

Scandinavian Studies in Law Volume 43

Stability and Change in Nordic Labour Law

Legal Abbreviations

Stability Change In Nordic Labour Law

Katherine V.W. Stone, Harry Arthurs



Stability Change In Nordic Labour Law:

The Transformation of Labour Law in Europe Bob Hepple, Bruno Veneziani, 2009-09-02 The labour laws of European democracies all underwent major transformations in the seven decades after the Second World War Following reconstruction these laws became an essential element in the building of welfare states in the 1980s and 1990s they were the target of neo liberal deregulation and at the beginning of the 21st century new flexible labour laws have attempted to integrate economic and social policy This book a sequel to *The Making of Labour Law in Europe A Comparative Study of Nine Countries up to 1945* ed B Hepple compares the similarities and differences in the ways in which EU Member States reflected and shaped these general developments in the context of economic social and political changes over the period 1945 2004 Note the Publishers are issuing a reprint of the first volume *The Making of Labour Law in Europe A Comparative Study of Nine Countries up to 1945* to coincide with publication of the sequel The great strength of the collection is on the focus on context with chapters looking at developments in labour market trends and structures of worker representation

Restatement of Labour Law in Europe Bernd Waas, Guus Heerma van Voss, 2017-07-27 The concept of employee is arguably the most important one in labour law defining as it does the scope of the discipline as a whole This important new publication aims to develop a restatement of the concept of the employee in European labour law The study identifies both problems and solutions that have emerged clearly setting out comparisons between the different member states approaches The country reports explore both statutes and case law tracking their contribution to legal doctrine The objective of the restatement is to increase knowledge and gain a better understanding of one of the most crucial aspects of European labour law Assistant Editors Marta Otto Effrosyni Bakirtzi

New Labour Laws in Old Member States Rebecca Zahn, 2017-05-11 This book compares the ways in which trade unions in five EU member states have responded to increased migration

Changing Industrial Relations & Modernisation of Labour Law Marco Biagi, 2003-01-01 Thirty three distinguished authorities in the field of labour and industrial relations law gather here to enhance and complement the work of the late Marco Biagi a man who at the time of his violent and untimely death had shown himself to be the most insightful and committed international scholar in this complex and controversial and as it proved even dangerous field The topics covered range over many of Professor Biagi's special interests including the following the formulation of a new basis for labour law that could resolve new issues employee protection in corporate restructuring the trend toward individual enterprise bargaining a new European employment policy and what it might entail the growing phenomenon of flexibilisation the effects of an aging workforce the crucial nexus of free trade labour and human rights the promise of EU enlargement and protection of part time workers There is a lot of insight innovation and just clear thinking in this wide ranging and far reaching book It will be of exceptional value to scholars lawyers and others concerned with the extensive and unpredictable changes under way in today's world of work

The Evolution of Labour Law (1992-2003): National reports Silvana Sciarra, 2005

Rethinking Workplace

Regulation Katherine V.W. Stone, Harry Arthurs, 2013-02-14 During the middle third of the 20th century workers in most industrialized countries secured a substantial measure of job security whether through legislation contract or social practice This standard employment contract as it was known became the foundation of an impressive array of rights and entitlements including social insurance and pensions protection against unsociable working conditions and the right to bargain collectively Recent changes in technology and the global economy however have dramatically eroded this traditional form of employment Employers now value flexibility over stability and increasingly hire employees for short term or temporary work Many countries have also repealed labor laws relaxed employee protections and reduced state provided benefits As the old system of worker protection declines how can labor regulation be improved to protect workers In *Rethinking Workplace Regulation* nineteen leading scholars from ten countries and half a dozen disciplines present a sweeping tour of the latest policy experiments across the world that attempt to balance worker security and the new flexible employment paradigm Edited by noted socio legal scholars Katherine V W Stone and Harry Arthurs *Rethinking Workplace Regulation* presents case studies on new forms of dispute resolution job training programs social insurance and collective representation that could serve as policy models in the contemporary industrialized world The volume leads with an intriguing set of essays on legal attempts to update the employment contract For example Bruno Caruso reports on efforts in the European Union to constitutionalize employment and other contracts to better preserve protective principles for workers and to extend their legal impact The volume then turns to the field of labor relations where promising regulatory strategies have emerged Sociologist Jelle Visser offers a fresh assessment of the Dutch version of the flexicurity model which attempts to balance the rise in nonstandard employment with improved social protection by indexing the minimum wage and strengthening rights of access to health insurance pensions and training Sociologist Ida Regalia provides an engaging account of experimental local and regional pacts in Italy and France that allow several employers to share temporary workers thereby providing workers job security within the group rather than with an individual firm The volume also illustrates the power of governments to influence labor market institutions Legal scholars John Howe and Michael Rawling discuss Australia s innovative legislation on supply chains that holds companies at the top of the supply chain responsible for employment law violations of their subcontractors Contributors also analyze ways in which more general social policy is being renegotiated in light of the changing nature of work Kendra Strauss a geographer offers a wide ranging comparative analysis of pension systems and calls for a new model that offers flexible pensions for flexible workers With its ambitious scope and broad inquiry *Rethinking Workplace Regulation* illustrates the diverse innovations countries have developed to confront the policy challenges created by the changing nature of work The experiments evaluated in this volume will provide inspiration and instruction for policymakers and advocates seeking to improve worker s lives in this latest era of global capitalism

Migrant Labour and the Reshaping of Employment Law Bernard Ryan, Rebecca Zahn, 2023-04-20 The presence of migrant workers has

become a central feature of labour markets in highly developed countries The International Labour Organisation estimates that in 2013 there were 112 million resident migrant workers in the 58 highest income countries who made up 16% of the workforce Non resident workers have also increasingly become part of the labour available for employment in other states often on a temporary basis This work takes a thematic and comparative approach to examine the profound implications of contemporary labour migration for employment law regimes in highly developed countries In so doing it aims to promote greater recognition of labour migration related questions and of the interests of migrant workers within employment law scholarship The work comprises original analyses by leading scholars of migration and employment law at the European Union level and in Australia Canada Germany Italy the Netherlands Spain the United Kingdom and the United States The specific position of migrant workers is addressed for example as regards equality of treatment or the position in employment law of migrant workers without a right to work The work also explores the effects of migration levels and patterns upon general employment law including the law relating to collective bargaining and remedies against exploitation

Transnational Labour Regulation Kerstin Ahlberg, 2008 This book illuminates the process and substance of transnational regulation of labour in a global economy Transnational labour regulation a central feature of the European social model engages the 27 Member States of the European Union and is of potential importance to the rest of the world The book analyses the attempts at transnational regulation of temporary agency work through the social dialogue between trade unions and employers organisations at European level and the subsequent and so far fruitless EU legislative process These two processes of transnational labour regulation and their interaction until now have been largely invisible The book also highlights distinctive features of Member States national regulation as they interacted with the debates on EU transnational labour regulation It further explores the overlap between regulation of temporary agency work and the EU s regulation of transnational trade in services the subject of the Directive on services in the internal market Finally it draws lessons from the experience of regulation of temporary agency work at national and European levels for transnational labour regulation in general

Labour Law in Iceland Elín Blöndal, 2022-10-20 Derived from the renowned multi volume International Encyclopaedia of Laws this monograph on Iceland not only describes and analyses the legal aspects of labour relations but also examines labour relations practices and developing trends It provides a survey of the subject that is both usefully brief and sufficiently detailed to answer most questions likely to arise in any pertinent legal setting Both individual and collective labour relations are covered in ample detail with attention to such underlying and pervasive factors as employment contracts suspension of the contracts dismissal laws and covenant of non competition as well as international private law The author describes all important details of the law governing hours and wages benefits intellectual property implications trade union activity employers associations workers participation collective bargaining industrial disputes and much more Building on a clear overview of labour law and labour relations the book offers practical guidance on which sound preliminary decisions

may be based It will find a ready readership among lawyers representing parties with interests in Iceland and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations **EU Industrial Relations V. National Industrial Relations** Mia Rönnmar,2008-01-01 1996 concerning the posting of workers in the framework of the provision of services Official Journal L 18 of 21 January 1997 pp 1 6 Directive 2006 123 EC of the European Parliament and of the Council of 12 December 2006 on services in the international market Official Journal L 376 of 27 December 2006 pp 36 68 Judgement of the European Court of Justice Laval un Partneri Ltd v Svenska Byggnadsarbetareförbundet Case C 341 05 2007 ECR I 000 Judgement of the European Court of Justice International Transport Workers Federation v Viking Line ABP Case C 438 05 2007 ECR I 000 Table of cases from the European Court of Justice Index Labour Law in Sweden Axel Adlercreutz,Birgitta Nyström,2021-04-20 Derived from the renowned multi volume International Encyclopaedia of Laws this monograph on Sweden not only describes and analyses the legal aspects of labour relations but also examines labour relations practices and developing trends It provides a survey of the subject that is both usefully brief and sufficiently detailed to answer most questions likely to arise in any pertinent legal setting Both individual and collective labour relations are covered in ample detail with attention to such underlying and pervasive factors as employment contracts suspension of the contracts dismissal laws and covenant of non competition as well as international private law The author describes all important details of the law governing hours and wages benefits intellectual property implications trade union activity employers associations workers participation collective bargaining industrial disputes and much more Building on a clear overview of labour law and labour relations the book offers practical guidance on which sound preliminary decisions may be based It will find a ready readership among lawyers representing parties with interests in Sweden and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations *Collective Bargaining in Labour Law Regimes* Ulla Liukkunen,2019-10-02 This book addresses the theme of collective bargaining in different legal systems and explores legal framework of collective bargaining as well as the role of different bargaining models in domestic labour law systems in altogether twenty one jurisdictions throughout the world Recent development of collective bargaining regimes can be viewed as part of a larger development of labour law models that face increasing challenges caused by globalization and transition of work and workplaces The book places particular emphasis on identifying and examining most important development trends affecting domestic labour law regimes and collective bargaining and regulatory responses thereto The analysis offered extends to transnational dimension of collective bargaining As the chapters analyse the influence of the legal frameworks of collective bargaining in different countries they provide unique comparative insight into the topic which is central to understanding the function of labour law

European Union Non-Discrimination Law and Intersectionality Anna Lawson,2016-07-22 This book contributes to a critical reflection of current legislative and jurisprudential developments in Non Discrimination Law focusing on the

European Union The book is focused on intersectionality between gender race and disability and the question of whether and to what extent this intersection can be adequately addressed in EU law The discussion rests on two basic assumptions First the multiplication of discrimination grounds in EU law and other legal regimes should not result in a dilution of the demands of equality law Accordingly the book focuses on the three key grounds race gender and disability These constitute nodes around which other discrimination grounds can be grouped Second any multi ground non discrimination law framework needs to engage with the question of discrimination on several grounds This book provides a critical evaluation of some of the problems presented by such intersectionality and an opportunity to explore the issues in depth This collection offers some new proposals relating to the regrouping of identity categories and to the general approach to socio legal research in the field It also contains a comparative section which expands on practical experiences with intersectionality and law and a section dedicated to juridical responses to intersectionality The book will be a valuable resource for researchers academics and those working in the area of EU non discrimination law and policy

The Oxford Handbook of Employment Relations Adrian Wilkinson, Geoffrey Wood, Richard Deeg, 2014-03-13 There have been numerous accounts exploring the relationship between institutions and firm practices However much of this literature tends to be located into distinct theoretical traditional silos such as national business systems social systems of production regulation theory or varieties of capitalism with limited dialogue between different approaches to enhance understanding of institutional effects Again evaluations of the relationship between institutions and employment relations have tended to be of the broad brushstroke nature often founded on macro data and with only limited attention being accorded to internal diversity and details of actual practice The Handbook aims to fill this gap by bringing together an assembly of comprehensive and high quality chapters to enable understanding of changes in employment relations since the early 1970s Theoretically based chapters attempt to link varieties of capitalism business systems and different modes of regulation to the specific practice of employment relations and offer a truly comparative treatment of the subject providing frameworks and empirical evidence for understanding trends in employment relations in different parts of the world Most notably the Handbook seeks to incorporate at a theoretical level regulationist accounts and recent work that link bounded internal systemic diversity with change and at an applied level a greater emphasis on recent applied evidence specifically dealing with the employment contract its implementation and related questions of work organization It will be useful to academics and students of industrial relations political economy and management

Collective Agreements and Individual Contracts of Employment Micha? Seweryski, 2003-01-01 While it can be said that the use of collective labour agreements has greatly expanded during the last decade it is hard to deny that their power to protect employees has diminished considerably and continues to weaken An understanding of the factors that have contributed to this fundamental change in economic and social conditions is of crucial significance if we are to preserve an equitable balance in the employer employee relationship The eleven papers reprinted

here were originally presented at the 16th Congress of the International Academy of Comparative Law held in Brisbane in July 2002 Each paper is organized around the following considerations for the particular country in question factors determining the role of collective agreements factors determining the regulatory power of collective agreements toward the employment contract factors limiting the regulatory power of collective agreements degree of freedom of the parties to shape the employment contract and future prospects for collective agreements as a means of regulating the employment contract Underlying issues of decentralization minimum standards decreasing unionization unemployment and the growing individualization of the employment contract are addressed by all the authors The countries covered are Australia Belgium Canada Quebec Greece Italy Japan The Netherlands Poland South Africa and Switzerland

The Actors of Collective Bargaining Eduardo J. Ameglio, 2004-01-01 No one denies that the institution of collective bargaining between workers and employers has been a powerful tool for social dialogue Without our history of effective collective bargaining there would be no mutual understanding no industrial peace no constructive cooperation between social partners Yet there is a feeling today that this history has drawn to a close that our post industrial world demands something different something our tradition of collective bargaining and collective agreements cannot give us What information and insight can we gather to verify or challenge this feeling This was the first major question addressed by the distinguished delegates to the twenty seventh World Congress of Labour and Social Security Law held at Montevideo 2 5 September 2003 The aim of the conference was to discover current problems regarding the existing structures and functions of collective bargaining in industrialized countries today problems readily identifiable in the context of economic globalization falling union density the increase in atypical and knowledge based workers and the tertiarization or declining economic importance of manufacturing based industry This bulletin contains some of the most important papers devoted to this major theme of the conference It presents twenty national reports each written by a scholar well versed in the law and practice of collective bargaining in the country covered Two introductory reports deal with such general issues as the varying competences of representatives under different legal systems labor union representation within the public sector the development of collective bargaining in EC law the levels and structures of collective bargaining practice and the widening gap between the relevant legal norms and real situations The national reports were drafted on the basis of a questionnaire which appears as an annex This allows the reader to easily compare the solutions set forth for consideration in the various countries under review The Actors of Collective Bargaining will be of great value for all practitioners and academics in the field of industrial relations

The Power to Dismiss Patrick Emmenegger, 2014-10-16 This first comparative historical analysis of the regulations that restrict the managerial capacity to dismiss employees and use temporary forms of employment addresses four puzzles that have long troubled the comparative political economy literature Who is the driving force behind the extension of dismissal protection Why is statutory dismissal protection particularly extensive in continental Europe How can the uneven temporal development of job

security regulations be explained And what are the causes of the two tier labour market reforms in recent decades Analysing the historical development of job security regulations in Western Europe from the establishment of freedom of contract in the 19th century until the peak of two tier labour market reforms in the 2000s this book contributes to resolving these puzzles by emphasising the important role of trade unions their preference for institutional control and the strategic choices they make

Labour Law in Denmark Ole Hasselbalch, 2019-07-12 Derived from the renowned multi volume International Encyclopaedia of Laws this monograph on Denmark not only describes and analyses the legal aspects of labour relations but also examines labour relations practices and developing trends It provides a survey of the subject that is both usefully brief and sufficiently detailed to answer most questions likely to arise in any pertinent legal setting Both individual and collective labour relations are covered in ample detail with attention to such underlying and pervasive factors as employment contracts suspension of the contracts dismissal laws and covenant of non competition as well as international private law The author describes all important details of the law governing hours and wages benefits intellectual property implications trade union activity employers associations workers participation collective bargaining industrial disputes and much more Building on a clear overview of labour law and labour relations the book offers practical guidance on which sound preliminary decisions may be based It will find a ready readership among lawyers representing parties with interests in Denmark and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations

Cases, Materials and Text on National, Supranational and International Non-Discrimination Law Dagmar Schiek, Lisa Waddington, Mark Bell, Tufyal Choudhury, Olivier De Schutter, Janneke Gerards, Aileen McColgan KC, Gay Moon, 2007-08-31 This casebook the result of the collaborative efforts of a panel of experts from various EU Member States is the latest in the Ius Commune Casebook series developed at the Universities of Maastricht and Leuven The book provides a comprehensive and skilfully designed resource for students practitioners researchers public officials NGOs consumer organisations and the judiciary In common with earlier books in the series this casebook presents cases and other materials legislative materials international and European materials excerpts from books or articles As non discrimination law is a comparatively new subject the chapters search for and develop the concepts of discrimination law on the basis of a wide variety of young and often still emerging case law and legislation The result is a comprehensive textbook with materials from a wide variety of EU Member States The book is entirely in English i e materials are translated where not available in English At the end of each chapter a comparative overview ties the material together with emphasis where appropriate on existing or emerging general principles in the legal systems within Europe The book illustrates the distinct relationship between international European and national legislation in the field of non discrimination law It covers the grounds of discrimination addressed in the Racial Equality and Employment Equality Directives as well as non discrimination law relating to gender In so doing it covers the law of a large number of EU Member States alongside some international comparisons The Ius Commune Casebook on Non

Discrimination Law provides practitioners with ready access to primary and secondary legal material needed to assist them in crafting test case strategies provides the judiciary with the tools needed to respond sensitively to such cases provides material for teaching non discrimination law to law and other students provides a basis for ongoing research on non discrimination law provides an up to date overview of the implementation of the Directives and of the state of the law This Casebook is the result of a project which has been supported by a grant from the European Commission s Anti Discrimination Programme See the detailed website for this book www.casebooks.eu/nonDiscrimination The Nordic Countries and the European Union Caroline Howard Grøn, Peter Nedergaard, Anders Wivel, 2015-02-20 In European policy making the Nordic countries are often viewed as a relatively coherent bloc in international and European affairs the Nordic position has traditionally been conditioned on being different from and better than Europe This book offers a coherent original and systematic comparative analysis of the relationship between the Nordic countries and the European Union over the past two decades It looks at the historical frame institutions and policy areas addressing both traditional EU areas such as agriculture and more nascent areas affecting the domestic and foreign policies of the Nordic countries In doing so it examines how the Nordic approach to European policy making has developed and explains why the Nordic countries are similar in some respects while differing in others when engaging with EU institutions In highlighting the similarities and differences between the Nordic countries it explores what lessons positive and negative may be drawn from this approach for the Nordic countries and other small states This book will be of interest to scholars students and practitioners engaged with the Nordic Countries EU politics and policy making European politics and comparative politics

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