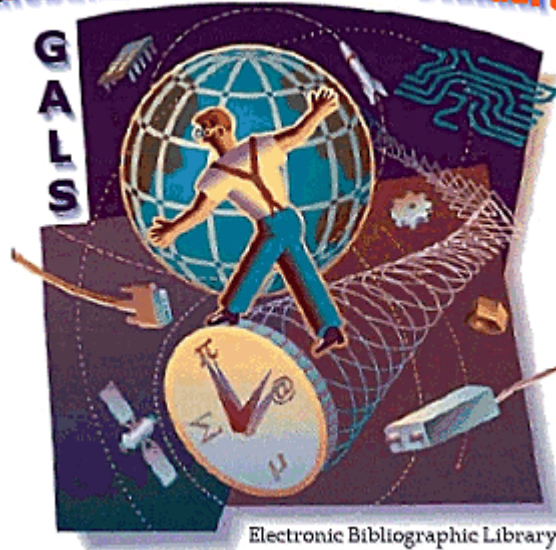


Globalization and Labor Standards



GALS Newsletter

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Country Specific Case Study: Spain

Baviera, Immaculada, “Employment Stability in Spanish Labor Law: Between Regulatory Tradition and Social Reality”, 34 Comparative Labour Law and Policy Journal (Spring 2013) p. 677-696

Abstract:

This article examines Spanish labor law's attempt to reconcile the traditional principle of employment stability with the modern day realities of an increasingly globalized market. The principle of employment stability was further complicated by the financial crisis of 2008, which had an even more devastating impact in Spain because of the large number of Spanish workers with fixed term contracts. The article begins by articulating the historical basis of economic stability as a legal principle. Next, the article analyzes how the various reforms launched by Spanish democratic governments both before and after the financial crisis have been interpreted and implemented by legal institutions, especially how the courts have attempted to balance the line between economic stability and labor market flexibility. The article concludes by noting that, because many of the labor market problems in Spain are structural in nature, the current economic environment dictates that certain trade-offs be made in the core premises of Spanish Labor Law. On one hand, Spain must acquire the economic flexibility of similar economic powers in the global marketplace; on the other, if flexibility in Spanish labor law becomes the central concern, it will be the workers who are forced to deal with the resulting rise in inequality and decrease in social justice.

Subjects: [Flexibilization](#), [Globalization](#), [Country Specific Case Studies](#)

Full-text links: || [WESTLAW](#)

Comparative Labor Law

Bensusan, Graciela, "Legislation and Labor Policy in Latin America: Crisis, Renovation, or Restoration?", 34 Comparative Labour Law and Policy Journal (Spring 2013) p. 655-676

Abstract:

This article examines five Latin American nations -- Argentina, Brazil, Chile, Mexico, and Uruguay – in regard to their diverse responses to globalization, economic crises, and the restoration of traditional labor objectives in new contexts. It argues that Latin American labor law has overcome the crisis it experienced during the dominance of the neoliberal model. After the global economic crisis of 2008-2009, labor law has reverted to its earlier role of promoting inclusive development, reducing poverty and inequality, and helping governments enhance their capacity to respond to financial emergencies. However, the downside of the reemergence of the traditional labor law paradigm is that the level of institutional innovation that it provides is less than what is required to resolve the challenges posed by the old and new labor problems of the region.

Subjects: [Comparative Labor Law](#), [Globalization](#), [Country-Specific Case Studies](#)

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Health and Safety

Harthill, Susan, "Workplace Bullying as an Occupational Safety and Health Matter: A Comparative Analysis", 34 *Hastings International and Comparative Law Review* (Summer 2011) p. 253

Abstract:

This article frames workplace bullying as an occupational health and safety issue. It highlights the ways in which workplace bullying is a major cause of work-related stress and is associated with both physical and psychological pathologies, including in some cases, suicide. The author notes that, unlike other countries like Canada, Australia, and the United Kingdom there are currently no federal or state laws in the U.S. that explicitly address the issue. She provides a comparative analysis of anti-workplace bullying policies abroad in order to draw lessons from them. Ultimately, she argues that workplace bullying is an occupational health and safety issue and thus the laws governing occupational health and safety should reflect this.

Subjects: [Comparative Labor Law](#), [Health and Safety](#)

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Links to Related Projects

The International Labour Organization's (ILO) Informal Economy Resource Database:
<http://www.ilo.org/dyn/infoecon/iebrowse.home>

The Informal Economy Resource Database contains a myriad of ILO activities, research or tools directly or indirectly related to the informal economy and decent work. This source is a "living" and dynamic inventory of information on labour issues relating to the informal economy, such as access to finance, data and statistics, employment, gender equality, policy, rights, social protection and working conditions. It is a valuable tool for anyone undertaking research or working on labour issues and the informal economy.

International Labour Organization's (ILO) Conditions of Work and Employment Laws
<http://www.ilo.org/travdatabase>

The Program maintains a Database of Conditions of Work and Employment Laws, which provides information on laws from around the world. The database covers measures on minimum wages, working hours and holidays, and maternity protection and provides information on around 130 countries from all regions.

Asian Law Center: <http://www.law.unimelb.edu.au/alc/bibliography/browse.asp?s=45>

The Asian Law Centre, an initiative of the University of Melbourne Law School, devoted to the development of understanding of Asian law, offers an extensive bibliography of Asian labor law articles and reports.

Centre for Employment and Labour Relations Law: <http://www.law.unimelb.edu.au/celrl/>

Centre for Employment and Labour Relations Law is a research and teaching center devoted to the development of an understanding of labor law at the University of Melbourne. The Center's website describes the activities of the Center and contains links to several databases that are of interest to labor law scholars and practitioners. For example, the Center's Work Relations Law Project contains extensive information about Australian labor law that can be accessed directly at <http://www.austlii.edu.au/au/special/industrial/>.

ETUI Labourline: <http://www.labourline.org/Etui>

ETUI Labourline is a database of European labor information resources covering European, international and comparative aspects of industrial relations and health and safety issues, developed by the Documentation Centres of the European Trade Union Institute and the European Trade Union Institute for Health and Safety (Brussels). The consolidated bibliographic database contains more than 20,000 references to documents focusing on industrial relations, and more than 15,000 references to documents on health and safety issues.

Globalization Bulletin: <http://www.rci.rutgers.edu/~dbensman/bulletin.html>

The Globalization Bulletin is a weekly e-newsletter providing linked access to the latest articles, research, and web resources on a range of global labor issues—ranging from union organizing and labor markets to immigrations and trade agreements. The Bulletin is produced by the Globalization Task Force of the New Jersey Division of the United Nations Association-USA and the Department of Labor Studies and Employment Relations School of Management and Labor Relations, Rutgers University. To subscribe, email David Bensman at dbensman@smlr.rutgers.edu.

International Social Security and Workers Compensation Journal:

<http://www.business.curtin.edu.au/business/research/journals/international-journal-of-social-security-and-workers-compensation>

The International Social Security and Workers Compensation Journal is an on-line journal that focuses on international scholarship in the areas of social security, workers compensation, and occupational health, and disability support. It is published by the School of Business Law, Curtin Institute of Technology in Perth Australia. The IJSSWC contains inter-disciplinary articles in fields such as law, occupational medicine, health economics, and disability studies.

Labor and Global Change Database: <http://www.ilir.umich.edu/lagn/>

The Labor and Global Change Database provides bibliographies, citation information and (where available) web links to the full text of research exploring connections between labor and globalization. The database aims to provide researchers with an easy means to make the results of their work widely available to other scholars and the interested public. The database is run by and continually updated by the Labor and Global Change Program of the University of Michigan.

LabourWeb: <http://www.lex.unict.it/eurolabor/en/>

The Labour Web is a comprehensive documentation center for information about European labor law, social law, industrial relations and the welfare state. It contains up-to-date versions of European Union law, directives, pending directives, EU news, press releases, economic statistics and decisions of the European Court of Justice. It also contains a Working Papers series and subject matter reports (dossiers) on issues concerning European integration. The site also provides links to other websites that contain working papers, statistical reports, and other information about social, economic and industrial relations affairs in the European context. It is run by the Massimo D'Antona Centre for the Study of European Labour Law, at the Faculty of Law of the University of Catania.

The Marco Biagi Centre for International and Comparative Studies:

<http://www.csmb.unimo.it>

The Marco Biagi Centre for International and Comparative Studies at the University of Modena and Reggio Emilia, Italy, functions as policy resource center on comparative labor issues. Besides publishing books and law journals, the Center provides a clearinghouse of international law journals, including the International Journal of Comparative Labour Law and Industrial Relations (<http://www.csmb.unimo.it/journal.html>). Currently only in Italian, the Center's website will soon offer an English version.

Trade Unions and Labor Relations Database:

http://www.polsoz.fu-berlin.de/polwiss/db_unions

The database, produced by the Center of Labor Relations of the Otto-Suhr-Institute of the Freie University Berlin, contains over 7,000 citations of books, articles, working papers, brochures, proceedings, etc. The bulk of the citations address aspects of labor relations in Germany and the EU, but there is a substantial body of literature in the database covering global labor issues as well.

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