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Mark Freedland FBA, Nicola Kountouris

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Labour Law in Italy T. Treu, 2020-10-20 Derived from the renowned multi volume International Encyclopaedia of Laws this monograph on Italy 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 Italy and academics and researchers will appreciate its value in the study of comparative trends in laws affecting labour and labour relations A

Global Labour Law Adalberto Perulli, Vania Brino, 2024-10-31 This book explores the prospects of a global labour law system Global labour law is understood as a still non coherent set of norms that at different levels and with different legal effectiveness regulate legal labour relations promote respect for fundamental social rights and condition the behavior of the multinational enterprise from a social justice and sustainability perspective The book deals with both international labour law and regulatory instruments of different kinds such as social clauses in international trade treaties or corporate codes of conduct transnational collective bargaining and EU directives on due diligence This complex normative system is partly reconstructed and partly subjected to critique with the aim of producing a hybrid handbook in which the elements of normative knowledge are accompanied by problematic reasoning about the forms contents and purposes of a possible global labour law The book will be of interest to academics researchers and policy makers working in the areas of Labour Law Employment Law International Human Rights Law and Social Justice

Restatement of Labour Law in Europe Bernd Waas, Guus Heerma van Voss, 2020-01-09 This book is part of a series which sets out a restatement of labour law in Europe Its second volume looks at atypical employment relationships in Europe Opening with a restatement the book provides comparative commentary on the question of how fixed term employment relationships part time employment relationships and temporary agency work is regulated by law in the individual states which case law of the courts must be observed in this respect and which possibilities exist for shaping such relationships on the basis of collective bargaining agreements The book goes on to systematically explore the national regulatory framework of Austria Belgium Bulgaria Croatia Cyprus Czech Republic Denmark Estonia Finland France Germany Greece Hungary Iceland Ireland Italy Latvia Lithuania Luxembourg Malta Montenegro Netherlands North Macedonia Norway Poland Portugal Romania Russia Serbia Slovakia Slovenia Spain

Sweden Switzerland Turkey and the United Kingdom In this area which is largely shaped by EU law in many countries the commonalities and differences with regard to the relevant regulatory issues are examined This important new project provides the definitive survey of labour law in Europe today [La responsabilit  medica](#) Mario Berruti,2013-06-18 Un libro sulla responsabilit  del medico dal punto di vista penale e civile *Constitutional Framework of European Labour Law in Italy, France, Germany, Portugal and Spain* Lu s Gon alves da Silva,Sara Leit o,2023-12-01 The challenges that labour law currently faces are well known The emergence of new forms of work and the growing importance of technology in the age of the Fourth Industrial Revolution are important tests of the resilience of this field of law and its function regulating the labour market Therefore it is becoming increasingly important to examine the fundamentals of labour law especially how subordinate labour is addressed in various countries constitutions in order to focus the analysis of the new phenomena affecting labour relations on their fundamental frameworks In this context this book puts forward an overarching framework that reflects how the Italian German French Portuguese and Spanish constitutions view labour in terms of both collective and individual relations particularly the right to collective bargaining the right to strikes and lock outs job security and the right to remuneration without losing sight of each Constitution s historical and political context The aim of this book is therefore to provide an overview of the labour law frameworks in the constitutions of these legal systems and to show by means of practical examples how the law concretely implements them Accordingly it provides notes on the legal treatment of the topics analysed serving as a practical guide for the study of these matters in the respective jurisdictions This book will be of interest to all students and scholars of labour law looking for an overview of the topics covered in all five jurisdictions

Labour Law and Sustainable Development Valentina Cagnin,2020-06-05 Labour Law and Sustainable Development is a detailed reconstruction of the regulatory framework and jurisprudential findings of sustainable development at the international European and national level The global crisis of the past decade has underlined the social unsustainability of the ultra liberalistic theories through which the labour law deregulation represents the precondition for social and economic development coherent with the globalization imperatives It is no exaggeration to assert that the existing foundations of labour law have been irreversibly compromised It is essential to find a way out of the crisis at the same time defining the founding values of new sustainable labour law In linking labour law with the sustainability paradigm this provocative book promises to widen the scope and terms of the reconciliation of interests taking into account the multiplicity of the stakeholders interested in economic social and environmental issues and in particular to practise an approach that achieves intergenerational equity What s in this book In an unprecedented comparative study including case law of the network of principles agreements practices and norms concerning sustainable development and its different economic and social implications the author examines such facets as the following sustaining solidarity and equality of opportunity in current and emerging work situations enhancing individual autonomy in the current world of subordinate but independent labour

reconciling personal needs flexible organization of companies and reduction of external and internal costs to companies collective action for the regulation of labour relations allowing for the exercise of individual autonomy involving entire populations that have been so far excluded in the world scene developing a sustainable pension system to promote intergenerational solidarity implementing flexicurity policies positively social clauses of international trade treaties undoing the profound contradiction of gender and wage inequalities and promoting corporate social responsibility The objective of this book is to provide the reader with a reasoning basis to assess whether the choice to elect sustainable development as a new paradigm of reference for labour law is feasible and if in particular this choice can be useful in order to define the founding values of a new sustainable labour law How this will help you Using an interdisciplinary approach the author emphasizes the need to consider the various dimensions of sustainability together not only the original environmental but also the economic and social dimensions This book offers a real strategic leap for both legislators and social actors in particular leading the way to avoiding a fracture of the generational pact that has held together modern societies Although the book presents a profound academic contribution to the analysis of labour law realities and trends it will also be welcomed by corporate lawyers judges human rights experts trade unionists business managers entrepreneurs and consultants interested in the issues of labour sustainable development and social rights

Die italienische Wirtschaftspolitik zwischen Politik und Wirtschaft Gioachino Fraenkel, 2022

Sports Law in Italy Michele Colucci, Giuseppe Candela, Salvatore Civile, Alessandro Coni, 2018-05-15

Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of sports law in Italy deals with the regulation of sports activity by both public authorities and private sports organizations The growing internationalization of sports inevitably increases the weight of global regulation yet each country maintains its own distinct regime of sports law and its own national and local sports organizations Sports law at a national or organizational level thus gains a growing relevance in comparative law The book describes and discusses both state created rules and autonomous self regulation regarding the variety of economic social commercial cultural and political aspects of sports activities Self regulation manifests itself in the form of by laws and encompasses organizational provisions disciplinary rules and rules of play However the trend towards more professionalism in sports and the growing economic social and cultural relevance of sports have prompted an increasing reliance on legal rules adopted by public authorities This form of regulation appears in a variety of legal areas including criminal law labour law commercial law tax law competition law and tort law and may vary following a particular type or sector of sport It is in this dual and overlapping context that such much publicized aspects as doping sponsoring and media and responsibility for injuries are legally measured This monograph fills a gap in the legal literature by giving academics practitioners sports organizations and policy makers access to sports law at this specific level Lawyers representing parties with interests in Italy will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative sports law

The Legal Order Santi

Romano,2017-07-14 First published in 1917 with a second edition in 1948 this is the first English translation of Santi Romano's classic work *The Legal Order* The focus is on the notion of institution which Romano considers the core and distinguishing feature of law *The Legal Order* offers precious insights for a thorough rethinking of state based models of law Italienische Rechtsliteratur Isabella Massari,1999 *The Gender Pay Gap and Social Partnership in Europe* Hazel Conley,Donata Gottardi,Geraldine Healy,Barbara Mikołajczyk,Marco Peruzzi,2018-12-06 The gender pay gap GPG exists in every European country but it varies considerably even in EU member states covered by the same legal principles on pay equality Part of the variation can be explained by different patterns of social partnership With current policy pressure to de centralise collective bargaining and increase the percentage of pay linked to productivity what role can social partnership play in tackling the GPG Reporting on the findings of the European Commission funded research project Close the Deal Fill the Gap this book uses an interdisciplinary analysis involving legal economic and sociological expertise to explore the role of social partnership in GPG in Italy Poland and the UK Selected on the basis of their contrasting profiles in terms of legal regulation industrial relations systems of collective bargaining coverage of collective agreements and differing rates of the GPG the in depth study provides important insights into the main issues underlying the problem of reducing the gender pay gap which have led to guidelines in the negotiation of arrangements on GPG related issues Based on a unique comparative interdisciplinary and action oriented research project it will be of great interest to all researchers and advanced students with an interest in women's representation in the workforce and the gender pay gap as well as practitioners and policy makers in organisations such as trade unions and employers associations **The Italian Legal Tradition** Thomas Glyn Watkin,2018-12-20 First published in 1997 this volume provides the reader from a common law background with an introduction to the Legal System and basic private law institutions of contemporary Italy It aims to afford a basic understanding rather than a detailed presentation of Italian law through an appreciation of its historical development within the civil law tradition and its place in that family of legal systems descended from Roman law Having described Italy's place in European legal history and identified the main features of civil law systems generally it examines the structure of the modern Italian State its legislative process Constitution legal professions and systems of civil criminal and administrative justice The last third is devoted to private law in particular the law relating to the family property contracts and civil wrongs particular attention being paid to differences between the civil and common law approaches to these subjects It is a readable lucid and systematic account of its subject *Modern Forms of Work* Stefano Bellomo,Fabrizio Ferraro,2020-10-06 The collective volume *Modern Forms of Work* A European Comparative Study evokes the intent to embody a reflection focused on modern labour law issues from a comparative perspective A first set of essays contains national reports on modern forms of work The second group contains some reflections regarding critical issues on digitalization platforms and algorithms analysing the different facets of the galaxy of digital work The third group of essays flows into the section entitled new balances and workers rights in the digital

era a crucial topic in the debate The complex of the writings despite the diversity of approaches and methods reveals the existence of a dense and inexhaustible dialogue between young scholars at European and extra European level The analysis of new forms of work the offspring of transnational processes of globalization and technologization forms a fertile ground for experimenting a transnational dialogue on which young researchers can practice with excellent results as this small volume confirms

Repertorio generale annuale della Giurisprudenza italiana, 1930

General Principles of Law - The Role of the Judiciary Laura Pineschi, 2015-06-22 This book examines the role played by domestic and international judges in the flexibilization of legal systems through general principles It features revised papers that were presented at the Annual Conference of the European American Consortium for Legal Education held at the University of Parma Italy May 2014 This volume is organized in four sections where the topic is mainly explored from a comparative perspective and includes case studies The first section covers theoretical issues It offers an analysis of principles in shaping Dworkin's theories about international law a reflection on the role of procedural principles in defining the role of the judiciary a view on the role of general principles in transnational judicial communication a study on the recognition of international law from formal criteria to substantive principles and an inquiry from the viewpoint of neo constitutionalism The second section contains studies on the role of general principles in selected legal systems including International Law European Union Law as well as Common Law systems The third section features an analysis of select legal principles in a comparative perspective with a particular focus on the comparison between European and American experiences The fourth and last section explores selected principles in given areas of law including the misuse of the *lex specialis* principle in the relationship between international human rights law and international humanitarian law the role of the judiciary in Poland as regards discrimination for sexual orientation and the impact of the ECtHR case law on Italian criminal law with regard to the principle of legality Overall the book offers readers a thoughtful reflection on how the interpretation application and development of general principles of law by the judiciary contribute to the evolution of legal systems at both the domestic and international levels as well as further their reciprocal interactions

Políticas activas de empleo durante la crisis económica (2010-2015) Juan Carlos García Quiñones, 2018-04-09 La escalada de las cifras de desempleo durante la crisis económica en España ha dado lugar a una acusada hiperactividad legislativa en el ámbito laboral en los últimos cinco años sobre la práctica totalidad de materias relacionadas directa o indirectamente con el empleo En este libro se analiza este alud legislativo En la primera parte del libro se examina los distintos Textos legales que tienen o han tenido una proyección directa o indirecta en materia de políticas activas de empleo con el punto de inflexión que ha significado en este sentido la Ley 35/2010 Periplo que se cierra por el momento con la Ley 25/2015 de 28 de julio de mecanismo de segunda oportunidad reducción de carga financiera y otras medidas de orden social Del mismo modo el bagaje obtenido con el repaso de la normativa implementada sobre políticas activas de empleo durante los años que coinciden con la crisis económica y financiera permite identificar igualmente

determinados rasgos que han caracterizado la actuación del legislador así como la individualización de algunos interrogantes abiertos en materia de políticas activas de empleo Aspectos ambos que conforman el contenido de la Parte Segunda A modo de corolario dedicamos un apartado final para valorar el estado actual de la cuestión consecuente con el resultado que arrojan cada uno de los capítulos precedentes

Die Moderne Demokratie und ihr Recht: Staats- und Verfassungsrecht Karl Dietrich Bracher, 1966

Enterprise and Social Rights Adalberto Perulli, Tiziano Treu, 2017-06-15

Globalization has led to growing labour fragmentation and widening of gaps in social protection Although the enterprise is increasingly expected to be socially responsible in actuality extreme worker inequalities and social dumping have become ubiquitous worldwide This volume the first to focus attention on the theory of the firm as it reveals itself in today's world from a multidisciplinary perspective underscores the necessity to rebuild a new scientifically controlled paradigm that acknowledges and regulates the dimension of power in the functioning of the organization In their contributed essays nineteen renowned scholars in labour law and industrial relations rethink the firm its conception its value and its regulation analysing such aspects as the following labour management relations issues that arise when companies go global but workers remain local the firm as a social construction the continuing necessity for collective bargaining concealment of the employment relationship under the guise of self employment concealment of the real employer behind figureheads and shell companies social welfare effects of outsourcing the company's interaction with the network of suppliers and with local education processes determining who actually carries responsibility towards workers overcoming companies drive to enter the global market in response to national regulation realizing the notion of duty of care mechanisms of participation of workers in the management of the enterprise and the persistent limitations that women face in the workplace even when worker participation is advocated With attention to innovative developments in Germany Italy Japan and other countries analyses include case studies of specific companies as well as case law in particular the European Court of Justice's jurisprudence in matters of collective dismissals seconded workers and public contracts In their head on tackling of the fragmentation and blurring of social responsibility in enterprise organization these important essays propose a view of the enterprise as a factor in a new constitutionalisation of labour that shifts employment protection from single legal entities to the network's economic activity thus realigning the legal boundaries of the enterprise with its economic reality As a compelling investigation of how a satisfactory implementation of labour standards in the fragmented enterprise can be guaranteed this book will be studied by entrepreneurs managers consultants corporate lawyers judges human rights experts and trade unionists and will be welcomed by academics and researchers in industrial relations and labour law

Proceedings of MAC 2020 in Prague Group of Authors, 2020-05-01

Multidisciplinary Academic Conference on Economics Management and Marketing Czech Republic Prague MAC EMM 2020 Multidisciplinary Academic Conference on Education Teaching and E learning Czech Republic Prague MAC ETeL 2020 Multidisciplinary Academic Conference on Engineering IT and Artificial Intelligence Czech

Republic Prague MAC EITAI 2020 **The Legal Construction of Personal Work Relations** Mark Freedland FBA, Nicola Kountouris, 2011-12-15 This book explores the conceptual framework of European employment law focusing on understanding the law's construction of employment relationships. The book draws on extensive comparative research of the legal architecture of employment relations in national legal systems and EU law to analyse the traditional model of the contract of employment and the difficulties of using the traditional model to frame modern working relationships. The authors then present a new model of the foundations of employment relationships based on the concept of a personal work nexus and explore the potential of their model to shape the future development of employment law. Throughout the book the authors analyse the interaction of domestic and EU employment law and discuss the possibility of future legal harmonisation in the area. They conclude by exploring the potential for a common framework for European employment law in the context of broader debates surrounding the harmonisation of European private law.

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