

No.5 Parties Under Labor Laws (2) — "Labor Union" and "Employer"

(text 76-84)

1 "Labor Union"

- Requisites for a "labor union" under Trade Union Law
- Independency of a labor union

2 "Employer"

2.1 "Employer" under Labor Contract

- Fundamental rule
- Exception 1: Legal principles of the "denial of judicial personality"
- Exception 2: Accrual of an "implied labor contract"

RESEARCH Should an accrual of the "denial of legal personality," due to the emasculatation of judicial personality, be judged rigidly/cautiously? Or, should it be approved more extensively?

2.2 "Employer" under Labor Standards Law

- "Employer" to be responsible for contractual liability
- "Employer" to be subject to criminal punishment/administrative control

2.3 "Employer" under Labor Union Law

- #4

