



International Society for Labour and Social Security Law

Société internationale de droit du travail et de la sécurité sociale

Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social

## **Bulletin No. 152**

**July 2020**

Dear colleagues and friends,

It is a pleasure to share with you the latest news on the activities of the International Society.

### **Message from the President**

The first six months of 2020 have been exceptional. For most of our national associations, some meetings occur in January and February, but activity picks up in March, with many annual meetings and regional meetings occurring between March and early June. This year in most countries everything came to a sudden halt sometime in March. In some countries the coronavirus, COVID-19, led governments to order businesses and universities to send people home, and to order all persons to stay at home. Travel restrictions were imposed, and many countries refused to permit non-nationals to enter. This led to great uncertainty, and caused many of our associations to cancel meetings.

Uncertainty about when it would be possible to travel and concern about when it would be safe to travel caused APODIT, the Portuguese national association which is hosting the European Regional Congress in Lisbon, to move the date from September 2020 to May 2021. The African Labour Law Society in collaboration with the South African Society, SASLAW, had finalized planning for the second African Regional Congress in Gaborone in March, but due to the pandemic, they were compelled to postpone the meeting. It is now scheduled for November,

and will be a “hybrid” conference (both virtual, and if possible, in person). For more details, see <https://www.africanlabourlawsociety.org/index.php/conference-2020>.

The Young Scholars had organized its first world congress, which was scheduled to be held in Mexico City in May, but that too has been postponed.

During this uncertain time, many of our associations have innovated and had virtual meetings and seminars online. The Society’s Facebook page also logged more activity, and we learnt of new publications. The Facebook page is most used by younger members of the Society, perhaps because they are more accustomed to using social media. But it is open to everyone, and it is an easy way to “push” information out to hundreds of people very quickly. I urge all associations that are planning a virtual seminar or presentation which might interest other members of the Society to contact me, and I will post the information on the ISLSSL Facebook page. I have found that some young people (some still doctoral students) do not know of the ISLSSL or feel that they are not welcome. Inviting them to join a Zoom presentation is a way of indicating that they are welcome to participate.

For those who may be hesitant to use Facebook, I will reiterate some points I made earlier. The Facebook page is designed to complement the official website of the ISLSSL (which covers ISLSSL information only). The Facebook group is meant to be somewhat informal. However, it is not a blog, nor does it provide a mechanism for persons to have “threaded” conversations on a topic. I am the “administrator” of this Facebook page. It is a “closed” group which means that a person who wants to join the group (and thus be able to see the posts of others) must ask to join the group and then this request must be approved. For those who would like to join the group, go to Facebook, and search for ISLSSL Int’l Society for Labour and Social Security Law network, or go to <https://www.facebook.com/groups/2245459342388625>

All of us who have attended ISLSSL congresses recognize the value of the face-to-face exchange of views that takes place at our Society’s meetings and congresses. The social interaction that occurs during coffee breaks, lunches and dinners is not only pleasant but it also enriches our understanding of other cultures. I know that you, like me, hope that life will return to some semblance of normality in the next few months and that we will be able to meet in person once again. With this in mind, do mark your calendar with the dates for the European Regional Congress now scheduled to take place 5 – 7 May 2021 in Lisbon. This will be followed by the next World Congress in Lima, Peru 7 – 10 September 2021.

I very much want to highlight the importance of the work of the international research groups that the Society established in Cape Town in 2015. As announced in the July 2019 Bulletin, seven research themes for the 2021 World Congress in Peru have been selected. In the past months, coordinators for these seven study groups have been appointed. If you have an interest

in contributing to the work of these groups, please contact the group's coordinators. Do not wait to be asked – they most likely do not know you but they most certainly are open to your participation. Attached is a list of the seven groups, and the names of the coordinators, and their email addresses. The results of this comparative research will be presented at the next World Congress in Lima to be held on 7-10 September 2021.

Friends and colleagues, let me conclude by expressing my fervent hope that all of us will remain in good health during these difficult times. The ISLSSL was founded in 1958, and over its more than sixty-year history, it has seen difficult times before. It has survived because of its members. It is the members' contributions to the Society and their scholarship, which is the basis for the success of our national and international activities, and for our deeper understanding of labour and employment law.

*President*  
*Prof. Janice Bellace*

## **Seminars**

Due the growing spread of the COVID-19 health emergency all around the world, many events of our Society have been rescheduled, postponed or even cancelled. At this stage, we cannot provide precise dates for some of the scheduled activities due to the continuous uncertainty around the Covid-19 pandemic. We will continue to monitor the situation and we will inform you through the Society's website.

In this regard, the 4th JILPT (The Japan Institute for Labour Policy and Training) Tokyo Seminar on Comparative Labour Policy and the 7th International Seminar on International and Comparative Labour Law usually organised in Venice had to be postponed.

### **11th Graduate Seminar on Comparative Labour Law “Isla de Margarita” (Santo Domingo, Dominican Republic)**

A new edition of the Graduate Seminar on Comparative Labour Law usually held at Isla Margarita (Venezuela) will be organised in Santo Domingo, Dominican Republic on 2-7 November 2020. Please find in Annex II the information on the seminar (available only in Spanish) which will focus on fundamental rights at work and industrial relations in the digital age. As in the past, the Society will award grants to facilitate the participation of young legal scholars under the age of 40, preferably under 35.

## **Next ISLSSL Congresses**

### *a. II African Regional Congress (Gaborone, Botswana, 27-28 March 2020)*

The II ISLSSL African Regional Congress which was to take place on 27-28 March 2020 in Gaborone, Botswana on the following theme: “Decent Work in Modern and Developing Countries: Contemporary Legal and Social Challenges”, has been postponed. The management committee of the African Labour Law Society, which regroups 28 countries, has released the following communication: “Dear delegates, the Management Committee of the African Labour Law Society has held comprehensive discussions with stakeholders, key sponsors and speakers about the hosting of our 3rd Conference on 26 and 27 March 2020 in Gaborone, Botswana against the background of the recent spread of the COVID-19 virus in southern Africa. We were faced with the difficult decision of either cancelling the conference, continuing with a reduced programme or postponing the proceedings. Some key institutions like universities and the ILO,

have informed their staff that international travel should be avoided at all costs in an attempt to reduce the risk of the spread of the virus. This would leave significant gaps in our Conference programme. The Committee is of the view that the African Labour Law Society has a joint-responsibility towards the globalised community, to do what we can from our side to stop the spread of the virus rather than to forge ahead. The Committee has therefore taken the difficult, but considered decision to postpone the 3rd Conference until such time as the spread of the Covid-19 virus has been brought under control. This has not been an easy decision for us to take. We are cognisant of the disruption and disappointment this decision will have on our delegates, who have booked tickets and arranged visas in anticipation of their attendance of the Conference. We express our sincere regret to our delegates, as well as patrons, hosts and service providers from Botswana, who are most certainly affected by our decision. Subject to the improvement of the situation towards the end of August 2020, the Committee plans to host the now cancelled event in early November 2020. We aim to host it at the same venue and will endeavour to keep the structure of the programme the same. We will keep you well-informed in the days to come. We look forward to your continued support and we trust you will understand our reasons for this difficult decision. Kind regards Prof Stefan van Eck President of the African Labour Law Society TEL: + 27 11 678 1906 | [www.africanlabourlawsociety.org](http://www.africanlabourlawsociety.org)".

*b. XIII European Regional Congress of Labour and Social Security Law (Lisbon, Portugal, 5-7 May 2021)*

Due to the Covid-19 crisis, the XIII European Regional Congress has been postponed to 5-7 May 2021. APoDit will soon update the program in accordance with the new schedule, and will send new deadlines for registration on the website of the Congress (<https://lisbon2020congress.com/?lang=en>).

The Executive Committee Meeting will take place in Lisbon on 5 May 2021 at 10h30. On that occasion the EC Members will nominate the new President-Elect of the Society. There are two candidates: Prof. María Emilia Casas Baamonde from Spain and Prof. D'Arcy du Toit from South Africa. Please find in Annex I their CVs. A draft agenda of the EC Meeting will be circulated in due course.

*c. XXIII World Congress of Labour and Social Security Law (Lima, Peru, 7-10 September 2021)*

The XXIII World Congress will be organized by the Peruvian Society for Labour and Social Security Law on 7-10 September 2021 in Lima. Please find herewith a draft agenda of the Congress. More information will be available at <https://islssl.org/world-congress/>

## DRAFT AGENDA

XXIII ISLSSL World Congress Lima, 7-10 September 2021

### Challenges to labour law and social security systems

Monday, 6 September

16:00:00 - 19:00 SPDTSS Session (Ecuentro Trinacional Chile- Uruguay - Perú)

Tuesday, 7 September

09:00 - 13:00 SPDTSS Session (Ecuentro Trinacional Chile- Uruguay - Perú):  
11:00 Doctoral Student Consortium  
14:00 Young Scholars' Section Meeting  
14:30 - 17:00 Executive Committee Meeting  
17:30 Opening Ceremony  
19:30 Welcome Cocktail

Wednesday, 8 September

Plenary Session - Transformation of Work: Challenges to Labour Law  
09:00 Law  
10:30 Coffee Break  
11:00 Plenary Session - Migrant Workers  
12:30 Lunch  
14:30 Simultaneous Sessions TBD  
International Association of Labour Law Journals (IALLJ)  
17:00 Private Business Meeting

Thursday, 9 September

09:00 Plenary Session - New forms of social security  
10:30 Coffee Break  
11:00 Plenary Session – Global Trade and Work  
12:30 Lunch  
14:30 Plenary Session - Non-Standard and Informal Workers  
16:00 Simultaneous Sessions TBD  
20:30 Social Dinner

Friday, 10 September

09:00 Plenary Session - Equality at Work  
10:30 Coffee Break  
11:00 Plenary Session - The State and New Forms of Collective Voice  
12:30 Lunch  
14:30 Simultaneous Sessions TBD  
16:30 General Assembly of the ISLSSL  
17:30 Closing remarks

## Seven Research Groups

In September 2015, President Tiziano Treu proposed a new initiative, which the Executive Committee endorsed; namely, the establishment of seven international research (or study) groups as a means for promoting collaborative research focused on a specific topic. The idea was that these research groups would work over the period of two years, and would report at the next world congress.

Professor Treu's initiative was a great success. The reports of the research groups were presented at the plenary sessions of the XXII ISLSSL World Congress in Turin and engendered significant interest in engagement. In addition, many individuals presented papers connected to these seven themes throughout the Congress. This proved a more dynamic approach than the traditional approach of having topics selected, and rapporteurs appointed who would prepare national reports on the topic and then present a summary and analysis at the world congress. Today, with so much information available online, there is no longer a need for national reports. In contrast, the formation of international research groups provides the opportunity for many of our members to contribute to ongoing dialogue and debate on a given topic, and it permits the theme coordinators to draw on this to produce a report that identifies issues, trends and policy options. The web and new online platforms for group work will help us in organizing our work and in exchanging information and papers.

Encouraged by the success of this research group approach, our President, Janice Bellace, has proposed that we follow it once again in the period leading to the XXIII ISLSSL World Congress in Lima in 2021. The themes and coordinators for each group are the following ones:

- 1. Transformation of Work: Challenges to Labour Law:** Alberto Pizzoferrato (Italy) pizzoferrato@studiopizzoferrato.it and Sergio Torres Teixeira (Brazil) sergiotteixeira@nol.com.br
- 2. Migrant Workers:** Petra Herzfeld-Olsson (Sweden) petra.herzfeld-olsson@juridicum.su.se and Helga Spadina (Croatia) helga.spadina@gmail.com
- 3. Non-Standard and Informal Workers:** Pamihidzai Bamu (Zimbabwe) pamhidzai.bamu@gmail.com and Roberto Fragale (Brazil) roberto.fragale@gmail.com
- 4. Global Trade and Work:** Wilfredo Sanguineti Raymond (Peru) wsr@usal.es and Marley Weiss (USA) mweiss@law.umaryland.edu
- 5. Equality at Work:** Monika Schlachter-Vollmer (Germany) monika.schlachter@uni-trier.de and Maria Luisa Molero Maranon (Spain) luisa.molero@urjc.es
- 6. The State and New Forms of Collective Voice:** Tomas H. Natividad Sanchez (Mexico) tomas@natividad-abogados.com.mx and Bernd Waas (Germany) waas@jur.uni-frankfurt.de

- 7. New forms of social security:** Kurt Paerli (Switzerland) [kurt.paerli@unibas.ch](mailto:kurt.paerli@unibas.ch) and Masaiko Iwamura (Japan) [iwamura@j.u-tokyo.ac.jp](mailto:iwamura@j.u-tokyo.ac.jp)

Most importantly, we emphasize that these groups are not “closed” – one does not need to wait for an invitation to join a group. Just get in touch with the coordinators and be an active member of the research group. We are all looking forward to proactive groups of research. We remain at your disposal for additional information. Please write your message to [islssl@outlook.com](mailto:islssl@outlook.com)

### **Young Legal Scholars Section**

Due to the Covid-19 crisis, many of activities organised by the Young Legal Scholars had to be postponed including the event organised in Mexico City. We do hope that the Young Legal Scholars will soon resume their activities in the various regions of the world.

### **ISLSSL website**

We want to thank in particular Marina Asti and Mario Fasani of the ITCILO and TSD for the work done in updating the website. Please let us know whether you find any error or omission in the content of the website of our Society by writing to [islssl@outlook.com](mailto:islssl@outlook.com).

Giuseppe Casale

Secretary-General

Janice Bellace

President



## ANNEX I



International Society for Labour and Social Security Law

Société internationale de droit du travail et de la sécurité sociale

Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social

## CV

### **Prof. María Emilia Casas Baamonde**

#### **MARÍA EMILIA CASAS BAAMONDE**

DIRECCIÓN: NUÑEZ DE BALBOA, 12- 4º A 28001 MADRID

TLF +34 609127516; mariaemiliacasas@pdi.ucm.es

- Catedrática de Derecho del Trabajo y de la Seguridad Social, Universidad Complutense de Madrid.
- Presidenta del Tribunal Constitucional desde junio de 2004 a enero de 2011.
- Magistrada del Tribunal Constitucional desde diciembre de 1998 hasta enero de 2011.
- Consejera electiva de Estado (RD 1310/2018, de 22 de octubre).
- Doctora *honoris causa* por la Universidad Carlos III de Madrid, 27 de enero de 2012 (acuerdo unánime de su Consejo de Gobierno de 1 de diciembre de 2011).
- Doctora *honoris causa* por la Universidad de Las Palmas de Gran Canaria (acuerdo unánime de su Consejo de Gobierno de 3 de diciembre de 2018; aprobación del claustro de 2 de abril de 2019).
- Doctora *honoris causa* por la Universidad de Málaga (acuerdo del Claustro Universitario de 18 de julio de 2019).
- Doctora *honoris causa* por la Universidad de Santiago de Compostela (acuerdo del Claustro Universitario y de su Consejo de Gobierno de 3 de octubre de 2019).
- Académica de número electa de la Real Academia de Ciencias Morales y Políticas (11 de febrero de 2020).
- Catedrática de Derecho del Trabajo y de la Seguridad Social de la Universidad del País Vasco, Facultad de Derecho de San Sebastián (OM 1 marzo 1983; BOE, 1 de marzo).

- Catedrática de Derecho del Trabajo y de la Seguridad Social de la Universidad Complutense de Madrid (OM 13 de enero de 1984; BOE, 13 de enero).
- Miembro de la Comisión Gestora de la Universidad Carlos III de Madrid (OM 5 de junio de 1989; BOE, 6 de junio).
- Vicerrectora de Relaciones Internacionales e Institucionales de la Universidad Carlos III de Madrid, desde su creación, hasta septiembre de 1995. - Miembro del Patronato de la Fundación de la Universidad Carlos III de Madrid.
- Directora Académica del Instituto Europeo de Relaciones Industriales de la Universidad Carlos III de Madrid.
- Miembro del Instituto Complutense de Estudios Internacionales
- Responsable de “Asesoría laboral y de seguridad social” en el Master profesional de Acceso a la Abogacía de la Universidad Complutense de Madrid.
- Directora de la Revista "Derecho de las relaciones laborales" (Editorial Lefebvre-El Derecho).
- Experta, en representación de España, en el "Observatorio de relaciones industriales y de la negociación colectiva de los países miembros UE”, y en diversos estudios promovidos por la Unión Europea sobre relaciones laborales y el futuro del trabajo.
- Experta en la transposición de Directivas sociales de la Unión Europea al ordenamiento jurídico español.
- Miembro del grupo de expertos sobre "Las transformaciones del trabajo y el futuro del Derecho del Trabajo en Europa" (1999), bajo la dirección del profesor Supiot, promovido por la Comisión Europea y cuyo informe se ha publicado en diversas lenguas de los países de la UE.
- Directora con M. Rodríguez-Piñero de Comentarios a la Constitución española con motivo de su XXX aniversario, La Ley, Madrid, 2006; con motivo de su XL aniversario, BOE, Madrid, 2018 (libro galardonado en los XXII Premios Nacionales de Edición Universitaria, 2018).
- Autora de más de trescientas publicaciones sobre temas variados de la disciplina que cultiva, entre los que cabe citar su Manual de Derecho del Trabajo, que ha conocido la actualización de su 26ª ed. (en coautoría con el Prof. M. ALONSO OLEA, hasta su fallecimiento).
- Investigadora en distintos proyectos de investigación (eficacia y eficiencia de la regulación legal del mercado de trabajo, trabajo y empleo, transformaciones del trabajo y de las organizaciones empresariales, igualdad de género y no discriminación, derechos fundamentales, nuevas tecnologías y derechos de privacidad en el trabajo, descentralización productiva, deslocalizaciones, cadenas de suministro, tiempo de trabajo, temporalidad del empleo público, negociación colectiva, responsabilidad social corporativa, hard y soft law...).
- Ponente y conferenciante en numerosos Congresos nacionales e internacionales.
- Premio Jurista del año 2005 de la Asociación de Antiguos Alumnos de La Universidad Complutense de Madrid, noviembre de 2005.
- Premio Pelayo para Juristas de reconocido prestigio 2006.
- Premio extraordinario de honor por toda una trayectoria de dedicación y prestigio en el ámbito jurídico-laboral de la Asociación nacional de Abogados Laboralistas, noviembre de 2007.
- Miembro correspondiente de las Academias de Jurisprudencia de Colombia y del Perú, desde 2005 y 2007, respectivamente.

- Miembro de número del Instituto de Investigación de la Asociación Coruñesa de Derecho Comparado del Trabajo y Seguridad Social.
- Miembro del Jurado del Premio de la Asociación Nacional de Laboralistas (ASNALA).
- Premio Aequitas concedido por el Colegio de Graduados Sociales de Valencia, noviembre de 2007.
- Miembro del Jurado "Premio Príncipe de Asturias de Ciencias Sociales" de 2006 a 2010.
- Premio "Avanzando en Igualdad 2008", otorgado por la Federación de Servicios Públicos de Valencia, enero de 2008.
- Socia de Honor y Medalla de Oro concedida por la Asociación Nacional de Abogados Laboralistas, Madrid, octubre de 2008.
- Asociada ad honorem de la Asociación de Mujeres Investigadoras y Tecnólogas (AMIT), noviembre 2008.
- Reconocimiento de la "Conferencia Iberoamericana de Justicia Constitucional" por las labores jurisdiccionales en España, por la contribución, conformación y difusión de la cultura constitucional en Iberoamérica y por la destacada participación en Conferencia Iberoamericana. Mérida, Yucatán, 17 de abril de 2009.
- Medalla de la Orden del Mérito Constitucional (RD 94/2011, de 21 de enero; BOE 22 de enero de 2011).
- Gran Cruz de la Real y Distinguida Orden Española de Carlos III (RD 515/2011, de 8 de abril; BOE 9 de abril de 2011).
- Presidenta del Premio Foro Español de Laboralistas (Forelab) Jóvenes Laboralistas, desde 2012.
- Gran Cruz de la Orden de San Raimundo de Peñafort (RD 969/2013, de 5 de diciembre; BOE 6 de diciembre de 2013).
- Of Counsel del Estudio Jurídico Ejaso desde abril de 2014.
- Miembro de la Junta Consultiva de la Universidad Autónoma de Madrid desde 2015.
- Miembro del Jurado del Premio Pelayo para juristas de reconocido prestigio desde 2016.
- Coordinadora del grupo de expertos FIDE sobre "Por un nuevo marco legislativo laboral. Conclusiones del grupo FIDE sobre una nueva ordenación legal consensuada del trabajo y de las relaciones laborales" (diciembre, 2016).
- Galardonada con el reconocimiento de "Pioneros" de Lefebvre -El Derecho, noviembre de 2017.
- Miembro del Consejo Académico de la Fundación para la Investigación sobre el Derecho y la Empresa (FIDE).
- Premio "Victoria Kent" en reconocimiento de la contribución a la consolidación de la democracia en España (Fundación Cajasol y Centro de Estudios de Documentación e Información Social de Andalucía, 8 de febrero de 2017).
- Coordinadora del grupo de expertos FIDE sobre "El futuro del trabajo. El trabajo que queremos" (marzo 2017).
- Miembro de la Comisión Ciencia y Derecho (abril 2017)
- Miembro del Comité de Personalidades Independientes creado por el artículo 11 del Reglamento (UE, Euratom) n° 1141/2014 del Parlamento Europeo y del

Consejo, de 22 de octubre de 2014 , sobre el estatuto y la financiación de los partidos políticos europeos y las fundaciones políticas europeas, nombrada por el Parlamento Europeo (6 de abril de 2017).

- Presidenta de la Asociación Española de Derecho del Trabajo y Seguridad Social, elegida el 1 de junio de 2017.
- Premio Fernández Latorre, La Voz de Galicia, 25 de julio de 2017.
- Miembro de la Comisión de Encuesta constituida para la queja relativa al incumplimiento por la República Bolivariana de Venezuela de los Convenios núm. 26, núm. 87 y núm. 144 de la OIT, según la queja presentada por varios delegados empleadores a la Conferencia Internacional del trabajo en virtud del artículo 26 de la Constitución de la OIT, designada por el Consejo de Administración de la OIT en su 333ª reunión, 9 de junio de 2018.
- Patrona de la Fundación Coloquio Jurídico Europeo (Acuerdo de la Junta del Patronato de fecha 28 de junio de 2018).
- Medalla de oro de Galicia (DECRETO 73/2018, de 19 de julio).
- Patrona de la Fundación Complutense (nombrada por el Consejo de Gobierno de la Universidad Complutense).
- Miembro del Consejo de Ciencias Sociales de la Fundación Ramón Areces (desde agosto de 2018).
- Premio de honor 2019 Women in a Legal World.
- Premio Unión Profesional 2020 (5 de marzo de 2020).



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## CV

### **Prof. D'Arcy du Toit - abridged version -**

#### **Educational background**

1970: B.A., University of Cape Town

1973: LL.B., University of Cape Town

1979: LL.D., University of Leiden

#### **Academic background**

1994 Appointed as Professor of Mercantile Law, Faculty of Law, University of the Western Cape

1994–1996 Visiting academic/professor at the Universities of Leiden, Missouri and Utrecht

1997–2001 Dean, Faculty of Law, University of the Western Cape

2001–2011 Senior Professor, Faculty of Law, University of the Western Cape

2002 DAAD Research Fellow at Humboldt University (Berlin) and J.W. Goethe University (Frankfurt-am-Main)

2004– Member of Board of Advisors, European Labour Law Network

2006– Member of Advisory Board, Institute for Development and Labour Law, University of Cape Town

- 2009 Erasmus Mundus Third-Country Scholar at the University of Groningen, Netherlands
- 2011 Rated by the National Research Foundation of South Africa as “Internationally Acclaimed Researcher”
- 2012– Emeritus Professor, Faculty of Law, University of the Western Cape
- 2018– Coordinator of Niche Area “Labour Law in the 4<sup>th</sup> Industrial Revolution”, Faculty of Law, University of the Western Cape
- 2018– Co-Investigator, Fairwork Foundation, University of Oxford

## **Association with ISLSSL**

- 1997– Member of South African Society for Labour Law (SASLAW); served in various capacities on the Western Cape and National Committees
- 2002–2012 Member of Executive Committee, ISLSSL
- 2009–2012 Vice-President of ISLSSL
- 2013–2015 Chair of Local Organising Committee for the 21<sup>st</sup> World Congress of the ISLSSL held in Cape Town, September 2015
- Honorary Life Member of SASLAW

## **Selected publications 2015–2020**

### **A. Books and chapters in books**

Editor and co-author: *Labour Relations Law* (LexisNexis, 6<sup>th</sup> edition, 2015): with S. Godfrey, C. Cooper, G. Giles, T. Cohen, B. Conradie and A. Steenkamp

Editor and co-author: *Labour Law Through the Cases* (LexisNexis, Issues 26–36, 2015–2020): with B. Conradie, T. Cohen, W. Everett, M. Fouche, G. Giles, S. Godfrey, M. Taylor and P. van Staden

Editor and co-author: *Labour Law and Social Progress: Holding the line or shifting boundaries* (Bulletin of Comparative Labour Relations, Kluwer Law International, 2016)

Editor and co-author: *Strikes and the Law* (LexisNexis, Durban, 2017): with H. Cheadle, B. Conradie, T. Cohen, E. Fergus, M. Jacobs and A. Steenkamp

“Building BRICS for Growth?” in M. Finkin & G. Mundlak (eds) *Comparative Labor Law* (Edward Elgar, Cheltenham, UK; Northampton, MA, USA, 2015): with S. Cooney, R. Fragale, R. Ronnie and K. Sankaran

“Towards fairness in the ‘sharing economy” in K. Ahlberg and N. Bruun (eds): *The New Foundations of Labour Law* (Peter Lang GmbH, Frankfurt am Main, 2017)

“From ‘platform capitalism’ towards a ‘sharing economy” in O. Deinert, J. Heuschmid, M. Kittner and M. Schmidt (eds) *Demokratisierung der Wirtschaft durch Arbeitsrecht: Festschrift für Thomas Klebe* (Bund-Verlag, Frankfurt am Main, 2018)

“South Africa” in M. Moroni and M. Schlachter (eds) *Regulating Strikes in Essential Services: A Comparative ‘Law in Action’ Perspective* (Kluwer Law International, Alphen aan den Rijn, 2019): with M. Jacobs and R. Ronnie

“Human rights in the evolution of South African labour law” in J.R. Bellace and B. ter Haar (eds) *Research Handbook on Labour, Business and Human Rights Law* (Edgar Elgar, 2019): with M. Sirkhotte

## **B. Journal articles**

“‘Affirmative action’ or ‘positive action’ in the employment context: Comparing the interpretation of ‘equality’ by the European Court of Justice with that of the South African Constitutional Court” (2015) 36 *Comparative Labor Law & Policy Journal* 423

“Freedom of Association, Majoritarianism, and the Rights of Minority Unions” *International Labor Rights Case Law* 3 (2017) 297

“One Small Step Towards Decent Work: Uber v Aslam in the Court of Appeal” (2019) 48 *Industrial Law Journal* (UK) 260: with S. Fredman

« Le droit du travail et la « révolution technologique » en Afrique du Sud *Revue de droit comparé du travail et de la sécurité sociale* 2019-2: with K. Malherbe and K. Mokoena<sup>1</sup>

“Do Cooperatives Offer a Basis for Worker Organisation in the Domestic Sector? An Exploratory Study” (2015) 36 *Industrial Law Journal* (SA) 1677

“The Right to Equality versus Employer ‘Control’ and Employee ‘Subordination’: Are Some More Equal Than Others?” (2016) 37 *Industrial Law Journal* (SA) 1

“Should precarious work be the focus of labour law?” (2018) 39 *Industrial Law Journal* (SA) 2089

“Revisiting Strikes in Essential Services” in (2018) 39 *Industrial Law Journal* (SA) 2131: with M. Jacobs and R. Ronnie

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<sup>1</sup> Also published as: “Revolutionary change in technology” must be translated into labour law” 2019-4 electronic edition of the *Journal of Comparative Labor Law and Social Security*.

“The New Labour Bills: An Overview and Analysis” in (2018) 39 *Industrial Law Journal* (SA) 2161:  
with S. Godfrey and M. Jacobs

“Platform work and social justice” (2019) 40 *Industrial Law Journal* (SA) 1

“Independent contractors have rights too” (2019) 40 *Industrial Law Journal* (SA) 2165



## ANNEX II

**XI SEMINARIO INTERNACIONAL DE DERECHO COMPARADO DEL TRABAJO “ISLA DE MARGARITA”. LOS DERECHOS FUNDAMENTALES EN EL TRABAJO Y LAS RELACIONES LABORALES EN LA ERA DIGITAL.**

**SANTO DOMINGO, REPÚBLICA DOMINICANA.  
2 al 7 de noviembre 2020.**

**ORGANIZA: UNIVERSITAS FUNDACIÓN.**

**Auspiciado por:**

**Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social (SIDTSS).  
Academia Iberoamericana de Derecho del Trabajo y de la Seguridad Social (AIDTSS).  
Asociación Dominicana de Derecho del Trabajo y de la Seguridad Social (ADDTSS).  
Asociación de Profesores Universitarios de Derecho del Trabajo de Venezuela (APUDTV).**

### PROGRAMA

#### Lunes 2 de noviembre del 2020.

8H.00 - 9H.00. Registro de Participantes y Entrega de Material.

9H.00 Acto de Instalación.

**Rafael ALBURQUERQUE** (*República Dominicana. Ex-Presidente de la AIDTSS*).

**Oscar HERNÁNDEZ ÁLVAREZ** (*Venezuela. UCLA*).

10H.00 - Receso

10H:30 – 11H.30 **Tema: PRINCIPIOS Y CARACTERÍSTICAS DEL PROCESO LABORAL.**

**Jaime CABEZA** (*España. Universidad de Vigo*).

**Jorge ROSENBAUM** (*Uruguay. Catedrático de Derecho del Trabajo de la Universidad la República. Montevideo. Presidente de la AIDTSS*).

11H:30 a - 12H.30. Interacción con los participantes.

12H:30. Almuerzo.

14H.30 - 17H.30 Discusión de informes nacionales y elaboración de informe comparado

#### Martes 3 noviembre del 2020.

9H.00- 10H.00 **Tema: PROCEDIMIENTO DE AMPARO O TUTELA CONSTITUCIONAL COMO SISTEMA DE PROTECCIÓN DE LOS DERECHOS LABORALES FUNDAMENTALES.**

**Milton RAY GUEVARA** (*Presidente del Tribunal Constitucional de República Dominicana*).

**Oscar HERNÁNDEZ ÁLVAREZ** (*Venezuela. Ex Presidente de la AIDTSS*).

10H.00-11H.00 Panel de profesores.

11H-11.30 Receso.

11H30-12H.30. Interacción con participantes  
12H.30. Almuerzo.

14H.30-17H.30. Grupos de trabajo.  
17H.30 -18H30 Informes.  
9H.00-10H.30

### Miércoles 4 de noviembre del 2020.

9H.00-10H.30. **PROCESOS LABORALES NACIONALES.**

**Chile:** **Francisca VIAL** (Universidad Adolfo Ibañez) y **Andrés FRANCHI** (Universidad Católica de Concepción).

**España:** **Belén FERNANDEZ DOCAMPO.** (Universidad de Vigo).

**México:** **Oscar ZAVALA y José Alfonso APARICIO.** (Universidad Autónoma de México).

10H.00 - Receso

**República Dominicana:** **Nancy SALCEDO** (Magistrada Suprema Corte de Justicia) y **Vielkha MORALES** (Pontificia Universidad Católica Madre y Maestra).

**Uruguay:** **Jorge ROSENBAUM** (Universidad de la República).

**Venezuela:** **Iván MIRABAL RENDÓN** (Venezuela. Presidente de AUPDTV).

**Coordinador:** **Oscar HERNÁNDEZ ÁLVAREZ** (Venezuela. Ex Presidente de la AIDTSS).

12:30. Almuerzo.

14H.30-18H.00. **Tema: ACTIVIDAD A CARGO DE LA SECCIÓN DE JÓVENES JURISTAS DE LA SOCIEDAD INTERNACIONAL DE DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL.**

**Coordinador:** **Javier SUÁREZ . Natachú DOMÍNGUEZ** (República Dominicana. Pontificia Universidad Católica Madre y Maestra).

PANEL PRINCIPAL.

- \_\_\_\_\_:
- \_\_\_\_\_:
- \_\_\_\_\_:

PANEL DE MESA REDONDA.

- \_\_\_\_\_:
- \_\_\_\_\_:

### Jueves 5 de noviembre del 2020.

9H.00-10H.30 **Tema: LAS PRUEBAS EN EL PROCESO LABORAL.**

**Iván MIRABAL RENDÓN** (Venezuela. Presidente de AUPDTV).

**César CARBALLO MENA** (Venezuela. Universidad Católica Andrés Bello).

**Carlos HERNANDEZ.** (*República Dominicana. Pontificia Universidad Católica Madre y Maestra*).

10H.30. Panel de profesores.

11H.00. Receso.

11H.30-12H.30. Interacción con los participantes.

12H.30. Almuerzo.

14H.30-17H.30. Grupos de trabajo.

17H.30 -18H30 Informes.

### **Viernes 6 de noviembre del 2020.**

9H.00-10H.00 **Tema: LA PROTECCIÓN DE LOS DERECHOS LABORALES FUNDAMENTALES. ESPECIAL REFERENCIA AL SISTEMA INTERAMERICANO DE DERECHOS HUMANOS.**

**José Luis UGARTE** (Universidad Diego Portales. Chile).

**Pier PAOLO PASCERI SCARUMUZZA** (*Venezuela. Ex- Magistrado de la Corte Interamericana de Derechos Humanos*).

10H.00. Panel de profesores.

11H.00-11.30 Receso.

11H.30 - 12H.30. Interacción con participantes.

12H.30. Almuerzo.

**Tarde libre.**

### **Sábado 7 de noviembre del 2020.**

10H.00. **EXPOSICIÓN DE INFORME ÚNICO COMPARADO.**

10H.30. **Conferencia de clausura: LA CASACION LABORAL**

**Manuel HERRERA CARBUCCIA** (*República Dominicana. Magistrado Vice-Presidente de la Suprema Corte de Justicia*).

**Pier Paolo PASCERI SCARAMUZZA** (*Venezuela. Universidad Católica Andrés Bello*).

11H.00. **Receso.**

11H.30. **Discurso de Clausura.** **Martín BRETÓN** (*República Dominicana. Pontificia Universidad Católica Madre y Maestra. Presidente de la ADDTSS*).

**Clausura del Seminario y entrega de certificados.**

12H.30. **Almuerzo.**

02H.00. PASEO A LA PLAYA. Salida desde el hotel.