Theories and Concepts in Comparative Industrial Relations Since the 1980s, industrial relations and labor law in Israel have rapidly changed from a European style of corporatism to a model of pluralism familiar to North America. The country’s legal and industrial relations systems have become more decentralized, yet more intensively regulated; they are no longer centrally managed, but they do not fit the neoliberal model of a free market. In recent years, a dynamic system for voicing interests has evolved, granting more leeway to individuals, identity-based representation, and a flourishing civil society, but restraining effective collective representation. In Fading Corporatism, Guy Mundlak explains the changing nature of labor law and
industrial relations in Israel and the seemingly paradoxical outcomes of transformation as played out in numerous spheres, including the law governing the recognition of trade unions and strikes; the emergence of a human rights regime; and the regulation of temporary work agencies, Palestinian workers from the occupied territories, and migrant workers. Placing the example of Israel in a conceptual framework that draws on the literature of corporatism, Mundlak offers a theoretical coupling of legal studies and industrial relations that will interest scholars and practitioners in both fields. Surveying legal developments from 1920 to the present, Fading Corporatism will also appeal to readers interested in the political, economic, and legal history of Israel. At the same time, Mundlak emphasizes the comparative implications of the Israeli case study. His account is particularly instructive for countries in which traditionally corporatist industrial and legal systems are experiencing similar pressures, such as the Netherlands, Austria, and Germany.

Research Handbook on Labour, Business and Human Rights Law Designing a fair, effective and acceptable regime that will reconcile public interest and the public’s need for an uninterrupted flow of essential services on the one hand, while maintaining the freedom of collective bargaining on the other, is an ever more difficult public policy challenge. This book, the first detailed comparative analysis of existing legal and practical approaches across a spectrum of key national jurisdictions, provides a structured and insightful overview of the law and practice of regulating strikes in essential services. As such it can be of great value for public policy debate and the enhancement of national law in the field. The editors have assembled experts from fourteen countries who describe and analyse their respective country’s experience with strikes in essential services and the legislative and judicial as well as informal approaches towards regulating and intervening in such strikes. Departing from legal theory with systematic comparative ‘law in action’ research, the contributors offer innumerable valuable insights into a broad array of issues and topics as the following: - mechanisms aiming at compensating employees for encroaching on their collective bargaining rights; - public accountability and responsible management of public finance; - role of international conventions; - effects of globalization and advances in technology; - privatization, outsourcing and the decline of unions and workers’ solidarity; - growing popular intolerance towards strikes in essential services; - effect of human rights-related court decisions; - convergence and divergence among contemporary legal regimes in defining and approaching strikes in essential services; - dispute process design and dispute resolution processes (mediation, conciliation and arbitration); and - substantive and procedural restrictions on the right to organize, bargain collectively and strike. The country reports are preceded by a detailed analysis of the inherent normative policy dilemma and a conceptual framework for designing and evaluating models of regulation. The concluding chapter presents a comparative overview of the insights gained. With its comparative perspective on one of the most sensitive areas of industrial relations and labour law, and its contextually relevant
options for strategic choice and public policy debate, this incomparable volume will be welcomed by labour lawyers, legislators, policy makers, judicial bodies and researchers in the field of collective labour relations and fundamental human rights of workers on the national as well as international level.


The Evolving Employment Relationship and the New Economy Analysis of some concepts of labor laws in Sri Lanka within the framework of international industrial relations.

Some Concepts of Labour Law

The Autonomy of Labour Law Paperback. This book addresses the question whether the phenomenon of globalization represents a challenge to existing scientific theories in the fields of labour law and industrial relations. Are these theories still able to perform their vital tasks, i.e. to grasp the meaning and impact of changes in the world of work, organization and law? How should we perceive 'globalization'? The book contains a collection of original theoretical perspectives from American, Canadian and European labour law and industrial relations scholars, crossing borders between these disciplines and reflecting on a research agenda for the future.

Advancing Theory in Labour Law and Industrial Relations in a Global Context

Labour Law and Social Protection in a Globalized World

Labour Law in Motion The economic crisis has highlighted major shortcomings in the EU flexicurity strategy which, although suitable to tackle structural unemployment in a period of economic growth, it proved unable to stand the impact of the recession, which requires specific measures to maintain employment. Against this background, the authors of the present papers, which were presented at the International Scientific Conference "Labour Market of the 21st Century: Looking for Flexibility and Security", on the occasion of the 370th Anniversary of the establishment of Vilnius University's Faculty of Law, that took place on 12-14 May 2011, investigate the development of labour regulation in the 21st century, with particular
reference to the relation between flexibility and security and to the need to strike a balance between these two elements. The contributions address the issue in a comparative and transnational perspective and provide some insights into the development of national models of flexibility and social security.

INDUSTRIAL RELATIONS AND LABOUR LEGISLATION

Labour Law and Industrial Relations in Small and Medium-sized Enterprises in the EEC Countries This volume includes a number of papers written in English and published in the last fifteen years in which the Italian labour market faced many changes. The book not only provides the international readership with a frame of reference - in both conceptual and legal terms - that helps to appreciate the Italian Labour Law currently in force, but also represents a contribution to moving beyond the self-referential nature of the Italian debate on the reform of labour laws. As such, the book supplies the reform process of the Italian labour market with an international and comparative dimension which - in accordance with the programmatic approach of Marco Biagi - will also feed the debate at the national level.

The Notion of Employer in the Era of the Fissured Workplace This volume analyses the issues surrounding employment today and explores the challenges that lie at the heart of the workplace. This second edition has been thoroughly revised and updated.

Employee Relations in Context

Labour Law and Industrial Relations in Recessionary Times About this Book: Labour Law and Social Protection in a Globalized World covers burning issues and current reflections on labour and social security law from European as well as comparative perspectives. The protection of jobs and labour law standards achieved by employees in the past has been under pressure from neoliberalization forces for many years. The changing realities need to be studied from a legal point of view as new realities confront labour law structures with new developments on the labour market in public policy as well in industrial relations. In light of these recent trends, the focused perspectives evident in this original collection of essays go a long way towards clearly defining where labour law and social security law must set their sights in order to preserve fair and productive employer-employee relations in the new world of work. This book contains chapters which are the papers submitted to the XII European Congress of the International Society for Labour and Social Security Law (ISLSSL) held in Prague, September
2017. What’s in this book: Issues and topics include the following: integration of immigrants into industrial relations; the social situation of migrant workers; new phenomena brought about by the digital age; temporary agency work; harmonizing family and working lives; sport and labour law; the role of European Works Councils; and social and labour reforms. One aspect that is covered in these chapters is the current challenges to social security that are brought by migration as an intensified phenomenon in Europe of today. Furthermore the concept of harmonizing family and working lives is discussed from the perspective of ongoing amendments of the EU legislation. How this will help you: Throughout this book, the changing role of the state and reform agendas is emphasized which helps readers stay updated with the current trends in this legislation. Although the focus is on the labour law in Europe, there is an abundance of comparative detail, allowing for global application. As a matchless, up-to-date overview and analysis of how new and emerging forms of employment and industrial relations impact employee security, this book serves as a guide to practitioners, academics, and policymakers concerned with ensuring the persistence of fair and viable standards in labour and social security law.

The Global Evolution of Industrial Relations

The word ‘fissured’ aptly describes the effect on the workplace of the enormous retreat from direct employment on the part of large enterprises that began several decades ago and shows no sign of slowing down. Market-leading companies, even though they continue to wield considerable influence on the fate of actual workers, may thus be relieved of legal responsibility as employers. How extensive is this phenomenon? Do recourses exist in labour law? What ongoing trends can be discerned? This groundbreaking book tackles these questions and more, with thoroughly researched reports from ten of the world’s leading market-driven economies - Australia, China, France, Germany, Japan, the Republic of Korea, Spain, Taiwan, the United Kingdom, and the United States. Recognizing that law should squarely grasp and tackle this new reality, the authors consider such questions as the following: - How far can current labour law go in determining the responsibility of persons who have no direct contractual relationship with the workers? - Do other measures such as soft law or reputation mechanisms in the market deal with the undesirable consequences of the fissurization more properly? - What managerial motives and socioeconomic backgrounds give rise to such fissurization? - What distinct phenomena compose fissuring? - Are measures available to protect workers that go beyond the boundary of the legal entity (e.g., initiatives toward piercing the corporate veil)? Each contributor describes, for his or her country, how far the fragmentation and externalization of employment has gone, current legislation protecting workers in a multilayered contractual relationship or indirect employment relationship (e.g., on health and safety, wages, bargaining, dismissal), and emerging developments and trends. This book ably responds to the question posed by a recent study: Why has work become so bad for so many and what can be done to improve it? Although concerned scholars worldwide will rally to the call, the reports in this
volume will also be of great practical value to business persons and labour and employment lawyers everywhere.

Reflexive Labour Law in the World Society

Industrial Relations and Labour Laws, 6th Edition Inquisitive and diverse, this innovative Research Handbook explores the ways in which human rights apply to people at work, through national constitutional provisions, judicial decisions and the application of rights expressed in supranational instruments. Key topics include evaluation of the role of the ILO in developing and promoting internationally recognized labour rights, and the examination of the meaning of the obligation of business to respect human rights, considering the evolution from international soft law to incorporation in codes of conduct and the emerging requirement of due diligence.

The Transformation of American Industrial Relations In countries where collective bargaining is conducted mainly at the industry or regional level, there is often a type of workers representation at the company or establishment level other than a labor union. Where this double form of worker representation that is, labor unions and employee representatives exists, the relationship between the two can present a delicate problem in industrial relations. Decentralizing Industrial Relations is an in-depth country-by-country analysis, for nine major industrial nations, of three essential topics in this area: the relationship between labor unions and employee representatives, the shift in collective bargaining from industry or branch towards the company or establishment level, and the role of labor unions or employee representatives in the flexibilization of labor protective regulations. What emerges in the course of the analysis sheds important light on such crucial factors as the following: the political power of labor unions; the extent to which employee representatives can and do protect workers interests; `single-channel (labor unions only) versus `double-channel systems; invasion of the `turf of labor unions by employee representation systems; and inclusion of disadvantageous working conditions in collective agreements or workplace agreements. In the aggregate, the study finds that, although employers are nowhere completely free to modify working conditions unilaterally, in all countries they can, abetted by the decline of labor unions and an emphasis on `flexibilization, make working conditions increasingly dependent on the individual employment contract. In this global context, the supremacy of labor unions is being questioned. This issue is undoubtedly one that deeply concerns all professionals interested in labor, employment, and industrial relations. This volume in Kluwer's Bulletin of Comparative Labour Relations series reprints papers submitted to the 8th Comparative Labor Law Seminar (JILPT Tokyo Seminar) held on 21 February, 2006.
Fading Corporatism


Theorising Labour Law in a Changing World To what extent is labour law an autonomous field of study? This book is based upon the papers written by a group of leading international scholars on this theme, delivered at a conference to mark Professor Mark Freedland's retirement from his teaching fellowship in Oxford. The chapters explore the boundaries and connections between labour law and other legal disciplines such as company law, competition law, contract law and public law; labour law and legal methodologies such as reflexive governance and comparative law; and labour law and other disciplines such as ethics, economics and political philosophy. In so doing, it represents a cross-section of the most sophisticated current work at the cutting edge of labour law theory.

Industrial Relations, Labour Law and Employment A lucid and exemplary introduction to Indian labour laws and a thorough discussion on the legislations dealing with industrial relations and labour issues. Aiming to provide the readers with an understanding and knowledge of labour laws, this textbook presents a collection of legislations dealing with industrial relations, wages, work conditions, and social security, and legislations regulating the employment of women and children in industrial activities. It focuses on the application of labour laws to and within businesses, and deals with legal postulations from the perspective of a manager. By including a number of relevant cases and caselets highlighting various labour issues of industrial units across the country, Industrial Relations and Labour Laws for Managers helps students of human resource management as well as HR professionals to understand the legal implications in a relatable way. Key Features • Comprehensive coverage of labour and industrial relations laws along with contemporary developments • Each act supported by carefully curated cases to exemplify the practical facets and their implications • Each case followed by judgement and explanation unveiling the
application of the legal concept • Each chapter aided by objective and descriptive exercises and case-based questions to aid teaching and learning in a classroom situation

Regulating Strikes in Essential Services Rogowski’s challenging book offers readers a rigorous but accessible introduction to the theory of reflexive law, important and original insights into current issues in industrial relations and labour law and a fascinating preview of how a broad-based

International Encyclopedia for Labour Law and Industrial Relations This volume, comprising three parts and ten chapters, all of them peer-reviewed essays, arises from the work of the Swedish Network for European Legal Studies. Its focus is on labour and social security law. The chapters, written by distinguished legal researchers associated with Swedish universities, provide insight into a range of topical and important developments, seeking new and interesting perspectives. Sweden has been a member of the European Union since 1995, and EU law and European law perspectives have been well integrated into Swedish labour law and social security law research. Within the European Social Model and the European Welfare State, Sweden (and to some degree the other Nordic countries as well) can be said to represent a specific system, as regards both labour law and industrial relations and social security law. In terms of influential comparative typologies or models (naturally 'flawed' by a certain element of vagueness and simplification, but also very helpful in analytical and pedagogical respects), Sweden has been described as a representative of, inter alia, a Nordic legal family, a Nordic labour law model, a social-collectivist industrial relations system, a consensual industrial relations system, a social-democratic welfare state regime, a Scandinavian social security law system (a 'sub-group' of the Beveridge system), and a coordinated market economy. But since 1995 EU law and European law perspectives have been extensively integrated into existing Swedish labour and social security law, and the chapters in this book go a long way in illustrating the far-reaching and multifaceted ways in which Swedish law has been 'Europeanised'.

Industrial Relations

Globalization and the Future of Labour Law This edited collection is the culmination of a comparative project on 'Voices at Work' funded by the Leverhulme Trust 2010 - 2013. The book aims to shed light on the problematic concept of worker 'voice' by tracking its evolution and its complex interactions with various forms of law. Contributors to the volume identify the scope for continuity of legal approaches to voice and the potential for change in a sample of industrialised English speaking common law
countries, namely Australia, Canada, New Zealand, UK, and USA. These countries, facing broadly similar regulatory dilemmas, have often sought to borrow and adapt certain legal mechanisms from one another. The variance in the outcomes of any attempts at 'borrowing' seems to demonstrate that, despite apparent membership of a 'common law' family, there are significant differences between industrial systems and constitutional traditions, thereby casting doubt on the notion that there are definitive legal solutions which can be applied through transplantation. Instead, it seems worth studying the diverse possibilities for worker voice offered in divergent contexts, not only through traditional forms of labour law, but also such disciplines as competition law, human rights law, international law and public law. In this way, the comparative study highlights a rich multiplicity of institutions and locations of worker voice, configured in a variety of ways across the English-speaking common law world. This book comprises contributions from many leading scholars of labour law, politics and industrial relations drawn from across the jurisdictions, and is therefore an exceedingly comprehensive comparative study. It is addressed to academics, policymakers, legal practitioners, legislative drafters, trade unions and interest groups alike. Additionally, while offering a critique of existing laws, this book proposes alternative legal tools to promote engagement with a multitude of 'voices' at work and therefore foster the effective deployment of law in industrial relations.

The Politics of Court Reform

Labour Law, Fundamental Rights and Social Europe

Decentralizing Industrial Relations and the Role of Labour Unions and Employee Representatives Industrial Relations Law and Practice in Jamaica is a practical handbook written primarily for persons involved in the day-to-day administration of employer-employee relations in both the public and private sectors. At the same time, its wide ranging examination of the main elements of the law and the general climate of industrial relations, makes this book a useful reference manual for entrepreneurs, policy makers and students. Among the core topics discussed are collective bargaining the settlement of disputes; grievance and disciplinary procedures; conciliation and arbitration. Current issues such as worker participation. Sexual harassment at the workplace and the concept of a social partnership are among the new topics discussed. There is an extensive appendix section containing key policy and other documents as well as useful index.

Industrial Relations Law and Practice in Jamaica
The International Journal of Comparative Labour Law and Industrial Relations While legislation protecting employees exists in most advanced countries, the notion of who actually is an employee has become unstable. Moreover, the decentralization of traditional collective bargaining is clearly under way everywhere, and the all-important balance between workers' security and employers' flexibility continues to change radically, either retreating toward individual statutory rights or seeking new forms of employee representation. Labour Law in Motion reprints sixteen reports originally submitted to the seventh Comparative Labor Law Seminar (Tokyo Seminar) sponsored by the Japan Institute for Labour Policy and Training in March 2004. Eleven expert authors describe the situation in their respective countries with regard to issues such as the following: criteria used to determine whether a person is an employee; what categories of non-employee exist, and what measure of statutory protection is afforded to such persons; variations in the concept of employee among labour law, tax law, and social security law; regulation of terms and conditions of employment; the forms and legal nature of employee representation; current trends in deregulation or 're-regulation' of labour laws; mechanisms permitting deviation from legal norms; and, the manner and extent of labour law intervention in the labour market. All eleven authors emphasize recent and ongoing changes in their countries' labour laws and evaluate the factors that have contributed to such changes. Each author concludes that reform of traditional labour laws is indeed necessary. However, the book as a whole clearly demonstrates that the content of such reform differs from country to country, particularly in the extent to which labour law entrusts the regulation of working conditions to the market. Offering as it does a clear and concise summary of the recent and current experience of labour relations in eight major industrialized countries, Labour Law in Motion is an essential resource for professionals and officials engaged in any aspect of labour law or regulation in any country.

Voices at Work

Industrial Relations The sixth revised edition of Industrial Relations and Labour Laws captures the significant developments that have taken place in the realm of labour laws and industrial relations in the recent past. The most notable development in the legislative sphere is the amendment in the Industrial Disputes Act, 1947 in 2010. In the judicial sphere, there has been a marked shift in the approach of the Indian judiciary in the area of discipline and disciplinary procedure. Moreover, new norms/principles have been evolved to determine the classification of a person as a workman, provide relief in case of illegal/wrongful termination of service of workmen, determine notice period for strike/lock-out in public utility services and for regularization of services of daily, temporary, casual or contract workers. Extensively revised and updated in line with the changes in the law, this edition also gives a new and more holistic dimension to the subject of labour--management relations.
Part I provides the contextual and constitutional framework of labour law and an overview of industrial relations. Part II deals with the trade union movement, employers organizations and laws relating to trade unions, collective bargaining, unfair labour practices and victimization. Part III deals with regulation of industrial disputes, persuasive, coercive and voluntary processes for settlement of industrial disputes, grievance procedure, government's power of reference, laws relating to instruments of economic coercion, management of discipline, laws relating to change in conditions of service and lay-off, retrenchment, transfer and closure. Part IV examines laws relating to standing orders. Part V is on workers participation in management. This edition will serve as a comprehensive textbook for students of LLB, LLM, MBA, MSW, MPA, CS, and masters and diploma programmes in personnel management, industrial relations and labour law. It is indispensable for personnel managers, law officers, lawyers, trade union officials/ members, officials of labour department and members of the labour judiciary.

Redefining Labour Law

Industrial Relations How are national and international labour laws responding to the challenge of globalization as it re-shapes the workplaces of the world? This collection of essays by leading legal scholars and lawyers from Europe and the Americas was first published in 2006. It addresses the implications of globalization for the legal regulation of the workplace. It examines the role of international labour standards and the contribution of the International Labour Organization, and assesses the success of the European experiment with continental employment standards. It explores the prospects for hemispheric cooperation on labour standards in the Americas, and deals with the impact of international labour standards on the rights of women and migrant workers. As the nature and organization of work around the world is being decisively transformed, new regional and international institutions are emerging that may provide the platform for new labour standards, and for protecting existing ones.

Employment Rights in Britain and Europe

Industrial Relation & Labour Law Latest Edition 2020 A Book based on The Industrial Dispute Act, 1947 and The Factories Act, 1948 This collection brings together perspectives from industrial relations, political economy, political theory, labour history, sociology, gender studies and regulatory theory to build a more inclusive theory of labour law. That is, a theory of labour law that is more inclusive of non-traditional workers (including those in atypical work, or from non-traditional backgrounds); more
inclusive of a variety of collective approaches to work regulation that foster solidarity between workers; and more inclusive of interdisciplinary and complex explanations of labour law and its regulatory spaces. The individual chapters speak to this theme of inclusivity in different ways and offer different suggestions for how it might be achieved. They break down the barriers between legal research and other fields, to promote fruitful and integrative conversations across disciplines. In the spirit of inclusivity and intergenerational dialogue, the book blends contributions from early career and emerging scholars with those from leading scholars in the field, featuring critical commentary from senior labour law figures alongside theoretically and empirically informed work.

Legal Analysis of the Flexibility in Japanese Labour Relations This is the first of two volumes of essays in labour law, particularly in relation to Europe. There are essays on the Italian Workers' Statute, the European Community's Social Charter and a comparison of the French and British systems of labour law.

Industrial Relations and Labour Laws for Managers This textbook, organised into two parts and comprising 20 chapters, maintains the fundamental concepts of industrial relations and labour legislation in a chronological order. The text apprises the reader with the intricacies of the various concepts, theories, tools and techniques, approaches, methods, legislations and interventions and other concerned mechanisms that are relevant to the maintenance of good industrial relations. While the beginning and middle chapters are based on anatomy of industrial relations, viz. various concepts and approaches to IR, industrial disputes, collective bargaining, trade unions, workers’ participation in management, discipline, grievance handling procedure, wage fixation, technological changes, industrial safety, health and hygiene, workers’ education, quality circles, structuring of jobs, fringe benefits, labour policy of the Government of India, and so on, the remaining chapters give an analysis of the issues pertaining to the ILO and its impact on Indian labour legislation, the machinery of labour administration in our country, labour reforms being undertaken since the NDA Government came in power, and labour legislation, including protective and employment legislation, regulatory legislation and social security legislation. The book is intended for the postgraduate students of industrial relations and labour legislation/human resource management/personnel management and industrial relations/business economics/social work/human resource and organisation development/personnel management/public administration and also for the students pursuing postgraduate diploma courses in labour laws, labour welfare and personnel management/labour law and administrative law/personnel management and industrial relations/human resource and management. It is also of immense use to the students opting for executive programme in ‘industrial, labour and general law’ (offered by ICSI), and similar courses at undergraduate and diploma level.