

Asian Conference on Globalization and Labor Administration: Cross-Border Labor Mobility, Social Security and Regional Integration

Conference Proceedings

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ISLSSL-Philippine
Chapter (PHILSI)



SOLAIR, University
of the Philippines



ILO ASEAN
Triangle Project

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INTRODUCTION

The Asian Conference on Globalization and Labor Administration: Cross-Border Labor Mobility, Social Security and Regional Integration is collaboratively convened by the Philippine Chapter of the International Society for Labour and Social Security Law, the University of the Philippines School of Labor and Industrial Relations, and the International Labor Organization's ASEAN Triangle Project.

The Conference intends to highlight the best practices in labor policies and laws in dealing with the challenges and risks brought about by increasing globalization and deepening regional integration. This theme is of critical importance to Asia particularly in the light of strengthened economic partnerships within the ASEAN+6 composed of the 10-member countries of the ASEAN region plus China, Japan, South Korea, India, Australia and New Zealand. The establishment of the ASEAN Community 2015 indicates a deepening ASEAN regional integration characterized by free flow of goods, capital, services and skilled labor. ASEAN has free trade agreements with China, Japan, Korea, India, Australia and New Zealand and negotiations are underway towards establishing the ASEAN+6 as a free trade area.

An important feature of deepening regionalization is increased flow of labor across borders. Labor administration and inspection systems in member states bear a crucial role in furthering fair globalization and regionalization by promoting productive and decent work including social security and occupational safety, and ensuring the protection of human rights of workers including migrant workers. The sub-theme of the Asian Conference places special focus on Cross-Border Labor Mobility, Social Security and Regional Integration.

The Asian Conference is divided into two major sessions:

- a) The first major session of the Conference begins with a discussion of international social security law, and comparative labor laws and industrial relations in the ASEAN region. This is followed by a presentation of country reports on best practices and analytical discussions on the social justice dimension of various forms of labor migration towards the promotion of productive and decent work in a globalizing world, including discussions on transformative regulations dealing with the welfare of national and migrant workers affected by increasing globalization and deepening regional integration, including the portability of social security entitlements for migrant workers across different phases of the labor movement, where social security covers social insurance programs (e.g., insurance for disability and invalidity, sickness and health, maternity, old-age, work injury, unemployment) as well other social assistance interventions for vulnerable groups. Other related topics may include the protection of human rights of workers including migrant

workers in respect to freedom of employment and workplace discrimination, the abolition of human trafficking and child labor, and the rights to a fair remuneration.

b) The second major session of the Conference will focus on skilled labor mobility and portability of social security and skills qualifications of migrant workers in the ASEAN region. A related discussion is on the role and cooperation of ASEAN workers organizations and trade unions across countries of origin and destination of migrant workers.

These discussions will provide critical insights in the effective formulation transformative cross border policies and institutions for the promotion of the welfare and the protection of the rights of national, transnational workers and migrant workers.

CONFERENCE OBJECTIVES

The Asian Conference on Globalization and Labor Administration provides a forum involving international and local labor officials and administrators, tripartite labor and employer representatives, academics and industrial relations students to:

- present and discuss best practices in Asia in dealing with impact of increased globalization and deepening regional integration on the welfare of national and migrant workers and changing employment relations;
- critically assess the readiness of countries to handle increased labor mobility that is concomitant with increased regional integration, including issues on the portability of social security and skills qualification of migrant workers and the interactive cooperation of the states, the worker and employer groups in the countries of origin and destination of migrant workers;
- recommend policy options on labor market governance for efficiently managing cross-border labor migration that optimizes labor market outcomes.

OPENING SESSION

The Conference opened on November 19, 2013 with an opening statement delivered by Dr. Maragtas Amante, Vice President for Administration, University of the Philippines, expressing his strong support for the conference objectives and analytical discussions on the changing labor outcomes and policies of increased globalization and deepening regionalization. This is followed by the welcome remarks of Dr. Bach Macaraya and Prof. Adrian Goldin, President of the Philippine Society for Labor and Social Security Law and President of the International Society for Labour and Social Security Law (ISLSSL), respectively.

Keynote Address

Recent Trends and Issues in Labour Administration: A Comparative Overview

Giuseppe Casale

The paper covers the main topical issues at stake today in the area of labour administration. It highlights the main ILO's message that labour administration and labour inspection are core objectives in the promotion of sound and effective economic and social policies, especially in Asian countries. Current challenges put forward by globalization require that labour administrations, especially in the Asian countries put into practice well-coordinated and efficiently operating administration machinery, including effective labour inspection services. The author through a comparative analysis emphasizes that a well-functioning labour administration is essential for promoting good governance and an efficient labour market. The paper sets out the role, functions and organization of labour administration, by highlighting the best practices in these areas with a specific reference to some Asian examples. It identifies the vast array of services to which most people have access during their working lives. It gives a comprehensive overview of the recent changes and looks at the areas where there is an urgent need of improvement. The paper looks at the various interconnections between social policy and economy policy with a view to highlighting the complexity of the choices that several governments have to make for further strengthening the labour administration system. The paper presents a set of suggestions for further reforming labour administration with a view to better responding to the challenges faced by labour administrations.

SESSION PAPER AND DISCUSSION ABSTRACTS

SESSION A: INTERNATIONAL SOCIAL SECURITY LAW

Paper A1: International Standards on Social Security

Jean-Michel Servais

Although a sophisticated body of international social security law is active and growing, many States appear unable to honour it. This calls for well-researched surveys and analysis of existing international social security law in search of informed consideration of the barriers to the law's full effectiveness. This paper focuses on the analysis of the ILO Conventions and Recommendations on Social Security. Even in the absence of ratification and therefore of legal force, they are invaluable benchmarks in comparative law. Indeed, ILO standards are both useful instruments of analysis and excellent yardsticks for identifying common denominators among national systems. The document considers the past, the present and the future of social security systems. It briefly examines the historical development of social security (I). It draws common principles of present international social security law (II). It finally analyses the most recent public debates on social protection and the adoption in 2012 of the ILO Recommendation No. 202 concerning national floors of social protection - the importance of which was stressed at the 2012 summit of the G20 - opening some perspectives for the future work of the Organization and other global institutions.

Discussion A1: International Standards on Social Security

Adrián Goldin

The ILO Convention 102 remains the basic convention on Social Security. Despite several changes in the socioeconomic status of developed and developing countries since 1952, its legal principles preserve its value and should be the basis for building new national strategies on social security. Setting clear priorities, applying the principle of participation, developing appropriate indicators and mobilizing local knowledge are some of the criteria laid down for that purpose by a group of experts, created by the ILO in 2003 and led by Alain Supiot to examine the standards of the policies designed to extend social security across the world. As they entirely retain their validity, it is worth to recall them very briefly in this opportunity.

Discussion A2: International Standards on Social Security

Stefano Bellomo

The intervention discusses the role of International Social Security Standards in relation to unemployment, underemployment and vulnerable employment situations as well as the integration of unemployment schemes with other forms of Active Labour Market Policies. The latter is otherwise referred to in recent literature as the transition from Unemployment Insurance (UI) towards the more comprehensive Employment Insurance (EI) scheme. The motivating factor behind this ideal transition in social security schemes is the acknowledgement that “while the labour market serves as the primary source of income security during working life, social security plays a major role in smoothing incomes and aggregate demand, thereby facilitating structural change within economies”, and, the establishment of “integrated income security systems”.

SESSION B: ASEAN COMPARATIVE LABOR LAWS AND INDUSTRIAL RELATIONS

Paper B1: A Comparative Analysis of Labor Laws in the ASEAN

Jonathan P. Sale

In the context of globalization and regional integration, is it possible to harmonize the labor laws of members of the Association of South East Asian Nations (ASEAN)? That is the basic question this comparative study tries to address. The comparative analysis covers seven (7) ASEAN members – Cambodia, Indonesia, Malaysia, Philippines, Singapore, Thailand, and Vietnam – and relies on key aspects of these countries’ labor laws as culled from International Labour Organization data. Using legal origins theory and varieties of capitalism approach, the paper examines if the labor law systems involved are of common law or civil law origin and whether these countries have liberal market economies or coordinated market economies, and their relationship, if any. Convergences and divergences among systems are also broached.

Paper B2: Theory and Practice of Tripartism in Social Security: Comparative Studies in Representation and Inclusion in Selected ASEAN Countries

Maragtas SV Amante

Tripartism ideally requires the engagement of the organized employers and employees, with the government on the processes and outcomes of industrial relations, i.e., work rules including the terms and conditions of employment, and social security. In practice, the organized voice of either the employers or employees is expressed through the most representative organizations, and their designated champions, with government as mediator. The paper examines the comparative experience of selected ASEAN countries, on the available instruments and processes of tripartism in social security - labor laws, policies, regulations, and ratification of international conventions with respect to specific sectors or industries. Variations in the history and political processes of representation in ASEAN are critical dimensions in considering further steps to improve social security coverage. The analysis focuses on variations in the degree and meaning of inclusion as defined by the demographics of the labor force, process of representation, principles and the design of policies with respect to social security. The paper concludes with the possibilities of convergence of social security institutions in ASEAN considering the extent of labor force coverage, similarities or divergences in demographics, principles of subsidiarity, sustainability of financial contributions by employers and employees, representation, and processes of interest representation, including social dialogue, to fill the gaps in social security, with respect to the vulnerable sectors in regional economic integration, liberalization of services, mutual recognition of professions, and the movement of natural persons in free trade agreements.

SESSION C: ASEAN COUNTRY REPORTS

Paper C1: Migrant Workers Contribution towards the Malaysian Economic Transformation

P. Iruthayaraj D. Pappusamy

The presence of migrant workers in Malaysia is not a new phenomenon. Even though initially Malaysia imported foreign workers in the 19th century to develop its plantations and mining sectors but reliance on migrant workers had been accelerated in view of the country's rapid economic development to achieve Malaysia's vision of achieving the developed nation status by the year 2020. In this context, this paper focuses on (i) the significant contributions made by migrant workers in the economic development of Malaysia; (ii) the greater participation of women in the labour market; (iii) the fairness, dignity and equality that must be accorded to all workers without distinction whether they are local or migrant and finally (iv) the employment statutes administered in Malaysia provide legislative protection to employees including migrant workers against all forms of exploitation, victimization, abuses and unfair labour practices.

Paper C2: The Cambodian Labour Administration in the Context of Integration

Suy-Hong Lim

Labour administration plays an important role in the preparation and adoption of the labour mechanisms as well as to assure the stability and efficiency of the implementation of the labour standards. Cambodia became a democratic country since 1993 and the establishment of the free market in this country has brought a lot of investors from both local and abroad which is the source of job opportunities for Cambodians. At the same time, it is also the source of the abuse of rights when the authorities are not able to assure that the law is respected. As a member of the United Nations and the International Labour Organization, this country had placed the international law principles on the basic rights of employees and employers in its supreme law and its labour law as well as adopted numerous legal instruments in order to allow for full adherence of these legal instruments. However, in practice, there are a lot of potential problems including the demand to increase the minimum wages because the current minimum wages is alleged to not allow employees to have appropriate living standards, termination of contract without cause and proper compensation in accordance with the labour law, the use of child labour, labour migration, and the adherence to the law by the Unions is still limited. These problems resulted from the weak labour administration both the resource and the competency in improving the respect of the rights and interests between the two social actors. Besides the above mentioned problems, what are the other problems that the labour administration in Cambodia is facing? And how should Cambodia prepare itself for the ASEAN integration in the near future?

Paper C3: The Philippines: Globalization and Labor Administration

Bach M. Macaraya

The paper raises an issue on how relevant the Philippine Labor Code in an economic regime called “globalization”, the paradigm of “supply sidism” economic regime. Labor administration is a subsystem of the larger economic administration. The Philippine Labor Code was anchored on the principles laid down by “demand sadism” that was increasing the wages of the workers through minimum wage fixing and collective bargaining is healthy for the economy as it in turn creates “demands” in the domestic market. Under this paradigm the domestic market was protected by tariff and other regulations making foreign made goods uncompetitive in the domestic market. In the Philippines this strategy resulted to domestic market dependency of Filipino businesses. In the late 1970’s, the world economy experience what was then known as “stagflation”. “Stagflation” was an economic phenomenon wherein production remains “stagnant” while “inflation” was high. The problem with “stagflation” is that the time honoured principle of increasing wages to create demands in domestic market simply resulted to higher inflation rates. To resolve this problem, IMF-World Bank recommended the shift in economic paradigm from “demand sadism” to “supply sidism”. “Supply sadism” is an economic strategy that states that increasing supplies of goods will dampen inflation. Included in this reform was privatization, de-regulation and others that would free Philippine market of undue government interventions, and by creating competition in the domestic market to force domestic entrepreneur to move to the larger global market, thus the term “globalization.” In the Philippines, this shift in economic strategy resulted to “high economic growth coupled with high unemployment and underemployment rates.” Thus the paper raises the issue of whether there is a need to amend the Labor Code as an economic instrument to

attune its provisions to the need of “globalization”. As a postscript it also touches on the split in IMF-World Bank with the organization of a new grouping called BRICS (Brazil, Russia, India, China and South Africa) as exposed by former World Bank official American Dr. Karen Hudes. How this split will affect labor administration in the Philippine can at this time only be speculative.

SESSION D: EAST ASIA COUNTRY REPORTS

Paper D1: Japan’s Renewed Interest in Migrant Labour as a Remedy for Population Ageing

Yuki Sekine

While Japanese policy regarding migrant labour has always been restrictive, reflecting Japan’s cautious attitude towards opening its borders to a larger foreign labour force, especially with regard to companies’ labour management practices that remain largely collective and unified, and still centered around a core, internally trained staff group, recent developments in Japanese society, particularly the ageing of the population and shrinking birth rates, and may be, although to a lesser extent, the globalization of the economy, there has been in recent years, recurrent revivals of debates regarding the needs to rely on labour migration as a remedy to the foreseeable lack of man power in the near future. Such reliance had in fact already started as soon as the effects of the ageing of the population had been acknowledged, toward the second half of the 1980s, by way of introducing a “foreign workers trainee system” (*ginou-jisshuu*), originally aiming at combining technical training of foreign workers, with low-skill work, which inevitably led to abuses by unscrupulous companies, leading to subsequent reforms, aiming at increasing the protection of “trainees”, who had in many cases, become de-facto workers. While Japanese cautiousness regarding adopting a real and upfront immigration policy that would be comprehensive, long-term and sustainable is still present, the pressure of population ageing is stronger than ever, pushing the current government to consider introducing migrant workers without sufficient debates and guarantees concerning the protection of their rights.

Paper D2: The Legal Protection of Migrant Workers in Korea

Kwang-Taek Lee

Korea used to be a labor-export country in 1960s and 1970s. Since the end of 1980s, Korea turned into one of the labor-import countries. As of August 2014 over 1.7 million foreigners are working in this land. Not a few of them are supposed to reside here illegally. One of the main points that is specific in Korea is that about 40% of the migrant workers are Chinese of Korean origin. Among the labor-import countries, Germany represents the “work permit” model, while Japan represents the “training-and-employment” model. At the beginning hundreds of thousand workers mostly from Asian countries had been admitted to Korea as the so-called “vocational trainees” and later “industrial trainees.” The question is whether the “vocational trainees” or “industrial trainees” admitted to Korea fell under the category of “the persons coming specially for purposes of training or education”, as defined in Art. 11, Para. 2(d) of the ILO Convention 143 of 1973. Unfortunately, the answer to this question was negative. Most of the “trainees” admitted to Korea were sent directly to undertakings which were not prepared to give ordinary vocational training. In August

2003 the Act Concerning Employment of Foreign Workers which induced the “employment permit system” (EPS) was promulgated. The EPS was designed to reduce the abuses of the "industrial trainee system"(ITS) as well as provide legal employment of alien workers to medium and small industries which had difficulties in recruiting manual workers. Before effectuation of the new program the Government of Korea took a measure to legalize 81% of the 227,000 illegal residents, who were staying in Korea for less than 4 years. The others were to be expelled out of Korean territory. Without equal treatment of the migrant workers in labor law and social security, the idea of the ILO Convention would remain a fair but empty phrase. In this sense, the labor administration has to find right ways to design national and international policy to promote and guarantee equal opportunity and treatment in respect of employment and to respect the basic human rights of all migrant workers.

Paper D3: The Labor Insurance Program in Taiwan: Issues and Solutions

Shih-Hao Liu

The current problem of labor insurance in Taiwan is primarily a fiscal problem. The government implemented the Labor Insurance program in July 2008. Four years since its implementation, program reforms were adopted in response to the 2012 actuarial and financial analysis of the Labor Insurance program which indicated an estimated liability of up to NTD 6.83 trillion. This paper examines the factors that explains the labor insurance program’s huge liability, including historical factors, political reasons, and ineffective legislation. Furthermore, the paper will evaluate the planning reforms of the government in the following aspects: 1. increase the insurance premium; 2. decrease the insurance benefits; 3. extend the accumulated years of insurance coverage and prolong the retirement age; 4. improve the Insurance Fund investment performance; and 5. increase other financial resources. Finally, the paper will provide recommendations for policy and program reforms.

SESSION E: PORTABILITY OF SOCIAL SECURITY OF MIGRANTS

Paper E1: Best Practices from the European Union to the Ibero-American Multilateral Agreement on Social Security

Lorena Ossio-Bustillos

The paper analyzes the differences between the European Union legislation and the Ibero-American Multilateral Agreement (IMASS) on Social Security’s basic principles. The IMASS was resolved on 10 November 2007 to promote social protection within the Ibero – American Community, notably by coordinating the national legal systems to enable migrant workers and their dependents to retain their social rights across borders, and hence to accomplish greater mobility within the Community. The Ibero–American Community comprises nineteen Spanish and Portuguese –speaking countries on the American continent, along with Spain and Portugal. IMASS entered into force on 1 May 2010; yet it will only be applicable in states that have also signed the implementing regulation. An initial step of this paper is to systematize the existing social standards by the IMASS. Particular attention is paid to the individual states’ reception of the IMASS regulations, on the one hand and the free movement rules of the economic communities and their concomitant rights of equality, on the other. In a second step, the involved both regional systems shall serve as examples for the comparison and analysis of the framework conditions of

the institutions, the relevant international agreements and their enforcement mechanisms purposing the development of a "social dimension" within the context of the Latin American integration process. In this regard, one must consider the fact that common measures in the field of social security here meet with various specific, evolved national social systems.

Paper E2: Protecting Migrant Workers' Right to Social Security: ILO's standards and ASEAN perspective

Loveleen De

Migrant workers make crucial contributions to the economies of their employing countries, as well as their home countries by sending remittances. It is crucial to recognize their contribution and ensure equal protection for them under the law, including access to social security. The integration into the ASEAN Economic Community in 2015 will bring new challenges for the 6.5 million migrant workers within the ASEAN region. While the adoption of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, 2007 and the ASEAN Declaration on Strengthening Social Protection, 2013 are positive steps, effective implementation of their provisions through national legislations and bilateral agreements is needed. Access to social protection benefits for migrant workers is hindered by very real challenges such as lack of proper documentation, inability to fulfil the minimum qualifying period, insufficient portability of benefits, and difficulties in access as they usually work in the informal economy. The paper also discusses social security provisions for incoming and outgoing migrant workers in two countries in the ASEAN region, namely Thailand and Philippines respectively.

SESSION F: ROLE OF TRADE UNIONS IN AN INTEGRATED ASEAN

Paper F1: Defining Labor Rules in a Liberalizing ASEAN

Rene E. Ofreneo

One of the dramatic developments in the rapidly-integrating ASEAN is the increasing importance being given by the ASEAN to the social and labor dimension of regional integration. This can be seen in the expanding ASEAN work program on the "Socio-Cultural Pillar" of integration as well as in the ASEAN adoption of the ASEAN Declaration on Social Protection (2013), the ASEAN Declaration on Good Industrial Relations Practices (2010) and the ASEAN Declaration on the Rights of Migrant Workers (2007). These developments indicate the changing attitude of the ASEAN Leaders and the ASEAN Secretariat towards the trade union movement – from indifference to positive accommodation. On the other hand, they also show the increasing capacity of the trade union movement to engage the ASEAN in policy dialogue despite the limited scope of unionism in the region and the organizational difficulties facing the trade unions in the individual ASEAN countries. The paper identifies major trade union policy and social dialogue initiatives in the region since the turn of the millennium. The paper concludes that the fuller acceptance and recognition by the ASEAN of the trade unions and civil society organizations as partners in cementing regional integration will help overcome the image of ASEAN as a purely inter-governmental project of the ASEAN countries and will help establish ASEAN as the true collective voice of the people of Southeast Asia.

Discussion F1: The Role of ASEAN Workers Organization in AEC 2015

Arun Kumar

ASEAN is largely a government driven process with varying respect for ‘consultations’ with workers organizations and for principles of Freedom of Association and workers right to organize. Labour laws in most countries have not been aligned with promoting the rights of migrant workers who may be exploited as cheap source of labour in destination countries and as source of revenue by sending countries. Trade Unions recognize that international migration is both a labour market and a decent work issue and there is need to place human and labour rights at the heart of migration policy. At the policy level, there is need to: (a) push for ILO’s Rights Based Approach on labour migration; (b) ratify ILO Conv. (87 & 98 and 97 & 143); and (c) advocate for policies for decent work in informal economy, domestic work & in informal precarious employment. Proposed strategic actions are as follows: (a) Inter-union cooperation for organizing & social protection of migrant workers; (b) cooperation with host country TUs, NGOs, community & immigrant rights networks; (c) translation and legal services for the migrants; (d) actions for organizing in informal economy; (e) education and awareness raising programmes for migrant workers on their rights in host country; and (f) setting up of Migrant Resource Centres by host country unions (e.g. Thailand, MTUC, Malaysia, KCTU, Korea) for support services and dispute handling.

SESSION G: LABOR MOBILITY AND PORTABILITY OF SKILLS

QUALIFICATION

Paper G1: Trends and Patterns of Inter- and Intra-ASEAN Student Mobility: Implications for the ASEAN Labor Market

Emily Christi A. Cabegin

Globalization and deepening regional integration has heightened the flow of student cross-border mobility. The number of ASEAN tertiary-level students studying overseas increased from 134,406 in 2000 to 157,025 in 2005 and 221,191 in 2012. This translates to an average annual growth rate of outbound ASEAN students of 3.2 percent in the period 2000-2005 and 5 percent between 2005 and 2012. This paper discusses the changing trend and pattern of cross-border mobility of tertiary-level students from ASEAN countries over the past decade, the destination of outbound students and origin of inbound students. It provides a review of the factors that determine the increased international student mobility, and identifies implications for the ASEAN labor market and policies governing student employment during and after their study.

Paper G2: Labor Mobility and Skills Recognition: Lessons for ASEAN

Laura Brewer

The presentation discusses the impact of the ASEAN Economic Community (AEC) on labour market outcomes in member countries, particularly the Philippines, focusing on the opportunities, challenges and priority actions. Among the opportunities cited include increased job creation, higher labour productivity and increased demand in low-skill occupations while the

challenges that the AEC presents include mismatch in high-skilled jobs, increased cross-border labour mobility of low- and medium-skilled workers, gender gap in the labour market, high youth unemployment and vulnerable employment. Proposed strategic actions are as follows: (a) Create better jobs through the development of higher value added activities in agro-industry; (b) Increase coverage and strengthen the enforcement of social protection mechanisms; (c) upgrade skills to meet shifting demand; and (d) improve protection for migrant workers.

CLOSING SESSION

Future Activities of the ISLSSL

Prof. Adrian Goldin, President of the ISLSSL presented the plans in the immediate future for ISLSSL, citing the creation of the Young Scholars Section. Although this is initially classified into two embryos, namely, the Latin-American Embryo and the European Embryo, he encouraged the creation of the Asian Embryo. He announced new appointments, new memberships and the recent launching of the first issue of the Yearbook which contains leading articles on comparative labor law and published in collaboration with the International Association of Labor Law Journals. He extended a warm invitation to everyone to participate in the next conventions: the Latin-American Seminar of International and Comparative Labour Law in Venezuela in May 2015, the World Congress in Capetown in September 2015, the Asian Regional Congress in India in 2016 and a forthcoming European seminar of International and Comparative Labour Law focused on the issue of the transformations of employer relations and its influence in labour law. Finally he congratulated the organizers of the Asian Conference that “will remain in the best history of this International Society” and thanked everyone for their participation.

Closing Remarks

Jean-Michel Servais thanked warmly the organizers for such a successful conference. He underlined the importance of the theme selected. Labour mobility is a fact of modern life deepened by globalization. To have an adjustment as smooth as possible supposes strong national institutions, i.e. an efficient labour administration, a social protection floor as promoted in ILO Recommendation No. 202 and decent conditions of life and work for the migrants. An appropriate system of guarantees have to take into account the needs of the individuals to maintain links with their family and their Country of origin as well as the objectives of the receiving States to protect their own labour market and to integrate well the new comers. The problem calls for a special responsibility not only for all concerned Governments and trade unions, but also for international organizations like the UN, the ILO and the IMO.

Dean Jonathan Sale gave the final thanks to all for a successful conference.

RESOURCE SPEAKERS AND DISCUSSANTS

AMANTE, MARAGTAS SV. Professor Amante is the Vice President for Administration of the University of the Philippines, with responsibilities over human resources, compensation and benefits, union & management relations, procurement and related administrative matters. He is also a professor of labor and industrial relations, and a specialist on compensation and employment. He had a variety of academic roles, including a research fellowship at Cardiff University in UK, and as a professor of business and economics in Hanyang University in South Korea. He was also a consultant and facilitator with the ASEAN Secretariat and the Japan Ministry of Health, Labor and Welfare (2002-2006) in a project to develop a common regional framework of industrial relations.

BELLOMO, STEFANO (born Rome, Italy, 1967), graduated in Law in Rome *La Sapienza* University is Professore Ordinario (Full Professor) of Labour Law in the Law Faculty of University of Perugia since 2003. He is author and co-author of several books and articles on different themes of Labour Law and Trade Union Law. His scientific interests are mainly in the fields of different types of flexible labour contracts, of working time regulation, of workers representatives in workplaces and collective bargaining. He practices as lawyer in the law firm Maresca, Morrico, Boccia & Associati in Rome. He has been General Secretary of Italian Association of Labour and Social Security Law – AIDLaSS during the years 2006-2012 and is the Treasurer of the International Society of Labour and Social Security Law for the years 2012-2015.

BREWER, LAURA is currently the *Deputy Director and Skills and Employability Specialist* at the International Labour Organisation in Manila, the Philippines. She joined the country office in July, 2014. From 2008 until June 2014, Laura was the *Skills for Youth Employment Specialist* at ILO Geneva. Her research and technical assistance work focused mainly on enhancing the employability of disadvantaged youth. Before joining the Skills and Employability Department of the ILO in 2008, Ms. Brewer was a Senior Policy Specialist in the Youth Employment Network (YEN), an ILO, UN and World Bank initiative established in 2001. Laura holds a PhD in Public Policy from the Australian National University and a Master's degree in Criminology from Carleton University, Ottawa, Canada. Prior to joining the ILO in 2001 she was an academic at Flinders University of South Australia.

CASALE, GIUSEPPE is Deputy Director of the International Training Centre of the ILO in Turin and Director of the Turin School of Development. He was Director of the Labour Administration and Inspection Programme at the ILO, Geneva and prior to that, he was Chief of the Social Dialogue, Labour Law and Labour Administration Branch, ILO, Geneva. He has studied law, political science, history and international economics. He holds a Ph.D, C.Phil. and M.A. from the University of California Los Angeles (UCLA). He holds an M.A. from The Johns Hopkins University, Washington D.C. and an M.A. from the University of Florence. He is the Secretary-General of the International Society of Labour and Social Security Law (ISLSSL) and he is Visiting Professor in International and Comparative Labour Law at the University of CàFoscari, Venice, and Scientific Director of the GESAM Masters Programme at that university. He is an editorial member of several journals on labour relations and labour law. He is the author of several books and articles.

CABEGIN, EMILY CHRISTI A. obtained her PhD Economics at the University of the Philippines and was awarded a Robert Solow post-doctoral fellowship by the Centre Cournot pour la Recherche en

Economie. She was a short-term visiting researcher at the Institute for the Study of Labor, Bonn Germany and at the Department of Global Health and Population, Harvard University. Her labor research works are in the areas of international labor migration, disadvantaged employment, and wages. She is Assistant Professor at the School of Labor and Industrial Relations, University of the Philippines.

DE, LOVELEEN is a consultant with the Social Protection team at ILO Bangkok. Her areas of work include social protection, labour market policies and income security measures. She has co-authored the “Social Protection Assessment Based National Dialogue: A Good Practices Guide” and “UNDG Asia-Pacific Social Protection Issues Brief”. She is presently working with the Government of Philippines to conduct an assessment of the national social protection system, based on tripartite dialogue. As part of her work with the ILO, she has developed training material and self-learning tools, and conducted research on social and unemployment protection programmes and legislation. Loveleen holds an MBA from the Indian Institute of Management, Ahmedabad and a B.E. from University of Mumbai.

GOLDIN, ADRIAN. Former Full Professor, he was recently appointed Professor Emeritus of University of San Andrés (Buenos Aires, Argentina). He is also Full Professor at the Law School of the University of Buenos Aires and current Director of its Department of Labour Law and Social Security. He is been also appointed as Visiting Professor at the University of Paris (Panthéon-Assas) and at the University of Nantes. Former Resident Researcher at the Institut d'études avancées of Nantes, directed by Alain Supiot, he is currently the president of the International Society for Labour and Social Security Law, Fellow Member of the Academia Iberoamericana de Derecho del Trabajo y de la Seguridad Social, and former President of the Asociación Argentina de Derecho del Trabajo y la Seguridad Social. He integrates the Scientific Council of the International Labour Review (ILO / Geneva), he is also a member of the Advisory Board of the "Comparative Labor Law & Policy Journal" of the University of Illinois, of the Editorial Committee of the "Revue de droit comparé du travail et de la sécurité sociale" (Université Montesquieu Bordeaux IV) and of the Advisory Council of the “Revista General del Derecho del Trabajo” (Madrid). He is a published author of several books, had contributed to edited collections and had published about 130 articles and research reports on labour law and labour relations both in Argentina and abroad. He has also been a member of the Group of Independent Experts on Standards-Related Activities and Decent Work (ILO, Geneva) coordinated by Alain Supiot, that developed recommendations to expand social security programs in Member States (published in the Comparative Labor Law & Policy Journal, in La Semaine Sociale Lamy (Paris) and in Relaciones Laborales (Madrid).

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MACARAYA, BACH M. is a Professorial Lecturer of the University of the Philippines and incumbent accredited Voluntary Arbitrator of the Philippine Department of Labor and Employment. He was a former Labor Affairs Officer, Labor Legislation Expert and Presiding Officer of the Interim National Committee for Arbitration (Mar. 2001 – May 2002) of the United Nations Transitional Administration in East Timor (UNTAET) and had assisted ILO Carmelo C. Noriel in the preparation and amendments of the Labor Code of Indonesia.

OFRENEO, RENE E. is Professor XII and Former Dean of the School of Labor and Industrial Relations, University of the Philippines (UP). He is a three-time UP “Centennial Professor” Awardee and is a seven-time recipient of the UP’s “International Publication” Award. He sits in the board of two international journals – Journal of Industrial Relations (Sydney) and Asia-Pacific Business Journal (London). He is the founding editor of two active Philippine journals – the Philippine Labor Review (published by the Institute of Labor Studies of DOLE) and the Philippine Journal of Industrial Relations (published by UP SOLAIR).

OSSIO-BUSTILLOS, LORENA is a Senior Researcher at Max-Planck-Institute for Social Law and Social Policy, Department of International and Foreign Social Law in Munich; since September 2008 her field of responsibility has been Social Protection in Latin America. Professor for Legistics, Indigenous Law, Human Rights and Public Law at the Universities of Nuestra Señora de La Paz, Catholic University and Andina Simón Bolívar and academic coordinator of the program for Doctor Degree Studies at the University Mayor de San Andrés in La Paz and Lecturer at the German University of Administrative Sciences, Speyer. She has 3 books on indigenous law in Latin America, 1 in Legistics and several academic articles/chapters in books on constitutional law and social rights, administrative law and social protection systems in Latin America, published in German, English, Spanish, Portuguese and Italian. She is scientific member of the Project Administrative Law in South America at the Fluminense Federal University, Rio de Janeiro.

PAPPUSAMY, P. IRUTHAYARAJ D. graduated from the University of Buckingham (U.K) with a Degree of Bachelor of Laws (Hon) in 1986. Prior to this, he had also obtained a Postgraduate Diploma in Human Resource Management from Sheffield Polytechnic, U.K in 1978 specializing in Industrial Relations. He served as Industrial Court Chairman for 11 years since 16.09.2003 and he had recently retired from this

position on 24.10.2014. He was initially posted to the Industrial Court in Sabah for 7 years and in May 2010 he was transferred to Industrial Court Kuala Lumpur. During his service as Industrial Court Chairman he had adjudicated on numerous cases which were referred to the Industrial Court by the Honourable Minister of Human Resources with regard to dismissal cases under s20(3) of the Industrial Relations Act 1967, Trade Disputes relating to Collective Agreements, complaints under s8(2A) of the Industrial Relations Act 1967 and other matters related to industrial disputes and had handed down several Awards on these industrial disputes. He was also holding the position of Chairman of Social Security Appellate Board. He also had vast working experience in all aspects of Human Resources Management in a number of multinational companies. In addition to that, he was involved in manufacturing and also provided human resource services for the marketing and sales personnel in a multinational organization. He was admitted as an Advocate & Solicitor of the High Court of Malaya in 1988 and was in private legal practice for several years handling civil and industrial cases, in the Industrial Court, and the Appellate Courts as well. In addition to the above, he had also presented a number of seminar papers at various forums involving industrial relations and social security laws. He is currently employed as Special Functions Adviser to the Executive Director at the Malaysian Employers Federation.

SALE, JONATHAN P. is the current Dean of the School of Labor and Industrial Relations, University of the Philippines. He obtained his Bachelor of Laws, Master of Industrial Relations (with academic excellence), and Doctor of Public Administration (as top graduate) from the University of the Philippines. He has published articles and papers in the peer-reviewed local and international journals on variety of topics like labor and social legislation, labor dispute settlement/conflict management and resolution, international trade and development, decision making, labor market institutions, the informal sector/economy, exit, voice, risks, and collaboration in call centers, administrative behavior and relationships, and labor market governance, among others. As a practicing lawyer, he counsels for labor, business and other organizations in different forums. He has successfully argued labor cases (on employment benefits and tenure) decided by the Philippine Supreme Court in favor of employees of foreign and domestic corporations.

SERVAIS, JEAN-MICHEL. Doctor in law from the University of Liège (Belgium), doctor honoris causa from the University Attila József (Szeged, Hungary), he is the author of numerous books and articles in the field of international and comparative labour law and industrial relations, including International Social Security Law in the International Encyclopaedia for Social Security Law, The Hague, Kluwer, 2013. Visiting Professor at the Universities of Liège (Belgium) and Gerona (Spain), Honorary President of the International Society for Labour Law and Social Security, he was Director of the International Labour Organization (ILO).

SEKINE, YUKI has a Degree of Bachelor of Laws from the Université Libre de Bruxelles (Belgium) and a Master Degree in Social Security Law from the University of Tokyo (Japan). She has then worked for the ILO as a Legal Officer in the Department of NORMES (International Labour Standards) in Geneva for three years, before being sent to Japan's Ministry of Health, Labour and Welfare, in the framework of a Staff exchange programme, where she has worked for two years in the International Department, before joining the ILO Liaison Office in Tokyo for a year, before joining Kobe University's Graduate School of Law in 2004 as an Associate Professor in Social Security Law, then as a Professor of Social Security Law since April 2013. Her main research interests include the Social Security of Foreign workers, Minimum income protection and activation policies in the EU and Japan. She has been invited to teach in Belgium (Université de Louvain), in France (Université de Bordeaux IV Montesquieu, Université Paris XIII), and Poland (Jagiellonian University).

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SELECT PHOTOS



Opening panelists (seated from left to right): Prof. Adrian Goldin, Prof. Jean-Michel Servais, and Prof. Stefano Bellomo.





Country Paper Speakers (from left to right): Y.A. P Pruthayaraj D. Pappusamy, Dr. Bach Macaraya, Dr. Suy-Hong Lim, Prof. Yuki Sekine, Prof. Shi Hao Liu



Mr. Arun Kumar of ILO makes a comment during an open forum



The University of the Philippines Kontra Gapi presentation during the Cultural and Solidarity Night



The Conference participants warming up for a ballroom dance



Closing panelists (from left to right) : Prof. Adrian Goldin, Dr. Jonathan Sale, and Prof. Jean-Michel Servais



The Conference participants