Which securities for workers in times of crisis?

Final Conference

Lyon, 25 - 26 November 2013
Université Lumière Lyon 2

CERCRID (UMR 5137) - ASTREES
Project co-funded by the European Commission
(DG Employment, social affairs and inclusion)
VS/2012/0223

INLACRIS PROJECT
Independent Network for Labour Law and Crisis Studies

Program
Monday, 25 November

9:00 – 9:30 – **Coffee and Registration**

9:30 – 10:30 – **Chair:** Antoine Jeammaud, University Lumière Lyon 2  
**Official Opening and Welcome:** Jean-Luc Maya, President of University Lumière Lyon 2, Isabelle Sayn, Director of CERCRID (UMR 5137)

**Introduction:** Sylvaine Lauлом, University Lumière Lyon 2, Christophe Teissier, ASTRES

10:30 – 11:30 – **Session I – Labour Law and Financial Crisis: contingent responses?**

- **Chair:** Jean Lapeyre, Syndex

- **Rapporteur:** Jeremias Prassl (University of Oxford) based upon the contributions of:
  - “The strong historical roots of precarious work among youth in Greece”, Lefteris Kretsos, University of Greenwich
  - “Dismissal law under challenge: new risks for workers”, Sylvaine Lauлом, Universiy Lumière Lyon 2
  - “Dismissals in time of crisis. Assessment of Spanish modifications in recent times”, Yolanda Maneiro Vásquez University of Santiago
  - “Some considerations about Public Employment in Europe”, José María Miranda Boto, University of Santiago

- **Discussants:** Werner Buelen (European Federation of Building and Woodworkers), Antoine Lyon-Caen (University Paris-Ouest La Défense), Phil Syrpis (University of Bristol)

11:30 – 12:00 – **Coffee break**

12:00 – 13:00 – **Authors’ Replies and Plenary Discussion**

13:00 – 14:30 – **Buffet**

14:30 – 15:30 – **Session II – Insiders vs. Outsiders: a relevant distinction?**

- **Chair:** Jean-Paul Tricart, Head of Unit, Social Dialogue, European Commission

- **Rapporteur:** Tamás Gyulavári (Pázmány Péter Catholic University, Budapest) based upon the contributions of:
  - “Trap of the past: why economically dependent work is not regulated in the Eastern-European Member States”, Tamás Gyulavári, Pázmány Péter Catholic University
  - “Cross-border mobility of ‘bogus’ self-employed workers: a lack of legal framework coupled with protection of economic rights”, Fabienne Muller, University of Strasbourg
  - “Fixed-term employment contracts in France: which lifelong employment security?”, Marie-Cécile Escande-Varniol, University Lumière Lyon 2
  - “Analysis of the ECJ case law relating to fixed-term contracts in the Public Sector”, Emmanuelle Mazuyer, University Lumière Lyon 2, CNRS, Erds-CERCRID
  - “The Legal acknowledgement of the category of the economically dependent workers”, Felicia Rosioru, University Babes-Bolyai, Cluj-Napoca

- **Discussants:** Cristina Alessi (University of Brescia), Franz Marhold (University of Vienna), Barbara Surdykowska (Solidarnosc)

15:30 – 16:00 – **Coffee break**
16:00 – 17:00 – **Authors’ Replies and Plenary Discussion**

20h – **Diner, Brasserie Georges**

---

**TUESDAY, 26 NOVEMBER**

9:30 – 10:30 – **Session III – Fundamental rights : a solution ?**

- **Chair** : Fernando Valdés Dal-Ré, University of Madrid, Constitutional Court

- **Rapporteur** : Jenny Julén Votinius (University of Lund) based upon the contributions of :
  - “Human rights and political regeneration”, Elise Dermine, UCL, Louvain
  - “The risks of involving fundamental social rights”, Nicolas Moizard, University of Strasbourg
  - “The potential dangers of an integrated fundamental rights jurisprudence in times of crisis”, Jeremias Prassl, University of Oxford
  - “Social Dialogue principle as a safeguard of security for workers”, Joanna Unterschuetz, University of Business and Administration, Gdynia

- **Discussants** : Rüçhan Işik (University of Bilkent, European Committee of Social Rights), Magdalena Nogueira Guastavino (Autonomous University of Madrid), Achim Seifert (University Friedrich Schiller, Jena)

10:30 – 11:00 – **Coffee break**

11:00 – 12:00 – **Authors’ Replies and Plenary Discussion**

12:00 – 13:30 – **Buffet**

13:30 – 14:30 – **Session IV – Is Flexicurity still a relevant approach ?**

- **Chair** : Nicolas Schmit, Minister of Labour and Employment of Luxembourg

- **Rapporteur** : Piera Loi (University of Cagliari) based upon the contributions of :
  - “Flexicurity in Unemployment insurance in France”, Alain Bouilloux, University Lumière Lyon 2
  - “Securing older workers’ career paths”, Christine Canazza, UCL Louvain
  - “The Right to Work versus the EU activation policy : Effects on national social benefits”, Nicola Gundt, University of Maastricht
  - “Young people, specific measures and fundamental social rights”, Jenny Julén Votinius, University of Lund
  - “Risk : a new paradigm to face labour market challenges”, Piera Loi, University of Cagliari

- **Discussants** : Edoardo Ales (University of Cassino), Marie-Ange Moreau, (University Lumière Lyon 2), Pascale Vielle (UCL Louvain)

14:30 – 15:00 – **Coffee break**

15:00 – 16:00 – **Authors’ Replies and Plenary Discussion**

16:00 – 16:30 – **Chair** : Claude-Emmanuel Triomphe, ASTREES

**Synthesis and Conclusion** : Olivier Leclerc, CNRS, CERCRED, Saint-Etienne

20h – **Diner, Maison Villemanzy**
At the Final conference in Lyon, we hope to disseminate the draft results of our comparative labour law research project, involving 11 countries (Belgium, France, Germany, Greece, Hungary, Italy, Poland, Romania, Spain, Sweden, United-Kingdom). The project is co-funded by the European Commission (Convention n° VS/2012/0223). Extending recent works, the research addresses the reactions of national labour law in the face of on-going economic crisis. The conference aims at fostering an international dialogue on the topic: which securities for workers in times of crisis? One of the main aim of the project is to explore the security-side of the notion of flexicurity: what model, if any, could provide security and protection for workers in Europe in times of crisis?

Among other things, our research shows that if the reforms are supposed to be non permanent and contingent, all reforms are, in fact, long-term structural changes and, thus, difficult to reverse. Another conclusion is that the traditional difference between “insiders” and “outsiders” is quickly fading as traditional categories of workers fail to grasp modern economic developments. It might thus be helpful to rethink the category of precarious work. Moreover, the European debate around flexicurity has arrived at a turning point: the debate should be redressed to the pairing of risk and security, and a rethinking of the functions of labour law and fundamental rights as mechanisms to protect workers against the risks produced by the functioning of the market.

The conference will bring together a large panel of participants (academics, social partners, lawyers, judges) from fifteen European countries. It aims at fostering discussions based on the results of the research presented by the partners of the project.

The working languages of the conference will be English and French, with simultaneous translation provided for all participants.