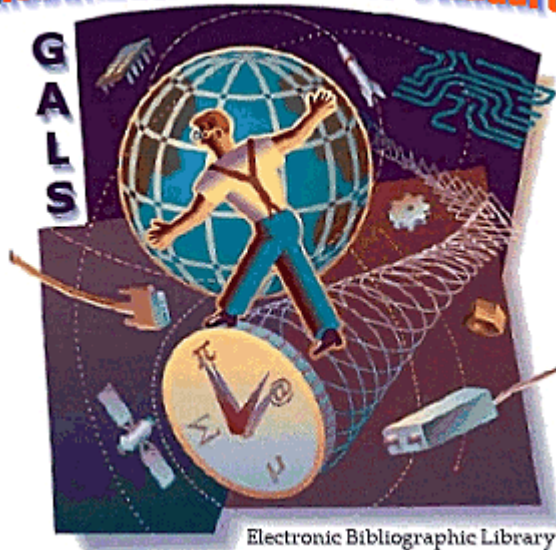


# Globalization and Labor Standards



## GALS Newsletter

August, 2006

Volume 5, No. 8

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

Managing Editor:  
**Brendan Smith**

Student Contributors:  
**Jennifer Ku**  
**Angela Jamison**  
**Linda Bassett Husain**

Tech Advisor:  
**Sasha Skenderija**

The Globalization and Labor Standards Bibliographic Library is sponsored by  
UCLA School of Law and the UCLA Institute of Industrial Relations

The complete GALS Library is available at <http://www.laborstandards.org>.  
New subscribers can use [gals-request@lists.ucla.edu](mailto:gals-request@lists.ucla.edu) to be placed on the GALS list-  
serve. Information about how to sign up for this free service is [available below](#).

**NEW** The Globalization and Labor Standards Project has initiated a Working Papers Series. GALS Working Papers can be found at in PDF format at [www.laborstandards.org](http://www.laborstandards.org). They are listed separately as well as cross-referenced and integrated into the GALS library. The library contains links to the full text of the Working Paper. GALS Working Papers are also listed in the newsletter.

## Labor Rights in General

**Cummins, Justin, "Invigorating Labor: A Human Rights Approach in the United States", *Emory International Law Review* v. 19 no1 (2005)**

### Abstract:

The article argues that international human rights law should be used to prosecute labor violations in the United States. Part II discusses the context and rationales for this approach, including (1) the ambivalence of globalization, which encourages both a race to the bottom for worker protections but has seen the helped to spur the development of new human rights conventions; (2) Supreme Court rulings affirming international human rights doctrines; and (3) the failure of the National Labor Relations Act to protect US workers. Part III discusses judicial treatment of this strategy under the Alien Tort Claims Act and other statutes. Part IV details looming technical objections, including lack of subject matter jurisdiction, Garmon preemption and preclusion for want of state action. Part V recommends an approach to venue, party, jurisdiction, substantive claims and alliances that might provide a successful test case. Part VI concludes that this strategy should fortify the emerging alliance of labor, civil rights and human rights proponents and overcome the isolation and marginalization of workers.

**Subjects:** [Alien Torts Claims Act](#), [Corporate Accountability](#), [Extraterritorial Application of Law](#), [Labor Rights in General \(Misc.\)](#)

**Full-text links:** || [WESTLAW](#) || [LEXIS-NEXIS](#) ||

## Pensions

**Filosa, Gregory, "International Pension Reform: Lessons for the United States", *Temple International and Comparative Law Journal* v. 19 (2005) p. 133-184**

### Abstract:

The problems of the US Social Security system -- a pay-as-you-go system sustainable only through 2042 -- are common throughout the world. The author uses international reforms to illuminate US options. Part II outlines the history and problems of the US social security system. Part III explains the World Bank's role in promoting worldwide reform since 1980, and its three-part model that includes (1) a pay-as-you-go defined benefit program; (2) a privatized defined contribution program; and (3) a voluntary savings pillar. Detailed case studies of Chile, Britain, Poland, Kazakhstan and Australia show variations of this model. Parts IV and V discuss US reform proposals and advocate a mandatory, fully-funded, defined contribution pillar in addition to extant minimum-protection and voluntary savings pillars. Chile is the key exemplar. Part VI, an author's note, uncritically describes Bush-Cheney reform proposals.

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

**Full-text links:** || [WESTLAW](#) || [LEXIS-NEXIS](#) ||

\*\*\*\*\*

## Links to Related Projects

**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/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](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.

\*\*\*\*\*

## GALS Information

You can view the entire GALS bibliography and database at <http://www.laborstandards.org>.

If you have colleagues who may be interested in this service, send them the following instructions on how to subscribe:

To subscribe to the **GALS Newsletter** send the following email to [gals-request@lists.ucla.edu](mailto:gals-request@lists.ucla.edu)

Subject: *[leave blank]*

First line of the message: **SUBSCRIBE**

If you would like to unsubscribe to the **GALS Newsletter**, please email [gals-request@lists.ucla.edu](mailto:gals-request@lists.ucla.edu) with the following text:

Subject *[leave blank]*

First line of the message: **UNSUBSCRIBE**

For any problems or questions, please email to Brendan Smith, at [GALS@laborstandards.org](mailto:GALS@laborstandards.org).

The **GALS Bibliographic Library** is provided by the [UCLA School of Law](#) and the **UCLA Institute of Industrial Relations**.

*Project Director:*

[Katherine V.W. Stone](#)

UCLA School of Law