



International
Labour
Office
Geneva

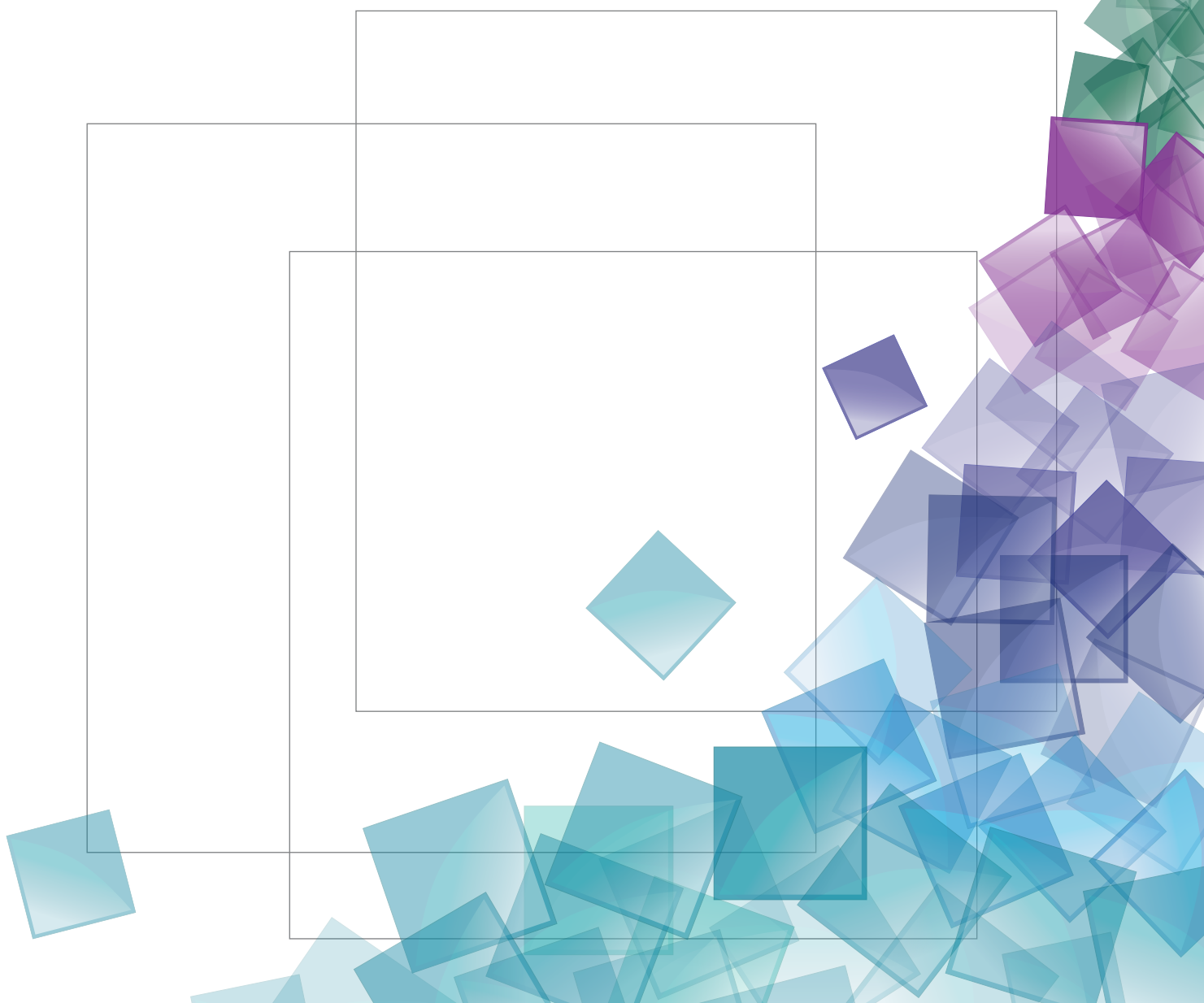


3rd Conference on

REGULATING FOR DECENT WORK:

Regulating for Equitable and Job-Rich Growth

3-4-5 July 2013, ILO Geneva





3rd RDW conference: Regulating for Equitable
and Job-Rich Growth

3-5 July 2013, ILO Geneva

TABLE OF CONTENTS

	Page
Part I: Conference programme and themes	
<hr/>	
1. Programme (simple version).....	1
2. Programme (full details)	3
3. Plenary Sessions.....	19
4. Special Events.....	27
5. RDW Conference themes.....	31
6. RDW Partners and Conference Organizing Committee members.....	35
7. RDW Fellowship winners.....	37
8. RDW Prize	39
Part II: Practical information	
<hr/>	
9. Instruction for chair and presenter	41
10. Practical information.....	43
Part III: Abstracts and participant list	
<hr/>	
11. Parallel Session abstracts.....	47
12. Participant list.....	113

1. PROGRAMME (SIMPLE VERSION)

Day 1 (3 July 2013), Wednesday						
08.00-09.00	Registration					
09.00-09.30	Opening ceremony					Room IX
09.30-11.00	Plenary I Ha-Joon Chang (U. David Kucera (ILO))	Political economy of equitable development Laziness, entrepreneurship, and jobs: Why do we need collective productive capabilities if we want decent work and economic development, trade union rights and democracy. When FDI meets Intentional Labour Standards				Room IX
11.00-11.30	Break					
11.30-13.00	Parallel session 1	Room III 1.1 Labour law at the firm-level	Room IV 2.1 Innovations in enforcement and inspection	Room VI 3.1 The economic crisis and its impacts on employment and labour relations	Room VII 4.1 Women's employment and gender segregation	Room IX 5.1 Symposium: Governance to promote decent work in global value chains (I)
13.00-14.00	Lunch break (Book launch) A. Rossi, A. Luinstra, & J. Pickles, eds. <i>Toward Better Work: Understanding Labour in Apparel Global Value</i>					R2 lounge
14.00-15.30	Parallel session 2	1.2 Decent work: New approaches, new measurements	2.2 Assessing and conceptualising informality	3.2 Economic developments and employment growth	4.2 Segmentation and informal economy	5.2 Symposium: Governance to promote decent work in global value chains (II)
15.30-16.00	Break					
16.00-17.30	Parallel session 3	1.3 Symposium: Regulatory dilemma in SMEs? -- concept, theory and evidence	2.3 From the ground up: Empirical assessments of street vending and other informal work	3.3 Gender equality: China and India	4.3 Problems in promoting diversity and dignity at work	[No planned session]
17.30-19.00	Welcome reception, hosted by the ILO					R2 lounge
Day 2 (4 July 2013), Thursday						
08.00-09.00	Registration					
09.00-10.30	Plenary II Zhiyuan Cui (Tsinghua U., Kamala Sankaran (Delhi U.))	Evaluating recent economic developments: Lessons from China and India Combining decency with flexibility: James Meade's "liberal socialism" Addressing the Decent Work Deficit in informal employment: The role of labour law				Room IX
10.30-11.00	Break					
11.00-12.30	Parallel session 4	1.4 Comparing labour regulation systems: New evidence	2.4 Symposium: Health inequalities, work and access to social security of informal workers	3.4 Evolution of industrial relations and labour market institutions	4.4 Symposium: Inequality -- causes, effects, responses	[No planned session]
12.30-13.30	Lunch (Book launch) C. Fagan, M. Gonzales Menendez & S. Gomez Anson, eds. <i>Women on Corporate Boards and in Top Management</i>					Room IX
13.30-15.00	Parallel session 5	1.5 Newly emerging issues	2.5 Innovations in regulation of domestic work	3.5 Symposium: Public sector pay and procurement	4.5 Immigrant workers	5.5 Challenges for the creation of inclusive and fair labour markets?
15.00-15.30	Break					
15.30-17.00	Parallel session 6	1.6 Symposium: The evolution of labour law in the Asia-Pacific region -- Methodological and comparative perspectives	2.6 Trends in informality: Contrasting developments	3.6 The role of trade unions and collective bargaining	4.6 Promoting fairness at work	[No planned session]
17.00-18.30	Plenary III Ingrid Woolard (Cape Town), Jill Rubery (U. Manchester)	An inclusive labour market: Debates and policy experiences Institutional wage-setting in the context of high inequality and unemployment: The case of South Africa Beyond the outsider/insider divide: Regulating for inclusive labour markets				Room IX
19.00-21.00	Conference reception, hosted by U. Manchester & U. Duisburg-Essen					R2 (North), Restaurant
Day 3 (5 July 2013), Friday						
08.00-09.00	Registration					
09.00-10.30	Parallel session 7	1.7 Workshop: Labour law vs. immigration law	2.7 Regulation and informality: Country experiences and outlook	3.7 Multinational enterprises and social dialogue	4.7 Quality of the workplace	5.7 Growth in non-standard and low wage employment
10.30-11.00	Break					
11.00-12.30	Parallel session 8	3.8a Inequality, growth, and labour market institutions: How much can they help?	2.8 New policy strategies for informal workers: The case of home workers	3.8b Wage setting regimes and wage measurement	4.8 Segmentation in and after the great recession	5.8 Symposium: How do economic crises polarize the labour market? -- The case of Korea
12.30-14.00	Lunch (Special lecture) Nelson Barbosa (Universidade Federal do Rio de Janeiro, Brazil; former deputy minister, Ministry of Finance) <i>Macroeconomic policy for growth and employment</i>					Room IX
14.00-15.30	Parallel session 9	1.9 Labour law at the frontline: Emerging or under siege?	2.9 State and non-state regulation for social protection	3.9 Working conditions and well-being of workers	4.9 Symposium: Trade union organization of vulnerable workers	5.9 Symposium: Informality and inequality dynamics in Latin America in the new millennium: Characteristics and associated factors
15.30-16.00	Break					
16.00-17.30	Plenary IV	Panel discussion: What future for industrial relations? Richard Hyman (LSE) Edward Webster (U.Witwatersrand) Maarten Keune (AIAS) Ratna Sen (Retired professor, IISWBM, Calcutta U.)				Room IX
17.30-18.00	Closing ceremony					Room IX

2. PROGRAMME (FULL DETAILS)

Day 1 (3 July 2013), Wednesday		Venue	Chair
08.00-09.00	Registration	R2-South (Room IX) (Conference reception desk)	
09.00-09.30	Opening ceremony	IX	Philippe Marcadent (ILO), TBC
	Manuela Tomei (ILO), TBC Maarten Keune (AIAS), TBC Gerhard Bosch (U. Duisburg-Essen)		
09.30-11.00	Plenary I	IX	James Howard (ILO)
	Ha-Joon Chang (U. Cambridge)		
	David Kucera (ILO)		
	Political economy of equitable development		
			Laziness, entrepreneurship, and jobs: Why do we need collective productive capabilities if we want decent work and economic development? Economic development, trade union rights and democracy: When FDI meets Intentional Labour Standards
11.00-11.30	Break	R2 lounge	
11.30-13.00	Session 1.1	III	Sandrine Cazes (ILO)
	Labour law at the firm-level		
	Guy Mundlak (Tel-Aviv U.)		From substance to process: a qualitative study of due process in dismissals.
	Amir Jafar (U. Burdwan Golapbag), Amitava Ghosh (TeamLease Services Pvt. Ltd., India) & Partha Sarkar (U. Burdwan Golapbag)		Labour law compliance vis-à-vis firm performance: A study on selected Indian companies
	Aelim Yun (Korea National Open U.)		Reversing a cost-and-risks transfer chain for decent work
	Session 2.1	IV	Colin Fenwick (ILO)
	Innovations in enforcement and inspection		
	Sean Cooney and John Howe (U. Melbourne)		Expanding the effective scope of labour regulation through innovation in labour inspection: Developments in Australia and China
	Leah F. Vosko (York U.), John Grundy (Wilfrid Laurier U.), & Mark Thomas (York U.)		Challenging new governance: Evaluating new approaches to employment standards enforcement in Anglo-Saxon jurisdictions

Day 1 (3 July 2013), Wednesday		Venue	Chair
Session 3.1	The economic crisis and its impacts on employment and labour relations	VI	Anna Biondi (ILO)
Simon Deakin (U. Cambridge) & Aristeia Koukiadaki (U. Manchester)	The sovereign debt crisis and the evolution of labour law in Europe		
Helena Ysas (Autonomous U. Barcelona)	Wage reduction in peripheral Eurozone countries by means of dismantling collective bargaining systems: The case of Spain		
Session 4.1	Women's employment and gender segregation	VII	Dominique Anxo (Vaxjo, Sweden)
Stephanie Steinmetz (U. Amsterdam)	The contextual challenges of occupational sex segregation: From a European towards a worldwide perspective		
J. Besamusca, K. Tjinders, M. Keune, M. & S. Steinmetz (U. Amsterdam)	The role of institutions in shaping the labour force participation rates of women in three age groups		
Anthony Rafferty (U. Manchester)	Labour underutilisation, the great recession and austerity: Intersections between gender and ethnicity in the UK		
Session 5.1	Symposium: Governance to promote decent work in global value chains (I) – New approaches to global governance of labour standards: Trends and challenges	IX	Nicola Phillips (U. Sheffield)
<i>Organized by Anne Posthuma (ILO Brasilia)</i>			
Frederick Mayer (Duke U) & William Milberg (New School)	"Aid for Trade" in a value chain world: Implications for labour		
Arianna Rossi & Amy Luinstra (ILO/IFC Better Work Programme)	Better Work: A policy solution to place labour at the heart of global production networks		
Stephanie Barrientos (U. Manchester), Peter Knorringa (Institute of Social Studies) and John Pickles (U. North Carolina, Chapel Hill)	Retail expansion in emerging economies and the challenge for social standards		
13.00-14.00	Lunch		
	Book launch (reception) Snacks & drinks will be provided	R2 lounge	Raymond Torres (ILO/INST)
	A. Rossi, A. Luinstra, & J. Pickles, eds. <i>Toward Better Work: Understanding Labour in Apparel Global Value Chains</i> Speakers: Arianna Rossi (ILO, Better Work), Amy Luinstra (IFC, Better Work) and John Pickles (University of North Carolina, Chapel Hill) Discussant: TBA		

Day 1 (3 July 2013), Wednesday		Venue	Chair	
14.00-15.30	Session 1.2	Decent work: New approaches, new measurements	III	Juan De Laiglesia (ILO)
	Janice Bellace (Wharton School, U Penn)	Decent work: Monitoring the application of fundamental rights as the key to overall progress		
	Anita Jowitt (U. South Pacific, Vanuatu)	Defining decent work: A proposed framework of non-prescriptive indicators for assessing the substantive content of employment law		
	Pablo de Pedraza (U. Salamanca) & Alberto Villacampa (U. Salamanca)	Measuring working conditions in a volunteer web survey: Wage Indicator and the European Working Conditions Survey		
	Session 2.2	Assessing and conceptualising informality	IV	John Howe (U. Melbourne)
	Claire La Hovary (Glasgow U.) & Uma Rani (ILO)	Conversations between a lawyer and an economist about informality: Interdisciplinary perspectives on defining and quantifying the informal economy		
	Darcy du Toit (U. Western Cape)	Regulating the informal economy: Unpacking the oxymoron		
	Kea Tjildens & Janna Besamusca (U. Amsterdam)	A job-based informality index for sub-Saharan Africa: who works informal and what are the consequences for wages and working hours?		
	Session 3.2	Economic developments and employment growth	VI	Weng Tat Hui (National U. Singapore)
	Marianela Sarabia (Argentinean Industrial Union) & Sergio Woyecheszen (Ministry of Production, Science and Technology, Argentina)	Does industrial development really matter for job-rich growth? Impacts on employment and income distribution in Argentina from a structural analysis		
	Anne Boyd (ILO Suva)	Participatory labour law reform in the Pacific Island countries: The role of social dialogue in labour law making and good governance		
	Leidy Angela Niño Chavarro	The effects of neoliberalism in the labour market in Colombia: A model of outsourced employment relationship and unprotected		
	Session 4.2	Segmentation and informal economy	VII	Josep Banyuls (U. València, Spain)
	Calogero Massimo Cammalleri (U. Palermo)	Undeclared, informal, and precarious work form "social pollution" to "decent work" trough "non-wage security tax"		
	Tonia Warnecke (Rollins College)	Fostering opportunity-based entrepreneurship for women: A comparative study of policies and programs in China and India		
	Balwinder Singh (Punjabi U.)	Multiplicity of segmentation of informal labour market and inclusiveness in India		

Day 1 (3 July 2013), Wednesday			Venue	Chair
	Session 5.2 <i>Organized by Anne Posthuma (ILO Brasilia)</i> Nicola Phillips (U. Sheffield) John Pickles and Shengjun Zhu (U. North Carolina, Chapel Hill) Dev Nathan (Institute for Human Development, New Delhi)	Symposium: Governance to promote decent work in global value chains (II) – Rebalancing roles of labour governance in global production: Gaps and new initiatives of public and private actors Trafficking in supply chains and the politics of governance in the global economy China's new labour contract law: State regulation and worker rights in global production networks Corporate governance and child labour: Role and limits	IX	Stephanie Barrientos (U. Manchester)
15.30-16.00	Break		R2 lounge	
16.00-17.30	Session 1.3 <i>Organized by Sangheon Lee (ILO)</i> Sangheon Lee and Rosalia Vazquez-Alvarez (ILO) Nina Torm (U. Copenhagen) Byung-Hee Lee & Min-Ki Hong (KLI)	Symposium: Regulatory dilemma in SMEs? -- concept, theory and evidence Theory, concept, and empirical strategies Formalization and SMEs: the case of Vietnam Reducing irregular contracts in SMEs: the case of Korea	III	Bill Salter (ILO)
	Session 2.3 Ana Maria Vargas Falla (U. Milan) Alex de Ruyter (Glasgow Caledonian U.) , Tonia Warnecke (Rollins College) & Riani Rachmawati (U. Indonesia) Dhruva Kumar Gautam & Prativa Sharma (Tribhuvan U., Nepal)	From the ground up: Empirical assessments of street vending and other informal work Legal empowerment of informal workers: Alternative models of regulation for street vendors in Bogota, Colombia Working conditions of street vendors and homeworkers in Indonesia: Lessons for labour law enforcement Informal sector employment in Nepal: State and non-state Intervention	IV	Naj Ghosheh (ILO)
	Session 3.3 Dinghong Yi & Yan Yu (Renmin U.) Jasbir Singh (U. Jammu)	Gender equality: China and India Is there always a "sticky floor effect" in China?: The analysis on distribution of clerical support workers' gender wage gaps under different employment forms Pattern of employment and wage differences in India: Women's perspective for inclusive growth	VI	Raphael Crowe (ILO)

Day 1 (3 July 2013), Wednesday		Venue	Chair
Session 4.3	Problems in promoting diversity and dignity at work	VII	Deirdre McCann (U. Durham), TBC
Helge Hoel (U. Manchester), Duncan Lewis (U. Plymouth), Anna Einarsdottir (U. Manchester) & Guy Notelaers (Radboud U.)	Bullying and discrimination at work: What protection does 'protected group' status offer?		
Roger M Walden (U. Manchester)	Bullying and harassment issues in UK Employment Tribunal cases: A longitudinal analysis		
Therese MacDermott (Macquarie U.)	Promoting and sustaining the inclusion of older workers		
17.30-19.00	ILO Welcome Reception	R2 lounge	

Day 2 (4 July 2013), Thursday			Venue	Chair
08.00-09.00	Registration		R2-South (Room IX) (Conference reception desk)	
09.00-10.30	Plenary II	Evaluating recent economic developments: Lessons from China and India	IX	Gerry Rodgers (Institute for Human Development and Jawarharlal Nehru U.)
	Zhiyuan Cui (Tsinghua U., China) Kamala Sankaran (Delhi U.)	Combining decency with flexibility: James Meade's "liberal socialism" Addressing the Decent Work Deficit in informal employment: The role of labour law		
10.30-11.00	Break		R2 lounge	
11.00-12.30	Session 1.4	Comparing labour regulation systems: New evidence	III	Adriana Marshall (Consejo Nacional de Investigaciones Científicas y Técnicas)
	Sangheon Lee and Megan Gerecke (ILO) Partha Sarkar (U. Burdwan) Glenn Patmore (U. Melbourne)	Regulatory indeterminacy and institutional design in minimum wages: Decentralization, coordination, and politics in Asian minimum wages Labour regulation systems vis-à-vis facets of development: A cross-country study Evaluating legal regulation of collective bargaining and consultation in Australia and the United States: A normative analysis		
	Session 2.4 <i>Organized by Nora Gray (FLACSO Chile)</i>	Symposium: Health inequalities, work and access to social security of informal workers	IV	Carolyn Bancroft (Rockefeller Foundation)
	Orielle Solar & Pamela Bernales (FLACSO Chile) Carles Muntaner (U. Toronto) Sarah Gammage (ILO)	Informal workers and health inequalities in Latin America: Access to health and social security The double burden of social class and lack of social protection of informal workers Challenges in Latin America: Research and public policy		

Day 2 (4 July 2013), Thursday		Venue	Chair
Session 3.4		VI	Richard Hyman (LSE)
Evolution of industrial relations and labour market institutions			
Changhee Lee (ILO)	Evolutionary trajectories of labour market institutions and their effects in China - from liberalization and deregulation to rebalancing and re-regulation (1992-2012)		
Eduardo Schneider (TUAC) & Janine Berg (ILO)	Industrial relations and inclusive growth in Brazil		
Simon Deakin (Cambridge U.) & Colin Fenwick (ILO)	Labour law and inclusive development: The economic effects of industrial relations laws in middle-income countries		
Session 4.4		VII	John Evans (TUAC)
Symposium: Inequality -- causes, effects, responses			
<i>Organized by Frank Hoffer (ILO)</i>			
Speakers: Christoph Scherrer (Kassel U.), Edlira Xhafa (U. Milano) & Frank Hoffer (ILO), TBC			
Discussant: Peter Rossmann (IUF) , TBC			
Lunch			
12.30-13.30	Book launch (seminar)	IX	Jane Hodges (ILO)
	C. Fagan, M. Gonzales Menendez & S. Gomez Anson, eds. <i>Women on Corporate Boards and in Top Management</i>		
	Speaker: Colette Fagan (U. Manchester)		
13.30-15.00	Session 1.5	III	Rosalia Vazquez-Alvarez (ILO)
Newly emerging issues			
Ugochukwu Orazulike (FairWRC)	The elusive nature of indigenous peoples' OSH rights under international labour regulation		
Rupert Tipples, Ken Wilson & Roberta Hill (Lincoln U. & WEB Research, New Zealand)	Beyond Regulation - 'Decent Dairying' for more 'Decent Work' in New Zealand		
Debbie Collier & Emma Fergus (Institute of Development and Labour Law, U. Cape Town)	Law and corporate governance as complementary strategies to transform South Africa's unequal society		
Session 2.5		IV	Martin Oelz (ILO)
Innovations in regulation of domestic work			
Ana Gomes (Queen's U.)	The most vulnerable among vulnerable workers: The role of State and non-State actors in protecting informal domestic workers in Brazil		
Amir Jafar (U. Burdwan, India), Shabana Jafar (U. Burdwan, India) & Amitava Ghosh (TeamLease Services Pvt. Ltd., India)	In search of ways to regulate the domestic workers in India: An empirical study		
Nuria Elena Ramos Martin (U. Amsterdam)	Regulating domestic work from the international to the national perspective: The new Spanish Laws on domestic work		

Day 2 (4 July 2013), Thursday		Venue	Chair
Session 3.5 <i>Organized by Damian Grimshaw (U. Manchester)</i>	Symposium: Public sector pay and procurement	VI	Damian Grimshaw (U. Manchester)
Dominique Anxo (Vaxjo, Sweden)	Comparing public sector pay in Europe: The meaning and character of premiums and penalties		
Gerhard Bosch (U. Duisburg-Essen), Gabi Schilling (IG Metal), & Claudia Weinkopf (IAQ, Essen Germany)	Public sector pay reforms, social dialogue and the shifting national and local terrains		
Damian Grimshaw (U. Manchester), Jill Rubery (U. Manchester), Stefania Marino (U. Manchester), & Maya Bacache (Paris)	Procurement of public services: Comparing the influences of pay, employment segmentation and organisational forms		
Session 4.5	Immigrant workers	VII	Samuel Rosenberg (Roosevelt U.)
Anil Verma (U. Toronto) & Rupa Banerjee (Ryerson U.)	Labour market integration of immigrants to Canada		
Daria Chernyaeva (National Research U. Higher School of Economics, Russia)	Recent migrant labour legislation development in Russia: Drivers, contexts and controversies		
Catharina Calleman (Örebro U., Sweden)	Need for labour, dependence and equal treatment		
Session 5.5	Challenges for the creation of inclusive and fair labour markets?	IX	Helge Hoel (U. Manchester)
Ria Deakin (U. Manchester)	Mediation, growth and fairness: A blessing in disguise or an iron fist in a velvet glove?		
Anita Jowitt (U. South Pacific, Vanuatu)	Improving work conditions?: The impact of Vanuatu's 2008 employment law reforms		
15.00-15.30	Break	R2 lounge	
15.30-17.00	Session 1.6 <i>Organized by Colin Fenwick (ILO)</i>	III	Colin Fenwick (ILO)
Sean Cooney (U. Melbourne), Peter Gahan (U. Melbourne), Petra Mahy (Monash U.) & Richard Mitchell (Monash U.)	The evolution of labour law in three developing Asian nations: A comparative study		
Peter Gahan (U. Melbourne)	The 'leximetric turn' in comparative law: What can it tell us about the evolution and consequences of labour market regulation in the developing world?		
Richard Mitchell (Monash U.), Anthony O'Donnell (La Trobe U.), Ian Ramsay (U. Melbourne) & Michelle Welsh (Monash U.)	Corporate governance and the protection of labour: The socio-political context of regulatory evolution		

Day 2 (4 July 2013), Thursday		Venue	Chair
Session 2.6	Trends in informality: Contrasting developments	IV	Uma Rani (ILO)
Fabio Bertranou (ILO Buenos Aires), Luis Casanova (ILO Buenos Aires), & Marianela Sarabia (Argentinean Industrial Union)	How, why and in what sectors employment informality decreased in Argentina from 2003 to 2012		
Byung-Hee Lee (KLI) & Deok Soon Hwang (KLI)	Why informal work is widespread in Korea?		
Lorena Poblete (CONICET Argentina)	Formalizing independent work: Changing labour regulation in Argentina (1998-2007)		
Session 3.6	The role of trade unions and collective bargaining	VI	Edward Webster (U. Witwatersrand, South Africa)
Amir Jafar (U. Burdwan, India) & Amitava Ghosh (TeamLease Services Pvt. Ltd., India)	An empirical examination of the role of trade unions for inclusive growth in the SMEs in India		
Lefteris Krestos (U. Greenwich)	What explains low union density of young precarious workers in Greece before and after the upsurge of the economic crisis?		
Nina Torm (U. Copenhagen)	The role of trade union in Vietnam: A case study of small and medium enterprises		
Session 4.6	Promoting fairness at work	VII	Gerhard Bosch (IAQ, U. Duisburg-Essen)
Colette Fagan (U. Manchester), Jacqueline O'Reilly (Brighton Business School, UK) & Annette Cox (Institute for Employment Studies, UK)	The Politics of Fairness and the state of a concept		
Michael Reich (U. California, Berkeley)	When do mandates work?: Lessons from the U.S.		
17.00-18.30	Plenary III	An inclusive labour market: debates and policy experiences	IX Manuela Tomei (ILO)
Ingrid Woolard (Cape Town U.)	Institutional wage-setting in the context of high inequality and unemployment: the case of South Africa		
Jill Rubery (Manchester U)	Beyond the outsider/insider divide: Regulating for inclusive labour markets		
19:00-21:00	Conference reception	Hosted by Manchester University & Duisburg-Essen University	R2 (North), restaurant

Day 3 (5 July 2013), Friday			Venue	Chair
08.00-09.00	Registration		R2-South (Room IX) (Conference reception desk)	
09.00-10.30	Session 1.7 <i>Organized by Deirdre McCann (U. Durham)</i> Mark Freedland (U. Oxford) Discussants: Manuela Tomei (ILO)	Workshop: Labour law vs. immigration law Regulating informal work at the interface between labour law and migration law	III	Deirdre McCann (U. Durham)
	Session 2.7 Maarten van Klaveren (U. Amsterdam) & Kea Tijdens (U. Amsterdam) Bolat Tatibekov (Suleyman Demirel U. Kazakhstan) Feng-Jen Tsai (Taipei Medical U.)	Regulation and informality: Country experiences and outlook Informality and women's work: An industry outlook for 14 countries Policies measures to facilitate transition from informal to formal employment: The Kazakhstan model Relationship between legal awareness and actual practice	IV	Claire La Hovary (U. Glasgow)
	Session 3.7 Do Quynh Chi (ILO Hanoi) Nilton Freitas & Thomaz Ferreira Jensen (DIEESE Brazil)	Multinational enterprises and social dialogue Impacts of an MNC's labour policy on the local suppliers' wage-setting process – the case of Unilever Vietnam Social Dialogue in the chemical industry in Brazil: Recent experience in tripartite forums for the drawing up of Industrial Policy	VI	Githa Roelans (ILO)
	Session 4.7 Gianna C. Giannelli (U. Florence, Italy), Ursula Jaenichen (IAB, Nuremberg, Germany), & Thomas Rothe (IAB, Nuremberg, Germany) Juan M. Graña (CEPED) Anupama Uppal (Punjabi U., India)	Quality of the workplace Doing well in reforming the labour market? Recent trends in job stability and wages in Germany Segmentation and poverty in a heterogeneous and low productivity country: The case of Argentina's manufacturing Deficits in productive employment in India in the post-reform era	VII	Adriana Marshall (Consejo Nacional de Investigaciones Científicas y Técnicas)

Day 3 (5 July 2013), Friday		Venue	Chair
	Session 5.7	Growth in non-standard and low wage employment	IX Frank Hoffer (ILO)
	Veronica Sheen (Monash U., Australia)	Social policies lean on deficits in labour regulation in Australia to fuel jobs growth and reduce welfare dependency	
	Martin Dietz, Carina Himsel, Alexander Kubis, Anne Müller & Ulrich Walwei (Institute for Employment Research, IAB)	Skills shortages and the decline of standard work arrangements on the German labour market: A contradiction?	
	Jens Stephani (Institute for Employment Research, IAB)	Does it matter where you work?: Employer characteristics and the wage growth of low-wage workers and higher-wage workers	
	Dong Yan (Beijing Foreign Study U.) & Qian Wei (Peking U.)	A brief review on the recent amendments of China's Labour Contract Law	
10.30-11.00	Break		R2 lounge
11.00-12.30	Session 3.8a	Inequality, growth, and labour market institutions: How much can they help?	III Anil Verma (U. Toronto)
	Yongjian Hu (Tianjin U.)	Can minimum wage regulation reduce wage inequality and working poor in China?	
	Ratna Sen (Retired professor, IISWBM, Calcutta U.) & Uma Rani (ILO)	Institutions, wage, productivity and economic growth in India	
	Susan Hayter (ILO)	Industrial relations, growth and inequality in South Africa	
	Session 2.8	New policy strategies for informal workers: The case of home workers	IV Miranda Fajerman (ILO Jakarta)
	Sara Charlesworth (U. South Australia)	Partial protection? The regulation of home care workers' working conditions	
	Deok Soon Hwang (KLI)	Informal employment in care work in Korea	
	Monique Ramioul (U. Leuven)	The service voucher system as a means to regulate domestic cleaning in Belgium	

Day 3 (5 July 2013), Friday		Venue	Chair	
Session 3.8b		Wage setting regimes and wage measurement	VI	Patrick Belser (ILO)
Biju Varkkey (Indian Institute of Management Ahmedabad) & Rupa Korde (FLAME)	Minimum wage setting and its impact on industrial relations in Asian Countries: A cross-country comparison			
Kea Tijdens (U. Amsterdam) & Maarten van Klaveren (U. Amsterdam)	The challenge of measuring wages globally, comparing individual and country-level data: Approaches and results from the WageIndicator data collection on work and wages in 75 countries			
Adriana Marshall (Consejo Nacional de Investigaciones Científicas y Técnicas)	Wage setting regimes and inequality: Evidence from Argentina			
Session 4.8		Segmentation in and after the great recession	VII	Michael Reich (U. California, Berkeley)
Josep Banyuls (U. València) & Albert Recio (Autonomous U. Barcelona)	Economic crisis and labour market segmentation in Spain: Old tendencies in new scenarios			
Samuel Rosenberg (Roosevelt U.)	Labour Market Segmentation and the 'Great Recession'			
Damian Grimshaw, Lynn Holdsworth, David Holman, Sheena Johnson & Stephen Mustchin (MBS, U. Manchester)	The employment effects of the on-going UK economic crisis: Organisation-level evidence on business performance, employment practices and the quality of the work experience			
Session 5.8		Symposium: How do economic crises polarize the labour market? -- The case of Korea	IX	Hyun Bang Shin (LSE)
<i>Organized by Byungyou Cheon (Hanshin U.)</i>				
Shin-Wook Kang (KIHSA)	Changes in industrial structure and growing inequality in Korea			
Byungyou Cheon (Hanshin U.)	Economic crisis and labour market dualization in Korea			
Jiyeun Chang (KLI) and Hyunjoo Lee (KISHA)	Exits from poverty and labour market integration in Korea			
12.30-14.00	Lunch			
	Special lecture	Nelson Barbosa (Universidade Federal do Rio de Janeiro, Brazil; former deputy minister, Ministry of Finance)	IX	Rolph van der Hoeven (International Institute of Social Studies ISS, Erasmus U. Rotterdam)

Day 3 (5 July 2013), Friday		Venue	Chair
14.00-15.30	Session 1.9	Labour law at the frontline: Emerging or under siege?	III Philippe Marcadent (ILO)
	Sean Cooney (U. Melbourne), Sarah Biddulph (U. Melbourne) & Ying Zhu (Australian Centre for Asian Business, U. South Australia)	Law and Fair Work in China	
	Diane Frey (National Labor College) Maryam Zaheri (Kassel U.) & Saeid Dehghan (Vakilroaya law firm)	The shrinking scope of public sector bargaining: Does motivation matter? Iran's steps towards regulating the decent work	
	Session 2.9	State and non-state regulation for social protection	IV Ian Orton (ISSA)
	Dennis Arnold (Maastricht U.)	Precarious labour and social protections in Mekong Southeast Asia	
	Fernando Groisman (U. Buenos Aires & CONICET, Argentina)	Labour informality and segmentation in Argentina: The role of new social protection initiatives	
	Agnes Ndungu (PhD Candidate, Nelson Mandela Metropolitan U.)	The role of Labour Law in regulating informal work in South Africa	
	Session 3.9	Working conditions and well-being of workers	VI Duncan Campbell (ILO)
	Pablo de Pedraza (U. Salamanca) & Martin Guzi (IZA)	Subjective well-being of Spanish workers: Continuous voluntary web survey examination	
	Andrea V. Suarez Maestre (Buenos Aires Ministry of Labour)	The research as a participatory field in working conditions: The experience of Biale Massé Contest in Buenos Aires, Argentina	
	Md. Zohurul Islam & Rizwan Khair (IGS-BRAC U., Bangladesh)	Worker compliance: Evidence from selected enterprises, DEPZ, Bangladesh	

Day 3 (5 July 2013), Friday		Venue	Chair
Session 4.9 <i>Organized by Stefania Marino (U. Manchester)</i>	Symposium: Trade union organization of vulnerable workers	VII	Edward Webster (U. Witwatersrand, South Africa)
Miguel Martinez Lucio (U. Manchester), Stefania Marino (U. Manchester) & Heather Connolly (U. De Montfort)	Inclusion and regulation: Legacies, memories and cultural dimensions in the manner in which organised labour responds		
Valeria Pulignano & Nadja Doerflinger (KU Leuven, Belgium)	A head with two tales: Trade unions' influence on temporary agency work in Belgian and German workplaces		
Isabel Tavora (U. Manchester)	British trade unions and gender equality: Strategies and barriers to mobilization		
Heather Connolly (U. De Montfort), Stefania Marino (U. Manchester) & Miguel Martinez Lucio (U. Manchester)	Justice for Janitors 'goes Dutch': Organising and regulation as competing approaches and political narratives?		
Session 5.9	Symposium: Informality and inequality dynamics in Latin America in the new millennium: Characteristics and associated factors	IX	Roxana Maurizio (u. Nacional de General Sarmiento & CONICET, Argentina)
Verónica Amarante (ECLAC-Chile)	Income inequality in Latin America: A factorial analysis		
Roxana Maurizio (Universidad Nacional de General Sarmiento and CONICET, Argentina)	Labour formalization in Argentina and Brazil in the new millennium: A dynamic approach		
Sarah Gammage Sarah (ILO) & Tomás Alburquerque (Universidad de Chile)	Poverty, inequality and social policy in Chile		
Discussant : Janine Berg (ILO)			
15.30-16.00	Break	R2 lounge	

Day 3 (5 July 2013), Friday		Venue	Chair
16.00-17.30	Plenary IV Panel discussion: What future for industrial relations? Richard Hyman (LSE) Edward Webster (U. Witwatersrand, South Africa) Ratna Sen (Retired professor, IISWBM, Calcutta U.) Maarten Keune (AIAS, U. Amsterdam)	IX	Gerhard Bosch (IAQ, U. Duisburg-Essen)
17.30-18.00	Closing Ceremony John Howe (U. Melbourne) ILO representative, TBA Jill Rubery (U. Manchester)	IX	Deirdre McCann (U. Durham)

3. PLENARY SESSIONS

Plenary I
Political economy of equitable development

Time: Day 1 (Wed, 3 July), 09.30-11.00
 Venue: Room IX
 Chair: James Howard (ILO)

**Ha-Joon Chang (University of Cambridge),
 Laziness, entrepreneurship, and jobs: Why do we need collective productive capabilities if we want decent work and economic development?**



Currently, we have two diametrically opposed views of the poor. On the one hand, there are people who think that the poor are poor because they don't work hard. On the other hand, there are people who believe that most poor people are willing and able to work their way out of poverty, if they are given a chance to do so. The first, anti-poor, school blames the poverty of developing countries for their people "lying under a coconut tree and waiting for a coconut to fall", criticises the Greeks and the Spaniards for sponging off the hard-working Germans and Dutch, and argues for cutting the welfare state in order to make the 'skivers' work harder, as the British government put it. The problem with this

view is that it does not tally with facts. In any given country, the poor work usually longer and harder than the rich. People in poorer countries tend to work longer than their rich country counterparts. The second, pro-poor, school does not fare very well either. Despite extending loans to tens of millions of poor people in developing countries, the microfinance industry – the vanguard of the school today – has often failed to produce many positive results in terms of economic development and the creation of decent work. Why has this been the case? It is, essentially, because the microfinance approach in many cases has failed to recognize that entrepreneurship and economic development are collective endeavours, which require the enhancement of productive capabilities beyond the individual level – the firm, network of firms, the overall economy. Thus seen, despite the diametrically opposed views they have of the poor, these two approaches are based on the same individualistic view of productivity. We need to overcome this individualistic view, which is making us neglect the most important things that are needed for the creation of decent work and the increase in productivity that is necessary (although not sufficient) for it – the development of productive enterprises both in terms of technologies and managerial techniques and the establishment of institutions and policies that encourage investments in machinery, R&D, and skills.

David Kucera (ILO)

Economic development, trade union rights and democracy: When FDI meets Intentional Labour Standards



In promoting international labour standards (ILS) in a globalized world, does the ILO need to rely on coordination among countries or should it rather focus on advocating the welfare-enhancing aspects of ILS? This has been the subject of lively debates on the policy strategies the ILO should pursue as well as the motivation of numerous empirical studies assessing the impact of ILS. The answer to the question is likely to depend on which ILS one is addressing as well as which aspects of globalization. One line of inquiry that has received a great deal of attention is the effects of trade

unions, civil liberties and democracy on foreign direct investment (FDI), representing the activities of multinational enterprises (MNEs). There is rich theoretical literature on the determinants of FDI location as well as a growing empirical literature on the effects of trade union rights and democracy on FDI. Yet there is a fundamental disjuncture between the two. The theoretical literature emphasizes that different types of FDI in different industries is undertaken for fundamentally different reasons. The empirical literature, on the other hand, almost invariably lumps together all types of FDI. The presentation is motivated by a recent empirical study by Kucera and Principi (2012) looking at FDI flows to 15 diverse industries. It is thus able to account for the result found by the preponderance of prior studies that stronger trade union rights, civil liberties and democracy have either a positive or no effect on FDI, with one notable exception: FDI in natural resources. The research approach enables one to identify appropriate strategies for the ratification and effective implementation ILS, whether through labour legislation and inspection or voluntary private initiatives, and suggests that the ILO's policy strategies must rely on a blend of advocacy and coordination.

Plenary II

Evaluating recent economic developments: Lessons from China and India

Time: Day 2 (Thur, 4 July), 09.00-10.30

Venue: Room IX

Chair: Gerry Rodgers (Institute for Human Development and Jawarharlal Nehru University)

Zhiyuan Cui (Tsinghua University)

Combining decency with flexibility: the relevance of James Meade's "liberal socialism"



James Meade, the winner of Nobel Prize in Economics in 1977, has been working all his life to build the theory of "liberal socialism". One aim is to combine decent work with flexibility in labor markets. This talk will use the example from China, such as the Amended Labor Contract Law (effective since July 1, 2013), as well as the global labor standard debates, to discuss the relevance of Meade's insight. It will connect the debates on the sources of China's economic growth in the last two decades with the concerns on the dignity and rights of Chinese laboring people.

Kamala Sankaran (Delhi University)

Addressing the Decent Work Deficit in informal employment: The role of labour law



Labour law has traditionally been preoccupied with 'standard employment relationships' at the workplace. Its ability to deal with informal employment has been in doubt. Informal employment questions the core of labour law. Questions have been raised regarding its capacity to deal with intermittent or transient employment relationships, those mediated by intermediaries, self-employment, or relationships within the family where work takes place. Informal employment often overlaps with the category of the working poor, who despite working long periods are trapped in precarious, low paying work/jobs. This paper focuses on some forms of informal employment such as own-account workers and family workers to understand the conceptual challenges confronting labour law in addressing the deficits in decent work.

Plenary III

An inclusive labour market: Debates and policy experiences

Time: Day 2 (Thur, 4 July), 17.00-18.30

Venue: Room IX

Chair: Manuela Tomei (ILO)

Ingrid Woolard (Cape Town University)

Institutional wage-setting in the context of high inequality and unemployment: The case of South Africa



South Africa is a country noted for its extremely high degree of income inequality. In addition, unemployment is very high (at 25% according to the latest estimate) and many households have no connections to the labour market. Wage-setting institutions must wrestle with the complex relationships between wages, poverty, inequality and unemployment. This paper discusses the various ways in which minimum wages and working conditions are determined in South Africa and explores the evidence on the impact of these wage-levels on employment, poverty and inequality. In their book “Collective Bargaining in

South Africa”, Godfrey et al (2010) discuss the heated debate about the impact of bargaining councils on employment. The views of economists who consider the implications of the decisions made by bargaining councils as extensive are presented and are compared with those who assert that the impact on employment is marginal or negligible. Drawing on these arguments as well as evidence that there is a negative relationship between the wage level and employment in the South African agricultural sector (Bhorat et al., 2012), the paper considers not only those who are directly affected by changes in the minimum wage via their own income levels, but also the unemployed whose prospects of employment are affected by the decisions made by wage-setting institutions. We move beyond the simple discussion of the individual worker to consider household well-being.

Jill Rubery (University of Manchester)

Beyond the outsider/insider divide: Regulating for inclusive labour markets



The crisis and subsequent austerity are increasing segmentation and labour market inequality and leading to renewed debates about whether current labour market regulation is fit for purpose. The growth in non-standard employment, the high rates of exclusion of young people, the increasing coercion on those without wage work to accept poor working conditions and the continuing high penalties for those who undertake care work (both paid and unpaid) all point to the need to reform employment and social regulation. However, evidence of a growing precariat has led to a renewed focus on insider/outsider divisions among the workforce as the key issue in employment inequalities. The neoliberals make use of this divide to promote reductions in the 'privileges' of, for example, public sector workers, while advocating further reductions in basic employment protections to facilitate internal devaluation and reduce public deficits and unemployment. More surprising is the widespread use of the insider/outsider perspective coming from those calling for fundamental reforms to reduce the insecurity and inequalities faced by the precariat, to reduce the risk of political far right movements or to forge a more inclusionary gender contract by broadening definitions of productive work. These contributions regard the standard employment relationships as hierarchical and gendered (Vosko 2010, Fraser 2012), labourist (Standing 2011) or focused on the median voter interest (Rueda 2005). This paper draws on segmentation theory, gender analysis and recent work on interactions between regulations and institutions (Lee and McCann forthcoming, Deakin and Sarkar 2008, Grimshaw 2013), to critique this insider/outsider perspective. Not only does it reinforce a supply side view of segmentation and legitimise equality through levelling down (albeit with a higher minimum floor) but it also delegitimises the search for fair valuation of skills, experience and productivity in work. This detracts from the positive elements of these contributions. The paper argues instead for a wide agenda of reforms which are nevertheless incremental and evolutionary to reflect different country starting positions and avoid feeding the deregulation fever. Decoupling social protection from employment status should not endanger the key objective of holding employers accountable for employment quality and conditions. Furthermore attention needs to be paid to assisting workers to monitor and challenge employment arrangements. Not only is the impact of legal regulations in the absence of complementary institutions restricted and uncertain (Lee and McCann forthcoming) but in the age of austerity it is dangerous to rely on the benevolence of the state. Thus the policy reform agenda that the RDW conference needs to address must embrace not only employment and social policy but also the revitalisation of collective action in multiple forms.

Plenary IV

Panel discussion: What future for industrial relations?

Time: Day 3 (Friday, 5 July), 16.00-17.30
Venue: Room IX
Chair: Gerhard Bosch (IAQ, University of Duisburg-Essen)

Declining influence of collective labour relations in developed economies, with some exceptions, is not a new story. A host of factors are behind this decline and include globalization (particularly financialization of the economy), technological changes, changing composition of industries and workforce, growth of non-standard workers and in developing countries, persistent high levels of informal employment.

The economic and financial crisis that began in 2008 challenged the foundations of the Europe Social Model of which organized industrial relations formed a key pillar. A number of systems have been subject to deregulation and the decentralization of collective bargaining. At the same time, there have been attempts to expand and revitalize industrial relations institutions in some major emerging economies as a means of following a balanced inclusive development path.

The decline in union membership in many countries is accompanied by an increase in individual contracting. Yet the idea that this is an equivalent alternative to collective bargaining between representative organizations is misconceived. The share of wages in national income has declined and we have seen a sharp increase in income inequality in many parts of the world.

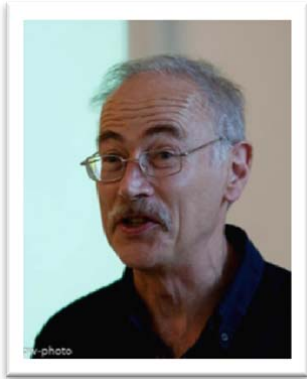
During the special session on *What Future for Industrial Relations* prominent scholars of industrial relations from different parts of the world will present their views on an Industrial Relations paradigm for the twenty-first century.

What can be done to reverse the erosion of these institutions and to revitalize, and if necessary, reinvent the institutional basis for fair and balanced labour relations and equitable labour markets?

Rather than focus on the challenges faced and causes of institutional decline, this session is designed to be innovative and provocative, charting a new course for collective labour relations. Panelists will touch upon the following issues:

- What does an industrial relations paradigm for the twenty-first century look like?
- How can representative employers' and workers' organizations renew and revitalize their organizations?
- How can the state play a more proactive role in developed, developing and transition economies, revitalizing and reinventing labour market institutions and supporting their contribution to development?
- How can the industrial relations be made more inclusive and representative organizations give voice to the increasing diversity of today's workforce in developed, developing and transition economies?

Panellists



Richard Hyman
(LSE)



Edward Webster
(University of the Witwatersrand, South Africa)



Maarten Keune
(AIAS, University of Amsterdam)



Ratna Sen
(Retired professor, IISWBM, Calcutta University)

4. SPECIAL EVENTS

Book launching (Reception)

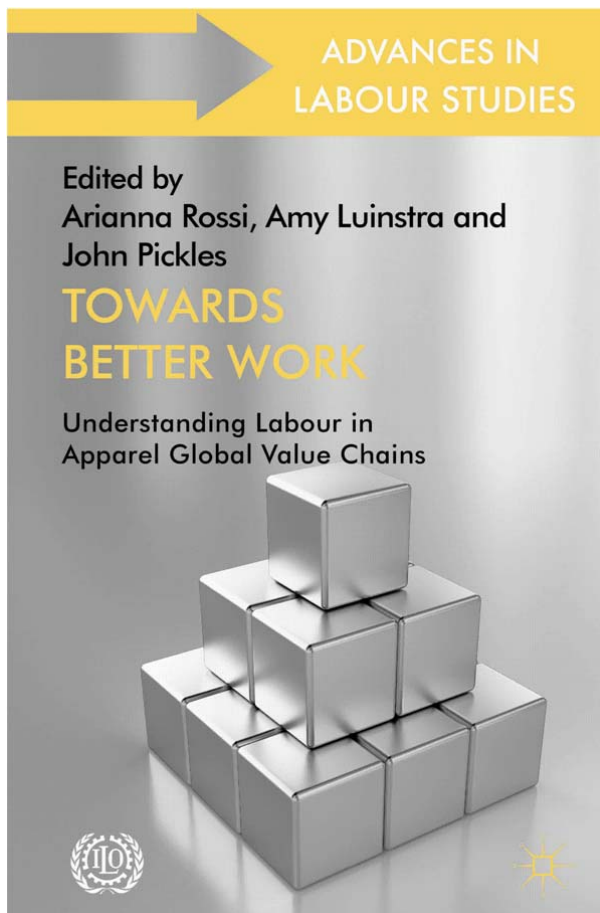
A. Rossi, A. Luinstra, & J. Pickles, eds. *Towards Better Work: Understanding Labour in Apparel Global Value Chains*, ILO and Palgrave

Time: Day 1, Wed 3 July: 13.00 – 14.00

Venue: R2 lounge (in front of Room IX)

Chair: Raymond Torres (ILO/INST)

(Snacks and drinks will be provided)



Speakers

Arianna Rossi (ILO, Better Work)

Amy Luinstra (IFC, Better Work)

John Pickles (University of North Carolina, Chapel Hill)

Discussant: Stephanie Barrientos (U. Manchester)

About the book:

Globalization of production has created opportunities and challenges for developing country producers and workers. This volume provides solutions-oriented approaches for promoting improved working conditions and labour rights in the apparel industry. Chapters analyse how, in some contexts, workers, governments and business are collaborating to confront some of the key opportunities and challenges pertaining to labour in global apparel value chains, and how, in other contexts, they are dealing with the obstacles that can arise in such collaboration.

Book launching (Seminar)

C. Fagan, M. Gonzales Menendez & S. Gomez Anson, eds. *Women on Corporate Boards and in Top Management: European Trends and Policies*, Palgrave

Time: Day 2, Thur 4 July: 12.30 – 13.30

Venue: Room IX

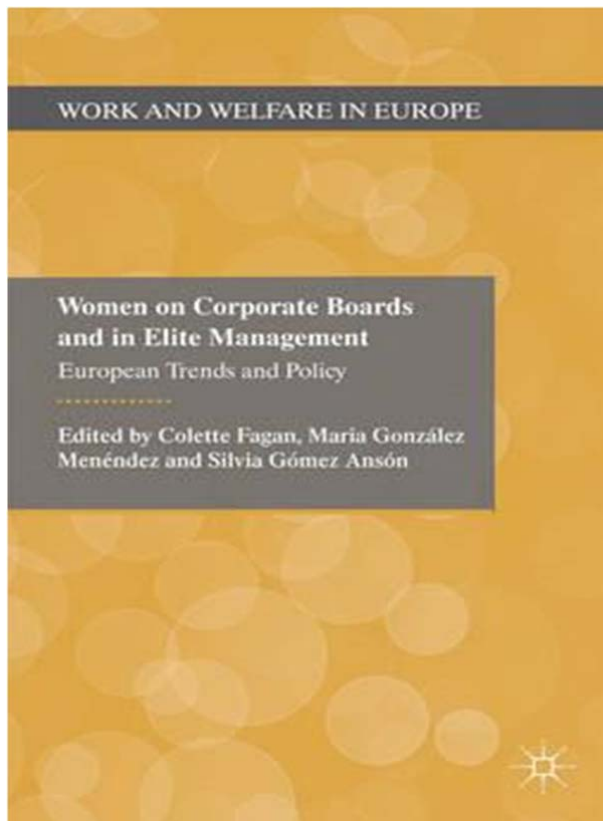
Chair: Jane Hodges (ILO)

Speaker

Colette Fagan (University of Manchester), “Quotas, targets or pipeline for promoting gender diversity in senior positions?”

Discussants

[TBA]



About the book:

Has women's presence on company boards and in other top management positions improved? And in which countries and types of organization has most progress towards gender parity been made? This book provides an international comparative analysis of the trends and evaluates gender equality policy developments, including those focused on corporate governance, such as the use of gender quotas for board membership. It includes detailed analysis using new data from eight European countries strategically selected because of their different policy frameworks and trajectories with regard to welfare, employment and promoting gender equality: Norway, Sweden, Finland, the UK, France, Spain, Hungary and Slovenia. Developments in women's presence in top management jobs are considered in relation to the broader gender structuring of the labour market and political life. Policy

debates and developments to redress women's under-representation in this arena are examined and evaluated and theoretically informed explanations are advanced, which emphasize the influence of national institutional settings and policy regimes, over and above market forces, even at this elite level of the employment hierarchy.

Special Lecture

Nelson Barbosa (Universidade Federal do Rio de Janeiro, Brazil; former Deputy Minister of Finance)

Macroeconomic policy for growth and employment

Time: Day 3, Fri 5 July: 12.30 – 14.00
 Venue: Room IX
 Chair: Rolph van der Hoeven (International Institute of Social Studies ISS, Erasmus University Rotterdam)



The world economy has not recovered from the financial crisis of 2008. So far the main policy recommendation of mainstream economists has been to stimulate growth from the supply side, through fiscal consolidation and structural reforms. According to this logic, growth and employment will pick up when productivity and confidence get high enough and push private and domestic consumption up. The problem with the mainstream view is that neither productivity nor confidence recovers quickly in a context of slow growth and high unemployment. Macroeconomic adjustments through the supply side usually take a long

time and, in the still fragile financial context of today, such a strategy makes the world economy susceptible to another recession. More importantly, recovery strategies based solely on the supply side end up promoting a global scale of wage repression, in which main economies world try to boost growth by reducing labour costs in order to increase profits and investments and/or to gain international competitiveness and export their way out of recession.

There are other macroeconomic strategies. They include structural reforms to boost productivity, but they also include fiscal and financial initiatives to accelerate growth through the demand side. In advanced economies these initiatives should take the form of financial aid to agents or countries facing liquidity constraints, as well as higher public investment. In emerging economies the strategies also include policies to reduce poverty and income inequality, since the inclusion of millions of people in the formal labour and consumption markets can boost demand growth for the world economy in the next decades. The recent experience of Brazil is a good indicator of the potential and feasibility of wage-led growth.

Starting in 2003, the Brazilian government took the opportunity of a favourable international situation to boost growth through an increase in public investment and income transfers to the poor. In the past 10 years part of the fast growth in the Brazilian terms of trade was used to finance a social safety net, in which all net gains in tax revenues were channelled to the most poor. The main instrument of the government to do this was an expansion in conditional cash transfers to the poor and a gradual increase in the minimum wage. The strategy worked fine for many years, but the current deceleration in world economic growth poses a challenge to the Brazilian model, since it is not possible for an open economy to pursue an expansionary policy in recessive international environment. Sooner or later the increasing leakage of domestic demand to the rest of the world generates domestic political pressures to either close the economy or to abandon the wage-led growth strategy and join the world in its trend of wage repression.

My talk presents the functioning of wage-led growth and discusses how such a strategy can be a path to recovery from the current world situation of high unemployment and slow growth. The speech is organized in three sections. The first section presents a critique of the current mainstream policy recommendation of macroeconomic adjustment concentrated on the supply side. The second section presents a short description of the recent Brazilian experience of wage-led growth, with emphasis on its successes, risk and limitations. The third section concludes the text with an analysis of how policies of demand stimulus and income transfers can contribute to recovery in the main economic blocks of the world.

5. CONFERENCE THEMES

Overarching theme

The global financial crisis continues to generate spiralling unemployment, precarious work, inequality, and pressure on collective bargaining, threatening economic and social stability in many parts of the world. Unease about the austerity agenda is accompanied by a growing recognition that the post-crisis world should not return to "business as usual." Rather, more effective and balanced models should be adopted, which would integrate employment creation in growth policies and meet equally important objectives: equity, security, job quality. While emerging and developing economies have escaped the brunt of the recession, the debate continues on how to extend labour market institutions into the informal economy, with a focus on particularly vulnerable groups, such as domestic workers. The influence of multinational enterprises in these countries, meanwhile, sustains an on-going reflection on the role of non-state actors in regulating labour markets. At the global level, a striking feature of recent policy discourses is the use of legal indices to evaluate and compare labour law regimes. These indices are increasingly relied on both to underpin policy guidance and to justify legal reform.

The 2013 RDW Conference centres on the role of labour market regulation when job creation is the paramount objective. Papers address labour market regulation's ideal post-crisis form, with a special focus on four thematic issues: (a) Comparing and evaluating labour regulation systems; (b) regulating informal work; (c) industrial and employment relations for inclusive growth; (d) new patterns of segmentation and new challenges for promoting inclusive labour markets.

The Third RDW Conference, held in Geneva at the International Labour Office, 3-5 July, will be co-hosted by the ILO, the University of Amsterdam's *Institute for Advanced Labour Studies* (AIAS), the University of Melbourne's *Centre for Employment and Labour Relations Law* (CELRL), the University of Manchester's *Fairness at Work Research Centre* (FairWRC) and the University of Duisburg-Essen's *Institut Arbeit und Qualifikation* (IAQ). This conference has attracted researchers from a range of regions and academic fields that include law, economics, industrial relations, development studies and geography.

Track 1: Comparing and evaluating labour regulation systems: Theory, methodology and new evidence

Coordinators: Sandrine Cazes, Sangheon Lee and Deirdre McCann

The quantification and comparison of labour regulation is both a central innovation of contemporary labour regulation research, and an increasingly prominent driver of policy guidance. In the research literature, legal indices have been designed to assess the intensity and convergence of labour law regimes, measure the effectiveness of labour law systems, and extend the empirical analysis of regulatory institutions to a wider range of countries and regulatory sub-fields. Parallel research, meanwhile, is drawing on a diversifying range of empirical strategies to assess the effectiveness of regulatory systems (e.g. to evaluate enforcement mechanisms, measure legal awareness, assess formalisation strategies etc.)

Recent developments in the policy sphere suggest a broadening interest in measuring the capacity of labour law systems to advance social objectives, including ‘worker protection.’ Yet, it is increasingly recognized that the relationship between labour regulation indicators and labour market performance is far from clear, and often complicated by ‘regulatory indeterminacy.’ In response, recent scholarly work has contended that any viable attempt to measure worker protection must account for three dimensions of labour regulation: (a) substantive requirements; (b) scope of application; and (c) *de facto* application, or ‘legal observance.’

This track brings together papers which offer new insights and findings on the measurement or evaluation of legal regulation and its labour market impacts. It includes both theoretical and empirical papers.

Track 2: Regulating informal work

Co-ordinators: Colin Fenwick and John Howe

The vast majority of the workers in the world are working at or beyond the margins of formal regulation. Workers in many cases are excluded from the formal scope of employment and labour laws, either because they work in small enterprises that are exempted from application of the law, or because they are engaged in particular forms of work that are excluded, such as domestic work. Even when formally covered by employment and labour laws, many workers can be effectively rendered informal because of the weaknesses of labour administration and inspection systems. In some societies, the capacity to exercise rights under labour law may depend on class, cultural norms, family structures, and religion. At the same time, changes in the ways that workers are contractually engaged continue to lead to greater labour market segmentation, which is associated in turn with more workers being engaged in insecure work and, in some cases, informality.

As a result of these factors, labour regulation is potentially ineffective or irrelevant in relation to workers who are most in need of its protection. The consequences are both wide-ranging and harmful, and include low per capita income, and high rates of poverty. Yet the focus of much debate about labour regulation is based on the assumption that it enjoys broad coverage, and is overly protective. Moreover, the debate is often confined to traditional labour rights such as collective bargaining and the right to join trade unions, excluding consideration of other forms of social protection for workers, including social security measures and employment policies.

Papers for this track address one or more of the following questions: What instruments and methods are states using to expand the effective scope of formal labour regulation, and to what effect? What action are states taking to link regulation of informal work to broader socio-economic and developmental concerns and goals? What regulatory modes and tools are being used by non-state actors to address the adverse effects of informality on workers and their communities, including novel social protection initiatives, and to what effect? What evidence is available of effective innovative labour regulation, whether by states, non-state actors, or combinations of actors?

Track 3: Industrial and employment relations for inclusive growth

Coordinators: Kea Tijdens, Susan Hayter and Chang-Hee Lee

This track addresses the role of the industrial relations institutions in the setting of wages, working conditions and terms of employment in a globalized world. Some hold that these institutions merely represent the interests of privileged insiders. Membership of employers' organizations and trade unions has been declining in many countries, and collective bargaining seems to be losing ground in some.

There is considerable evidence on the positive impact of these institutions on the equitable distribution of wages as well as on job security. Will the erosion of these institutions lead to less equitable job growth and increased wage inequality, or can counter-tendencies be observed? Has the integration and deregulation of labour markets and deterioration of working conditions of 'outsiders' turned terms and conditions of employment in collective agreements (such as a decent wage, permanent contract and social insurance) into exclusive privileges? What role can industrial and employment relations institutions play in promoting inclusive and equitable employment? What is the role of minimum wage-setting institutions in this respect?

This track includes papers addressing the global and the national challenges for wage policy, industrial relations and social dialogue. These papers offer new insights and empirical findings on the impact of globalization on local processes of wage setting as well as the role of industrial relations actors and social dialogue in a cross-country comparison are particularly welcome.

Track 4: New patterns of segmentation and new challenges for promoting inclusive labour markets

Coordinators: Gerhard Bosch and Jill Rubery

This track brings together papers that explore the impact of the crisis and post crisis policies on the segmentation of the labour market and/or investigate new challenges for promoting inclusive rather than exclusive labour markets.

The crisis has increased labour market segmentation by reducing access to stable employment and by swelling the numbers of both the unemployed but also of those employed in new forms of less protected employment. A first key issue is thus to map the impact of these changes particularly for vulnerable groups by age, gender, ethnicity, migrant status, education and health and disability. Here papers also address the impact of different forms of labour market regulation and policy instruments (for example training, wage subsidy, tax and benefit, equality of opportunity policies) on moderating or even intensifying problems of labour market segmentation and inequality. A second key explored is the impact of the crisis on the effectiveness of current forms of protection for those who remain in employment. These workers can be expected to face greater work pressures and feel less able to exercise their rights to fair treatment and non-discrimination. A third key issue considered is how post crisis policies, particularly the austerity policies adopted in the Eurozone and elsewhere, may be promoting apparently greater equality through leveling-

down employment standards. A key example is the emphasis on reducing protection and pay for public sector workers, rather than on raising standards for the low income or vulnerable groups. These policies raise the prospect of increasing polarization in labour markets with more limited middle level protected jobs.

Papers in this track address the changing patterns of segmentation and polarization as a result of both the crisis and the policy response to the crisis, and the implications of these developments for social cohesion and inclusive labour markets.

6. RDW PARTNERS AND ORGANIZING COMMITTEE

Conference organizing committee

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Organizational hosts

The International Labour Office (ILO)'s *Conditions of Work and Equality Department (WORKQUALITY)*

The University of Amsterdam's *Institute for Advanced Labour Studies (AIAS)*,

The University of Melbourne's *Centre for Employment and Labour Relations Law (CELRL)*,

The University of Manchester's *Fairness at Work Research Centre (FairWRC)*,

The University of Duisburg-Essen's *Institut Arbeit und Qualifikation (IAQ)*.

7. FELLOWSHIP WINNERS

The RDW Committee is pleased to announce that RDW fellowships are granted to the following researchers (alphabetical order):

- Du Toit, D. (South Africa), “Regulating the informal economy: Unpacking the oxymoron”
- Graña, J.M.G. (Argentina), “Segmentation and poverty in a heterogeneous and low productivity country: The case of Argentina’s manufacturing”
- Groisman, F.G. (Argentina), “Labour informality and segmentation in Argentina: The role of new social protection initiatives”
- Hu, Y. (China), “Can minimum wage regulation reduce wage inequality and working poor in China?”
- Islam, Z. (Bangladesh), “Worker compliance: Evidence from selected enterprises, DEPZ, Bangladesh” [co-authored with Rizwan Khair]
- Jafar, A. (India), “Labour law compliance vis-à-vis firm performance: A study on selected Indian companies” [co-authored with Amitava Ghosh & Partha Sarkar]
- Jowitt, A.L. (Vanuatu), “Improving work conditions?: The impact of Vanuatu’s 2008 employment law reforms”
- Marshall, A.M. (Argentina), “Wage setting regimes and inequality: Evidence from Argentina”
- Nathan, D. (India), “Corporate governance and child labour: Role and limits”
- Poblete, L.P. (Argentina), “Formalizing independent work: Changing labour regulation in Argentina, 1998-2007”
- Sarabia, M.S. (Argentina), “Does industrial development really matter for job-rich growth? Impacts on employment and income distribution in Argentina from a structural analysis” [co-authored with Sergio Woyecheszen]
- Sarkar, P. (India), “Labour regulation systems vis-à-vis facets of development: A cross-country study”
- Varkkey, B. (India), “Minimum wage setting and its impact on industrial relations in Asian countries: A cross-country comparison” [co-authored with Rupa Korde]
- Yan Y. (China), “Is there always a “sticky floor effect” in China?: The analysis on distribution of clerical support workers’ gender wage gaps under different employment forms” [co-authored with Dinghong Yi]

8. RDW PRIZE

The Centre for Employment & Labour Relations Law Prize

This Prize is sponsored by the Centre for Employment and Labour Relations Law at the University of Melbourne and will be awarded to the author(s) of the best conference paper from emerging economies. The Prize will be awarded at the conclusion of the RDW conference.

Eligibility

A sub-committee of the RDW Organising Committee assessed papers by researchers from institutions in emerging economies, focusing on less well-established academics. Invited papers presented in plenary sessions were not eligible.

Criteria

The criteria on which the decision was based were:

- Substantive rigour of research and analysis
- Engagement with the conference themes
- Creative or imaginative contribution of the relevant academic discourse

Prize

The prize is the reimbursement of research-related expenses of up to 1000 US dollars.

Announcement and award

The winner will be announced during the closing ceremony of the conference (5 July, 17.30-18.00).

9. PRESENTING AND CHAIRING

Please be kindly reminded that time keeping is critical in running the conference smoothly. Failure to do so may knock-on effects, risk affecting other presenters or sessions. The chairpersons are asked to ensure that each presenter should be given a fair amount of time for his/her presentation and that the session be concluded on time.

All presenters and chairpersons are expected to come to their relevant room **at least 10 minutes** before the beginning of their session, in order to load presentation slides onto the laptop and to have a quick discussion about how to organize their session.

Presentation slides

To avoid complications with multiple versions of slides, this year we are asking participants to **bring presentation slides on a USB stick**. Please come to your presentation room 10 minutes before the session starts to save them on the laptop. Please do not email us the slides.

Chairperson and “master book”

For a quick and easy reference for chairpersons, a “master book” is provided on the podium in each room with any necessary details. It includes the list of sessions which will be held in the room in question, as well as each presenter’s abstract. The chairperson should consult with participants as to how they may wish to be introduced. Two cards (one yellow, one red) are also provided for timekeeping.

Time allocation

Plenary sessions

In principle, each plenary speaker will have a total of 30 minutes for his/her presentation, which will be followed by 15 minutes’ discussion. The chairperson, in consultation with the plenary speakers, will decide further details of organizing the plenary session.

Parallel sessions

Normally, three papers are allocated to each session. In this case, each presenter will have 20 minutes for presentation and 10 minutes for discussion. In case where four papers are allocated, adjustments should be made accordingly (e.g., 15 minutes for presentation, 8 minutes for discussion).

10. PRACTICAL INFORMATION

Venue

International Labour Organisation (ILO),
Geneva, Switzerland
Address : 4, route des Morillons
Phone : +41 22 799 8644

**-50% on all ILO
publications**
At the Library's
Bookshop
R2 (South)
open during break times

Access to the ILO

By taxi

To drop you at the right door, the taxi driver will need to enter the visitors' entrance off Route des Morillons. Once you reach the building, get off at the first door ("porte 1"), which will be indicated. Registration is on level R2 (one floor down).

By bus

From Cornavin train station:

Take bus 8 bound for OMS or bus F in direction to Ferney and get off at BIT (one stop before the last stop). It takes around 14 min.

From the airport:

Take bus 28 bound for Jardin Botanique and get off at BIT. There are 3 bus services per hour. It takes roughly 12 min. The bus stop at the airport is on the Departure level, one level above the Arrival hall. If you go out of the Departure hall and walk towards left, you'll see the bus stop.

Bus ticket:

Tickets can be bought from a ticket machine at the bus stop. Press the button circled in red for a ticket valid for 1 hour (CHF 3.50). Alternatively, you can buy a day ticket (valid from 9h to 24h) for CHF 8. Please note that most hotels will give you a free ticket for public transports every day upon request.

For information on public transport www.tpg.ch (website in French).

Getting from the bus stop to the R3 South entrance:

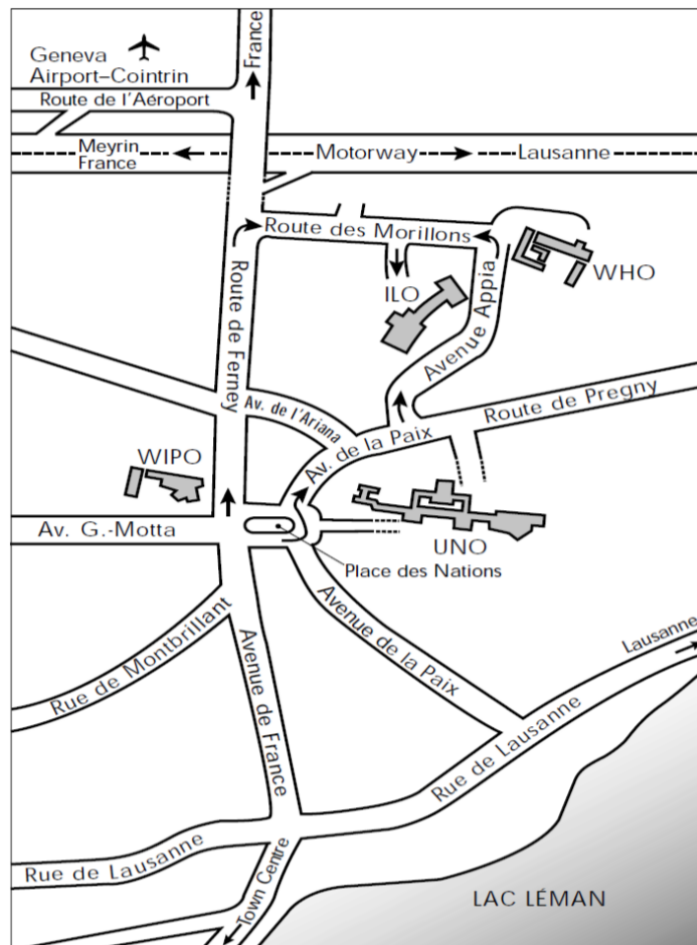
From the bus stop, go down the slope towards the building, which leads to an underground parking lot. Turn right at the entrance of the parking lot and go straight along the wall. You'll see a door on your right and an escalator inside. Take both escalators and then follow the signs to the final flight of stairs up to the R3 level. At the top of the stairs (on level R3) exit the building on your right and walk outside along the building to "door 1". Inside you can collect your security badge. Registration is on level R2 (one floor down). You will be given a name tag and Conference Package.

ILO Badges

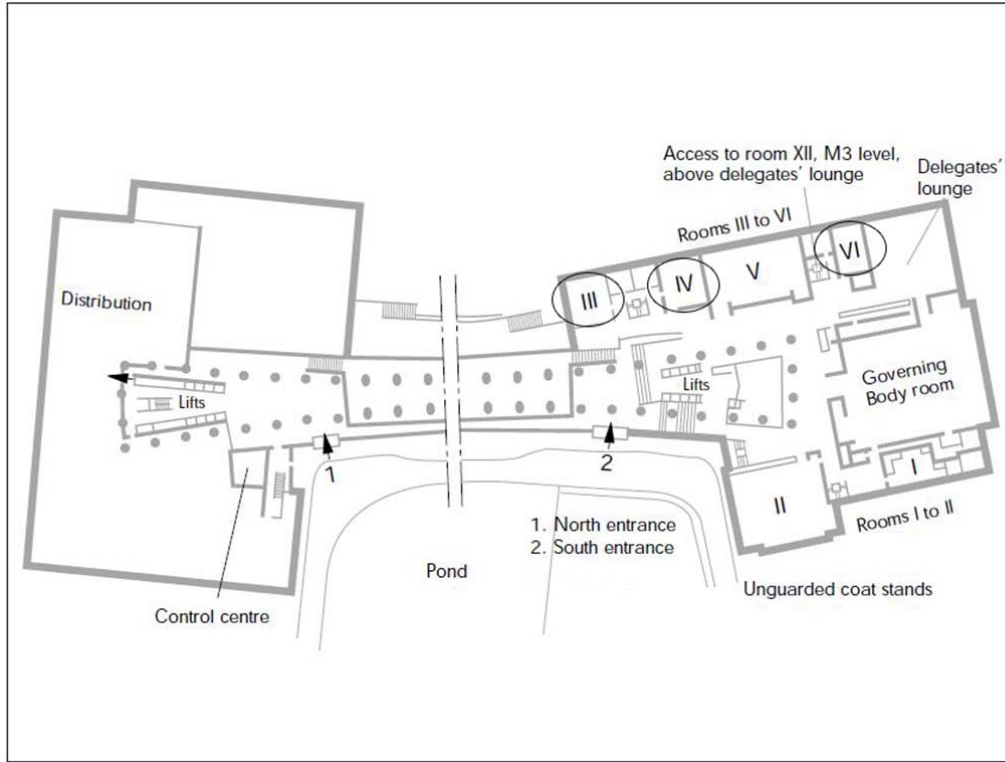
The security badge will be provided to you upon your arrival. These should be handed back to security (or put in the box at the security gates on R2 and R3 South) at the end of the conference or upon your final departure.

The RDW badge can be kept.

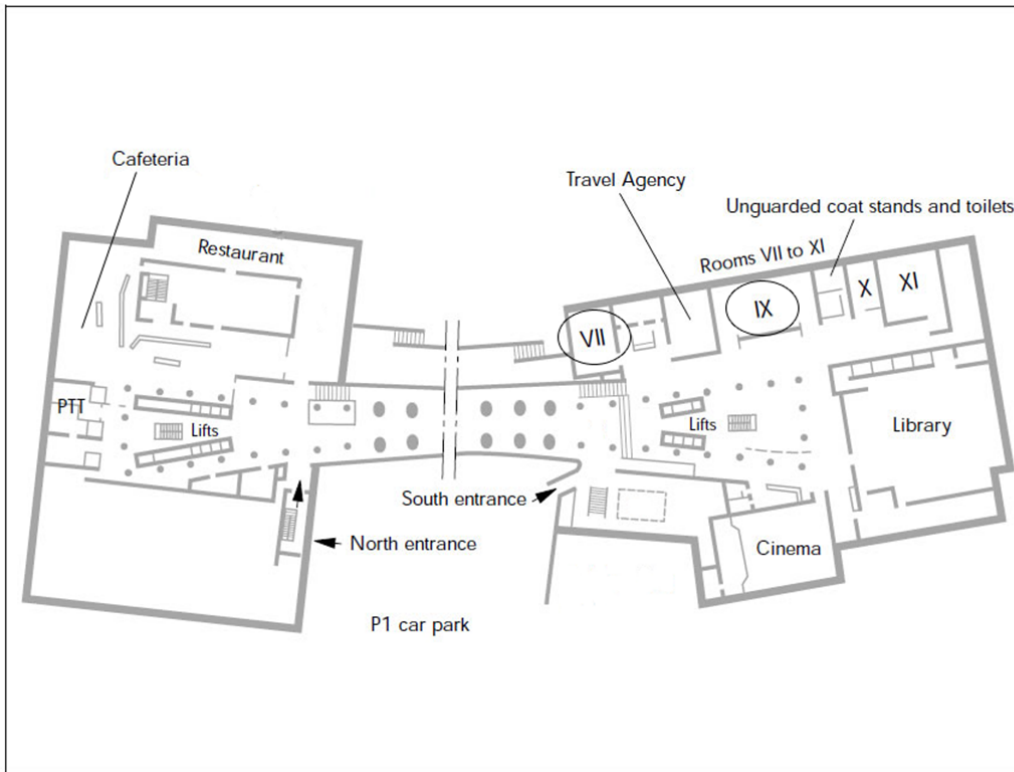
Access Map



Maps of the building (R2 and R3 levels)



Plan of R3 level



Plan of R2 level



Meeting rooms

Levels	Rooms
R3	Rooms III, IV and VI
R2	Rooms VII and IX

Information and Services

Available services	Location	Opening hours
Cash dispensing machines All international credit cards accepted (Swiss francs and Euros)	R2 south (beside Naville kiosk); R3 north (beside the UBS bank)	
Library	R2 south	10 a.m. to 5 p.m., Mondays through Fridays
Bookshop	R2 south	Lunchtime, Wednesday through Friday
Taxis	R3 north (Control centre)	
Post Office (telephone, telegraph, fax and exchange transactions)	R2 north	10 a.m. to 11.30 a.m. and 12.30 p.m to 4.30 p.m., Mondays through Fridays
Internet area New: Levels R2 and R3 south have wifi access	In the library, R2 south	10 a.m. to 5 p.m., Mondays through Fridays
Newspaper kiosk Naville (newspapers, books, tobacco, prepaid cards valid for the Geneva public transport system, prepaid phone cards, etc.)	R2 south	8 a.m. to 5 p.m., Mondays through Fridays
Bank UBS	R3 north	9 a.m. to 5 p.m.

Snack bars, cafeterias and restaurant

The "Delegates" bar	R3 south	8 a.m. until the end of the meetings
"EUREST" Cafeteria (Self-service)	R2 north	11.45 a.m. to 2 p.m.
"EUREST" Restaurant	R2 north	12 noon to 2 p.m.

11. PARALLEL SESSION ABSTRACTS

Parallel Session 1 Wed, 3 July: 11.30–13.00
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PS 1.1 (Room III): Labour law at the firm-level

Chaired by Sandrine Cazes (ILO)

Guy Mundlak (Tel-Aviv U.), “From substance to process: A qualitative study of due process in dismissals”

There is a growing proceduralization of labour law. Some herald this as a new form of regulatory intervention that seeks to improve the internationalization of workers’ rights in the interests of their employers. Others claim that proceduralization creates rituals of compliance. The study seeks to test the impact of proceduralization on organizations. In 2002 the Israeli Labor Court shifted the law of dismissals from substantive protection (an incremental shift from employment at will to just-cause dismissals norm) to a general requirement to conduct due process hearings before dismissals. While due process requirements were common in the public sector and in organizations covered by collective agreements, the new case-law prescribed the instigation of hearings before dismissals in all organizations. To understand the impact of the new due-process requirement, the study is based on in depth interviews with 35 human resources managers in private-sector organizations without collective agreements, hence focusing on organizations that were required to instigate due process hearings de-novo. The study seeks to understand how organizations implemented the legal requirement; whether there are organizational variations in the process of implementation; to what extent it affected the organizational culture; the role of human resource managers in implementing the law; the effects of the new process in actual cases of dismissals (“did it save workers from dismissal?”) as well as other effects the process had on human resource management. Finally, the interviews sought to understand whether the HR managers viewed the process as a benefit or a burden. The study’s findings provide a nuanced response that rejects the two polar views (effective protection or ritual of compliance). The study indicates the creation of a new organizational bureaucracy, where the effects are most visible in practices that precede dismissals, rather than the court’s focus on the final act of termination. The study places the findings in the broader context of process-based regulations and identifies the growing bureaucratization of the organization, with new managerial occupations, detailed protocols and public legal norms that are adapted to the economic organization.

Amir Jafar (U. Burdwan Golapbag), Amitava Ghosh (TeamLease Services Pvt. Ltd., India) & Partha Sarkar (U. Burdwan Golapbag), “Labour law compliance vis-à-vis firm performance: a study on selected Indian companies”

The success or failure of an organisation is ultimately linked with the people factor. The academics as well as the practitioners agree that as the dynamics of competition accelerate, people are perhaps the only truly sustainable source of competitive advantage (Prahalad, 1983; Stewart, 1990). Effective management of human capital, even more so than physical capital, may be the ultimate determinant of organisational performance and survival (Snell & Youndt, 1995). Proper people management calls for effective compliance with the various labour laws which is

one of the most challenging HR function. There are ample research studies exhibiting the relationship between HR practices and firm performance. In this backdrop, this paper seeks to analyse the impact of labour law compliance on the firm performance of few selected Indian companies. This study seeks to measure the extent to which the selected companies are complying with the relevant labour laws and tries to address whether labour law compliance and firm performance are mutually supportive or exclusive domain. For this study the Labour Law Compliance (LLC) score has been determined. A questionnaire entitled 'Labour Law Compliance Questionnaire' has been designed to obtain the LLC score. The questionnaire has been customised according to the variations in the labour laws requirements of the concerned organisation. The questionnaire contains items relating to the various labour law provisions applicable to the concerned organisation. The firm performance has been determined on the basis of the various indicators widely used in the literature. The data used for determining the firm performance of the selected companies have been obtained from secondary sources. The data collected have been statistically analysed to determine whether the companies with an effective labour law compliance system are better performers or not. Appropriate statistical tools and techniques have been used in this study in order to draw meaningful conclusion that would best address the research questions.

Aelim Yun (Korea National Open U.), "Reversing a cost-and-risks transfer chain for decent work"

In recent decades, multi-layered subcontracting system and informal work including forms of self-employment have spread in many parts of world. This trend has to be understood as a cost-and-risks transfer strategy of capital rather than a result of under-development in labour market. As a result, labour regulation becomes ineffective or irrelevant in relation to workers who are engaged in more insecure and unprotected work. The current regulatory response has often brought about adverse effect in rendering informal workers themselves or a society bear the cost. The regulation that informal workers must be in possession of personal recognition document issued by the competent authority or bear social security contributions is such an example. It often makes employment conditions of informal workers much inferior or turns out ineffective in regulating informal work. This paper suggests an alternative measure that capital which makes a profit from informal work (i.e. user-enterprise) should take liability for workers' rights and entire chain of subcontracting. This is related to a novel perception of the new form of dependent work. Many legal systems have recognized 'subordination' as an entry point of labour regulation. For instance, work done under the direction, authority, supervision or instructions of the employer has been frequently used as indicators in identifying such subordination. In many cases of informal work, however, 'economic dependence' is much often found. In some countries, the existence of economic dependence could be a basis to expand labour protection. Yet the scope of protection is not enough broad, on the assumption that economic dependence does not amount to legal subordination. Against this approach this paper understands this form of dependence as the 'externalized or alienated subordination', through analysing the process of transferring cost-and-risks from enterprises to workers and the whole society. Furthermore, this paper explores innovative regulatory modes to reverse the cost-and-risks transfer and to expand labour protection over the traditional employment relationship and corporate boundaries. For this purpose, this paper reviews recent regulatory measures for ensuring wages, health and safety and social security protection of informal workers in Korean construction industry. In particular, the effect of novel measures including a municipal ordinance and social partners' action for labour protection are discussed. As subcontracting and informal work has spread all over industries including manufacturing and service sector, this paper will be useful for developing equitable labour market regulation.

PS 2.1 (Room IV): Innovations in enforcement and inspection

Chaired by Colin Fenwick (ILO)

Sean Cooney (U. Melbourne) and John Howe (U. Melbourne), “Expanding the effective scope of labour regulation through innovation in labour inspection: Developments in Australia and China”

Our paper argues that innovation in labour inspection and enforcement can expand the effective scope of labour regulation through improvement in detection and deterrence of non-compliance with formal labour law, thereby addressing a major cause of informal work. The paper draws out three common themes from separate empirical projects looking at labour inspection in two very different countries: Australia, a high income liberal democracy and China, a middle income authoritarian state. Interviews with labour inspection agencies were conducted in China in 2008-9 and in Australia from 2010-12. The two analyses confirm the renewal of labour inspection experienced in many different jurisdictions, such as the United States (see, e.g. the work of David Weil); Latin America (e.g. work by Roberto Pires, Michael Piore and Andrew Schrank); and France (e.g. work by Kapp, Ramackers and Terrier). The first theme relates to the impetus for renewed attention to labour inspection. In both China and Australia, a period of labour market ‘deregulation’ followed by rising popular concern about working standards led the state to make very substantial changes to labour inspection; in Australia through the creation of the Workplace Ombudsman (now the Fair Work Ombudsman) and in China through new national Labour Inspection Regulations as well as significant local reforms. We explore to what extent informal work has been a factor in this revival of interest in labour inspection, and ask how enduring this impetus may prove to be. The second theme concerns the innovations undertaken in the revitalized inspectorates. In Australia, innovation is comparatively centralized in the one agency; in China, inspectorates have considerable local autonomy and this leads to greater diversity. One aspect of local innovation is the introduction of new statutory powers and/or sanctions available to inspectors. In Australia, the inspectorate was reshaped as a statutory agency with extensive powers, including new forms of remedial measures, such as enforceable undertakings. In China, the powers of inspectors were more clearly enumerated and the penalties for employer breach increased, both in the national Labour Contract Law and in local regulations, such as the Guangdong Wage Regulations. Another aspect of the innovations involves inspection policies and practices. In both countries, there have been mixed attempts to move away from high reliance on complaints to more pro-active measures with the potential to find hidden non-compliance, a common symptom of informal work. In Australia, these have included more sophisticated targeted campaigns and in China attempts to systematically ‘map’ compliance patterns across the country. The third theme looks at the interaction between inspectorates and other entities with an enforcement role, such as trade unions, and the implications for effective enforcement of labour law. The record in both countries is mixed, for different reasons. In Australia, there has been both formal and informal collaboration between the inspectorate and unions, but factors such as inspectors’ powers to sanction unions for breach of freedom of association laws sometimes create an uneasy relationship. In China, the ineffectiveness of the official trade union movement, which tends to remain dominated by management at the local level, weakens the potential for productive co-operation, although there are some local exceptions. The paper concludes with an assessment of the strengths, shortcomings and sustainability of the new inspectorates in each country.

**Leah F. Vosko (York U.), John Grundy (Wilfrid Laurier U.), & Mark Thomas (York U.),
“Challenging new governance: Evaluating new approaches to employment standards
enforcement in Anglo-Saxon jurisdictions**

In recent years, a well-documented crisis in employment standards (ES) enforcement has prompted extensive experimentation among Anglo-Saxon governments with new instruments aiming to improve workplace regulation. This experimentation with measures across all stages of the enforcement process – from measures which aim to prevent violations before they occur, complaint-handling processes, and new methods of dispute resolution – bears evidence of the increasing influence and legitimacy of ‘new governance’ in regulatory practice. Applied to the field of ES, new governance approaches invoke the inexorable decline of public ‘command and control’ enforcement capacity. In place of the state-centric enforcement regimes, proponents of new governance call for participatory arrangements in which regulatory responsibility is dispersed among the state, employers, employees and civil society actors, and thus at least partially privatized. Focusing on leading innovations underway in Anglo-Saxon countries – namely Enforceable Undertakings and the National Employment Program (Australia), the Citizens Advice Bureau (Britain), the Rights Commissioner Service (Ireland), Los Angeles-based Inspector Deputization Programs (United States), and the North American Agreement on Labor Cooperation (countries party to NAFTA) – this paper raises serious cautions around the current enthusiasm for ‘new governance’ styled enforcement mechanisms. We argue that assumptions about the inevitable collapse of state enforcement capacity are premature and may in fact preempt strategies for more effective ES regulation. Indeed, those alternative ES enforcement mechanisms that are most effective involve a central, albeit often modified, role for state institutions. We develop this argument in three sections beginning with a critical review of the new governance literature, specifically the thesis that state regulation is outmoded in a globalizing economy, and an impediment to competitiveness and innovation, examining the contentions of leading new governance scholars and their critics. Here we argue that enforcement models envisioned in this literature, while aiming to extend social protections to workers, fail to adequately account for the power dynamics of the employment relationship. Moving to the body of the analysis, section two analyses recent innovations in the five countries under study, grouped into mechanisms addressing problems at work before the complaint stage, the complaint process, and dispute resolution respectively. We demonstrate here that while elements of several innovations in the complaint and dispute resolution processes reflect a more proactive orientation to enforcement, most overestimate the promise of voluntary arrangements. By way of conclusion, section 3 synthesizes our theoretical and empirical findings to suggest that new governance models are more brittle than often perceived, and threaten to undermine the capacities for employees to assert their rights in the workplace.

PS 3.1 (Room VI): *The economic crisis and its impacts on employment and labour relations*

Chaired by Anna Biondi (ILO)

Simon Deakin (U. Cambridge) & Aristeia Koukiadaki (U. Manchester), “The sovereign debt crisis and the evolution of labour law in Europe”

The sovereign debt crisis, which began in Greece in 2010 and then spread to several other Eurozone economies, is having profound consequences for the labour law systems of the debt-affected member states and for the role of social policy in EU law and governance. As a result of the austerity measures stipulated in the loan agreements made between the ‘Troika’ of the IMF, ECB, and Commission, and the member states receiving financial assistance, essential features of national systems of labour law and social security have been, or are in the course of being, radically revised. These ‘structural’ reforms are leading to a worsening of living and working

conditions and a deepening of economic recession. Under these circumstances, current efforts to amend the framework of EU law and governance in such a way as to embed fiscal discipline in the Eurozone, epitomised by the ‘Six Pack’ of economic regulations and the Treaty on Stability, Coordination and Governance, risk inducing a continent-wide ‘race to the bottom’ in labour standards. In this paper we seek to put the sovereign debt crisis in the context of the long-run evolution of labour law systems in Europe as well as more recent institutional developments at EU level. We argue that notwithstanding the absence of an EU-level labour code that would have put a floor under national labour law systems, the experience of European labour law from the early 1970s onwards has been one of stability (with the UK being the most prone to change), and the maintenance of a significantly higher level of protection than in the US. Even with the gradual implementation of the programme of the economic and monetary union from the Treaty of Maastricht onwards, and the deepening of internal market reforms, labour law at member state level did not undergo a fundamental change (section 2). We argue that part of the reason for this was a fundamental compatibility of labour law protection with the competitiveness agenda which came to influence national and European policy making at this time. However, labour law regulation was unable to reverse the trend towards weaker collective bargaining systems and falling union density, and these developments, as they weakened the force of labour law protections on the ground, were responsible at least in part for the increase in inequality experienced in the large EU economies, as well as in the US, during this period. We begin our analysis by providing a brief overview of the processes through which the effects of the crisis, which began in financial markets, were transmitted to labour markets through the interventions of the Troika, and how this was a response framed by an increasingly neoliberal policy orientation within EU law relating to the internal market and to economic and monetary union. Following this, we examine the main trends of deregulation in the debt-affected states since the interventions of the Troika began in 2010. Finally, we offer an assessment of the likely prospects for European social policy in the light of the preceding analysis.

Helena Ysas (Autonomous U. Barcelona), “Wage reduction in peripheral Eurozone countries by means of dismantling collective bargaining systems: The case of Spain”

In the context of the crisis, many stand for a generalized reduction of wages as means to gain competitiveness in countries such as Spain, where lower competitiveness features are frequently pointed out as being ultimately responsible for the disastrous evolution of employment. The Spanish Government has assumed the objective of achieving a significant decrease in wages as the only way to improve competitiveness, being a member of the Eurozone. Collective bargaining rules have been used as an instrument to facilitate the so-called “internal devaluation” process. This is not the only but one of the main reasons that explains the extremely deep reform of collective bargaining regulations (June 2011 and February 2012). Especially the second one leads to the dismantling of the collective bargaining system as we knew it. Its effects are already perceptible and will be more pronounced in the following months. The main reforms and their effects, which can be very shortly summarised as follows, will be developed in the paper. Firstly, company collective agreements are allowed to regulate worse working conditions than sectoral agreements, including wages. Sectoral agreements cannot ban it. Furthermore, where no workers’ representatives are to be found, three employees can be chosen by the staff to negotiate such an agreement –no need to underline the risks this possibility entails-. Secondly, companies can negotiate not to apply the corresponding agreement if they allege being in a negative economic situation. In the third place, working conditions regulated in an expired agreement will no longer be applicable after a year of negotiations for renewal; this is especially relevant in the case of wages, which could easily drop to the minimum wage. Through the

collective bargaining reform all of the system balances have been destabilized. Sectoral bargaining loses in a significant manner its main functions, that is, making sure that all employees within the sector are granted a minimum standard of rights, as well as preventing competition between companies in a race to the bottom logic (-3% in labour costs January-September 2012. Source: OECD). At the same time, individualisation of industrial relations makes it easier for employers to put pressure on employees and their representatives to accept a worsening in working conditions, while influence of the social partners -especially of trade unions- is intentionally being undermined. Finally, the proven contribution of strong social partners and social dialogue to better economic results and welfare for workers is despised.

PS 4.1 (Room VII): Women's employment and gender segregation

Chaired by Dominique Anxo (Vaxjo, Sweden)

Stephanie Steinmetz (U. Amsterdam), "The contextual challenges of occupational sex segregation: From a European towards a worldwide perspective"

In a globalized world, rapidly changing industries and labour markets have created various job opportunities for women. However, women still face gender inequalities. They remain in specific occupations, and reach lower hierarchical levels. This phenomenon - occupational sex segregation - is often regarded as a serious labour market imperfection implying gender differences in income. It indicates sex discrimination and inequality. Accordingly, international organisations identified occupational sex segregation as a main barrier to women's decent work. While occupational sex segregation has been analysed extensively for the US and Europe, it is still unclear whether the findings can also be applied to developing countries. So far, it is only known that occupational sex segregation varies more widely across the different regions of the world (it is highest in Latin America and the Caribbean and lowest in East Asia). However, the extent to which individuals and households can respond to economic development (i.e. the development of a wage sector) depends on their preferences and the way new markets and institutional forces change incentives and constraints. As detailed micro-level data are missing, no further attempts have been made to explore which factors drive occupational sex segregation in less developed countries. Therefore, the objective of this paper is to clarify how the structure of (horizontal and vertical) sex segregation can be described for less developed countries, and how observed differences can be explained from a micro- and macro-level perspective. In this context, the situation of men and women on the labour market is seen as a social product resulting from individual factors impacting on occupational decisions and a country's institutional context shaping these decisions. Besides gender differences concerning human capital and socio-demographic characteristics, it is assumed that the institutional setting constitutes an important factor accounting for the observed variations in the sex-specific occupational distribution across countries. Using the WageIndicator survey (face-to-face as well as web based) between 2010 and 2013 for 25 less developed countries and comparable macro data from different international sources, advanced multi-level models will be employed to examine how cross-national differences of horizontal and vertical occupational sex segregation are related to determinants at the individual and institutional level. As access to paid employment is one of the most important areas for women's future empowerment in society the findings of this paper will contribute to the understanding of mechanisms of gender-related labour market inequalities and segmentation processes at a global level.

J. Besamusca, K. Tijdens, M. Keune, M. & S. Steinmetz (U. Amsterdam), “The role of institutions in shaping the labour force participation rates of women in three age groups”

In the last decades, inequality and development scholars have paid increasing attention to the study of female labour force participation, which by now has become both a well-established fact and a continuing challenge. Our paper addresses the question how institutions shape the labour force participation rates of women in three life stages in 135 industrialised and developing countries between 1990 and 2010. We compare the level of participation, ranging from less than 9% in Jordan in 1990 to over 90% in Burundi in the same year, as well as the distribution of age groups over the female active labour force. First results indicate that by 2010, less than fifteen mainly Central Eastern European and Anglo-Saxon countries still conformed to the M-shaped pattern, characterised by a brief drop and instant recovery of participation rates in the middle of the age curve, as women drop out of the labour force for the sake of child rearing. While many low income and MENA countries still have nearly even distributions (at very high and very low levels of participation respectively), the most common distribution resembles an inverted u-shape, indicating that labour force participation increases as women finish full-time education, then stabilises for a longer or shorter period, after which participation rates drop steadily towards the (pre)pension age. We assess the effects of economic, demographic, education, cultural, social policy and legal variables, all country level aggregates, on the overall female labour force participation rate. We also study the degree to which their effect of participation increases or decreases among women until 29, from 30 to 44 and above 45 years of age. We argue that previous studies have underestimated the effect of institutions by looking only at the female labour force as a whole, ignoring that variables may affect women of different ages in other or even opposite ways. We show that regression models that separate women into three age group lead to a fuller understanding of the effects and dynamics of institutions. We use the 6th edition of the ILO Estimates and Projections of the Economically Active Population (EAPEP), which contains information on the female labour force participation rate of women from a 191 countries. For reasons of reliability, we use observations since 1990 from a 135 countries, pooling data from five years and ten age groups to gain enough data points for stepwise logistic regression analyses.

Anthony Rafferty (U. Manchester), “Labour underutilisation, the Great Recession and austerity: Intersections between gender and ethnicity in the UK”

The notion of the adequacy of an employment situation in providing sufficient employment for people willing and able to engage in paid work is foundational to the concept of ‘decent work.’ Although unemployment reflects the most well-known and cited measure of labour underutilisation, other definitions are recognised in international definition. Two prominent additional dimensions are time-related underemployment and skills-related inadequate employment (ILO, 1998). Whereas the former denotes the absence of employment opportunities that fully matches the amount of time people are willing and available to engage in the labour market, the latter refers to where people are wanting or seeking to change their current employment situation or occupation in order to use their current skills more fully. Regarding the latter, a related and more commonly studied phenomenon is over- education, referring to where employees hold qualifications in excess of those required for their job, which in part may indicate skill under-utilization (Rafferty, 2012). These broader conceptions of labour under-utilisation hold implications for understanding the labour market impact of the economic crisis, where falls in demand may result in increases in underemployment within paid work and not just increased unemployment. An important question concerns the extent to which differing groups in the labour market have been relatively exposed to these varying

forms of labour underutilisation. For example, differing exposure could reflect between-group differences in human capital, labour market segregation or the experience of discrimination. This paper uses data from the 2000-2010 UK Labour Force Survey micro-datasets to examine trends in unemployment, time-related underemployment, and over-education in the UK, exploring differences by gender, ethnicity, and between immigrant and non-immigrant workers. Covariate matching is used to examine the extent to which ethnic and gender penalties are identifiable, defined as the differences in labour market outcomes that persist after accounting for other labour market relevant individual characteristics. The findings highlight, within the context of an overall growth in underemployment, a particularly higher increased exposure among ethnic minority and immigrant women and men. Potential explanations of these differences are subsequently discussed.

PS 5.1 (Room IX)

Symposium: Governance to promote decent work in global value chains (I) – New approaches to global governance of labour standards: Trends and challenges

Organized by Anne Posthuma (ILO Brasilia)

Chaired by Nicola Phillips (U. Sheffield)

Economic globalization, particularly the rise of global value chains (GVCs), has created a global challenge for governance, particularly those forms of governance most needed to assure that social/labour upgrading accompanies economic upgrading. Historically, the State played the primary role in the governance of labour standards. However, with the rising importance of GVCs in global trade, governance is no longer solely a function of governmental policy and institutions (public governance), it is also increasingly involves roles for companies (private governance), trade unions and representative workers' organizations (labour governance) and societal groups (social governance). The relative importance of these different forms of governance may vary, but there is growing acceptance that in a value chain world, effective governance requires interaction between key actors in these different types of governance. It is also understood that market forces alone will not bring about an equitable distribution of the gains within GVCs, hence, an explicit focus on social/labour upgrading and tailoring of governance mechanisms (policies, institutions and strategies of key stakeholders) is required. This Special Session will explore issues surrounding the challenges for governance to promote decent work in GVCs through two panels (Parallel sessions 5.1 and 5.2).

Frederick Mayer (Duke U.) & William Milberg (New School), “Aid for Trade” in a value chain world: Implications for labour”

This paper considers the impact of Aid for Trade initiatives of international development agencies on workers in global value chains. It develops a model of bargaining power in value chains to argue that asymmetries of power commonly result in lead firms capturing most of the value produced by the chains. An implication of the model is that unless interventions are targeted at workers, aid for trade initiatives will disproportionately benefit those with greatest power in the value chain.

Arianna Rossi and Amy Luinstra (ILO/IFC Better Work Programme), “Better Work: A policy solution to place labour at the heart of global production networks”

In recent years, there is a growing body of literature emphasizing the need of analysing labour in GPNs. Understanding the outcomes of participation in GPNs for workers, especially those operating in supplier firms in developing countries, means assessing how workers' rights, working conditions, voice, empowerment, and their opportunities within and outside the

workplace, have changed as a result of their employment in firms inserted in GPNs. This paper explores how improved rights and working conditions are instrumental in sustaining broader economic and social development goals by analysing the ILO/IFC Better Work Programme. Better Work is taken as an example of how GPNs can be harnessed to simultaneously achieve social and economic upgrading. The paper argues that Better Work is a policy instrument that recognises respect of labour standards and workers' rights not only as a necessary floor but as a ladder fostering economic upgrading and competitiveness in GPNs. The paper supports this argument by presenting factory-level evidence from the Better Work Programmes in Cambodia, Haiti, Jordan and Vietnam.

Stephanie Barrientos (U. Manchester), Peter Knorringa (Institute of Social Studies) & John Pickles (U. North Caroline, Chapel Hill), “Retail expansion in emerging economies and the challenge for social standards”

This paper focuses on the recent expansion of large-scale multiple retailers in emerging markets and the effects they have on the demand for, and compliance in application of, food and apparel product and workplace standards. The authors assess the extent to which the expansion of retail multiples is leading to code convergence/divergence and weakening/strengthening. The paper focuses on the contradictory pressures for both upgrading and downgrading within multiple retail chains operating in countries where consumer and NGO concerns regarding labour standards are not as prevalent as in the North. The authors discuss these challenges to a compliance model led by retailers as companies become increasingly concerned about the social and economic sustainability of sourcing in developing countries, with particular emphasis on East Africa and Southern Africa.

**Parallel Session 2
Wed, 3 July: 14.00–15.30**

PS 1.2 (Room III): *Decent work – new approaches, new measurements*

Chaired by Juan De Laiglesia (ILO)

Janice Bellace (Wharton School), “Decent work: Monitoring the application of fundamental rights as the key to overall progress”

Decent Work is linked directly to the core founding values of the ILO which had an overarching principle-- social justice. To achieve social justice for workers, not only must rights be agreed upon internationally, but these rights must be observed and applied in practice, and the tripartite parties must take action to make this happen. Decent work is captured in four strategic objectives: fundamental principles and rights at work and international labour standards; employment and income opportunities; social protection and social security; and social dialogue and tripartism. The components of two of these are more easily monitored by resort to quantitative measurement. The measurement of relating to fundamental principles and rights at work, and of social dialogue and tripartism, are not quantitatively precise, but this does not mean they defy measurement. Moreover, they provide the foundational support to the other components of Decent Work and thus must be scrutinized. Decent Work can be seen as the label describing the conditions which must exist for workers to be able to enjoy the fundamental rights guaranteed them in the ILO core conventions. It is impossible to achieve social justice if one divorces rights from action, as workers are able to enjoy the observance of their rights only under conditions of Decent Work. Likewise, it impossible to implement a Decent Work strategy without considering how fundamental rights are being applied and can be

further realized. In particular, the freedom of association must be emphasized, because the degree to which it is realized indicates the degree to which workers have the ability to influence the decisions which directly impact the quality of their life at work and their standard of living.

Anita Jowitt (U. South Pacific, Vanuatu), “Defining decent work: A proposed framework of non-prescriptive indicators for assessing the substantive content of employment law”

The proliferation of decent work country programmes is generating an interest in developing employment regulation that protects conditions of decent work. However, there is no clear definition of what conditions of decent work involve. Whilst the ILO has undertaken some work on defining legal indicators of decent work conditions, many of the indicators are descriptive, and do not provide an external standard against which national laws can be measured. Instead law reformers aiming to reform laws in order to ensure that they provide a “safety net” of conditions of decent work are left with very little guidance as to what the content of such laws should cover. This paper proposes a framework that can be used to assess the extent to which the content of either existing or proposed laws ensure that private formal sector employees engaged under individual employment contracts are provided with conditions that respect the principle of decent work. It is designed as a tool to both build local knowledge as to the content of international labour standards related to decent work and to provide comprehensive baseline information on how well either current laws or proposed reforms meet non-prescriptive indicators associated with decent work. This information can then be used by social partners to engage more systematically on possible reforms. The proposed framework has been developed in the context of employment law reforms in Vanuatu. This context is used to situate the development of the framework and to demonstrate how it can be used in practice. The proposed framework focuses on the measuring the substantive content of laws. It is not intended to be the only thing that needs to be taken into account during the law reform process. Making “good law” in terms of its content on paper should not be seen as the purpose of any legislative assessment and law reform exercise. Instead, law should be seen as a means to an end, with the end goal being to ensure that the law reform meets the desired policy objectives. The broader context (including the socio-economic and legal-institutional context) will determine the actual impact of particular regulations in practice and it is crucial that these dimensions also be taken into account. Further measures that could usefully complement the proposed framework are also briefly considered.

Pablo de Pedraza & Alberto Villacampa (U. Salamanca), “Measuring working conditions in a volunteer web survey: Wage Indicator and the European Working Conditions Survey”

International comparability of wages and labour conditions are becoming more and more relevant. Continuous Volunteer Surveys allow for homogeneous international comparable questionnaires. This is the case of the Wage Indicator already present in 70 countries. Methods & Data: This paper explores the bias in the volunteer WageIndicator web survey by comparing a range of variables on working conditions and wages present in the representative European Working Conditions Survey 2010 (approx. 1,000 respondents per country) with the same variables in the 2010 WageIndicator Survey for 15 European countries (N= 185,511). Survey question wording and response categories are largely comparable across the two surveys. They differ however with respect the survey mode (web versus face-to-face) and they differ with respect to the sampling strategy (representative sample with substantial non-response versus volunteer web survey). Results: The comparison leads to the conclusion that whereas differences in the socio-demographic distributions are noticed, the statistical characteristics of the working conditions questions do not differ largely between the two surveys, though the

differences are larger for countries with a small sample size in the WageIndicator Survey. Added Value: Wage Indicator offer the possibility of increasing the sample size at very low cost. The European Working Conditions Survey can be used for weighting the sample and testing the efficiency of weights. Additionally, the wage Indicator is already present in developing and emerging economies where the European Working Conditions Survey is not implemented. The paper also opens new research lines because the Wage Indicator can be used as a laboratory to test several important issues and relevant issues regarding web survey methodology.

PS 2.2 (Room IV): Assessing and conceptualising informality

Chaired by John Howe (U. Melbourne)

Claire La Hovary (Glasgow U.) & Uma Rani (ILO), “Conversations between a lawyer and an economist about informality: Interdisciplinary perspectives on defining and quantifying the informal economy”

As the title suggests, this paper will examine the different approaches that economists and lawyers adopt when discussing the informal economy. It will begin by exploring the underlying conceptual differences between the two disciplines, before moving on to exploring how these condition various definitions of the informal economy - e.g. international statistical definition, the ILO’s definition, national definitions, etc. - whether in terms of wording and scope, as well as in terms of measurement, and general societal outlook. A final section evaluates the impact that these varying definitions can have on policy making, including in relation to the fragmentation of action concerning informality, the ILO’s explicit aim of formalisation, and whether informal economy statistics or legal definitions help policy making or whether they are misleading, in particular with regard to adopting a more multidimensional approach reflecting the multifaceted nature of informality.

Darcy du Toit (U. Western Cape), “Regulating the informal economy: Unpacking the oxymoron”

The paper is premised on the unsustainability of conventional Keynesian policies following the 2008 financial crisis and, with it, the erosion of regulatory models contingent, in the final analysis, on social equilibrium maintained by means of such policies. This raises a question mark over strategies for extending the reach of such regulatory institutions to unregulated sectors. Rather, the paper proposes abandoning the formal/informal dichotomy in favour of the concept of a single, integrated economy which is unevenly regulated. It therefore investigates an inclusive (“effective”) regulatory model premised on the diverse forms of activity (“work”, value chains) comprising the total economy rather than implicitly prioritising its formal employment component. Since all workers have the same rights, this may imply divergent institutions appropriate to different segments of the economy within a paradigm of responsive regulation. Labour rights are furthermore conceptualised as inseparable from other fundamental rights vested in the worker as citizen of a democratic state, but in a dynamic or “transformative” sense – i.e., not merely protecting rights against violation but mandating social transformation to the extent required to guarantee their practical implementation. The development of an inclusive labour regulatory framework is understood as a transformative process of this nature which must necessarily involve the empowerment of workers, both individually and collectively. An effective regulatory framework cannot develop without meaningful participation by workers as well as employers. Empowerment must therefore seek to enable all workers not only to defend their rights and interests collectively but also to engage with regulatory processes in formulating the framework itself. Empirical evidence will mainly be drawn from South Africa’s rich experience in grappling with a legacy of unsustainable inequality in the world of work,

associated with large-scale “informalisation” (ineffectiveness of regulatory institutions), to demonstrate advances towards greater inclusiveness as well as limitations of government policy and fault lines that have emerged. Steps towards the formulation of a national policy framework for worker education and progress towards more effective regulation of traditionally unregulated sectors, such as the domestic work sector, will be considered against the criteria outlined above.

Kea Tijdens & Janna Besamusca (U. Amsterdam), “A job-based informality index for sub-Saharan Africa: Who works informal and what are the consequences for wages and working hours?”

Informal work is addressed in ILO’s decent work agenda and the measurement of informal work has been discussed in meetings of the International Conference of Labor Statisticians, hosted by ILO. Although in the 2000s major steps forward have been made in this respect, the operationalization of informal work is still under discussion. For this and other reasons, studies on informal work using survey data are scarce. Our study aims at an empirical contribution to this discussion by developing an index for job-based informality beyond a dichotomous classification based on a range of employment characteristics, by identifying the related socio-demographic characteristics, and by exploring its relationship to wages and working hours. For ten sub-Saharan African countries this paper explores job-based informality (Benin, Ghana, Guinea, Kenya, Madagascar, Niger, Rwanda, Senegal, Togo, and Tanzania), using the data of cross-country comparable, face-to-face surveys on work and wages, held in 2011-2012 (N=18,000) under responsibility of the WageIndicator Foundation (www.wageindicator.org). The authors were involved in the fieldwork and the data-analyses. Using establishment registers, a country-level random sample was adopted. The paper addresses the workers in registered, thus formal, enterprises, and develops an index for job-based informality within formal employment, distinguishing workers by employment status, contract, entitlement and contributions to social security, collective bargaining coverage and other features. The data shows that across the ten countries on average approximately one third of workers is placed in the midst of the index, while one quarter is in the most informal and one sixth is in the most formal category. Young workers and low-educated workers are often found in informal jobs, and so are workers in small businesses. Informality contributes largely to the likelihood being paid under the minimum wage. Every step on the index increases the hourly wages with 10%. The paper first reviews the formal-informal divide derived from the existing literature and explores which items should be included when measuring the degree of job-based informality. In a next step indexes are developed and tested, using the survey data. Finally, the socio-demographic characteristics of the formal and informal workers are detailed and so are the outcomes of informality in terms of wages and working hours.

PS 3.2 (Room VI): Economic developments and employment growth

Chaired by Weng Tat Hui (National U. Singapore)

Marianela Sarabia (Argentinean Industrial Union) & Sergio Woyecheszen (Ministry of Production, Science and Technology, Argentina), “Does industrial development really matter for job-rich growth?: Impacts on employment and income distribution in Argentina from a structural analysis”

Several policy implications stemmed from mainstream’s point of views have been studied once that many “successful” economic policies triggered depth damages in productive structure, world of work, income distribution and social cohesion. Even more, trade specialization seems to be a single consequence of country endowments -never a policy consequence- while labour

force participation is limited to individual decisions without taking care of structural and social constraints. Dealing with fragmented theories and complex global context, this paper pursues contributing to build a solid analytical framework in order to make policy recommendations for equitable and job-rich growth. To do that, firstly, core implications coming from trade and growth theories are based on a main literature survey, pointing out structuralism's concerns about long-term patterns of Latin American economies. Later on, an empirical approach based on Argentinean input-output tables for 1984, 1997 and 2007 allows drawing key relations between productive structure and employment, deepening on informal economy and labour conditions. This leads to a persistent structural heterogeneity caused by coexistence of three economic strata with their own dynamics. Therefore, strengthening productive linkages as well as promoting innovations becomes the clue to increase national average productivity in order to narrow the gaps. Next evidence comprehensively assesses potential effects of European Union-MERCOSUR free trade agreement (FTA), incorporating distributional and labour issues which are usually disregarded by ex-ante impact evaluations. To do that, two scenarios quantify how changes in exports may affect employment and income distribution in Argentina throughout a SAM multiplier analysis complemented with an employment satellite. After identifying strategic sectors in terms of job-rich growth and distributional effects; the outcomes show that, although a FTA might lead to job creation, it worsens employment quality leading to income polarization and lower economic diversification. Enlightening labour and distributional issues, it concludes that potential FTA effects must be put on the table to reach a deeper and sustainable integration. The overall research confirms that job-rich growth strategies require not only labour market policies but also macro, meso and micro policy coordination beyond of national borders.

Anne Boyd (ILO Suva), “Participatory labour law reform in the Pacific Island countries: The role of social dialogue in labour law making and good governance”

While most ILO Pacific Island Member States have ratified the ILO's eight Fundamental Conventions, there is a significant gap between ratified international labour standards and their implementation in law, policy and practice. A number of Pacific Island countries have outdated labour legislation that is no longer responsive to the aspirations of these rapidly developing economies and is absent of many protections expressed in the ILO's Fundamental Conventions. These weaknesses undermine confidence in the law, impact on transparency and undermine good governance. The promotion of the rule of law through fair legal frameworks for the full protection of human rights is fundamental to good governance and is central to development frameworks that apply to the Pacific region. A number of Pacific Island governments are alert to these issues, and, in the last three years, have prioritised labour law reform in Decent Work Country Programmes and embarked on a process of revising existing labour legislation with technical support from the ILO. This work has taken place in the context of capacity challenges within labour administrations and representative workers' and employers organisations. This paper draws on the practical experience of labour law reform efforts Vanuatu, Kiribati, Papua New Guinea and Samoa as well recent developments in the Solomon Islands. It examines the impact of fragile institutional arrangements on participatory labour law reform processes and the efforts of the ILO through targeted mentoring - to build national capacities. It argues that the respective capacities of workers and employers organisations to engage in policy dialogue have a direct bearing on the sustainability of labour law reform. Finally, this paper examines the growing presence of formalised national tripartite consultation bodies. It concludes that while there is growing evidence of their effectiveness in policy making processes, the fragility of these bodies pose on-going challenges. Building strong tripartite mechanisms as a focal point for policy dialogue on broad issues affecting the economic and social interests of tripartite partners

– affords an opportunity for genuine participatory policy making to effect sustainable decent work outcomes and contribute to poverty alleviation.

Leidy Angela Niño Chavarro, “The effects of neoliberalism in the labour market in Colombia: A model of outsourced employment relationship and unprotected”

This paper highlights the impact achieved by the neoliberal economic model of labour relations in the case of Colombia and its effects through outsourcing and vulnerability of human labour. The XXI century has been characterized by economic and social change, the product of neoliberalism and globalization, creating a consumer society, exclusive and poor. Technological innovations and productivity growth have led to the need for the transformation not only of the company but of the organization of work and, above all, of the trade unions, which is necessary to produce a new social construction based of these new realities, especially in the democratic processes of the world of work, in order to keep up. In the world of work, where the mysterious character of the commodity form lies, therefore, quite simply, that the men planned to work the social character of these like a material character of the products of their own work, as if half the social relationship between producers and collective work of society was a social relationship established between the same objects, regardless of their producers. Neoliberalism is promoted and proposes flexible markets, particularly labour. Policies regulating labour relations worker protection removed retain minimum standards and seek assurances individualization of labour relations. In Colombia labour reforms were made that changed the rules of the labour market, allowing greater speed of termination, and increased temporary jobs. The law serves the interests of the employer, and its effects rising unemployment, the increase in the informal sector, the devaluation of labour and the creation of micro-enterprises with little chance of emerging in highly competitive markets.

PS 4.2 (Room VII): Segmentation and informal economy

Chaired by Josep Banyuls (U. València, Spain)

Calogero Massimo Cammalleri (U. Palermo), “Undeclared, informal and precarious work form “social pollution” to “decent work” trough “non-wage security tax””

The paper, basing on a multidisciplinary literature, considers flexicurity as any balance between flexibility and security and, therefore, pro-poses ordering any set of work-relationship, providing the same balance and with the same regulatory framework, in “communities”. It is assumed, therefore, that communities can differ either in terms of a “protective” trade-off, where the differential is not a surrogate measure of security, or in terms of an economic trade-off, where it is met by the provision of social insurance or security. One of these sets is called community 0 and it corresponds to undeclared work, not only illegal (e.g. informal), but also completely devoid of security and fully flexible. After identifying from ILO, EU and constitutional sources the foundation of the “incompressibility” of rights which guarantee decent work, the paper likens decent work to a public good of general interest, in the same way as laws generally recognize the natural environment. On the basis of this comparative axiom, the paper proposes considering the dispersion of security produced by undeclared and informal work as “un-decent” work and, therefore, as a form of “pollution”. Because an environment can be little or very polluted, the paper proposes considering as social pollution any form, even legal, of security leakage - such as that induced by the informal, the precarious jobs. Any form of labour relationship is, therefore, considered in an nth community and every community is ordered from the least se-secure to the most se-secure, using as *tertium* comparationis standard employment. In this way, each community expresses a degree of social participation in environmental pollution. Defining this pollution as a negative externality and, therefore, refer to its contrast in

terms of internalization. Among the techniques of internalization, the preferred one is the Pigovian tax, because it can overcome the difficulties associated with the identification of taxable income in the un-declared work and in the informal sector. It has been observed, in fact, that the insurance mechanism creates a re-gressive effect on the competitiveness of labour standards, making it less competitive in favour of precarious and atypical work and, thus, triggering a vicious cycle that increases social pollution. In this way, it is believed that on one hand you lose your interest in hiding most of the black job. On the other hand, a mechanism would be enforced that forces polluters to contribute to the financing of the security needed to address the pollution created.

Tonia Warnecke (Rollins College), “Fostering opportunity-based entrepreneurship for women: A comparative study of policies and programs in China and India”

The paper investigates the inequalities within entrepreneurship which are hindering socio-economic development in China and India, and centres on a comparative study of policies and programs aiming to bolster female entrepreneurship in both countries. Given that females comprise a significant proportion of the population, improving women’s labour force and business opportunities is a crucial step for emerging economy growth and development. We find that females in China and India often engage in entrepreneurship in the informal sector, where average income is lower; this has been exacerbated given the global economic crisis. Females are more likely than men to engage in necessity-based entrepreneurship rather than opportunity-based entrepreneurship in these countries. This means that women are more likely to become entrepreneurs due to lack of other opportunities, rather than due to a perceived opportunity; necessity-based entrepreneurs are likely to have less education, less managerial training, less capital, and fewer formal business networking opportunities, which affects overall income and propensity for expansion. An overall increase in female entrepreneurship does not necessarily imply improvement in living standards for those women; this is a much more complicated issue. The key is whether or not policies and programs aiming to assist female entrepreneurs facilitate opportunity-based entrepreneurship (or a transition from necessity-based to opportunity-based entrepreneurship). The paper demonstrates that different classes of entrepreneurs face different barriers, and that females need targeted assistance so that the gender gap in entrepreneurship can be reduced. However, since women are not a homogenous group, one cannot expect female-targeted entrepreneurial policies to similarly affect all women. Furthermore, while some policies and programs help women become necessity-based entrepreneurs, these policies and programs do not always lay the foundation for upward mobility. The paper investigates a variety of policies and programs in both countries (examples include incubator projects as well as training, education, credit, and other financial programs implemented by governments, non-governmental organizations, and the private sector), with two aims: (1) assessing which types and structures of programs are more likely to promote upward mobility and opportunity-based entrepreneurship, and (2) assessing which sector of the economy has made the greatest strides toward promoting these types of programs. In so doing, we will analyse the way that local culture can both constrain and promote opportunities for female entrepreneurship, and discuss policy sensitivity to socio-cultural norms. The idea is to work towards a collection of best practices for fostering opportunity-based female entrepreneurship in key emerging economies.

Balwinder Singh (Punjabi U.), “Multiplicity of segmentation of informal labour market and inclusiveness in India”

The multiple segmentation of labour market is increasing. The global crisis has enlarged the informal sector and flexible forms of employment. On the basis of work, the workers can be united as a larger group to get their proper inclusion in the labour market. Millions of workers employed to run several schemes of Government of India are being clubbed as 'Scheme Workers' by the trade unions. These workers are working in schemes like ICDS, ASHA, Mid-day Meal and SSA, NRLM, NSS Scheme and RGNCS. Majority of them are women, and are not even recognised as workers. They are called as 'social workers', 'activists', 'volunteers', 'friends' etc. On this basis, they are being deprived of many benefits. The remuneration paid to them is called as 'honorarium', 'incentives' etc. So, these are not becoming part of labour market as workers. On the basis of work, the informal workers of specific occupations like handloom, handicrafts, master crafts and fishing formed their unions and are able to get some social security under 'The Unorganised Workers' 'Social Security Act'. Due to crisis and flexible employment policies under neo-liberalism, the public and merit good works are being given to workers who are not being recognised as workers and resulting in an increase in unpaid labour. Equal wage is not paid for equal work to contract workers. Women are suffering extensively in these works. The general unorganised workers have got six social security schemes in India through their united struggles. Most of these schemes have several shortcomings and a large number of unorganised workers are excluded. The coordination committees of women workers have been formed at national and State level for the inclusion of women workers. The trade unions in India are struggling for inclusion across the multiple segments at a joint forum constituted by 11 Central Trades Unions - BMS, CITU, INTUC, AITUC, HMS, TUCC, UTUC, AICCTU, AIUTUC, LPF and SEWA. The process of inclusiveness of informal workers across the segments requires a serious analysis to understand the direction and outcome in the days to come. This paper analyses the process of segmentation of informal workers and their inclusion as workers in the context of social security, job security and recognition. Joint trade union struggles at national and State level are examined. The process of unionisation of these informal workers is studied in the light of problem of inclusiveness in the context of rights and benefits to the workers.

PS 5.2 (Room IX)

Symposium: Governance to promote decent work in global value chains (II) – Rebalancing roles of labour governance in global production: Gaps and new initiatives of public and private actors

Organized by Anne Posthuma (ILO Brasilia)

Chaired by Stephanie Barrientos (U. Manchester)

Economic globalization, particularly the rise of global value chains (GVCs), has created a global challenge for governance, particularly those forms of governance most needed to assure that social/labour upgrading accompanies economic upgrading. Historically, the State played the primary role in the governance of labour standards. However, with the rising importance of GVCs in global trade, governance is no longer solely a function of governmental policy and institutions (public governance), it is also increasingly involves roles for companies (private governance), trade unions and representative workers' organizations (labour governance) and societal groups (social governance). The relative importance of these different forms of governance may vary, but there is growing acceptance that in a value chain world, effective governance requires interaction between key actors in these different types of governance. It is also understood that market forces alone will not bring about an equitable distribution of the gains within GVCs, hence, an explicit focus on social/labour upgrading and tailoring of governance mechanisms (policies, institutions and strategies of key stakeholders) is required.

This Special Session will explore issues surrounding the challenges for governance to promote decent work in GVCs through two panels (Parallel sessions 5.1 and 5.2).

Nicola Phillips (U. Sheffield), “Trafficking in supply chains and the politics of governance in the global economy”

With the evolution of global production and trade networks, the resilience of the problems of forced labour and human trafficking has been remarkable, but these forms of labour exploitation have attracted relatively little attention in debates about the governance of these networks. Over the last couple of years, however, an array of public and private initiatives has emerged in which trafficking has been integrated centrally into governance strategies relating to global production networks (GPNs) and supply chains. This paper explores and analyses these increasingly fashionable ‘trafficking in supply chains’ initiatives, highlighting the contradictions and inconsistencies contained within those responses as measures to address the global problems of trafficking and labour exploitation more broadly. It argues that casting the issue of trafficking in GPNs and supply chains as amenable to being addressed primarily through forms of governance associated with corporate self-regulation and corporate social accountability is, on its own, problematic and inappropriate. In elaborating and substantiating this argument, the paper engages with broader debates about the governance of supply chains in relation to labour standards, highlighting the public and private politics which define the kinds of governance and regulatory strategies which are emerging.

John Pickles and Shengjun Zhu (U. North Carolina at Chapel Hill), “China’s new labour contract law: State regulation and worker rights in global production networks”

In 2008, the Labour Contract Law was enacted in China. This law has been seen by many to have substantially changed the conditions under which workers and employers can enter into contracts and to have had important effects on the ability of workers to shape their conditions of work. This paper outlines the conditions and terms of the 1994 Labour Law and how the new law changes these. It details the legal requirements of the new law and then assesses the consequences of these changes for workers and enterprises in China, and for global buyers sourcing from China. In particular, it assesses the differential impacts of the new law on permanent and temporary workers in state-owned and private enterprises, and between private- and public-sector employees. The paper draws on detailed firm interviews in one of China’s major apparel producing city-clusters.

Dev Nathan (Institute for Human Development, New Delhi), “Corporate governance and child labour: Role and limits”

The employment of child labour involves both demand and supply side factors. Corporate governance in global value chains has been seen to have an effect on the corporate demand side and result in eliminating child labour from the easily verifiable locations, such as main factories and other formal sector production units. But it often continues in informal, unregistered workshops and home locations. Further programmes to ‘rehabilitate’ child workers removed from the value chain can, at best, deal with the conditions of the current cohort of child workers. If overall economic conditions are such as to regenerate new and successive cohorts of potential child workers, such corporate-cum-rehabilitation actions cannot deal with this unchanged supply side condition. A continuing supply of potential child labour, along with the constriction of corporate demand for child labour, would result in pushing child labour into informal locations, including home-based work and also into potentially dangerous types of work, such

as commercial sex work. The paper argues that it is necessary to go beyond eliminating child labour from value chains to ending child labour in the concerned economy. For this, corporate governance initiatives need to be supplemented by government policy and development measures that end the supply of potential child workers.

Parallel Session 3
Wed, 3 July: 16.00–17:30

PS 1.3 (Room III)

Symposium: Regulatory dilemma in SMEs?: Concept, theory and evidence

Organized by Sangheon Lee (ILO)

Chaired by Bill Salter (ILO)

It has often been argued that theories and empirics of labour regulation are biased to large enterprises and their relevance to SMEs and informal economy are thus questionable. In particular, while SMEs are the largest job-creation sector (thus their employees should be the main beneficiary of labour regulation), non-compliance is widely observed in SMEs due to their limited affordability. Hence, SMEs present a “regulatory dilemma” in that SMEs as the main target and beneficiary of labour regulation tend to “opt for” non-compliance. A wide range of factors has been put forward to explain the regulatory dilemma. One common argument is that the current labour standards are “too high” for SMEs to implement at their enterprises. There is also an opposite view that, while affordability could be indeed a real issue, the productivity effects of compliance (or higher labour standards) should be considered and the resulting net effects could be positive. In this view, the “win-win” situation is feasible, and can materialize through both negative and positive incentive schemes. What is common in these contrasting views is the recognition of the specific nature of SMEs which distinguish them from large enterprises. However, surprisingly, little is known about what these specific circumstances are and how they play out in SMEs, particularly from the perspective of labour regulation and human resource management. Instead, the existing literature tends to consider SMEs from the lens of big enterprises (or as an anomaly such as informal economy).

Sangheon Lee and Rosalia Vazquez-Alvarez (ILO), “Theory, concept, and empirical strategies”

Nina Torm (U. Copenhagen), “Formalization and SMEs: The case of Vietnam”

Byung-Hee Lee & Min-Ki Hong (Korea Labour Institute), “Reducing irregular contracts in SMEs: The case of Korea”

PS 2.3 (Room IV): *From the ground up: Empirical assessments of street vending and other informal work*

Chaired by Naj Ghosheh (ILO)

Ana Maria Vargas Falla (U. Milan), “Legal empowerment of informal workers: Alternative models of regulation for street vendors in Bogota, Colombia”

This article is primarily concerned with the way in which legal norms influence the lives of informal vendors in developing countries and explores alternative forms of state regulations to empower the vendors and support them to improve their economic condition. The empirical material in this research is based on 169 interviews conducted among street vendors in the capital of Colombia, the city of Bogotá, during July and August of 2012. The city of Bogotá experienced an interesting shift in the regulation of street vending from drastic prohibition and

frequent evictions (1998 to 2003) to alternative regulations that supported informal vendors (2004 to 2012). After looking at the impact of formalization on the vendors, this research was able to observe a small increase in the vendors' income. However the increase was not because of access to formal credit, as stated by the theory of formalization but instead due to the ability of the vendors to improve their working conditions. This paper concludes that there is a potential for legal norms to become a tool of empowerment and poverty reduction, when formalization is part of other welfare regulation as health insurance and education. This research highlights the need for governments to look into legal norms from alternative and innovative approaches that use the law as a tool for development and not only as a tool of control.

Alex de Ruyter (Glasgow Caledonian U.), Tonia Warnecke (Rollins College) & Riani Rachmawati (U. Indonesia), "Working conditions of street vendors and homeworkers in Indonesia: Lessons for Labour Law Enforcement"

This paper explores the labour market experiences of informal sector workers in Indonesia. In recent years, growing awareness of working conditions in developing/newly industrialised countries has led to discussion over the role of labour standards in facilitating the spread of decent work (Warnecke and De Ruyter, 2012). Such discussions have been prescient given the recent economic crisis, which has increased informal work across the world (ILO, 2009). There is also an explicit gender element in that women are disproportionately represented in the informal sector (De Ruyter and Warnecke, 2008). Indonesia reflects these trends: a majority of workers in Indonesia work in the informal sector (ibid.). The struggle to attract foreign direct investment (FDI) has favoured the Washington Consensus approach of deregulation, posing challenges to efforts to develop sustainable institutions for labour law enforcement (Warnecke and De Ruyter, 2012). However, the relative invisibility of informal sector workers makes aggregate analysis difficult. What evidence there is suggests that daily conditions can be difficult, where workers such as street vendors regularly face harassment from local government authorities (Brata, 2010). However, it is unclear how this translates into other areas of the work experience, and importantly, how measures of policy bodies designed to improve the livelihood of such workers are regarded by workers themselves. Accordingly, this paper reports on findings of interviews with informal sector workers in Jakarta, namely, street vendors and garment industry homeworkers. The findings of the research shed important insights on the issues affecting workers in these sectors, and more importantly, inform policy makers and practitioners on the effectiveness of regulation to cover informal sector workers and improve the labour market participation of women in Indonesia.

Dhruba Kumar Gautam & Prativa Sharma (Tribhuvan U., Nepal), "Informal sector employment in Nepal: State and non-state Intervention"

The concern for informal sector employment was first introduced by International Labor Organization into international usage in its Kenya Mission Report with its definition. Since then, many definitions were introduced. In this paper informal sector is used as market-based production of goods and services, whether legal or illegal, that escapes detection in the official estimates of Gross Domestic Product (GDP) (Smith, 1994) and informal employment consists of those economic activities that escape official scrutiny and regulation. Informal sector in developing countries ranges in size from 20% to 70% of GDP (Schneider, 2005) and Nepal is no exception. However, the issue related to informal sector employment conditions, legislation and its state of implementation, unionization especially in least developed countries like Nepal has received little attention. In this context, this paper aims to review major legislation related to

employment with its status of implementation, explore the condition of working life of informal sector employed, and investigate non state factors that have impact on informal sector employment. In order to achieve these objectives, primary data will be collected from survey of informal sector self-employed working/ operating business at capital- Kathmandu valley- Kathmandu, Lalitpur, and Bhaktapur districts. The persons who own informal businesses will be the respondents to the questionnaire. The direct survey method will be used in this study to provide information required to achieve its objectives. Labour related legislation, previous studies, and other relevant source of information will be used to reach into the conclusion. In contexts of massive poverty (according to Oxford University report 65 % people are below the poverty line) and informal sector poor quality jobs, the study will show ways to all concerned stakeholders such as, government, employer and employee associations, non-government organizations and other who have to work together to address informal sector employment in order to provide employment opportunity and improve quality of work life. The recommendation from this study will have practical implications for all stakeholders to put forward informal sector employment agenda more effectively through legislative and policy measures.

PS 3.3 (Room VI): Gender equality — China and India

Chaired by Raphael Crowe (ILO)

Dinghong Yi & Yan Yu (Renmin U.), “Is there always a “sticky floor effect” in China?: The analysis on distribution of clerical support workers’ gender wage gaps under different employment forms”

Global studies on the gender wage gap are paying more and more attention on the wage distribution instead of the average wage differentials, and conclusions are various from country to country. This paper is based on the “WageIndicator” data from China, studying the distribution of Clerical Support Workers’ gender wage gap under different employment forms. We first separately describe the distribution characteristics of gender wage rate for regular employees and labour dispatching ones. In contrast with the “Sticky Floor Effect” found by other Chinese scholars, we find the evolution of Clerical Support Workers’ gender gap hides an intriguing composition effect. Then we use the quantile decomposition method proposed by Machado and Mata (2005) to do the quantile regression and counterfactual analysis on gender wage data under both employment forms, in order to find out the key factors affecting the gender wage gap, and to see whether gender discrimination or individual characteristics contribute more to gender wage gap. Furthermore, we test the quality of the “WageIndicator” data and put forward recommendations to improve the data collection in the future.

Jasbir Singh (U. Jammu), “Pattern of employment and wage differences in India: Women’s perspective for inclusive growth”

With the changes in the pattern of employment particularly after globalization women have been placed in different segment where they were not been able to improve their economic well-being as expected under the liberalization process. After more than two decades under new economic regime women have been influenced at two broad levels viz., first, at the immediate experimental level such as lowered wages, reduced access to land and resources, less food, greater workload etc. Second, at a more structural or strategic level, where impacts are not necessarily visible today, but which lead to a longer- term disempowerment of women. One of the harsh realities of the 21st century is the existence of a persistence gap between the wages of men and women around the world. Wage difference on gender basis has been a great global concern for over a century now. Even advanced industrialized countries like United States and

Western Europe are struggling and fighting very hard to achieve a fair wage balance between men and women workers. But, when it comes to case of developing countries like ours i.e. India, the wage disparities on the basis of gender is far more striking as reported in the Global Gender Gap Report of 2010. The recent survey by the World Economic Forum (WEF) put the point out the Indian situation, ranking India among the bottom 10 countries in the world in terms of women's participation in the economy. The average annual income of a woman engaged in cooperate sector in India is US\$ 1,185, where as that of her male counterpart is US\$ 3,698. This clearly brings out the fact that an average woman's is paid less than one-third of the average man's pay in India. The WEF report further bring out in terms of "economic participation and opportunity" for women, India has fared worse than last year, pushing the country among the bottom 10 countries on the WEF list. The discrimination and biases against women witnessed in social spheres gets mirrored on to economic spaces not only through direct, legitimate routes but also via the resilience in perceptions and mind-sets among the agents of the labour markets that reconfigure to retain elements of gender imbalances. This has negative fallout on the inclusive growth of the economy.

PS 4.3 (Room VII): Problems in promoting diversity and dignity at work

Chaired by Deirdre McCann (U. Durham), TBC

Helge Hoel (U. Manchester), Duncan Lewis (U. Plymouth), Anna Einarsdottir (U. Manchester) & Guy Notelaers (Radboud U.), "Bullying and discrimination at work: What protection does 'protected group' status offer?"

(Background): Over the last two decades research has revealed that a significant proportion of workers in many jurisdictions across the globe are frequently being exposed to workplace discrimination, bullying and harassment, with detrimental consequences for those involved, their organisation and the wider society (Einarsen et al., 2011). In order to afford particular protection to groups of workers assumed to be particularly vulnerable to unfair treatment and harassment, and with reference to the European Union Amsterdam Treaty (1997) and the adoption of the EU's anti-discrimination Directives, the UK Equality Act 2010 outlaws employment discrimination and harassment on the basis of sex, race, sexual orientation, religion and beliefs, and age. Similar regulations are also in place in jurisdictions outside Europe, although in the US the federal discrimination legislation does not include discrimination on the grounds of sexuality. However, despite being assigned protected status in law, there is some evidence suggesting that workers from protected groups not only commonly face discrimination, harassment and bullying at work, but that they actually may be more exposed to unfair and negative treatment than workers not offered such protection (Fevre et al., 2012). Moreover, this evidence from the UK also indicates that among the most vulnerable groups with respect to workplace mistreatment are Lesbians, Gay men and Bisexual workers (LGBs). Since research on LGBs' work experience is scarce, the aim of this paper is to explore current work experience of vulnerable groups, with a particular focus on LGBs. (Method): A representative sample of the UK population made up of 500 non-heterosexuals and 722 heterosexuals (N=1,222) was identified by means of a face-to-face survey undertaken in respondents' homes. (Results): LGBs were found to be substantially more at risk of bullying and discrimination than heterosexual workers. Among other protected groups reporting elevated levels of bullying and discrimination were younger and disabled workers, both groups showing levels over and above those reported by LGBs. (Discussion): The implications of these findings are discussed in light of the current economic crisis, highlighting that legislation needs to be supported by other measures aimed at policy-makers and employers alike.

Roger M Walden (U. Manchester), “Bullying and harassment issues in UK Employment Tribunal cases: A longitudinal analysis”

A paper by the present author to the 5th International Conference on Workplace Bullying (Dublin, 2006) presented and summarised the findings of a 2004 study of 5,550 Employment Tribunal [ET] cases. That study analysed the incidence and frequency with which bullying and harassment issues were raised in these cases, the nature of the bullying and harassment alleged and how ETs responded in the context of varying legal contexts. Textual analysis of the full transcripts of certain key cases was carried out – including borderline cases where ‘personality clashes’ or ‘a robust, firm style of management may have been perceived as bullying by the alleged ‘victim’ - and it was concluded that tribunals (as industrial juries involving lay members) were, arguably, beginning to develop a reasonable basic understanding of the varying dimensions of bullying/harassment, but overall remained constrained by the fragmented and partial nature of the potentially applicable legal principles highlighted in an earlier paper by the same author to the 4th International Conference on Workplace Bullying (Bergen, 2004). The current project has sought as far as possible to repeat the 2004 survey and provide rich up-to-date data and material to be analysed within the same methodological framework. It aims to provide not only a critical snapshot of the current incidence and awareness of bullying and harassment issues in tribunal cases and the responses thereto by ETs, but also to allow for potentially significant longitudinal comparisons with the 2004 results. To this end, some 3000 cases were reviewed between May/July 2012, with very preliminary observations based on the first tranche of these being presented at the 8th International Conference on Workplace Bullying and Harassment (Copenhagen, 2012). This paper will, therefore, present the first full findings of the complete 2012 survey and extensive comparisons with the 2004 exercise. Reflecting the conclusion of the latter, it will demonstrate that bullying and harassment issues - whether defined as such by the parties, legal constructs or on the basis of textual analysis of the cases - continue to arise directly or indirectly in a significant number of tribunal proceedings and this significance appears to increase in cases where one or other of the parties is considering appealing an adverse tribunal decision.

Therese MacDermott (Macquarie U.), “Promoting and sustaining the inclusion of older workers”

Overcoming barriers to the participation of older workers and implementing measures to facilitate and sustain the participation of older workers presents specific regulatory challenges. This is particularly the case in times of economic crisis, where older workers are unlikely to challenge workplace practices that are discriminatory, given the risk that if they lose their job they will remain out of the workforce for much longer than their younger colleagues, and are often then forced to take up more precarious forms of employment. In addition, the human rights case for proscribing age discrimination is not always a sufficient incentive for employers to deal with systemic age discrimination or to implement pro-active measures. Promoting inclusive labour markets on the basis of age not only involves rights to equality and non-discrimination but extends to broader economic and fiscal considerations such as how to manage an ageing population, dealing with skills shortages, determining the appropriate timing of access to superannuation and pensions, and the need to maintain a broad tax base of working persons to meet future community costs. These considerations require specific legislative responses in areas such as social security laws, taxation systems, and superannuation and pension entitlements. This paper examines the measures utilized in the Australian labour market to promote and sustain the inclusion of older workers. It then undertakes a comparative analysis of these measures with international counterparts. It explores how best

labour markets might set in place an appropriate balance between proscribing discrimination and provide incentives for the voluntary adoption of positive measures. Finally it evaluates the place of equality laws within the broader regulatory framework that includes the impact of social security laws, taxation systems, and superannuation and pension entitlement.

Parallel Session 4
Thurs., 4 July: 11.00–12.30

PS 1.4 (Room III): *Comparing labour regulation systems: New evidence*

Chaired by Adriana Marshall (Consejo Nacional de Investigaciones Científicas y Técnicas)

Sangheon Lee and Megan Gerecke (ILO), “Regulatory indeterminacy and institutional design in minimum wages: Decentralization, coordination, and politics in Asian minimum wages”

A growing body of literature suggests that regulatory impacts on the labour market are complex, heavily influenced by regulatory details such as design and implementation. Such complexity tends to create “regulatory indeterminacy” (Deakin 2011; Lee and McCann forthcoming). In this view, it is entirely possible that a similar level of de jure labour regulation is associated with substantially different de facto effects. Similarly, a seemingly similar regulatory framework can produce different regulatory “constraints” for companies. This paper is intended to contribute to advancing debates on “regulatory indeterminacy” by investigating how institutional details affect regulatory outcomes in the case of minimum wages. The key question is if and how certain institutional details are likely to create the two common biases: “too high” and “too low” minimum wages. Focusing on large Asian countries where minimum wages are set at the regional levels (China, Indonesia, the Philippines, Thailand and Vietnam), the paper examines the ways in which regional minimum wages are determined and how they are coordinated, and then how the diversity in institutional configuration is related to different levels of minimum wages. In doing so, it also looks into the role of national/local politics, given that minimum wage decisions in these countries tend to be highly political. More specifically, the paper explores the following three hypotheses: (a) The lack of political democracy and freedoms will put downward pressure on minimum wages; (b) Regional minimum wages, when set de-centrally without effective coordination, will increase the risk of the two common biases; (c) The risk of such biases will further grow when collective bargaining is underdeveloped or weakened.

Partha Sarkar (U. Burdwan), “Labour regulation systems vis-à-vis facets of development: A cross-country study”

The present paper is concerned with the development of indexes of labour regulation systems and relates them with some important facets of economic development. While existing literature highlights some measures of labour regulations systems, further efforts need to be taken in examining their importance in the light of a holistic framework of economic development. In this perspective, the basic proposition of the paper is that the efficacy of the labour regulation systems needs to be assessed in the context of a broader perspective of economic development. Accordingly, the present paper starts with the identification of the parameters of labour regulation systems based on guidelines available in existing literature. In this exercise, special effort has been taken to include parameters that are relevant in understanding the present-day paradigm on the basis of “conceptualization and re-conceptualization” approach. The present study has been carried out among the G-20 countries. The uniqueness of the G-20 list is that it includes both developed as well as developing countries spread across several continents. Country-wise latest available data corresponding to these

parameters have been collected from secondary data sources. These have been used to compute parameter-wise index values following the methodology used in calculating the human development index. Using appropriate statistical techniques (specifically principal component analysis), the author has segregated the parameter-wise index values into a valid measure (construct) of labour regulation systems. Subsequently, an effort has been taken in this paper to identify the relationship between the computed country-wise labour regulation systems indexes with other facets of economic development like human development index, industrialisation, business perspective, political variables, etc. In this exercise, appropriate statistical techniques (including regression analysis etc.) have been utilised to establish the relationship between labour regulation systems and the different facets of economic development. On the basis of this relationship, the indexes of labour regulations systems have been rebuilt by assigning weights to those parameters that are pertinent in the context of economic development. On the basis of the results obtained, the paper highlights the positions of the different G-20 countries and analyses the pattern of labour regulation systems vis-à-vis the facets of development in these countries. In analysing the positions of countries, special emphasis has been given to the “BRICS” block comprising Brazil, Russia, India, China and South Africa which are considered to be “leading emerging economies”. The policy implications of the interrelationships as identified in this paper have been analysed.

Glenn Patmore (U. Melbourne), “Evaluating legal regulation of collective bargaining and consultation in Australia and the United States: A normative analysis”

This paper provides a doctrinal and contextual analysis of legal regulation of collective bargaining in the United States and Australia. The comparison addresses, in turn, the legal recognition of bargaining representatives, their rights, and the coverage of collective agreements. The paper posits that each jurisdiction’s laws reflect a variety of sometimes conflicting and diverse social norms, including plurality in Australia and exclusivity in the United States. The paper adds to the comparative literature by arguing that plurality in Australia extends beyond the selection of bargaining representatives to influence the bargaining process and the labour market. There has been relatively little research comparing collective bargaining in these countries, given the recent enactment of the Australian Fair Work Act 2009 (Cth) (FWA). The paper contributes to track 1’s theme of evaluating labour market regulation in different jurisdictions through comparative indicators. Significantly, the IFC/World Bank Doing Business Report 2012 noted that: “the employing workers indicators ... do not address ... the right of collective bargaining” (IFC/World Bank 2012: 17). This exclusion raises questions about the appropriate balance between protection and efficiency as represented by the indicators. It is notable that this is now under review by the World Bank, whose consultations include representatives of the ILO. While these questions are beyond the scope of this paper, some limitations of the macro level measures of legal regulations are addressed. The paper responds to this discourse by addressing “the need to inject complexity into research design” highlighting that the regulation of collective bargaining is made up of complicated and related rules, norms and practices (Lee and McCann 2011: 18). The paper will also address key details of labour market regulation to enhance understanding of the form and implementation of collective bargaining in different jurisdictions (see Lee and McCann 2011).

PS 2.4 (Room IV)

Symposium: Health inequalities, work and access to social security of informal workers

Organized by Nora Gray (FLACSO Chile)

Chaired by Carolyn Bancroft (Rockefeller Foundation)

This special session aims to present most relevant results of the Project Health inequalities, work and access to social security of informal workers in Latin America. This research project is conducted by Flacso Chile as part of an agreement with Rockefeller Foundation. There are other institutions collaborating in different steps of the project, such as University of Toronto and Pontificia Universidad Javeriana de Colombia. **Project Description** The purpose of this project is to identify and highlight inequalities in employment and working conditions, and its relation to with access to social security systems and health of informal workers in Latin America. The project is also oriented to contribute to the empowerment of social actors and propose policy recommendations. To achieve this purpose, it has considered: 1. Identification and description of barriers of access to social security and health systems in informal and precarious workers, and its impact on health inequities. 2. Identification and description of employment and working conditions in informal and precarious workers, and its impact on inequities in health and wellness. 3. Identification of public policy recommendations and interventions to reduce these barriers and inequities. 4. Building of a working methodology applicable in different regions to improve access to health and social security for informal and precarious workers and their families. **Session description** The special session proposal includes presentation of main study results from Chile and other countries, such as Argentina, Brazil, Colombia, Ecuador, México, Panamá, Perú, Venezuela. Thus, it will contribute to the debate and discussion on the issue from a critical perspective and the proposal of policy recommendations. Axes that will be addressed in the session: 1) Role of social security systems in the relation between work and health; 2) Labour market indicators and health inequities in Latin America; 3) Barriers to access to social security systems and health of workers in Latin America.

Orielle Solar & Pamela Bernales (FLACSO Chile), “Informal workers and health inequalities in Latin America: Access to health and social security”

Carles Muntaner (U. Toronto), “The double burden of social class and lack of social protection of informal workers”

Sarah Gammage (ILO), “Challenges in Latin America: Research and public policy”

PS 3.4 (Room VI): Evolution of industrial relations and labour market institutions

Chaired by Richard Hyman (LSE)

Changhee Lee (ILO), “Evolutionary trajectories of labour market institutions and their effects in China - from liberalization and deregulation to rebalancing and re-regulation (1992-2012)”

For the last two decades, China has gone through the most dramatic changes in its economic structure, societal relations and employment regime as the country undertook a dual transformation of moving from a planned economy to a market economy and from an agricultural society to a modern industrial society. After dismantling the old socialist employment regime in 1990s, China has spent the last decade to construct new pillars of labour market institutions (labour laws and regulations, minimum wage fixing, tripartite consultation bodies, collective bargaining, dispute settlement). As a result, China boasts one of highest level of ‘union density’ and ‘collective bargaining coverage’, relevance of which is often questioned. In the process, the state-sanctioned union bureaucracy at intermediate levels began its

exaptation to function as a builder, interlocutor and coordinator of newly built bundle of labour market institutions, buoyed and challenged by workers' collective actions in tight labour markets in the late 2000s. At lower level of enterprise and local/sectoral level, there is on-going process of mutation of 'trade unions' into associations through which workers can participate in collective bargaining under the stewardship of the union bureaucracy. While there is an emerging body of evidence indicating the LMI begin to produce significant impacts on labour market outcomes, it is yet to be seen whether it can contribute to making China's growth pattern more equitable and inclusive, because representational foundation of the entire LMI can limit the maximum potential contribution of the formal institutions.

Simon Deakin (Cambridge U.) & Colin Fenwick (ILO), "Labour law and inclusive development: The economic effects of industrial relations laws in middle-income countries"

The past few years have seen an increasing interest among policy makers of the effects of labour law regulation on economic development, and a related growth in empirical research on this question. There remains, however, a lack of a clear consensus on the economic effects of labour laws. In part as a consequence of the influence of the World Bank's Doing Business reports, policies of labour law deregulation have come to be identified, in some contexts at least, with the goal of enhanced labour market flexibility. The identification of regulation with inflexibility has however been challenged by the experience of countries which have adjusted their labour law systems to changing economic contexts, without removing, or in some cases even strengthening, social safety nets and wage floors. Strong and effective labour standards are, in general, correlated with greater earnings equality and with social cohesion. The evidence on the impact of labour laws on productivity and employment is more equivocal in the sense of indicating a wide range of possible outcomes which vary across different country settings. A particular set of issues arises in relation to industrial relations laws, that is, laws which protect freedom of association, collective bargaining and the right to strike. An emerging literature suggests that laws promoting worker voice at enterprise level may have a positive impact on worker effort and morale and hence on productivity, and that worker representation laws and laws protecting the right to strike are positively correlated with more equal distributional outcomes. Most of the existing research on the economics of labour law relates, however, to developed countries, and there is a need to extend this type of analysis to consider the case of low and middle income countries. This paper reports findings from a 'leximetric' study of the effects of changes in labour laws from the early 1970s in four large middle-income economies, namely Brazil, China, India and South Africa. The study extends the existing dataset on labour regulation developed at the CBR in Cambridge (CBR-LRI). We present the results of econometric analysis on the incidence and magnitude of the contribution of labour law reforms to changes in productivity and employment, and their impact on earnings equality, poverty, and related indicators of development.

Eduardo Schneider (TUAC) & Janine Berg (ILO), "Industrial relations and inclusive growth in Brazil"

The decline in inequality in Brazil during the 2000s has been well documented, though much of the discussion has been on the contribution of the country's conditional-cash-transfer programme, Bolsa Família. Yet decompositions of household income reveal that only one-third of the reduction in inequality was due to social transfers (including, but not limited to, Bolsa Família) and that two-thirds was due to improvements in labour market, of which 25% stemmed from the rise in the minimum wage (Soares, 2011). This means that the

overwhelming improvements in the income of the bottom quintiles stem from increases in earnings from work, most of which were not directly affected by the rise in minimum wage. DIEESE (2012) documents the important gains in collective bargaining in Brazil during the latter half of the 2000s. Based on information from a database it maintains on collective agreements, 76 per cent of collective agreements signed during 2004-2008 included wage increases that were above the rate of inflation. Although the information does not reveal whether the real wage gains matched productivity growth, it nonetheless shows an important break from the 1990s, when unions had difficulty maintaining real wages. The objective of this paper is to critically assess the importance of collective bargaining and the industrial relation systems in securing the gains in real wages in Brazil during the 2000s. The study will therefore analyse the contemporary system of industrial relations in Brazil in order to assess the importance of the union movement in influencing wage developments at the sectoral level, as well as government policies to promote more inclusive growth, including through its campaign for an increase in the real value of the minimum wage, as well as the promotion of policies to expand social protection and public investment in physical and social infrastructure.

PS 4.4 (Room VII):

Symposium: Inequality -- causes, effects, responses

Organized by Frank Hoffer (ILO)

Chaired by John Evans (TUAC)

Discussant: Peter Rossmann (IUF), TBC

The session will present some initial finding and deliberation of the comparative research project of the Global Labour University on “Causes and effects of growing inequality – Policies for greater equality” The research is focused on the following four key areas in which economic inequality is produced: labour markets, financial markets, government distribution policy, and macroeconomic governance. The chosen perspective is explicitly global: differentiated by level of economic development on the one hand, and based on global economic governance on the other. The main project goal is to analyse the problems of radical market globalization and to discuss and develop comprehensive reform options. Specifically, the project aims to provide a comprehensive analysis of the trends, causes, and consequences of economic inequality within and between countries. The following questions are therefore relevant: (1) Can trends in the development of economic inequality within and between countries be identified? Are there significant deviations from the trends?; (2) What factors underlie the identified trends? To what extent do these factors reinforce each other?; (3) How does economic inequality impact employment, type of employment, democratic participation, life opportunities, and development opportunities? A second, but most important goal of the project is to develop concepts to combat inequality as well as to develop potential implementation strategies, which raises the following additional questions: (4) What measures to combat inequality are being currently proposed? To what extent are they appropriate with regard to the problem diagnosis? What additional actions or measures promise a reduction in economic inequality?; (5) What social forces have campaigned for less economic inequality? What strategies have been successful thus far? How can these social forces be mobilized for collective action at various levels of government?

Speakers (TBC): Christoph Scherrer (Kassel U.), Edlira Xhafa (U. Milano) and Frank Hoffer (ILO)

Parallel Session 5
Thurs., 4 July: 13.30–15.00

PS 1.5 (Room III): Newly emerging issues

Chaired by Rosalia Vazquez-Alvarez (ILO)

Ugochukwu Orazulike (FairWRC), “The elusive nature of indigenous peoples' OSH rights under international labour regulation”

To explore the way that international law can unintentionally work against the guaranteeing of the rights of indigenous peoples the paper provides an initial assessment of the way that the ILO regulation concerning occupational safety and health (OSH) produces unwelcome and unintended consequences. The analysis seeks to show why contemporary international labour law relegates the rights of indigenous peoples. In doing so the paper looks at how the ILO created internationally accepted rules, definition and standards for the working environment, and which, although it envisaged to protect workers in all occupations (including local indigenous workers), but nevertheless failed to secure measures for protecting local indigenous communities from potential violations – in their natural working environments. In light of this, the paper reviews the commitments by actors, towards indigenous people; within the auspices of international labour regulations that deal with OHS. In other words, that review process seeks to assess whether the systems for ensuring that the ideals of contemporary international OSH principles and standards ‘trickle down’ to operate effectively and equitably – for local self-employed workers in some developing countries. By providing an initial assessment of this process the analysis starts to provide a framework for answering whether such regimes actually solve the OSH challenges facing local indigenous communities. Questions for further analysis are identified, and the need for a more substantial piece of research to answer the questions posed, is proposed.

Rupert Tipples, Ken Wilson & Roberta Hill (Lincoln U. & WEB Research, New Zealand), “Beyond regulation - 'Decent Dairying' for more 'Decent Work' in New Zealand”

Dairy farming is a significant part of the New Zealand economy. By 2011 dairying provided 27 per cent of New Zealand's Total Merchandise Exports. However, the industry's social sustainability is questionable. New Zealand dairy farming has been based largely on a share-milking system, which minimized the need for employed labour. Recent farm conversions to dairy farming have resulted in larger enterprises largely dependent on migrants. Share-milking, with the chance of farm ownership, provided the motivation to continue twice a day (TAD) milking, in spite of the long monotonous hours. Employees do not have that incentive, which is one reason why dairy farm work is unattractive. Such long hours are implicated not only in recruitment/retention problems for staff, but also in high accident rates. Fatigue at work can kill or cause serious injury or impairment of cognitive powers. Having to rush and being fatigued are serious barriers to safety. These are good reasons to change dairy farming's basic systems, but Once-a-Day (OAD) milking, which gives more sleep, better choices and work organisation, and less stress does not fit culturally. How then to ‘intervene’ in the practices of the dairy farm and family so that they are motivated to alter their current behaviours and become safer, healthier, and less stressed? New Zealand has a detailed system of labour laws, but dairy workers are disadvantaged by their remoteness from its administration/enforcement, together with reluctantly compliant small employers. Migrants' capacity to exercise their rights is also limited. Using Cultural Historical Activity Theory and Finnish Developmental Work Research tools and processes, our research addresses fatigue and stress in the Dairy industry and the development of plans to overcome farmer resistance to cultural change. Change workshops

include not just farmers/share-milkers, but also legislators and farm managers/workers too (reflecting the ILO's tripartite structure), and others involved. Initial ethnographic fieldwork is complete and workshops to explore long term, practical solutions to the problems of overwork, fatigue and stress are underway. Initial results suggest a farmer-led proactive approach is needed to establish 'decent dairy farming' practices, based on what a 'decent' dairy farm has, what a 'decent' dairy farm does, and what characterises a 'decent' dairy farm employee. These 'decent' features originated within the workshops, serendipitously, quite independently of the ILO's Decent Work Agenda.

Debbie Collier & Emma Fergus (Institute of Development and Labour Law, U. Cape Town), "Law and corporate governance as complementary strategies to transform South Africa's unequal society"

The proposed paper, which will explore law and corporate governance as complementary strategies to address inequality, forms part of an on-going project (on workplace discrimination and equality law) by researchers attached to the Institute of Development and Labour Law in the Faculty of Law at the University of Cape Town. With its recent history of legislative and systemic inequality, South Africa is home to one of the world's most unequal societies, and its approach to addressing this has primarily been to implement a Constitutionally-mandated model of substantive equality. The framework for affirmative action in the workplace, intended to benefit three designated groups ("black people, women and people with disabilities") is largely embedded in the Employment Equity Act of 1998, and also, in so far as "black people" are concerned, in the Broad Based Black Economic Empowerment Act of 2003. However, these legislative interventions have had limited success, raising questions about both their effectiveness and their efficiency, and society in South Africa seems increasingly divided on the question of how to progress toward a more equal society. This paper will briefly outline the legislative framework for employment equity and critically analyse recent case law (such as the Labour Appeal Court decision in *South African Police Services v Solidarity obo RM Barnard* [2012] ZALAC 31) and literature on affirmative action in South Africa, using existing theoretical models, such as Braithwaite's responsive regulation, and comparative research on gender and race discrimination, including research conducted by Braithwaite, Bush and Hirsch, as points of reference. While the limitations of the existing legislative structure as an agent of transformation will be highlighted, a second objective of the paper will be to explore and reflect on the extent to which these limitations might be mitigated by the regulatory framework for corporate governance in South Africa and the provisions of South Africa's new Companies Act of 2008. In particular, the requirement for organisations to establish a Social and Ethics Committee will be explored as a mechanism to complement the existing framework for workplace transformation. The paper will conclude with our observations on how to enhance the complementarity of these strategies.

PS 2.5 (Room IV): *Innovations in regulation of domestic work*

Chaired by Martin Oelz (ILO)

Ana Gomes (Queen's U.), "The most vulnerable among vulnerable workers: The role of State and non-State actors in protecting informal domestic workers in Brazil"

One of the main obstacles in the advancement of working conditions of domestic workers in Brazil is the informal market. Informal domestic workers are more vulnerable than formal domestic workers in terms of violation of their labour rights. They suffer from lack of labour inspection, have difficulty in enforcing their rights in the courts, and usually do not have access to any type of collective organization. The Brazilian government has been applying a policy of

recognizing the same employment rights for domestic workers that are enjoyed by other workers. Harmonizing domestic workers' rights with other workers' rights is seen by many as the strongest possible response to the problems that affect domestic workers; however, this paper argues that more innovative responses are needed in order to effectively address the specific issues faced by these workers. In the case of informality, the paper argues that improving the individual qualifications of these workers (education, qualification, professionalization), promoting collective organization, inspecting labour conditions and enforcing the law are central to rescuing workers from informality. The paper main objective is to analyse the effectiveness of government and non-government responses in addressing these problems in Brazil. The paper will first analyse public policy programs developed by the Brazilian government for domestic workers. The paper examines the "Citizen domestic worker" program initiated in 2006 and its effects since then. The program's goal is to add value to domestic work through education, professional qualification and tips on organizing unions, public campaigns on issues such as human rights, violence against women, right to housing, health, work and social security and eradication of domestic child labour. Second, the paper will examine programs developed by the Campinas Domestic Workers Trade Union. The Campinas trade union is one of the most active domestic workers trade unions in the country. Besides information and education of workers on their rights, one of its main activities is to promote mediation between domestic workers and employers. Third, the paper will discuss the obstacles to labour inspection and law enforcement in the case of domestic work in the Brazilian context. To conclude, the paper will offer some generalized lessons that can be taken away regarding an effective response to informality in domestic work.

Amir Jafar (U. Burdwan, India), Shabana Jafar (U. Burdwan, India) & Amitava Ghosh (TeamLease Services Pvt. Ltd., India), "In search of ways to regulate the domestic workers in India: An empirical study"

The extant literature reveals that the domestic workers around the globe are rampantly exploited at the hands of their employers and they live in poor conditions. The situation is even more severe in developing countries like India. The domestic workers in India are unorganised and their conditions are miserable and regressive. There is a need to study the labour conditions of the domestic workers and find out ways to regulate them. The Decent Work for Domestic Workers campaign is grounded in the four principles of the Decent Work Agenda of ILO, which are fundamental principles and rights at work; broad social protection; access to decent and productive; and voice and representation at work (www.ilo.org). This study proposes to understand the conditions of the domestic workers in the light of these four principles. Further, this study aims to explore the means through which the domestic workers can be regulated, and understand the roles played by the state and non-state actors in this perspective. This paper is based on empirical study and the data have been collected through questionnaire surveys. The questionnaire includes various items to reflect the labour conditions of the domestic workers comprising monthly wages, working hours, number of households served, family conditions, number of dependents, leave, benefits, harassments, etc. The conditions of the domestic workers will be analysed in the context of the background variables like age, gender, caste, education, selected for the study. In this study we intend to analyse the responsiveness of the trade unions and non-governmental organisations towards the domestic workers. The relevance of the present labour laws for the domestic workers has been analysed. Laws are necessary but those relating to the domestic workers can only be effective if there is a change of attitude in the people who employ them. Hence in this study, efforts have also been made to identify the ways through which the society reciprocates to the services rendered by the domestic workforce. We intend to identify the attitude of the employers towards the

domestic workers. Change in the attitude of the employers is very essential because the kind of humane concern that is required for the domestic workers cannot be legislated. Appropriate research methods have been applied to deduce inferences from the data collected for the study.

Nuria Elena Ramos Martin (U. Amsterdam), “Regulating domestic work from the international to the national perspective: The new Spanish Laws on domestic work”

In most countries in the world, domestic workers are precarious workers, in the sense that they are not covered by regular labour and social security laws. The ILO estimates that there are at least 53 million domestic workers worldwide, though the number could be much higher, considering that this kind of work is often provided informally and they are usually not registered within the social security system. The precariousness of domestic workers has also a gender dimension because most of them are women or girls. In addition, many domestic workers belong to vulnerable groups such as migrants. The ILO Convention No. 189 and its accompanying Recommendation No. 201, adopted in June 2011, represent a relevant improvement on the path to the realization of decent work for domestic workers. The Convention No. 189 is a set of international standards aimed at improving the working conditions of domestic workers. This Convention establishes that domestic workers must enjoy the same basic labour rights as other workers, including reasonable hours of work, weekly rest, freedom of association and the right to collective bargaining. After the ratification by Uruguay and Philippines, the Convention will come into force on the 5th of September 2013. This new Convention is an important landmark in the protection of domestic workers even for countries which have not ratified it. The new Spanish legislation improving the protection of domestic workers regarding labour and social security rights will be examined in this paper. The influence of the new international legal framework in the adoption of the Spanish laws amending the regulation of domestic work will be considered. Moreover, the key role played by the trade unions in the adoption, dissemination, and implementation in practice of this new legislation will be discussed. Finally, the action taken by the different governments in 2011 (Royal Decree 1620/2011 and Law 27/2011, amending the regulation of domestic work and the applicable social security system) and 2012 (Royal Decree Law 29/2012) to apply to domestic workers most of the general labour law rules, as well as, to include them in the general social security system, will be examined in terms of effectiveness and real improvement of social protection.

PS 3.5 (Room VI)

Symposium: Public sector pay and procurement

Organized and chaired by Damian Grimshaw (U. Manchester)

While the scale of the austerity crisis has been experienced very differently across Europe, there has been a convergence of reforms to cut government spending, in response both to pressures to cut government debts and the belief that public spending crowds out private investment. Because the pay bill for public sector workers accounts for a large share of government spending, many countries have implemented measures to cut or freeze pay, reform wage institutions and cut employment. But pressures to impose reforms quickly have encouraged many governments to implement reforms unilaterally, sidestepping formal or customary processes of social dialogue, and have worsened gender inequalities. Moreover, restructuring of public services has encouraged outsourcing and privatisation in contexts where the private sector promises cost reductions or an alternative industrial relations environment. Against this context, this symposium brings together three papers that investigate the character of public sector pay, the nature of current reforms and the complex interaction, at the organisational level, between pay conditions and procurement strategies. Each paper involves a cross-national,

comparative perspective that spans five countries overall - France, Germany, Hungary, Sweden and the UK.

Dominique Anxo (Vaxjo, Sweden), “Comparing public sector pay in Europe: The meaning and character of premiums and penalties”

This paper interrogates the public-private pay gap. It reviews the results of econometric studies that decompose the pay gap and also reports original analyses of the pay gap using national pay and employment data. It finds considerable country variation in the character of the pay gap, a strongly gendered pattern of differentiation and variation between low and high paid workers.

Gerhard Bosch (U. Duisburg-Essen), Gabi Schilling (IG Metal), & Claudia Weinkopf (IAQ, Essen Germany), “Public sector pay reforms, social dialogue and the shifting national and local terrains”

This paper assesses the shifting national and local terrains of pay determination resulting from pay reforms during austerity. Drawing on previous comparative studies that contrast the legacies of centralised versus decentralised wage-setting institutions in Europe, it explores the roles of social partners in wage-setting at local level, the degree of coordination provided by national pay scales and pay settlements, new merit pay and the local strategies to counteract austerity including better pay deals for the low paid.

Damian Grimshaw (U. Manchester), Jill Rubery (U. Manchester), Stefania Marino (U. Manchester), & Maya Bacache (Paris), “Procurement of public services: Comparing the influences of pay, employment segmentation and organisational forms”

This paper investigates the interaction of pay reforms and procurement strategies drawing on case studies of local government. It finds that wage costs can be an important consideration in decisions to procure services, as are differences in wage-setting institutions. But other factors also matter, including differences in the legal statuses of public, quasi-public and private sector workers, use of temporary and part-time contracts and options to deliver services through public-private organisational forms.

PS 4.5 (Room VII): Immigrant workers

Chaired by Samuel Rosenberg (Roosevelt U.)

Anil Verma (U. Toronto) & Rupa Banerjee (Ryerson U.), “Labour Market Integration of Immigrants to Canada”

Canada is one of the few countries in the world to develop a large legal immigration program to meet both short-term needs of the labour market as well as longer-term needs of nation building. Annual immigration levels are close to 0.8% of the population. A major change in recent decades has been the shift of source countries from Europe to Asia and to a lesser extent to Africa and the Americas. This shift has significant implications for the labour market experience of new immigrants. Past research shows that immigrants from non-European source countries, the so-called visible minorities (VMs), do significantly worse than immigrants of European heritage. VM Immigrants experience a significant wage gap relative to white immigrants and native-born Canadians. Even worse, their earnings do not rise fast enough in the ensuing years to close the gap. This situation presents a great challenge on two fronts: first, there is a significant loss of productive human capital when immigrants with high levels of

education remain underemployed. Second, the longer-term need to build the nation is unmet if immigrants continue to form a large underclass. Although it is widely acknowledged that prejudicial discrimination plays a role there is a need to better understand the dynamics of this wage gap. Many immigrants do quite well and large groups of immigrants in previous waves, say those arriving in the 1980s, have closed the gap in earnings over time. Our research focuses on mapping the early years of labour market experience of three groups: VM immigrants, white immigrants and the native-born. We examine the type of jobs they get upon arrival and analyse the evidence by occupation, wage and union status. We do this using longitudinal data of cohorts that are followed continuously for five years. The Survey of Labour Income Dynamics (SLID) provides data on over 125,000 individuals at different times since 1999 up till the present. Among other things we find that VM immigrants are more likely to accept a lower paying job and once they have accepted the job they are less likely to turnover. Because they stay longer in the incumbent job their wages are not likely to grow as fast as others who search for better jobs and switch employers more frequently. Lastly, we suggest some policy responses that could address these issues and help immigrants achieve their full potential.

Daria Chernyaeva (National Research U. Higher School of Economics, Russia), “Recent migrant labour legislation development in Russia: Drivers, contexts and controversies”

The Russian migrant labour legislation undergoes up 10 changes annually in order to keep up with the changing economic, political and social context and to eliminate discrepancies that the labour market changes produce regularly. The paper aims at examining the main economic, political and social drivers of these changes and amendments, at outlining the different contexts which trigger particular legislative initiatives and decisions, and at analysing how these new norms enter different contexts to change them or to prove their own insufficiency, inapplicability, etc. and the necessity for further legislative efforts. The subject of the paper is examined from a comparative point of view, with an account of the main aspects of legislative activities in the field in other countries that demonstrate comparable labour market and labour migration parameters. The impact that the global economic crisis has onto the labour legislation in these countries will also be compared and discussed. A point will also be made of the level of protection provided by the Russian legislation to particularly vulnerable groups of labour migrants (young or elderly migrants, female migrants, migrants from the poorest countries in the region, etc.) and the legislative amendments, as well as “soft law” or policy measures will be suggested and discussed. The paper will include not only the study of the statutory norms as they are, but also the scholarly discussions in the field, the respective provisions in collective agreements, the corporate policies and practices, as well as the relevant case law and various steps that migrants undertake themselves in order to raise public awareness of their problems and/or to solve some of the problems themselves in the time of the global economic instability.

Catharina Calleman (Örebro U., Sweden), “Need for labour, dependence and equal treatment”

This article deals with Swedish legislation on labour migration, which entered into force in 2008. The regulation will be examined from a dependence and power perspective. Regulations on work permits are seen as an institutional mechanism, by which the state is regulating power between employers and employees, between different ethnical groups and between women and men. The Swedish regulation was inspired by recommendations of the EU Commission, which concluded that legislative measures should be taken in order to develop non-bureaucratic and flexible methods to give a just and rights-based treatment of all labour migrants. Thus, the starting point of the Swedish regulation is individual employers’ needs to recruit competent

personnel. The review by the Labour Market Board has been repealed and permits are no longer limited to certain sectors or professions. A work permit may be granted for maximum two years but may be extended to four years. In the first two years the permit is tied to a certain employer. In case the employment is terminated before the expiration of the permit and the worker has not found another job within three months, the permit will be revoked. The regulation studied has the effect that immigrating workers will typically be markedly dependent on their employer. The employers have been given the right to decide whether there is a need for labour from outside the EU and whether the need is so urgent that the permit is to be granted when the applicant is in Sweden and also whether the employment is to be prolonged. At the same time wages, insurances and other employment conditions must not be below the level of Swedish collective agreements. The Migration Board is to control employment conditions before issuing the permit. This control however applies to the offer of employment, which is not considered legally binding. There is no mention of control of employers concerning for example the payment of taxes or the fulfilment of requirements of collective agreements. An employer without a collective agreement who is paying salaries below the level of the collective agreement to an immigrant or is offering fewer working hours than stipulated is not risking anything. An employee, who is complaining about employment conditions or is turning to the trade union, however, risks having their employment terminated and eventually losing their work permit.

PS 5.5 (Room IX): Challenges for the creation of inclusive and fair labour markets?

Chaired by Helge Hoel (U. Manchester)

Ria Deakin (U. Manchester), "Mediation, growth and fairness: A blessing in disguise or an iron fist in a velvet glove?"

This paper explores the role of mediation in resolving workplace disputes and considers whether mediation has the potential to facilitate increased tolerance, inclusion and fairness at work. Recent changes to the UK Employment Tribunal (ET) system and to substantive employment rights may arguably have a disproportionate impact on the low paid and vulnerable. These changes are coupled with a push to increase the use of alternative resolution routes, such as mediation. According to the government, these changes strike a balance between respecting the need for growth and fairness for all. Whether the changes strike that balance is questionable but the increased use of mediation may open up a path to justice which was previously blocked. Mediation allows parties in a dispute to forgo the need for complex legal argument and to avoid the aggressive techniques employed in pursuit of an ET claim. It is cheaper and faster and the cost is often born by the employer. In the presence of an impartial mediator, the parties are treated as equal and afforded the opportunity to discuss the underlying problems and reach a mutual outcome. The emphasis in mediation is on preserving relationships and so its use may help to play an important role in maintaining job security. The promotion of the use of mediation for bullying, harassment and discrimination cases offers a particularly interesting opportunity to explore how mediation may be utilised to encourage understanding and inclusion in an increasingly diverse workforce. However, the inherent nature of such cases arguably sits uncomfortably with the assumptions of mediation, particularly those relating to balances of power. Far from providing an opportunity to increase understanding, a vulnerable employee may feel like they need to enter into mediation and agree to something which continues to disadvantage them. Further, the confidential nature of mediation may allow employers to continue to treat employees badly in a way which resolution in a public forum would not. This paper explores these issues and the extent to which mediation should be embraced as a way of improving fairness and access to justice for vulnerable workers. It argues that the rhetoric surrounding mediation fails to adequately

consider arguments of social justice and conceptualises mediation in a way which obscures its potential impact on workers. It concludes that future research must take a critical approach if the fairness of mediation is to be understood.

Anita Jowitt (U. South Pacific, Vanuatu), “Improving work conditions?: The impact of Vanuatu’s 2008 employment law reforms”

Whilst the primary ideological response to the global economic crisis has focused on deregulation of the labour market, the alternative ideological narrative of decent work, which is driven by concerns about social justice, has also resulted in demand for increased regulation. In 2008 the Vanuatu parliament, driven by a concern for social justice, passed a Bill that increased benefits for private sector employees. Three key areas were reformed. The amount of severance allowance on termination of employment was quadrupled, increasing from 2 weeks’ salary per year worked to 2 months’ salary per year worked. The amount of payment whilst on maternity leave was doubled, increasing from 50% of regular salary whilst on leave to 100% of salary whilst on leave. The amount of annual leave for employees who had worked less than 20 years was increased from 12 days per year to 21 days per year. Although these changes ostensibly aligned with Vanuatu’s labour policy of increasing decent work opportunities, the broader regulatory framework allowed employers to avoid increased costs by restructuring employment relationships in various ways, with women and low-skilled employees being particularly affected. Low skilled, low wage employees who are more likely to exist close to the poverty line were most likely to face negative consequences due to the reforms, by being pushed into greater precariousness through an increase in part time work with fewer social benefits. Women are another group who were particularly affected. This paper analyses how the 2008 reform intensified segmentation and inequality amongst private sector employees. As there is an absence of labour market data the paper uses a combination of analysis of employment law, anecdotal evidence and case studies to establish the effects of the 2008 reform. It concludes by suggesting some regulatory measures that could have been taken in order to make the reform more inclusive.

Parallel Session 6
Thurs., 4 July: 15.30–17.00

PS 1.6 (Room III)

Symposium: The evolution of labour law in the Asia-Pacific region -- Methodological and comparative perspectives

Organized and chaired by Colin Fenwick (ILO)

In the debate about the evolution of labour law and the regulation of labour markets, attention has slowly but increasingly turned to a consideration of the case of newly developing countries. This has been partly with a view to tracking the flow of ideas from developed to developing nations, and the influence of one legal system upon another, but also to observing the durability of labour law systems under the influence of globalising economic forces. In this discussion different methods have been employed to gauge legal influence, and an awareness of the importance of particular socio-economic, cultural and political contexts established. The group of papers presented in this symposium pursue several of these themes. The participants include a group of researchers associated with an Australian Research Council project examining the application of legal origins theory to labour law in Asia.

Sean Cooney (U. Melbourne), Peter Gahan (U. Melbourne), Petra Mahy (Monash U.) & Richard Mitchell (Monash U.), “The evolution of labour law in three developing Asian nations: A comparative study”

How do we understand the evolution of labour law in developing countries, and what does this understanding add to the current literature in comparative labour law? Some recent trends in comparative law have set out to explain the evolution of legal systems through highly generalised arguments that group countries according to their legal origins, the pattern of their development, and/or their particular regulatory style in shaping markets (including labour markets). With few exceptions, however, these lines of inquiry have engaged with developed rather than developing countries. Consequently, many of the issues dealt with remain open for examination in the nations of Asia, Latin America and Africa. The purpose of this paper is to engage with these comparative law debates by providing an historical account of the evolution of labour regulation in three countries: China, India and Indonesia. Our analysis is based on detailed templates tracing the history of legal developments in the modern era in relation to a range of key matters of work law, including the labour contract, labour standards and collective labour relations. The paper makes two major arguments. First, we maintain that there is a complex range of influences shaping labour law in each of the three countries, and that the extent of any particular influence (colonizing power, ILO standards, domestic political and economic factors, and so on) varies in relation to different aspects of labour law. In short, there are multiple, inter-related ‘origins’ of labour law. Second, we note that formal labour law systems often have limited and, in some cases, little or no application to most workers. This observation points to the need for further study identifying the nature and source of norms which regulate labour and work in practice.

Peter Gahan (U. Melbourne), “The ‘leximetric turn’ in comparative law: What can it tell us about the evolution and consequences of labour market regulation in the developing world?”

Over the last decade or so, legal scholars have sought to develop new quantitative methods for coding different dimensions of a legal system. This ‘leximetric turn’ in legal scholarship has enabled legal scholars to make large scale, longer run comparisons in the character and evolution of legal systems around the world, and has produced a number of novel (and sometimes controversial) findings. This body of work has also played a highly influential role in academic and public policy debates. Yet, the reliability and validity of leximetric coding remains unestablished. This paper examines and compares the key leximetric measures purporting to code for different aspects of labour law. This analysis identifies a number of significant methodological challenges that researchers employing leximetric analysis need to account for in use and interpretation of quantitative data in comparing legal systems, and offers a number of recommendations for the development of more reliable and valid leximetric measures of labour law.

Richard Mitchell (Monash U.), Anthony O’Donnell (La Trobe U.), Ian Ramsay (U. Melbourne) & Michelle Welsh (Monash U.), “corporate governance and the protection of labour: The socio-political context of regulatory evolution”

In the past few decades, a growing scholarship has sought to account for the origins of dispersed and concentrated systems of corporate ownership and governance. The literature variously emphasizes political and legal differences amongst countries. Some approaches specifically examine the co-evolution or ‘complementarity’ of corporate governance and labour law.

Recently, Christopher Bruner has explored the role of labour law and welfare state protections in accounting for distinct corporate law regimes in two similarly dispersed systems of ownership: the United States and the United Kingdom. In this paper, we give an overview of this argument and explore its adequacy in explaining the Australian case: in particular the role of Australian labour market regulation and social welfare policy in shaping the governance of Australian corporations.

PS 2.6 (Room IV): *Trends in informality: Contrasting developments*

Chaired by Uma Rani (ILO)

Fabio Bertranou (ILO Buenos Aires), Luis Casanova (ILO Buenos Aires), & Marianela Sarabia (Argentinean Industrial Union), “How, why and in what sectors employment informality decreased in Argentina from 2003 to 2012”

In a brief period of time after the 2001-2002 crisis, there was a dramatic fall in informal salaried employment in Argentina. Informal employment—also called “non-registered employment”—refers to employment for which no social security contribution is made. This indicator dropped by fifteen percentage points, from 49% to 34% from 2003 to 2012. This paper analyses the recent evolution of informal employment and the main policies designed to reduce its scope and to encourage the creation of quality employment. It has been observed that the decline in informal employment, measured as non-registered salaried employment, is primarily due to net creation of formal employment and, to a lesser extent, to net destruction of non-registered employment. The rate of informal employment declined in all sectors of the economy and in establishments of all sizes. Extensive mobility between non-registered salaried employment and inactivity (mainly among low-skilled women workers) has been observed as well and, albeit to a lesser extent, between non-registered salaried employment and formal employment. Since most informal workers are unskilled and perform their jobs in work units that are difficult for public policies to identify, a comprehensive policy approach is necessary, one that considers economic, social and employment issues.

Byung-Hee Lee (KLI) & Deok Soon Hwang (KLI), “Why informal work is widespread in Korea?”

This paper addresses the puzzling question for why informal work is widespread in Korea despite protective policies under labour law and universal social insurance system. We will show that informal work represents a policy failure as well as a market failure. There is no universally accepted definition of informal work. For the purpose of analysis, jobs which are not subject to minimum wage legislation, mandatory retirement allowance, and public pension at the main job among employees are defined as a proxy for informal work. Data from two surveys are used: the Supplementary Survey of the Economically Active Population Survey conducted by Korea Statistical Office, Korea Labor and Income Panel Survey conducted by Korea Labor Institute. The rest of the article is organized as follows. First, the extent and nature of informal work in Korea is presented. While the share of informal work among employees has been decreasing over the past decade, about 40% of employees is not protected by labour law and social insurance. Second, to what extent are informal employees overlappingly excluded from three measures which are the minimum wage, mandatory retirement allowance, public pension? About 80% of informal workers are excluded from more than two measures. Overlapping phenomena of exclusion implies that measures to heighten the effectiveness of any protective policies may contribute to improving compliance level of other policies. Third, is the main cause of informal work non-regulation or non-compliance? About 80% of informal work is attributed to non-compliance with relevant regulation. It suggests the need for reinforcing the

implementation of relevant regulations. Fourth, we find the persistence of informal work. We use the dynamic random effects probit model whether it exits genuine state dependence. We find a highly significant degree of persistence due to previous informality experience even after heterogeneity and initial conditions are controlled. The finding that the persistence of informal work is due to state dependence highlights the need for encompassing policies to promote formal work.

Lorena Poblete (CONICET Argentina), “Formalizing independent work: Changing labour regulation in Argentina (1998-2007)”

In Argentina, independent workers represent 26% of those who work. These workers form a very heterogeneous group that includes employers of small companies, self-employed workers (professionals and non-professionals), work cooperatives’ members and unpaid family workers. Most of them work in unregistered activities. The incidence of informality in this group of workers was always very important (more than 50%). For this reason, in 1998, as part of the Tax Reform, the “Simplified Regime for Small Taxpayers” was created, known as “Single Tax Regime”. This regime seeks mainly to formalize the activities of independent workers engaged in low productivity activities (e.g. temporary workers, domestic workers, peddlers, rural labourers). In order to increase their formalization and to guarantee their access to the social security system, a single unified tax called *monotributo* was established. And, for the first time, the self-employed workers’ security system includes health insurance in their benefits. The aim of this paper is to analyse the changes of the “Single Tax Regime” and its consequences after 15 years of application. We note two main consequences: formalisation without access of social protections and a particular use of this status to enhance labour flexibility. In the years following the implementation of this regime, many informal independent workers registered their activities but not all of them had access to the social security system because not all were able to pay social security contributions. This means that the formalization of their labour status did not reduce their vulnerability against some social risks. Also, the application of this regime has a completely unexpected consequence. This legal status was used as a tool to increase labour flexibility, even in highly regulated labour markets such as public employment. In this paper, using statistics provided by the national agencies as INDEC (Instituto Nacional de Estadísticas y Censos) and ONEP (Oficina Nacional del Empleo Público), I will particularly focus on this case in order to analyse the impact of the formalization of low-income independent workers.

PS 3.6 (Room VI): The role of trade unions and collective bargaining

Chaired by Edward Webster (U. Witwatersrand, South Africa)

**Amir Jafar (U. Burdwan, India) & Amitava Ghosh (TeamLease Services Pvt. Ltd., India),
“An empirical examination of the role of trade unions for inclusive growth in the SMEs in India”**

Globalization has brought in a sea of changes. The business environment has been changed to a great extent, and the small and medium enterprises (SMEs) are facing a new set of challenges. For meeting many of the challenges the industrial relations actors need to play a very significant role. The SMEs are coming up with innovative human resource management (HRM) practices to cope up with the situation. The pattern of industrial relations is changing and thus the role of the industrial relations actors are getting redefined in the face of globalisation. The trade unions have a very vital role to play in this changing scenario. The trade unions need to broaden their horizon and look beyond sole interests of the employees and get engaged into activities that create win-win situation for the employers as well as the employees. This is very essential since

due to this cut-throat competition posed globalisation the survival of many SMEs is at stake. This paper seeks to identify the major challenges that are being faced by the SMEs in India. The SMEs engaged in the production of iron and steel have been considered for this study. The challenges have been identified from the existing literature, and interviews of the employers, trade union leaders and industry experts. The present situation of the trade unions in the selected enterprises has been appraised. Further, attempt has been made by the authors to identify the novel roles played by the trade unions in the changed scenario. A questionnaire has been designed to elicit employees' perception on the roles played by the trade unions. The trade union leaders and the employers have also been surveyed so that we can draw proper inference about the activities of the trade unions. The entire exercise has been carried out through industry based empirical study. Appropriate statistical methods have been applied to draw inferences from the data collected for the study.

Lefteris Krestos (U. Greenwich), "What explains low union density of young precarious workers in Greece before and after the upsurge of the economic crisis?"

As a result of the loan agreements that the Greek government concluded in the last two years with the IMF, the ECB and the Commission, a policy of internal devaluation has been adopted in an effort to avoid a default of the economy and remain within the Eurozone. The series of structural reforms that have been undertaken in line with the loan agreements have been based on the premise that labour market regulation in Greece constituted a significant barrier to growth. To that direction, essential features of the Greek labour law system have been amended with significant implications for the role of the state and the industrial relations actors. The reforms initiated are not distributionally neutral but aim to liberalize further and deregulate key parts of the labour market and industrial relations system and reduce the welfare state. There is growing evidence that they have led to the deterioration of working and living conditions, while failing to deliver growth. Young workers are, among other social groups, heavily affected by the drastic labour market deregulation and austerity policies that were gradually implemented in Europe after 2008. During the crisis unemployment levels among young workers remained significantly higher than the rest of the working population and they have risen faster than for other age groups. This development reinforced pre-existing labour market inequalities at the expense of youth and resulted in the dramatic rise of unemployment amongst young workers to unprecedented levels of almost 60%. To some extent this development has emerged as a consequence of structural aspects of the labour market, certain employers' behaviours in response to economic difficulties, as well as trade unions' inability to protect vulnerable young workers from the risk of unemployment, work insecurity and poverty. This paper addresses young peoples' declining power in the Greek labour market due to the implementation of sweeping austerity policies and the consequent expansion of youth precarious employment and unemployment since the first bail out agreement in 2010. Further, it is argued that young people frustrated by austerity have expanded social unrest and public anger at the mainstream political institutions, including mainstream trade union organisations. The numerous protests that have taken place since 2010, the impressive actions of the Greek Indignados Occupy Movement in 2011, the emergence of radical unionism in the urban areas and the meteoric rise of SYRIZA (radical left party) in the general elections of 2012 are simply parts of an on-going youth radicalisation and resistance to neoliberalism that may bring about or inspire more radical political and institutional changes. In this context, the paper concludes that the only possibly way that trade unions in Greece can possibly meet the expectations of the young precarious generation is to redefine their structures and strategies in order to transform and reinvent themselves into a new powerful mobilizing device which can promote and ensure fairness at the individual workplace and community level. In the first instance, unions need to

enlarge their membership base to capture the needs of the new underpaid young, educated and more diverse underclass in the context of severe economic crisis and depression. In this framework, greater union performance is necessary at the workplace and community based level, including direct union actions, coalition building strategies with broader social movement's actors and strategic organising in both the public and private services sectors.

Nina Torm (U. Copenhagen), "The role of trade union in Vietnam: A case study of small and medium enterprises"

On the basis of matched employer–employee data from 2007 to 2009, this paper examines the union wage gap among small and medium non-state manufacturing enterprises in Vietnam. Controlling for both worker and firm characteristics, the results provide evidence that union members earn higher wages than non-members, and are more likely to receive social benefits. Within unionised firms, a substantial wage premium is revealed for workers employed in Southern firms, a finding which among other factors may be attributed to historical differences between the North and South of Vietnam.

PS 4.6 (Room VII): *Promoting fairness at work*

Chaired by Gerhard Bosch (IAQ, U. Duisburg-Essen)

Colette Fagan (U. Manchester), Jacqueline O'Reilly (Brighton Business School, UK) & Annette Cox (Institute for Employment Studies, UK), "The Politics of Fairness and the state of a concept"

In this paper we examine the origins and controversies associated with the growing interest in the concept of 'Fairness At Work'. On one hand this has a particular Anglo-Saxon bias. This stems from early initiatives of the Blair government to introduce trade union and employment rights at the end of the 1990s in the UK (DTI 1998) and from the comprehensive review of multiple dimensions of inequality in Britain (EHRC 2010); in Australia the Work Choice reforms and the introduction of the Fair Work Act 2009 instigated the Fair Work Ombudsman to encourage and enforce fair treatment in the workplace (Buchanan and Callus 1993, Forsyth and Stewart 2009). On the other hand, the concept of fairness is one that has more general international relevance. There has been increasing interest in what makes societies fair and efficient (Hutton 2011, Pontusson 2005, Pearce and Paxton 2005, Wilkinson and Pickett 2009). Krizsan et al. (2012) illustrate how concerns with intersectionality are no longer solely an Anglo-Saxon concern, but have increasingly been taken up and institutionalised across Europe, with varying degrees of success. The economic crisis stemming from 2008 have only served to highlight the long-term trend of growing income inequalities across the OECD countries (OECD 2011) and the increasing frustration felt by populations subject to austerity measures (Kenworthy and McCall 2008, Standing 2011). These developments and debates indicate the pertinence of addressing the theoretical frameworks and policy implications implied by a 'politics of fairness'. We examine the conceptualisation and usage of this concept in relation to social and organisational justice; gender equality and intersectionality; industrial relations, income inequalities and European Employment Policy. The aim of this paper is to outline the theoretical context and analytical frameworks used to understand the consequences of long term structural trends across developed countries and the effectiveness of policy responses. We conclude by looking at how useful this concept is – is it in tatters through its permissive use, or can it refocus attention around a new 'politics of fairness'?

Michael Reich (U. California, Berkeley), “When do mandates work? Lessons from the U.S.”

Beginning in the latter 1990s, the city of San Francisco enacted a notable series of laws designed to improve pay and benefits, expand health care access and extend paid sick leave for low-wage San Francisco residents and workers. Remarkably, and despite many warnings about dire negative effects, these new policies raised labour standards significantly for tens of thousands of people, and without creating any negative effects on employment. While modest by some European standards, these policies represent a bold experiment in American labour market policies that provide important lessons for the rest of the United States. In contrast, over the past three decades living standards have stagnated-- at best-- for a majority of Americans, decreased for large swaths of America and increased dramatically for a very select few. The causes of stagnating living standards and rising inequality are much debated. One side focuses on technological change and the effects of globalization, each of which is said to reduce the demand for less-educated workers. Another side focuses on changes in business and public policy, particularly on changes that loosened standards that put floors on worker pay and benefits while allowing incomes at the very top to rise dramatically. Our volume addresses this debate through a novel perspective: by examining the scope and effects of these innovative but relatively unknown set of public policy experiments in San Francisco. Although other cities and states have adopted somewhat similar policies, the number, scope, and reach of the San Francisco standards are unequalled anywhere else in the United States. It is not an exaggeration to state that they represent a new social compact among businesses, workers and government. The first set of policies mandated wage and benefit standards for firms doing business with the city, beginning with equal benefit laws and continuing with a set of living wage standards. While these living wage standards resembled policies that have been adopted by more than 130 local governmental entities in the U.S., the scope and share of workers affected exceeded those of any other city. This first set of initiatives was then followed by pioneering new laws that applied higher standards to all firms operating within San Francisco’s geographic boundaries. These citywide programs established a minimum wage that applied to all employers, a universal health access program for all San Francisco residents with a mandated employer health spending requirement, and a minimum level of paid sick days for all San Francisco workers. Clearly, San Francisco’s innovative labour standards policies have gone farther than in other cities or states in the U.S. As this essay and the subsequent chapters show, their implementation did not hurt jobs or the local economy. Indeed, in recent decades San Francisco has enjoyed more prosperity than most U.S. cities. What lessons can we draw from this experience? Are there circumstances that are unique to San Francisco that led to the adoption and benevolent effects of these policies, or are they generalizable to other areas?

Parallel Session 7
Fri, 5 July: 09.00–10.30

PS 1.7 (Room III)

Workshop: Labour law vs. immigration law

Organized and chaired by Deirdre McCann (U. Durham)

Discussant: Manuela Tomei (ILO)

Mark Freedland (U. Oxford), “Regulating Informal Work at the interface between labour law and migration law”

This paper seeks to develop some ideas about the regulation of ‘informal work’. They are ideas arrived at by reflecting on some legal and regulatory phenomena occurring at the interface between labour law and migration law, that is to say at the many points where migration law

impacts upon labour law's regulation of labour markets and of employment relations. This paper forwards three inter-connected arguments. Firstly I will argue that reflection upon the impacts of migration law upon labour law's conception and regulation (or non-regulation) of 'informal work' produces significant insights into the analytical complexity and imprecision of that conception and that regulation (or non-regulation) of 'informal work'. I will suggest that there are various different models of 'informal work', and that one of them, namely that of work by 'undocumented workers' is attributable to the influence of migration law. This set of propositions will form 'the Imprecision Argument'. Secondly I will argue that reflection on the labour-law-generated and migration-law-generated model(s) of 'informal work' discloses a particular set of normative ambiguities about the culpability of the worker himself or herself for being engaged in 'informal work' which has very important implications for the ways in which 'informal work' is regulated (or not regulated). I will suggest that the migration-law-generated model of work by 'undocumented workers' has especially strong connotations of culpability on the part of the workers themselves. This set of propositions will constitute 'the Normative Ambiguity Argument'. Thirdly and finally I will make some suggestions as to how to construct an appropriate regulatory response to those insights. This will involve canvassing some ideas for improving the worker-protective regulation of 'informal work' in ways which are inclusive of migrant workers rather than unduly exclusive of 'undocumented workers'. This set of suggestions will form 'the Argument for Inclusiveness'.

PS 2.7 (Room IV): Regulation and informality: Country experiences and outlook

Chaired by Claire La Hovary (U. Glasgow)

Maarten van Klaveren & Kea Tijdens (U. Amsterdam), "Informality and women's work: An industry outlook for 14 countries"

This paper approaches informal employment from a gender perspective, focusing on industries with large shares of women workers, in particular agriculture; retail; and hotels, restaurants and catering (tourism). Evidence is presented from 14 countries in which from 2008-2011 Decisions for Life, a major trade union project aiming at empowering adolescent girls and young women in work, took place: Brazil, India, Indonesia, the CIS countries Azerbaijan, Belarus, Kazakhstan and Ukraine, and the southern African countries Angola, Botswana, Malawi, Mozambique, South Africa, Zambia, and Zimbabwe. An industry outlook opens up possibilities for a better understanding of the economic dynamics influencing (in)formality, and its interplay with social, cultural, and political forces as well as with legal frameworks. The first part of the paper presents basic information, going into the female labour participation rate, the distribution of the female labour force over the main industries, and the share of women workers in informal jobs. In the 14 countries researched, the latter share varies widely, from 17% of Ukraine's female labour force to 96% of India's. We also present evidence on trends on these three issues throughout the 2000s, showing that overall women have growingly been overrepresented in informal employment. The second part details recent developments in the three industries scrutinized. In agriculture, the persistent lack of infrastructural provisions and basic services turns out to be a major factor in continuing and, in particular where large commercial agriculture dominates, deepening poverty and food insecurity where majorities of women are locked in. In retail, modern supermarkets heavily compete with small-scale trade and agriculture, again domains of in majority women. The prospects of tourism for (formalisation of) female labour may look brighter in most countries, but notably skills upgrading seems conditional for perspectives on sustainable and decent jobs in this industry. Finally, the authors indicate the need for socio-economic policies, including the provision of basic social and food security, as to tackle the economic dynamics frustrating the attainment of

decent and formal jobs for women. From this perspective, adequate labour legislation is a necessary but far from sufficient condition for guaranteeing such jobs.

Bolat Tatibekov (Suleyman Demirel U. Kazakhstan), “Policies measures to facilitate transition from informal to formal employment: The Kazakhstan model”

This paper aims to develop recommendations for policy measures to facilitate the transition from informal to official (formal) employment in the Republic of Kazakhstan. Informal employment poses a significant problem to the country: those who work in informal jobs often lack social protection, face poor working condition, experience a higher risk of poverty and unemployment, lose trust in the government and suffer from higher anxiety about the future. Some even suggest that unregistered work is linked to criminalization. To address this topic, the paper outlines trends in informal employment. In addition to discussing the methodological issues faced in measuring informal employment, the paper contextualizes the specific trends within general situation in the labour market and in socio-economic development. The paper discusses root causes of informal employment and suggests solutions to reduce its incidence. For instance, it recommends improving the social security system, which currently excludes informal workers, and improving the measurement and assessment of informal employment (e.g., through legal indicators).

Feng-Jen Tsai (Taipei Medical U.), “Relationship between legal awareness and actual practice”

The gap between working-hours regulation and worker’s actual working hours was a huge issue in Taiwan. Previous study reviewed from historical perspectives found that the observance rate of the working hours’ regulation was around 50%, and the effective regulation index (ERI) was around 5 in 21st century. Based on this evidence, I conducted this questionnaire survey with the wonder of the relationship between legal awareness and actual practice in working hours in Taiwan. The internet-based questionnaire survey was conducted in March, 2013. Among 177 respondents, 40% had college degree and 57% had master degree. The yearly salaries of those middle class employees were mainly (88%) ranged from 300 thousand NTD to 1000 thousand NTD (equal to 10 thousand to 33 thousand USD). In addition, 57.6% of them had the knowledge about the impact of long working hours on health and 80% of them knew the regulation regarding working hours in Taiwan. However, with these knowledge and legal awareness, more than 70% of them still worked over 42 hours (which was regulated as normal working hours per week) and more than 50% of them worker over 48 hours per week. Most of the participators reported that the atmosphere of working overtime in the working environment and the claims of “the responsibility to finish the work on time” by the employers were the main reasons for their behaviours. This finding reflected the know-do gap in observing the working-hours regulation among highly-educated employees in Taiwan. The need of transforming the knowledge to practice should be further focused.

PS 3.7 (Room VI): *Multinational enterprises and social dialogue*

Chaired by Githa Roelans (ILO)

Do Quynh Chi (ILO Hanoi), “Impacts of an MNC’s labour policy on the local suppliers’ wage-setting process – the case of Unilever Vietnam”

This paper explores how the global labour policy adopted by Unilever influenced the wage-setting processes of its subsidiary in Vietnam as well as its local wide-ranging network of suppliers. Through such analysis, the paper seeks to analyse the interactions between the

impacts of globalisation transferred through MNCs and the local wage-setting rules and practices. The paper was written based on a research by a team led by the author in 2011. Upon the permission of the global management of Unilever, the research team was given access to Unilever factory in Vietnam as well as its local network of business partners and suppliers. The research was conducted in three stages. In the first stage, to understand the impacts of Unilever global labour policy on the wage-setting process and practices of its subsidiary, the research team conducted 41 structured and semi-structured interviews with the top and middle managers of Unilever Vietnam as well as its workers and union officials. In the second stage, the research team interviewed the representatives of 48 companies in the supply chain of Unilever in Vietnam through telephone to get a general picture of their wage-setting practices and how the labour policy of Unilever penetrated into their employment relations. In the final stage, the research team selected 3 companies for 'deep-dive' research. Over 50 interviews were made with the managers, union officials and workers in these 3 suppliers. The study found that despite the company's commitment to core labour standards, including paying living wage to its employees, its procurement policy which is influenced by international (cost) competition pressure together with the company's conformity with local practices in wage-setting have, in many cases, not only failed to improve the local wage-setting practices but even deteriorated the wage levels of its employees and the local suppliers' workers as well as their participation in the wage-setting process.

Nilton Freitas & Thomaz Ferreira Jensen (DIEESE Brazil), "Social Dialogue in the chemical industry in Brazil: Recent experience in tripartite forums for the drawing up of Industrial Policy"

We consider the role of the Competitive Councils of the Chemical Industry and Personal Hygiene, Perfume and Cosmetic Industry, set up by the Federal Government of Brazil as tripartite forums for the drawing up of Industrial Policy in the country. We hold that, as of 2003, with the swearing in of Luiz Inácio Lula da Silva, as President of the Republic, a new democratic governmental orientation was enforced in relation to Civil Society, grounded on the prizing of spaces and instruments furthering Social Dialogue, found in the Federal Constitution, enacted in 1988. This strategic orientation is the methodological basis for the political backing that elected Lula, thus implementing supporting economic and social growth policies, carried out during his two terms, as well as in the election and administration of his following President, Dilma Rousseff. Neodevelopmentalism is the program mark, a development strategy of the dependent Brazilian Capitalism, forecasting economic growth, a warranty for State investment, strengthening of national market and the furthering of industry. Workers are represented in this front by National Trade Union Confederations and by the main industrial Workers Union. The neodevelopmentism program drawn up by a legislation for moderate recovery of minimum wages, assured economic growth, lowering by half the 2003 unemployment rates, improving Union actions, witnessed in significant increase of collective labour agreements achieving real wage increases. Within this context, the Competitiveness Councils, with high level Federal Government representatives, of Employers and Workers, met for several times during 2012 and were able, with relative consensus, to diagnose pressing challenges hindering growth of involved industrial sectors. However, non-agreements in main topics targeting better regulation of work relationship remained, regarding Social Dialogue, as labour turn over and Union acceptance on the work place. We gather that important drawbacks exist in the strategic formulation so Union proposals may reach consensus in seen Competitiveness Councils and successful Unions were those that banked this inclusion having as starting point the organization in the work place. This proposal is further backed up by our findings in article

edited by ILO (“Restructuring and social dialogue in the chemical industry in Brazil”, Sectoral Activities Department, Working Paper nr. 286, ILO, Geneva, 2012).

PS 4.7 (Room VII): Quality of the workplace

Chaired by Adriana Marshall (Consejo Nacional de Investigaciones Científicas y Técnicas)

Gianna C. Giannelli (U. Florence, Italy), Ursula Jaenichen (IAB, Nuremberg, Germany), & Thomas Rothe (IAB, Nuremberg, Germany), “Doing well in reforming the labour market? Recent trends in job stability and wages in Germany”

We study the quality of newly started jobs in the period from 1998 to 2010 in West Germany, using job duration and wages as indicators of job quality. In the period from 2003 to 2005, the most severe labour market reform in Germany’s post war history, the so called Hartz Reform was implemented. As a consequence of these reforms, we expected a higher level of flexibility in the labour market, especially for newly started jobs. With respect to wages, a lower wage level and possibly greater wage losses for workers with recent unemployment experience were expected because of the profound changes in the unemployment benefit system brought about in 2005. In consequence, a higher degree of flexibility and a rise in inequality could plausibly contribute to the relatively small employment losses during the “great recession” in the years 2008/2009, also known as Germany’s “employment miracle”. An introductory discussion of the macro-performance of the German labour market confirms the relatively small employment losses during the “great recession”. We also present evidence of an (unexpected) overall decrease in labour turnover in recent years. Starting from a debate on growing inequality in Germany, we use a huge administrative individual data set to study the distributions of job tenures and wages over time. To identify the effects of different time periods, we estimate multivariate models controlling for a range of individual, firm and regional characteristics. The descriptive micro-data results on job tenure point to overall stable job durations for men and a tendency to somewhat longer durations for women. When looking at selected groups of workers who might be expected to be unstable employment with a higher probability, we find evidence of a slight decrease in job stability over time. The analysis of the wage distributions, on the other hand, shows both a decrease in real wages over time and an increase in overall wage dispersion. The wage models show stronger wage losses in the period 2006-2009, as compared to the reform period 2003-2005. Looking at selected groups of workers, evidence is found that the disadvantaged groups suffered from even stronger wage losses than the average.

Juan M. Graña (CEPED), “Segmentation and poverty in a heterogeneous and low productivity country: The case of Argentina’s manufacturing”

Since mid-seventies, Argentina experience two very different trends in the labour market. By 1976, the military dictatorship abandoned the industrialization policies conceived and developed since 1930, and liberalized both goods and financial markets. The result through the next three decades was the destruction of the productive structure –particularly high value added sectors, and small and medium enterprises (SME)-, high unemployment, declining real wages and, of course, labour market segmentation. On the contrary, the last decade saw a reversal of those trends. After the collapse of 2002, Argentina devalues its currency –previously pegged to the American dollar- and applies some policies in order to rebuild its productive sector. Although it had a tremendous -and rapid- success in terms of reducing unemployment (it fell from 25% to 8% in just 5 years) the accomplishments regarding wages and segmentation were limited. Average real wages recovered pre-crisis levels in 2007 and then stagnated through 2012. Moreover, its purchasing power is only 75% of 1970’s wages. Regarding labour market segmentation, Argentina still endures 30% informality in wage-earners -up from 20% in

1970s- and the income penalty for informal workers remains above 30%. In this context, this paper tries to answer the question about why Argentina faces so many difficulties to return to labour market figures achieved in the past. To accomplish that we will discuss two different, thought related, issues. On one hand, in domestic terms and revisiting the initial works of PREALC –ILO program for Latin-America-, while SME companies can't face competition because of their lower productivity on their own (that is without lowering wages, contractual conditions or health and security standards) labour market segmentation is the only likely outcome. On the other, if in average every company in the country needs to implement those strategies -due to an important international productivity gap- average employment conditions and wages tend to be worse than in the developed countries, resulting in poverty and low wages. In this context, Argentina fulfils both conditions. It faces an important international productivity gap and experiences an important internal heterogeneity of firms. Worst of all, this condition didn't improve in the last decades. As a result average labour conditions and wages, even in high employment periods, face a structural limit for improvement (related to the international productivity gap) and, due to the internal heterogeneity of companies, employment conditions and wages tend to be even worse in smaller enterprises. As a result, wages differential and labour market segmentation tend to be permanent, but for the same reason wages cannot guarantee that the employee is out of poverty. Hence, in this paper we will try to argue that macroeconomic and industrial policies are an integral part of the policies implemented to promote inclusive labour markets. To support those conclusions we will present data –since the seventies- on Argentina's manufacturing sector labour conditions such as wages, informality and segmentation, in comparison with United States, taken as a proxy of a labour market conformed by relatively homogeneous companies that do not in general require lowering their labour standards in order to compete.

Anupama Uppal (Punjabi U., India), “Deficits in productive employment in India in the post-reform era”

The global economic landscape has undergone immense changes in recent decades. The economic trends experienced during this period also had an impact on the ideas of 'the trickle down' thesis of the growth. Earlier it was generally assumed that the informal part of the economy would decline or disappear with modern industrialized growth. If this were true, then informalisation should decline with economic growth and development. But the recent experience of the developing countries has suggested that informal employment has grown in these economies during the past several decades even after experiencing respectable rates of per capita GDP growth. India, too, has been no exception in this case. The process of economic globalisation and liberalisation during the last two decades has reshaped the labour norms in the country. As a result, the share of the informal workers in total employment has increased tremendously. During this period, a significant part of the incremental employment is being generated in the unorganised sector, where working conditions are far away from being satisfactory. Most of these workers are poor and vulnerable. Thus, a huge deficit in productive employment exists in India and sadly enough, this deficit has become wider with faster economic growth. In this perspective, in this paper, an attempt will be made to explore such deficits among different types of workers as well as various sectors of the economy. This study will use the 'Employment Diagnostic Analysis' of ILO on the data provided by various rounds of NSSO (National Sample Survey Organisation) on 'Employment-Unemployment Situation in India'. Apart from it, the extent of poverty would be found among these workers. An attempt will also be made to explore the determinants of the deficit in productive employment in the country during the last two decades so that some policy suggestions can be made.

PS 5.7 (Room IX): *Growth in non-standard and low wage employment*

Chaired by Frank Hoffer (ILO)

Veronica Sheen (Monash U., Australia), “Social policies lean on deficits in labour regulation in Australia to fuel jobs growth and reduce welfare dependency”

A new OECD report (OECD, 2012) tells of the exceptional results that Australia has achieved in recent years in sustaining employment levels, increasing labour force participation, and reducing welfare dependency. The report also details the means by which these results are achieved: a growing pool of poorly regulated casual and part-time jobs, combined with social policies encompassing low unemployment benefits and vigorous welfare-to-work approaches delivered through a ‘marketised’ employment services system. This paper argues that these regulatory and policy settings should be considered with caution by other countries. These settings have created new classes of disadvantaged workers in Australia by consolidating downward occupational mobility for more highly skilled and qualified workers, while reinforcing existing labour market disadvantages for those already in lower end employment or outside the labour force. They have fostered the growth of casual employment, around 20 per cent of total employment, which falls outside the ambit of the National Employment Standards. It has fuelled the growth of underemployment which stands at 7.2 per cent of the workforce (the highest in the OECD) in addition to an unemployment rate of 5.4 per cent. There is also evidence that they have served to embed harsh labour processes in some industry sectors as a corollary of labour flexibility. Further, the paper considers how the regulatory and policy settings have had particularly pernicious effects on women, dampening claims for equal opportunity and placing women further behind on a range of economic and employment indicators including underemployment and job insecurity which are endemic in many feminized occupational sectors. The paper draws on primary research on women in insecure work as well as a range of secondary research and statistical material. While Australia may be weathering the present tide of subdued economic prospects across the globe comparatively well, its model may be setting the scene for longer term structural weaknesses and subverting an inclusive labour markets, inclusive growth agenda. Stronger labour regulation especially in relation to casual employment, better investments in human capital across the life course, and adoption of employment retention and advancement social policies will be needed for long term sustainable and inclusive economic and labour market outcomes.

Martin Dietz, Carina Himsel, Alexander Kubis, Anne Müller & Ulrich Walwei (Institute for Employment Research, IAB), “Skills shortages and the decline of standard work arrangements on the German labour market: A contradiction?”

Labour markets are dynamic in nature and subject to constant change. This becomes apparent in the composition of employment with respect to age, sex, qualification and (economic) sectors. Another important element of change can be seen in the increasing heterogeneity of work arrangements. Fixed-term contracts, (marginal) part-time work, one-person businesses and agency work are not on the fringes anymore but have become normality on the German labour market. Grounding on the German Micro-census of the Federal Statistical Office we show that changes in the composition of work arrangements are not a new phenomenon but follow a long-term trend which has not been interrupted by short-term cyclical changes. Even in times of strong economic growth the number of atypical work arrangements grows stronger than the number of standard work arrangements. During the economic crisis in 2008/2009 temporary work arrangements – especially agency work – suffered from a strong decline while standard work arrangements amongst others were protected by the intensive use of short-term work. Thus negative labour market responses remained moderate in Germany while the economy as a

whole was hit stronger than most of the other countries. With the recovering of the German economy agency work experienced high growth rates again and there is no indication that the long-term trend could change. One main issue of this contribution is to shed light on the underlying forces of these developments and analyse the composition of different work arrangements. We then approach the question how a trend that implies a growing uncertainty for workers and raises concerns about a decline in the quality of labour fits together with firms' growing complaints about skills shortages and difficulties to find workers matching their job requirements. Theoretical considerations would imply that an increasing competition between firms should lead to job offers with stable contracts and rising wages. In order to analyse issues of skills shortages we use data generated by the German Job Vacancy Survey. With respect to these seemingly contradicting developments we find evidence that the level of formal qualification is a key explanatory factor pointing to a segmentation of the German labour market. The results once again underline the importance of education, lifelong learning and qualification policies for avoiding skill shortages as well as insecure employment contracts and (persistent) unemployment.

Jens Stephani (Institute for Employment Research, IAB), "Does it matter where you work?: Employer characteristics and the wage growth of low-wage workers and higher-wage workers"

Using German linked employer-employee data and endogenous switching regression models, this paper provides several new insights on the wage mobility of low-wage workers and a possible segmentation of the labour market. First, I find that large firms and firms which are covered by a collective agreement or which have a works council provide higher individual wage growth for low-wage workers, while several other potential firm-level determinants cannot explain their wage growth. Second, the wage growth of both low-wage workers and higher-wage workers is dampened by a high share of low-paid co-workers. This indicates that there exist employers which pursue a "low-road" strategy that is decreasing the upward wage mobility of all of their employees. Third, certain establishments such as firms with a high share of highly-qualified workers or incumbent firms which are older than four years are providing higher wage growth only for higher-wage workers but not for low-wage workers. This result points to a certain degree of segmentation on the labour market. Summing up, this paper suggests that it may be necessary to investigate establishment-level heterogeneity more in detail in order to be able to identify further typical characteristics of wage growth firms for low-wage workers. For example, case studies might be a tool to identify specific personnel policies which help low-wage workers to move up. In addition, this paper shows that one cannot apply the existing theoretical and empirical knowledge about the determinants of the wage growth of individual workers to the wage growth of individual low-wage workers. This insight makes clear that any policy measure aiming at increasing the wage growth of low-wage workers needs to be specifically tailored for them. Furthermore, this insight suggests that the current understanding of the wage mobility of individual workers might be extended considerably by analysing this mobility at different quantiles of the wage distribution rather than at the mean. In the light of the global economic crisis and labour market trends such as polarization and rising wage inequality, this may be important for promoting more inclusive labour markets.

Dong Yan (Beijing Foreign Study U.) & Qian Wei (Peking U.), "A brief review on the recent amendments of China's Labour Contract Law"

On the 28th December of 2012, China's Labour Contract Law received its first amendment after four years of its enactment. As being indicated by the amendment, the legislature is about to

curb the widespread accounts of labour dispatching activities through implementing a number of new legal instruments, which includes lifting the threshold criteria for setting up labour dispatch business, applying the equal-pay principle to dispatched workers and administrating the ceiling of dispatched workforce in every individual companies. This article takes an initiative to exam this “hot off press” legislation in its social and economic context and then to portray its future challenges. With regard to the dramatic expansion of labour dispatch service, it is a conceivable that the top legislature has reservations about it and introduces new legislation to control it. However, since many powerful players in Chinese labour market, such as business leaders and local governments, are still favouring labour dispatch service in the name of promoting labour flexibility, implementing the new amendment remains questionable without their support. Therefore, one needs to foresee those challenges while reviewing the role of the Labour Contract Law and its amendment.

Parallel Session 8
Fri, 5 July: 11.00–12.30

PS 3.8a (Room III): *Inequality, growth, and labour market institutions: How much can they help?*

Chaired by Anil Verma (U. Toronto)

Yongjian Hu (Tianjin U.), “Can minimum wage regulation reduce wage inequality and working poor in China ?”

The past several decades have witnessed rapid economic growth in China. However, such a growth has been accompanied by the widening of income inequality and the erosion of working conditions, in particular for the lower part of the labour market. In fact, during China’s economic transition, there has been growing recognition of the importance of improving labour laws for reducing social tensions and developing “sustainable and harmonic social and economic growth”. Since the 1990s and 2000s, a series of laws and regulations including “Enterprises Minimum Wage Regulations” have been proclaimed by the Chinese government. Although it is widely believed that strengthening labour market laws can help to improve the labour relations and create decent work, there have been lacks of policy evaluations and concrete empirical evidence about the real roles of labour market regulations on improving the outcomes of the labour market during China’s economic transition. This paper focuses on China’s minimum wage system and its roles in reducing wage inequality and working poor. The analysis is based on “China Economic, Population, Nutrition, and Health Survey (CHNS)” for the years 2000-2009 and contains cross-section and panel studies. The paper tends to investigate two major issues: (1) has the Chinese government’s active minimum wage policies over the years helped reduce overall wage inequalities or merely narrow the wage differentials in the bottom half of the wage distribution?; (2) what is the relationship between minimum wage earners and their household income, and furthermore, can rising minimum wage standards reduce working poor in China? The first issue is further investigated by taking into account gender, informal and migrant workers’ perspectives. The second issue involves ‘working poor’ which is a relatively new concept in China. The paper is concluded with the policy implications drawn from our empirical research evidence. It is pointed out that although the minimum wage system in China is a useful tool to advance social equality, much work needs to be done, this includes: increasing the roles of trade unions in the procedure of fixing minimum wages, reduction in non-compliance with minimum wages, and more importantly, as the ILO points out in various documents that social dialogue and collective bargaining over wages are more effective to improve workers’ wages and working conditions.

Ratna Sen (Retired professor, IISWBM, Calcutta U.) & Uma Rani (ILO), “Institutions, wage, productivity and economic growth in India”

Industrial relations seem to have gone through different phases during India’s economic growth process: 1947-66, Government controlled and regulated industrial relations; 1967-80, crisis in the IR system – massive strikes, industrial conflict and how Government lost control over the IR system; 1981-1991, withdrawal of the Government from the IR system and rise of ‘independent’ enterprise unionism and the operation of several IR system at the regional level; 1992 to the present (post-reform period), different strategies adopted depending upon whether the enterprises are public, private or state, and limited to certain sectors. In this context, this paper attempts to address the role of institutions in improving productivity, wages and economic growth in India. It would examine how industrial relations (IR) have evolved in the Indian economy since independence. It would also briefly analyse the labour laws and regulations; the linkages between wages and productivity in the organized and unorganized manufacturing sector in selected industries; and wage policies that are applicable for the workers. It would also provide some examples of new forms of collective bargaining, which are emerging in the informal or the unorganized sector in India.

Susan Hayter (ILO), “Industrial relations, growth and inequality in South Africa”

Prior to the onset of the economic crisis, the South African economy had been growing at a reasonable rate. Changes to the Industrial Relations system in the period following the political transition in 1994 provided the basis for balancing labour relations and negotiating fair distribution of these gains. Sectoral Bargaining Councils replaced apartheid era collective bargaining structures and their scope was broadened to include the public sector. A statutory Employment Conditions Commission (with appointees from government, and organized labour and employers) was established to make proposals for sectoral determination on wages and conditions of work in unorganized sectors with a high share of vulnerable low paid workers. Yet in the period since democracy, wage and income inequality have increased exponentially making South Africa one of the most unequal countries in the world. Moreover the share of wages and compensation in the economy has declined. Struggles for higher wages have turned bitter and resulted in intractable and violent strikes and social instability. This paper addresses the relationship between industrial relations institutions, wage inequality and social instability in South Africa. It examines the limits and constraints on organized industrial relations in the context of a macroeconomic framework that placed the emphasis on macroeconomic stability rather than on distribution and jobs.

PS 2.8 (Room IV): *New policy strategies for informal workers: The case of home workers*

Chaired by Miranda Fajerman (ILO Jakarta)

Sara Charlesworth (U. South Australia), “Partial protection? The regulation of home care workers’ working conditions”

In most developed countries the majority of workers are covered by formal employment and labour regulation. Home care workers, who provide in-home domestic and personal care to the frail aged and other vulnerable groups, are a partial exception. This group of workers are often expressly excluded from certain minimum labour standards such as in North American jurisdictions or are entitled to poorer minimum conditions than other workers, including those in the feminised care sector, such as in Australia. Focusing in the main on the Australian case, the paper aims to contribute to better understandings of the broader regulatory context in

which remuneration and working conditions for home care work are negotiated and determined. It explores the following two questions: what are the historical and regulatory mechanisms that have produced current working conditions for home care workers and with what effect; and what potential is there within employment and labour regulation to address the marginalisation of home care workers. The paper draws on a recent Australian census & survey of aged care workers, including in community-based settings; an analysis of the federal Social, Community, Home Care and Disability Support Award 2010 that provides sector-specific minima for the majority of home care workers; and the equal remuneration case run under the SCHCDS Award, which excluded home care workers from the claim and the wage increases that followed its successful outcome in 2012. The paper also explores a recent innovation in government procurement that has the potential to provide improved working conditions for many aged care workers, including home care workers. The Aged Care Workforce Compact is — unusually for Australia — a tripartite commitment between the federal Government, unions and aged care providers to improve the capacity of the aged care sector to attract and retain staff, including through higher wages and better work practices.

Deok Soon Hwang (KLI), “Informal employment in care work in Korea”

The purpose of this study is to analyse the situation of informal employment in care work using the Korea Longitudinal Survey of Women and Families and to suggest policy measures to promote formalization of informal employment. This study focuses on care workers in domestic service or caring for children, the elderly, the disabled and the sick in the personal social service. Most care workers are female and low-paid workers. Another important feature of care work is the prevalence of informal employment, particularly in domestic work. Domestic work in Korea shows mixed picture of advanced countries and developing countries. On the other hand, the share of informal care workers in the formal sector is not negligible in Korea due to weak enforcement of labour and social security laws. Social insurance coverage is used to identify the informal employment in care work in this study. Most informal care workers are excluded from social insurances since their employers don't provide the coverage although almost all employed workers are legally covered by social insurances except for domestic workers. Domestic workers are institutionally excluded from social insurance coverage in Korea. The size of the firm, part-time work and the feature of employer affects on whether care workers are covered by social insurances in the formal sector. The priority of policies to tackle informal employment in care work is the formalization of domestic work by creating formal employment relationship. The strategy to create employment relationship may depend on the place of work, the number of households and the expected duration of employment. To promote employer compliance by 'carrot and stick' strategy is another important measure. The expansion of personal social service funded by the state contributes to the formalization since employers are required to provide social insurance coverage to participate in public social service provision. This study also shows that strengthening the role of non-profit organizations in care work can also help because they tend to offer better working conditions for their worker in Korea.

Monique Ramioul (U. Leuven), “The service voucher system as a means to regulate domestic cleaning in Belgium”

In 2000, the Belgian government introduced the service voucher system for domestic cleaning with two key objectives: (1) to promote regular employment in the neighbourhood services for groups at risk of social exclusion (2) to formalise undeclared work. Service vouchers are used as a payment system for cleaning services offered by organisations to private persons. Service voucher companies may be profit as well as not-for-profit (public or private) organisations. In

the EU FP7 project WALQING - Work and Life Quality in New and Growing Jobs –the effects of this formalisation on the job quality of domestic cleaners were assessed. To this aim, a sector study and an in-depth case study in a not-for-profit service voucher company were carried out. The formalised employment relationship between the service voucher company and the domestic cleaner that is established as a result of the service voucher system may create opportunities for improving the job quality. The analysis shows that this is indeed the outcome in the social profit organisations which use the system in line with its original objectives. These companies offer decent employment conditions (permanent contracts, decent working hours, holidays,...) as well as professional human resources services (training, mediation with the client) for groups of workers that are typically deprived of such benefits. The position of the workers remains, however, at risk in small for-profit cleaning organisations entering the sector. In response to the rapid growth of the number of service voucher companies and in order to tackle these problems, the industrial relations system and the legal framework for the service voucher companies have gradually become more institutionalised and regulated. The system is, however, under threat for a number of reasons. One is the fact that, due to the explosive growth of the system, costs are escalating for the federal budget (while abolishing the system would lead cleaners getting into informality again). Another danger is that regular jobs in adjacent domestic services, such as elderly care, may be driven out by the system.

PS 3.8b (Room VI): Wage setting regimes and wage measurement

Chaired by Patrick Belser (ILO)

Biju Varkkey (Indian Institute of Management Ahmedabad) & Rupa Korde (FLAME),
“Minimum wage setting and its impact on industrial relations in Asian countries: A cross-country comparison”

In the 21st century we are still facing critical issues in Human Resources Management and Industrial Relations. The major concerns today are of growing labour market disparities and problems of low-wage workers trying to move out of poverty and support their families (Budd, 2005). Low-paid workers face a high risk of working poverty. What remains is the issue of persistent poverty and the need for a particular policy response (Klaveren & Tijdens, 2008). In order to ensure that the wage earner is able to enjoy minimum standard of living, there is a need for government intervention in the form of minimum wage setting and ensuring that the worker receives it (Varkkey & Korde, 2012). The role of trade unions has been to ensure equitable wages for all and to ensure that labour is protected. But there has been a decline in the power and density of the Unions. Their bargaining power in most of these countries is restricted due to the presence of mostly enterprise - level rather than industry-level or national level. (Singh, 2008). This paper aims to study the mechanisms of minimum wage setting and nature of industrial relations using case studies of Asian countries based on data collected by Wageindicator.org (Wageindicator.org, n.d.). The minimum wage rates set by the countries are very close to market clearing levels and cover mostly employees in the organised-sector (formal) only. The structure of minimum wage system is also very complex. The labour market in the Asian countries are not as evolved as in the developed countries; and therefore, though the employers may pay minimum wages and declare legal compliance, the living conditions of workers and their dependents are well below par. Whether a model like Asia Floor Wage/Nation wage can tackle this problem is argument that needs assessment (AsiaFloorWage, n.d.).

Kea Tijdens & Maarten van Klaveren (U. Amsterdam), “The challenge of measuring wages globally, comparing individual and country-level data: Approaches and results from the WageIndicator data collection on work and wages in 75 countries”

In the globalizing world economy information about wages and their regulatory context is increasingly needed. ILO’s Global Wage Reports reflects the emerging interest in this topic. However, harmonized survey data of individuals across countries is scarce, data about pay levels in collective agreements is not collected in a country-comparable manner, and data on minimum wages is not systematically collected on a worldwide scale. Concerning regulatory information about working hours and leave arrangements, luckily ILO’s TRAVAIL Database of Conditions of Work and Employment Laws provides worldwide information. The Internet has opened new possibilities for data collection on a global scale and this paper takes up that challenge by elaborating the data-collections by the WageIndicator Foundation and its partners, jointly with the University of Amsterdam (www.wageindicator.org). In more than 75 countries, the Foundation employs national websites with information about decent work, minimum wages, wages earned by occupation, and related issues. These websites receive millions of web-visitors. The data posted on the websites is collected in a systematic way through a network of correspondents and vice versa the web-visitors are invited to complete a web-survey posted on the websites. Three kinds of data-collection are taking place, the first being individual level data-collection on work and wages by means of surveys, harmonized across countries. Web-surveys are in the national languages, are adapted to national peculiarities and are posted continuously on the websites, with a prize incentive inviting visitors to complete the survey. Representative face-to-face surveys are held in countries with poor Internet access rates. Second, using the network of correspondents, a harmonized country-level data-collection covers the national labour law and regulations concerning collective bargaining and trade union recognition, decent work, working hours and leave arrangements, and minimum wages. Third, in a growing number of countries collective bargaining agreement texts are collected, using contacts in employers’ organizations and trade unions, all coded in a standardized coding scheme. This paper first outlines the pros and cons of using the Internet for data-collection, details the WageIndicator websites and does so for its data-collection on wages. Second, for a range of countries descriptive findings concerning wage are presented, including details about gross and net wages, income earned by self-employed, payment period, payment in kind, payment modes (cash/bank account), contribution to and entitlement to various forms social security, access to medical insurance and healthcare, benefits and premiums, working hours, contractual hours, paid and unpaid overtime, and extensive hours of own-account workers. Third, for a range of countries the paper provides cross-country comparable data on minimum wages and related features. Fourth, the paper details pay levels agreed in collective agreements for a number of African countries. The paper concludes with a comparison of the wage information collected through different sources and provides judgments about their feasibility.

Adriana Marshall (Consejo Nacional de Investigaciones Científicas y Técnicas), “Wage setting regimes and inequality: Evidence from Argentina”

The “standard” institutional wage-setting regime that prevailed in Argentina from the 1950s up to the early 1990s was defined by recurrent state wage administration, and (when not banned) industry-wide and coordinated collective wage bargaining, both operating in the context of persistently high inflation. With economic liberalisation during the 1990s, inflation was controlled, state wage administration practically ceased, and collective bargaining became more fragmented, this being accompanied by rising wage inequality (Marshall, 2002). After the collapse of the liberalisation programme economic policies changed. Along with this change,

during 2003-2011 some of the standard historical features of wage determination were restored, namely active state intervention via minimum wage raises and other measures, and a more centralised and coordinated collective wage bargaining. The objective of this paper is to analyse the effects of this reinstatement of the earlier institutional wage determination model on the degree of wage inequality, considering also the influence of other factors, in particular the inflation rate. According to the guiding hypothesis, the degree of wage inequality depends on economic (the inflation rate, differential productivity trends, labour market variables), and institutional factors (types of trade union and state intervention in wage setting). State wage administration, industry-wide and coordinated bargaining, and high inflation may be expected reduce the dispersion of wage increases (across industries and occupations), and ultimately to reduce the degree of wage inequality. The paper is organised as follows. After presenting the analytical model (section 1), the evolution of the economic and institutional factors affecting wages is discussed considering two distinctive periods, 2004-2007 and 2008-2011 (section 2). The fact that certain of those variables (e.g. inflation) exhibit significant differences across these two periods while others do not, facilitates the analysis of the relative influence of the different independent variables on inequality trends. Next (section 3), wage inequality in the two periods is examined, using the pertinent indicators to characterise the evolution of the global degree of inequality (e.g. Gini coefficients), and of the dispersion of wage increases (e.g. coefficients of variation). Particular attention is paid to the comparative evolution of wages of workers covered by collective bargaining and of non-covered workers, and to possible mechanisms linking both. In addition, results from statistical analyses (section 5), considering a longer period along which the wage setting regime varied, are expected to highlight the respective influence of the various above mentioned independent variables on wage inequality trends. The study focuses in trends in the manufacturing sector (that adequately reflect those in the economy as a whole), for which information for the dependent and independent variables is more complete.

PS 4.8 (Room VII): Segmentation in and after the great recession

Chaired by Michael Reich (U. California, Berkeley)

Josep Banyuls (U. València) & Albert Recio (Autonomous U. Barcelona), “Economic crisis and labour market segmentation in Spain: Old tendencies in new scenarios”

The economic crisis in Spain has been accompanied by political decisions that have transformed radically the labour market regulations. Furthermore to the unemployment problem, working conditions for those who retain an occupation have changed considerably. At the same time, the situation of the traditional vulnerable groups in the labour market has worsened (such as youth, immigrants and women) and we should add other new groups that have had relatively better employment conditions (such as those engaged in the public sector). The deregulation process is combined with productive and management changes in the context of economic crisis, and all together are transforming the national employment model. From our point of view the labour market segmentation theory is a good framework to analyse the transformations that are taking place in order not only to describe the present situation but also the future prospective. The dominant economic perspective raises a reductionist view of segmentation in which there are two different groups of workers, the permanent and temporary and the cause of segmentation is the protective labour regulation. However, both statistical information available as case studies and business sectors clearly show that the process is much more complex and segmentation is also among permanent workers and temporality is only one factor, between others, of differentiation. The aim of this paper is to discuss the main determinants of labour market segmentation in Spain and the changes of them that are taking place in the current crisis. The transformation of the productive structure and the policies that are being applied represent

a substantive change in the context in which firms operate and labour management policies are implemented. Our goal therefore is twofold: to show the peculiar features of the Spanish economy that explain the process of labour segmentation, furthermore the temporality, and explore the changes on the causes of the labour market segmentation in the current crisis.

Samuel Rosenberg (Roosevelt U.), “Labor market segmentation and the ‘Great Recession’”

The ‘Great Recession’ was the longest and deepest economic downturn in the United States in the post-World War II period, with extensive unemployment and very high levels of long term unemployment. The economic recovery has been very weak with minimal net new job creation. Given this unique historical juncture, what has been the impact of the ‘Great Recession’ on labour market segmentation in the United States? This paper will determine whether there are changing patterns of segmentation and polarization and the extent to which the changes are due to the economic crisis, longer term structural factors, employer strategy and government policy. The paper will begin by investigating the patterns of job loss by age, gender, race, ethnicity, education and migrant status. While the pattern of job loss by demographic group is not necessarily evidence of changing patterns of segmentation, it will likely point to changing patterns of segmentation and increased worker insecurity. Given a more insecure workforce, the paper will then determine whether the ‘internal labour market’, often synonymous with long-term employment relations, is diminishing in importance. Data on job tenure will be investigated to determine the extent to which workers, likely to have been protected by internal labour markets in the past, experienced declines in median job tenure. Has the pay, benefits and job security of workers previously more protected by the operations of the internal labour market been threatened by the existence of a large unprotected labour force both in the United States and globally? Has there been a relative decline in middle level protected jobs? Government policy can cushion worker pay and protection from the impact of the economic crisis or can make workers more exposed to the economic crisis. The paper will analyse the impact of government policy on labour market segmentation. There are contradictory tendencies in federal and state policymaking. While the Obama administration has been willing to redress, at least to some degree, the imbalance of power between employers and workers and improve the social wage, many states have passed laws that roll back the power of public employee unions and make it more difficult for private sector unions to maintain their membership. The paper will conclude by drawing out the implications of the new patterns of segmentation for appropriate government policy to move toward more inclusive labour markets.

Damian Grimshaw, Lynn Holdsworth, David Holman, Sheena Johnson & Stephen Mustchin (MBS, U. Manchester), “The employment effects of the on-going UK economic crisis: Organisation-level evidence on business performance, employment practices and the quality of the work experience”

Despite the prolonged duration of economic depression in the UK, little is known about its short and medium-term impact on employment within organisations. Most empirical evidence relates to macro-level wage and employment trends (Gregg and Wadsworth 2010), downsizing in particular sectors (Grimshaw 2012) and training provision (Felstead et al. 2012). In contrast to coordinated employer/union responses in some European countries (e.g. Bosch 2011), responses in the UK tend to be highly varied. This paper contributes to our knowledge about UK employers’ responses to the recession by focusing on their use of wage and employment practices and the implications for business performance and employee experience and wellbeing. It draws on two original datasets: a survey of SME’s in NW England, and case studies.

The survey of 193 organisations targeted four sectors: aerospace manufacturing, software and IT services, call-centres, and public sector job centres and transport divisions. Key findings are that although changes to staffing (e.g., redundancies) were the most common response, employers varied widely in their use of other adjustment techniques, including working time, pay, job design and temporary contracts. Cluster analysis identified three distinctive types of response: i) downsizing response, ii) flexibility response and iii) downsizing-plus response. In addition, job quality for employees has worsened overall and the use of a 'downsizing-plus' approach to managing employment increased the likelihood of a worsened environment for fairness at work. Case study evidence highlighted the SME's external business environment and internal organisational norms as significant variables in understanding employer responses. The paper highlights the problems faced by SMEs seeking to sustain product demand, which often involves chasing one or two client businesses, offering cost incentives to renew contracts and investing resources to claim payments owed. Many cases appeared at the edge of an adverse ripple effect caused by a collapse of demand for products and services by 'hub' organisations. This causes considerable uncertainty, leading to decisions to reduce staffing and request employees to multi-task and work harder. Employees reported a pressure to appear committed to avoid downsizing. Overall, a lack of targeted government subsidies, absence of coordinated support from regional trade or employer bodies and credit freeze from banks have added to the sense of instability among employers. Our findings suggest that without a coordinated response – at sector, region or national level – it will be difficult for individual organisations to gain momentum to provide employment opportunities and decent standards of work.

PS 5.8 (Room IX)

Symposium: How do economic crises polarize the labour market? -- The case of Korea

Organized by Byungyou Cheon (Hanshin U.)

Chaired by Hyun Bang Shin (LSE)

This session deals with the issues of growing poverty and labour market inequality in the context of the Asian economic crisis around 1997 and the world financial crisis of 2008. As Korea has experienced great economic and social changes encountering two economic crises for the last two decades, deindustrialization and labour market dualization have proceeded. Although Korean government adopted various antipoverty policies, it doesn't seem to succeed to prevent increasing inequality. The earnings inequality in the labour market of Korea is the highest in OECD countries. With the unprecedented enlargement of higher education, the wage inequality has increased since mid-1990s. On the other hand, there has been the jobless growth in manufacturing sector and the rapid growth of low wage jobs in social service sector in Korea. The research underlying these three papers is supported by the National Research Foundation of Korea funded by the Korean Government.

Shin-Wook Kang (KIHSA), "Changes in industrial structure and growing inequality in Korea "

This paper investigates the hypothesis that the growing labour market inequality is mostly due to the rapid changes of industrial structure after the Asian financial crisis in 1997. The effects of de-industrialization on wage inequality will be detected in various ways.

Byungyou Cheon (Hanshin U.), "Economic crisis and labour market dualization in Korea"

This paper tries to empirically confirm the dualization of Korean labour market in relation with the crises. It is said that the labour market dualization has worsened in Korea facing with the two crises. The paper will show that the share of the primary market decreased, the instability of secondary market increased, and the mobility between two sectors decreased.

Jiyeun Chang (KLI) and Hyunjoo Lee (KISHA), “Exits from poverty and labour market integration in Korea “

This paper analyses the social integration effects of anti-poverty policies for working age population in Korea. The social assistance for the able-bodied poor has been expanded since the 1997 Asian economic crisis. Since then, cash benefits have been criticized because it fails to reintegrate the beneficiary into labour market on the one hand. On the other hand, strong activation imposed to the beneficiary has turned out to be less effective to help them to exit from poverty in the long run. This paper investigates the relationship among getting benefits, exiting from poverty, and labour market reintegration.

Parallel Session 9

Fri, 5 July: 14.00–15.30

PS 1.9 (Room III): Labour law at the frontline: Emerging or under siege?

Chaired by Philippe Marcadent (ILO)

Sean Cooney (U. Melbourne), Sarah Biddulph (U. Melbourne) & Ying Zhu (Australian Centre for Asian Business, U. South Australia), “Law and Fair Work in China”

This paper is based on our recently published book, *Law and Fair Work in China* (Routledge 2013), which examines the evolution, structure and enforcement of China's fundamental labour standards over the last 100 years. The analysis focuses on the regulation of pay and working time. In this presentation, I will discuss the concluding observations of the book, with particular emphasis on: - in relation to evolution, the historical relationship between Chinese work law and international standards on pay and working time; - in relation to structure, the hierarchy of protection in China's work law (the distinctive rules of inclusion and exclusion) and ; - in relation to enforcement, the oscillation between formal legal compliance strategies and the use of extra-legal strategies, such as mobilization campaigns. The presentation will conclude by outlining challenges for the future regulation of work in China.

Diane Frey (National Labor College), “The shrinking scope of public sector bargaining: Does motivation matter?”

There is little disagreement that public sector unions and collective bargaining have been under increasing attacks since 2008. Yet, making sense of the myriad approaches and motivations for modifying public sector bargaining rights remains a puzzle. Much of the literature on recent changes in rules of public sector collective bargaining focuses on financial/budgetary motivations behind the changes (Lewin, Kochan & Keefe 2012) or attributes the changes to Republican Party anti-union ideology (Freeman 2012). Another framework for examining changes to union rights in general and public sector collective bargaining in particular uses human rights and International Labour Organization (ILO) standards to evaluate changes in U.S. domestic labour laws (Compa 2012). Using this approach shifts the focus so that policy debates occur within the context of well-established international labour standards. The aim of this paper is to explore whether motivation matters when it comes to legislation diminishing public sector collective bargaining rights. The paper examines Democratic Party-sponsored changes to public sector collective bargaining rules in Massachusetts based on ILO standards. Unlike Wisconsin and several other states, Massachusetts has not enacted legislation to directly attack or dismantle public sector bargaining. Instead it has modified bargaining rules for specific circumstances such as for underperforming public schools or for public sector employee health insurance. These laws ostensibly allow collective bargaining but limit the scope of bargaining

subjects and establish strict bargaining timelines and impasse procedures. The paper argues that while the Massachusetts reforms unlike those enacted in Wisconsin and elsewhere are not direct attacks on collective bargaining rights and are not cloaked in anti-union ideological rhetoric, the reforms are nevertheless contrary to ILO standards governing freedom of association and collective bargaining. Further the paper argues that the absence of openly hostile intentions may contribute to union failure to adequately respond to the changes since unions may underestimate the detrimental consequences of the reforms. Following the introduction, part one of the paper sets out the standards governing freedom of association and collective bargaining established by the ILO. Part two contrasts legislative changes to public sector collective bargaining in Massachusetts with initiatives in Wisconsin, Ohio and Michigan. Part three compares these changes in collective bargaining laws to ILO standards, and finally, part four draws the conclusion that consequences matter as much as intentions when it comes to legislation that diminishes public sector collective bargaining rights.

Maryam Zaheri (Kassel U.) & Saeid Dehghan (Vakilroaya law firm), “Iran’s steps towards regulating the decent work”

The evolution of labour law in the world indicates that the main source of this law was the protection of worker's rights. This protection is essential in order to support the social and economic balance between worker and employer. Therefore, the labour law basically categorize among the most supportive law. Furthermore, globalisation and new socio economic change in the world and its impacts on labour market require the transformation of labour law. In addition to the former responsibility of the state in setting of labour standards and workplace relationships, the decent work introduce the new face of responsibility to the government which is providing decent work condition for all people, and in other sense, providing productive employment. Iran as one of the first countries that joined ILO began its initiative steps in implementation of decent work agenda with the support of labour and social institute affiliated to the ministry of labour in 2001. This trend continued in 2003 by entering the decent work concept to the professional circles such as the fourth national labour conference in 2003. Following to that the article 101 of the 4th regulation on national development plan allocated to decent work, hence the decent work concept officially entered to the macro-level policy of the country. However, according to this regulation the main responsibility on enforcement of decent work agenda had been delegated to government. The government provided the bill on decent work and delivered it to parliament for final ratification in order to become an ordinary law, but this process has been stopped in the macro-level policy and still has not become the ordinary law since 6 years. Therefore, one of the questions that this paper is going to answer is that what are the causes and obstacles of this 6 years silence? There are many reasons for such along silence that the paper identifies some of them here; 1) On the one side, the labour law reform in Iran performing in a traditional way and considering the minimum demands of labours and employers. On the other side, these reforms do not emphasise the full dimensions of decent work but more focused on decent wage. 2) Freedom of association as one of the fundamental standards for implementing decent work do not completely enforce in Iran. Moreover, it should bear in mind that Iran did not ratify the convention⁸⁷ of the ILO about freedom of association; hence the enforcement of this fundamental standard has remained silent as well. 3) The labour policies in Iran more concentrates on statistical employment, small and early return enterprises and public job search instead of productive employment. 4) Social dialogue as one of the objectives of decent work is not being fully enforced in Iran; firstly because of the tripartite consultations that do not occur in a real and effective way due to the limitations for trade union activities, secondly the enactment of regulation in the field of labour policies and workplace relationships is a top-down approach. 5) The rules and regulations in

labour relation do not integrate and support the meritocracy and decency in the workplace. 6) Diversity of the governmental and non-governmental organizations, public and private institution along with semi- public and semi-private institution leads to the diversity of regulations in labour law. This diversity reached on rules controversy and incomplete implementation. In addition to these reasons, the paper is going to analysis the measurement of Iran towards implementing of decent work agenda into the national legislation. In order to measure the effectiveness of legal norms and comparing the law on books and law in practice, this paper is going to examine the current strategies and policies of Iran towards implementation of related law in decent work. This will consider the programs of labour ministry toward implementing decent work, the strategy of "Iranian worker- Iranian production" and so on and so forth.

PS 2.9 (Room IV): *State and non-state regulation for social protection*

Chaired by Ian Orton (ISSA)

Dennis Arnold (Maastricht U.), "Precarious labour and social protections in Mekong Southeast Asia"

Labour and social protections are increasingly elusive across Continental Southeast Asia, despite continued economic growth. Indeed, many state officials and development planners deem precarious (informal) labour as a necessary pre-condition for economic development. From this perspective states are central in creating and reproducing workers' precarity. In the absence of social guarantees derived from the state-worker social contract, worker-led and community-centred networks are critical. The paper is organized around case studies of migrant factory workers in Dong Nai, Vietnam and Mae Sot, a Thailand-Myanmar border town. In Vietnam numerous social and economic entitlements are tied to household registration policies, while tripartitism is increasingly the mode through which labour and social protections are accessed. At the Thailand-Myanmar border migrants' precarity is shaped by citizenship-derived exclusions and regulation of migrants by the police and army. In both cases wildcat strikes are common. Alongside or independent from strikes, many light manufacturing workers' have initiated social protection mechanisms segmented by social citizenship, ethnicity, geographical origin and gender. In Vietnam some groups of rural-urban migrant workers are known as "nyom dong huong" (literally group same countryside, or "commune networks"). These groups' engagement with trade unions is at an early phase. In Mae Sot local Burmese labour organizations have been effective at cultivating workers' networks and collective power to help workers 'do things for themselves' at work and in the community. The case studies demonstrate that social solidarity is fundamental in addressing precarious labour and social protection gaps. A better understand of workers' initiatives and networks reinforce efforts to improve international regulatory capacities to deliver on universal social, political and rights. The paper aims to contribute to developing a global lens to view social and labour security without grafting unitary or rigid analytical contours across local-national-regional scales or contexts. Central is the principle to strengthen workers' power to shape the content of international regulatory frameworks.

Fernando Groisman (U. Buenos Aires & CONICET, Argentina), "Labour informality and segmentation in Argentina: The role of new social protection initiatives"

The main objective of this paper is to analyse the effects of income transfer policies implemented in Argentina during the last decade –after the crisis of 2001-2002–. The aim is to provide evidence about the incentives/disincentives these policies might have generated regarding the labour market and contribute to the estimation of their effects on employment,

wages and their distribution with special emphasis on the informal sector. The paper is inspired by the growing accumulation of international evidence about the implications on the functioning of labour markets exerted by different social protection schemes as well as the renewed interest in the effects of various labour norms and policies. The implementation of the Pension Plan Inclusion and Universal Child Allowance (which have achieved a combined coverage of about 15% of the population) in Argentina provide a good opportunity to explore this subject. We will proceed to estimate the determinants of leaving-entering economic activity for the target population of the two mentioned income transfer programmes. Furthermore, we will assess whether such programs represented an incentive in favour of informal employment for the different household members and for specific groups of workers – e.g. domestic workers–. The paper will distinguish the different macroeconomic phases that can be identified in the period from 2003 to 2012. We will take into account the changes in labour, social protection and other relevant policies as well as the existence of regional differences. In addition, we will resort to a comparative perspective which will take experiences from both industrialised and Latin American countries into account. The data used stems mostly from the Permanent Household Survey (EPH) which is undertaken by the National Institute of Statistics and Censuses (INDEC). In the continuous EPH (in force since 2003) there are four rotation groups, one of which enters the sample and one of which drops out each quarter. Each household is surveyed in two successive quarters, drops out of the panel for another two quarters, and then is incorporated again for the next two quarters. We will take these considerations into account when conducting the longitudinal analyses.

Agnes Ndungu (PhD Candidate, Nelson Mandela Metropolitan U.), “The role of Labour Law in regulating informal work in South Africa”

The role of Labour Law in regulating informal work in South Africa: An analysis of the proposed Labour Amendment Bills Of all the challenges that the Republic of South Africa faces, persistently high levels of poverty mainly brought about by unemployment and decent work deficits has remained a dominant issue. Each year since 2009, President Jacob Zuma during his annual ‘State of the Nation Address’ has emphasized the creation of decent work and reduction unemployment as being critical to the nation’s economic policies and also job creation policies with an objective of ultimately reducing the high levels of poverty. Decent work deficits are manifest in the steady rise of informal and precarious employment – temporary, contract based or jobs which are overseen by ‘labour brokers’. In the year 2012, the extent of this problem was highlighted even further by the increasing labour unrests in various sectors the most memorable being the strikes in the mining sector which resulted in the deaths of 45 people. These unfortunate deaths raised questions about the present labour law system and also emphasized the fact that the long awaited labour law reforms which were first proposed in the year 2010 are long overdue. The Amendments for the Labour Relations Act, the Basic Conditions of Employment Act; and the Employment Equity Act and the proposed Employment Services Bill have at their core the objective of ensuring decent work for all. The bills acknowledging that it is critical to address informal and precarious work contain provisions that aim to ensure that vulnerable categories of workers receive adequate protection and are employed in conditions of decent work, by regulating sub-contracting, contract work and outsourcing”. This paper presents a critical analysis of the proposed Amendment Bills especially with a view of how the proposed Bills will promote decent work in South Africa with a view of ultimately reducing the high levels of poverty and unemployment.

PS 3.9 (Room VI): Working conditions and well-being of workers

Chaired by Duncan Campbell (ILO)

Pablo de Pedraza (U. Salamanca) & Martin Guzi (IZA), “Subjective well-being of Spanish workers: Continuous voluntary web survey examination”

This paper studies subjective well-being determinants focusing extensively on the role of working conditions. A large dataset on Spanish workers was obtained from web surveys conducted between 2005 and 2011. First, data quality was tested against a traditional probability survey. Owing to a large sample size, estimates from a life-satisfaction model with standard variables confirm that results based on web-survey data align better with findings generally accepted by the existing literature. Second, we augment the model to explore the role of work-related explanatory variables not commonly included in traditional surveys. It is found that job and family life satisfaction display very strong impact on general life satisfaction. The paper goes further and identifies the channels of transmission through which family life and working conditions affect life satisfaction. Among other results, a positive impact of Trade Union membership is found. Finally, the paper also provides opportunities for future research by encouraging communication between life-satisfaction researchers, labour economists and web survey methodologists.

Andrea V. Suarez Maestre (Buenos Aires Ministry of Labour), “The research as a participatory field in working conditions: The experience of Bialeto Massé Contest in Buenos Aires, Argentina

Since 2009, the Ministry of Labour has carried out a research contest about work conditions. The main aim of this program called “Concurso Bialeto Massé” is to encourage professionals, teachers, researchers, workers and unions to investigate and analyse the pair “work” and “health”. Along its three editions were held over 70 essays on very dissimilar occupations of the public and private sector. In the first group, the studies show the situation of teachers, maintenance staff of schools, hospitals and trains, nurses, doctors, radiologists, software programmers and network administrators, police and shipyard workers. In the private sector, the research includes: supermarket employees, fishermen, workers in the fish processing industry, domestic workers, persons with disabilities, cattle workers, toll workers, bus drivers, fashion designers, family farmers, seamstresses, brick oven workers, construction workers, metallurgical workers, telecommunications technicians, clay quarry workers, admission and permanency control workers, recovered business’ workers, horticultural migrant workers, plastic workers. Although the researches have considerable differences in the scientific quality, the theoretical approaches used, the complexities of each activity in general and in the work process in particular, a first reading of these publications allow finding agreement about the topics that should be included in the political agenda, especially in reference to the Social Dialogue. The researches analysis shows the importance of an active role of workers in the prevention actions and in work organization’s decisions. The proposals have been an important input to support the regulations for creating joint mandatory committees. Also, it has allowed updating the debate between unions, employers and government about new forms of capitalist production, global labour market and the coexistence between traditional forms of employment with other atypical ones. This paper presents a first evaluation of the program, highlighting the common points that the researches demonstrate and the particular situation of each sector. In addition, it enumerates a series of questions that appear throughout the process of knowledge construction and the design of public policies.

Md. Zohurul Islam & Rizwan Khair (IGS-BRAC U., Bangladesh), “Worker compliance: Evidence from selected enterprises, DEPZ, Bangladesh”

Among the eight Export Processing Zones in Bangladesh, DEPZ is the second largest in terms of area, capacity and investment opportunities and it plays a vital role in Bangladesh perspective, in terms of employment generation and export orientation. In view of legal framework related to workers' rights, workers are allowed to join in trade union to ensure their welfare and human rights. Promulgation of Industrial Relations Ordinance, 1969 and Labor Act, 2006 came to be of great importance as workers found legal grounds to bring their rights into practice. This study measures actual 'compliance in terms of minimum wage, weekly working hours, different types of leaves, and benefits of maternal leave and other compensation packages. The aim of this study is to explore the industrial relationship in DEPZ in terms of employees' compliance to workers benefits. To obtain research objectives, a structured questionnaire as a research instrument has been used to collect data from enterprises' respondents. This study surveyed selected four enterprises within DEPZ and the sample size was 240. The selected four enterprises are: 'YKK'; 'Youngone'; 'Experience'; and 'Alfa Pattern BD Ltd'. The categories of the respondents are: helpers, operators, supervisors, and line production managers/equivalent (operational level employee only). Observing practices in those enterprises, it has been found that working environment in DEPZ and minimum wage structure are at a satisfactory level.

PS 4.9 (Room VII)

Symposium: Trade union organization of vulnerable workers

Organized by Stefania Marino (U. Manchester)

Chaired by Edward Webster (U. Witwatersrand, South Africa)

The trade union movement is facing multiple challenges, mainly as a consequence of changes in the economic sphere affecting the labour market from a structural and normative point of view. Phenomena such as the increase of international migration and the rise of new forms of employment have led to ruptures within the workforce in different and often competitive components. Hence, unions have problems in defining and aggregating interests that are less and less homogeneous while 'vulnerable' workers are less inclined to join the union due to their weaker position related to increasingly non-union employers. This leaves these workers underrepresented in the labour market and in workplaces, further weakening their position and widening inequalities. This special section focuses on the relationship between trade unions and vulnerable workers starting from the idea that the question of voice and representation is key to the manner in which regulation impacts on the position of precarious workers within the labour market and at work. The section focuses on two interrelated dimensions. First, it provides contributions on trade union actions towards disadvantaged groups of workers, including migrant workers, women and atypical workers in general. The focus here is to understand trade union roles in promoting these workers' interests in the labour market and at work, as well as their inclusion in economic and social spheres. In addition, the section explores the extent to which trade union action towards these groups of workers has the potential to promote wider changes within the organization itself and in the systems of employment relations. The session's papers illustrate that trade unions are not determined by wider contextual changes and external factors but remain influential actors that have certain leeway in deciding how to use their efforts and resources against external pressures and challenges.

Miguel Martinez Lucio (U. Manchester), Stefania Marino (U. Manchester) & Heather Connolly (U. De Montfort), “Inclusion and Regulation: Legacies, memories and cultural dimensions in the manner in which organised labour responds”

The way trade unions respond to migration and social inclusion may cover a range of practices and processes although these may not always fit coherently (Hardy and Fitzgerald, 2011; Martinez, Lucio and Perrett, 2009). Hence the issue of regulation has to be mapped in a new and more novel way (MacKenzie and Martinez Lucio, 2005). One cannot just measure the role of the state in any quantitative manner and read off from it the possibility for social inclusion strategies, whether existing or not – especially as the state is composed of various complex levels and institutions along with competing legitimating projects (Jessop, 2002). The issue of social inclusion is not based, solely, on the need to develop social inclusion strategies and to legitimate them. The type and focus of social inclusion strategies that are developed by specific actors and with what support and evaluation strategies is equally important. Social inclusion covers a range of themes – education, labour market access, social support, political voice and others. The question of co-ordination and development is therefore central, especially as is sustainability as a major problem in the development of social inclusion strategies. What is more when thinking through issues of regulation we need to understand not solely questions of articulation but ways in which established regulatory practices, parallel forms of regulation, and historical legacies of previous practices frame the way organisations develop and establish strategies. The way practices and traditions of struggles are forged create a template upon which innovation is mediated (Wrench, 2004). Yet within this the cultural practices of unions and the way in which they create an image, memory and rationale for their presence and the way they represent new groups of workers is important. Within such practices and narratives there are tensions as the trade union and other organisations create a lineage and link between various aspects of identity and its struggle to cope with greater levels of difference in the workforce. Yet at the same time the traditional sphere of its activities are ambivalent enough in some cases to find innovative and imaginary practices that forge the basis of a new link with the 'outside' and the basis for 'innovation'. The paper will illustrate such developments with reference to Spain and the United Kingdom. This paper is linked to ILO special sections “Trade union and vulnerable workers, benefits and challenges of new forms of representation”

Valeria Pulignano & Nadja Doerflinger (KU Leuven, Belgium), “A head with two tales. Trade unions’ influence on temporary agency work in Belgian and German workplaces”

Temporary agency work (TAW) in Europe has become an interesting aspect of employment policy. Scholars as Berg (2008) argue that permanent employment contracts and collective agreements regulating and guaranteeing wage equality could improve the situation of agency workers. The importance of permanent employment contracts in the flexibility-security “trade-off” is also emphasized by Storrie (2007). Bercusson (2008) and Mitlacher (2007) illustrate how different degrees of national regulation affect the deployment of TAW and that little can be done at the organizational level to improve the security of these flexi-workers. Based on comparative case study analysis of four similar Belgian and German workplaces within two multinational companies in manufacturing, this paper argues that union contributions in reducing vulnerability for agency workers is crucial. However, societal differences between systems of workplace representation and the different degree of changes occurring in the structure of collective bargaining influence the modalities and practices used and the degree to which TAW can be favourably deployed. Particularly, in Belgium management’s (and trade unions agreement of the) degree of deployment of TAW was limited, and mostly subject to maximizing the guarantees for work security for the flexi-workers through the unions’ negotiating practices

of training and career prospects with local management. By contrast in Germany, the use of flexi-workers put pressure on the working conditions of “core” workers who had to guarantee (wage) flexibility adequate to gain in competitiveness versus the use of flexi-workers. Societal differences in the systems of collective representation and bargaining explain the diverse union strategic engagement and contribution to reduce worker vulnerability for TAW at the subsidiary level of the same multinationals. Belgian trade unions adopted approaches that were tied to their distinctive identities and resources which can be traced to preserving centralized (sector-based) bargaining structures and social rights. They pursued a more encompassing strategy aimed at incorporating agency workers into central agreements while negotiating medium-long term perspectives of employment for them at the local level. Union action was used to push for local negotiation. Conversely, in Germany union strategy focused on preserving the works councils’ influence at the workplace, reflecting the traditional plant-level co-determination system which recognizes the independent position of the works councils vis-à-vis the union. The progressive advancement of opening clauses in collective agreements led to the unexpected shift of bargaining power from sectoral interests’ representation to works councils. As their primary concern is not so much inter-firm solidarity but preventing the downsizing of the workforce, flexible working time and wage cuts for the core workforce on one side, and high share of agency workers on the other side became functionally equivalent. Therefore, works councils were free to agree on plant-level compromises, in which acceptance of TAW was traded against maintenance of core workforce privileges.

Isabel Tavora (U. Manchester), “British trade unions and gender equality: Strategies and barriers to mobilization”

This study explores the specific strategies employed by British unions to promote gender equality in the workplace and uses Kelly’s (1998) mobilization theory as a framework to identify barriers to union action. It draws on twenty in-depth interviews with union paid and lay officers from seven large UK trade unions. The interviews reveal that the strategies and commitment to equality vary widely both between and within trade unions. However, traditional processes and resources such as collective bargaining and industrial action appear to be consistently less favoured by trade unions as strategies to promote equality than public campaigns, political lobbying and supporting members in litigation. This may be because of the restrictive legal framework of employment relations in the UK but this is probably only part of the story. The interviews reveal problems in the different stages of mobilization. In the first stages, women who experience discrimination do not always recognize the grievance as such and do not feel entitled to have it redressed. Even with the union’s encouragement, women often feel reluctant to take action. Despite the scope for a collective approach of women sharing similar experiences, the fact that these are not always shared with their male counterparts constitute a further barrier to mobilization. Indeed, the interviews provide several accounts of resistance and tensions created by union’s equality initiatives. Moreover, the implementation of the single status agreement in local authorities showed that achieving gender equality may in practice require the worsening of the conditions of some male workers. When equality concerns are not shared between men and women members this may inhibit union action, particularly if this is likely to expose conflicting interests. The contextual circumstances of the recession created further barriers to mobilization on gender equality. The interviewees reported that despite union campaigns to combat public sector cuts - which could have a greater impact on women due to their strong presence in public sector employment, these efforts were in fact diverting union attention and resources from equality. This article highlights the need to acknowledge the tensions and dilemmas that may hinder union equality action. This is of particular value for research and trade union policy. With women now representing almost half

the UK workforce, the success of union revitalisation strategies will depend to a great extent on how they handle these tensions and resolve these dilemmas.

Heather Connolly (U. De Montfort), Stefania Marino (U. Manchester) & Miguel Martinez Lucio (U. Manchester), “Justice for Janitors ‘goes Dutch’: Organising and regulation as competing approaches and political narratives?”

Since 2005, the parts of the Dutch trade union movement have taken up the strategy of ‘organising’ to recruit new groups of workers and as a broader strategy for union renewal at the grassroots level. This approach has introduced a debate into the Dutch union movement about adopting supposedly more militant/confrontational strategies – unusual in the Dutch context that has been referred to as an example of “corporatism par excellence” (Lehmbruch, 1979) or “responsive corporatism” (Hemerijck, 1995). This paper presents a case study of a successful organising campaign in the Dutch cleaning sector and discusses the short term and long-term effects of such a campaign. The first part of the paper develops a discussion around organising, identifying the main debates and issues, and the gaps in the literature – particularly around the transfer of organising approaches across countries. In the case of the Netherlands, the question emerges around the position of organising within a relatively corporatist model of industrial relations. The paper attempts to fuse the organising literature with the corporatist literature as an example of a debate focused on formal exchange roles between unions, the state and employers: we consider this to be a novel contribution of the paper. The second part of the paper outlines the model of industrial relations and trade unionism in the Netherlands and considers the weaknesses in the Dutch model particularly in terms of union weakness of representing workers who remain outside regulated spaces. The remainder of the paper discusses an emerging strategy within the Dutch trade union movement of adopting Anglo-Saxon-style organising campaigns. The paper looks at a recent case study of organising in the cleaning sector and analyses its impact on workers’ conditions and on the traditional modes of action within the Dutch trade union movement. The paper shows that the organising approach in the Netherlands has been the outcome of active individuals who have established a community of interest and networks around organising and is also the outcome of international links with the Service Employees International Union (SEIU). The approach has been successful in some sectors leading to the improvement of working conditions and increased membership. It has also stimulated organisational changes within the Dutch trade union movement and has potential long-term implications for the institutionalist tradition of industrial relations in the Netherlands. However, the paper also argues that there are limits to adopting an organising approach in terms of managing internal tensions within the unions, the relevance of the approach in traditional sectors and the long term sustainability.

PS 5.9 (Room IX)

Symposium: Informality and inequality dynamics in Latin America in the new millennium: Characteristics and associated factors

Organized and chaired by Roxana Maurizio (Universidad Nacional de General Sarmiento and CONICET, Argentina)

Discussant: Janine Berg (ILO)

The high rhythm of economic growth experienced by Latin America during the new millennium has had a positive impact on labour market and social indicators. This has become evident through the dynamic creation of employment, the reduction of unemployment, the fall of income inequality and lower poverty and extreme poverty incidence. At the same time, several countries have experimented a strengthening of certain labour institutions and an extension of the coverage of social protection. However, even in this positive context the region as a whole

continues to exhibit extremely high levels of inequality, labour precariousness and social vulnerability. Given the importance of the labour market in the generation of household income, precarious labour situations frequently derive in poverty and social exclusion. For this reason, the analysis of the dynamics of inequality and informality, and their links, acquires essential relevance in the region.

The objective of this session is to discuss the dynamics of the labour market as well as the effects of the implementation of social protection policies in Latin America during the new millennium. Related to the first topic, two phenomena that are closely interconnected will be discussed: the evolution of labour informality and wage inequality. On the side of social protection policies, the analysis will focus on the distributive impacts and the effects on labour informality of the cash transfers for households with children, which has been established as pillar of social policy in the region.

The discussion around these topics will allow having an exhaustive panorama of the importance of the labour market and social protection policies have had in these countries during the recent period of high economic growth. At the same time, the analysis of the income sources that explain the anatomy of distributive changes will contribute to the evaluation of the sustainability of this path in the future.

Verónica Amarante (ECLAC-Chile), “Income inequality in Latin America: A factorial analysis”

Roxana Maurizio (Universidad Nacional de General Sarmiento and CONICET, Argentina), “Labour formalization in Argentina and Brazil in the new millennium. A dynamic approach”

Sarah Gammage Sarah (ILO) & Tomás Alburquerque (Universidad de Chile), “Poverty, inequality and social policy in Chile”

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THE THIRD CONFERENCE OF THE REGULATING FOR DECENT WORK NETWORK

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und Qualifikation* (IAQ).

The global financial crisis continues to generate spiralling unemployment, precarious work, inequality, and pressure on collective bargaining, threatening economic and social stability in many parts of the world. Unease about the austerity agenda is accompanied by a growing recognition that the post-crisis world should not return to «business as usual.» Rather, more effective and balanced models should be adopted, which would integrate employment creation in growth policies and meet equally important objectives: equity, security, job quality. While emerging and developing economies have escaped the brunt of the recession, the debate continues on how to extend labour market institutions into the informal economy, with a focus on particularly vulnerable groups, such as domestic workers. The influence of multinational enterprises in these countries, meanwhile, sustains an ongoing reflection on the role of non-state actors in regulating labour markets. At the global level, a striking feature of recent policy discourses is the use of legal indices to evaluate and compare labour law regimes. These indices are increasingly relied on both to underpin policy guidance and to justify legal reform.

The 2013 RDW Conference will examine the role of labour market regulation when job creation is the paramount objective, with a special focus on four thematic issues: (a) Comparing and evaluating labour regulation systems; (b) regulating informal work; (c) industrial and employment relations for inclusive growth; (d) new patterns of segmentation and new challenges for promoting inclusive labour markets.