



**LABOUR LAW RESEARCH NETWORK  
INAUGURAL CONFERENCE  
Pompeu Fabra University, Barcelona  
June, 13-15, 2013**

The Conference organizers are very grateful with artist Prof. Estela Yélamos for her generous contribution with this painting

Labour Law

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**Universitat  
Pompeu Fabra  
Barcelona**



## **PROGRAM**

### **International Organizing Committee**

Richard Bales, Adelle Blackett, Consuelo Chacartegui, Nicola Countouris,  
Guy Davidov, Josep Fargas, John Howe, Julia López, Nicola Smit, Evert Verhulp

### **Local Organizing Team**

Julia López, Consuelo Chacartegui, Josep Fargas, Eusebi Colàs,  
Sergio Canalda, Alex de le Court, Georgiana Sîrbu

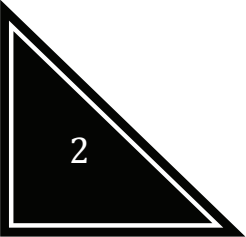


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# Program



**Thursday, June 13, 2013**

**13:00 REGISTRATION OPENS**

Room  
40.063

**16:00–16:45 LLRN ADVISORY BOARD MEETING**

**17:00–19:30 OPENING PLENARY PANEL**

Auditorium

**Greetings**

**J.M. Vilajosana** (*Pompeu Fabra University, Dean of Law School*)

**J. López** (*Pompeu Fabra University, greDTiSS – Consolidated Research Group in Labour and Social Security Law*)

**G. Davidov** (*Hebrew University of Jerusalem, LLRN Steering Committee Chair*)

**LLRN Awards for Distinguished Contributions to Labour Law**

Presenting an award to Prof. **Bob Hepple** (*University of Cambridge*): Prof. **Silvana Sciarra** (*University of Florence*)

Presenting an award to Prof. **Harry Arthurs** (*Osgoode Hall, York University, Canada*): Prof. **Brian Langille** (*University of Toronto*)

**Austerity and Labour Law: Recent Developments in Spain**

Chair: **F. Ebert** (*Max Planck Institute for Comparative Public Law and International Law, Germany*)

*Flexiprecarity: A Spanish Version of Flexicurity* - **J. López, S. Canalda & A. de le Court** (*Pompeu Fabra University*)

The 2012 Spanish Labour Law Reform: An Answer to Precarious Work? - **I. Alzaga** (*National Distance Education University, Spain*)

Austerity Measures and the Regression of Social Rights: The Recessionary Effect in the Right to Dignity - **C. Chacartegui** (*Pompeu Fabra University*)

Crisis and Labour Market in Spain - **B. Suárez Corujo** (*Autonomous University Madrid*)

The New Spanish Labour Legislation - **M.R. Alarcón** (*Spanish Supreme Court*)

Discussant: **R. Fishman** (*University Of Notre Dame, USA*)

**20:00 DINNER**

Keynotes - **F. Azón** (*Spanish General Council of the Judiciary, CGPJ*)



**Friday, June 14, 2013**

**9:00–10:45 PARALLEL PANELS**

Room  
40.002

**Facing Development: The North-South Challenge to Transnational Labour Law**

Organizers/Chairs: **A. Blackett** (*McGill University, Canada*) & **A. Trebilcock** (*University of Paris 10 Nanterre*)

Constitutionalising Labour at the Inter-American Commission on Human Rights – With Special Reference to the Commonwealth Caribbean - **R. Belle Antoine** (*University of the West Indies, Barbados*)

Trade, Labour Law and Development: A Case Study of Better Work Haiti - **A. Blackett** (*McGill University*)

Transformative Equality: The Role of Democratic Participation - **B. Hepple** (*University of Cambridge*)

The Chains that Bind - **K. Kolben** (*Rutgers University, USA*)

From Trade in Goods to Trade in Services – Implications for Transnational Labour Law - **T. Novitz** (*University of Bristol, UK*)

Room  
40.004

**The Future of the Wagner Model of Labour Law in Canada and United States**

Chair/Discussant: **K. Banks** (*Queen's University, Canada*)

Cooperation of Conflict: Giving Employees a Voice in the Modern Economy - **J. Hirsch** (*University of North Carolina*)

The Emergence of Human Rights Law in the Canadian Workplace - **M. Lynk** (*University of Western Ontario, Canada*)

And Wagnerism Shall Have No Dominion: Reflections on the Decline of the Canadian Variation - **E. Tucker** (*Osgoode Hall, York University, Canada*)

The Rule of Law Goes to Work: How Collective Bargaining May Promote Access to Justice in the United States, Canada, and the Rest of the World - **C. Cameron** (*Southwestern Law School, USA*)

### **Gender Issues in Labour Law I**

Room  
40.008

Chair/Discussant: **R. Owens** (*University of Adelaide, Australia*); organized by **J. Fudge** (*University of Victoria, Canada*)

Gendered Services: Interlinking Service Work, Women and Personal Work Relations - **E. Albin** (*Hebrew University of Jerusalem*)

Regulating Voluntarism: Lessons from Bingo - **K. Bedford** (*Kent University, UK*)

Customers, Tips, and Law: Gender and the Precariousness of Work in BC Restaurants - **K. Matulewicz** (*University of Victoria, Canada*)

Australian Employment Law, Work, Care and Diversity - **A. Chapman** (*University of Melbourne*)

### **Proportionality and other Open-Ended Standards in Labour Law**

Room  
40.010

Chair: **R. Rebhahn** (*University of Vienna*)

The Principle of Proportionality in German Labour Law - **B. Waas** (*University of Frankfurt*)

An employee's (fiduciary) duty of non-competition and disclosure - **A. Van Bever** (*KU Leuven, Belgium*)

The Reasonableness and Proportionality Principle in Labour Law - **P. Loi** (*University of Cagliari, Italy*)

Applying the Principle of Proportionality in Employment and Labour Law Contexts - **P. Alon-Shenker** (*Ryerson University, Canada*)

The Role of the Judge in Labour and Employment Relations: In Search of Theories and Approaches - **F. Hendrickx** (*KU Leuven*)

### **Goals/Foundations of Labour Law I**

Room  
40.012

Chair: **D. Du Toit** (*University of the Western Cape, South Africa*)

Employment Law and Social Equality - **S. Bagenstos** (*University of Michigan*)

Labor Law and the Race to the Bottom: Challenging the Consensus - **S. Willborn** (*University of Nebraska-Lincoln*)

Human Rights, Social Justice and Labour Law - **L. Rodgers** (*University of Leicester, UK*)

A New 'Constituting Narrative' for Labour Law: A Critique of Development and Making a Case for Fraser's Conception of Social Justice - **M. von Broembsen** (*University of Cape Town*)

Back to Basics: A Critical Assessment of CSR as Work Law in Network Firms - **I. Martin** (*University of Montreal*)

**10:45–11:15 COFFEE BREAK**

**FRIDAY 14, 11:15–13:00 PARALLEL PANELS**

Room  
40.002

**Non-Discrimination Law and Equal Treatment of Employees – Recent Developments and Future Challenges**

Chair/Discussant: **M. Rönmar** (*Lund University, Sweden; IJCLLIR Editor-in-Chief*); Organized by the International Journal of Comparative Labour Law and Industrial Relations

Opportunity or Outcomes? American and European Perspectives on Equality in Employment - **J. Bellace** (*University of Pennsylvania*)

The Ban on Age-Discrimination and Elderly Workers – Potentials and Pitfalls - **A. Numhauser-Henning** (*Lund University, Sweden*)

Can Labour Law and Non-Discrimination Law Contribute to Empowerment and Social Justice in an Unequal Society? A South African Perspective - **N. Smit** (*NWU Potchefstroom, South Africa*)

Bringing the Human Right to Non-discrimination into Workplace Law: Towards Substantive Equality at Work in Australia? - **B. Gaze & A. Chapman** (*University of Melbourne*)

Room  
40.004

**The Notion of Worker and Segmentation of Rights (Roundtable)**

Chair: **F. Valdés Dal-Ré** (*Justice, Spanish Constitutional Court*); organized by **J. López** (*Consolidated Research Group in Labour and Social Security Law, Pompeu Fabra University*)

Panelists:

**J. López, C. Chacartegui & E. Colàs** (*Pompeu Fabra University*)

**M. Freedland** (*University of Oxford*)

**K. Stone** (*University of California, Los Angeles*)

**B. Caruso** (*University of Catania, Italy*)

**P. Benjamin** (*University of Cape Town*)

**G. Davidov** (*Hebrew University of Jerusalem*)

**B. Langille** (*University of Toronto*)

**J. Fargas** (*Pompeu Fabra University*)

Room  
40.008

**Voices at work (Roundtable)**

Organizers/Chairs: **A. Bogg** (*University of Oxford*) & **T. Novitz** (*University of Bristol*)

Panelists:

**A. Bogg** (*University of Oxford*)

**E. Tucker** (*Osgoode Hall, York University, Canada*)

**V. Mantouvalou** (*University College, London*)

**D. Brodie** (*University of Stirling, UK*)

**B. Creighton** (*RMIT University, Melbourne*)

**T. Novitz** (*University of Bristol*)

### **Social Rights and the Market (Roundtable)**

Organizers/Chairs: **R. Dukes** (*University of Glasgow*) & **D. Ashiagbor** (*SOAS, University of London*)

Room  
40.010

Panelists:

**R. Dukes** (*University of Glasgow*)

**D. Ashiagbor** (*SOAS, University of London*)

**G. Mundlak** (*Tel-Aviv University*)

**K. Rittich** (*University of Toronto*)

**D. Davis** (*University of Cape Town*)

### **Who is an "Employer"**

Chair: **A. Paz-Fuchs** (*University of Oxford*)

The Employing Cluster: Introducing a New Concept of the Employing Side - **F. Lecomte** (*European University Institute, Florence*)

The Notion of the Employer - **J. Prassl** (*University of Oxford*)

Regulating Legal Relation Between Different Employer Entities: A Satisfied Answer to Outsourcing Issues? - **K.D. Yenisey** (*Istanbul Bilgi University, Turkey*)

Agency Work in Namibia and South Africa: Lessons Gained from the Decent Work Agenda and the Flexicurity Approach - **S. van Eck** (*University of Pretoria, South Africa*)

Room  
40.012

**13:00–14:00 LUNCH BREAK**

### **Lunch-time PhD Networking Meeting**

All PhD candidates are invited to this informal get-together over lunch. See what others are working on, and get some tips about publishing in international labour law journals.

Moderators: **N. Smit** (*NWU Potchefstroom, South Africa*) and **M. Rönmar** (*Lund University, Sweden; IJLLIR Editor-in-Chief*)

Room  
40.039



**FRIDAY 14, 14:00–15:45 PARALLEL PANELS**

Room  
40.002

**Labour Law and the Welfare State**

Organizers/Chairs: **M. Dimick** (*University at Buffalo*) & **G. Lester** (*University of California, Berkeley*)

Labor Markets and the Politics of Redistribution - **M. Dimick** (*University at Buffalo*)

“Keep Government Out of my Medicare”: The Elusive Search for Popular Support of Taxes and Social Spending - **G. Lester** (*University of California, Berkeley*)

Liberals Against the Minimum Wage - **B. Rogers** (*Temple University, USA*)

Migrant Care-Workers in Israel: Between Family, Market, and State - **H. Shamir** (*Tel-Aviv University*)

Room  
40.008

**EU Labour Law in the Wider World**

Organizers/Chairs: **J. Hunt** (*University of Cardiff, UK*) & **N. Busby** (*University of Strathclyde, UK*)

Shaping the Social Dimension of Globalisation? An Analysis of the Strategic Partnership between the EU and the ILO - **J. Kenner** (*University of Nottingham, UK*)

Embedding Labour Rights in Wider Frameworks: Responding to the Exploitation of (Migrant) Agricultural Workers - **J. Hunt** (*University of Cardiff, UK*)

The EU's Accession to the ECHR: Conflict or Convergence of Social Rights? - **N. Busby** (*University of Strathclyde*) & **R. Zahn** (*University of Stirling*)

The State as an Employer: Reforms in the Public Sector as a Consequence of Austerity Measures - **A. De Becker** (*University of Amsterdam & University of Hasselt, Belgium*)

Room  
40.010

**Comparative Perspectives on Affirmative Action/Positive Action in Employment**

Organizer/Chair: **D. Oppenheimer** (*University of California, Berkeley*)

The Transformation of Affirmative Action in Private Employment: From Remedy to Diversity - **D. Oppenheimer** (*University of California, Berkeley*)

Affirmative Action in Europe – The Case of Women on Company Boards - **A. Oliveira** (*European Commission*)

Employment Policies for Target Groups in the Context of Economic Crisis - **M.J. Gómez-Millán Herencia** (*Pablo Olavide University, Sevilla*)

Equality At Work: The Role Of The Judiciary In Promoting Transformation - **D. Collier & E. Fergus** (*University of Cape Town*)

Discussant: **B. Wang** (*Shanghai Jiao Tong University, China*)

## **Labour Representation Models**

Room  
40.012

Chair: **J. Riley** (*University of Sydney*)

Forms of Solidarity for Informal Workers in India: Lessons for Future? - **S. Routh** (*University of Victoria, Canada*)

Restoring equity in right to work: Members-only bargaining in right-to-work states - **C. Fisk** (*University of California, Irvine*)

‘European Beyond Borders Bargaining’ and ‘Law Dependence’: A New Framework for Analysing Collective Autonomy in Europe - **A. Iossa** (*Lund University, Sweden*)

Collective Bargaining Beyond the Boundaries of Employment – A Comparative Analysis - **S. McCrystal** (*University of Sydney*)

## **The Evolution of Labour Law in the Asia-Pacific Region: Methodological and Comparative Perspectives**

Room  
40.063

Organizer/Chair: **R. Mitchell** (*Monash University, Australia*)

The Evolution of Labour Law in Three Developing Asian Nations: An Introductory Comparative Study - **S. Cooney** (*University of Melbourne*)

The ‘Leximetric Turn’ in Comparative Law: What can it tell us About the Evolution and Consequences of Labour Market Regulation in the Developing World? - **P. Gahan** (*University of Melbourne*)

Labour Law and Institutional Configurations in Different Varieties of Capitalism: What does the Australian Case tell us about the utility of cross-national typologies? - **A. O’Donnell** (*La Trobe University*)

Complexity in Australian Enterprise Agreements: An Empirical Study of Agreements in the Higher Education and Fast Food Sectors, 1993–2011 - **C. Sutherland** (*Monash University*)

The globalisation of a national carrier: The role of regulation in shaping employment relation strategies in Qantas Airways - **T. Sarina & C. Wright** (*Macquarie University, Australia*)

**15:45–16:15 COFFEE BREAK**

**FRIDAY 14, 16:15–17:45 PARALLEL PANELS**

Room  
40.002

**Access to Employment of People with Disabilities: Active Inclusion Policies and Legal Framework in Some E.U. Countries (Roundtable)**

Organizer/Chair: **C. Spinelli** (*University of Bari Aldo Moro, Italy*)

Panelists:

**C. Spinelli** (*University of Bari Aldo Moro*)

**P. Digennaro** (*University of Bari Aldo Moro*)

**V. Pietrogiovanni** (*University of Bari Aldo Moro*)

**K. Gromek-Broc** (*University of York, UK*)

**A. Inghammar** (*University of Lund, Sweden*)

**S. Laulom** (*University Jean Monnet Saint-Etienne, France*)

**J. Brockmann** (*Hamburg University*)

Room  
40.004

**Rethinking Transnational Collective Bargaining (Roundtable)**

Organizer/Chair: **K. Ahlberg** (*University of Stockholm; Regulating Markets and Labour Research Program*)

Panelists:

**C. Rosado Marzán** (*IIT Chicago-Kent College of Law*)

**E. Ales** (*University of Cassino and Southern Lazio, Italy*)

**D. Schiek** (*University of Leeds, UK*)

**S. Sciarra** (*University of Florence*)

Room  
40.008

**Austerity, Gender and Labour Law**

Chair: **C. Chacartegui** (*Pompeu Fabra University*); organized by **J. Fudge** (*University of Victoria, Canada*)

Where is Gender in Labour Law? Notes From an Expanding Field - **K. Rittich** (*University of Toronto*)

Towards a More Holistic Vision of Working Time? Revision of the Working Time Directive as a Litmus Test for EU's Commitment to Gender Equality - **A. Zbyszewska** (*University of Victoria, Canada*)

Beyond Flexibility? Legal Form and Temporal Rationalities in UK Worklife Balance Law - **E. Grabham** (*University of Kent, UK*)

Effects of the Economic Crisis on Gender Equality: the Spanish Case - **M<sup>a</sup>. L. Rodríguez Fernández** (*University of Castilla-La Mancha, Spain*)

### **Frontiers of Workplace Human Rights: A View from the Americas**

Room  
40.010

Organizer/Chair: **K. Banks** (*Centre for Law in the Contemporary Workplace, Queen's University, Canada*)

“Family status” discrimination: New tool for transforming workplaces, or Trojan horse for subverting gender equality? - **E. Shilton** (*Queen's University*)

Individual employee rights and union control over the enforcement of collective agreements - **B. Adell** (*Queen's University*)

Domestic Work After Labour Law: The Case of Brazil and Spain - **A. Gomes** (*Queen's University*) & **I. Baviera Puig** (*University of Navarra, Spain*)

Disability accommodation in employment: How does an aging population matter and what might it mean for workplace law and policy? - **K. Banks** (*Queen's University*)

### **Freedom of Association and the Right to Strike**

Room  
40.012

Chair: **M. Houwerzijl** (*Tilburg University*); organized by **B. Langille** (*University of Toronto*)

The Legal Structure of Freedom of Association - **B. Langille** (*University of Toronto*)

The Legal Structure of Freedom of Association: A Reply - **A. Bogg** (*University of Oxford*)

What Can be Done About Strike-related Violence? - **A. Rycroft** (*University of Cape Town*)

The Limits of Collective Bargaining in an Unequal Society: A Preliminary Look at the Causes of the Strike Wave in South Africa in 2012 - **P. Benjamin** (*University of Cape Town*)

### **Informality/Precarious Work**

Room  
40.063

Chair: **T. Teklè** (*International Training Centre of the ILO, Turin*)

Labour Law Reform in Italy and the Problem of Precarious Employment - **O. Rymkevich** (*University of Modena and Reggio Emilia, Italy*)

Labour Law and Triangular Employment Growth - **T. Bartkiw** (*Ryerson University, Canada*)

**Saturday, June 15, 2013**

**9:00–10:45 PARALLEL PANELS**

Room  
40.002

**The Globalization of Labour and Labour Law**

Chair: **R. Krause** (*Göttingen University, Germany*)

SADC Charter on Fundamental Social Rights: First Steps Towards Regional Labour Standards? - **P. Smit** (*University of Pretoria, South Africa*)

The Rules of the International Labor Organization (ILO) in the Context of Globalization - **M<sup>a</sup>.D. Valdueza Blanco** (*Carlos III University of Madrid*)

Labour Rights and Social Protection of Migrant Workers: In Search of a Co-ordinated Legal Response - **M. Olivier** (*International Institute for Social Law and Policy, Australia*)

Application of International Labour Law by Domestic Courts in CEE countries and the Ukraine - **K. Yarmolyuk** (*University of Kassel, Germany*)

Protection or Protectionism? - The Emerging False Dilemma in European Social and Economic Integration - **N. Countouris** (*University College, London*) & **S. Engblom** (*Swedish Confederation for Professional Employees*)

Room  
40.004

**Does Transnational Labour Law Need International Human Rights Law and Vice Versa?**

Organizers/Chairs: **A. Trebilcock** (*University of Paris 10 Nanterre*) & **A. Blackett** (*McGill University, Canada*)

Exploitation creep and the unmaking of human trafficking law - **J. Chuang** (*American University Washington College of Law*)

Human rights and transnational labour law: new directions - **J. Diller** (*International Labour Organization*)

Focus on Fundamental Principles and Rights at Work: Impact on Human Rights Law - **C. La Hovary** (*University of Glasgow*)

Due Diligence and Rights at Work: Mirage or New Bright Light on the Horizon? - **A. Trebilcock** (*University of Paris 10 Nanterre*)



### **New Book Presentation: The Decline of the Standard Contract of Employment**

Room  
40.006

Organizers/Chairs: **K. Stone** (*University of California, Los Angeles*) & **H. Arthurs** (*Osgoode Hall, York University, Canada*)

The Decline in the Standard Employment Contract in the United States - **K. Stone** (*University of California, Los Angeles*)

Burying Caesar: What was the Standard Employment Contract? - **M. Freedland** (*University of Oxford*)

“The Employment Contract is Dead: Hurrah for the Work Contract!” A European Perspective - **B. Caruso** (*University of Catania, Italy*)

Erosion, Exhaustion, or Renewal? New Forms of Collective Bargaining in Germany - **T. Haipeter** (*University of Duisburg-Essen, Germany*)

Safety Nets and Transition Assistance: Continuity and Change in a ‘Liberal’ Welfare State - **A. O’Donnell** (*La Trobe University, Melbourne*)

### **Labour Law and its Others**

Room  
40.008

Chair/Discussant: **Dennis Davis** (*University of Cape Town*)

Exploring Labour Citizenship From a Socio-Legal Perspective - **M. Fassi** (*University of Milan*)

A Comparative Analysis of the Attitudes in Denmark and the United Kingdom Towards Disabled Adults, in Particular Those With Autism, in the Workplace - **J. Lane & R. Kelly** (*University of Huddersfield, UK*)

Undeclared and Precarious Work Between "Flexicurity" and "Social Pollution" – An Heterodox Approach - **C. Cammalleri** (*University of Palermo, Italy*)

Reproducing Labour Law’s Others - **A. A. Smith** (*Carleton University, Canada*)

### **Rethinking Dispute Resolution**

Room  
40.010

Chair: **R. Brown** (*University of Hawaii*)

*Bagatellkündigung*: Does Private or Public Judging Matter? - **M. Finkin** (*University of Illinois*)

The Equal Employment Opportunity Commission and Structural Reform of the American Workplace - **M. Schlanger** (*University of Michigan*)

Decisions in Labour Law Cases - **Y. Erkens** (*University of Leiden, Netherlands*)

Asserting Information and Consultation Rights – The Role of the Independent Adjudicator in the United Kingdom - **P. Lorber** (*University of Leicester, UK*)

Employment Rights Mediation: More Individualism Leaking In? - **M. Risak** (*University of Vienna*)

**10:45–11:15 COFFEE BREAK**

**SATURDAY 15, 11:15–12:45 PARALLEL PANELS**

Room  
40.002

**The Right to Work (Roundtable)**

Organizer/Chair: **V. Mantouvalou** (*Labour Rights Institute, University College, London*)

Panelists:

**H. Collins** (*London School of Economics*)

**N. Countouris** (*University College, London*)

**M. Freedland** (*University of Oxford*)

**E. Albin** (*Hebrew University of Jerusalem*)

**A. Bogg** (*University of Oxford*)

**G. Mundlak** (*Tel-Aviv University*)

Room  
40.004

**Gender Issues in Labour Law II**

40.004 Organizer/Chair: **J. Fudge** (*University of Victoria, Canada*)

Regular-Irregularities: Precarious Labourers as the 'Exscription' of the Labour Market - **A. Tataryn** (*University of London*)

Commodifying Care Work; Globalization, Gender and the Labour Law - **J. Fudge** (*University of Victoria, Canada*)

Unfree Labour and the Gendered Construction of Legal Categories in the UK - **K. Strauss** (*University of Cambridge*)

Discrimination at Work on the Basis of Family Situation: Exploring the boundaries of the duty to accommodate in Canada - **S. Bernstein** (*University du Québec à Montreal*)

Room  
40.006

**Implementation of Works Councils Systems in Eastern Europe (Roundtable)**

Organizer/Chair: **N. Lyutov** (*Moscow State Law Academy*)

Panelists:

**E. Kovács** (*Vienna University of Economics and Business*)

**D. Petrylaite** (*University of Vilnius, Lithuania*)

**M. Muda** (*University of Tartu, Estonia*)

**K. Tomashevski & E. Volk** (*International University MITSO, Belarus*)

**P. Hůrka** (*Charles University, Czech Republic*)

**N. Lyutov** (*Moscow State Law Academy*)

### **Age and Gender Equality at Work**

Room  
40.008

Chair: **A. Topo** (*University of Padova, Italy*)

Are European policies on reconciling work and family life mere rhetoric in a time of economic crisis? The evidence of Spain - **N. Pumar Beltrán** (*University of Barcelona*)

Intersections and inequality at the work family nexus: how law fails some mothers more than others - **A. Reilly** (*Victoria University of Wellington, New Zealand*)

Restructuring of Enterprises: age of the employee and their possible part-time work for the company - **P. Foubert, E. Langhendries, N. Marocchi & J. Peeters** (*University of Hasselt, Belgium*)

Retirement and Age Equality: Dignity and Solidarity Perspectives - **L. Vickers & S. Manfredi** (*Oxford Brookes University*)

### **Enforcement Problems in Labour Law**

Room  
40.010

Chair: **J. Howe** (*University of Melbourne*)

Enforcing the Minimum Wage Through Criminal Sanctions: A Case of Indonesia - **B. Santoso & K. Halili Hassan** (*National University of Malaysia*)

Temporary Employment in the Russian Federation - **O. Chesalina** (*Max Planck Institute for Social Law and Social Policy, Germany*)

Standards–Rights nexus in Action in Bangladesh: Transforming Labor Standards Into Workers' Rights - **J. Hossain** (*University of Rajshahi, Bangladesh*)

Win and Loss, Rethinking the Employment Contract Law of 2008 - **Y. Jingyi, W. Qian & Y. Dong** (*Peking University*)

**12:45–13:45 LUNCH BREAK**

**SATURDAY 15, 13:45–15:30 PARALLEL PANELS**

**Goals/Foundations of Labour Law II**

Room  
40.002

Chair: **B. Archibald** (*Dalhousie University, Canada*)

Labour Law as the Law of Economic Subordination and Resistance: A Thought Experiment - **H. Arthurs** (*Osgoode Hall, York University, Canada*)

Some Defining Components of a Labour Law in Flux - **A. Goldin** (*San Andres University, Argentina*)

Rethinking Scope and Purpose of National Labour Law Because of Developments in EU Labour Law? - **H. Voogsgeerd** (*University of Groningen, Netherlands*)

The Rationale of Labour Law in Capitalist Society - **C. Hacker-Cordon** (*Yale University*)

Protecting Workers as a Matter Principle: A South American View of U.S. Work Law - **S. Gamonal Contreras** (*Adolfo Ibáñez University, Chile*) & **C. Rosado Marzán** (*IIT Chicago-Kent College of Law*)

**New Governance and Labour Law: Influencing Workplace Practices and Agents**

Room  
40.004

Organizer/Chair: **G. Anderson** (*Victoria University of Wellington, New Zealand*)

The Interface Between the Law and the Workplace: The Role of Human Resource Managers - **G. Anderson & J. Bryson** (*Victoria University of Wellington, New Zealand*)

“Law as Risk Virus” in Governing Labour Practice Issues - **D. Doorey** (*York University, Canada*)

Guarding the Gatekeepers: The Use of Accessorial Liability to Address Employer Non-Compliance in Australia - **J. Howe & T. Hardy** (*University of Melbourne*)

EU Bailout conditionality as a De Facto Mode of Government: A Neo-liberal ‘Black Hole’ for the Greek Collective Labour Law system? - **I. Katsaroumpas** (*University of Oxford*)

Discussant: **C. Fenwick** (*International Labour Organization*)

**Labour Law in Times of Crisis and Global Competition**

Room  
40.006

Chair: **M. Weiss** (*University of Frankfurt*)

A Social Economy and Sustainability: Is There Potential for an Interface? - **R. Le Roux** (*University of Cape Town*)

Which Securities for Workers in a Time of Crisis? - **S. Laulom, O. Leclerc** (*Jean Monnet University Saint-Etienne, France*) & **P. Loi** (*University of Cagliari, Italy*)

Economic Crisis and Preventive Services - **A. Moreno Márquez** (*Carlos III University of Madrid*)

Another Kind of Sham: Outsourcing Public Services and the Limits of Law - **A. Paz-Fuchs** (*University of Oxford*)

## **Who is an "Employee"**

Room  
40.008

Chair: **S. Cooney** (*University of Melbourne*)

The Criteria for Employment Relationship in China - **D. Hu** (*Southwest University of Political Science and Law, China*)

Rethinking the Boundaries of Labour Law From the Consideration of Independent Work in the Regulation of Dependent Work in the Portuguese Labour Code - **A. Lambelho** (*Polytechnic Institute of Leiria, Portugal*)

Internships and the Scope of Labour Law: Constructing Personal Work Relations - **R. Owens** (*University of Adelaide, Australia*)

The Scope of Labour Law and the World of Commerce - **D. Brodie** (*University of Stirling, UK*)

## **Collective Bargaining and Corporate Governance**

Room  
40.010

Chair: **E. Verhulp** (*University of Amsterdam*)

Models of Governance for Industrial Companies and Corporations in the Global Era of Capitalist Sustainable Production - **J.P. Landa Zapirain** (*University of the Basque Country*)

Collective Bargains for Corporate Change - **E. McGaughey** (*London School of Economics*)

The Role of Collective Bargaining in the 2012 Italian Labour Market Reform - **I. Senatori** (*University of Modena and Regio Emilia*)

Reinforcement of Collective Autonomy: In Service of the Employers' or Workers' Interests? - **E. Kovács** (*Vienna University of Economics and Business*)

**15:30–16:00 COFFEE BREAK**



**SATURDAY 15, 16:00–17:15 PARALLEL PANELS**

Room  
40.002

**New Book Presentation: The European Convention on Human Rights and the Employment Relationship (Roundtable)**

Chair: **N. Bruun** (*University of Helsinki*); organized by **F. Dorssemont** (*Catholic University of Louvain, Belgium*)

Panelists:

**F. Dorssemont** (*Catholic University of Louvain, Belgium*)

**F. Hendrickx** (*KU Leuven, Belgium*)

**L. Vickers** (*Brookes University of Oxford*)

**I. van Hiel** (*Ghent University, Belgium*)

Room  
40.004

**A Restatement of European Labour Law (Roundtable)**

Organizers/Chairs: **B. Waas** (*University of Frankfurt*) & **G. Heerma van Voss** (*University of Leiden, Netherlands*)

Panelists:

**B. Waas** (*University of Frankfurt*)

**G. Heerma van Voss** (*University of Leiden, Netherlands*)

**M. Finkin** (*University of Illinois*)

**S. Sciarra** (*University of Florence*)

Room  
40.006

**Goals/Foundations of Labour Law III**

Chair: **D. Chernyaeva** (*Higher School of Economics, Moscow*)

Comprehending the Relationship Between Labour Law and Development in the Indian Context - **A. Jafar & A. Ghosh** (*University of Burdwan, India*)

The Goals and Means of Labour Law: a Reconceptualization - **R. Del Punta** (*University of Florence*)

Decent Work and the Crisis of Labour Law in South Africa - **J. Theron** (*University of Cape Town*)

## **Labour Law and New Technologies**

Room  
40.008

Chair: **A. Kun** (*Karoli Gaspar University, Hungary*)

Social Networking: New Challenges in the Modern Workplace - **A. Muñoz Ruiz** (*Carlos III University of Madrid*)

Collective labour rights 2.0: Emerging threats and opportunities in the digital age – **E. Colàs** (*Pompeu Fabra University*)

Chilling Times: Labour Law and the Regulation of Social Media Policies - **L. Thornthwaite** (*Macquarie University, Australia*)

## **The Contract of Employment**

Room  
40.010

Chair: **H. Collins** (*London School of Economics*)

Rediscovering the Contract of Employment for Non-standard Workers in the UK Common Law - **J. McClelland** (*University of Huddersfield, UK*)

The 20<sup>th</sup> Century's First Nexus of Ideas: The Common Law of Employment Contracts in Ontario, 1890-1930 - **C. Mummé** (*Osgoode Hall, York University, Canada*)

Beyond Contract: Reconceptualising the Fundamentals of the Law of Work - **J. Riley** (*University of Sydney*)

## **Workers' Dismissal and Mobility**

Room  
40.012

Chair: **M. Schlachter-Voll** (*University of Trier*)

Future Perspectives on Dismissal Protection in the European Union - **R. Rebhahn** (*University of Vienna*)

The Evolution and Development of Unfair Dismissal Law in Britain and Australia - **J. Howe** (*University of Adelaide, Australia*)

Legal Protection for Employee Mobility - **A. Hyde** (*Rutgers University, USA*) & **E. Menegatti** (*University of Bologna, Italy*)



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