

Conference

The future of labour law in Europe

Brussels, 5 June 2009

Organised by:

**The Jean Monnet Chair in European Labour Law
(Tilburg University)**

&

The *European Labour Law Journal*



Venue:

**The Royal Flemish Academy of Belgium for
Sciences and Arts
Paleis der Academiën
Hertogsstraat 1
1000 Brussels
Belgium**



Introduction

This scientific conference is organised to **launch** the **European Labour Law Journal (ELLJ)**. The *Journal's* central objective is to increase and foster, at a high academic level, the debate on the future of labour law in Europe.

One of the main challenges for European integration is, more than ever, to keep a **balance between economic and social integration**. While the Lisbon Agenda's subtitle has set "an agenda for economic and social reform for Europe", it is evident that also beyond the Lisbon goals of 2010, there remain many challenges for labour law in Europe. They relate to the essential components of labour law, the quest for the modernization of labour law, the distribution of powers between the EU policy level and the member states, the choice between governmental intervention and autonomous initiative, between hard and soft regulation, and the reconciliation of market freedoms and labour laws.

In line with the objectives of the *Journal*, this conference is organised around the central theme of **the future of labour law in Europe**. Since many years, the issue of the future of labour law has been at the forefront of academic and policy debate in Europe and beyond. This focus of attention has been increased, notably, with the Commission's *Green Paper on Modernising Labour Law* (COM (2006) 708final, 22 November 2006) but has been receiving much broader, including global, attention.

The conference will make use of **short presentations** of about 15 to 20 minutes each that introduce topics and themes for further **discussion** among the speakers and participants. The papers will be published later in the first issue of the *European Labour Law Journal*.

The *morning* session is presided by **Prof. Dr. Manfred Weiss**. The first paper will deal with the broad question of 'what is the future of labour law' in relation to the European Social Model. **Prof. Dr. Marie-Ange Moreau** (European Institute, Florence) will address the prospects of further regulation of labour law and social policy at the EU level with specific attention to the nature of the norms and the opportunities in hard law and soft law.

A second range of issues concerns the relationship between the EU's internal market objectives and its social values and norms. It touches on the possibilities of reconciling (national and EU) labour laws and policy goals with the respect of mobility rights of persons and firms in Europe (including references to the position of fundamental social rights and ECJ case law such as Laval, Rüffert etc.). Two papers approach this crucial issue from the angle of the Nordic countries, presented by **Prof. Dr. Birgitta Nyström** (University of Lund) and Central Eastern countries, presented by **Prof. Dr. Csilla Kollonay** (Central European University of Budapest).

The *afternoon* session is presided by **Prof. Dr. Roger Blanpain**. This session will focus on themes that may be seen as significant for the development of labour law at a Community level. The first paper is presented by **Prof. Dr. Ruth Nielsen** (Copenhagen Business School) and deals with the issue of free movement of workers, in connection with the future development of fundamental social rights in the EU and the impact thereof on the position of migrant workers. The second paper deals with individual employment law, with particular attention to the prospects of a unified and European legal definition of the employment relationship. This will be dealt with by **Prof. Dr. Bernd Waas** (University of Frankfurt). The third paper deals with the future of collective labour law in Europe, in particular with attention to the role of social dialogue and transnational collective bargaining in Europe. This is presented from an industrial relations approach by **Prof. Dr. Valeria Pulignano** (University of Leuven) and from a legal approach by **Prof. Dr. Frank Hendrickx** (University of Leuven & Tilburg University).

A panel debate, moderated by **Prof. Dr. Guus Heerma van Voss** (University of Leiden) marks the end of the day, discussing the role of the European social partners in the development of labour law in Europe, the role of the 'European legislator' and the interaction between national and EU labour law.

Programme

- 09:00 – 09:45 Registration of participants
- 09:45 – 10:00 Welcome and introduction
Prof. Dr. Frank Hendrickx, Jean Monnet Professor, Tilburg University, University of Leuven
- 10:00 – 11:30 **Session 1: Presided by Prof. Dr. Manfred Weiss**
Presentations of about 20 minutes + discussion

The future of labour law: opportunities and developments in hard law and soft law
Prof. Dr. Marie-Ange Moreau, European Institute, Florence

The internal market and the future of labour law in Europe: insights from the Nordic countries
Prof. Dr. Birgitta Nyström, University of Lund

The internal market and the future of labour law in Europe: insights from Eastern-European countries
Prof. Dr. Csilla Kollonay, Central European University of Budapest
- 11:30 – 11:45 *Break*
- 11:45 – 12:30 (Continued) Discussion, moderated by **Prof. Dr. Manfred Weiss**
- 12:30 – 13:30 *Sandwich lunch*
- 13:30 – 15:00 **Session 2: Presided by Prof. Dr. Roger Blanpain**
Presentations of about 20 minutes + discussion

Free movement and fundamental rights
Prof. Dr. Ruth Nielsen, Copenhagen Business School

The legal definition of the employment relationship
Prof. Dr. Bernd Waas, University of Frankfurt

Social dialogue and transnational collective bargaining
Prof. Dr. Valeria Pulignano, University of Leuven
& **Prof. Dr. Frank Hendrickx**, University of Leuven & Tilburg University
- 15:00 – 15:15 *Break*
- 15:15 – 16:00 (Continued) Discussion, moderated by **Prof. Dr. Roger Blanpain**
- 16:00 – 16:45 **Panel debate**, presided by **Prof. Dr. Guus Heerma van Voss** (University of Leiden): *The future of labour law in Europe: which way ahead? National and/or European? Legislative and/ or contractual?*
With representatives of: the European Commission, ETUC, BUSINESS Europe.



Registration

The participation fee is 30 Euro. This includes the lunch. Registration can be made by sending the attached registration form.

REGISTRATION FORM : BRUSSELS – LABOUR LAW IN EUROPE – 5 JUNE 2009
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NAME:

FIRST NAME:

FUNCTION:

ORGANISATION:

ADDRESS:

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E-MAIL ADDRESS:

Registers for the Conference “The future of labour law in Europe” (Brussels, 5 June 2009) for the price of 30 Euro, to be paid to the Department of Social Law and Social Policy (Tilburg University), at the following bank account:

Bank: Post Bank (Netherlands)
Iban N°: NL16 PSTB 0000 2030 53
BIC Code: PSTBNL21

This registration form can be sent by e-mail to: F.Hendrickx@uvt.nl or by fax to: Fax. N° +31 13 466 31 39.

For more information, please inquire with F.Hendrickx@uvt.nl (Department of Social Law and Social Policy, Postbox 90153, 5000 LE Tilburg, Netherlands, Tel. +31 (0)13 4668131).