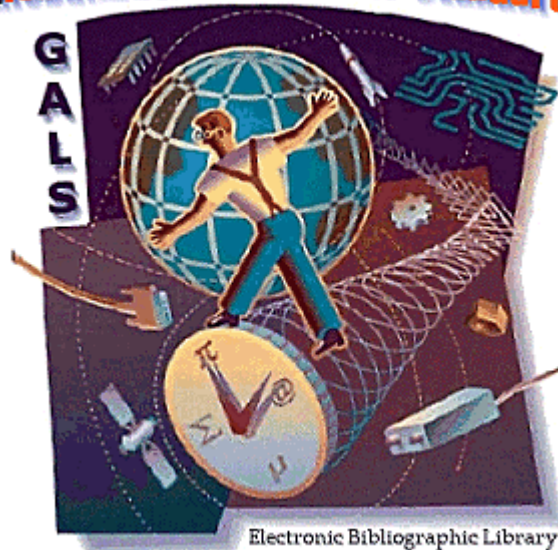


Globalization and Labor Standards



GALS Newsletter

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Contingent Work

Yamashita, Mitsuru, "Japanese Labor-management Relations in an Era of Diversification of Employment Types: Diversifying Workers and the Role of Labor Unions", *Japan Labor Review* v. 2 no1 (Winter 2005) p. 105-117

Abstract:

This article examines several studies about Japanese labor unions in an effort to better understand how the increase of non-regular work and workers in Japan is connected to the declining rate of unionization. The author starts with a review of two trends: (1) the widening wage gap between regular and non-regular employees in all categories of work, and (2) the declining proportion of workers joining labor unions (from 55.8% in 1929 to below 20% in 2003). The next section explores different factors that may explain why the rate of progress in unionizing non-regular employees is so slow compared to their growth in the workplace. These factors include the labor unions' resistance in adapting to a changing workplace as well as a new trend among employers of avoiding unionization. The author then focuses on the unique challenge that organizing part-time workers brings. He suggests that the efforts of labor unions to secure benefits for part time workers that are similar to the ones regular workers receive are leading companies to increase their use of outsourcing and external contractors. The article concludes with proposals for future studies to clarify the dynamics of the labor-management relationship in Japan's current era of employment diversification.

Subjects: [Contingent Work](#), [Country-Specific Case Studies](#)

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Mizushima, Ikuko, "Recent Trends in Labour Market Regulations", *Japan Labor Review* v. 1 no4 (Fall 2004) p. 6-26

Abstract:

This article provides an overview and critique of the recent revisions in Japan's Employment Security Law (ESL) and its Law for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Worker Dispatching Law). The article begins with a summary of recent amendments to the Employment Security Law in which, to respond to the changing labor market, the government relaxed the regulations placed upon employment placement agencies. The amendments reduced restrictions on the issuance of licenses for employment placement agencies to operate and expanded the entities that could run free employment placement services such as schools. The author recognizes that deregulation could take away laws that were passed for the purpose of protecting job-seekers, but she argues that the regulations still in place are sufficient to protect the public. The next section discusses the amendments to the Worker Dispatching Law. A worker dispatching agency is the equivalent to a temp agency in the United States. The amendments include regulations for "Temp to Perm Service," notification requirements of working conditions, and an abolition of the ban on worker dispatching in manufacturing jobs. The last section examines three legal issues that the revisions of the Worker Dispatching Law raise. First, the author asks if the "Temp to Perm Service" will become the new method of matching workers with jobs. Before this amendment, dispatching workers for the purpose of introducing a permanent job was prohibited.

Though the author recognizes its advantages, she cautions that it leaves workers with less protection. Next, the author argues that the revisions strengthen the worker dispatching agency and its company-client's accountability to the worker. The last issue is whether the expansion of worker dispatching will generate more employment opportunities or lead to unstable employment. The author concludes there will be both.

Subjects: [Contingent Work](#), [Country-Specific Case Studies](#)

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Country-Specific Case Studies

Araki, Takashi, "Corporate Governance Reforms, Labor Law Developments, and the Future of Japan's Practice-Dependent Stakeholder Model", *Japan Labor Review* v. 2 no1 (Winter 2005) p. 26-57

Abstract:

This article examines recent reforms in Japanese corporate governance that move Japan from an employee-centered to a shareholder-centered model of corporate governance. The author begins with a description of Japan's traditional corporate governance model, and then describes the legislative reforms that change the governance structure and alter labor-management relations. According to the author, the principle difference between the old and new models is that the traditional model is based on internal promotion, while the new model is comprised of outside managers and directors. The former leads to amiable relations between labor and management because most managers had been members of the union during their span of employment at the company, while the latter leads to a more adversarial approach. The next section looks at how the increased mobility of the workforce and use of atypical employment has led to decreased employment security. He reviews some labor law developments that attempt to balance the goals of promoting corporate reorganization (e.g. by relaxing the standard for job dismissal for employers) with protecting employee s' interests (e.g. by imposing automatic succession of employment relations of corporations that split). The author then discusses some ways in which Japan's current worker representation system may need improvements. Japan's industrial relations are comprised of three factors: (1) enterprise unionism, (2) free-flowing labor-management communication, and (3) internal management promotion. All three factors are compromised with corporate reorganization and a diverse workforce. The author concludes that despite these recent reforms aimed at changing Japan's corporate governance structure to a shareholder-centered model, Japan's strong and deep-rooted stance on protecting employee interest will result in resistance to any drastic changes to the traditional employee-centered model.

Subjects: [Corporate Governance](#), [Country-Specific Case Studies](#)

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Links to Related Projects

Asian Law Center: <http://www.law.unimelb.edu.au/alc/bibliography/browse.asp?s=45>

The Asian Law Centre, an initiative of the University of Melbourne Law School, devoted to the development of understanding of Asian law, offers an extensive bibliography of Asian labor law articles and reports.

Centre for Employment and Labour Relations Law: <http://www.law.unimelb.edu.au/celrl/>

Centre for Employment and Labour Relations Law is a research and teaching center devoted to the development of an understanding of labor law at the University of Melbourne. The Center's website describes the activities of the Center and contains links to several databases that are of interest to labor law scholars and practitioners. For example, the Center's Work Relations Law Project contains extensive information about Australian labor law that can be accessed directly at <http://www.austlii.edu.au/au/special/industrial/>.

ETUI Labourline: <http://www.labourline.org/Etui>

ETUI Labourline is a database of European labor information resources covering European, international and comparative aspects of industrial relations and health and safety issues, developed by the Documentation Centres of the European Trade Union Institute and the European Trade Union Institute for Health and Safety(Brussels). The consolidated bibliographic database contains more than 20,000 references to documents focusing on industrial relations, and more than 15,000 references to documents on health and safety issues.

Globalization Bulletin: <http://www.rci.rutgers.edu/~dbensman/bulletin.html>

The Globalization Bulletin is a weekly e-newsletter providing linked access to the latest articles, research, and web resources on a range of global labor issues—ranging from union organizing and labor markets to immigrations and trade agreements. The Bulletin is produced by the Globalization Task Force of the New Jersey Division of the United Nations Association-USA and the Department of Labor Studies and Employment Relations School of Management and Labor Relations, Rutgers University. To subscribe, email David Bensman at dbensman@smlr.rutgers.edu.

Labor and Global Change Database: <http://www.ilir.umich.edu/lagn/>

The Labor and Global Change Database provides bibliographies, citation information and (where available) web links to the full text of research exploring connections between labor and globalization. The database aims to provide researchers with an easy means to make the results of their work widely available to other scholars and the interested public. The database is run by and continually updated by the Labor and Global Change Program of the University of Michigan.

LabourWeb: <http://www.lex.unict.it/eurolabor/en/>

The Labour Web is a comprehensive documentation center for information about European labor law, social law, industrial relations and the welfare state. It contains up-to-date versions of European Union law, directives, pending directives, EU news, press releases, economic statistics and decisions of the European Court of Justice. It also contains a Working Papers series and subject matter reports (dossiers) on issues concerning European integration. The site also provides links to other websites that contain working papers, statistical reports, and other information about social, economic and industrial relations affairs in the European context. It is run by the Massimo D'Antona Centre for the Study of European Labour Law, at the Faculty of Law of the University of Catania.

The Marco Biagi Centre for International and Comparative Studies:

<http://www.csmb.unimo.it>

The Marco Biagi Centre for International and Comparative Studies at the University of Modena and Reggio Emilia, Italy, functions as policy resource center on comparative labor issues. Besides publishing books and law journals, the Center provides a clearinghouse of international law journals, including the International Journal of Comparative Labour Law and Industrial Relations (<http://www.csmb.unimo.it/journal.html>). Currently only in Italian, the Center's website will soon offer an English version.

Trade Unions and Labor Relations Database: <http://www.polwiss.fu-berlin.de/tu/english/>

The database, produced by the Institute of Labor Relations of the Otto-Suhr-Institute of the Freie University of Berlin, contains almost 7,000 citations of books, articles, working papers, brochures, proceedings etc. The bulk of the citations address aspects of labor relations in Germany, but there is a substantial body of literature in the database covering the EU and Eastern Europe.

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