

Call for Papers 2026/2

Deadline for paper proposals: 1 October 2025

Revue de Droit Comparé du Travail et de la Sécurité Sociale 2026/2
Comparative Social Case Law

‘The judge and the collective labour agreement: an evolving dialogue’

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ARGUMENTATION

The *Revue de Droit Comparé du Travail et de la Sécurité Sociale* (RDCTSS),¹ whose aim is to contribute to the development of analysis and discussion on comparative labour and social security law throughout the world, devotes each year a special issue (No. 2) to a ‘Comparative Social Case Law’ chronicle.

RDCTSS No. 2026/2 proposes to bring together studies on: ‘The judge and the collective labour agreement: an evolving dialogue’.

The relationship between the judge and the collective agreement provides a privileged observatory of contemporary transformations in labour law. Far from being a mere enforcer of legality, social judges are now asserting themselves as key players in the implementation, interpretation and adaptation of negotiated standards. This development raises questions about the traditional balance between collective autonomy and judicial authority.

The national case laws reveal contrasting approaches. While some systems favour measured judicial intervention that respects the autonomy of the social partners, others give judges a more active role in shaping the content of collective agreements. These differences are becoming more pronounced in the face of contemporary challenges: the digitalisation of work, new forms of employment and economic change, all of which are questioning the adaptability of traditional collective bargaining instruments.

¹ <https://comptrasec.fr/revue-de-droit-compare-du-travail-et-de-la-securite-sociale/>

GUIDING QUESTIONS

We invite you to submit papers exploring the role of judges in relation to collective agreements in your country or through a comparative approach. Here are some questions and ideas to guide your contributions:

1. Judicial supervision of the validity of collective agreements

- What are the criteria for (formal and substantive) validity applied by the courts in your country?
- How is the equilibrium between respect for collective autonomy and supervision of legality achieved?
- Can a judge censor an agreement on the basis of insufficient content or unbalanced concessions?

2. Judicial interpretation in the face of changes in the work environment

- What methods of interpretation do judges favour when a collective agreement must be applied to new situations (remote work, digital platforms, AI)?
- How do courts fill gaps in agreements in the face of technological and economic changes?
- Is there a shift towards a more creative and adaptive interpretation?

3. The interaction of standards under judicial supervision

- How do courts handle conflicts between different levels of agreements (industry/company) and between collective agreements and employment contracts?
- How do judges apply the principle of favour, particularly in the case of derogations *in pejus* (unfavourable derogations)?
- In what cases do courts allow for the temporary or permanent removal of a contractual provision?

4. The creative powers of judges regarding contractual agreements

- Can judges extend the application of an agreement to situations or companies not covered by it?
- In what circumstances do courts modify or supplement the content of an agreement?
- How is judicial supervision of derogatory or crisis agreements exercised?

RECOMMENDATIONS FOR AUTHORS

Format of contributions

The expected contributions will be in French, English or Spanish with a maximum length of **25,000 characters**, footnotes and spaces included.

In addition, manuscripts must be accompanied by the following items:

- Title of the article;
- An abstract of approximately 500 words in French and English, as well as keywords in each language (approx. 5) to identify the content of the article;
- Name of the author's institution or organisation;
- The author's research fields and bibliographic references (two publications of their choice);
- The author's postal and e-mail addresses.

Schedule

**Deadline for paper proposals (500-words abstract + title + proposed outline):
1 October 2025**

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- **Notification to authors: 31 October 2025**
- **Deadline for completed submission of papers: 1 February 2026**

ASSESSMENT PROCESS

Texts submitted to the Revue are subject to a double-blind peer review process by independent experts. Proposals for articles are first evaluated by the Editorial Board, which assesses the manuscript's admissibility. If accepted, the manuscript is submitted to two external reviewers for assessment. Based on reviewers' feedback, recommendations for minor or major changes can be made to the author.

All requests for major modifications require a second round of peer review. Based on the assessment, the Editorial Board of the Revue determines whether to publish the submitted manuscripts.