



**UNIMORE**  
UNIVERSITÀ DEGLI STUDI DI  
MODENA E REGGIO EMILIA

Dipartimento di Economia  
Marco Biagi



March 18<sup>th</sup> - 19<sup>th</sup>, 2019

**17<sup>th</sup>** Interntional Conference

in Commemoration of Professor Marco Biagi

# The Collective Dimension(s) of Employment Relations: Organizational and Regulatory Challenges in a World of Work in Transformation

The President of the Italian Republic will attend the  
plenary session of March, 18<sup>th</sup>

Con il patrocinio di



Comune  
di Modena

Con il contributo di



FONDAZIONE  
Cassa di Risparmio di Modena

**BPER:**  
Banca

# Monday, 18 March

- 9:00 - 10:00

Registration - For security reasons, access to the conference room will be closed at 10.00
- 10:30 - 11:00

Welcome Addresses by the Academic and Public Authorities
- 11:00 - 12:00

Plenary Session: Presentation of the Conference

The President of the Italian Republic will attended the Session

**Chair:** Edoardo Ales (Parthenope University of Naples - Marco Biagi Foundation, Italy)

**Keynote Speeches:**

Manfred Weiss (J.W. Goethe University, Frankfurt, Germany), *Workplace Representation*

Filip Dorssemont (Catholic University of Louvain, Belgium), *Trade Unions and Employers’ Associations*

Tommaso Fabbri, Ylenia Curzi (University of Modena and Reggio Emilia - Marco Biagi Foundation, Italy), *The Workplace as an Organisational Community*

- 12:00- 12:45

Discussion and Debate

14:00 - 15:30 Parallel Sessions

## Session 1.A

**1.A Collective Rights and Trade Union Strategies in the Digital Age: Theoretical Foundations and Global Trends**

**Chair:** Frank Hendrickx (University of Leuven, Belgium)

**Presentations:**

**Antonio Aloisi** (European University Institute, Florence, Italy), *Non-standard workers and collective rights. Legal challenges, practical difficulties, and successful responses*

**Pablo Arellano** (ILO, Geneva, Switzerland), **Christopher Land-Kazlauskas** (ILO, Geneva, Switzerland), *Toward freedom of association and collective bargaining in a fragmented labour market*

**Tammy Katsabian** (Hebrew University of Jerusalem, Israel), *Unions and Collective Action in the Internet Age*

**Nikita Lyutov** (Kutafin Moscow State Law University, Russia), *The application of the ILO standards on freedom of association in the post-Soviet countries: is there a way forward?*

## Session 1.B

**1.B Societal Challenges and Legal Solutions for the Collective Dimension of Employment**

**Chair:** Marco Esposito (Parthenope University of Naples, Italy)

**Presentations:**

**Tania Bazzani** (Pompeu Fabra University, Barcelona, Spain), *Collective Rights for Gig Economy Workers to be Recognised: The Necessary Path towards Participation in Society*

**Minna J. Kotkin** (Brooklyn Law School, USA), *Uberizing Discrimination*

**Bill Roche** (University College Dublin, Ireland), *The Emergence of ADR-based Workplace Conflict Management Systems: A Case of ‘American Exceptionalism’*



15:30 - 15:45      Coffee Break

15:45 - 17:15      Parallel Sessions

Session 2.A

2.A Collective rights and Trade Union Strategies in the Digital Age: Comparative Experiences

**Chair: John Geary** (University College Dublin, Ireland)

**Presentations:**

**Valentina Franca** (University of Ljubljana, Slovenia), **Michael Doherty** (Maynooth University, Ireland), *The (non/)response of trade unions to the ‘gig’ challenge*  
**Patricia Nieto Rojas** (Carlos III University of Madrid, Spain), **Pablo Gimeno Diaz de Atauri** (Carlos III University of Madrid, Spain), *Platform economy and workplace representation: The Spanish Case*  
**Gaabriel Tavits** (University of Tartu, Estonia), *Employer’s right to manage the work. How complicated it can be in digital economy?*

Session 2.B

2.B Industrial Action and Collective Conflict

**Chair: Riccardo Salomone** (University of Trento, Italy)

**Presentations:**

**Federico Fusco** (University of Lund, Sweden), *Can we sacrifice freedom of association for the sake of productivity? The case of the Göteborg harbor in Sweden and the upcoming changes in the Swedish legislation*  
**Gábor Mélypataki** (University of Miskolc, Hungary), *Right to strike in civil service. Collisions between national and international law*  
**Elena Sychenko** (St Petersburg State University, Russia), **Elena Volk** (International University MITSO, Minsk, Belarus), *The right to strike in post-Soviet countries: any light at the end of tunnel?*

17:15 - 18:45      **Special Session in celebration of the 100th anniversary of the foundation of the International Labour Organization (Plenary). Presentation of the Commentary “International and European Labour Law” (Ales, Bell, Deinert, Robin-Olivier eds., Nomos-Hart-Beck 2018)**

**Chair:** Csilla Kollonay (Central European University, Budapest, Hungary)

**Panellists:**

**Janice Bellace** (The Wharton School, University of Philadelphia, USA), *International Labour Law and Human Rights Theory*  
**Filip Dorssemont** (Catholic University of Leuven, Belgium), *The Council of Europe and the Role of the ECHR in International Labour Law*  
**Alan Neal** (University of Warwick, UK), *Labour Law and the Construction of the European Union*  
**Tiziano Treu** (Catholic University of Milan - National Council for Economy and Labour Italy), *Labour Law and the Future of the European Union*

# Tuesday, 19 March

9:30 - 11:00	Parallel Sessions		
	Session 1.A	Session 1.B	Session 1.C
	<b>1.A New Issues in Collective Bargaining</b>  <b>Chair: Emanuele Menegatti</b> (University of Bologna, Italy)  <b>Presentations:</b> <b>Matteo Avogaro</b> (University of Milan, Italy), <i>Regulating the representativeness of employers’ organizations to contrast the fragmentation of working conditions: a new issue for domestic legislators?</i> <b>Luca Ratti</b> (University of Luxembourg), <i>Social Rehire Clauses and the Freedom of Undertaking: an EU Constitutional Perspective</i> <b>Massimo Resce</b> (INAPP- National Institute for the Analysis of Public Policies, Italy), <b>Enrico Sestili</b> (INAPP- National Institute for the Analysis of Public Policies, Italy), <i>First qualitative evidence from the monitoring on tax rebates on productivity-related pay increases</i> <b>Claudia Schubert</b> (University of Hamburg, Germany), <b>Laura Schmitt</b> (University of Hamburg, Germany), <i>Collective working conditions for everyone?! Collective provisions with erga omnes effect and statutory extension of collective agreements</i>	<b>1.B Collective Employment Relations and Economic Governance in the Global Scenario</b>  <b>Chair: Ralf Rogowski</b> (University of Warwick, UK)  <b>Presentations:</b> <b>Ron Brown</b> (University of Hawaii, USA), <i>EU-China BIT and FTA enhance labor cooperation and protection</i> <b>Marius Kalanta</b> (Vytautas Magnus University, Kaunas,Lithuania), <i>Explaining failures of social dialogue in Eastern Europe: The case of the Baltics in a comparative political economy perspective</i> <b>Jeff Kenner</b> (University of Nottingham, UK), <b>Katrina Peake</b> (University of Nottingham, UK), <i>Addressing challenges to Industrial Relations in South Asia's Garment Industry: EU and ILO Influence</i>	<b>1.C Workplace Representation and Managerial Power</b>  <b>Chair: Susan Bisom-Rapp</b> (Thomas Jefferson School of Law, San Diego, USA)  <b>Presentations:</b> <b>Helena Ysàs</b> (Autonomous University of Barcelona, Spain), <i>Is the structure of employee representation institutions adapted to the economic transformations? Analysis and proposals from the Spanish case</i> <b>Julia Tomassetti</b> (City University of Hong Kong School of Law), <i>Suppressing the Collective Dimension of Employment: Redefining Managerial Decisions as ‘Entrepreneurial’ Decisions in Service Work and Digitally Coordinated Work</i>
11:00 - 11:15	<b>Coffee Break</b>		
11:15 - 13:00	<b>Plenary Session: Closing of the Conference</b>  <b>Chair:</b> Francesco Basenghi (University of Modena and Reggio Emilia - Marco Biagi Foundation, Italy) <b>Report on the outcomes of the parallel sessions:</b> Frank Hendrickx (University of Leuven, Belgium) Marco Esposito (Parthenope University of Naples, Italy) John Geary (University College Dublin, Ireland) Riccardo Salomone (University of Trento, Italy) Emanuele Menegatti (University of Bologna, Italy) Ralf Rogowski (University of Warwick, UK) Susan Bisom-Rapp (Thomas Jefferson School of Law, San Diego, USA)  <b>Concluding Remarks:</b> Yasuo Suwa (Hosei University, Tokyo, Japan)		

Organising Committee:  
Prof Tindara Addabbo (University of Modena and Reggio Emilia - Marco Biagi Foundation), Prof Edoardo Ales (Parthenope University of Naples- Marco Biagi Foundation), Prof William Bromwich (University of Modena and Reggio Emilia), Dr Ylenia Curzi (University of Modena and Reggio Emilia), Prof Tommaso Fabbri (University of Modena and Reggio Emilia - Marco Biagi Foundation), Dr Antonio Riccio (University of Florence), Dr Olga Rymkevich (Marco Biagi Foundation), Dr Iacopo Senatori (Marco Biagi Foundation), Dr Carlotta Serra (Marco Biagi Foundation).