

Evolution and Trends in Industrial Relations in Central and Eastern European Countries

Giuseppe Casale

Abstract: The purpose of this comparative overview is to provide an analysis of recent trends, issues and challenges facing the labour law and labour relations systems in the countries of Central and Eastern Europe. One of the major difficulties in preparing such an overview has resulted from the great differences which exist in the countries of the region. Changes in collective bargaining and the laws which affect countries like Hungary, the Czech Republic and Poland do not have much in common with each other, while problems in law and collective bargaining in Albania and Bosnia and Herzegovina are quite different from those in Lithuania or Slovakia. In order to make the analysis meaningful, it is necessary in this overview to concentrate on certain fundamental problems in the light of the enlargement of the EU. Therefore, the report focuses on issues such as collective bargaining, the extension of collective agreement and labour disputes settlement.

Economic versus Social Convergence in Hungary Preparing for EU Membership

Orsolya Farkas

Abstract: The present article aims to point to some contradictory aspects of the forthcoming Eastern Enlargement of the EU. These contradictions can be perceived both between the EU and the Candidate Countries, and inside of the here examined country, Hungary. It will be highlighted that the formal transposition of the 'social and labour law acquis', does not automatically mean substantial alignment. There is an urgent need to attribute a prominent role to solidarity and social inclusion as fundamental values, since not everybody is capable to adapt to the drastic economic and social changes. Eastern Europeans had to go through during the last decade when economic transformation took precedence over social issues.

Towards a New Community Strategy on Health and Safety at Work? Caught in the Institutional Web of Soft Procedures

Stijn Smismans

Abstract: During the 1990s, Community occupational health and safety policy has shifted from a strong regulatory approach to more persuasive policy-making. However, while it is entirely justified to stress the importance of good implementation of occupational health and safety standards, the Community's post 'regulatory boom' in policy in this area still looks largely like a 'testing out' of various soft procedures the effectiveness of which still needs to be proven. The new occupational health and safety strategy proposed by the Commission in March 2002 does not manage to propose a coherent and efficient institutional framework. As long as the Member States do not consider occupational health and safety a political priority, the small occupational health and safety division of the Commission – which lacks the instruments and power to ensure inspection of

implementation, and which has seen much of its resources disappearing into an Agency over which it has little control – will have a hard time to respond to the challenges of the sector.

Health and Safety Regulatory Framework- Comparative perspective

Victoria Howes

Abstract: The development and application of health and safety laws in a country depend on several aspects including, in particular, the historical development of the legal system and laws in the country concerned and the impact of the international and supranational laws and regulations. Since the European Community has a common legal framework, it is tempting to conclude that health and safety laws in the Member States should be the same. However, there are some significant differences in the application of the law. For example, the enforcement practices vary from country to country and different liabilities can be imposed on the employer for breach of the statutory requirements. Four areas of health and safety law, that is employer's duties and responsibilities, enforcement, liability and sanctions will be considered in this article in three Member States: Germany, Sweden and Finland, with a comparative perspective in relation to the United Kingdom.

New Hopes for French Anti-Discrimination Law

Katell Berthou

Abstract: This article provides an analysis of the recent legal developments in France in field of equal treatment and equal opportunity in the work place. It begins with a survey of the situation prior to 2001, paying special attention to the failures of French law, in particular where the burden of proof and indirect discrimination are concerned. It then proceeds to examine the two statutes enacted in 2001. In an attempt to implement EC Directives 2000/43/EC and 2000/78/EC these statutes provide additional incentives for collective bargaining on sex equality, an extension of the scope of protection against discrimination, a new regime as regards the burden of proof and measures to ensure more effective judicial protection