



[International Society for Labour and Social Security Law](#)  
[Soci t  internationale de droit du travail et de la s curit  sociale](#)  
[Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social](#)

# Bulletin no. 141

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## **XI European Regional Congress on Labour and Social Security Law**

The XI European Regional Congress was held from 17 to 19 September 2014 in the city of Dublin (Ireland). A list of the topics covered at the Congress, which was well attended, is available at <http://islssl.org/regionalcongresses/#europe11>. The studies and documents presented at the Congress are also available at this address, and you will find further information concerning the XI European Regional Congress on the organizers' website at <http://www.dublinlabourlaw2014.com>

## **Executive Committee of the ISLSSL**

The XI European Regional Congress also included a meeting of the **ISLSSL Executive Committee**, which was attended by four of the Society's Honorary Presidents and its Officers, as well as representatives of 34 national associations, of which 29 were entitled to vote. During the meeting (the minutes of which are now available), a **new President was elected, the honour going to Professor Tiziano Treu, an eminent Italian legal scholar whose candidacy was proposed by our Italian chapter.**

The Society also has some new members: the Portuguese Association of Labour and Social Security Law, the Moroccan Association of Labour Law, and the Brazilian Academy of Labour Law (which replaces the previous Brazilian member). The Bulgarian Society of Labour and Social Security Law has also rejoined the Society as an active member.

The Executive Committee accepted an offer from the Panamanian Academy of Labour Law to organize the X American Regional Congress in 2016, as well as an offer made by Prof. Takashi Araki, representing the Asian region, to host the IX Asian Regional Congress (2016) in India. The Italian Association presented itself as a candidate to host the next World Labour Law Congress (2018) and put forward some ideas concerning its organization.

### **Asian Conference on Globalization and Labour Administration: Cross-border Mobility, Social Security and Regional Integration**

The Asian Conference on Globalization and Labour Administration: Cross-border Mobility, Social Security and Regional Integration was held from 19 to 21 November 2014 in Manila (Philippines). The event, the first to be held in the region under ISLSSL auspices since the VIII Asian Regional Congress in Taipei (October-November 2005), was organized by the Philippine branch of the ISLSSL, the University of the Philippines and the International Labour Organization's ASEAN Triangle Project. The Congress covered various issues, reports of which can be found at: <http://islssl.org/asian-conference-on-globalization-and-labor-administration/>. The conference proceedings and most of the speeches and documents are also available on this website.

### **Seminar on International and Comparative Labour Law, Ca' Foscari University, Venice**

Following the success of the first Seminar on International and Comparative Labour Law held at Ca' Foscari University, Venice, under the leadership of Prof. Adalberto Perulli (see <http://islssl.org/seminar-on-international-and-comparative-labour-law-venice-italy-update/>), a second edition, entitled "Enterprise Transformation and Social Rights", is scheduled for 30 June to 9 July this year, featuring a programme and speakers of the highest quality (<http://islssl.org/2ndinternational-seminar-on-international-and-comparative-labour-law/>). Registration is open until 30 May, and participants wishing to apply for one of six grants covering all fees, accommodation and meals should apply by 30 March: (<http://islssl.org/2nd-international-seminar-on-international-and-comparative-labour-lawregistration/>).

### **Graduate Seminar on International and Comparative Law, Margarita Island (Venezuela)**

Registrations are also invited for the fifth edition of the Isla Margarita Graduate Seminar on International and Comparative Law, to be held on Isla Margarita, Venezuela, from 4 to 12 May 2015. The topic will be "Collective Labour Law", and the language of communication will be Spanish. The seminar programme, list of speakers and requirements for registration, as well as the ISLSSL grant application form, can be found at <http://islssl.org/category/meetings-events/>. Those interested in applying for one of the six grants available should contact their national chapter within the set deadline, bearing in mind that the national chapter will have to submit the selected candidates' names and CVs to the ISLSSL before 15 February.

## **Labour Law Yearbook**

As soon as we became responsible for administering the ISLSSL, we proposed to the International Association of Labour Law Journals (IALLJ) that we should together develop a yearbook containing important articles published in IALLJ-member journals. We were convinced that a publications of this kind would make a significant contribution to legal knowledge in our field and enable a wider public to access these specialized journals.

*Today we are very pleased to announce that the first volume of this yearbook is almost ready and will be published in the near future.* For the sake of brevity, we are attaching the contents page of the yearbook, the preface written by the IALLJ President, Prof. Steven Willborn, and the back cover of this first edition.

We also take this opportunity to congratulate Steven Willborn, Prof. Alan Neal, of the University of Warwick (UK), who has written an excellent explanatory introduction, and all those who have contributed to this work. Without their efforts and the good will of the IALLJ-member journals, this project – an eloquent expression of what can be achieved through inter-institutional collaboration - would not have been possible.

## **Young Legal Scholars' Section**

The Young Legal Scholars' Section of the ISLSSL continues to run a wide range of activities.

The newly formed Latin American group, which held its first meeting at the 2013 American Regional Congress in Guayaquil, has produced 11 national reports of exceptional quality, most of which can be read at <http://islssl.org/category/young-legal-scholars-section/>. This very interesting material has been put together in a work co-edited by the Universidad Autónoma de Mexico (UNAM) and the ISLSSL, entitled “Panorama del Derecho del Trabajo y de la Seguridad Social en América Latina” (“Labour and Social Security Law: the Latin American Panorama”), under the leadership of Juan Pablo Mugnolo and Oscar Zavala Gamboa. Patricia Kurczyn, President of the Mexican Labour Law and Social Security Society has written an introduction entitled “Derecho comparado del trabajo; deliberaciones latinoamericanas” (“Comparative Labour Law: A Latin American Perspective”), and there is a forward by the President of the ISLSSL concerning the Young Scholars' Section.

Meanwhile, the newly established European group held its first formal meeting in Dublin, during the IX European Regional Congress. The topic of the meeting was the impact of the economic crisis on recent developments in national labour law systems in European countries (covering various aspects of individual labour law, trade union and collective bargaining regimes and social security law). The 12 national reports presented at the meeting can be viewed on our website at <http://islssl.org/category/young-legal-scholarssection/>. The debates were of the highest quality, to the great satisfaction of all participants, who expressed an interest in further activities. As a result, the Spanish Association of Labour and Social Security Law, led by its President, Jesús Cruz Villalón of the University of Seville, professors Yolanda Maneiro Vázquez and José María Miranda

Boto of the University of Santiago de Compostela and Stefano Bellomo, the ISLSSL Treasurer, are organizing a meeting which will take place, under ISLSSL auspices, on 4 and 5 June 2015 at the Law Faculty of the University of Santiago de Compostela. The purpose will be to study the case law of supranational courts from a comparative perspective. The organizers also intend that the meeting should be an opportunity to share ideas on the possible establishment of a European regional sub-section of the Young Scholars' Section of the ISLSSL, which is set to become a single entity at the World Congress in Cape Town. The meeting programme is hereby attached.

Finally, a further session of the Young Scholars' Section is planned as part of the forthcoming World Congress, to be held in September in Cape Town. It is intended that a single global entity – the ISLSSL Young Legal Scholars' Section – be constituted by merging the Latin American and European “embryos”, and incorporating the many national sections and representations set up within the national societies affiliated to the ISLSSL.

### **XXI World Congress of Labour and Social Security Law, Cape Town, September 2015**

During the meeting of the Executive Committee held in Dublin on 17 September last year, Prof. Darcy Du Toit, representing the South African organizing committee, shared a wealth of information on the XXI World Congress, due to take place in Cape Town, South Africa, in September 2015. The Congress agenda was given final approval and is available, with further information, at <http://www.labourlawcongress2015.co.za>.

The organizing committee have just sent us a progress report, available at <http://islssl.org/newsflash-capetownworld-congress/>. They have also informed us that a number of sponsors have given their backing to the event, many people are already registering to take part, and a substantial number of papers and abstracts have been received. Persons wishing to make a presentation can view a list of the topics to be covered at <http://www.labourlawcongress2015.co.za/call-papers>, and will find details on how to submit documents at <http://www.labourlawcongress2015.co.za/submit-abstract>. The closing date for submissions is 15 March 2015.

The organizing committee also informs us that, at a special session on Wednesday, 16 September, a panel of international experts, academics and practitioners, chaired by Professor Manfred Weiss, Emeritus professor at the Law Faculty of the Johann Wolfgang Goethe University in Frankfurt, will discuss “How to cope with fragmentation and segmentation of the workforce”.

Giuseppe Casale  
Secretary General

Adrián Goldin  
President

# Contents

Preface <i>by Steven L. Willborn</i> .....	iv
Notes on Contributors .....	vii
Member Journals of the International Association of Labour Law Journals .....	ix
Introduction: The Yearbook of Comparative Labour Law Scholarship 2014 <i>by Alan C. Neal</i> .....	1
Labor Law as the Law of Economic Subordination and Resistance: A Thought Experiment <i>by Harry Arthurs</i> .....	23
I dieci anni di Diritti Lavori Mercati <i>by Mario Rusciano, Lorenzo Zoppoli and Rosario Santucci</i> .....	47
La deriva del diritto del lavoro (Perché il presente obbliga a fare i conti col passato) <i>by Umberto Romagnoli</i> .....	69
La desconstitucionalización del trabajo en la reforma laboral del 2012 <i>by Antonio Baylos</i> .....	91
Die Verschränkung von nationalem, europäischem und internationalem Recht im arbeitsrechtlichen Mandat <i>by Nina Althoff</i> .....	123
The ASEAN Economic Community through the Prism of Freedom of Movement for Workers: Recognised Needs, Slow and Difficult Implementation <i>by Suphasit Taweekamsup</i> .....	137

Gruppi di imprese, reti di imprese e codatorialità:  
Una prospettiva comparata  
*by Adalberto Perulli* ..... 155

Life Outside the Bubble: The International and European  
Framework of Disability Discrimination in Employment  
*by Edit Kajtár* ..... 191

Labour Law in a Greying Labour Market – In Need of a  
Reconceptualisation of Work and Pension Norms  
*by Ann Numhauser-Henning* ..... 213

Labour Trafficking in China: Analysis and Recommendations  
*by Sophia Kagan* ..... 235

Majoritarianism, Exclusivity and the “Right to Work”:  
The Legal Incoherence of Ontario Bill 64  
*by Brian Langille and Josh Mandryk* ..... 263

Employee Shareholder ‘Status’: Dismantling the Contract  
of Employment  
*by Jeremias Prassl* ..... 281

What Is Distinctive about the Fair Work Regime?  
*by Mark Bray and Andrew Stewart* ..... 315

It’s Not Bye-Bye to ‘By’: Some Reflections on Section 197  
of the LRA  
*by Malcolm Wallis* ..... 355

## Preface

The *International Association of Labour Law Journals* is a consortium of 25 journals from around the world dedicated to publishing the best research and thought in labour and employment law and policy. Its member journals are listed on the next pages and more information about them can be found on the Association's website at <http://www.labourlawjournals.com>. This work is a collaborative project of the Association and the International Society of Labour and Social Security Law ([www.islssl.org](http://www.islssl.org)), with whom we have worked closely on this and other projects.

The Association began life as the "International Club of Labour Law Journals", which owed much to the late Marco Biagi (1950-2002) for its inception and early co-ordination. Having attended, together with Alan Neal, an exploratory meeting of industrial relations journal editors, convened during the 7th World Congress of the *Industrial Relations Research Association* in Hamburg in September 1986, Marco became enthused with the notion of establishing an equivalent body dedicated specifically to comparative labour law journals. This led to the editors of a number of labour law journals being invited to a meeting arranged by Marco in Bologna the following year, hosted by the journal *Lavoro e Diritto*.

That initiative was followed, at the beginning of November 1988, by a major conference in Paris, generously organised by the French Ministry of Labour, under the auspices of its journal, *Travail et Emploi*. A similarly large-scale gathering was organised in the following year by the Spanish Ministry of Labour, in conjunction with the journal *Relaciones Laborales*.

In light of those experiences, a view was formed that the emerging organisation might operate more effectively as a gathering of journal editors if it were to hold more compact meetings, with a part of the available time being set aside for discussion of editorial, production, and related matters of common interest between the participant journal members. A return to the original Bologna format was therefore agreed, and, in November 1990, a meeting of a dozen journal editors took place in Leicester, at the end of an international colloquium organised by

the *International Journal of Comparative Labour Law and Industrial Relations*.

That smaller-scale format served well, and formed the basis for annual meetings thereafter, with Marco taking on the mantle of president for what was then known as the “International Club”. Following Marco’s assassination in March 2002, his successors to the presidency, Jeffrey Sack (Canada) and Guido Balandi (Italy), devoted their efforts to refreshing and enlarging the organisation and reconstituting it as an Association. Today, it has become a unique world-wide collaboration between the leading journals in the field.

In 2012, Adrián Goldin, the President of the International Society of Labour and Social Security Law, suggested that the Association and the International Society collaborate to produce an annual volume of important research in labour and employment law, drawn from the pages of the Association’s member journals. At its annual meeting in Bordeaux in 2013, the Association decided to pursue that suggestion. This collection of scholarship is the first in the series.

While all of the articles in this volume except for the Introduction by Alan Neal have already been published elsewhere, the Association presents them again to expose them to new and broader audiences. It is also the hope that publication of this volume as a separate venture will draw heightened attention to the journals participating in this effort. If, as a reader, you find that the articles in this volume are interesting and insightful, we would encourage you to make reference to the journals from which they have been drawn. The articles included here constitute only a taste of the wide range of important research being published in the journals represented in the volume, and by all of the Association’s member journals. If you are impressed by the articles, as we expect you will be, you might even think of subscribing to some of the journals!

Having said this, it needs to be borne in mind that the *International Association of Labour Law Journals* is a large and diverse group. The views expressed in all the contributions which make up the volume, including the Introduction, are those of their authors, and the Association adopts no position in relation to any of the views offered by those authors.

I have been involved in this effort as an editor and the main cheerleader. I want to thank all the editors from the participating journals who have made this possible through their prompt and willing co-operation. We have also been very pleased to collaborate closely with



the International Society for Labour and Social Security Law on this project, and we have especially appreciated the support and encouragement of the Society's President and its Secretary-General, Adrián Goldin and Giuseppe Casale. Finally, this project would not have been possible without careful and patient editorial work by Boris Bohuslawsky, Kerry O'Neill, and Bambi King. Thank you so much.

*Steve Willborn*  
*President, International Association of Labour Law Journals*  
*University of Nebraska*  
*United States*

## Member Journals of the International Association of Labour Law Journals

- *Análisis Laboral*, Peru
- *Arbeit und Recht*, Germany
- *Australian Journal of Labour Law*, Australia
- *Bulletin of Comparative Labour Relations*, Belgium
- *Canadian Labour & Employment Law Journal*, Canada
- *Comparative Labor Law & Policy Journal*, United States
- *Diritti Lavori Mercati*, Italy
- *Europäische Zeitschrift für Arbeitsrecht*, European Union
- *European Labour Law Journal*, Belgium
- *Giornale di Diritto del Lavoro*, Italy
- *Industrial Law Journal*, South Africa
- *Industrial Law Journal*, United Kingdom
- *International Journal of Comparative Labour Law and Industrial Relations*, The Netherlands
- *International Labour Review*, International Labour Organization, Switzerland
- *Japan Labor Review*, Japan
- *Labour, Society and Law*, Israel
- *Lavoro e Diritto*, Italy
- *Pécs Labour Law Review*, Hungary
- *Relaciones Laborales*, Spain
- *Revista de Derecho Social*, Spain
- *Revue de Droit Comparé du Travail et de la Sécurité Sociale*, France
- *Revue de Droit du Travail*, France
- *Rivista Giuridica del Lavoro e della Previdenza Sociale*, Italy
- *Temas Laborales*, Spain
- *Zeitschrift für ausländisches und internationales Arbeits- und Sozialrecht*, Germany

The *Yearbook of Comparative Labour Law Scholarship* brings together a wide range of cutting-edge research and analysis on labour and employment law themes from around the world, chosen from the pages of member journals of the International Association of Labour Law Journals. A collaborative project of that Association and the International Society of Labour and Social Security Law, this edition of the *Yearbook* — the inaugural volume in an annual series — spans contributions from eleven countries across five continents. The contributions deal with such diverse subjects as labour trafficking in China, the impact of austerity measures on labour law systems within the EU, so-called “right to work” initiatives in Canada, freedom of movement for migrant workers in the ASEAN states, recent trajectories in the framework of Australia’s labour law, and many others. Written by renowned scholars in the field, the papers in the *Yearbook* reflect the critical and growing importance of comparative and international perspectives on labour and employment law in an era of globalization.

The **INTERNATIONAL ASSOCIATION OF LABOUR LAW JOURNALS (IALLJ)** consists of 25 international labour and employment law journals, and was established with the aim of promoting scholarship and closer relations among its members. Website: [www.labourlawjournals.com](http://www.labourlawjournals.com)

**LANCASTER HOUSE** is a leader in providing information on labour, employment and human rights law, and in serving the needs of employees, employers, professional organizations, unions, management and legal practitioners. Website: [www.lancasterhouse.com](http://www.lancasterhouse.com)



## **THE 21<sup>ST</sup> ISL&SSL WORLD LABOUR LAW CONGRESS – 15 – 18 SEPTEMBER 2015 |**

### **CAPE TOWN | SOUTH AFRICA**

**<http://www.labourlawcongress2015.co.za>**

The XXI World Congress of the International Society for Labour and Social Security Law is taking place in Cape Town from 15 to 18 September 2015, hosted by the South African Society for Labour Law (SASLAW).

The Local Organising committee are pleased to advise that a number of sponsors have been secured for the event, registrations are being processed and a good number of interesting paper submissions have been received to date

#### **CALL FOR PAPERS, THEMES & ROUND TABLE FORUMS**

Contributions are invited from all participants. The themes are detailed in the link below and the Local Organising committee would welcome your submissions:

<http://www.labourlawcongress2015.co.za/call-papers>

The details of how to submit an abstract are herewith:

<http://www.labourlawcongress2015.co.za/submit-abstract>

The submission Deadline date 15 March 2015

In a special session on Wednesday, 16 September, a panel of experts consisting of international scholars and practitioners, chaired by Professor Manfred Weiss, Emeritus professor at the Faculty of Law at the Johann Wolfgang Goethe University in Frankfurt will discuss 'How to cope with fragmentation and segmentation of the workforce.'

A round-table forum on Friday, 18 September will be of particular interest to the delegates, as Judge Dennis Davis, Judge of the Labour Appeal Court and President of the Competition Appeal Court will chair a case study of South Africa's Labour Relations Act (LRA) 20 years into democracy, with a particular focus on whether ILO principles have contributed to workable labour relations. Forum members will include ILO experts who assisted in drafting South Africa's 1995 LRA together with leading representatives of South Africa's social partners.

#### **TOURS**

Visit the website for an updated list of the various Tours available to Congress delegates:

<http://www.labourlawcongress2015.co.za/tours-isssl-21st-world-congress-2015-cape-town-south-africa>

The Safari Company, the official housing and tour agency of the Congress, would like to help you experience Cape Town's rich culture and history. A number of tours are on offer to the city's most

interesting cultural and historical sites and scenic surroundings. The tour descriptions, schedules and conditions are indicated below.

You can also go exploring aboard an open-top double-decker bus. With two routes to choose from and buses every 15-25 minutes, this hop-on hop-off tour is a relaxed way to see the sights and scenery of the city and the Peninsula. A two-day pass includes a wine tour, a night-time bus ride to see the sunset over the Atlantic Ocean plus a trip with the hop-on hop-off water taxi along the canal between the CTICC and the V&A Waterfront .

If there are any requirements for private touring, transportation or hospitality services, or interest in other parts of South Africa or Africa, please contact the official appointed agent, The Safari Company, who will be pleased to assist with any arrangements.

### **REGISTRATION FEES**

**The current rate of exchange to the Euro is ZAR13.17 and to the USD is ZAR11.65**

<b>Categories</b>	<b>Standard registration</b>	<b>Late registration</b>
	<b>1 Feb 2015 - 30 June 2015</b>	<b>1 July 2015 - 7 Sep 2015</b>
World Congress International	R8,000	R8,500
World Congress South Africa (SASLAW non-member)	R7,500	R8,000
World Congress South Africa (SASLAW member)	R6,500	R7,000
World Congress African	R7,700	R8,700
SASLAW National Conference Delegates	R3,750	R3,750
Gala Dinner Ticket	R900	R900

**\* To note: All registration fees are payable in ZAR and are inclusive of VAT.**

**For more information:**

**Tel: +27 21 914 2751: Email [liza@confco.co.za](mailto:liza@confco.co.za) [www.labourlawcongress2015.co.za](http://www.labourlawcongress2015.co.za)**



**MEETING OF THE  
EUROPEAN  
YOUNG SCHOLARS'  
EMBRYO**

**Labour Law &  
Social Rights  
in Europe:  
The Jurisprudence  
of the  
International Courts**

**Santiago de Compostela  
Faculty of Law  
4-5 June 2015**

**Meeting of the  
European Young Scholars' Embryo**

**Labour Law & Social Rights in Europe:  
The Jurisprudence of the International Courts**

Santiago de Compostela, Faculty of Law  
4-5 June 2015

**Promoted by  
Universidade de Santiago de Compostela  
and  
AEDTSS – Asociación Española de Derecho del Trabajo y de la Seguridad Social**

**Under the auspices of  
ISLSSL - International Society for Labour and Social Security Law**

## Organization Committee

Stefano Bellomo, ISLSSL, Università degli Studi di Perugia; Jesús Cruz Villalón, AEDTSS, Universidad de Sevilla; Yolanda Maneiro Vázquez and José María Miranda Boto, Universidade de Santiago de Compostela.

## The Philosophy

This meeting of the European YS Embryo is the continuation of the session held in Dublin in September 2014. There, all the Young Scholars who attended it confirmed their gladness and satisfaction and their will to being involved in the future activities related to the European embryo and of the future ISLSSL Young Scholars' Section. The same availability and willingness have been expressed by many scholars who attended and appreciated the contents of the meeting.

Implementing these intentions, the meeting in Santiago de Compostela will have two aims.

First of all, a scientific objective, the exam of the jurisprudence of supra-national courts, a meeting point for all the countries of the European area (Austria, Belgium, Belarus, Bosnia Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovenia, Spain, Sweden, Turkey and United Kingdom). Thus, a common field for debate is easily found, as the same decisions from these Courts can have very different impacts on each country. The mechanics of the meeting are based on debate, following the successful model already implemented twice by the Spanish Young Scholars' Section. Short dual presentation of 10 selected rulings will be followed by open, wide debate, free of the formalities of a Major Congress, and with a good deal of time to talk without restriction.

The second aim is an organizational aim. The World Congress in Cape Town, September 2015, will be the birthplace of the ISLSSL Young Scholars' Section, joining young scholars from the entire World. The meeting in Santiago will be the occasion for brainstorming and sharing ideas for a possible European Regional subsection and further collaborations in the future.

## Attendance Rules

Participation will be possible in this Meeting under two roles: discussant and attendant.

The discussants, in couples, will expose the judgments to open the debate. Each National Association affiliated to the International Society of Labour and Social Security Law will propose one or two discussants, up to 20 participants; the nomination will be communicated to both [stefanobellomo@mmba.it](mailto:stefanobellomo@mmba.it) and [josemaria.miranda@usc.es](mailto:josemaria.miranda@usc.es) before the 10<sup>th</sup> March 2015. If this number is not reached, an open call for discussants will be made, and a number of grants will be distributed, according to a merit-based selection process managed by the ISLSSL, to fill the number of 20 discussants, coming from the indicated countries from the European area. In any case, no more than one discussant per country will be selected according to this second procedure. The choice of the rulings will be made through the YS website



(<http://www.euryoungscholars.unimi.it/>) under the supervision of the ISLSSL, during the month of March.

As attendants, each National Association can appoint a wider number of representatives according to its own rules – no grant will be given to them by the ISLSSL. Furthermore, the attendance to the academic session and to the debate is open to each Young Scholar who is interested in studying the issues that will be examined and debated in the Seminar. Attendants are invited to engage in the debate following the exposition by the discussants. Of course, attendants from extra-European countries are welcomed to participate in the meeting.

Anyway, the organizers wish that the Seminar could represent an occasion for the National associations to establish and promote the activity of the respective national Young Scholars' Sections.

The working language will be English and the dress code is casual.

## **Registration fees**

120 Euros. The fees include academic materials, accommodation for two nights, one lunch, two dinners and social events.

The ISLSSL will give a grant of 50 Euros to each of the discussants, up to two per country, with a top expenditure of 1000 Euros.

## **Payment**

Please, make a bank transfer to:

Banco Santander Central Hispano (BSCH)

SWIFT code: BSCHEM33

IBAN code: ES40 0049 2584 90 2214002210

(Bank Code: 0049, Counter Code: 2584, Account Number: 2214002210, Key: 90)

Bank Account Holder: Universidade de Santiago de Compostela-Congresos.

Address of the bank: Rúa Calderería 56/58, 15703, Santiago de Compostela, Spain.

Address of the bank account holder: Casa da Balconada, 15782, Santiago de Compostela, Spain.

In order to guarantee the university accommodation, the total amount of the registration and accommodation fees has to be paid before April 30, 2015. Please mention YSM-USC and the full name of the participant in the bank order. Payments must be made in Euros. Possible transfer fees are on the participant's charge.

## **Contact**

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# Timetable

## Thursday, 4<sup>th</sup> June

16:00 Welcome speech

16:10 Presentations and debate

Each couple of discussants from two different countries will study one recent ruling of an international Court, as e.g. the ECJ or ECHR (10 chosen beforehand in collaboration with the organization), talk about it for 15 minutes and a general discussion will follow.

19:30 End of sessions

20:00 Social activities and dinner

## Friday, 5<sup>th</sup> June

10:00 Presentations and debate

14:00 End of sessions – Lunch

16:00 Presentations and debate

18:00 Assembly of the European YS Embryo

19:30 End of sessions

20:00 Social activities

21:30 Pulpada (typical Galician dinner with octopus)



**Universitas Fundación invita al V Seminario Internacional y Comparado sobre Derecho del Trabajo a realizarse en la Isla de Margarita, Venezuela, del 4 al 12 de mayo de 2015**

**AVALADO ACADÉMICAMENTE POR LAS SIGUIENTES INSTITUCIONES:**

Universidad de Margarita (UNIMAR).

Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social (SIDTSS).

Academia Iberoamericana de Derecho del Trabajo y de la Seguridad Social (AIDTSS).

Asociación de Profesores Universitarios de Derecho del Trabajo y de la Seguridad Social de Venezuela.

**OBJETIVO GENERAL:**

El Seminario de Post Grado Internacional y Comparado sobre Derecho del Trabajo se ha venido realizando en la Isla de Margarita, Venezuela, por iniciativa de la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social que propuso a Universitas Fundación la realización de un ciclo de estudios avanzados dedicados a jóvenes especialistas en estas disciplinas. Su primera edición se celebró en el año 2011. A finales del año 2012, en el Congreso Mundial de Derecho del Trabajo y de la Seguridad Social celebrado en Santiago de Chile, la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social dispuso considerarlo como una de sus actividades formativas para la América Latina al modo de los seminarios que la Sociedad auspiciara desde hace décadas en Europa, sucesivamente en Szeged luego Bordeaux, actualmente en Lyon-Saint Etienne y Venecia.

El objetivo general del programa consiste que los participantes profundicen sobre el conocimiento teórico y práctico en relación con el contenido y funcionamiento de las últimas tendencias en el Derecho del Trabajo y las relaciones laborales, atendiendo sus ramas afines, sus principios articuladores, los actores sociales y las instituciones que del ordenamiento jurídico emanan. Se persigue perfeccionar el conocimiento de los participantes sobre el Derecho del Trabajo, mediante el estudio de la legislación laboral, la jurisprudencia, la doctrina y la práctica forense a nivel comparado internacional.

Este Seminario de postgrado Internacional y comparado, tiene como propósito específico actualizar integralmente al abogado y todos los profesionales con grado universitario vinculados a las relaciones laborales brindándole los elementos necesarios para un adecuado desempeño en el ejercicio de sus actividades profesionales, ya sea en la administración de justicia, en el manejo de las relaciones industriales o recursos humanos empresariales, sindicales, funcionariales, en actividades independientes en el ámbito de asesoría, investigación o en el litigio. Igualmente el Seminario permite una interacción de los alumnos con los profesores, por tratarse de un pequeño grupo de participantes donde se podrán exponer casos de la vida cotidiana para obtener respuestas a sus inquietudes.

**JUSTIFICACIÓN:**

El tema de la V edición de este Seminario versará sobre **el Derecho Colectivo del Trabajo** y las variadas modalidades en que se manifiesta. Se analizarán especialmente la libertad sindical, la negociación colectiva, la huelga, las organizaciones sindicales y el derecho colectivo en el sector público.

Este seminario contará con la directriz de distintos profesores especialistas en la materia de diversas nacionalidades como lo son: Humberto VILLASMIL PRIETO (OIT), César CARBALLO MENA (Venezuela), Jorge ROSENBAUM (Uruguay), José Luis UGARTE (Chile), Oscar HERNÁNDEZ ALVAREZ (Venezuela) y Rolando MURGAS TORRAZZA (Panamá). Su contenido ha sido diseñado con la premisa de atender todas y cada una de las necesidades de formación en esta actualización específica.

**DURACIÓN:**

El Seminario de Postgrado Internacional de Derecho Comparado del Trabajo tendrá una duración de ochenta (80) horas académicas, para un total de ocho días de trabajo más un día de descanso.

**MATERIAL:**

Se entregará material de apoyo y el Diploma será avalado por la Universidad de Margarita (UNIMAR) por las 80 horas académicas. El material de apoyo que se otorgará al inicio del programa del Seminario de Postgrado Internacional y Comparado comprende un bolso contentivo del contenido programático con su planificación de actividades, distintivo, block de apuntes, un bolígrafo y material digital de los temas que tratarán los profesores.

#### **LUGAR Y FECHAS:**

**Lugar:** Isla de Margarita, Estado Nueva Esparta, Venezuela.

**Clases:** Avaladas por la Universidad de Margarita (UNIMAR)

**Hospedaje y alimentación:** Hotel Lagunamar, Pampatar, Isla de Margarita (5 estrellas).

**Fechas:** 04 al 12 de mayo de 2015

#### **METODOLOGÍA ACADÉMICA:**

Los aspirantes a participar en el seminario deberán leer previamente el material que le será suministrado por Universitas Fundación y deberán elaborar un informe escrito, en el cual, expondrán sus ideas sobre el eje temático central, específicamente, sobre la libertad sindical haciendo referencia específica a la realidad nacional de su país en la materia, siguiendo un esquema o matriz que será proporcionado por los organizadores. El informe deberá contar entre quince y veinte páginas escritas en letra Arial punto 12 a espacio 1,15. El mismo deberá ser enviado por correo electrónico a la Fundación al menos con una semana de anticipación al seminario. Los informes serán expuestos oralmente el día viernes por la tarde y sábado (8 y 9 de mayo 2015, respectivamente), de acuerdo con la organización y metodología que se informará el día de la instalación del seminario.

El primer día de clases se formarán grupos de participantes procurando mezclar dentro de cada grupo a alumnos de diferentes nacionalidades. Cada uno de los temas será expuesto por el profesor respectivo durante una hora. A continuación se realizará un panel, en el cual, los otros profesores presentes expondrán sus comentarios ante la conferencia. Luego habrá un receso para el café. Después del receso se abre un debate con participación de los asistentes al seminario y los profesores. Los grupos formados con los asistentes al seminario recibirán del conferencista de cada día varios puntos a discutir relativos al tema de la conferencia, un punto para cada grupo, el grupo se reunirá durante tres horas luego del almuerzo para discutir y resolver la pregunta asignada, y deberán redactar un informe breve de máximo 3 páginas. Posteriormente, todos los grupos se reunirán con el profesor para presentar y discutir sus informes.

#### **INVERSION:**

**Sólo inscripción, o, Inscripción + Hospedaje + Alimentación + uso de la playa y demás instalaciones del hotel.**

- a) **Sólo inscripción U\$ 500,°°.**
- b) **Inscripción más hospedaje y alimentación U\$ 1.400,°°.** Incluye: participación en el seminario, alojamiento en el Hotel Lagunamar (5 estrellas) con entrada el 03/05/2015 y salida el 13/05/2014, todas las comidas (desayuno, almuerzo y cena), bebidas nacionales, bolso con material y el certificado avalado por la Universidad de Margarita, la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social, la Academia Iberoamericana de Derecho del Trabajo y de la Seguridad, la Asociación de profesores universitarios de Derecho del Trabajo y de la Seguridad Social de Venezuela y Universitas Fundación. Asimismo los participantes del seminario que deseen asistir al 8° Congreso Internacional del Derecho del Trabajo y de la Seguridad Social que se realizará en el mismo hotel, del 13 al 16 de Mayo 2015, estarán exonerados del pago de la matrícula, debiendo correr únicamente con los gastos de hotel. Quienes, además de participar en seminario lo hagan también en el congreso podrán optar a un certificado que indique el total de las horas académicas cumplidas en ambos eventos.

**Reserva de cupo:** Para garantizar el cupo debe enviarnos su síntesis curricular con la manifestación de su interés de participar en el seminario. Una vez verificada la disponibilidad de cupo se debe transferir la cantidad de U\$ 400,°° antes del 31 de marzo de 2015 para hacer un anticipo al pago de su alojamiento en el Hotel sede, lo cual es exigido por éste.

#### **INSCRIPCIONES:**

Para poder realizar su inscripción debe escribir al correo [secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com) manifestando su interés de participar en el Seminario. Debe acompañar en el correo su resumen curricular. Para mayor información escribir al correo mencionado.

## POSIBILIDAD DE BECAS

Se otorgarán becas parciales internacionales por la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social y Universitas Fundación. Los beneficiarios de las becas tendrán asegurado su cupo en el seminario, Igual que los demás participantes deben transferir la cantidad de U\$ 400,°° antes del 31 de marzo de 2015 para hacer un anticipo al pago de su alojamiento en el Hotel sede.

**1. La Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social** otorgará un máximo de seis (6) becas de un mil dólares norteamericanos cada una. Los beneficiarios de las becas deberán pagar el resto del monto de inversión, es decir, los otros U\$ 400. La modalidad de la beca será conforme a los lineamientos de la SIDTSS, a saber, son los siguientes:

- A) Sólo son elegibles los candidatos y candidatas de países distintos del país sede;
- B) Los candidatos deben ser profesionales.
- C) Edad máxima de cuarenta (40) años, se dará preferencia a quienes tengan menos de 35 años;
- D) Quienes ya se han beneficiado de una beca de la SIDTSS no son elegibles.
- E) Los becarios deberán presentar a la Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social, dentro de los 30 días de concluido el Seminario, un informe sobre sus actividades y contenidos.
- F) Ambos sexos son igualmente bienvenidos; se alienta la presentación de candidaturas por parte de candidatas de sexo femenino.
- G) Las solicitudes deben ser presentadas dentro del plazo fijado por la asociación nacional de derecho del Trabajo y de la seguridad Social integrante de la SIDTSS del país de la nacionalidad del postulante y por ante la misma, adjuntándose a las mismas el curriculum vitae del postulante y demás elementos y requisitos que la asociación nacional considerare pertinente exigir. Para averiguar los datos de la asociación nacional de su país integrante de la SIDTSS los aspirantes pueden consultar la página web de ésta ([www.islssl.org](http://www.islssl.org)). Debe enviarse copia de la solicitud a Universitas Fundación a la siguiente dirección electrónica: [secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com)
- H) Con el fin de asegurar la más amplia distribución internacional de sus becas, la SIDTSS acuerda una sola beca por cada país, de modo que si la asociación nacional recibiere más de una candidatura deberá hacer ella misma la selección conforme al procedimiento, basado en consideraciones de mérito y trayectoria, que cada asociación nacional establezca; pudiendo declarar desierta la selección en el caso de que considerare que ninguno de los postulantes reúne las calidades necesarias para ser beneficiario de la beca. La asociación nacional además, seleccionará y presentará una candidatura suplente para ocupar el lugar del titular de su propio país en la hipótesis de que éste desistiera de participar en el seminario. Las asociaciones nacionales deberán comunicar a la SIDTSS en la persona de su presidente y antes del día 15 de febrero de 2015 los nombres y síntesis curricular de los candidatos (titular y suplente) que hubiere elegido. En el caso de que el número de candidatos propuestos por las asociaciones nacionales fuere superior al número total de becas disponibles (6), la SIDTSS procederá a seleccionar entre ellos a los seis beneficiarios, tarea que llevará a cabo por medio de un "subcomité de becas" escogido entre los integrantes del Comité Consultivo Internacional. Las candidaturas suplentes sólo será consideradas en el supuesto de que el número de candidatos propuestos por las asociaciones nacionales no hubiere sido superior al número total de becas disponibles; si lo hubiere sido, las vacantes serán previamente ofrecidas a los candidatos que hubieren sido desestimados en primera instancia por el Subcomité de becas intervinientes.

**2. Universitas Fundación** otorgará hasta un máximo de tres becas (atendiendo a los mismos criterios de requisitos establecidos por la SIDTSS) consistentes en el equivalente al pago de la matrícula del seminario (U\$ 500 dólares). Los beneficiarios de las becas deberán correr con los gastos de transporte, alojamiento, alimentación y bebidas, cuyo monto asciende a novecientos dólares U\$ 900 por los 11 días y 10 noches que deberán ser pagados por el beneficiario de la beca si optan por alojarse en el hotel sede que incluye alimentación y bebidas. Los aspirantes a la beca parcial deben ser profesionales en el área relacionada con el tema del seminario. Se dará preferencia a quienes ejercen la docencia o la judicatura en el área o hayan cursado o estén cursando o hayan cursados estudios de post grado en el área. Los becarios deberán presentar a la Fundación, dentro de los 30 días de concluido el Seminario, un informe sobre sus actividades y contenidos. Las solicitudes de beca deben ser presentadas a Universitas Fundación antes del 28 de febrero del 2015 al siguiente correo electrónico: [secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com). La solicitud debe ser acompañada con un resumen curricular del aspirante, una carta de recomendación de un profesor de Derecho del Trabajo de buen prestigio en su país de origen. Si se tratase de profesor universitario o Juez, será suficiente la certificación que lo acredite como tal.

Por otra parte, se reservarán tres (3) cupos para ex-alumnos de las ediciones anteriores del seminario y éstos contarán con una beca parcial de U\$ 400,°°, debiendo pagar sólo la cantidad de U\$ 1.000,°° cuyo monto incluirá a modo de subvención, la matrícula de inscripción, el hospedaje y la alimentación durante todos los días de la celebración del seminario.

### COORDINADORES ACADÉMICOS:

Oscar HERNÁNDEZ ÁLVAREZ. Profesor de Derecho del Trabajo de la Universidad Centro Occidental Lisandro Alvarado. Presidente de la Academia Iberoamericana de Derecho del Trabajo y de la Seguridad Social. (Venezuela).

Iván MIRABAL RENDÓN Profesor de Derecho del Trabajo de la Universidad Fermín Toro. Director de Universitas Fundación (Venezuela).

### COMITÉ CONSULTIVO INTERNACIONAL:

Carlos AYALA MONTERO (Academia Panameña de DT)/ Juan Manuel CHARRÍA SEGURA (Colegio de Abogados del Trabajo de Colombia)/ Flor ESPINOZA HUACÓN (Sociedad Ecuatoriana de DTySS)/ Cesar Landelino FRANCO LÓPEZ (Asociación Guatemalteca de DTySS Mario López Larrave) / Graciela GONZÁLEZ (Asociación Argentina de DT ySS)/ Patricia KURCZYN VILLALOBOS (Asociación Mexicana de DTySS )/ Héctor A. JAIME MARTÍNEZ (Asociación Venezolana de Profesores de DT)/ Rafael PEREIRA LAGOS (Sociedad Chilena de DTySS)/ Jorge ROSENBAUM RÍMOLO (Asociación Uruguaya de DTySS).

## PROGRAMA

### DEL DERECHO COLECTIVO DEL TRABAJO

#### Lunes 04 de mayo de 2015.

8H.00 - 9H.00. Registro de Participantes y Entrega de Material.

9H.00 Salida a la Universidad de Margarita (UNIMAR).

10H.00 - 10H.30. Acto de Instalación con las Autoridades de la Universidad.

10H.30 - 11H.30. **Tema:**

#### **EL DERECHO COLECTIVO DEL TRABAJO DESDE LA PERSPECTIVA DE LA O.I.T.**

**Humberto VILLASMIL PRIETO** (Venezuela. Funcionario de la OIT en Suiza.)

11H.30 - 12H.30. Panel de Profesores.

13H.15. Almuerzo.

15H.00 - 18H.00 Grupos de Trabajo.

18H.00 -19H00 informe.

21H.00. Cena de Bienvenida.

#### Martes 05 de mayo de 2015.

9H.00. **Tema: LIBERTAD SINDICAL. CONTENIDOS.**

**César CARBALLO MENA** (Venezuela. Jefe del Departamento Social de la Universidad Católica Andrés Bello.)

10H.00. Panel de profesores.

11H.00. Receso.

11H.30/12H.30. Debate.

13H00. Almuerzo.

15H.00-18H.00. Grupos de trabajo.

18H.00 -19H00 informe.

#### Miércoles 06 de mayo de 2015.

9H.00. **Tema: ORGANIZACIONES SINDICALES.**

**Rolando MURGAS TORRAZZA** (Panamá. Profesor de la Universidad de Panamá. Vice-Presidente de la AIDTSS)

10H.00. Panel de profesores.

11H.00. Receso.

11H.30 -12H.30. Debate.

13H.00. Almuerzo.

15H.00-18H.00. Grupos de trabajo.

18H.00 -19H00 informe.

#### Jueves 07 de mayo de 2015.

9H.00. **Tema: LA NEGOCIACIÓN COLECTIVA. UN ENFOQUE COMPARADO.**

**Jorge ROSENBAUM** (Uruguay. Catedrático de Derecho del Trabajo de la Universidad la República. Montevideo. Secretario General de la AIDTSS)

10H.00. Panel de profesores.

11H.00. Receso.

11H.30 - 12H.30. Debate.

13H.00. Almuerzo.

15H.00-18H.00. Grupos de trabajo.

18H.00 -19 H00 informe.

**Viernes 08 de mayo de 2015.**

**9H.00. MESA REDONDA: LA LIBERTAD SINDICAL EN AMÉRICA LATINA.**

Humberto VILLASMIL PRIETO (OIT)

César CARBALLO MENA (Venezuela)

Jorge ROSENBAUM (Uruguay)

Rolando MURGAS TORRAZZA (Panamá)

José Luis UGARTE (Chile)

Coordinador: Oscar HERNÁNDEZ ALVAREZ (Venezuela)

**15H.00 PRESENTACIÓN Y EXPOSICIÓN DE INFORMES MONOGRÁFICOS NACIONALES.**

**Sábado 09 de mayo de 2015.**

**10H.00. PRESENTACIÓN Y EXPOSICIÓN DE INFORMES MONOGRÁFICOS NACIONALES.**

**Domingo 10 de mayo de 2015.**

Libre

**Lunes 11 de mayo de 2015.**

**9H.00. Tema: EL DERECHO A HUELGA Y EL CIERRE PATRONAL.**

José Luis UGARTE (Chile. Profesor de la Universidad de Diego Portales de Chile)

10H.00. Panel de profesores.

11H.00. Receso.

11H.30 - 12H.30. Debate.

13H.00. Almuerzo.

15H.00-18H.00. Grupos de trabajo.

18H.00 -19 H00 informe.

**Martes 12 de mayo de 2015.**

**Tema: DERECHOS COLECTIVOS DE LOS FUNCIONARIOS PÚBLICOS.**

Oscar HERNÁNDEZ ÁLVAREZ (Venezuela. Profesor de la Universidad Centro Occidental Lisandro Alvarado. Presidente de la AIDTSS)

10H.00. Panel de profesores.

11H.00. Receso.

11H.30 - 12H.30. Debate.

13H.00. Almuerzo.

15H.00-18H.00. Grupos de trabajo.

18H.00 -19 H00 informe.

19H:30 a 20:30 Clausura y entrega de certificados.

21H:00 Cena de clausura.

**Modalidad de Pago: sólo inscripción U\$ 500,°° o con hospedaje y alimentación U\$ 1.400,°°:**

Transferencia:

Cuenta en USA. Banco: Chase. Número de Cuenta 000000752733444 Routing number: 071000013. Dirección Banco P.O.BOX 260180 BATON ROUG LA 70826 .0801. Depósitos a nombre de Óscar Hernández Álvarez.

Cuenta en España. Banco Santander: Número de Cuenta: 0049 2604 4720 9507 5482 a nombre de Iván Mirabal Rendón. SWIFT: BSCHESMMXXX. CODIGO IBAN: ES57 0049 2604 4720 9507 5482. Dirección: Toledo, España, Comercio 47-45001. Pasaporte número: 047461352. Si decide transferir a esta cuenta el monto debe ser igual a 1.100 euros.

**INFORMACIÓN:**

Comunicarse con Universitas Fundación por los Teléfonos: (0058) (251) 2320492 / 2320749 / 414-7855710. o a la siguiente dirección electrónica:

[secretaria.universitas@gmail.com](mailto:secretaria.universitas@gmail.com)  
[www.universitasfundacion.com](http://www.universitasfundacion.com)