salones de los respectivos edificios, según necesidad, previa coordinación.

## **VII. Fases del proyecto**

- Presentación oficial. El Encuentro Latinoamericano de Jóvenes Juristas fue presentado oficialmente en el marco del X Congreso Regional Americano de Derecho del Trabajo y de la Seguridad Social (Panamá, septiembre de 2016).
- Difusión. Entre octubre y diciembre de 2016, las entidades organizadoras y convocantes difundirán el Encuentro a través de sus distintas plataformas. Con todo, la información oficial actualizada estará alojada en la web de la Sociedad Chilena de Derecho del Trabajo y de la Seguridad Social: [www.derecho-trabajo.cl](http://www.derecho-trabajo.cl)
- Propuestas de actividades satélite: hasta viernes 3 de marzo de 2017. - Informes nacionales y comunicaciones para los distintos paneles: Resúmenes: hasta viernes 3 de marzo de 2017. Texto final: hasta jueves 13 de abril de 2017.
- Inscripciones: hasta jueves 13 de abril de 2017. - Notificación de trabajos aceptados: viernes 17 de marzo de 2017.

## **VIII. Comité académico**

Juan Pablo Mugnolo, Coordinador Subsección Americana de Jóvenes Juristas SIDTSS.

Humberto Villasmil, Especialista Principal en Normas Internacionales del Trabajo y Relaciones Laborales, OIT Conosur de América Latina.

Lourdes Mella, Coordinadora CIELO Comunidad para la Investigación y el Estudio Laboral y Ocupacional.

Carmen Domínguez, Directora del Departamento de Derecho del Trabajo y de la Seguridad Social Pontificia Universidad Católica de Chile.

Rodrigo Palomo, Coordinador General Subsección Chilena Jóvenes Juristas. Yenny Pinto, Coordinadora de Actividades Nacionales Subsección Chilena Jóvenes Juristas.

José Francisco Castro, Coordinador de Relaciones Internacionales Subsección Chilena Jóvenes Juristas.

Rodrigo Azócar, Coordinador de Estudios Subsección Chilena Jóvenes Juristas.

## **IX. Publicación de los trabajos**

Las conferencias, informes nacionales y comunicaciones presentadas en el Encuentro Latinoamericano de Jóvenes Juristas serán publicadas, siempre que cumplan con las normas editoriales, en un ejemplar monográfico de la Revista Estudios Laborales, publicación oficial de la Sociedad Chilena de Derecho del Trabajo y Seguridad Social.

## **X. Inscripciones**

La participación en el Encuentro Latinoamericano de Jóvenes Juristas no tendrá costo para los asistentes extranjeros. Los participantes chilenos deberán pagar una inscripción de \$25.000.-

Se sugiere que las inscripciones sean reconducidas a cada Subsección Nacional de Jóvenes Juristas, a fin de que puedan articularse las cuestiones de tipo académico y metodológico.

Con todo, tanto las inscripciones por delegación como individuales deberán remitirse a la casilla de correo electrónico [encuentrojovenesjuristaschile@gmail.com](mailto:encuentrojovenesjuristaschile@gmail.com), desde la cual se les responderá remitiéndoles el formulario(s) de inscripción, que deberá ser completado y enviado a la misma casilla.

## **XI. Contacto e informaciones**

[encuentrojovenesjuristaschile@gmail.com](mailto:encuentrojovenesjuristaschile@gmail.com)

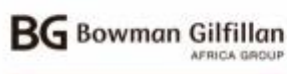




# PROGRAMME

## Regional Labour Law Workshop

- |              |   |
|--------------|---|
| <b>13h30</b> | <b>Registration</b>   |
| <b>14h00</b> | <b>Welcome: Talita Laubscher, Bowman Gilfillan and SASLAW</b>   |
| <b>14h10</b> | <b>Introduction: Richard Maddern, National President, SASLAW</b>  |
| <b>14h15</b> | <b>Labour Market trends versus Labour Law in Southern Africa: Some ILO Observations: Limpho Mandoro, International Labour Organisation</b>  |
| <b>15h00</b> | <b>Facilitated discussion pertaining to the various jurisdictions: Brian Patterson, ENSafrica</b>   |
| <b>17h30</b> | <b>Possible future cooperation: African continental collaboration and engagement on Labour and Social Security law - Prof Stefan van Eck, University of Pretoria, SASLAW and ISLSSL</b> |
| <b>18h00</b> | <b>Close and thanks – Brian Patterson, ENSafrica</b>  |
| <b>18h00</b> | <b>Cocktail party</b>   |



**The South African Society for Labour Law (SASLAW)** is a non-profit organisation. The aim of the Society is to promote the advancement of labour law as a legal and academic discipline, and encourage collaboration between lawyers and other experts within the field of labour law. The Society was started in 1997. SASLAW has 1400 members in South Africa. Membership is made up of judges, advocates, candidate attorneys, students, academics, HR and IR management, government officials, CCMA commissioners, and employers' organisations. Over 40 seminars and workshops are held annually in the five chapters around South Africa. The SASLAW Pro Bono NPC project at the South African Labour Courts serves to deliver a quality advisory service and defined Labour Law legal services to those who otherwise do not have access to justice. SASLAW hosted the World Labour Law Congress in September 2015, in Cape Town. [www.saslaw.org.za](http://www.saslaw.org.za)

**The International Society for Labour and Social Security Law** [www.islssl.org](http://www.islssl.org) - housed in the International Labour Organisation in Geneva, was constituted in Brussels in June 1958 to provide (among other things) a forum for discussion about the relationship between national systems of labour law, and how international and national labour law influence each other.

**The International Labour Organisation's** main aim is to promote rights at work, encourage decent employment opportunities, enhance social protection and strengthen dialogue on work-related issues. The unique tripartite structure of the ILO gives an equal voice to workers, employers and governments to ensure that the views of the social partners are closely reflected in labour standards and in shaping policies and programmes. <http://www.ilo.org>



UNIWERSYTET GDAŃSKI



MEETING OF THE  
EUROPEAN LABOUR LAW YOUNG SCHOLARS

# ORGANIZATION PRODUCTIVITY AND WELL - BEING AT WORK



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

GDAŃSK, 5-7.07.2017





UNIwersYTET GDański



MEETING OF THE  
EUROPEAN LABOUR LAW YOUNG SCHOLARS  
**ORGANIZATION  
PRODUCTIVITY**  
AND WELL - BEING AT WORK

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

**Gdańsk  
5-7 July 2017**

Promoted by  
Uniwersytet Gdański

Under the auspices of the  
International Society for Labour  
and Social Security Law (ISLSSL)  
and its Polish Section

## **Organization Committee**

Stefano Bellomo, ISLSSL, Università degli Studi di Perugia; Jakub Stelina, Justyna Świątek-Rudoman, Jakub Szmit and Maciej Łaga, Uniwersytet Gdański; José María Miranda Boto, Universidade de Santiago de Compostela; Nicola Gundt, Universiteit Maastricht.

## **Venue and Subject**

This year conference of the ELLYS will be held in Gdańsk – the city of history, changes, Solidarity and sea. Gdańsk is also the birthplace of Polish contemporary collective labour law. The venue of the conference is an occasion to discuss one of the subjects for transnational research proposed by prof. Tiziano Treu in his Agenda in Cape Town, 2015 – ***Organization, productivity and well-being at work***. Globalization, technical innovations and demographic trends are continuously changing the social environment that is regulated by labour law and social security law and in which these laws function. Thus, those branches of law are developing more and more dynamically. On the national level, often a decreasing role of trade unions and collective bargaining can be perceived. The focus on bargaining often shifts to the enterprise level and, partly unfortunately – individual negotiations. In some cases we see state's new legislative interventions.

The conference is planned to discuss both labour law and social security law of participant's countries. To answer to the Agenda on the one hand, and to refer to Gdańsk's history on the other – the first group of issues should reflect to collective labour law problems. We will try to focus on the role of trade unions in collective bargaining, collective agreements and legal changes in balancing organizational changes, productivity and well-being. What are recent developments of this aspect of collective labour law in European countries? This part covers also issues of corporate social responsibility and practices of high involvement.

The second group of issues would be devoted to changes in the relation between organization, productivity and well-being at work in individual labour relations. It includes recent changes in regulation of individual labour relations – legislation and jurisdiction in this field. The question is whether and how individual labour law evolution (e.g. new forms of employment, new working time patterns, parental leaves, et cet.) reflects modern organization of labour relations or is a reaction to it. Does productivity or maybe well-being prevail in a changing legal environment? And if so, is this a desirable development?



The third part of suggested issues is inspired by new forms of welfare – supplementary pension funds, health insurance, flexible benefits, et cet. How do economic and demographic changes refer to well-being in contemporary social security law? What are new roles of state, employers, trade unions and individuals? We believe that the subject of the conference precised this way, gives chance not only to realize together comparative work on recent changes in diverse legal systems, but also to search interrelations between organization, productivity and well-being in contemporary Europe. Furthermore, the choice of those three groups of topics is aimed to help young scholars, interested in participation in the conference to find the topic suited to their research.

### **Attendance Rules**

Participation will be possible 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 and m.laga@prawo.ug.edu.pl before the 31st March 2017. Papers might be prepared jointly or individually (e.g. two papers from one country covering two different aspects of the conference theme). The final selection of discussants will be made by the ISLSSL. 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. Of course, attendants from extra-European countries are welcomed to participate in the meeting. The total limit of the conference participants is 30 people. Whithin this limit the priority will be given to discussants nominated by the National Asociacions who: will register (1), deliver the title of the paper (2) and pay the registration fee (3) – until 31st March 2017. The working language will be English and the dress code is casual.

### **Registration fees**

The registration fee is 200 Euros. The fees include academic materials, accommodation in individual room for three nights in a University Residence, two breakfasts, lunches and dinners; social events.

The ISLSSL will give a grant of 50 Euros to each of the selected discussants, with a top expenditure of 1.000 Euros.

Extra nights can be booked at the time of the registration (30 Euros per night, price does not include breakfast). Extra nights should be booked and payed until 31st March 2017. The organization does not guarantee the availability of rooms in cases of later booking.

## **Payment**

Please, make a bank transfer to:

Bank Account Holder: Uniwersytet Gdański.

Address of the bank account holder: ul. Jana Bażyńskiego 1, 80-309, Gdańsk (Polska)

Bank: Pekao S.A. IV O/Gdańsk

SWIFT code: PKO PPL PW

IBAN code: PL 59 1240 1271 1111 0010 4368 2415

**and a very important matter (!), in the title of the transfer, you shall put the subaccount number (K634-17) and your name, e.g.: K634-17 – Maciej Łaga**

## **Contact**

Maciej Łaga

m.laga@prawo.ug.edu.pl

Wydział Prawa i Administracji UG

ul. Jana Bażyńskiego 6

80-309 Gdańsk

Poland

# **Provisional Timetable**

## **Wednesday, 5th July 2016**

16.00 – Participants registration

16.15 – Conference opening

16.00 – 17.30 – Session I

17.30 – 18.00 – Coffee break

18.00 – 19.30 – Session II

19.30 – 21.00 – Dinner

## **Thursday, 6th July 2016**

7.00 – 9.30 – Breakfast

10.00 – 11.30 – Session III

11.30 – 12.00 – Coffee break

12.00 – 13.30 – Session IV

13.30 – 15.00 – Lunch

16.30 – 19.30 – Cultural activities

19.30 – 21.00 – Dinner

## **Friday, 7th July 2016**

7.00 – 9.30 – Breakfast

10.00 – 11.30 – Session V

11.30 – 12.00 – Coffee break

12.00 – 13.00 – Session VI

13.00 – 14.00 – the ELLYS' meeting and the Conference closing

14.00 – 15.30 – Lunch