

Report of the President – July 24, 2010

The President thanks the Canadian colleagues for the brilliant organization of the meeting at Herstmontceaux, UK, and congratulates all the participants in the Workshop, who offered very interesting papers and a very stimulating discussion about *Corporate Governance Law and Employee Rights: Comparative Perspectives*.

1. The present situation as regards the exchange of journals and the website

- a. The attached table “Exchanges of copies” (as part of the present minutes) has been distributed and discussed.
- b. The President illustrates the exchange of journals involving *Lavoro e Diritto* (journals received and sent on a regular basis) and underlines how the journals received by *LD* are collected in the *Emeroteca* of the Publisher il Mulino: one of the most extensive libraries in Italy for Journals in the humanities, political and social sciences, accessible to the public (<http://www.mulino.it/biblioteca/emero.htm>)
- c. The President notes the important role and contribution of Kathryn Kellner of Lancaster House, Toronto (publisher of *Canadian Labour and Employment Law Journal*) in acting as Webmaster of the website of the Association; all the attendees join the President in expressing thanks and congratulations to Kathryn and the hope to continue enjoying her collaboration.

2. Results of the Call for Papers launched in 2009

The Call for Papers was decided in Sydney in August 2009 and on that occasion it was also decided to name it after Marco Biagi. The Call has been published on the website, in a number of journals of our Association and on some Labour and Social Security Law international websites. Eight papers were submitted from four countries, written in two languages.

This year, therefore, success has been significant both in terms of quantity and quality. The academic jury, composed of Professors Manfred Weiss, Matthew Finkin and Gian Guido Balandi evaluated the papers and decided as follows:

The winner of the Marco Biagi Award for 2010 is Ms. Virginie Yanpelda of the Université de Douala, Cameroon, for her article entitled “Travail décent et diversité des rapports de travail”.

Using Cameroon as an example, Ms. Yanpelda considers whether and how the goals of the International Labour Organization’s decent work agenda can be realized in the context of an African country where most work relationships do not fit within the traditional concept of employment. She emphasizes the diversity of the “African reality” in that regard, and suggests strategies on how to cope with this reality in a way which will accord with the goals of the decent work agenda. To that end, her analysis indicates that both national and international concepts have to be rethought.

Ms. Yanpelda’s well-structured article addresses one of the most pressing problems of labour regulation in developing countries, particularly in Africa. More broadly, it makes a very illuminating contribution to the current debate on whether (and to what extent) the ILO’s universally oriented strategies should be adapted to the circumstances of developing countries.

The runner-up in this year's competition is **Mr. Marco Peruzzi of the University of Verona, Italy**, for his article on "Autonomy in the European Social Dialogue".

Mr. Peruzzi offers an incisive analysis of European Social Dialogue (cross-sectoral and sectoral), using a very sophisticated multi-disciplinary approach that draws on legal, sociological and political science literature. He convincingly portrays social dialogue as a concept of governance which is incompatible with real autonomy of the social partners at the level of substantive inputs, and which leaves autonomy to be understood in a procedural sense as referring to the implementation of agreements. The paper highlights the link between this kind of autonomy and the open method of coordination, and contributes significantly to the development of a theory of the European social dialogue as a unique type of "soft law" instrument.

Ms. Yanpelda and Mr. Peruzzi were contacted and invited to present their work at the Association's 2010 meeting in the United Kingdom. Unfortunately Ms. Yanpelda, for bureaucratic reasons related to her visa to the UK, could not attend the meeting; therefore, during the Workshop, Mr. Peruzzi presented his paper and a discussion ensued among attending colleagues regarding the implications of his analysis. All the attendees regret the absence of Ms. Yanpelda and have decided to invite her to the next meeting in Spain. The President will provide the invitation in due time, in order to allow her to obtain a visa.

3. Admission of new members

In February 2010 *Temas Laborales* applied for membership. *Temas Laborales* is a Spanish labour law journal based in Seville, published by the *Consejería de Empleo – Junta de Andalucía*. The general editor is Prof. Jesus Cruz Villalon, a distinguished academic of the University of Seville, with great experience as a scholar and consultant to Spanish authorities. He is at present Vice-President of the Spanish Association of Labour Law and Social Security. A file with the application, and two letters from the editors of two Spanish journals that are already members of the Association (*Relaciones laborales* and *Revista de derecho social*) supporting the application, has been circulated to the Advisory Committee, which reacted positively. The President proposes to accept the application. The proposal is accepted and the President welcomes Mr. Sebastian De Soto, who is attending the meeting as a representative of *Temas Laborales*.

4. Proposals for the 2011 meeting in Seville (Spain) and news about the 2012 meeting in Philadelphia (US)

The President notes that in Sydney it was decided to ask the editor of the *Bulletin de Droit Comparé du Travail et de la Sécurité Sociale* (Bordeaux) Sandrine Laviolette to propose to the Comptasec (the well known University of Bordeaux IV centre where the journal is based) its availability to organize the 2011 meeting of the Association. Later it was realized that the Regional European Congress of the ISLSSL was to be organized in Seville in September 2011 and therefore it was thought opportune to consider locating the 2011 meeting in Seville in order to take advantage of the presence of a large number of labour lawyers. The Spanish colleagues (including the editors of the applying *Temas Laborales*) declared their availability. The President explained the question to the friends in Bordeaux, with apologies for the misunderstanding. Sandrine Laviolette agreed to ask the staff of Comptasec whether it would be possible to organize the IALLJ meeting in 2013.

The European Congress will take place from September 21 afternoon to September 23 morning. The IALLJ meeting will be organized before or after the Congress; the President will consult the members in order to encourage the maximum attendance.

Prof. Matthew Finkin reminded the members of the proposal that the IALLJ will hold its 2012 meeting in Philadelphia (on the occasion of the World Congress of the IIRA, now ILERA) under the auspices and at the suggestion of Prof. Janice Bellace of the Wharton School in Philadelphia. The ISLSSL will hold its World Congress in 2012 in Santiago, Chile.

5. Ideas and proposals as regards the activity of the Association

The President proposes to replicate also this year the Call for Papers for the Marco Biagi Award. The formula adopted last year as regards the languages: “preferably in English, but also French and Spanish will be accepted” can be repeated, assuming that the jury will include at least one member for each language of the papers submitted. As regards the possibility of raising funds for the Award and to pay at least for the participation of the winner at the next meeting, efforts will be made by several attendees. The proposed deadline for submission, given that the meeting will take place in September 2011, can remain, as this year, April 30 2011.

In order to pursue the purposes of the Association to stimulate studies and researches in comparative labour and social security law, the President discussed the possibility of a collection of essays about the role of comparison in the development of different aspects of labour law. After a wide discussion the assembly decided to evaluate proposals during the coming year in order to decide this matter, if possible, at the next meeting.

6. Final remarks and thanks

The President observed that in the previous year the Association consolidated its structure (the website) and its activity (the Call) and anticipates further developments in the coming year. The President thanked all colleagues for attending the Workshop and the Business meeting, and particularly Bernie Adell, Gillian Ready and Pam Sidey for their outstanding organization.

Prof. Manfred Weiss assumed the Chair

7. Election of the President of the Association for the period 2010-2013

Professor Weiss suggested the same procedure used in 2007, when an Advisory Committee composed of Jeffrey Sack, Matt Finkin, Alan Neal and himself examined the question and finally proposed G.G. Balandi for President at the Bologna meeting. Therefore he asked Prof. Balandi to keep the presidency till next year while the Committee, joined by Prof. Marilyn Pittard, operates.

The meeting adjourned.