
Index

- Abbe, Ernst 333
Abella, Rosalie 249
Action Travail des Femmes (SCC) 249
Adenauer, Konrad 352
adverse impact discrimination, defined 230, 237, 241
AFL-CIO
 Employee Free Choice Act proposals 315
Africa
 Personnel Delegates 334
 see also individual countries
African National Congress (ANC) 442, 445, 451–452
Air Canada 320
American Law Institute (ALI)
 Restatement (Second) of Torts 165
 Restatement of Employment Law 14, 197–198, 202, 203
 on restrictive covenants 204–205, 206, 213
Amsterdam Treaty (1997) 223, 228, 385, 389, 395
Anderson, Gordon 293–294
Anglo-American vs. European labor
 regulation, overview 69–73
 hours/vacations/leave 71–72
 wages 70–71
 working hours in EU 72–73
 workplace health and safety regulation in US 74–77
anthropological function of law (Supiot) 153
anti-discrimination laws 25, 44–45
 see also workplace discrimination and social inclusion
apprentice representation 346–347
ARBED (company) 357
Arcelor (company) 357
Arcelor Mittal 357
Argentina
 collective bargaining 33
 job loss and employment protection laws 281
 as nonenforcer of restrictive covenants 199
Arthurs, Harry 82
Arup, Christopher 214–215
association, freedom of *see* freedom of association
Association of Mining and Construction Union (AMCU) 451
Australia
 collective bargaining 32, 33, 34, 316, 317
 constitutional provisions and labor law 24–25, 27
 duty of mutual trust 41
 Fair Work Act 278, 317, 320
 Fair Work Commission 34
 Fair Work Ombudsman 34
 as federal government 30–31
 freedom of association 308
 High Court of Australia 41
 Human Rights Act 44
 job loss and employment protection laws 274, 276, 277, 278, 280, 284, 293–294
 ratifies ILO Convention 158 275
 statutory labor law 35
 Victorian Charter of Human Rights and Responsibilities Act 45
 Work Choices reforms 278, 290–291
Austria
 Austrian Work Constitution Act 180
 data privacy 174
 job loss and employment protection laws 280, 281, 282, 284
 Labor Constitution Act 338
 labor courts 372
 Supreme Court 193
 Work Constitution Act 193
 Worker Chambers 374
 works councils 335, 338
autonomy, defined 155
Azerbaijan
 job loss and employment protection laws 284
Baird, Douglas 142
Bangladesh
 constitutional provisions and labor law 24, 26
Barnard, Catherine 229, 259
Batt, Francis 134–135
Bebel, August 333
Belgium
 collective bargaining 311

- committee for prevention and protection at work 346
- constitutional provisions and labor law 26
- job loss and employment protection laws 281
- joint committees 342–343
- labor courts 372
- legislative process, employee voice in 373
- restrictive covenants 210
- Benjamin, Paul 120–121
- Bilka-Kaufhaus GmbH v. Weber von Hartz* (ECJ) 231, 251
- biometric identification, country comparisons 191–193
- Blanpain, R. 380
- Blum, Léon 339
- board level employee representation
 - in EU Member States 366–368
 - in France 358
 - in Germany 351–355, 366–367
 - in Luxembourg 357
 - in Netherlands 355–357
 - in United Kingdom 358–359
 - in United States 358, 359
- bona fide occupational requirement (BFOR) 234–235
- Botero, Juan 65–68, 292–293
- Brassey, Martin 120
- Brazil 467–473
 - acquired rights principle 38–39
 - Associação Nacional dos Magistrados do Trabalho* (ANAMATRA) 472
 - collective bargaining 33
 - economic outlook 472–473
 - Federal Act 469, 470–471
 - flexibility 469–471
 - Fundo de Garantia de Tempo de Serviço* (FGTS) 469–470, 472
 - job loss and employment protection laws 281, 284
 - Labor Act 35, 467–472
 - labor courts 372
 - labor law reforms 471–472
 - role of contracts 40
 - statutory labor law 35
 - Tribunal Superior do Trabalho* (TST) 470–471, 472
- breach of contract 45–46
- BRICS and economic performance 440–473
 - overview 5–6, 8–9, 16, 440–441
- Brazil 467–473
 - flexibility 469–471
 - legislative reforms 471–472
 - outlook for 472–473
- China 459–466
 - agency work 464–466
 - labour market regulation 459–462
 - outlook for 466
 - precarious work 462–464
- India 453–459
 - contractualisation 456–457
 - formalising the informal economy 457–459
 - informal economy 454–459
 - outlook for 459
- South Africa 442–453
 - extension of sectoral agreements 448–449
 - labour legislation 445–446, 447–448
 - labour market 443–445, 446–447
 - outlook for 452–453
 - trade unions 450–452
 - summary conclusion 473
- British Airways 320
- British Columbia (Public Service Employee Relations Commission) v. BCGSEU* (SCC) 242–243
- British Post Office 359
- British Steel Corporation 359
- Brown v. Board of Education* (USSC) 247
- Brudney, James 265–266
- Business Unity South Africa (BUSA) 447–448
- Cambodia
 - ILO technical assistance 272
- Cameron, David 278–279
- Canada
 - Bill of Rights 28
 - Charter of Rights and Freedoms 250, 320–321
 - collective bargaining 33, 34, 128, 315–316
 - constitutional provisions and labor law 28–29, 30, 308
 - dependent contractor status 127–128
 - Employment Equity Act 262, 266
 - employment relationship test 118
 - as federal government 30
 - freedom of association 305–306, 308
 - human rights codes 224–225
 - Office of Federal Contract Compliance Programs 262–263
 - Ontario Court of Appeal 140
 - Ontario Human Rights Code 249
 - provincial worker health and safety laws 264
 - related employer doctrine 140

- right to strike 319
- social inclusion laws 221, 255–256, 262–266
- Supreme Court of Canada (SCC) 28–29, 140, 231, 241–242, 244, 249, 250, 305–306, 308, 320
- workplace anti-discrimination laws 220–223, 226–231, 233–235, 237, 241–246, 248–250, 266–267
- Canadian Nat'l Ry. v. Canada (Human Rights Comm'n)* (SCC) 249
- Career Builder 183
- career passports 424
- Carl-Zeiss-Jena (company) 333
- Casper, Steven 218
- Central and Eastern Europe, transitions in 403–439
 - overview 8, 10, 17, 403–404
 - collective agreements
 - in Hungary 413
 - in Poland 413
 - in Russia 414
 - collective employee representation 429–431
 - equal treatment in employment
 - in Hungary 417–419
 - in Poland 419
 - in Russia 417, 419
 - freedom of employment contract 415–417
 - internal regulations
 - in Hungary 414
 - in Poland 414
 - in Russia 414–415
 - modification of employment contract 422–423
 - origins of transition 404–407
 - right to conclude collective agreements 433–437
 - right to strike 437–438
 - sources of labor law 408–415
 - in Hungary 411–412, 413, 414
 - in Poland 409–410, 412
 - in Russia 410–411, 412, 414
 - summary conclusion 439
 - termination of employment contract 423–429
 - in Hungary 424, 425–427
 - in Poland 424–425, 427–429
 - in Russia 424, 425
 - trade unions 404–406, 431–433
 - Tripartite Socio-Economic Commissions 436
 - working conditions regulation 419–422
- Chambers of Commerce and Industry 374
- Charter of Fundamental Rights of the European Union (2000) 172, 181, 229–230, 256, 302, 319, 325–326, 387, 394, 395–396, 402
- Chile
 - job loss and employment protection laws 276, 277
 - as nonenforcer of restrictive covenants 199
- China 459–466
 - agency work 464–466
 - economic outlook 466
 - Employment Contract Act 280
 - Five Year Plan (2011–2015) 460–461
 - job loss and employment protection laws 281
 - Labour Contract Law 461, 463–466
 - Labour Disputes Mediation and Arbitration Law 461, 466
 - labour market regulation 459–462
 - as low enforcer of restrictive covenants 199, 212
 - precarious work 462–464
 - Social Security Law 461
 - state-owned enterprises 460
 - trade unions 460
- citizenship theory 286–287
- civil society organizations, employee voice in 375–376
- Clackamas Gastroenterology Associates, PC v. Wells* (USSC) 226
- class actions 45
- Coase, Ronald 134–135, 142
- codes of conduct 369
- co-determination rights *see* works councils
- collective bargaining
 - administration and enforcement 33–34
 - constitutional provisions and labor law 26, 28–29
 - ILO Conventions 301–302, 304, 323–324, 325, 449
 - legal frameworks of 32
 - legislative provisions for 31–34
 - level of bargaining 33
 - subcontracting and 143
 - see also* freedom of association; *individual countries*
- Collins, Harry M. 215
- Collins, Hugh 122, 286, 288–289
- Commission vs. Luxembourg* (CJEU) 393
- company decision-making, employee involvement 350–363
 - employee representation on company boards 351–358

- voluntary board-level participation 358–359
- worker ownership of company 359–363
- comparative labor law, introduction 1–17
 - convergence-divergence debate 13–15
 - effects of globalization 15–17
 - history of 1–3
 - legal origins 11–13
 - methodology 6–11
 - value of comparative study 3–6
- Congress of South African Trade Unions (COSATU) 449, 451–452
- conspiracy to injure 46
- constitutions *see* national constitutions, as sources of labor law
- Contemporary Political Philosophy* (Kymlicka) 287
- Continental European legal systems, on definition of employer 135
- contract enforcement 41
- contractor vs. employee status 36–41
- Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) 59–60
- corporate laws, influence on labor law 43
- corporate social responsibility (CSR) 90–91, 369
- Council of Europe 304, 409
 - European Committee of Social Rights 392
 - European Financial Stabilisation Mechanism (EFSM) 399
 - European Financial Stability Facility (EFSF) 399
 - human rights laws 303
 - Social Rights Committee 307, 324
 - sources of labor law 59
 - trade union weakness 309
 - see also* European Court of Human Rights (ECtHR); European Social Charter (ESC)
- Council of the European Union 56, 223
- Court of Justice of the European Union (CJEU) 123, 380–383, 392–393, 399–400
 - see also* European Court of Justice (ECJ)
- court systems *see* employees, and cross-national analysis of legal systems; *individual countries and courts*
- criminal law, influence on labor law 42–43
- Cyprus
 - ILO technical assistance 272
- Danone (company) 370
- data collection *see* employee autonomy and privacy
- De Gaulle, Charles 341–342, 358, 361
- De Vos, Pierre 449
- Deakin, Simon 293–295
- decentralisation and economic pressures 321–324
- Declaration on Fundamental Principles and Rights at Work (ILO) 42, 48–49, 88, 369
- Dekker v. Stichting Vormingscentrum voor Jong Volwassenen (VJVCentrum) Plus* (ECJ) 236–237
- Delors, Jacques 383, 385
- Demir and Baycara v. Turkey* (ECtHR) 304, 324–326
- Demming, Edward 2
- Denmark
 - job loss and employment protection laws 280, 281, 282, 283
- de-unionisation *see* freedom of association
- development as freedom (Sen) 96
- dignity of employee *see* employee autonomy and privacy
- direct discrimination, defined 231
- discrimination law *see* workplace discrimination and social inclusion
- disparate impact discrimination, defined 230–231
 - see also* workplace discrimination and social inclusion
- disparate treatment, defined 230
- double movement thesis (Polanyi) 299, 328–329
- Downtown Eatery (1993) Ltd. v. Ontario* (Ontario Court of Appeal) (Canada) 140
- Eastern Europe *see* Central and Eastern Europe, transitions in; *individual countries*
- EC Treaty 225–226, 229, 232, 385
- economic dismissals 279–285
 - see also* job loss and employment protection
- EEC Treaty *see* Treaty Establishing the European Economic Community (EEC Treaty)
- employee autonomy and privacy 153–194
 - overview 5, 9, 10–11, 15, 153–154
 - autonomy, country comparisons 155–164
 - biometric identification, country comparisons 154–155, 191–193
 - difference and convergence 194
 - dignity, country comparisons 177–182

- geolocation technology, country
 - comparisons 154–155, 188–191
- in Germany 157–162, 165–174, 178–181, 185–186, 189–190, 192–193
- in Japan 162–164, 174–177, 181–182, 186–188, 190–191, 193
- privacy, country comparisons 164–177
- social media, country comparisons 154–155, 182–188
- in United States 156–157, 164–165, 177–178, 182–185, 188–189, 191–192
- employee mobility and competition 195–219
 - overview 6, 10, 14–15, 195–199
 - common law jurisdiction and 203–206
 - economic growth values 196–197
 - EU countries 199, 206–211
 - high enforcer regulation model 212–213
 - information theory 214–215
 - literature review 213–218
 - low enforcer regulation model 203–212
 - nonenforcer regulation model 200–203
 - summary conclusion 218–219
- employee shareholder programs 360–362
- Employee Stock Ownership Plans (ESOP) 359
- employee voice *see* non-union institutions and employee voice
- employees, and cross-national analysis of legal systems 115–130
 - overview 4–5, 8, 14, 17, 115–116
 - courts-legislature dialogue 125–127
 - between diversity and convergence 116–121
 - employer misclassification and court purposive approach 121–124
 - intermediate groups and 127–129
 - summary conclusion 129–130
 - see also individual countries*
- employer access to employee social media 182–188
- employer-driven employee representation 348–349
- employers, single vs. plural 132–152
 - overview 6, 15, 16–17, 132–133
 - comparison of models 141–150
 - flexicurity perspective and 150–152
 - groups of companies 145–150
 - plural employer model 138–141
 - single employer model 133–138
 - subcontracting 142–145
- Employing Workers Indicator (World Bank) 90
- employment relationship 36–41
 - contract enforcement 41
 - contractor vs. employee 37
 - ILO, 14-factor test 118–119
 - implied duty of faith 40–41
 - implied duty of mutual trust and confidence 40–41
 - role of contracts 37–39
 - shifts in standard relationship 39–40
 - see also individual countries*
- ENI (company) 370
- Epstein, Richard 289
- Equator Principles 96–97
- Eugen Schmidberger* decision (CJEU) 392
- Eurocom 183
- European Central Bank (ECB) 89, 311, 321, 322–323, 327, 397
- European Commission 56
 - anti-discrimination laws 223, 229
 - Committee on Safety, Hygiene and Health Protection at Work 76, 77
 - Company Law Directive proposal 366
 - European Employment Strategy (EES) 89–90, 390
 - flexicurity perspective and 144, 271
 - freedom of association 326, 327
 - gender equality work program 261
 - Green Paper on European Social Policy – Options for the Future 387
 - Green Paper on Modernising Labour Law 379
 - Maastricht Protocol on Social Policy 387, 388–389
 - Modernising Labour Law to Meet the Challenges of the 21st Century’ 271
 - Open Method of Co-ordination 89–90
 - on restrictive covenants 206–207
 - Single European Act 383–384
 - sovereign debt crisis impacts 322–323
 - subcontracting 144
 - White Paper on European Social Policy 387, 388
 - White Paper on Growth, Competitiveness, and Employment 387–388
 - working hours regulation 72–73
 - works councils 366
- European Committee of Social Rights 60, 392, 425
- European Community 76, 223, 225, 269
 - see also European Union (EU)*
- European Constitutional Charters 209, 211
 - see also individual countries*
- European Convention on Human Rights (ECHR) 174, 181, 302, 303–304, 306, 324–325, 396

- European Court of Human Rights (ECtHR)
 - 60, 161, 299, 300, 302, 303–307, 318, 324–326
- European Court of Justice (ECJ)
 - on disability 259
 - on EU labor law 55
 - on gender equality principle 57–58, 225–226
 - on indirect discrimination 231–232
 - on multi-employerism 149
 - on positive/affirmative action 232–233
 - protected workplace sex-differences 221
 - on restrictive covenants 207–208
 - on right to privacy 172–173, 193
 - right to strike 318, 319–320
 - on workplace discrimination 236–237, 251–253
 - see also individual cases*
- European Parliament 56, 384–385, 401
 - European Services Directive 390–391, 393
- European Social Charter (ESC) 59, 60, 302, 307, 425
- European Social Model 379–402
 - overview 9, 16, 379–380
 - economic governance 396–401
 - EU labor law and, appraisal of 401–402
 - free movement of workers 381–383
 - Lisbon Treaty, impact of 394–396
 - market making vs. social progress 390–393
 - social integration and EES 387–390
 - social policy and economics 383–386
 - undermining of 327
- European Union (EU) 298, 303
 - Community Charter 385
 - comparative studies of 101, 102
 - data protection 172–173, 193
 - Directive on Part Time Work 257
 - dismissal standards 280, 281, 283
 - Economic and Social Committee 373–374
 - employee voice in transnational companies 364–371
 - Equal Treatment Directive 57–58
 - Euro Plus Pact (EPP) 322, 398–399
 - European Company Statute 367–368
 - European Posting Directive 392–393
 - European Social Charter (ESC) 59, 60, 302, 307, 391, 425
 - European Works Councils (EWC) 312–313, 364–368
 - Fiscal Compact 397
 - Fixed-term Workers Directive 326
 - Framework Employment Directive 57, 76–77, 228, 230
 - health and safety committees 346
 - Information and Consultation Directive 312
 - low enforcer regulation model 199
 - Parental Leave Directive 326
 - Part-time Workers Directive 326
 - Posted Workers' Directive 310–311, 327
 - prohibition of discrimination 57–58
 - prohibition of gender discrimination 57–58, 126
 - Race Equality Directive 57
 - Recast European Works Council Directive 312–314
 - restrictive covenants 206–211
 - Revised Equal Treatment Directive 260–261
 - Social Action Programme (SAP) 380
 - social inclusion laws 221, 256–257, 259–260, 266
 - sources of labor law 55–57
 - Special Negotiating Body (SNB) and works councils 364–368
 - Stability and Growth Pact 398
 - subcontracting 144
 - subsidiarity and proportionality 56–57
 - transnational companies and 364–371
 - Working Time Directive 58–59, 72–73, 327, 411–412, 420
 - workplace anti-discrimination laws 220–222, 223–237, 250–252, 266–267
 - see also Anglo-American vs. European labor regulation, overview; European Social Model*
- European Works Council (EWC) 312–313, 364–368
- Eurozone crisis 321–323, 396–398
- Federation of Independent Trade Unions of Russia (FNPR) 431
- Finland
 - data privacy 174
 - General Agreement on Protection against Dismissal 273
 - job loss and employment protection laws 274, 281
 - restrictive covenants 209
- Fisk, Catherine 216
- Fleming, Lee 217
- flexible employee (Collins) 288–289
- flexicurity perspective 144, 150–152, 271–272, 279
- Fordist vertical firms *see* employers, single vs. plural
- France
 - board level employee representation 358

- Commercial Code 358
- company committees 332, 335, 341–342, 363
- company union section 344–345
- constitutional provisions and labor law 26
- courts on employer misclassification of employees 122
- employee shareholder programs 361–362
- EU Working Time Directive 59
- Grenelle Agreement 344
- groups of companies 146–147, 148–149
- hygiene, safety and working conditions committees 346
- interfirm network agreements 151–152
- intermediate groups 129
- job loss and employment protection laws 274, 278, 280, 281, 282–283, 293–294
- Labor Code 127, 136, 145
- labor courts 372
- legislative process, employee voice in 373
- ratifies ILO Convention 158 275
- restrictive covenants 208, 210, 211
- subcontracting 145
- worker cooperatives 360
- workplace health and safety regulation 77
- works councils 335, 339–340
- Free Market Foundation (FMF) 445, 448
- Freedland, Mark 37–38
- freedom of association 296–329
 - overview 4, 14, 17, 296–299
 - collective bargaining and strikes 301–302
 - constitutional protection 26, 303–306
 - economic pressures towards decentralisation 321–324
 - EU Charter of Rights 325–326
 - international human rights law and 302–303
 - proportionality requirement 319–321
 - regulatory bargaining and workplace representation 311–313
 - regulatory bargaining models 309–311
 - representational bargaining models 313–317
 - right of limited association 308–309
 - right of non-association 307–308
 - right to organise and 306–309
 - right to strike and 318–321
 - sovereign debt crisis impacts 321–323
 - summary conclusion 327–329
 - TFEU and 326–327
 - trade unions 296, 300–301
 - Troika vs. ILO 323–324
- Freese, Heinrich 333
- Fudge, Judy 286–287
- Fukuyama, Francis 96
- Gahan, Peter 294–295
- Garmaise, Mark 216–217, 218
- Gebhardt, Evelyne 390–391
- geolocation technology, country comparisons 188–191
- Gerardo Ruiz Zambrano v. Office national de l'emploi* (CJEU) 382–383
- German Federation of Unions 336
- Germany
 - Act on Board-level Representation by one Third 353–354
 - Act on Co-Determination by Employees on the Supervisory Boards of Undertakings of the Mining, the Iron and Steel Manufacturing Industries 352
 - Basic Law 157, 160, 166–167, 178–181
 - board level employee representation 351–355, 366–367
 - Civil Code 160
 - collective bargaining 311–312, 313
 - constitutional provisions and labor law 23, 26
 - data privacy 174
 - employee autonomy 157–162
 - employee definition in social security context 126
 - employee dignity 178–181
 - employee right of personality 165–174
 - employee-like status 127–128
 - employees with disabilities representatives 347
 - employer access to employee social media 185–186
 - employer use of biometric identification 192–193
 - employer use of geolocation technology 189–190
 - Employment Termination Protection Act 161
 - Federal Data Protection Act 171–172, 180, 186, 190, 192–193
 - as federal government 29–30
 - Federal Supreme Court on right of personality 166–171, 180
 - groups of companies 146, 147–149
 - job loss and employment protection laws 276, 277, 278, 280, 281, 283, 293–294
 - labor courts 372
 - labor intermediation 136
 - Law on Statutory Safeguards in respect of the Notice to Terminate 272
 - Regional Equal Opportunity Acts 347
 - Regional Labor Chambers 374–375

- restrictive covenants 198–199, 209, 210–211, 218
- right of informational self-determination 170–171, 189–190
- Weimar Constitution 157, 159, 177
- workplace health and safety regulation 77
- Works Constitution Act 169, 336–337, 346–347, 349, 353
- Works Council Act 272, 336
- works councils 169–170, 332, 335–340, 348–349
- Ghana
 - constitutional provisions and labor law 26
- Gilson, Ronald 201
- global union federations (GUF) 370
- globalization and labor law 80–111
 - overview 16–17, 80–83
 - comparative analysis 98–104
 - comparative method, new trends 82–83, 104–110
 - effects on national norms 107–108
 - globalization as social force 82, 83–87
 - institutions, norms and governance and 82, 87–92
 - labor market governance and 110–111
 - role of ILO 50–51
 - scale of labor law 105–107
 - scope of legal rules/institutions 108–110
 - values and ideology 92–98
- globalized localisms (Santos) 98
- good faith, duty of 40–41
- Google 173
- Greece
 - constitutional provisions and labor law 26, 305
 - Eurozone crisis 321–326
 - job loss and employment protection laws 280, 281, 283
- Griggs v. Duke Power Co.* (USSC) 230–231, 238–239, 241, 244, 246, 247
- Group Global Works Council of Volkswagen 369
- GSEE (Greek trade union confederation) 324–325
- Handels-og Kontorfunktionaerernes Forbund I Danmark v. Dansk Arbejdsgiverforening, ex parte Danfoss* (ECJ) 251
- harassment *see* workplace discrimination and social inclusion
- Harmel, Léon 333
- harmonization *see* European Social Model
- health and safety regulations and committees 64, 74–77, 264, 346, 350
- Hegel, G.W.F. 158
- Heineken* case (ECJ) 149
- Hepple, Bob 286
- Howard, John 278
- The Human Cloud at Work: A Study into the Impact of Wearable Technologies in the Workplace (2014) 194
- human rights laws, influence on labor law 44–45
- Hungary
 - Act on Equal Treatment and Promotion of Equal Opportunities 417–418
 - collective agreements 413
 - collective employee representation 429–430
 - Constitution (1949) 415
 - Equal Treatment Authority 418–419
 - equal treatment in employment 417–419
 - freedom of employment contract 416–417
 - internal regulations 414
 - modification of employment contract 422–423
 - National Economic and Social Council 436
 - restrictive covenants 208, 210
 - right to conclude collective agreements 433–437
 - right to strike 437–438
 - sources of labor law 408, 411–412, 413, 414
 - stand-by position 420
 - termination of employment contract 424, 425–427
 - trade unions 431–433
 - working conditions regulation 419–422
- Hyde, Alan 202, 215
- immigration law, influence on labor law 43
- India 453–459
 - constitutional provisions and labor law 24, 25, 26, 27
 - Contract Labour (Regulation and Abolition) Act 200, 457
 - contractualisation 456–457
 - economic outlook 459
 - formalising the informal economy 457–459
 - Industrial Disputes Act 272–273, 456–457
 - informal economy 454–459
 - job loss and employment protection laws 293
 - Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by

- Certain Establishments) Amendment and Miscellaneous Provisions Act 459
- as nonenforcer of restrictive covenants 199, 200, 203, 219
- Unorganised Workers Social Security Act 456, 458
- indirect discrimination, defined 231–232
- industrial justice concept 286
- industrial tort laws 45–47
 - breach of contract or interference with contractual relations 45–46
 - conspiracy to injure 46
 - conspiracy to injure by unlawful means 46
 - intimidation 46
 - picketing and 47
- inevitable disclosure theory 213, 219
- information asymmetry 63
- information theory 214–215
- injure, conspiracy to 46
- intellectual property rights *see* employee mobility and competition
- International Biometric & Identification Association (IBIA) 191
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD) 54
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) 53, 54
- International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM) 370
- International Framework Agreements (IFAs) 369–371
- International Labour Organization (ILO) 15–16, 47–48, 127, 297, 298, 391, 404, 409, 417, 419
 - case law 51
 - Committee of Experts on the Application of Conventions and Recommendations 51, 301, 303, 320, 323–324, 325
 - Committee on the Application of Conventions and Recommendations 51
 - comparative studies of 101–102
 - complaint procedure 52
 - constitutional provisions of 48, 52
 - Convention 87, freedom of association 300–302, 304, 323–324
 - Convention 98, collective bargaining 301–302, 304, 323–324, 325, 449
 - Convention 135, Protection and Facilities to be afforded to Workers' Representatives in the Undertaking 333–334
- Convention 158, Termination of Employment at the Initiative of the Employer 273–279, 283, 287, 290
- Convention 189, Concerning Decent Work for Domestic Workers 88, 90, 96
- Conventions and Recommendations 49–52
- critique of Russian trade unions 435
- Declaration on Fundamental Principles and Rights at Work 42, 48–49, 88, 369
- deregulatory pressure and Eurozone crisis 323–324
- draft contract labour instrument 456
- examination of periodic reports 52
- formalising the informal economy 457
- 14 factor employment relationship test 118–119
- Freedom of Association Committee 301, 303
- General System of Preferences 88
- ICRMW 54
- International Labor Conference 49, 52
- International Labor Office 49–52
- Recommendation 91, collective agreements 324
- Recommendation 119 concerning Termination of Employment at the Initiative of the Employer 272–273
- Recommendation 193, Promotion of Cooperatives 360
- right to strike 319
- supervisory procedures 51–52
- technical assistance by 97
- Transitioning from the Informal to the Formal Economy* 454, 455
- on unemployment in South Africa 444, 452–453
- International Metalworkers' Federation (IMF) 370
- International Monetary Fund (IMF) 97, 298, 311, 321, 322–323
 - World Economic Outlook 89–90
- International Trade Secretariats (ITS) 371
- International Transport Workers' Federation (ITF) and Finnish Seamen's Union (FSU) v. Viking Line* (ECJ) 319–320, 379–380, 390, 391–392, 393
- International Union of Food (IUF) 370
- intimidation, in industrial tort laws 46
- Ireland
 - Eurozone crisis 322

- job loss and employment protection laws 282, 283
- positive inclusion requirements 261
- Israel
 - absence of constitution 25
 - courts on employer misclassification of employees 122
 - job loss and employment protection laws 276–277
 - labor courts 372
 - as nonenforcer of restrictive covenants 199, 202, 219
- Italy
 - constitutional provisions and labor law 26, 305
 - courts on subordination concept 122
 - elected officials' employment status 124
 - groups of companies 146, 147–149
 - hours/vacations/leave 73
 - interfirm network agreements 150–152
 - job loss and employment protection laws 280
 - labor outsourcing 135–136
 - legislative process, employee voice in 373
 - long-term staff leasing 145
 - para-subordinate status 127–128
 - restrictive covenants 198, 208, 209
 - subcontracting 144
 - Workers' Statute 284, 313
 - workplace health and safety regulation 76, 77
- Japan
 - Civil Code 162
 - collective bargaining 33
 - constitutional provisions and labor law 23
 - employee autonomy 162–164
 - employee dignity 181–182
 - employee privacy 174–177
 - employer access to employee social media 186–188
 - employer use of biometric identification 193
 - employer use of geolocation technology 190–191
 - Employment Security Act 176, 187
 - Japanese Community Union Federation 376
 - job loss and employment protection laws 276, 277–278
 - as low enforcer of restrictive covenants 199, 211–212
 - Personal Information Protection Act 176, 190–191, 193
 - role of contracts 38
 - Sangyo Houkokukai* (employer-employee cooperative associations) 162
 - statutory labor law 35
 - Supreme Court 163–164, 175–176
- job loss and employment protection 268–295
 - overview 11, 15, 17, 268–272
 - dismissal protection (1970–2006), country comparisons 294–295
 - economic dismissals 279–285
 - economic effects 290–292
 - employment protection laws and 285
 - legal origins theory and convergence 292–295
 - personal dismissal standards 272–279
- job property concept 285–286
- joint committees 340–343
- joint employment doctrine *see* employers, single vs. plural
- Jolls, Christine 245–246
- Kahn-Freund, Otto 3–4, 99, 102, 120, 275, 296, 297, 299, 302, 309, 325
- kaizen* 2
- Kant, Immanuel 177
- Kennedy, David 97
- Kenny, Andrew 446
- Keynesian economics 93, 314
- Koukiadaki, A. 322
- Kretsos, L. 322
- Kymlicka, Will 287
- labor booklets 424
- labor courts 371–372
- labor market flexibility *see* values and globalization
- labor rights protections 44–45
- Landeshauptstadt Kiel v. Jaeger* (ECJ) 59
- Laval Un Partneri Ltd v. Svenska Byggnadsarbetareförbundet* (ECJ) 379–380, 390, 391–393
- The Law of the Master and Servant* (Batt) 134–135
- legal origins theory 11–13, 65–69, 292–295
- legislative process, employee voice 372–375
- Lenin, Vladimir 405
- lifetime employment *see* Japan
- Linder, Marc 125
- Linowes, David 165
- Lisbon Treaty (2007) 325, 393, 394–396, 397
- living instrument approach 304
- location checks *see* geolocation technology, country comparisons

- Longitudinal Labour Regulation Index (LLRI) 293–295
- Luxembourg
 apprentice and young worker representatives 347
 board level employee representation 357
 Chambers of Workers, Employees and Civil Servants 374
 gender equality delegates 347
 groups of companies 146–147
 intermediate groups 129
 job loss and employment protection laws 280–281, 283, 284
 joint committees 342, 343
 labor courts 372
 legislative process, employee voice in 373
 works councils 335, 340
- Maastricht Treaty (1992) 385, 397–399
- Malaysia
 Malaysian Contracts Act 200–201
 as nonenforcer of restrictive covenants 199
- María Martínez Sala v. Freistaat Bayern* (CJEU) 382–383
- Marikana platinum mine massacre (South Africa) 450–451
- market efficiencies and failures 62–79
 overview 15, 62
 economics of labor market failures 62–65
 labor regulation, country comparison 69–73
 legal origins theory and labor regulation 65–69
 summary conclusion 77–79
 workplace health and safety regulation, country comparison 64, 74–77
- market fundamentalism 93
- Marschall Helmut v. Land Nordrhein-Westfalen* (ECJ) 232–233
- Marx, Matt 217
- master and servant doctrine *see* employers, single vs. plural
- McCallum, Ronald C. 286–287
- McDougall Report 397
- McGregor, Douglas 2
- Meiorin* decision *see* *British Columbia (Public Service Employee Relations Commission) v. BCGSEU* (SCC)
- Mercosur 368
- Mexico
 job loss and employment protection laws 272, 280
 as nonenforcer of restrictive covenants 199, 201, 219
 statutory labor law 35
- Meyers, Frederic 285
- misclassification by employers 121–124
- Mitsubishi Jushi v. Takano* (Sup. Ct.) (Japan) 175–176
- Mondragón Cooperatives 359–360
- monopsonies 63
- Monti, Mario 206–207
- Mota, João Dirceu 468
- Movimento Humanos Direitos* 472
- mutual trust, duty of 40–41
- Napier, Brian 273
- national constitutions, as sources of labor law 22–31
 absence of labor rights 24–25
 absolute vs. limited rights 25
 formation and operation of labor law 29–31
 freedom from slavery 25
 freedom of association 26
 quasi constitutional bills or charters of rights 27–29
 rationale for labor rights in constitutions 26–27
 right of equal treatment 25
 right to bargain collectively 26
 right to strike 26
 specific labor rights 23–24
- National Union of Mineworkers (NUM) 451
- Neal, Alan 401
- neo-liberalism 35, 92–98, 321–324
- Netherlands
 absence of constitutional right to strike 26
 Amsterdam Court's Company Chamber 256
 co-determination model 355–357
 Company Council Act 338
 data privacy 174
 Flexibility and Security Act 127
 job loss and employment protection laws 281, 282, 283
 Labor Foundation 373
 legislative process, employee voice in 373
 liberalization of postal services 127
 works councils 335, 338–339
- new psychological contract (Stone) 287–288
- New Zealand
 absence of constitution 25
 Bill of Rights Act (1990) 27–28
 Botero's econometric analysis 66–67
 collective bargaining 34, 317
 job loss and employment protection laws 293–294
 as unitary government 29

- Newton-Sealey v. Armor Group Services Ltd* (EWHC) (UK) 150
- Njoya, Wanjiru 285–286
- noncompete agreements *see* employee mobility and competition
- non-union institutions and employee voice 330–376
- overview 6–7, 8
 - beyond collective bargaining 330–331
 - civil society organizations 375–376
 - company decision-making 350–363
 - employee representation on company boards 351–358
 - voluntary board-level participation 358–359
 - worker ownership of company 359–363
 - functions of 333–334
 - methodology 331–333
 - state institutions 371
 - administrative bodies 371
 - labor courts 371–372
 - legislative process 372–375
 - transnational companies 363–371
 - board level representation in European companies 366–368
 - codes of conduct 369
 - EU law and 364–371
 - European works councils 364–366
 - international framework agreements 369–371
 - workplace options 334–350
 - employer-driven employee representation 347–350
 - joint committees 340–343
 - plant union representatives 343–345
 - representative bodies for issues/groups 345–347
 - works councils 335–340
- Nordenfeld v. Maxim Nordenfeld Guns & Ammunition Co.* (HL) (UK) 205
- norms and globalization 87–98
see also globalization and labor law
- Northern American Free Trade Association (NAFTA) 368
- O'Malley v. Simpsons Sears* (SCC) 231, 241–242, 244, 249, 250
- Organisation for Economic Co-operation and Development (OECD)
- collective bargaining 311
 - Employing Workers Index 291
 - Employment Outlook 2013 89–90, 292
 - Employment Protection Index 291
 - Jobs Study 89–90
 - relaxation of labor law 269, 323
 - on South African labour law 446
 - technical assistance by 97
- Owen, Robert 360
- Pepsico, Inc. v. Redmond* (USCA) (US) 213
- personal dismissal standards, country comparisons 272–279
see also job loss and employment protection
- Personnel Delegates 334, 339–340, 347
- Philippines
- collective bargaining 34
 - job loss and employment protection laws 280
- picketing 47
- plant union representatives 343–345
- plural employer model *see* employers, single vs. plural
- Png, I.P.L. 217, 218
- Poland
- collective agreements 413
 - collective employee representation 429–430
 - equal treatment in employment 419
 - freedom of employment contract 416
 - internal regulations 414
 - modification of employment contract 423
 - right to conclude collective agreements 433–437
 - right to strike 437–438
- Solidarity 406
- sources of labor law 409–410, 412
 - termination of employment contract 424–425, 427–429
 - trade unions 406, 431–433
 - working conditions regulation 419–422
- Polyani, K. 299
- Portugal
- Botero's econometric analysis 66–67
 - constitutional provisions and labor law 26, 305
 - Eurozone crisis 322
 - job loss and employment protection laws 281, 283
 - labor courts 372
 - legislative process, employee voice in 373
 - works councils 340
- positive inclusion *see* workplace discrimination and social inclusion
- post-Washington consensus 92–98
- Pozen, David 292
- precarious work, use of term 39–40

- see also* China
 pregnancy, discrimination during 236–237, 254–257
 privacy, use of term 164
see also employee autonomy and privacy
Privacy and Freedom (Westin) 165
Privacy in America (Linowes) 165
 property right 204–205
 Prosser, William 164–165
 Proudhon, Pierre-Joseph 360
 public choice (private interest) theory 64–65
 public interest theory 64–65
- Qantas 320
- radio frequency identification (RFID) *see*
 geolocation technology, country
 comparisons
- Raz, Joseph 286
- reasonable accommodation *see* workplace
 discrimination and social inclusion
- Restatement of Employment Law* (ALI) 14,
 197–198, 202, 203
- restrictive covenants *see* employee mobility
 and competition
- Roe, Mark 78–79
- Rome Treaty *see* Treaty Establishing the
 European Economic Community (EEC
 Treaty)
- Rüffert* decision (CJEU) 393
- Rush Portuguesa* decision (CJEU) 392–393
- Russia
 collective agreements 414
 collective employee representation 429–431
 Criminal Code (1960) 415–416
 equal treatment in employment 417, 419
 Federation of Independent Trade Unions of
 Russia (FNPR) 431
 freedom of employment contract 416
 internal regulations 414–415
 job loss and employment protection laws
 272
 modification of employment contract 423
 right to conclude collective agreements
 433–435, 437
 right to strike 437–438
 sources of labor law 410–411, 412, 414
 termination of employment contract 424,
 425
 trade unions 431–433
 working conditions regulation 419–422
- Rutherglen, George 245
- Rwanda
 ILO technical assistance 272
- Samila, Sampsa 216–217, 218
- Santos, Boaventura de Sousa 98
- Sarkar, Prabirjit 295
- Schneider, Eugène 333
- Selmi, Michael 240–241, 247–248
- Selznick, Philip 286
- Sen, Amartya 96
- shareholder meetings, employee voice in
 362–363
- Sharpf, Fritz 402
- shop stewards *see* plant union representatives
- Silicon Valley, California 196, 201–202, 215
- Silva, Luiz Inácio Lula da 469
- SIMAP* case (ECJ) 59
- Singh, Jasjit 217, 218
- single employer model *see* employers, single
 vs. plural
- Single European Act (1986) 383–384
- Skedinger, Per 291–292
- SKF (company) 370
- slavery, freedom from 25
- Smit v. Workmen's Compensation
 Commissioners* (App. Bd.) (South
 Africa) 120–121
- social inclusion *see* workplace discrimination
 and social inclusion
- social media, employer access to 182–188
- Society of Human Resource Management
 (SHRM) 183
- soft law and workplace customs/policies 42
- Sorenson, Olav 216–217, 218
- Sotgiu v. Deutsche Bundespost* (ECJ) 232
- sources of labor law 21–61
 overview 7, 13–14, 16, 21–22
 collective bargaining legislation 31–34
 employment relationship 36–41
 European Union 55–60
 ILO 47–52
 impacts of other laws/policies 42–43
 industrial tort laws 45–47
 labor legislation and constitutions 29–31
 labor rights protections 44–45
 national constitutions 22–29
 soft law and workplace customs/policies 42
 statutory provisions 34–36
 summary conclusion 60–61
 United Nations 53–54
- South Africa 442–453
 Association of Mining and Construction
 Union (AMCU) 451

- Basic Conditions of Employment Act 442, 447
- Business Unity South Africa 447–448
- Congress of South African Trade Unions (COSATU) 449, 451–452
- constitutional provisions and labor law 23–24, 25, 26, 305
- courts on employment relationship tests 119–121
- economic outlook 452–453
- Employment Tax Incentive Act 445
- extension of sectoral agreements 448–449
- Free Market Foundation 445, 448
- labour legislation 445–446, 447–448
- labour market 443–445, 446–447
- Labour Relations Act 442, 447, 448–449, 451
- National Development Plan 447, 452
- National Union of Mineworkers (NUM) 451
- trade unions 450–452
- South Korea
 - collective bargaining 34
 - as high enforcer of restrictive covenants 199, 212
- Southern African Development Community (SADC) 368
- Soviet Union, labor law 405–406, 407, 424
- Spain
 - Act 10/1994 270
 - Act 11/1994 270
 - Act 32/1984 270
 - constitutional provisions and labor law 26, 305
 - Eurozone crisis 322
 - groups of companies 146, 147, 149
 - hours/vacations/leave 73
 - intermediate groups 128
 - job loss and employment protection laws 269–271, 276, 277, 281–282, 283, 284
 - labor courts 372
 - legislative process, employee voice in 373
 - Ley 20/2007 on TRADEs 126–127, 128–129
 - ratifies ILO Convention 158 275
 - restrictive covenants 208, 209, 210
 - Workers' Statute 135, 270
 - works councils 340
- Standing, Guy 50–51
- state institutions, employee voice in 371–375
- Statoil 370
- Stephenson v. Delphi Diesel Systems* (Court of Appeal) (UK) 120
- Stone, Katherine 287–288
- strike, right to 26, 45–47, 318–321, 437–438
- Strumsky, Deborah 217
- subcontracting 135–136, 140, 142–145
- superannuation laws, influence on labor law 43
- supervisory boards *see* board level employee representation
- Supiot, Alain 153
- Sweden
 - Basic Agreement 273
 - collective bargaining 32
 - constitutional provisions and labor law 23, 26
 - dependent contractor status 127–128
 - Employment (Co-Determination in the Workplace) Act 32, 34–35
 - Employment Protection Act (EPA) 40
 - job loss and employment protection laws 281, 284
 - ratifies ILO Convention 158 275
 - statutory labor law 35
- Taiwan
 - restrictive covenants 212–213
- tax laws, influence on labor law 43
- Taylor, Frederick W. 2
- technological oversight *see* employee autonomy and privacy
- Thailand
 - as high enforcer of restrictive covenants 199, 212
- Thatcher, Margaret
 - job loss and employment protection laws 273–274
- Theory Z 2*
- Thomas Pringle v. Government of Ireland* (CJEU) 399–400
- tort law
 - influence on labor law 45–47
- trade secrets *see* employee mobility and competition
- trade unions
 - joint employment doctrine and 139
 - right to form 23–24, 26
 - US vs. UK comparison 70
 - see also* collective bargaining; freedom of association; strike, right to
- transnational companies, employee voice in
 - EU law 364–371
 - board level representation in European companies 366–368
 - codes of conduct 369

- European works councils 364–366
- international framework agreements 369–371
- non-union institutions and employee voice 363–371
- transversality principle, defined 285
- Treaty Establishing the European Community 56
- Treaty Establishing the European Economic Community (EEC Treaty) 57, 72, 223, 380, 383, 384–385
- Treaty on the European Stability Mechanism (ESM) 396–401
- Treaty on the European Union (TEU) 319, 325, 394–395
- Treaty on the Functioning of the EU (TFEU) 56, 207, 326–327, 380–381, 385–386, 387, 391–392, 394–395, 399–400
- Tripartite Socio-Economic Commissions 436
- Turkey
 - court annulment of collective agreement 304
- UN Convention for the Protection of Human Rights and Fundamental Freedoms 44
- UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 54
- UN Convention on the Right of Persons with Disabilities (CRPD) 259
- unfair dismissal laws *see* job loss and employment protection
- Unión de Asociaciones de Trabajadores Autónomos y Emprendedores* 126–127
- unitary vs. federal governments 29–30
- United Kingdom (UK)
 - absence of constitution 25, 27
 - board level employee representation 358–359
 - Citizens' Advice Bureau 376
 - collective bargaining 32, 33–34, 312, 316–317
 - Court of Appeal 120, 137–138
 - courts on employment relationship tests 117–118, 120, 124
 - criminal law and labor history 43
 - duty of mutual trust 40–41
 - Employment Relations Act 127
 - Employment Rights Act 140–141
 - Equality Act 126
 - EU Working Time Directive 59
 - freedom of association 309
 - groups of companies 149
 - Growth and Infrastructure Act 362
 - Health and Safety at Work Act 76, 346
 - High Court 150
 - hours/vacations/leave 71–73
 - House of Lords 205
 - Human Rights Act 44
 - Industrial Relations Act 296–297
 - job loss and employment protection laws 273–274, 276, 277, 281
 - labor courts 372
 - mutuality of obligation test 137–138
 - National Minimum Wage Act 123, 126
 - plant union representatives 343–344
 - restrictive covenants 204–205
 - right to strike 318–319
 - role of contracts 37–38
 - single employer model 137
 - statutory labor law 35
 - Trade Union Act (1913) 309
 - Trade Union and Labor Relations (Consolidation) Act (1992) 33–34
 - trade unions 70–71
 - as unitary government 29
 - worker category 128
 - Working Time Regulations 126
- United Nations (UN)
 - Global Compact 42, 87, 96–97
 - as source of labor law 53–54
 - see also individual conventions*
- United States (US)
 - AFL-CIO's Employee Free Choice Act proposals 315
 - Age Discrimination in Employment Act 222
 - airline industry, representation councils 348
 - Americans with Disabilities Act 192, 222, 245, 248, 257–258
 - board level employee representation 358, 359
 - California, as nonenforcer of restrictive covenants 199, 201–202, 203, 216
 - Civil Rights Act (1991) 240, 245–246, 248
 - Civil Rights Act, Title VII 222, 224, 232, 238–241, 254
 - class actions 45
 - collective bargaining 32, 33, 34
 - constitutional provisions and labor law 23, 26, 30
 - court 13/20-factor employment relationship tests 118–119
 - Court of Appeal 213
 - courts on employer misclassification of employees 124
 - duty of good faith 40–41

- Eleventh Amendment 222
- employee autonomy 156–157
- employee dignity 177–178
- employee privacy 164–165
- employer access to employee social media 182–185
- employer use of biometric identification 191–192
- employer use of geolocation technology 188–189
- Employment Relations Act 362
- employment relationship 80
- Equal Employment Opportunities Commission 224
- Fair Labor Standards Act 138–139, 254–255
- Family and Medical Leave Act 254, 257–258, 263, 266
- as federal government 30
- Fourteenth Amendment 222, 239
- Fourth Amendment 154–155
- freedom of association 307–308
- Genetic Information Nondiscrimination Act 192, 222
- hours/vacations/leave 71–72
- Illinois, as high enforcer of restrictive covenants 199, 213, 219
- Immigration Reform and Control Act 222
- intellectual property rights myth 219
- job loss and employment protection laws 275, 276, 279
- long-term staff leasing 145
- Massachusetts, employee cooperatives 360
- Michigan, restrictive covenants 217
- Montana, Wrongful Discharge from Employment Act 275
- National Industrial Recovery Act 314
- National Labor Relations Act 125, 184, 296, 314–315, 316, 348
- National Labor Relations Board (NLRB) 139
- New Jersey, as high enforcer of restrictive covenants 199, 213, 219
- Occupational Safety and Health Act (OSHA) 74–75
- plant union representatives 343
- plural employer model 138–140
- Railway Labor Act 309
- restrictive covenants 197–198, 201–202, 203, 206, 212
- right to strike 319
- role of contracts 37–38
- social inclusion 221
- social inclusion laws 254–255, 263–267
- soft law and workplace customs/policies 42
- state laws prohibiting employee disclosure of social media passwords 185
- state right to work laws 309
- statutory labor law 35
- Supreme Court (USSC) 124–126, 134, 226, 230–231, 236, 238–240, 241, 244, 246, 247, 309
- Taft-Hartley Act 125, 296
- trade unions 70
- Uniform Trade Secrets Act 217
- wage regulation 70–71
- Worker Adjustment and Retraining Notification Act 280
- workplace anti-discrimination laws 220–222, 226–230, 232–240, 244–248, 250, 252
- Universal Declaration of Human Rights (UDHR)
 - Article 23 53–54
- U.S. National Research Council (NRC) 182, 188
- Val-des-bois (company) 333
- values and globalization 92–98
- Vargas, Getúlio 468–469
- varieties of capitalism theory 78–79
- vertical disintegration of employment (Collins) 122
- Viasystem (Tyneside) Ltd v. Thermal Transfer (Northern) Ltd* (Court of Appeal) (UK) 137–138
- video surveillance of employees 154–155
- Wal-Mart 170
- Walsea, Lech 406
- Ward's Cove Packing v. Atonio* (USSC) 239–240
- Washington consensus 92–98
- Weber, Mark C. 248
- Weber, Max 157–158, 331–332
- Weil, David 470
- Westin, Alan 165
- whistleblowing 161, 164
- worker cooperatives 359–360
- worker ownership of company
 - employee shareholder programs 360–362
 - shareholder meetings, employee voice in 362–363
 - worker cooperatives 359–360
- workplace discrimination and social inclusion 220–267

- overview 5, 9, 15, 220–222
- anti-discrimination laws 222–253
 - BFOR justification 234–235
 - country comparisons 233–253
 - coverage of employers 228
 - employer responsibility for disparate impacts 237–253
 - employment relationship 226–228
 - history of 224–226
 - occupational requirement justification and employer actions 235–237
 - positive/affirmative action 232–233
 - prohibited grounds 228–230
 - types of discrimination 230–232
- positive inclusion requirements 253–266
 - accommodating pregnancy and family responsibilities 254–257
 - accommodating temporary illness 257–259
 - integrating disabled workers 257–259
 - observations 265–266
 - steps toward equity 259–263
 - workplace harassment prevention/remedy 263–265
 - summary conclusion 266–267
- works councils 169–170, 272, 312–313, 332, 335–340, 348–349, 364–366, 429
- World Bank
 - critique of 293
 - Doing Business Reports 89–90, 101, 291
 - technical assistance by 97
 - World Development Reports 89–90
- World Economic Forum 291
- World Employee Committee of DaimlerChrysler 369
- World Works Council of Renault 369
- Yemin, Edward 272
- Zaire
 - ILO technical assistance 272

