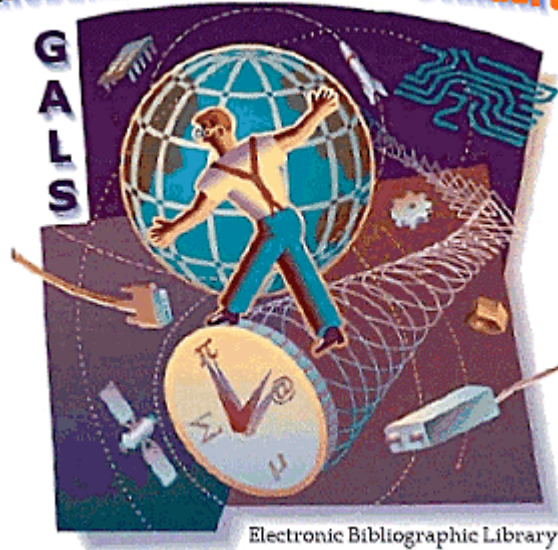


Globalization and Labor Standards



GALS Newsletter

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Country-Specific Case Study: Hungary

Erica Kovács, “Hungarian Unions: How Representative? How Effective?”, Comparative Labor Law and Policy Journal, v. 32 (Summer 2011) p. 891

Abstract:

The author describes labor relations in Hungary, and suggests measures that could make unions more effective. After years of political instability, a democratic government was elected in

Hungary in 1989. The new government instituted a dual system of employee representation based on the German and Austrian models in which two entities of employee representation exist: trade unions and works councils. Work councils are small and localized, and usually negotiate collective bargaining agreements with employers at specific work sites. Trade unions operate above the company level, usually confronting employers about broad labor policy issues. The author notes that this system has several failings. For example, because workers councils and trade unions face low barriers to formation, they often do not represent enough employees to challenge employers in negotiations. Because of their weakness, union participation and density are low, and collective agreements have little effect on prevailing wages. In order to cure these weaknesses and improve labor standards, the author recommends that the prime minister use his power to extend agreements across industries. She maintains that this would increase employee participation and representation, and give unions a floor from which to negotiate. In addition, the author recommends that the government regulate labor agreements more strictly, so that workers councils could not negotiate away important rights and privileges.

Subjects: [Country-Specific Case Studies](#), [Collective Bargaining](#), [Employee Participation and Works Councils](#), **Full-text links:** || [WESTLAW](#)

Child Labor

Shima Baradaran and Stephanie Barclay, “Fair Trade and Child Labor”, *Columbia Human Rights Law Review*, v. 43 (Fall 2011) p. 1

Abstract:

The authors describe a UN study that estimates that over 200 million children work in conditions that violate international labor standards. Children work primarily in factories or in agricultural jobs that are labor intensive. The authors identify poverty and market competition as the primary reasons for child labor. Parents who cannot earn even a subsistence wage sometimes send their children to work for employers who hire children in order to undermine competitors by reducing labor costs and instability. Though treaties bar child labor, and many scholars recommend sanctions or even criminal prosecutions as redress, the authors argue that a market-based approach is more practical. Consumers, they argue, are likely to purchase ‘fair trade’ products that do not rely on child labor. Increasing the market for fair trade goods would encourage better practices throughout the supply chain, potentially increasing jobs and wages for adult agricultural and factory workers, and eliminating the market for child laborers. The authors cite case studies from Malawi and Ghana that support their position. They also note that the most persistent criticism of fair trade initiatives is that the ‘fair trade’ label is not centrally monitored, meaning a company can request ‘fair trade’ certification from multiple organizations, or potentially create their own certifying body. The authors recommend that the US government investigate and certify the certifying bodies to prevent misleading or false ‘fair trade’ labels.

Subjects: [Child Labor](#), [Corporate Accountability](#), [Trade Conditionality](#),

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

Forced Labor

Virginia Mantouvalou, “Human Rights for Precarious Workers: The Legislative Precariousness of Domestic Labor”, *Comparative Labor Law and Policy Journal*, v.34 (Fall 2012) p.133

Abstract:

This article discusses the human rights implications of the precarious nature of domestic work. The author describes how domestic workers in the United Kingdom are especially precarious because they are both socially and economically subjugated, and are exempted from wage and hour protections, minimum wage law, and many health and safety standards. The author links this exclusion to the systemic mistreatment of UK domestic workers. For example, she cites a study that found that the majority of such workers have had their passports withheld by their employers, do not earn minimum wage or overtime, have been injured or abused on the job, and do not receive adequate living quarters or meals. Further, she argues it is nearly impossible for domestic workers in most countries to join or form labor unions. Moreover, immigration law in the UK ties domestic workers' visa status to their employer, meaning that domestic workers who resign or are terminated become undocumented and may face deportation. Because labor law largely excludes domestic workers, the author examines the European Convention on Human Rights (ECHR) and the European Social Charter (ESC) to determine whether domestic workers fall under either framework. She determines that the ESC's coverage is too narrow, but contends that domestic workers may find redress under a 2010 ECHR case, *Rantsev v. Cyprus & Russia*. There the European Court of Human Rights found visa programs that tie legal status to a specific employer to be problematic. Although *Rantsev* was a sex trafficking case, the author argues it should be extended to domestic workers because the same moral imperatives that justify human rights-based intervention justify labor regulation. Among these justifications are liberty, dignity, public morality, and distributive justice.

Subjects: [Forced Labor](#), [European Social Charter](#), [Country-Specific Case Studies](#), [Labor Rights as Human Rights](#)

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

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.

International Labour Organization's (ILO) Conditions of Work and Employment Laws
<http://www.ilo.org/travdatabase>

The Program maintains a Database of Conditions of Work and Employment Laws, which provides information on laws from around the world. The database covers measures on minimum wages, working hours and holidays, and maternity protection and provides information on around 130 countries from all regions.

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.

International Social Security and Workers Compensation Journal:
<http://www.business.curtin.edu.au/business/research/journals/international-journal-of-social-security-and-workers-compensation>

The International Social Security and Workers Compensation Journal is an on-line journal

that focuses on international scholarship in the areas of social security, workers compensation, and occupational health, and disability support. It is published by the School of Business Law, Curtin Institute of Technology in Perth Australia. The IJSSWC contains inter-disciplinary articles in fields such as law, occupational medicine, health economics, and disability studies.

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.polsoz.fu-berlin.de/polwiss/db_unions

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

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