

INTRODUCTION

The volume you are holding is not a comprehensive examination of the intersection of labour law and environmental sustainability, but a pathfinding guide to explore the challenges and opportunities presented by the transition to a green economy and how labour law can be used to promote a just transition for workers and for society as a whole.

Climate change is a defining issue of our time and presents a significant challenge to our society. The transition to a green economy holds great promise for mitigating its impacts, but it also raises important questions about the rights and protections of workers and the communities in which they live. This collection of papers aims to address these questions, raise new ones, put everything in perspective and finally provide a roadmap for how labour law can and should be used to promote a really “just” transition for workers.

While the transition to a green economy has the potential to create new and better-paying jobs, it also poses a threat to existing jobs, particularly in sectors that are heavily dependent on fossil fuels. In order for the transition to be successful, it must be guided by principles of justice, equity, and fairness, ensuring that the rights and well-being of workers are protected as the world moves towards a greener future. However, labour law is not always well-suited to the challenges presented by the transition to a green economy, and it is important to consider how it can be adapted and improved to better serve not only workers but the whole society, in this new context.

The relationship between labour law and environmental sustainability is an issue of critical importance for the future of work and the planet. The legal context of this relationship is indeed complex and challenging since labour law, at its core, is concerned with protecting the rights of workers and promoting social justice, while environmental sustainability requires a systemic and integrated approach to the management of natural resources and the protection of the environment. The challenge lies in finding a way to balance these two seemingly disparate goals, and to ensure that workers and communities are not left behind as the world transitions to a more sustainable future.

The authors make a compelling case for the importance of considering the relationship between labour law and environmental sustainability from a multi-dimensional perspective, taking into account the needs and interests of workers, communities, and the environment, but not forgetting about the economical counterpart: the employer. Highlighting the crucial role that trade unions, social cooperatives, and workers’ representatives play in shaping the transition to a greener economy does not stand without understanding that

the issue at hand is more complex of what it used to be and the stakes are only getting higher: if death is the great leveler for life, the destruction of the planet is the same for economy. So, to the workers' slogan "There are no jobs on a dead planet", employers answered that "business cannot succeed on a planet that fails".

The times we inhabit are marked by great inequality. Growing job insecurity is a reality for many, especially the world's working poor. Climate change is destroying jobs and livelihoods in every corner of the planet. In the face of these grim realities, both parties are demanding an ambitious, global agreement which limits climate change and promotes social inclusion and poverty reduction by creating decent jobs.

Momentum is building notwithstanding the magnitude of the challenges. There is a growing consensus that climate change and decent work for all are the two defining challenges of the 21st century. And they should be addressed in tandem.

Therefore, this volume is divided in two parts and ten chapters, each exploring a different aspect of the relationship between labour law and environmental sustainability. The first half focuses on the legal context and challenges of this movement, while the second half analyses the actors and the actions they are putting in place.

The generalised call is for a bottom-up approach, since only a mindset change at the collective and individual levels enables transformations. Consequently, it is up to employees and employers to act and implement concrete measures to make a significant difference. A tailor-made approach is desirable and can be established through collective bargaining by local trade unions taking into account the individual circumstances of the sector, the company and its employees. Furthermore, the transition to a bottom-up approach enforces a healthy and safe workplace adjusted to the unique characteristics of each company.

A proof of concept was given by the ENI's refinery – Porto Marghera case, where researching techniques and tools for regulating a market in transition utilising existing methodologies showed an ever-increasing dialectic between capital and labour, as well as between environment, society and production.

A "failure" of the top-down model was also exemplified by the recent reform of Art. 41 of the Italian Constitution, where the reform does not seem to innovate, but rather confirm the approaches long since reached by constitutional jurisprudence. This is not to say that a top-down approach is to be abandoned altogether, but necessarily has to be accompanied by a movement that comes from all stakeholders.

And this movement shall take fly beyond the rhetoric of green jobs, speaking not only of jobs that are for the green or about the green economy, but jobs that take place inside a bigger economy – which has become green overall – but are not green themselves. Because when all is said and done, we as a people will still need coal and minerals, wood and diamonds, energy and landfills, and all of these things take a toll on the planet and make a dent in the shining face of the "green transition".

Light needs to be shed on the role of trade unions, workers, employers, and policymakers in promoting a just and sustainable future. To do so the authors provide a detailed analysis of the efforts being made by these actors to promote a just transition and to ensure that workers and communities are not left behind in the race towards environmental sustainability. They also discuss the various initiatives and programs being put in place to support workers as they transition to new and greener jobs.

In conclusion, this volume offers a comprehensive and compelling examination of the relationship between labour law and environmental sustainability. It highlights the importance of considering the intersection of these two fields in order to promote a just and sustainable future for workers and communities around the world. The authors in this book make a convincing argument that labour law must be reconceived as an essential tool for promoting environmental sustainability and that this just transition must be at the forefront of the efforts to promote both. By offering new and innovative approaches to the relationship between labour law and environmental sustainability, this volume serves as an important resource for scholars, policymakers, and practitioners alike.