GALS Newsletter

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Regional Labor Frameworks


Abstract:
This article questions the philosophical underpinnings and current manifestation of the “inherited contract model” of labor law as applied in Caribbean countries adhering to the British common law tradition. It begins by presenting a historical perspective on Caribbean labor - particularly the region’s deeply rooted race and social inequities. The author argues that the contract model is inappropriate for an economy dominated by part-time, informal, and “atypical” work. She proposes instead that the region’s labor laws should embrace the need for development and be better aligned with the realities of the contemporary work environment. In particular, she argues that trade issues must no longer be divorced from labor law. Labor law must insert itself into the region’s burgeoning industries: tourism and the offshore financial sector. The author argues that labor regulation need not lead to inefficient markets; rather, labor lawyers might look to alternative development models and integrationist theories.

Subjects: Regional Labor Frameworks, Trade Agreements

Full-text links: || WESTLAW || LEXIS-NEXIS ||

Immigration

Thomas, Chantal, "Convergences and Divergences in International Legal Norms on Migrant Labor", *Comparative Labor Law & Policy Journal* v. 32 no2 (Winter 2011) p. 405-441

Abstract:
This article examines international legal regimes governing migrant labor. Through an investigation of the international regulatory terrain affecting migrant labor, the author posits that, even where disparate treaties converge doctrinally, they may diverge normatively. Section I examines convergence and divergence around specific norms and principles through a discussion of rules affecting migrant workers from different realms of international law - human rights, trade, labor, and criminal law. The author applies this discussion to four hypothetical instances of inter-treaty conflict on migrant workers’ rights. Section II elucidates the concern that specialized law-making and institution-building results in conflicts between rule-systems, deviating institutional practices, and a possible loss of overall perspective on the law. For example, with regard to international treaties dealing with crime, the author explains that while there is no necessary doctrinal conflict between such treaties and their counterparts in human rights insofar as migrant workers are concerned, such treaties may represent a normative divergence because they may reinforce an association of migration with dangerous and threatening criminal activity. In conclusion, the author highlights various commentators’ responses to the plural legalities of
international migration, and cautions that the fragmentation of international law - manifested in the emergence of different rule systems within human rights, labor, trade, and crime regimes - may have dangerous results for migrant workers.

Subjects: Comparative Labor Law, Immigration, Undocumented Workers  Full-text links: || WESTLAW || LEXIS-EXIS ||

International Framework Agreements


Abstract:
Unions are developing a strategy to bring to bear on the transnational regulation gap with regard to labor relations. One important tool they have devised for this task is the International Framework Agreement (IFA). However, IFA policy is highly corporate-oriented and may differ considerably from one Global Union Federation (GUF) to another and actual implementation has progressed slowly or not at all. A number of lessons can already be drawn from this.

Subjects: International Framework Agreements, Labor Rights in General (Misc.)  Full-text links: || WWW ||

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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.


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.

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 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.


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:

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/](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](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](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.polwiss.fu-berlin.de/tu/english/](http://www.polwiss.fu-berlin.de/tu/english/)
The database, produced by the Institute of Labor Relations of the Otto-Suhr-Institute of the Freie University of Berlin, contains almost 7,000 citations of books, articles, working papers, brochures, proceedings etc. The bulk of the citations address aspects of labor relations in Germany, but there is a substantial body of literature in the database covering the EU and Eastern Europe.

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