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The Labour Relations Act applies to all employers, workers, trade unions and employers' organisations. It does not apply to: National Defence Force, National Intelligence Agency, or; South African Secret Service. The Labour Relations Act (LRA), Act 66 of 1995 aims to promote economic development, social justice, labour peace and democracy in ...

BASIC GUIDE: LABOUR RELATIONS IN SOUTH AFRICA ...

Labour Relations N5: Labor relations is the study and practice of managing unionized employment situations.

The Charter of Fundamental Rights of the European Union is the most developed and comprehensive legally binding human rights instrument in the social field of the European Union. It is becoming increasingly important and is the first instrument that includes both civil and political rights on one hand and social rights on the other. Despite this, the Court of Justice of the European Union has only rarely dealt with fundamental social rights. In this context, employment rights need to be examined in this new rights framework. Following on from previous volumes setting out links between European labour law and fundamental social rights (as enshrined in relevant UN, ILO and Council of Europe instruments), in this book the ETUI Transnational Trade Union Rights (TTUR) Expert Network examines the justiciability of social rights and critically analyses the effectiveness of those rights embodied in the EU Charter. Thus, this book completes the trilogy of ETUI TTUR books on fundamental social rights at European level following the publication, also by Hart Publishing, of The European Convention of Human Rights and the Employment Relation (2013) and The European Social Charter and the Employment Relation (2017).

This collection addresses the potential of the European Social Charter to promote and safeguard social rights in Europe. Drawing on the expertise of the ETUI Transnational Trade Union Rights expert network from across Europe, it provides a comprehensive commentary on these fundamental rights. Taking a two part approach, it offers an in-depth legal analysis of the European Social Charter as a new social constitution for Europe, investigating first the potential of the general legal frame in which the Charter is embedded. In the second phase a series of social rights which are related to the employment relation are examined in particular in light of the jurisprudence of the European Committee of Social Rights (ECSR), to demonstrate the crucial but difficult role of the Charter's supervisory bodies to secure the respect and promotion of social rights and national level, bearing in mind the reciprocal influence of other international social rights instruments. This examination is timely, given the pressure exerted on those rights during the recent period of economic crisis. Furthermore, in the light of the predominantly economic vision of Europe, such analysis is crucial. The collection is aimed at stimulating academic scrutiny and raising awareness amongst practitioners and trade unions about this important and equally necessary anchor of the social dimension of Europe in legal and political practice.

This collection brings together perspectives from industrial relations, political economy, political theory, labour history, sociology, gender studies and regulatory theory to build a more inclusive theory of labour law. That is, a theory of labour law that is more inclusive of non-traditional workers (including those in atypical work, or from non-traditional backgrounds); more inclusive of a variety of collective approaches to work regulation that foster solidarity between workers; and more inclusive of interdisciplinary and complex explanations of labour law and its regulatory spaces. The individual chapters speak to this theme of inclusivity in different ways and offer different suggestions for how it might be achieved. They break down the barriers between legal research and other fields, to promote fruitful and integrative conversations across disciplines. In the spirit of inclusivity and intergenerational dialogue, the book blends contributions from early career and emerging scholars with those from leading scholars in the field, featuring critical commentary from senior labour law figures alongside theoretically and empirically informed work.

The accession by the European Union to the European Convention on Human Rights (ECHR) has opened up new possibilities in terms of the constitutional recognition of fundamental rights in the EU. In the field of employment law it heralds a new procedure for workers and trade unions to challenge EU law against the background of the ECHR. In theoretical terms this means that EU law now goes beyond recognition of fundamental rights as mere general principles of EU law, making the ECHR the 'gold standard' for fundamental (social) rights. This publication of the Transnational Trade Union Rights Working Group focuses on the EU and the interplay between the Strasbourg case law and the case law of the Court of Justice of the European Union (CJEU), analysing the relevance of the ECHR for the protection of workers' rights and for the effective enjoyment of civil and political rights in

the employment relation. Each chapter is written by a prominent European human rights expert and analyses the case law of the European Court of Human Rights (ECtHR), and also looks at the equivalent international labour standards within the Council of Europe (in particular the (Revised) European Social Charter), the International Labour Organization (ILO) (in particular the fundamental rights conventions) and the UN Covenants (in particular the International Covenant on Economic, Social and Cultural Rights) and the interpretation of these instruments by competent organs. The authors also analyse the ways in which the CJEU has acknowledged the respective ECHR articles as 'general principles' of EU law and asks whether the Lisbon Treaty will also warrant a reassessment of the way it has treated conflicts between these 'general principles' and the so-called 'fundamental freedoms'.

Energy justice has emerged over the last decade as a matter of vital concern in energy law, which can be seen in the attention directed to energy poverty, and the United Nations Sustainable Development Goals. There are energy justice concerns in areas of law as diverse as human rights, consumer protection, international law and trade, and in many forms of regional and national energy law and regulation. This edited collection explores in detail at four kinds of energy justice. The first, distributive justice, relates to the equitable distribution of the benefits and burdens of energy activities, which is challenged by the existence of people suffering from energy poverty. Secondly, procedural (or participation) justice consists of the right of all communities to participate in decision-making regarding energy projects and policies that affect them. This dimension of energy justice often includes procedural rights to information and access to courts. Under the concept of reparation (or restorative) justice, the book looks at even-handed enforcement of energy statutes and regulations, as well as access to remedies when legal rights are violated. Finally, the collection addresses social justice, with the recognition that energy injustice cannot be separated from other social ills, such as poverty and subordination based on race, gender, or indigeneity. These issues feed into a wider conversation about how we achieve a 'just' energy transition, as the world confronts the urgent challenges of climate change.

Law enforcement at sea has become an increasingly important tool for combating transnational crime. Such law enforcement operations are commonly directed by multinational missions composed of military rather than police forces, and are often carried out in maritime areas not subject to national jurisdiction. Because of these characteristics, maritime law enforcement operations touch upon many unresolved human rights issues. In the present study, counter-piracy operations off the coast of Somalia and in the Indian Ocean serve as the quintessential example of how law enforcement measures taken at sea may fall short of international human rights standards. This work is a valuable contribution to legal scholarship dealing with the human rights dimension of maritime law enforcement operations. It is a useful, timely and innovative resource for both academics and legal practitioners alike, or any person interested in the applicability and scope of human rights norms in the maritime context.

The concept of 'employee' is arguably the most important one in labour law, defining, as it does, the scope of the discipline as a whole. This important new publication aims to develop a restatement of the concept of the employee in European labour law. The study identifies both problems and solutions that have emerged, clearly setting out comparisons between the different member states' approaches. The country reports explore both statutes and case law, tracking their contribution to legal doctrine. The objective of the restatement is to increase knowledge and gain a better understanding of one of the most crucial aspects of European labour law. Assistant Editors: - Marta Otto - Effrosyni Bakirtzi

The objective of this book is to identify similarities and differences between the positions of Finland (as an EU Member State) and China, on Arctic law and governance. The book compares Finnish and Chinese legal and policy stances in specific policy areas of relevance for the Arctic, including maritime sovereignty, scientific research, marine protected areas, the Svalbard Treaty and Arctic Council co-operation. Building on these findings, the book offers general conclusions on Finnish and Chinese approaches to Arctic governance and international law, as well as new theoretical insights on Arctic governance. The book is the result of a collaboration between The Northern Institute for Environmental and Minority Law (Arctic Centre, University of Lapland) and researchers from Wuhan University.

In these times of global economic crisis, social unrest towards the powers that be, and a yearning for alternative systems and organization, it is now more relevant than ever for you to take a critical stance to your management studies in order to analyse, understand and question the world around you and the capitalist stronghold in which you live and work. This new thought-provoking text uses critical theory and revolutionary ideas to help you challenge the status quo and prevailing ideologies in management. It covers key issues, thinkers and topics in an accessible style to provide a broad and clear understanding of vital theory which is applied to the real world through international case studies and reflective questions and think points for you to carry into practice. A companion website provides additional learning materials for personal study and class activities <https://study.sagepub.com/dyer> This text is essential reading for any undergraduate or postgraduate student studying critical management or any management course with a critical slant.

This book is based upon the papers written by a group of leading international scholars on the 'constitution of social democracy', delivered at a conference to celebrate Professor Keith Ewing's scholarly legacy in labour law, constitutional law, human rights and the law of democracy. The chapters explore the development of social democracy and democratic socialism in theory and political practice from a variety of comparative, legal, and disciplinary perspectives. These developments have occurred against a backdrop of fragmenting 'traditional' political parties, declining collective bargaining, concerns about 'juristocracy' and the displacement of popular sovereignty, the emergence of populist political movements, austerity, and fundamental questions about the future of the European project. With this context in mind, this collection considers whether legal norms can and should contribute to the constitution of social democracy. It could not be more timely in addressing these fundamental constitutional questions at the intersection of law, democracy, and political economy.

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