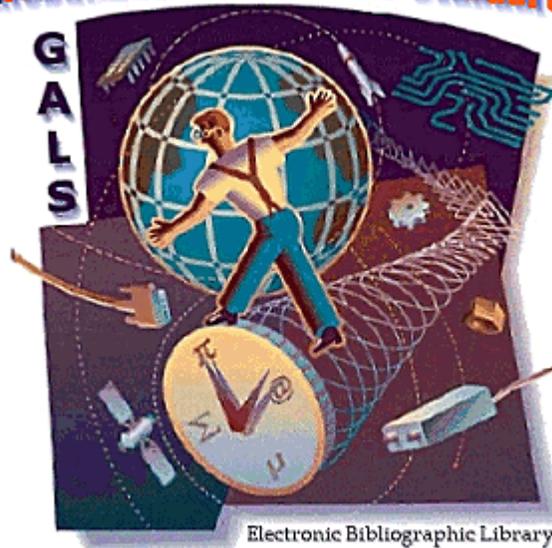


# Globalization and Labor Standards



## GALS Newsletter

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### Country-Specific Case Study: Korea

Jenny Ma, “Of “Females and Minors”: A Gendered Analysis of the Republic of Korea’s Labor Standards Act and Reforming Labor Market Dualism,” *Columbia Journal of Transnational Law*, v. 49 (2011) p. 717

**Abstract:**

The author of this note argues that the South Korean Labor Standards Act (LSA) must be amended to cure systemic gender inequality in the labor market. The author traces the history of the LSA, which was developed based on US labor law and promulgated during the post-war US occupation. During this period, Korea's economy was in turmoil and many of the LSA's minimum standards were so high that employers and union leaders refused to comply with the law. Subsequently, the Korean economy flourished and the LSA's standard minimums were widely adopted just as women began to enter the workforce. However, the author argues that female Korean workers have been put at a disadvantage, not only by Korea's traditional gender hierarchy, but also by the language of the LSA itself. Provisions that require just cause for termination protect male workers who entered the workforce when permanent positions were more plentiful. Female workers have struggled to obtain such positions, and are likely to work instead in temporary or part time jobs. Further, the overly protective language of the LSA, which requires that pregnant women and new mothers consult a labor representative before working overtime, give the impression that female workers are less capable, physically and intellectually, than their male coworkers. To remedy this inequality, the author suggests Korea adopt gender-neutral legislation and that female workers become more active in labor unions.

**Subjects:** [Country-Specific Case Studies](#), [Employment Law](#), [Women's Rights](#),

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

## Comparative Law: Age Discrimination

**Susan Bisom-Rapp, Andrew Frazer, and Malcolm Sargeant, "Decent Work, Older Workers and Vulnerability in the Economic Recession: A Comparative Study of Australia, the United Kingdom, and the United States", *Employee Rights and Employment Policy Journal*, v. 15 (2011) p. 43**

**Abstract:**

This article compares the situation of older workers in three liberal market economy nations: Australia, the UK, and the USA. The authors focus on three priorities drawn from the ILO's decent work agenda that are especially important to older workers: employment promotion, social protection, and fundamental rights. In Australia, the global recession was mild, and laws prohibiting forced retirement, as well as effective enforcement of anti-discrimination laws further reduced the effects on older workers. In addition, laws that require decent living standards in retirement reduce the likelihood of older workers enduring exploitive working conditions. In contrast, the authors find that the UK struggles to enforce anti-discrimination measures and protections for the elderly and retired persons. In the UK, older workers increasingly work part time in undesirable positions, which signals that employment promotion, anti-discrimination measures, and social safety nets fall short for older workers. The authors find that the US was most affected by the recession, and older workers in the US have disproportionately been forced back into precarious work arrangements in order to support themselves. In addition, anti-discrimination measures fall far short, and a weak social safety net pushes older workers into potentially exploitive labor arrangements. Overall, the authors find that the effects of the

recession on older workers were reduced in nations with regulation that directly addresses the needs of older workers.

**Subjects:** [Comparative Labor Law](#),  
[Employment Law](#), [Workplace  
Discrimination](#),

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

## Country-Specific Case Study: Greece

**Koukiadaki, Aristeia and Lefteris Kretsos, "Opening Pandora's Box: The Sovereign Debt Crisis and Labour Market Regulation in Greece," *Industrial Law Journal*, v. 41 (September 2012) p. 276**

### Abstract:

In the years following the financial crisis in Greece and the destabilization of the Euro, Greece was forced to take loans from International Monetary Fund, the European Central Bank and the European Commission in order to remain in the Eurozone. To avoid a default of its economy, Greece was also forced to internally devalue its own currency. The loan agreements also required certain structural reforms, which were based on the premise that labor market regulation in Greece was responsible for the near-default and was a barrier to economic growth. Because of those reforms, the authors argue, essential and necessary features of the Greek labor law system have been eliminated or changed. These reforms, aimed at deregulating the labor market, have also reduced the need for and influence of traditional actors in the labor market, such as government commissions, labor unions, and proponents of social welfare. The authors argue that these reforms have failed to deliver the promised economic growth, and are leading to the deterioration of working and living conditions.

**Subjects:** [Country-Specific Case Studies](#),  
[European Union](#), [International Monetary  
Fund](#),

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

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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.

**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/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).

**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](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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