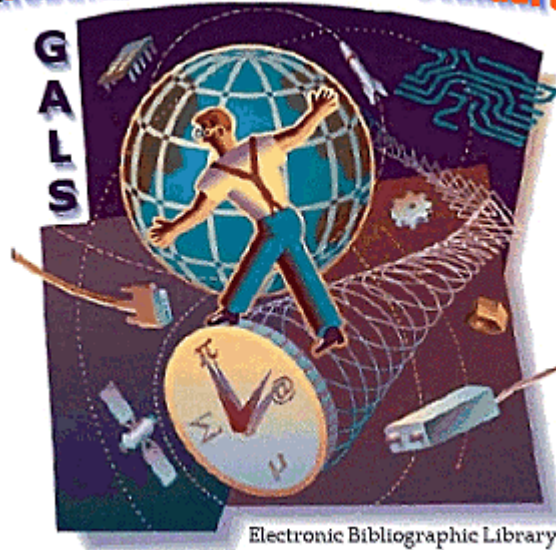


# Globalization and Labor Standards



## GALS Newsletter

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**Katherine V.W. Stone** – Editor and Project Director

Managing Editor:  
**Brendan Smith**

Student Contributors:  
**Jennifer Ku**  
**Pamela Chandran**

Tech Advisor:  
**Sasha Skenderija**

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## Country-Specific Case Studies

**Howes, Victoria & Wank, Rolf, "New Grounds for Anti-discrimination: the Roles of Equality Commissions in Law Enforcement in the UK and Germany", *International Journal of Comparative Labour Law and Industrial Relations* v. 21 no4 (2005) p. 571-590**

**Abstract:**

This article explores existing anti-discrimination regulations and their enforcement mechanisms in the UK and Germany. The first section looks at the development of anti-discrimination law in the UK and Germany, describing how the UK has been more advanced in this area than the other EU member States. The next section discusses the implementation of the new EU anti-discrimination directives in the UK and Germany, focusing on the role of equality commissions which enforce anti-discrimination laws through public fact-finding investigations. The author concludes with the suggestion that the UK and Germany should take additional enforcement steps, including developing training programs for employers, establishing a national helpline for potential claimants, and embarking on a public relations campaign.

**Subjects:** [Anti-Discrimination](#), [Country-Specific Case Studies](#), [European Union](#), [Women's Rights](#)

**Royle, Tony, "The Union Recognition Dispute at McDonald's Moscow Food-Processing Factory", *Industrial Relations Journal* v. 36 no4 (July 2005) p. 318-332**

**Abstract:**

This article examines a union recognition dispute that took place between 1998 and 2002 at "McComplex," a McDonald's food-processing factory in Moscow. The author begins by explaining that while McDonald's is generally anti-union, its workers in different countries have had varying success in their efforts to organize, depending on factors such as whether there is pro-union labor law. He then presents a brief analysis of the industrial relations and economy system in Russia, focusing on the 2001 Labour Code which gave employers significantly more discretion than before. The author then describes the history of the McComplex dispute. The first Russian McDonald's restaurant opened in 1990. Initially, the McComplex employees were happy -- they had relatively good wages and were paid on time. Their situation changed in the mid and late 1990s when McComplex was privatized and Russia was hit with a financial crisis. Despite spiraling inflation, McDonald's refused to increase wages. In that period, health and safety complaints increased. The McComplex employees organized a union in 1998, but management harassed the workers involved. One ex-McComplex worker brought a lawsuit, alleging that he was fired due to his union activity. He won, and the suit led to the establishment of a parliamentary commission to explore whether McDonald's violated labor laws by refusing to negotiate with the union. In the meantime, McDonald's engaged in surface bargaining with the union, while at the same time conducting an orchestrated union busting campaign that picked off every union member one by one until there were none left. The article concludes by saying that this McComplex example illustrates how low-skilled sectors of transition economies have little hope of asserting their employment rights unless labor laws are strong and stringent, and unless there is a political will to enforce sanction for non-compliance.

**Subjects:** [Company-Specific Case Studies](#), [Country-Specific Case Studies](#)

## Workplace Harassment

Quill, Eoin, "Employers' Liability for Bullying and Harassment", *International Journal of Comparative Labour Law and Industrial Relations* v. 21 no4 (2005) p. 645-666

**Abstract:**

This article explores the use of tort law to establish employer liability for bullying and harassment of employees in the workplace. The author examines cases in Ireland, the UK, the US, and Canada that have applied tort principles to hold employers liable for psychic harm caused by workplace harassment. The first section explains why tort law could be more useful than statutes in this area. The next section examines case law concerning the duty of care with respect to negligently inflicted psychiatric harm and the intentional infliction of emotional distress. The last section deals with vicarious liability, analyzing why its application to workplace bullying and harassment cases have proved difficult and unpredictable. The author concludes by suggesting that tort law can and should be used as a beneficial supplement to protectionist legislation.

**Subjects:** [Anti-Discrimination](#), [Country-Specific Case Studies](#), [Workplace Harassment](#)

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## Links to Related Projects

**NEW** **The International Labour Organization's (ILO) Informal Economy Resource Database:** <http://www.ilo.org/dyn/infoecon/iebrowse.home>

The Informal Economy Resource Database contains a myriad of ILO activities, research or tools directly or indirectly related to the informal economy and decent work. This source is a "living" and dynamic inventory of information on labour issues relating to the informal economy, such as access to finance, data and statistics, employment, gender equality, policy, rights, social protection and working conditions. It is a valuable tool for anyone undertaking research or working on labour issues and the informal economy.

**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/celr/>

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](mailto: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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*Project Director:*

[Katherine V.W. Stone](#)  
UCLA School of Law