
Labour Law

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An Outline

KASSANDRA BROCK

International Labour Law Cambridge University Press

Labour law is widely considered to be in crisis by scholars of the field. This crisis has an obvious external dimension - labour law is attacked for impeding efficiency, flexibility, and development; vilified for reducing employment and for favouring already well placed employees over less fortunate ones; and discredited for failing to cover the most vulnerable workers and workers in the "informal sector". These are just some of the external challenges to labour law. There is also an internal challenge, as labour lawyers themselves increasingly question whether their discipline is conceptually coherent, relevant to the new empirical realities of the world of work, and normatively salient in the world as we now know it. This book responds to such fundamental challenges by asking the most fundamental questions: What is labour law for? How can it be justified? And what are the normative premises on which reforms should be based? There has been growing interest in such questions in recent years. In this volume the contributors seek to take this body of scholarship seriously and also to move it forward. Its aim is to provide, if not answers which satisfy everyone, intellectually nourishing food for thought for those interested in understanding, explaining and interpreting labour laws - whether they are scholars, practitioners, judges, policy-makers, or workers and employers.

EU Labour Law Routledge

Labour law has traditionally aimed to protect the employee under a hierarchy built on constitutional provisions, statutory law, collective agreements at various levels, and the employment contract, in that order. However, in employment regulation in recent years, 'flexibility' has come to dominate the world of work - a set of policies that reshuffle the relationship among the fundamental pillars of labour law and inevitably lead to degrading the protection of employees. This book, the first-ever to consider the sources of labour law from a comparative perspective, details the ways in which the traditional hierarchy of sources has been altered, presenting an international view on major cross-cutting issues followed by fifteen country reports. The authors' analysis of the changing hierarchy of labour law sources in the light of recent trends includes such elements as the following: the constitutional dimension of labour rights; the normative intervention by the State; the regulatory function of collective bargaining and agreements; the hierarchical organization of labour law sources and the 'principle of favour'; the role played by case law in both common law and civil law countries; the impact of the European Economic Governance; decentralization of collective bargaining; employment conditions as key components of global competitive strategies; statutory schemes that allow employees to sign away their rights. National reports - Australia, Brazil, China, Denmark, France, Germany, Hungary, Italy, Poland, Russia, Spain, Sweden, South Africa, the United Kingdom and the United States - describe the structure of labour law regulations in each legal system with emphasis on the current state of affairs. The authors, all distinguished labour law scholars in their countries, thus collectively provide a thorough and comprehensive commentary on labour law

regulation and recent tendencies in national labour laws in various corners of the globe. With its definitive analysis of such crucial matters as the decentralization of collective bargaining and how individual employment contracts can deviate from collective agreements and statutory law, and its comparison of representative national labour law systems, this highly informative book will prove of inestimable value to all professionals concerned with employment relations, labour disputes, or labour market policy, especially in the context of multinational workforces.

Beyond Employment OUP Oxford

This book focuses on maritime employment from a private international law perspective. The first chapter analyzes the background against which international jurisdiction and conflict of laws rules are drawn up and examines uniform law in this context, in particular the 2006 Maritime Labour Convention and the 2007 ILO Convention No. 188 on Work in Fishing. The second chapter addresses international jurisdiction issues as regards individual employment contracts, while also exploring other issues (e.g. insolvency-related and social security matters) that are subsequently revisited in the third chapter while discussing conflict of laws issues related to said contracts. In turn, chapter four focuses on collective labour relations and private international law, i.e. collective agreements, strikes and other forms of collective action and information, and on the participation rights of employees in business matters.

The Labour Constitution Red Globe Press

Whether you are a supervisor, a business owner, or an HR professional, it is essential that you understand the laws and rules governing how one treats employees and interacts with unions. In a comprehensive and accessible format, Labor Law: A Basic Guide to the National Labor Relations Act provides a practice-oriented foundation on labor law. The book sheds light on one of America's most important laws and one which is also, perhaps, the most misunderstood. This book presents an overview of labor and employment laws such that managers may understand their rights as employers as well and their employees' rights. It covers an introduction to the topic of labor and employment law as well as a brief history within the United States. Other chapters deal with unions and union relations, collective bargaining agreements, grievances, labor arbitration, unfair labor practice proceedings, and strikes and lockouts. The author does not focus on complex regulations and convoluted case law, but distills them to reveal the essence of the NLRA and how it works. As important as it is, at times labor law can seem counter-intuitive. Written by a highly experienced labor lawyer, this book contains concise explanations in an easy-to-use format. Clearly delineating a process that can be fraught with traps for the unwary, it supplies a quick reference that can be used in a crisis situation to understand the parameters of what you can and cannot do.

Challenges posed by the digitalisation of labour processes Springer Nature

Derived from the renowned multi-volume 'International Encyclopaedia of Laws', this monograph on labour law in Japan 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 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 Japan, and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations.

Employment and Labor Law Oxford University Press

This book is the English edition of what has become widely known as 'The Supiot Report' - a bold and far-reaching look at the changing nature of work initiated by the EC. It takes as its starting point the profound changes that have taken place in the underlying employment relationship and associated human resource practices over the past twenty years. These developments are placed in their economic, social, institutional, and legal contexts. Competitive pressures on firms, the search for greater efficiency and effectiveness in the delivery of public services, the changing role of women in society, and the desire for greater choice on the part of individuals are all important motives for change. The legal framework and the structures and organizations which represent the interests of workers and employers must respond to these changes. Drawing on illustrations from a number of European countries, the book suggests that the legal framework should encourage greater collaboration in the workplace, particularly over issues such as training. But it should also place work within its social context and facilitate genuine choices by individuals.

Labour Law in an Era of Globalization Springer

These essays are the product of a comparative dialogue among academics and practitioners in labour law and legal fields including immigration, trade, and development. They identify analyse and respond to conceptual and policy challenges.

Game Changers in Labour Law Kluwer Law International B.V.

This volume examines different approaches to the study of labour law, comparing traditional with more market-focussed approaches. It argues that the idea of the labour constitution continues to offer a useful framework for scholarly analysis, emphasising the critical nature of the link between democracy and the protection of workers' interests.

A Purposive Approach to Labour Law Philosophical Foundations of L

Written by prominent UK labour lawyers, this textbook is comprehensive and engaging, with detailed commentary and integrated materials.

The Idea of Labour Law Oxford University Press, USA

Derived from the renowned multi-volume International Encyclopaedia of Laws, this monograph on Chile 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 Chile, and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations.

Current Challenges U.S. Government Printing Office

Readers who are majoring in business or another non-legal professions will find EMPLOYMENT AND LABOR LAW, 9E offers the ideal comprehensive introduction to employment and labor relations. This book uses excerpts from real law cases to illustrate how labor-related disputes arise and are resolved in the courts. Eye-opening features, such as The Working Law and Ethical Dilemmas, demonstrate how labor legislation and ethical decision-making impact employees at all levels -- from hourly workers to owners. Readers review the most up-to-date information on the NLRB and EEOC, the Fair Labor Standards Act, President Obama's executive orders regarding undocumented immigrants and LGBT rights, Obamacare, the Defense of Marriage Act, and other employee-benefits developments. This edition also addresses relevant issues, such as FLSA and NLRB rights for unpaid interns, teaching assistants, and student-athletes. No other book combines such balanced coverage with a reader-friendly approach. Important Notice: Media content referenced within the product description or the product text may not be available in the ebook version.

Labour Law The Sources of Labour Law

This publication gives an overview of all key aspects of German labour and employment law as well as adjoining fields. Legal professionals with expert knowledge and many years of experience explain the legal basis of these aspects of German law, point out typical practical problems and suggest solutions to those problems. In addition, examples are given on how to best manage legal pitfalls to minimize risks. This book translates employment and labour law for foreign in-house counsels and human resources managers at international companies and provides a clear understanding of the complex legal regulations in Germany. All three editors of the book, Dr. Jens Kirchner, Pascal R. Kremp and Michael Magotsch, are key legal professionals working at the Frankfurt office of DLA Piper, one of the largest legal services providers in the world (www.dlapiper.com), with national and multinational clients. Their experience includes the management of cross-border restructurings, outsourcing and transfer of undertaking measures, as well as the management of national and multi-jurisdictional merger and acquisitions projects, including post-merger integration processes.

A Global Perspective Springer

Studies in Employment and Social Policy Volume 56 Digitalization, far from being solely a technological issue, has broad implications in the social, labour, and economic spheres. It leads to dangers as well as to new chances for the workforce, and thus labour law must develop effective ways to both protect workers and allow them to profit from new technological developments. The most thorough book of its kind, this collection of expert essays provides an abundance of well-thought-out material for understanding the consequences of digitalization for the labour market and

industrial relations. Recognizing that only an international perspective can make it possible to face the challenges of the present (and the future), renowned authorities from the International Labour Organization and the International Society for Labour and Social Security Law, as well as outstanding labour law professors, examine in depth such salient issues as the following: transformation of production systems; the spread of artificial intelligence; precariousness and exploitation in the gig economy; lessons learned from COVID-19; employment status of platform workers; new cross-border issues; rights to trade union association and collective bargaining; role of the State in the new digital labour market; and blurred lines between work and private life. Thanks to the international team of contributors, the issues are dealt with from a variety of overlapping perspectives and points of view, combining aspects of labour law, commercial law, corporate governance, and international law. Highlighting the need to adapt, especially through the right to training, work, and professionalism with respect to the new technological landscape, the book draws on legislative, judicial, and theoretical initiatives suggesting ways of responding positively to the requests for protection that arise in the new forms of production. A uniquely valuable tool for study and reflection for policymakers and academics, the book is also sure to be valued by entrepreneurs, managers, consultants, corporate lawyers, judges, human rights experts, and trade unionists who are interested in the issues of labour, industrial relations, and social rights in European and international contexts.

Transformative Practices and Possibilities CRC Press

Labour law is widely considered to be in crisis by scholars of the field. This crisis has an obvious external dimension - labour law is attacked for impeding efficiency, flexibility, and development; vilified for reducing employment and for favouring already well placed employees over less fortunate ones; and discredited for failing to cover the most vulnerable workers and workers in the "informal sector". These are just some of the external challenges to labour law. There is also an internal challenge, as labour lawyers themselves increasingly question whether their discipline is conceptually coherent, relevant to the new empirical realities of the world of work, and normatively salient in the world as we now know it. This book responds to such fundamental challenges by asking the most fundamental questions: What is labour law for? How can it be justified? And what are the normative premises on which reforms should be based? There has been growing interest in such questions in recent years. In this volume the contributors seek to take this body of scholarship seriously and also to move it forward. Its aim is to provide, if not answers which satisfy everyone, intellectually nourishing food for thought for those interested in understanding, explaining and interpreting labour laws - whether they are scholars, practitioners, judges, policy-makers, or workers and employers.

Collective Bargaining in Labour Law Regimes Vikas Publishing House

This international book analyses the impact of digitisation in labour markets, on labour relationships and also on labour processes. The rapid progress of modern disruptive technologies and AIs and their multiple applications to each phase of the labour production system, are changing the production rules on a global scale with significant impacts in every aspect of work. As new technologies transform work patterns and change the type of jobs available - destroying some while

creating others - and even the nature of the tasks performed, numerous legal problems arise which are challenging to legislators and legal scholars who need to find appropriate solutions to them. Considering the labour law issues which have been created by technological developments and currently affect the work of millions worldwide, this book highlights the full scope of these issues, suggesting solutions to emerging problems and ways to mitigate the risks brought about through technological advancement. Approaching the present debate with perspectives on legal problems with expertise from a wide range of different countries, this book presents informed and scholarly studies which answer the challenges that new technologies present in labour markets, private lives and labour processes.

Philosophical Foundations of Labour Law Kluwer Law International B.V.

Lawyers who apply EU labour law will find here a matchless aid to practice e an article-by-article commentary on each specific piece of EU legislation relevant to arguing labour law cases. In an utterly practical and straightforward format, the book presents all information necessary to quickly find the best and most complete answer to any question in EU labour law, no matter how arcane or controversial."

The Idea of Labour Law Kluwer Law International B.V.

The first book to explore the philosophical foundations of labour law in detail, including topics such as the meaning of work, the relationship between employee and employer, and the demands of justice in the workplace.

International Maritime Labour Law Kluwer Law International B.V.

This timely volume provides a selection of seminal articles that analyze and debate current key topics in the field of international labour law. In particular, the collection focuses on the central role of the International Labour Organization (ILO) in th

Labour Law in Canada Kluwer Law International B.V.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this monograph on France 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 France, and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations.

The Enduring Idea of Labour Law Oxford University Press

Dignity, Alvin L. Goldman

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