

How COVID is changing labor law

May 3 2021



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While most of the public debate focuses on the effects on the real economy of closing and reopening businesses, the impact of these measures on the labor market gets less attention. However, in late 2020, the *European Labour Law Journal* decided to dedicate a special issue to the comparison between the situation in various European countries.

Elena Gramano, Professor at the Department of Legal Studies, was one of the issue's editors, as well as author of the essay, "An Unprecedented Social Solidarity Stress Test," along with colleagues Miriam Kullmann and David Mangan.

"The research involved both an analysis of the measures taken immediately, such as closing businesses, suspending employment relationships and measures to support wages or income, and a reflection on the [long-term effects](#), for example on the subject of regulation of remote work," explains the researcher. Similar approaches emerged from this comparison, but with some significant differences between the various EU countries. "For example, Italy and Spain are the only States to have placed a ban on layoffs, elsewhere it was preferred to allow companies more freedom and use incentives to support both businesses and workers," continues Gramano. "Another interesting aspect is that almost all the legal systems have included forms of income support also for self-employed workers who, before the pandemic, were traditionally excluded from such measures. It would be interesting to see if these measures are normalized and enter into ordinary welfare practices."

An idea therefore arose to update these same studies one year later to evaluate how individual systems have evolved over time and what they have retained of the extraordinary measures introduced. "Some issues are constantly evolving, such as smart working," she concludes. "In Italy, for example, there is actually already a law, Italian Law 81 of 2017, that governs agile working. But this pandemic has raised some new issues that need to be clarified, including safety, compatibility with family burdens, schedules and whether it can be chosen voluntarily."

More information: David Mangan et al. An unprecedented social solidarity stress test, *European Labour Law Journal* (2020). [DOI: 10.1177/2031952520934585](https://doi.org/10.1177/2031952520934585)

Provided by Bocconi University

Citation: How COVID is changing labor law (2021, May 3) retrieved 22 June 2024 from <https://phys.org/news/2021-05-covid-labor-law.html>

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