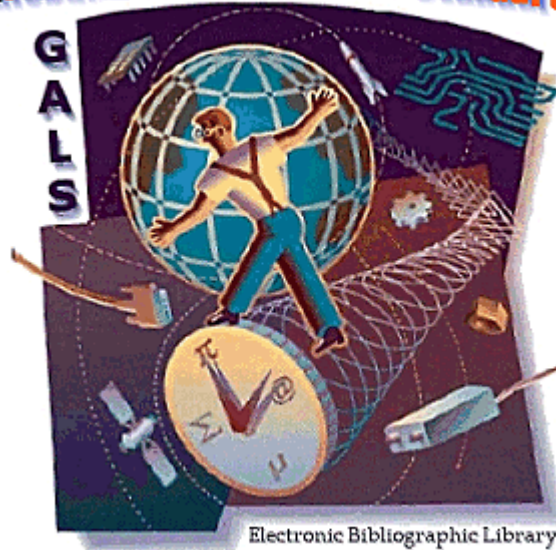


# Globalization and Labor Standards



## GALS Newsletter

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The Globalization and Labor Standards Project has initiated a Working Papers Series. GALS Working Papers can be found 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.

## Country-Specific Case Studies

**Takashi, Araki, "Changing Employment Practices, Corporate Governance, and the Role of Labor Law in Japan", *Comparative Labor Law & Policy Journal* v. 28 (2007) p. 251-275**

### **Abstract:**

Despite widespread media and scholarly reports of the demise of Japan's system of highly developed internal labor markets and lifetime employment, in this article the author argues that the job protections characteristic of Japanese labor relations have remained largely undiluted, but that the share of the "non-regular," (part-time, fixed-term, contingent, or "flexible") work force has grown dramatically in recent years, so that a growing percentage of the overall workforce has no job security. The author argues that it is precisely because Japanese unions and the courts have successfully defended the job security of the "regular" workforce, that employers have increasingly resorted to using non-regular employees and to what the author calls "qualitative flexibility," meaning implementation of lower labor standards as cost-saving measures when "quantitative flexibility (meaning the outright elimination of redundant positions) is not possible. Despite a series of recent reforms in several areas of Japanese labor law, the author argues that these have generally steered a "pragmatic" middle ground between "security" and "flexibility." By contrast, potentially more far reaching changes have occurred in Japanese corporate law, which since 2002, allows companies to replace their internally promoted directors (often former leaders of the enterprise unions at their respective firms) who are sympathetic to employee job protections, with externally selected directors, who seek to maximize stock value and who regard the shareholders, rather than employees, as the primary constituency to whom they must answer. The author notes that, while Japanese corporations since World War II have largely behaved like their European counterparts, by ensuring worker participation in the direction of the enterprise, Japanese law is modeled on, and more closely resembles, U.S. corporate governance structures. While the vast majority of Japanese corporations have yet to adopt the U.S.-style corporate governance structures, the author notes that, at least from the standpoint of existing Japanese law, that option is much more open than is a wholesale dismantlement of the job protections characteristic of Japanese labor law. The article concludes with a review of recent additions and modifications to Japanese labor law and with the author's recommendations for continuing a path of "pragmatic" and "non-ideological" reforms, which the author characterizes as steering a middle ground between the "rigid" security of many European systems and the hyper-flexibility characteristic of the United States.

**Subjects:** [Contingent Work](#), [Corporate Governance](#), [Country-Specific Case Studies](#), [Flexibilization](#)

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

## NAFTA/GATT

**Fernandez-Kelly, Patricia, "NAFTA and Beyond: Alternative Perspectives in the Study of Global Trade and Development", *Annals of The American Academy of Political and Social Science* (March 2007)**

### **Abstract:**

This article introduces and summarizes 12 articles which assess the multiple meanings of "free trade," in particular NAFTA, as a neoliberal political-economic project. To place the volume in intellectual and political context, the author gives a concise but fluid history of the practices and ideas of liberalism from the 1870s to the present. This includes discussion of how early liberalism, utilitarianism and

libertarianism, as well as the economic upheavals of the 20th century, contributed to neoliberalism. Neoliberalism represents a continuation of earlier theorists' faith in individual freedom, and in practice has yielded uneven and unexpected effects.

**Subjects:** [NAFTA/GATT](#), [Trade Agreements](#), [Trade Conditionality](#)

**Full-text links:** || [PDF](#) ||

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## 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.

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*Project Director:*

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