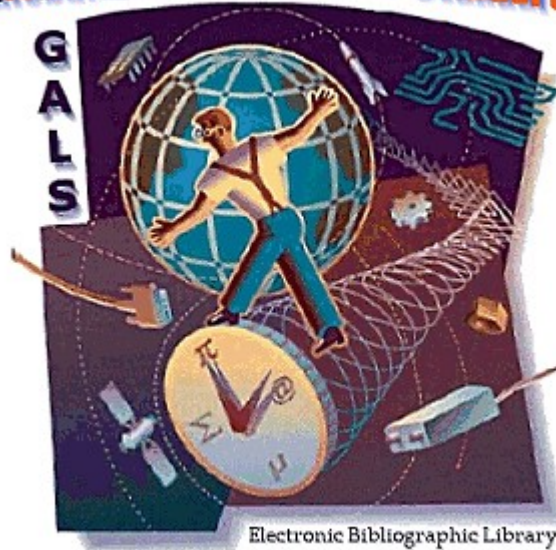


Globalization and Labor Standards



GALS Newsletter

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European Social Charter

Toth, Mariann Arany, "The Right To Dignity at Work: Reflections on Article 26 of the Revised European Social Charter", *Comparative Labor Law & Policy Journal* v. 29 (2008) p. 275-331

Abstract:

This article explores the emergence, contours, and impact of the right to dignity at work contained in Article Twenty-six of the Revised European Social Charter. It identifies modern conceptualizations of dignity at work in current legal scholarship and describes the historical development of the concept in Article Twenty-six. The author outlines the nature and content of this right, highlighting the ambiguities of Article Twenty-six's right to dignity at work in light of potentially conflicting contractual obligations of the parties. The author then assesses the affect of Article Twenty-six's right to dignity at work on the

protection of European workers' non-economic interests. The article concludes that although the conceptualization of Article Twenty-six's right to dignity at work is narrow, it is nonetheless a significant step towards protecting workers' non-economic interests in respect and dignity on the job.

Subjects: [European Social Charter](#), [European Union](#), [Labor Rights in General \(Misc.\)](#)

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

Employee Privacy

Pagnattaro, Marisa & Peirce, Ellen, "Between a Rock and a Hard Place: The Conflict Between U.S. Corporate Codes of Conduct and European Privacy and Work Laws", *Berkeley Journal of Employment and Labor Law* v. 28 no2 (2007) p. 375--428

Abstract:

This article examines the problems that U.S. corporations operating in the European Union ("EU") attempt to comply with the U.S. Sarbanes-Oxley Act ("SOX") and European privacy and employment laws. The whistleblowing provisions of SOX are designed to provide a confidential and anonymous way for employees to come forward with concerns about accounting or auditing practices without fear of retaliation. Many corporations have attempted to comply by establishing an anonymous hotline for whistleblowers. The EU, however, requires that its members adopt strict national laws that protect the personal data of employees, including the personal data communicated through these whistleblower hotlines. The result is that many U.S. corporations that have attempted to comply with SOX by implementing whistleblower systems have violated strict European privacy and employment laws. The author describes four cases in which U.S. corporations' whistleblowing systems were found by French and German courts to have violated their national privacy or employment laws. To address the potential conflict between SOX and the EU laws, the EU has issued a set of guidelines and recommendations. The author proposes ten specific recommendations that should be followed by U.S. corporations before implementing a whistleblowing system in the EU.

Subjects: [Codes of Conduct](#), [Employee Privacy](#), [European Union](#)

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Immigration

Canova, Timothy A., "Closing the Border and Opening the Door: Mobility, Adjustment, and the Sequencing of Reform", *Georgetown Journal of Law and Policy* v. 5 (2007) p. 341-420

Abstract:

This article explores the limitations of both the current U.S. policy towards, and the current discourse surrounding, illegal immigration across the Mexican/U.S. border. The article also identifies the economic preconditions and policy choices that could change the pattern of illegal immigration. Part One describes three border paradigms: open, closed, and porous borders. The section posits that the U.S.-Mexico border is open for movement of goods and capital and porous for the movement of people. Part Two discusses the deficiencies of the open and porous border models. It argues that neither model adequately addresses national security concerns and that both undermine the ability of the nation-state to effectively respond to citizens' needs. Part Three examines historical examples of effective regional development models, including the Marshall plan and the European Union's regional assistance program. Part Four extrapolates from these examples to develop a "mobilization model" that would promote regional development in North America, address Mexico's social and physical infrastructure needs, and simultaneously stimulate the U.S. and Canadian economies. Part Five considers a range of institutional reforms that would be

necessary to allow the mobilization model to work, such as public finance reform and the creation government institutions to control price and currency stabilization. By reinvigorating the nation-state and spurring economic development on both sides of the border, the article concludes, this mobilization model offers the only path to a viable border paradigm for future generations: an open border.

Subjects: [Country-Specific Case Studies](#), [Immigration](#), [Labor Mobility](#)

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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.

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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