



International Society for Labour and Social Security Law

Soci t  internationale de droit du travail et de la s curit  sociale

Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social

Bulletin No. 138

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Dear colleagues and friends,

Herewith our Bulletin No. 138 which informs you about the latest news of our Society and its forthcoming activities.

1. Revival of the Seminar on international and comparative labour law.

As anticipated in a previous communication, we have agreed to revive the historic seminar of the ISLSSL, based in Europe, whose former editions were carried out in Trieste, Szeged, Bordeaux and Lyon. The next one will be organised by Ca' Foscari University of Venice, Italy under the direction of Prof. Adalberto Perulli.

In recent weeks Prof. Perulli has completed the program of the first edition of the seminar, which will take place from **1 to 10 July 2014** and will focus on "Fundamental Social Rights in the Age of Globalization". Herewith the summary of the agenda:

Monday, 30 June

Arrival of participants

Tuesday, July 1

9 am: **Welcoming of participants**

Prof. Carlo Carraro – Magnificent Rector, Ca' Foscari University of Venice
Prof. Adrian Goldin – President, ISLSSL (International Society for Labour and Social Security Law)
Prof. G. Santoro-Passarelli – President, AIDLASS (Italian Society for Labour and Social Security Law)

10 am: **Fundamental Social Rights in International Labour Law**

Rapporteurs:

Dr Giuseppe Casale – Director ILO, Secretary-General of ISLSSL
Prof. Jean-Michel Servais – Former Director ILO, Honorary President of ISLSSL

Afternoon:

Working groups and discussion

Wednesday, 2 July

Morning: **Fundamental Social Rights in European Law**

Rapporteurs:

Prof. Antoine Lyon-Caen – University of Paris Nanterre La Défense
Prof. Manfred Weiss – Emeritus Professor at the J.W. Goethe University of Frankfurt

Afternoon:

Working groups and discussion

Thursday, 3 July

Morning: **The model of integration between social rights and international trade**

Rapporteurs:

Prof. Adalberto Perulli – Ca' Foscari University of Venice
Prof. Lance Compa – Cornell ILR School, Ithaca, New York

Afternoon:

Working groups and discussion

Friday, 4 July

Morning: **The role of transnational collective bargaining in promoting fundamental rights at work**

Rapporteurs:

Prof. Adrian Goldin – Emeritus Professor of the University of San Andrés and Titular of the University of Buenos Aires

Prof. Tiziano Treu – Emeritus Professor, Catholic University of Milan

Afternoon:

Working groups and discussion

Saturday, 5 July

Walk to the island of the Venetian Lagoon

Sunday, 6 July

Visit to the Doge's Palace, the Accademia Gallery, the Guggenheim Museum

Monday, 7 July

Morning: **The role of the European Court of Human Rights (ECHR)**

Rapporteur:

Prof. Florence Benoît-Rohmer – University of Strasbourg, Secretary-General EIUC (European Inter-University Center for Human Rights and Democratisation)

The role of the European Court of Justice (ECJ)

Rapporteur:

Prof. Silvana Sciarra – University of Florence

The role of Constitutional Courts

Rapporteur:

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

Afternoon:

Working groups and discussion

Tuesday, 8 July

Morning: **New instruments of promotion of fundamental social rights.
Corporate Social Responsibility and the role of “soft law”**

Rapporteurs:

Prof. Fabrizio Marrella – Ca’ Foscari University of Venice
Dr Laura Vannucci – S.I.A.CO, CSR Supervisor

Afternoon:

Working groups and discussion

Wednesday, 9 July

Working Groups

Thursday, 10 July

Morning: **Reports by the Working Groups and general discussion**

Afternoon: Conclusion

Prof. Adalberto Perulli – Ca' Foscari University of Venice

Prof. Gaetano Zilio Grandi – Ca' Foscari University of Venice

Prof. Vania Brino – Ca' Foscari University of Venice

Prof. Riccardo Del Punta – University of Florence

Participants will be housed in the University Residence Junghans (www.esuvenezia.it).

Registration fee, which includes accommodation, breakfast, city-transport (vaporetto), meals (2 plus 2 coffee breaks per day), administration is 1,000 Euros. The lectures will be given in English. Working Groups will use English, Spanish, French and Italian. The three tutors for the duration of the seminar are: V. Cagnin (PhD in labour law), G. Paone (PhD in labour law) and V. Brino (PhD, Prof. of labour law).

Direction and Coordination: Prof. A. Perulli.

International Scientific Committee: G. Casale, L. Compa, A. Goldin, A. Lyon Caen, Jean-Michel Servais, F. Valdés dal Re, M. Weiss.

Registration period: **March 1 - May 30, 2014.**

Further detailed information and registration forms will follow.

Please note that the ISLSSL offers six scholarships of 1,000 Euros each, with a view to covering registration fees, aimed at facilitating the participation of legal scholars of less than 40 years. The procedure for applying to the scholarship will be communicated soon.

2. Activities of the Young Legal Scholars Section

a) The Latin American Branch

After the very interesting session that took place during the American Regional Congress, the Latin American Branch of the Young Legal Scholars Section is currently working on the edition of the reports presented on that occasion by the various national delegations. The draft of the book will be submitted to a double-independent opinion, before being published by the Law Research Institute (IIJ) of the National Autonomous University of Mexico – UNAM.

The Branch has also launched a doctrinal development investigation around the theme of the “employment relationship” that will be discussed at the International and Comparative Seminar of Margarita Island. To this end, we have defined four main

themes, namely: 1. “The role of private or voluntary initiative in the establishment and modification of working conditions”; 2. “The construction of the concept of the employment relationship”; 3. “The employment relationship and labour law” and 4. “Building up the notion of the employment relationship with the aim to preserve labour law”, whose respective coordination is assigned to lawyers of various nationalities.

We are pleased to note that the national associations of Argentina (also their subsidiary in the province of Cordoba), Chile, Costa Rica and Peru have formed their own sections of young legal scholars, in response to the call of ISLSSL.

All young American legal scholars who are interested in participating in these activities may contact Dr. Juan Pablo Mugnolo (jmugnolo@yahoo.com.ar).

b) The European Branch

During the next European Regional Congress of Dublin, there will be a Young Scholars Session, in parallel with the first experience of the American Regional Congress of Guayaquil. The session has been scheduled in the Congress’ program on Wednesday, 17th September, 12:15 (beginning of participants’ registration) – 2:30 p.m., in the Sutherland School of Law. The guideline document containing the call for participants, as drawn up from the European coordinator Prof. Stefano Bellomo and his working group, has been posted on the ISLSSL website and will be sent in the next weeks to each European National Member.

Concerning the activities of the National Members, it should be noted that the Spanish Association of Labour Law and Social Security has created its own Young Legal Scholar Section, already very active and which organizes its yearly meetings in September (for more information, please contact the section’s responsible: Mr José Maria Miranda Boto at (jmmiranda@gmail.com)).

Also the South African Association, SASLAW has recently created its Young Scholar Section, whose head is Sarvani Morgan (smorgan@labournet.com).

Finally, the Austrian Society for Labour Law has appointed Ms Elisabeth Kohlbacher from the Business University of Vienna (Elisabeth.Kohlbacher@wu.ac.at) and Mr Elias Felten from Salzburg University (Elias.Felten@sbg.ac.at), as contact persons for Austria in order to establish the Young Scholar Section. The Austrian Society also announced that during its next national conference, to be held from 26 to 28 of March 2014 in Zell am See (Salzburg) there will be a meeting of young labour lawyers.

3. Organisation of the World Congress of Labour Law and Social Security Cape Town, South Africa, September 2015

The task of organizing the XXI World Congress of Labour Law and Social Security continue at a good pace, by a local organizing committee chaired by Judge Andre van Niekerk and integrated by teachers Anton Myburgh SC, Marylyn Christianson, Darcy du Toit, Tanya Venter, Richard Maddern, Gillian Lumb and Peter le Roux, and various subcommittees. The scientific program of the Congress was approved by the Executive Committee at its meeting in Santiago (September 2012), and its four main themes are: a) Bargaining collectively and beyond; b) Equality and industrial citizenship as conceptual foundations for labour law; c) Towards sustainable social security in an insecure world; d), Labour law in the developing world (South Africa in a comparative perspective). It is further envisaged two workshops respectively on: 1. Overall labour market and transnational labour law; 2. Labour migration in the context of on-going globalization process. The academic subcommittee is chaired by Professor Darcy du Toit.

The Congress will be held at the Cape Town International Convention Centre. Professor Alain Supiot has confirmed his participation and will deliver the opening lecture. Professors Judy Fudge, Kamala Sankaran and Simon Deakin will be the general rapporteurs for items 2, 3 and 4.

4. Asian Labour Law Seminar in Manila, Philippines.

We are pleased to let our members know that we have agreed with the Philippine Society of Labour Law and Social Security to conduct a seminar on labour law focussed on the Asian region. The seminar will be held tentatively on 12-14 November 2014 and will probably take place in Manila at the premises of the University of the Philippines. The seminar will explore the experiences of the various countries in the region in relation to the impact of globalization, in particular to its labour administrations. We thank Professor M. Bach Macaraya for the interest that the Philippine Society - which he presides - has offered to organise this important meeting and our colleagues Jean-Michel Servais (Honorary president of ISLSSL) and Carmelo Noriel, whose assistance has been instrumental in organising such an event. We understand that this activity is very important for contributing to the production and dissemination of knowledge in the region, as well as to boost the presence of our Society and the influence of our Asian Members in the future of the Society.

**5. European Regional Congress of Labour and Social Security Law
Dublin, 17 - 19 September 2014**

Herewith the draft agenda of the XI European Regional Congress as well as the list of confirmed speakers:

INTERNATIONAL SOCIETY FOR LABOUR AND SOCIAL SECURITY LAW

EUROPEAN REGIONAL CONGRESS 2014

DRAFT SCHEDULE

Wednesday, 17 September 2014

- 8.30am Registration commences for ISL&SSL Executive Committee members (at Eurofound)
- 9.00am Executive Committee Meeting (Eurofound)
- 12.15pm Executive Committee Lunch (Eurofound)
- 12.15pm Registration commences for Young Scholars (Sutherland School of Law)
- 12.45pm Young Scholars Meeting (Sutherland School of Law)
- 1.00pm Registration commences for delegates (at O'Reilly Hall)
- 2.30pm End of Young Scholars Meeting
- 3.30pm Opening Ceremony (O'Reilly Hall)

President of University College Dublin (UCD)

Dean of the Sutherland School of Law, UCD

Chair of the Employment Law Association of Ireland (ELAI)

Chair of the European Association of Labour Court Judges

President of the International Association of Labour Law Journals

President of the International Society for Labour and Social Security Law

5.00pm Congress Opening Address

Minister for Jobs, Enterprise and Innovation, Richard Bruton, T.D.

5.30pm Reception (O'Reilly Hall annexe)

Thursday, 18 September 2014

9.00am Theme I: Labour Rights or Human Rights (O'Reilly Hall)

Chair: The Honorable Mr Justice Donal O'Donnell

Keynote Speaker: Keith Ewing

Discussants: Conor Gearty, Bernd Waas

Debate

10.45am Coffee Break

11.15am Theme II: The Legal and Extra Legal Remedies against Discrimination
(O'Reilly Hall)

Chair: Kevin Duffy

Keynote Speaker: Sylvaine Laulom

Discussants: Mark Bell, Silvana Sciarra.

Debate

1.00pm Lunch (O'Reilly Hall annexe)

2.00pm Round Table Discussions

1. Whistleblowing (Sutherland School of Law)

Chair: David Lewis

Panellists: Bjorn Fasterling, Rik van Steenberg, Trygstad Sissel,

Wim Vandekerckhove

2. Economic Crisis and Labour Law Reforms (O'Reilly Hall)

Chair: Giuseppe Casale

Panellists: Alberto Pizzoferrato, Jesús Cruz Villalón, Costas Papadimitriou,
Michael Doherty, Joana Vasconcelos.

3. Data Protection and Workplace Privacy (Sutherland School of Law)

Chair: TBD

Panellists: Robert Rebhahn, Edit Kajtar, Jose Abrantes, Diego Alonso,
Matthew Finkin.

4. Publishing Opportunities for Labour Law and Social Security Law
Research (Sutherland School of Law)

Chair: TBD

Panellists: Mia Ronnmar, Frank Hendrickx, Sandrine Laviolette, Bernard
Adell.

3.45pm Coffee Break

4.15pm Theme III: Social Security issues and State Support for the Wage-Work
Bargain (O'Reilly Hall)

Chair: Gerry Whyte

Keynote Speaker: Keith Puttick

Discussants: TBD

Debate

6.00pm End of Proceedings

8.00pm Congress Dinner (Thomas Prior Hall, Bewleys Hotel)

Friday, 19 September 2014

9.30am Theme IV: Alternative Dispute Resolution (O'Reilly Hall)

Chair: Bill Roche
Keynote Speaker: Alex Colvin
Discussants: Stein Evju, Mordehai Mironi.
Debate

- 11.15am Coffee Break
- 11.45am The Second Edward Phelan Lecture (O'Reilly Hall)
- Speaker: TBD
- 12.30pm General Assembly (O'Reilly Hall)
- Secretary-General of ISL&SSL
- 1.00pm Closing Ceremony (O'Reilly Hall)
- Chair of ELAI
Chair of the South African ISL&SSL
President of ISL&SSL
- 1.30pm End of Congress

All venues, other than those for the meetings of the Executive Committee and the Congress Dinner, are on the Belfield Campus of University College Dublin.

Enquiries concerning registration for the Congress should be directed to eimear.dunne@mci-group.com

We would like to inform you that the 2014 annual meeting of the International Association of Labour Law Journals will be held in Dublin in conjunction with the European Regional Congress. This meeting will take place the day before the beginning of the Congress.

Please note that during the Executive Committee meeting, our Society is called to elect the new President for the period 2015-2018. In the coming weeks, the Secretary-General will send to the Presidents of the National Associations of the ISLSSL an official invitation to nominate a candidate.

CONFIRMED SPEAKERS' PROFILES

José Joao Abrantes is a Professor in the Faculty of Law at the New University of Lisbon (Portugal) and a member of the European Labour Law Network.

Bernard Adell is Professor Emeritus of the Faculty of Law at Queen's University (Canada) and Editor-in-Chief of the Canadian Labour and Employment Law Journal.

Diego Álvarez Alonso is an Assistant Professor of Labour and Social Security Law at the University of Oviedo (Spain).

Mark Bell is Professor of Law at the University of Leicester (UK) and was a member of the European Commission's Network of Legal Experts in the Non-Discrimination Field between 2004 and 2010.

Giuseppe Casale is Director, Labour Administration and Inspection Programme at the International Labour Office (Switzerland) and Secretary-General of the International Society for Labour and Social Security Law.

Alex Colvin is Professor of Labor Relations and Conflict Resolution at the Industrial and Labor Relations School at Cornell University (USA).

Michael Doherty is a Professor and Head of the Department of Law at the National University of Ireland, Maynooth (Ireland).

Kevin Duffy is Chairman of the Labour Court (Ireland).

Stein Evju is Professor of Labour Law at the University of Oslo (Norway).

Keith Ewing is Professor of Public Law at King's College London and President of the Institute of Employment Rights (UK).

Bjorn FASTERLING is a Professor of Law in the Accounting, Law, Finance and Economics Department of Legal EDHEC Research Centre (France).

Matthew Finkin holds the Albert J.Harno and Edward W. Cleary Chair in Law at the University of Illinois (USA) and is co-General Editor of the Comparative Labor Law & Policy Journal.

Conor Gearty is Professor of Human Rights Law and Director of the Institute of Public Affairs at the London School of Economics (UK and Ireland).

Frank Hendrickx is Professor of Labour Law at the University of Leuven (Belgium) and Editor-in-Chief of the European Labour Law Journal.

Edit Katjár is a Senior Lecturer in the Department of Labour Law and Social Security Law at the University of Pécs (Hungary).

Sylvaine Laulom is Professor of Law at the University of Lyon (France) and a member of the European Network of Legal Experts in the Field of Gender Equality.

Sandrine Laviolette is Ingénieur d'Études, University Montesquieu Bordeaux IV (France) and Editor-in-Chief of the Revue de Droit Comparé du Travail et de la Sécurité Sociale.

David Lewis is Professor of Employment Law at Middlesex University (UK) and convenor of the International Whistleblowing Research Network.

Mordehai Mironi is a Professor of Law at Haifa University (Israel), a visiting professor at the Alexander von Humboldt Institute for Internet and Society in Berlin and serves on the mediation panel of the Court of Arbitration for Sport.

Donal O'Donnell is a Judge of the Supreme Court (Ireland).

Costas Papadimitriou is Professor of Law at the University of Athens (Greece) and a member of the European Labour Law Network.

Alberto Pizzoferrato is Professor of Labour Law at the University of Bologna (Italy).

Keith Puttick is an Associate Professor and Director of the Institute of Industrial Law in the Law School at Staffordshire University (UK).

Robert Rebhahn is Professor of Labour Law and Social Security Law at the University of Vienna (Austria) and a member of the European Labour Law Network.

Bill Roche is Professor of Industrial Relations and Human Resources in the College of Business and Law at University College Dublin (Ireland).

Mia Ronnmar is Professor of Private Law in the Faculty of Law at Lund University (Sweden) and Editor-in-Chief of the International Journal of Comparative Labour Law and Industrial Relations.

Silvana Sciarra is Professor of Labour Law and European Social Law at the University of Florence (Italy) and co-editor of *Giornale di Diritto del Lavoro e di Relazioni Industriali*.

Sissel Trygstad is an organisational behaviour specialist and the leading researcher on whistleblowing in Norway.

Rik van Steenbergen is an official with the Dutch trade union confederation FNV and a board member of the Dutch Association for Labour Law (the Netherlands).

Wim Vandekerckove is a Senior Lecturer in the Department of Human Resources and Organisational Behaviour at the University of Greenwich (UK).

Joana Vasconcelos is Professor of Law at the Catholic University of Lisbon (Portugal).

Jesús Cruz Villalón is Professor of Law at the University of Seville (Spain) and President of the Spanish Association for Labour and Social Security Law.

Bernd Waas is Professor of Labour and Civil Law at the Johann Wolfgang Goethe University of Frankfurt (Germany) and Co-ordinator of the European Labour Law Network.

Gerry Whyte is Professor of Law at Trinity College Dublin (Ireland).

6. International and Comparative Seminar, Margarita Island.

The organization of this seminar, which will take place between 4 and 14 May 2014 is continuing. ISLSSL fellowships have been given through our national societies. The duration and activities of the seminar have been extended to 80 hours of class, in order to produce a greater impact on the training of young legal scholars who will take part in it. This time, the theme is “The Employment Relationship”. We are pleased to note that the first two classes of the seminar will be delivered by Enrique Marin Quijada, who, as an ILO official, was responsible for the preparation of the reports to the Conference that in 2006 adopted Recommendation No. 198 on the employment relationship. Other faculty members are: Rafael Albuquerque, Jose Luis Ugarte Cataldo, Jorge Rosenbaum and Oscar Hernandez.

7. Yearbook with IALLJ.

As soon as we took the administration of the ISLSSL, we proposed to the International Association of Labour Law Journals, in the person of its president Prof. Steven Willborn, the idea to develop an annual volume comprising significant articles published in journals of labour law.

The original proposal for this yearbook is herewith:

ANNUAL VOLUME OF LEADING ARTICLES ON LABOUR & EMPLOYMENT LAW

AN INITIAL PROPOSAL FOR DISCUSSION BY THE INTERNATIONAL ASSOCIATION OF LABOR LAW JOURNALS

The International Society for Labour and Social Security Law (ISL&SSL) has asked [us] to consider publishing an annual volume of leading articles on labour and employment law. This document is an initial proposal designed only to structure a productive discussion of the topic.

General Organization of the Volume:

1. Initially, the Volume would be published only on-line. It would be published on the websites of the International Association of Labour Law Journals (IALLJ) and the international site of the ISL&SSL.
2. Initially, the articles would be published in their original language only (no translations).
3. One article would be chose for inclusion in the volume by the editors of each participating journal.
4. Only members of the IALLJ would be eligible to participate.

5. Members of the IALLJ would not be required to participate.
6. Individual journals would retain all copyright rights in the articles; they would transfer to the IALLJ only the one-time right to republish in the Volume.
7. The Volume would clearly indicate the journal in which each article was originally published and it would provide subscription and contact information for that journal.

Benefits of the Volume

1. The ISL&SSL wishes to expand the scope and depth of its scholarly engagement with critical labour and employment law issues around the world.
2. The Volume would be an advertisement for members of the IALLJ. It would permit the journals to feature the high quality of articles in their journals and, perhaps in so doing, to increase their subscriptions.

Problems of Proceeding with the Volume

1. Copyright issues would need to be sorted out.
2. Duties for composing the Volume would have to be assigned and assumed.

We believed that such a publication would constitute a significant contribution to legal knowledge in our specific area and to reach out the public of specialised reviews. It is not an easy task. Steven Willborn undertook a painstaking process of consultations to each and every one of the magazines that integrate IALLJ. After obtaining a majority consensus, the first annual volume has started. It is coordinated by Steven Willborn and Alan Neal, who has expressed a willingness to cooperate in this project. It is clear, in any case, that the possible publication of this volume is subject to its content and coherence, in addition to the consensus given by the magazines involved. It is only then that the volume might be published.

Our thanks go to Alan Neal and Steven Willborn for the enthusiasm and dedication that they are putting in this project.

8. News from our Members

- The Korean Society of Labour Law has communicated that they are no longer in the position to organise the IX Asian Regional Congress that was scheduled to take place in Seoul this year. We thank our Korean colleagues for all their efforts and fully understand their current financial constraints.
- Our colleague Prof. Martine Le Friant, President of the French Association of Labour and Social Security Law and Vice President of the ISLSSL has informed us that the “Mediterranean Seminar on Labour Law” (Journée Gérard Lyon-Caen), organized annually by the French, Italian and Spanish associations will be held at the University of Avignon on 23-24 May 2014. During the seminar the following topics will be discussed: the manifestation of religion faith in the enterprise; “les entreprises de tendance”; juridical aspects of the impact of religious creeds on labour relations; the administration of religious faiths in transnational groups.

We invite all of you to visit our website <http://islssl.org/> to see the latest changes in the Executive Committees of some of our Members such as Belarus, Colombia, and Turkey.

Giuseppe Casale
Secretary-General

Adrián Goldin
President