

Enforcing EU Labour Law (and beyond)

TTUR 25th anniversary conference

27 – 28 September 2022, ITUH, Auditorium

It has been 25 years since the Transnational Trade Union Rights (TTUR) Network met for the first time upon the invitation and initiative by Brian Bercusson. During these 25 years the TTUR Network has strengthened and empowered trade union movement with research-based knowledge on comparative and European labour law. The work of the network has focussed on European labour law with a particular emphasis on fundamental social rights and collective rights. It is best illustrated by the TTUR publications of which the most recent is the book 'Effective Enforcement of EU Labour Law'.

- In order to celebrate the 25th anniversary among friends and colleagues, the TTUR Network invites you to participate in a conference on the topic 'Enforcing EU Labour Law'. In a way this conference brings us back to the beginnings of the TTUR and the work of Brian Bercusson who dedicated many years to the study of how to improve the realisation of social and labour rights in the EU setting. The conference will focus on the following four themes:
- Developing an effective regulatory framework for labour law
 - The role of actors in the enforcement of labour law
 - Enforcement within specific substantive areas of labour law (e.g. health and safety, precarious work, migrant workers)
 - Enforcement beyond labour law: Sectoral and horizontal approaches to enforcement



PROGRAMME

Tuesday 27 September

9.45 – 10.00 Opening and welcome

Registration and coffee

10.00 – 11.00 Opening and welcome

Opening statements

Nicola Contouris (ETUI Research Director)
Isabelle Schömann (ETUC Confederal Secretary)
Mélanie Scmitt (University of Strasbourg, TTUR)

Introduction to the programme

Zane Rasnača (ETUI and KU Leuven, TTUR)

11.15 – 12.45 Session I – Actors in the enforcement of labour law

1. The role of international actors in enforcement

Chair: **Aristea Koukiadaki**

Barbara Kresal (ECSR, University of Ljubjana, TTUR)
Topic: European Committee of Social Rights and enforcement of labour rights

2. The role of institutional actors in enforcement

Chair: **Kalina Arabadjieva**

Claire Kilpatrick (European University Institute)
Topic: tbc

3. The role of collective and individual labour actors in enforcement

Chair: **Filip Dorssemont**

Elliot Cobbaut (UCLouvain)
Topic: The Alert (Whistleblowing) in Light of the Enforcement of European Labour Law



Olivier De Schutter (UCLouvain)

Topic: United Nations and the enforcement of labour rights

Bernadett Szekers (University of Miskolc)

Topic: The role of Hungarian labour courts in protecting precarious workers by enforcing labour law – cases and consequences

Vivian Bij de Vaate (Vrije Universiteit Amsterdam)

Topic: Collective labour law enforcement by trade unions in the Netherlands: opportunities and challenges

Ioannis Katsaroumpas (University of Sussex)

Topic: Enforcing international labour rights in a contested democratic order: the role of ILO Commissions of Inquiry

Lucas Ronconi (University of Buenos Aires and at IZA, Germany)

Topic: Measuring effective regulation all over the world: recent advances and challenges ahead

César F. Rosado Marzán (The University of Iowa)

Topic: The Constitution of Low-wage Advocacy: An Exploratory Study

12.45 – 13.30

Lunch break

13.30 – 15.00 Session II – Enforcement in specific areas of labour law

1. Enforcing different areas of labour law

Chair: **Klaus Lörcher**

Csilla Kollonay-Lehoczky (Central European university, TTUR)

Topic: Asymmetric situations – When enforcement by less force can be more efficient in the long run

Aude Cefaliello (ETUI)

Topic: From enforcement of the legal framework to workers' health: the multiple challenges of precarious work for OSH

2. Enforcement of labour law at different levels

Chair: **Silvia Rainone**

Marcus Meyer (ETUI)

Topic: Cross-border corporate mobility in Europe: the social impact and enforcement

José Pedro Oliveira Pinto (Católica Research Centre for the Future of Law)

Topic: The role of the national competition authorities and the European Commission in the enforcement of Labour law: from the no-poach agreements to the collective agreements regarding the working conditions of solo self-employed

3. Enforcing labour law in migration and digital settings

Chair: **Zane Rasnača**

Benjamin Duke (University of Leicester)

Topic: EU Labour Law challenged in flux: Subaltern Digital Platform Worker States

Giovanni Gaudio (Ca' Foscari University)

Topic: Litigating the Algorithmic boss: An attractive strategy for trade unions?



Aikaterini Orfanidi (European University Institute)
*Topic: National litigants' role in enforcing the FTWD:
The preliminary reference procedure*

Sara Hungler (ELTE University)
*Topic: Erosion of collective rights during the Covid-19
Pandemic – a case study from Hungary*

Niklas Selberg (Lund University) and **Tobias Sjöqvist**
(Swedish Municipal Workers' Union)
*Topic: Just say no? The rights of trade union veto in Sweden
and its role in the enforcement of (EU) labour rights*

Marco Rocca (CNRS)
*Topic: Enforcing labour laws in situations of
temporary labour migration*

Besnik Fetahu (Kosovo Academy for Public
Safety)
*Topic: Immigration flow and welfare state
policies: Testing competing hypotheses in a
cross-national framework*

15.00 – 15.15

Coffee break

15.15 – 16.15

**Keynote – Catherine Barnard (University of Cambridge)
'What happens when enforcement does not happen?'**

16.15 – 17.15

Plenary roundtable 'What kind of enforcement is needed for labour law?'

Chair: Nicola Contouris (ETUI Research Director)

Discussants:

Isabelle Schömann (ETUC Confederal Secretary)

Representative from the EFFAT tbc

Representative from the European Labour Authority tbc

Representative from the European Commission tbc

Representative from the European Parliament tbc

18.00-19.00

Reception



Wednesday 28 September

9.45 – 10.00

Coffee

10.00 – 11.30

Session III – Enforcement beyond labour law

1. International, transnational and cross-border enforcement of labour rights

Chair: **Joanna Unterschütz**

Simon Deakin and Bhumika Billa (University of Cambridge)

Topic: The EU's Role in the Extra-Territorial Enforcement of Labour Laws

— **Mijke Houwerzijl** (Tilburg University)

Topic: Monitoring and enforcement issues in transnational labour situations

Sara Drake (Cardiff University)

Topic: Enforcement beyond labour law: The case of EU air passenger rights

2. Enforcement networks

Chair: **Antoine Jacobs**

Representative from EULEN Network, tbc

Stefan Clauwaert (ETUC)

Representative from European Equality Law Network, tbc

Representative from SOLIDAR, tbc

3. Lessons from cognate areas

Chair: **Aristea Koukiadaki**

Mélanie Schmitt (University of Strasbourg and CNRS) (on EMU)

Topic: Improving the enforcement of EU labour law through new economic governance?

Christa Van Oostende (University of Antwerp)

Topic: Collective labour agreements as instruments for adult learning enforcement in Belgium

Pieter Pecinovsky (KU Leuven)

Topic: tbc

Hans Micklitz (European University Institute)

Topic: tbc

11.45 – 12.45

Keynote – **Manfred Weiss** (University of Frankfurt)

‘Human Rights and Global Value Chains: Is there Hope to close the Enforcement Gap?’

12.45 – 13.30

Lunch break



13.30 – 15.00 Session IV – Constructing (effective) enforcement framework for labour law

1. Regulatory approaches to labour law enforcement

Chair: **Filip Dorssemont**

Antoine Jacobs (Tilburg University, TTUR)
Topic: Affordable enforcement

Joanna Unterschütz (Gdynia University of business and administration, TTUR)
Topic: Prevent or punish, the role of criminal law

Eliza Kompatsiari (Aristotle University of Thessaloniki)
Topic: Exploring the (in)effectiveness of criminal enforcement of labour law through the Greek example

2. Fundamental elements of enforcement

Chair: **Zane Rasnača**

Aristea Koukiadaki (University of Manchester, TTUR)
Topic: A remedial understanding of EU labour law

Alan Bogg (University of Bristol)
Topic: tbc

Ana Teresa Ribeiro (Ecola do Porto)
Topic: tbc

3. Making enforcement effective

Chair: **Aude Cefaliello**

Klaus Lörcher (TTUR, ETUC)
Topic: tbc

Aukje van Hoek (University of Amsterdam)
Topic: Enforcement of employment conditions in cross-border cases

Alysia Blackham (University of Melbourne)
Topic: Enforcing Equality law beyond individual enforcement

15.00 – 15.15

Coffee break

15.15 – 16.15 Plenary Roundtable discussion ‘First hand experience in enforcing EU labour law’

Chair: Aline Hoffmann (ETUI)

Discussants:

Representative from ILGA Europe, tbc
Representative from PICUM, tbc
Representative from University College London, tbc
Representative from DGB, tbc
Klaus Lörcher (TTUR, ETUC)



16.15 – 16.45

Concluding remarks

TTUR organising committee (Antoine Jacobs, Aristeia Koukiadaki, Mélanie Schmitt, Zane Rasnaca)

17.15-18.00

Guided tour to Monument to Labour of Constantin Meunier (led by Prof. Filip Dorssemont)

The registration form on the ETUI website will be active from 10 August 2022.

For more information on the event and registration please contact Angélique Vanhoutte (avanhoutte@etui.org) and further details will follow on www.etui.org.

