

Editorial

In 2015, the International Journal of Comparative Labour Law and Industrial Relations will undergo some important editorial changes. I have recently been appointed as Dean of the Faculty of Law at Lund University, and this new position unfortunately makes it impossible for me to continue as Editor-in-Chief of the Journal.

I am very pleased to announce that Guy Davidov will become the new Editor-in-Chief as of 1 July 2015. Professor Guy Davidov is the Elias Lieberman Chair of Labour Law at the Faculty of Law at the Hebrew University of Jerusalem and the Chair of the Steering Committee of the Labour Law Research Network and one of its founders. He is a distinguished scholar in the international labour law community, with extensive experience of comparative research, and is published widely in the labour law field, in books and leading international journals. Furthermore, Guy Davidov has been a member of the International Advisory Board for several years and is already well-acquainted with the International Journal of Comparative Labour Law and Industrial Relations. Together we will do our utmost to ensure a smooth transition; William Bromwich and Olga Rymkevich will continue to serve as Managing Editors and in addition Pnina Alon-Shenker has been appointed as Articles Editor.

I have been invited by Ewa Cairns-Szkatula at Kluwer Law International and the Scientific Directors, Alan Neal, Tiziano Treu and Manfred Weiss to join the International Advisory Board. I am grateful for this possibility to continue to promote the Journal, and to assist the editorial team in all ways possible in their work with the Journal.

It has been a real honour and privilege to serve as Editor-in-Chief of this prestigious Journal for four years, and to carry on a more than thirty-year-old legacy through the publication and advancement of innovative and topical international and comparative labour law and industrial relations research. The knowledge and experience that I have gained is invaluable, as are the friendships I have formed. It has been a true joy to cooperate with all those involved in the Journal and I am grateful for the help, advice and support that I have received. I would like to extend my warmest thanks to William Bromwich and Olga Rymkevich – with whom I have worked most closely – as well as to Ewa Cairns-Szkatula, the Scientific Directors and the International Advisory Board.

The articles published during the last four years display a great and interesting variety as regards topics and jurisdictions. Labour law and industrial relations developments from all continents of the world have been subjected to analysis from a multitude of different and innovative theoretical and methodological perspectives. Working with the Journal has strengthened my belief in the great value – and absolute necessity – in today's globalized world of work of applying international, comparative and interdisciplinary approaches to the study of labour law, industrial relations and labour markets. A comparative analysis highlights important differences and similarities between countries and regions, assists in identifying and critically analysing common challenges, possibilities and complexities and can be used to develop theory. The Journal's interdisciplinary scope and approach – exploring the crucial links between labour law, industrial relations and labour markets – is more relevant than ever, given trends such as globalization, flexibilization, de-collectivization and an increase in migrant, precarious and vulnerable workers.

The articles in this issue reflect a number of such contemporary labour law and industrial relations trends. This issue opens with an article, 'Rethinking Working Time to Support Older Workers', by Alysia Blackham, that aims at a discussion and evaluation of the potential and practical merit of working time regulation and working time ideas in the literature, for example, as regards flexible working time, to extend working lives. The focus is on the United Kingdom (UK) labour market and working time model, which is contrasted with developments in other countries. The article adds new and interesting perspectives to existing research on labour law and labour market implications of an ageing society, and the analysis of legal sources and policy documents is complemented with an analysis of qualitative data from interviews with experts in the employment of older workers. Blackham concludes that the UK working time model relying on limited and weak regulation, individual allocation of risks, and out-of-date assumptions fails to support older workers who are interested in working time flexibility. 'A renewed focus on legal and organizational change in this area could significantly improve the situation of older workers, and of the workforce more generally.'

The following two articles address the theme of precarious and vulnerable workers, and present analyses of the intersection of labour law with migration law and trade law. The article by Mimi Zou, 'The Legal Construction of Hyper-dependence and Hyper-precarity in Migrant Work Relations', presents an interesting analysis at the intersection of migration law and labour law. Zou focuses on the relationship between the legal status of migrants under temporary migrant work programmes and their work relations, and introduces and develops two new interesting normative concepts. *Hyper-dependence* refers to 'a particular

tie of migrant workers to their employers as a requirement of their legal status', and *hyper-precarity* refers to 'the tenuous nature, in law and practice, of these workers' entitlements to employment protection, social rights and to transition to more secure residence status'. Zou provides an analysis of different legal sources in the areas of international human rights law and unfree labour, trafficking and migrant exploitation. By way of conclusion, she argues that the 'two concepts can provide useful lenses for identifying the most problematic structural features of labour migration regimes that intersect with other labour market regulatory norms, arrangements, and practices to produce migrants' vulnerability to exploitative work relations'.

Theories of social regionalism form the background for Adelle Blackett's article, 'Social Regionalism in Better Work Haiti', where the Better Work programme's preferential trading arrangement and its implementation in Haiti is subjected to a critical analysis. This article offers a topical analysis of the important linkages between labour law and trade and the role that the ILO can play in this context. The innovative and detailed discussion of labour law developments in Haiti is set against a wider historical, social and economic perspective. Blackett argues that '[d]espite the tendency toward path dependency, there is not an easy one-size-fits-all approach to building a deep nexus between the social and the economic in trade as development'. She calls on the ILO to 'facilitate a deeply challenging but meaningful discussion of transnational criteria for a living wage, in the process continuing to shape the fundamentally indeterminate and increasingly contested direction of contemporary global trade in the direction of social justice'.

A common theme for the last two articles is labour law developments in European Union (EU) Member States and the interplay – and possible tension – between EU and national regulatory levels. The aim of the article by Alberto Pizzoferrato, 'The Economic Crisis and Labour Law Reform in Italy', is to critically analyse recent Italian labour law reforms introduced in the light of the economic crisis, austerity and EU financial and employment policies. The article contains a detailed and interesting analysis of recent reforms in areas such as employment protection, flexible work and unemployment benefits. Pizzoferrato presents a critical discussion of the new form of open-ended contract introduced by the Jobs Act of the Renzi government, and points to its far-reaching implications for the employment protection system as a whole. He concludes by emphasizing that 'labour law needs to be renewed in its forms, techniques and contents, but still aiming to achieve social justice'.

The theme of employment protection and flexible work is key also to the final article, 'Regulation of Fixed-Term Employment Contracts in the EU, France, Finland and the United Kingdom: A Comparative Analysis' by Markus

Sädevirta. The article aims at a comparative analysis of the legal regulation of fixed-term employment contracts in France, Finland and the UK in light of the Fixed-Term Work Directive. The focus is on the links between fixed-term employment contracts and employment protection, on Clause 5 of the Directive and measures to prevent abuse of successive fixed-term employment contracts. The countries examined are chosen to reflect various labour law and industrial relations systems. This detailed analysis casts light on interesting differences and similarities between the regulation in the three EU Member States and its interplay with EU law. Sädevirta's analysis highlights how 'as in labour law in general, strong national traditions have made it extremely difficult to design common regulation in the form of acceptable and operative directives for all Member States'.

Mia Rönmmar