TABLE OF CONTENTS

ΧI

ACKNOWLEDGEMENTS

D.A.D.T. I.	
PART I	
Evolution and trends of international labour law	1
CHAPTER 1	
Introduction to international law	3
1. Introductory remarks, $p. 3 - 2$. International treaties, $p. 4 - 3$. Universal treaties for the protection of human rights, $p. 4 - 4$. Trade agreements and international law, $p. 7 - 5$. Regional instruments for the protection of human rights, $p. 9 - 6$. International custom and practice, $p. 13 - 7$. General principles of law, $p. 15 - 8$. Subsidiary means for the determination of rules of law, $p. 15 - 9$. Other contributions to standard setting, $p. 16 - 10$. Decisions of political organs, $p. 16 - 11$. Decisions of supervisory bodies, $p. 17 - 12$. No restriction on human rights, $p. 17$	
CHAPTER 2	
International labour law	19
1. Introduction, $p.~19-2$. Origins of international labour law, $p.~21-3$. International Labour Organization (ILO), $p.~23-4$. Purpose of international labour law, $p.~25-5$. Sources of international labour law, $p.~29-6$. Progresses in international labour legislation, $p.~34$	
CHAPTER 3	
ILO and the EU legal system: commonalities and divergences	36
1. Introduction, $p.~36-2$. International labour law (subject, tools and documents), $p.~39-3$. Structure, role and activities of the International Labour Organization, $p.~42-4$. International labour standards and the supervisory system, $p.~45-4.1$. How to create international labour standards, $p.~47-4.2$.	

Standards Review Mechanism (SRM), p.~48-4.3. Corporate Social Responsibility (CSR) – the promotion of inclusive, responsible and sustainable practices in the workplace, p.~50-4.4. Free trade agreements, p.~52-4.5. The role of employers' and workers' organizations, p.~53-4.6. The supervisory system, p.~53-4.7. Keeping track of progress made by member States, p.~59-4.8. Provision of technical advice, p.~60-4.9. The ILO supervisory mechanism today, p.~61-5. The European Treaties, p.~64-6. Regulations, p.~65-7. Directives, p.~65-8. Decisions, p.~66-9. Recommendations and opinions, p.~67-10. Collective agreements, p.~67-11. Atypical acts, p.~68-12. Relationship between EU law and national law, p.~69-12.1. The primacy of European Union law, p.~69-13. The direct effect of European standards, p.~70-14. The implementation of the directives, p.~70-15. The action for infringement, p.~72-16. Liability for breach of Community law by the national court, p.~73-17. The questions on validity or interpretation, p.~78-18. The action for annulment of acts of the European Union, p.~79

CHAPTER 4

ILO policies and tools for the promotion of international social rights

1. Introduction: The Declaration on Social Justice for a Fair Globalization, p. 82 - 1.1. Freedom of Association, p. 87 - 1.2. Forced Labour, p. 87 - 1.3. Discrimination, p. 87 - 1.4. Child Labour, p. 88 - 1.5. Fair Globalization, p. 88 - 1.6. Decent work in the world, p. 89 - 1.7. The 2030 Agenda for Sustainable Development, p. 89 – 1.8. 2030 Agenda for Sustainable Development: ILO Focus targets, p. 92 - 1.9. Evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, p. 98 – 1.10. Significance of the Declaration, p. 99 - 1.11. Impact of the Declaration, p. 99 - 1.12. Priority areas for action, p. 100 - 1.13. Employment policies for decent work, p. 102 -1.14. Social protection, p. 102 – 1.15. Social dialogue and tripartism, p. 103 – 2. The MNE Declaration, p. 109 - 2.1. Introduction, p. 109 - 2.2. Aim and scope, p. 110 - 2.3. General policies, p. 112 - 3. Employment, p. 114 - 3.1. Employment promotion, p. 114 - 3.2. Social security, p. 116 - 3.3. Elimination of forced or compulsory labour, p. 116 - 3.4. Effective abolition of child labour: minimum age and worst forms, p. 116 - 3.5. Equality of opportunity and treatment, p. 117 - 3.6. Security of employment, p. 117 - 4. Training, p. 118-5. Conditions of work and life, p. 119-5.1. Wages, benefits and conditions of work, p. 119 - 5.2. Safety and health, p. 119 - 6. Industrial relations, p. 120 - 6.1. Freedom of association and the right to organize, p. 120 - 6.2. Collective bargaining, p. 121 - 6.3. Consultation, p. 122 - 6.4. Access to remedy and examination of grievances, p. 122 – 6.5. Settlement of industrial disputes, p. 123 – 7. Convention (No. 190), and Recommendation (No. 206) concerning the elimination of violence and harassment in the world of work, p. 123 – 8. Resolution concerning skills and lifelong learning and Resolution concerning inequalities and the world of work, p. 127 – 9. Resolution and

81

Conclusions concerning a just transition towards environmentally sustainable economies and societies for all, p. 132 - 10. Resolution and Conclusions concerning the second recurrent discussion on labour protection, p. 133 - 11 Recommendation No. 208 concerning quality apprenticeships, p. 135

CHAPTER 5

ILO Centenary Declaration for the Future of Work

138

149

1. Future of Work Initiative: the road to the ILO Centenary Declaration of 2019, p.~138-2. ILO Centenary Declaration for the Future of Work of June 2019, p.~143

CHAPTER 6

Collective bargaining as the main tool for promoting social rights

1. Introduction, p.~149-2. Transnational collective bargaining, p.~151-3. Trade union responses at transnational, sectoral and company level, p.~152-4. IFAs and EFAs, p.~153-5. Legal framework, p.~154-6. European social dialogue, p.~155-7. The future of collective bargaining at transnational level, p.~157-8. Recent trends in collective bargaining, p.~160-8.1. The regulatory coverage of collective agreements, p.~162-8.2. The scope of collective agreements, p.~163-8.3. Collective bargaining and the COVID-19 crisis, p.~164-8.4. Negotiating for an inclusive, sustainable and resilient recovery, p.~167-9. Conclusion, p.~169

CHAPTER 7

International labour law and the informal economy

170

1. Introduction, p.~170-2. A complex phenomenon, p.~171-3. Governance and the informal economy, p.~173-4. The social and economic costs of informality, p.~173-5. Labour law compliance for better working conditions, p.~174-6. The role of the social partners, p.~176-7. Towards an integrated approach, p.~177

CHAPTER 8

Compliance with international labour law in the EU

179

1. Labour inspection in Europe, p.~179-2. Variety of models for protecting the workers, p.~181-3. Issues and strategies, p.~183-4. The functions of the labour inspectorates, p.~184-5. Sanctions and monitoring mechanisms, p.~185-6. Accidents at work, p.~185-7. Collaboration with other authorities, p.~185-8. Collaboration with the media, p.~186-9. Collaboration with the social partners, p.~186-10. The fight against undeclared work, p.~186-11. Future policies and programmes, p.~187

CHAPTER 9

Decent work and international trade

1. Introduction, $p.\ 190-2$. What is trade?, $p.\ 191-2.1$. International trade, $p.\ 192-2.2$. The first phase of globalization, $p.\ 196-2.3$. The second phase of globalization, $p.\ 198-2.4$. The current phase of globalization, $p.\ 200-3$. The South-South cooperation, $p.\ 201-4$. Is the future in the services?, $p.\ 203-5$. Decent work indicators and international trade, $p.\ 204-5.1$. The employment indicators, $p.\ 204-5.2$. What about unemployment?, $p.\ 207-5.3$. Unemployment and trade, $p.\ 207-5.4$. Participation of workers, $p.\ 209-5.5$. The importance of skills, $p.\ 211-5.6$. The key issue of labour productivity, $p.\ 214-5.7$. Inequality in income, $p.\ 216-6$. Labour relations and working conditions, $p.\ 219-6.1$. Wages, $p.\ 219-6.2$. Gender wage gap, $p.\ 221-6.3$. High and low skills gap, $p.\ 223-6.4$. Industry wage premium, $p.\ 225-6.5$. Working poor, $p.\ 226-6.6$. The employment status, $p.\ 228-6.7$. The informal sector, $p.\ 230-6.8$. Social security systems, $p.\ 232-6.9$. Working conditions and nonstandard of employment, $p.\ 234-6.10$. OSH issues, $p.\ 236-6.11$. The promotion of social dialogue, $p.\ 237$

CHAPTER 10

Globalisation, post COVID-19 crisis and international labour law

240

190

1. Introduction, $p.\ 240-2$. European experiences: a testing ground, $p.\ 242-2$.1. Changing protective labour legislation: simplifications and flexibility, $p.\ 244-3$. The European policy of flexicurity: different national implementations, $p.\ 246-4$. The impact of the digital revolution on the future of work, $p.\ 248-5$. The challenges of post COVID-19 crisis and international labour law, $p.\ 249-5.1$. New risks for health and safety, $p.\ 251-5.2$. Prevention and protection against discrimination and protection of privacy, $p.\ 253-5.3$. Sick leave, use of holydays and telework, $p.\ 254-5.4$. Specific categories of workers and sectors, $p.\ 255-6$. ILO Resolution concerning skills and lifelong learning, $p.\ 257-7$. ILO Resolution concerning inequalities and the world of work, $p.\ 258-8$. Safe and Healthy Working Environment (Consequential Amendments) Convention No. 191 and its accompanying Recommendation No. 207, 2023, $p.\ 259-9$. Conclusion, $p.\ 260$

CHAPTER 11

Social Justice and universal and lasting peace

262

1. Social Justice, $p.\ 262 - 2$. Decent Work, $p.\ 265 - 3$. Challenges ahead, $p.\ 266 - 4$. Inequality, $p.\ 267 - 5$. The role of the ILO and the achievement of social justice, $p.\ 269 - 6$. Labour administration and labour market institutions, $p.\ 272 - 7$. Towards a Global Coalition for Social Justice, $p.\ 273$

	page
PART II	
Contents of International Labour Law	277
Age (minimum age)	279
Age (non-discrimination on grounds of age)	279
Charter of Fundamental Rights of the European Union	280
Child	281
Child labour	281
Collective bargaining	284
Committee on Freedom of Association	288
Consolidated Maritime Labour Convention	289
Declaration on Fundamental Principles and Rights at Work	294
Declaration on Social Justice for a Fair Globalization	295
Discrimination	296
Domestic work and domestic workers	299
Employment policy	301
Employment promotion and protection against unemployment	305
Employment relationship	308
Employment services	309
Equality in the world of work	311
Equal remuneration	312
Equality of opportunity and treatment	312
Equality of treatment (social security)	313
Forced labour	315
Forced labour. Abolition of	315
Freedom of association and the recognition of the right to collective bar-	
gaining	316
Freedom of association (European Convention for the Protection of Hu-	
man Rights and Fundamental Freedoms)	318
Gender equality	320
Health and safety at work	322
HIV/AIDS	322
Holidays with pay	323
Home work	324
Insolvency of the employer	326
Labour administration	328
Labour inspection	328
Migrant work and migrant workers	332
Minimum age legislation	334
Occupational Safety and Health (OSH)	337
Organise (The right to)	341
Part-time work	343

	page
Sexual harassment	344
Social dialogue	345
Strike (The right to)	347
Termination of Employment	352
Violence and harassment in the workplace	357
Wage (minimum wage)	359
Working time	360
BIBLIOGRAPHY	365