

CONTENTS

<i>Preface and acknowledgements</i>	vii
<i>About the authors</i>	ix
PART I INTRODUCTION	1
A. Sketches of the labor and employment law systems	4
Employment law in Australia: a general introduction	5
Employment law in Brazil: a general introduction	11
Employment law in Germany: a general introduction	16
Employment law in Japan: a general introduction	22
Employment law in the United States: a general introduction	34
B. Some demographic context	38
PART II EMPLOYEE VOICE: COLLECTIVE BARGAINING, CO-DETERMINATION, INFORMATION SHARING AND CONSULTATION	43
Introduction	43
Directive 2002/14 EC	46
Problem 1: Collective bargaining and a new "greenfield" facility	50
Problem 2: Restructuring workplace operations	73
Problem 3: Consultation on "eco-friendly" issues	94
PART III DISCRIMINATION IN EMPLOYMENT	113
Problem 4: Shift to part-time workers	115
A note on the casualization of work	128
Problem 5: Request to pray three times a day	134
Problem 6: Hiring a woman who is pregnant	154
PART IV PRIVACY, DIGNITY, AND AUTONOMY	169
A note on the concept of personality	171
Problem 7: Background checks	173
Problem 8: Video cameras and monitoring in the workplace	186
A note on "Data Protection"	203
Directive 95/46 EC	204
Problem 9: Dating policy	214
A note on dignity: the case of captive audition	220
PART V WRONGFUL DISCHARGE	225
A note on wrongful discharge litigation	226
Problem 10: Outsourcing abroad	230

Problem 11: 54-year-old "underperforming" salesman	254
Problem 12: Critical blog comments posted by an employee	275
Problem 13: Confidential securities hotline	292
A concluding note on alternate dispute resolution	299
PART VI COMPENSATION AND BENEFITS ADMINISTRATION	305
Problem 14: Share ownership and common supplementary pension scheme	309
Problem 15: Pay for members of a virtual team	315
Problem 16: Government imposed executive compensation restrictions	322
Problem 17: Non-competition and confidentiality agreement	330
PART VII GLOBAL SUPPLY CHAINS AND LABOR STANDARDS	351
Problem 18: Requested waiver of inspections	354
Problem 19: Global safety	365
Problem 20: Zero tolerance policy	371
Preface to Problem 21	375
Problem 21: Signing an International Framework Agreement	376
PART VIII IN LARGER COMPARATIVE CONTEXT	391
A. Legal origin, legal family	391
B. Legal culture	394
C. Political economy: varieties of capitalism	396
D. National values	400
E. Legal transmission and transplantation	407
F. The diffusion of corporate culture and managerial practice	410
G. Implications for policy and practice	416
<i>Index</i>	421