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The Dual Mandate: How Job Creation Legislation Advances both Market and Human Rights

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ABSTRACT

This paper examines how job creation legislation may simultaneously stimulate economic growth and protect fundamental human rights, proposing a "dual mandate" framework for inclusive labor market development. Drawing on international human right law and labor economics, the study analyzes how well-designed employment laws fulfill both market functions and rights obligations through comparative case studies of six countries (Germany, South Africa, Brazil, India, United States, and Rwanda). The research paper identifies four key legislative strategies that advance this dual mandate: anti-discrimination provisions expanding access to work (exemplified by South Africa's Broad-Based Black Economic Empowerment Act), wage protection systems ensuring decent living standards (demonstrated by Seattle's \$15 minimum wage policy), job guarantee programs reducing exclusion (illustrated by India's Mahatma Gandhi National Rural Employment Guarantee Act), and just transition policies addressing technological displacement (seen in the EU's Green Deal Industrial Plan).

Methodologically, the research employs policy analysis, longitudinal employment data, and human rights indicators to assess how these interventions balance economic efficiency with rights protections. Outcomes reveal that rights-aligned job legislation creates more sustainable labor markets: for instance, Brazil's disability employment quotas increased formal sector inclusion by 18% while reducing rights violations, and Rwanda's 2021 entrepreneurship law boosted job creation by 22% alongside gender parity improvements. Though, the research also uncovers tensions, particularly in gig economy regulation and global supply chain governance, where business interests often conflict with worker protections.

The research contributes to both economic and human rights scholarship by demonstrating that the most effective job creation laws share three characteristics: they are participatory (developed through social dialogue), measurable (assessed by both employment numbers and rights outcomes), and adaptive (responsive to technological and ecological transitions). It concludes with policy recommendation for implementing this

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dual mandate, emphasizing tripartite governance models and climate-sensitive labor codes. By bridging the gap between market-focused and rights-based approaches, the study offers a roadmap for legislation that attains equitable economic growth while upholding the fundamental right to decent work.

Keywords: Job, Legislation, Labor, Rights, Economic, Human, Policies.

I. INTRODUCTION

In an era marked by rapid technological advancement, economic globalization, and deepening inequality, the intersection between labor market and human rights has emerged as a critical area of policy concern. The fundamental rights to decent work, enshrined in international human rights instruments such as the International Covenant on Economic, Social and Cultural Rights (ICESCR),³ remains unrealized for millions worldwide. Concurrently, governments face mounting pressure to stimulate job creation in economies increasingly transformed by automation, climate change, and shifting industrial paradigms. This paper proposes and examines a "dual mandate" framework for job creation legislation one that consciously seeks to harmonize economic objectives with human rights protections, recognizing that truly sustainable labor markets must advance both productivity and human dignity.

The relationship between labor legislation and economic outcomes has long been studied through traditional economic lenses, focusing on metrics like employment rate, wage levels, and GDP growth⁴. Likewise, human rights scholars have extensively analyzed legal protections for workers' rights to fair wages, safe conditions, and freedom from discrimination. Though, these discourses have often progressed in parallel rather than in dialogue. This research bridges that divide by investigating how job creation laws can and increasingly must—serve what we term the "dual mandate" simultaneously fostering dynamic, competitive labor markets while safeguarding fundamental human rights. Our central thesis suggests that the most effective job creation policies are those deliberately designed to achieve both economic and rights-based outcomes, and that this dual focus yields more inclusive and resilient labor markets than approaches privileging either dimension alone.

The urgency of this inquiry becomes clear when examining contemporary global challenge. **The World Bank estimates that global labor markets must create 600 million new jobs**

³ Gomes, Virginia Bras. "The right to work and rights at work." In *Research handbook on economic, social and cultural rights as human rights*, pp. 227-249. Edward Elgar Publishing, 2020.

⁴ Meager, Nigel, and Stefan Speckesser. *Wages, productivity and employment: A review of theory and international data*. EEO, 2011.

by 2030⁵ simply to maintain current employment rates a target jeopardized by automation potentially displacing 85 million jobs (**World Economic Forum, 2020**).⁶ In the meantime, human rights monitoring bodies consistently document regression on labor rights, from the erosion of collective bargaining in industrialized nations to the persistence of forced labor in global supply chains. These parallel crises demand legislative solution that address employment quantity and quality as interconnected priorities rather than competing concerns.

Our study focuses on six national case studies selected for their illustrative value in demonstrating the dual mandate of potential and challenges. **Germany's Hartz** reforms showcase that how labor market flexibility can coexist with strong social protections when carefully balanced.⁷ South Africa's Broad-Based Black Economics Empowerment (**B-BBEE**) Act illustrates targeted legislative approaches to overcoming systemic discrimination.⁸ Brazil's quota law for workers with disabilities reveal both the promise and implementation challenges of inclusion mandates.⁹ India's Mahatma Gandhi National Rural Employment Guarantee Act (**MGNREGA**) demonstrates how right-based job guarantees can combat poverty while advancing social equity.¹⁰ The United States' evolving experiment with minimum wage policies provide insights into localizing international labor standards¹¹.

At the end, **Rwanda's 2021** entrepreneurship law exemplifies how post-conflict nations can legislate for both rapid job growth and gender equality.¹²

Methodologically, this research paper employs comparative legal analysis of labor statutes, combined with examination of longitudinal employment data and human rights indicators from governmental and NGO sources. We assess legislative effectiveness through dual metrics traditional economic measures (employment rates, sectoral growth) alongside rights-based indicators (wage adequacy, discrimination complaints, workplace safety reports). This

⁵ Bloom, David E., Mathew J. McKenna, and Klaus Prettnner. "Global employment and decent jobs, 2010–2030: The forces of demography and automation." *International Social Security Review* 72, no. 3 (2019): 43-78.

⁶ Barnhizer, David, and Daniel Barnhizer. *The artificial intelligence contagion: Can democracy withstand the imminent transformation of work, wealth and the social order?*. SCB Distributors, 2019.

⁷ Leschke, Janine, Günther Schmid, and Dorit Griga. "On the Marriage of Flexibility and Security: Lessons from the Hartz-reforms in Germany." (2006): 22.

⁸ Chimboza, Tendani Malunga. "ICT organisations' minimal compliance with affirmative actions regulations: case of the Broad-Based Black Economic Empowerment (B-BBEE) ICT sector code in South Africa." (2023).

⁹ De Araújo, Ana Cléssia Pereira Lima, Maria Analice D. Santos Sampaio, Edward Martins Costa, Ahmad Saeed Khan, Guilherme Irfi, and Rayssa Alexandre Costa. "The quotas law for people with disabilities in Brazil: is it a guarantee of employment?." *International review of applied economics* 36, no. 4 (2022): 496-525.

¹⁰ BAIK, JONGWAN. "The Politics of Social Policy Implementation: The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and Uneven Development in India." *Journal of Indian & Asian Studies* 5, no. 2 (2024).

¹¹ Flinn, Christopher J. *The minimum wage and labor market outcomes*. MIT press, 2011.

¹² Rwigema, P. C. "Initiatives aimed at increasing the participation of women in the tech industry in Rwanda and their impact on social and economic development. 30 years after genocide against Tutsi in Rwanda." *Reviewed Journal of Social Science & Humanities* 5, no. 1: 320-345.

approach allows us to identify policies that succeed or fail—on both dimensions of our mandate.

This paper's conceptual framework integrates Amartya Sen's capability approach with institutional labor economics¹³. **Sen's** emphasis on substantive freedom (1999) grounds our human rights analysis, while **Acemoglu and Robinson's** work on inclusive institution (2012) informs our economic perspective¹⁴. We argue that job creation law function as pivotal "conversion factors" that enable individuals to transform formal rights into actual economic participation—or conversely, perpetuate exclusion when poorly designed.

Our outcomes challenge several prevailing assumptions. First, we demonstrate that rights-protective labor law need not compromise economic competitiveness; in fact, metrics from our case studies show positive correlations between rights advancements and long-term productivity growth. Second, we identify specific design principle—participatory formulation, measurable rights outcomes, and adaptive governance structures—that enable laws to fulfill the dual mandate. Finally, we reveal how crises like climate change and digital transformation are generating innovative legislative models that preemptively address emerging right risks while creating new employment pathways.

The research contributions are both theoretical and practical. Academically, we advance an integrative framework for determining labor legislation that transcends traditional disciplinary silos. For policymaker, we provide actionable guidelines for drafting laws that achieve the International Labour Organization's (ILO) "decent work" agenda while meeting domestic economic priorities¹⁵. In an age when the future of works itself is being redefined, this dual mandate approach offers a roadmap for building labor markets that are not merely productive, but equitable and resilient.

The following sections develop this argument through detailed case examination of persistent tensions, and finally, concrete policy recommendations. We begin by fully elaborating our theoretical framework and its foundation in both economic and human rights scholarship.

II. THEORETICAL FRAMEWORK: THE DUAL MANDATE

The dual mandate framework proposed in this study emerges from the intersection of labor economics, institutional theory, and human right jurisprudence. It suggests that effective job

¹³ Dang, Ai-Thu. "Amartya Sen's Capability approach: a framework for well-being evaluation and policy analysis?." *Review of social economy* 72, no. 4 (2014): 460-484.

¹⁴ Fukuda-Parr, Sakiko, Terra Lawson-Remer, and Susan Randolph. *Fulfilling social and economic rights*. Oxford University Press, 2015.

¹⁵ Sengenberger, Werner. "Decent Work: The International Labour Organization Agenda." *Dialogue and Cooperation* 2, no. 2001 (2001): 39-55.

creation legislation must simultaneously pursue two interdependent objectives: (1) fostering efficient, competitive labor markets capable of generating sufficient employment opportunities, and (2) protecting and promoting fundamental labor rights as recognized under international law. This amalgamation challenges the conventional dichotomy between economic efficiency and social protection, offering instead an integrated model for legislative design.

The economic foundation of the dual mandate draws on institutional labor economics (Acemoglu & Robinson, 2012), which emphasizes how formal rules shape labor market outcome¹⁶. From this perspective, job creation law function as market-shaping institutions that can correct failures in three key areas: information asymmetries (e.g., skills mismatches), power imbalances (e.g., employer monopsony), and collective action problems (e.g., underinvestment in training). The framework incorporates Keynesian insights about demand-side stimulation through job guarantee while acknowledging neoclassical concerns about market distortions from overregulation. Crucially, it rejects the false choice between labor markets flexibility and worker protection, instead identifying policy designs that achieve "flexicurity" the balance demonstrated in Nordic models combining adaptable hiring practices with strong social safety nets.¹⁷

On the human rights axis, the framework builds on the "respect-protect-fulfill" trinity developed by human right theorists (Shue, 1980; UN OHCHR, 2006). It interprets ICESCR Articles 6-7 as creating positive state obligation to not merely refrain from violating labor rights, but to actively structure economic systems that enable decent work¹⁸. The capability approach (Sen, 1999; Nussbaum, 2011) provides the bridge between these rights norms and economics policy by conceptualizing work as both a means to livelihood and a sphere for human flourishing¹⁹. This transforms job creation from a technical economic challenge into a matter of substantive freedom, where the quality and accessibility of employment opportunities determine whether formal right become real capabilities.

The interaction between these economic and rights dimension generates four operational principles for dual mandate legislation:

¹⁶ Acemoglu, Daron, and James A. Robinson. "Paths to inclusive political institutions." *Economic history of warfare and state formation* (2016): 3-50.

¹⁷ Keune, Maarten. "Flexicurity: a contested concept at the core of the European labour market debate." *Intereconomics* 43, no. 2 (2008): 92-98.

¹⁸ Ssenyonjo, Manisuli. "The Applicability of International Human Rights Law to Non-State Actors: What Relevance to Economic, Social and Cultural Rights?." In *Economic, Social and Cultural Rights*, pp. 77-112. Routledge, 2017.

¹⁹ Majekolagbe, Adebayo. "Just Transition as Wellbeing: A Capability Approach Framing." *Ariz. J. Env't L. & Pol'y* 14 (2023): 41.

1. Participatory Design: Law developed through tripartite social dialogue (government-business-labor) demonstrate 23% better compliance rates (ILO, 2021)²⁰ while ensuring affected groups can claim rights through institutional channels. Germany's Works Constitution Act exemplifies this principle.²¹

2. Measured Outcomes: Effective law employ dual metrics assessing both market performance (employment rates, productivity) and rights realization (wage adequacy, discrimination indices). Brazil's racial quota law show how targeted hiring requirements can advance both equity and efficiency when paired with monitoring systems²².

3. Adaptive Governance: Legislative frameworks must contain built-in review mechanisms to address technological and ecological shift. **The EU's Digital Labour Platform** Directives illustrate adaptive regulation responding to gig economy challenges²³.

4. Intersectional Protection: Recognizing how race, gender and disability status compound labor market disadvantages, dual mandate law require disaggregated impact assessments. South Africa's Employment Equity Act mandates corporate diversities reporting with penalties for non-compliance²⁴.

The framework resolves several theoretical rigidities in existing literature. First, it reconciles the "business case" for diversity (focusing on productivity gain) with the rights-based approach (emphasizing inherent dignity) by demonstrating how anti-discrimination laws like Rwanda's gender parity statutes achieve both objectives simultaneously²⁵. Second, it addresses the universalism-particularism debate in human right implementation by showing how internationally-grounded norms (e.g., ILO conventions²⁶) can be contextually adapted through local legislation like India's MGNREGA.²⁷

²⁰ Dell'Amico, Anna, Martin Dietrich Brauch, Lara Wallis, and Alexandra AK Meisea. "Global Guidance for Just Transition Policy." (2024).

²¹ Kommers, Donald P., and Russell A. Miller. *The Constitutional Jurisprudence of the Federal Republic of Germany: Revised and Expanded*. Duke University Press, 2012.

²² Igreja, Rebecca Lemos, and Gianmarco Loures Ferreira. "The Brazilian Law of Racial Quotas put to the test of labor justice: a legal case against Banco do Brasil." *Latin American and Caribbean Ethnic Studies* 14, no. 3 (2019): 294-317.

²³ De Stefano, Valerio, and Antonio Aloisi. *European legal framework for digital labour platforms*. 2018.

²⁴ Bekwa, Noluvuyo Margaret. "Assessing reasons for non-compliance to the requirements of the Employment Equity Act no. 55 of 1998: case study of the dietetics department within Tygerberg Hospital." PhD diss., Stellenbosch: Stellenbosch University, 2013.

²⁵ Burnet, Jennie E., and Jeanne d'Arc Kanakuze. "Political settlements, women's representation and gender equality: the 2008 gender-based violence law and gender parity in primary and secondary education in Rwanda." (2018).

²⁶ Peksen, Dursun, and Robert G. Blanton. "The impact of ILO conventions on worker rights: Are empty promises worse than no promises?." *The Review of International Organizations* 12 (2017): 75-94.

²⁷ Carswell, Grace, and Geert De Neve. "MGNREGA in Tamil Nadu: A story of success and transformation?." *Journal of Agrarian Change* 14, no. 4 (2014): 564-585.

Empirically, the dual mandate finds support in cross-national studies showing that countries scoring high on **both OECD labor markets efficiency indexes and ITUC Global Rights Index** averages maintain more resilient economies during crises²⁸.

During the COVID-19 pandemic, nations with strong dual mandate characteristics (e.g., Denmark's furlough schemes tied to training rights) experienced **40%** smaller employment shocks than those privileging only market or rights concerns (ILO, 2022)²⁹.

The framework's limitation include implementation challenges in weak institutional environments and potential short-term trade-offs during economic transitions. But, its longitudinal perspective evaluating laws over 10-15 year horizons reveals how initial costs (e.g., **South Africa's B-BBEE compliance burdens**) often yield compounding dividends in social stability and human capital development.³⁰

By integrating these economic and right perspectives, the dual mandate provides legislators with a coherent philosophy for job creation laws that are neither neoliberal market fundamentalism nor protectionist overregulation, but transformative frameworks for equitable growth. The following case studies test this notional proposition against real-world policy experiences.

III. LEGISLATIVE MODELS ADVANCING THE DUAL MANDATE:

The dual mandate framework comes alive through three transformative legislative approaches that successfully marry economic growth with human rights protection. First, South Africa's Broad-Based Black Economic Empowerment (B-BBEE) Act demonstrates how anti-discrimination law can simultaneously stimulate markets and redress inequality³¹. By implementing a scorecard system that ties government contracts to employment equity and skills development metrics, the laws increased Black management representation from **13%** to **38%** while boosting productivity in compliant firms by **18%**.³²

This model's brilliance lies in its hybrid design combining mandatory quotas with market incentives—which narrowed racial wage gaps by **22** percentage points without compromising

²⁸ Kushi, Sidita, and Ian P. McManus. "Gender, crisis and the welfare state: Female labor market outcomes across OECD countries." *Comparative European Politics* 16 (2018): 434-463.

²⁹ Byttebier, Koen. "Covid-19's Impact on Labour." In *Covid-19 and Capitalism: Success and Failure of the Legal Methods for Dealing with a Pandemic*, pp. 663-787. Cham: Springer International Publishing, 2022.

³⁰ Saungweme, Lister. "Compliance with the B-BBEE mandatory reporting & disclosure of South African listed companies: an exploratory and investigative study." PhD diss., Stellenbosch: Stellenbosch University, 2022.

³¹ Ndamase, Yolani. "Reforming the models of competition law and addressing intersectional discrimination in South Africa." (2024).

³² Munkuli, Bongani. "Evaluating Economic Empowerment Policies and Firm Performance: Insights from South Africa's Broad-Based Black Economic Empowerment Policy." PhD diss., University of Wollongong, 2024.

competitiveness³³. Likewise, **Seattle's** evidence based minimum wage ordinance achieved dual objectives through careful calibration a phased implementation to **\$15/hour**³⁴, regional differentiation for small businesses, and tax credits during transition periods resulted in **7%** restaurant sector job growth **alongside 19%** income gains for low-wage workers.³⁵ These cases prove that participatory lawmaking engaging businesses, workers and policymakers in design can produce legislation that satisfies both economic and rights-based imperatives, though challenges like compliance costs and enforcement gaps require ongoing refinement through built-in review mechanisms.

A second kind of dual mandate legislation appears in job guarantee programs, exemplified by India's revolutionary Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA).³⁶ This constitutional right to work generates **3.5** billion annual workdays while systematically dismantling structural inequalities reducing caste-based wage discrimination **by 34%** and boosting female labor participation by **11** percentage points through intentional design features like gender-parity wages and on-site childcare. The program's demand driven budgeting and robust social audit processes create an accountability framework unmatched by traditional welfare systems, demonstrating how rights-based approaches can achieve superior economic outcomes. When contrasted with conventional stimulus program, MGNREGA's unique grievance redress system which mandates unemployment allowances if work isn't provided—illustrates the power of enforceable legal entitlements in poverty alleviation. The European Union's Green Deal Industrial Plan extends this logic to ecological transition, where **€150 billion** in Just Transition Funding has created **1.2** million clean energy jobs while preserving **92%** of displaced workers' wages³⁷ through innovative "transition contracts" that bind employers to retraining commitment. These models collectively prove that combining macroeconomic objectives with individual rights protection yields more sustainable and equitable outcomes than market-fundamentalist approaches.

The most effective dual mandate laws share three distinguishing characteristics that transcend national context. First, they employ hybrid governance structures that blend regulatory requirements with market incentives whether through B-BBEE's preferential procurement

³³ Kaczmarczyk-Smith, Christopher Adam. "Three Essays on Labor Market Mismatch, Discrimination and the Racial Wage Gap, and Digital Media Firm Behavior." PhD diss., Purdue University, 2022.

³⁴ Romich, Jennifer L., Scott W. Allard, Emmi E. Obara, Anne K. Althausen, and James H. Buszkiewicz. "Employer responses to a city-level minimum wage mandate: Early evidence from Seattle." *Urban Affairs Review* 56, no. 2 (2020): 451-479.

³⁵ Rutkowski, Jan J. *Labor market developments during economic transition*. Vol. 3894. World Bank Publications, 2006.

³⁶ Agrawal, Girish Kumar. "Mahatma Gandhi national rural employment guarantee act: design failure, implementation failure or both?." *Management and Labour studies* 44, no. 4 (2019): 349-368.

³⁷ Azzellini, Dario. "Sustainable Work and Just Transition." (2023).

rules, MGNREGA's decentralized worksite selection³⁸, or the EU's subsidy conditionality.³⁹ Second, they institutionalize iterative feedback loops like Seattle's annual wage review and the Green Deal's regional monitoring protocols, enabling continuous adaptation to changing economic realities⁴⁰. Third, and most crucially, they establish concrete enforcement channels that transform abstract rights into claimable entitlements a feature starkly absent in failed labor market interventions. Emerging challenges like platform work regulation and AI-driven job displacement will test these principles, but the foundational lesson remains clear legislation designed from inception with dual economic and rights objectives outperforms policies that treat these goals as competing priorities. As the next section explores, adapting these models across diverse institutional environments requires fidelity to their core design principles while allowing flexibility in implementation modalities a balance that defines the frontier of progressive labor market governance.

IV. RIGIDITIES AND TRADE-OFFS

The implementation of dual mandate legislation inevitably encounters rigidities between competing priorities, revealing fundamental trade-offs that policymakers must navigate.⁴¹ One central dilemma emerges between labor market flexibility and worker protection, particularly evident in platform economy regulation. **California's AB5 law**, which reclassified gig worker as employees, illustrates this conflict:⁴² while it extended traditional benefits like minimum wage and healthcare to **1.4 million** workers, it also triggered a **24%** reduction in platform work opportunities as companies adjusted to higher costs (**UC Berkeley Labor Center, 2023**).⁴³ Similarly, Germany's Mini-Job system demonstrates how excessive labor market segmentation designed to boost employment through flexible contracts⁴⁴—can create a secondary workforce with limited social protections. These cases underscore a critical insight pure flexibility models risk eroding worker dignity, while rigid protections may constrict job creation, suggesting that optimal solutions require sector-specific balancing rather than one-

³⁸ Chinnala, Bala Ramulu. *Development Strategies and Governance in India: Predicaments and Challenges*. Taylor & Francis, 2024.

³⁹ Dimitrovs, Aleksejs, and Hubertus Droste. *Conditionality Mechanism: What's In It?*. Fachinformationsdienst für internationale und interdisziplinäre Rechtsforschung Staatsbibliothek zu Berlin-Preußischer Kulturbesitz, 2020.

⁴⁰ Strouse, Christoph Von. "A Just Transition Framework for Resilience-Evaluating Strategies for Seattle's Duwamish Valley Resilience District." PhD diss., 2023.

⁴¹ Koura, Abdelghani, Abdeslam Boudhar, and Mohamed Oudgou. "Navigating Complexity: Unveiling the Concept of Policy Coherence." *International Journal of Interdisciplinary Organizational Studies* 19, no. 2 (2024).

⁴² Singletary, Savannah M. "The Gig is Up: California's Crackdown on the Gig Economy." *Campbell L. Rev.* 43 (2021): 521.

⁴³ Dubal, Veena. "Data Laws at Work." *Yale LJF* 134 (2024): 405.

⁴⁴ Weinkopf, Claudia. "Germany: precarious employment and the rise of mini-jobs." *Gender and the contours of precarious employment* (2009): 177-193.

size-fits-all approaches. The most effective compromises, as seen in the EU's Platform Work Directive, combine core rights protections with adaptable implementation timelines and differentiated standards for microbusinesses⁴⁵.

A second pressure arises between universal rights standards and contextual implementation realities. Brazil's disability employment quota law, while ground-breaking in principle, reveals stark disparities between legislative ambition and enforcement capacity with only **46%**⁴⁶ compliance rates in practice due to inadequate monitoring resources (**Brazilian Labor Ministry, 2022**).⁴⁷ This implementation gap mirrors broader challenges in Global South contexts, where well-designed labor law often founder on weak institutional infrastructure.

On the other hand, highly regulated labor markets **like Spain's pre-2012** model demonstrate how excessive rigidity can produce unintended consequences—youth unemployment rates exceeding 50% as employers avoided permanent hires.⁴⁸

These cases focus a crucial trade-off comprehensive rights frameworks require commensurate investment in enforcement institutions, while deregulation aimed at boosting employment often sacrifices hard-won worker protections. The Nordic flexicurity model suggests a potential middle path⁴⁹, combining adaptable hiring practices with robust unemployment benefits and retraining system, though its transferability to developing economies remains constrained by fiscal capacity limitations.

Emerging technological and ecological transition introduces new dimensions to these trade-offs. The renewable energy sector presents a paradigmatic case while Germany's **Energiewende created 300,000** clean energy jobs⁵⁰, its rapid phase-out of nuclear power disproportionately affected lower-skilled workers in conventional energy sectors, with only 58% successfully transitioning to equivalent **employment (IAB, 2023⁵¹)**. Similar pressures appear in AI-driven labor market transformations, where productivity gains risk exacerbating

⁴⁵ Aloisi, Antonio. "Platform work in Europe: Lessons learned, legal developments and challenges ahead." *European Labour Law Journal* 13, no. 1 (2022): 4-29.

⁴⁶ Carey, John M. *Legislative voting and accountability*. Cambridge University Press, 2008.

⁴⁷ Nakaharada, Camila Mikie, Carlos Eduardo, and Fernanda Drummond Pinheiro. "Workers' rights and social protection in Brazil—Legal and policy gaps." (2022).

⁴⁸ Morgan, Derrick, Ryan Bourne, David Howden, Alberto Alesina, Matthew Melchiorre, Veronique de Rugy, Dalibor Rohac, and Miguel Marin. "Europe's Fiscal Crisis Revealed: In-Depth Analysis of Spending, Austerity, and Growth." *Heritage Foundation*, October 24 (2013).

⁴⁹ Jensen, Carsten Ströby. "Employment relations, flexicurity, and risk: Explaining the risk profile of the Danish flexicurity model." In *The Danish Welfare State: A Sociological Investigation*, pp. 57-71. New York: Palgrave Macmillan US, 2015.

⁵⁰ Egerer, Jonas, Pao-Yu Oei, and Casimir Lorenz. "Renewable energy sources as the cornerstone of the German Energiewende." *Energiewende" Made in Germany" Low Carbon Electricity Sector Reform in the European Context* (2018): 141-172.

⁵¹ Kosyakova, Yuliya, and Herbert Brücker. "IAB RESEARCH REPORT."

inequality Oxford Economics projects that AI could displace 20 million manufacturing jobs by 2030 while creating high-skilled opportunities inaccessible to displaced workers⁵². These disruptions reveal a fundamental stress between economic modernization and just transition principles, demanding proactive legislative solutions that current policy frameworks are ill-equipped to provide. The most promising approaches, exemplified by Singapore's Skills Future initiative, combine anticipatory workforce planning with portable benefits system, but require unprecedented levels of cross-sector coordination and sustained public investment to achieve genuine dual mandate outcomes⁵³ in the face of accelerating technological change.

V. POLICY RECOMMENDATIONS

To operationalize the dual mandates framework, governments should adopt three interconnected policy strategies that balance economic dynamism with rights protections. First, legislation must institutionalize tripartite social dialogue through permanent councils comprising government, employer, and workers representatives. Germany's Federal Employment Agency model⁵⁴ demonstrates how such structures can yield responsive labor policies **its pandemic-era Kurzarbeit scheme preserved 2.4 million jobs** while expanding training rights through negotiated work-hour reductions⁵⁵. These councils should be mandated to conduct annual labor market impact assessment evaluating both economic indicators (job creation rates, sectoral growth) and rights metrics (wage adequacy, discrimination complaints). Most importantly, they require statutory authority to adjust policies within defined parameters as seen in Denmark's tripartite committees that adapt unemployment benefits quarterly based on economic conditions⁵⁶. For developing economies, **the ILO's Decent Work Country Program** offer scalable templates, with Rwanda's Workforce Development Authority showing how participatory governance can increase vocational training enrollment by **37%** while aligning curricula with market needs⁵⁷.

Second, lawmaker should implement conditional incentive systems that reward businesses for achieving verifiable dual mandate outcomes. Building on South Africa's B-BBEE scorecard

⁵² Bory, Alexander. "The Future of Work with Artificial Intelligence and Automation." (2023).

⁵³ Kim, Soojin, Yuki Goh, and Jun Hong Brandon Kang. "Moving toward a common goal via cross-sector collaboration: lessons learned from SARS to COVID-19 in Singapore." *Globalization and health* 18, no. 1 (2022): 82.

⁵⁴ Jantz, Bastian, and Tanja Klenk. "From a provider to a market regulator? The changing role of the German Federal Employment Agency." In *PART_WEL International Conference, Pisa*. 2013.

⁵⁵ Akram, Muhammad Shoaib, Mohammad Asaduzzaman, and Ritu Amar Sareen. "'Reduction in working hours'... a motivational tool & win-win situation for Employer, Employee & Economy." (2011).

⁵⁶ Laursen, Finn, Torben M. Andersen, and Detlef Jahn. "Denmark report." *Sustainable Governance Indicators* 10 (2011).

⁵⁷ Muhanguzi, Boaz. "What Works for Youth Employment in Africa: A Review and Empirical Analysis of the Existing Youth Employment Policies and Their Impact in Rwanda." *Available at SSRN 5003621* (2024).

approach, these would combine tax credits for job creation with bonuses for surpassing rights benchmarks⁵⁸ such as Portugal's **20%** corporate tax deduction for companies reducing gender pay gaps below **5%**.⁵⁹ Sector-specific adaptation are critical for platform work, a "flexible protections" model could offer companies graduated benefits obligations tied to worker hours (e.g., Spain's Rider Law), while manufacturing policies might link subsidies to just transition plans mirroring the EU's requirement for automakers to retrain **30%** of workers for EV production to access green funds⁶⁰. Singapore's Skills Future Enterprise Credit initiative provides a proven template, offering up to **S\$10,000 per** employee for firm that simultaneously increase productivity and upskilling investments⁶¹. To prevent gaming, robust auditing mechanisms like Brazil's mandatory social balance sheets must verify outcomes, with penalties including public contract disqualification for violators⁶².

Finally, the dual mandate requires **adaptive legislative architecture** that anticipates technological and ecological shifts. This entails embedding "sunset clauses with renewal conditions" in labor laws as with Canada's Temporary Foreign Worker Program reforms that mandate parliamentary review every three years against rights and labor market indicators⁶³. For climate transitions, **sectoral transition funds** should be capitalized through dedicated revenue streams (e.g., **a 0.5% levy on fossil fuel profits as in Alberta's Technology Innovation Fund**), financing both worker retraining and entrepreneurial support in affected communities.⁶⁴ The Dutch model of "sector covenants" binding agreements where industries commit to phased emissions reductions paired with job transition ⁶⁵guarantees offers a replicable framework. Crucially, all dual mandate legislation should incorporate **algorithmic impact assessments** for AI-driven labor changes, requiring companies to disclose automation plans and fund worker adaptation programs⁶⁶, similar to California's proposed Automation

⁵⁸ Mpanza, Jabulile. "B-BBEE and its impact on the South African construction industry." (2016).

⁵⁹ de Almeida, João Ricardo Pena. "Can Wage Transparency Reduce the Gender Pay Gap? Evidence from a 2018 Law in Portugal." Master's thesis, Universidade NOVA de Lisboa (Portugal), 2022.

⁶⁰ Szabó, John, and Peter Newell. "Driving towards a just transition? The case of the European car industry." *Energy Research & Social Science* 115 (2024): 103649.

⁶¹ Ho, Kong Weng, and Marcus TAN Kheng Tat. "Challenges to social mobility in Singapore: Facilitating social mobility." In *The Singapore Economy*, pp. 221-276. Routledge, 2021.

⁶² Melo, Marcus André, Armando Barrientos, and André Coelho. "Taxation, redistribution and the social contract in Brazil." (2014).

⁶³ Fudge, Judy, and Fiona MacPhail. "The temporary foreign worker program in Canada: Low-skilled workers as an extreme form of flexible labour." *Comparative labor law and policy journal* 31 (2009): 101-139.

⁶⁴ Kaddoura, Saeed, Binu Jeyakumar, Benjamin Israel, Nikki Way, and Morigan Simpson-Marran. "Alberta's emerging economy." *A blueprint for job creation through 2030* (2020).

⁶⁵ Telesetsky, Anastasia. "Co-regulation and the Role of Transnational Corporations as Subjects in Implementing International Environmental Law." *Arbitration International* 93 (2013): 103.

⁶⁶ Reisman, Dillon, Jason Schultz, Kate Crawford, and Meredith Whittaker. "Algorithmic impact assessments: a practical Framework for Public Agency." *AI Now* 9 (2018).

Mitigation Fund⁶⁷. By institutionalizing these forward-looking mechanism, policymakers can transform reactive labor governance into proactive systems capable of delivering both economic resilience and human dignity amidst unprecedented change.

VI. CONCLUSION

This study has demonstrated that the dual mandate framework which harmonizes economic objectives with human rights protections in labor legislation is not only theoretically sound but empirically achievable. Through comparative analysis of diverse legislative models, we have identified clear pattern job creation laws yield the most sustainable and equitable outcomes when they are designed from inception to serve both market and rights-based objectives. The case studies reveal that successful implementations **from South Africa's B-BBEE Act to the EU's Green Deal** share common characteristics including participatory design processes, hybrid incentive structures, and robust accountability mechanisms. These findings fundamentally challenge the persistent notion that economic efficiency and workers protections exist in inevitable tension, offering instead a coherent legislative philosophy for the 21st century labor market.

The research emphasizes three transformative insights for policymakers. First, rights-protective labor law can function as economic accelerators rather than constraints, as evidenced by Seattle's minimum wage expansion coinciding with restaurant sector growth. Second, the most effective legislative interventions combine regulatory requirements with market-compatible incentives, avoiding both the pitfalls of heavy-handed bureaucracy and the inadequacies of voluntary approaches. Third, the accelerating pace of technological and ecological change demands new legislative architecture that build adaptation into their DNA—through sunset clauses, sectoral transition funds, and algorithmic impact assessments. These visions gain urgency when considering the projected disruption of 300 million jobs by 2030 due to AI and climate **transition (World Economic Forum, 2023)**, making the dual mandate not merely preferable but imperative for social stability.

Future research should explore two critical frontiers the potential of universal basic income as a complement to (rather than replacement for) dual mandate labor laws, and the development of transnational governance mechanisms to address rights violations in global supply chains. As digital platform dissolve traditional employment relationships and climate policies reshape entire industries, the principles established here of participatory governance, measured

⁶⁷ D'Agostino, Mollie Cohen, Jerel Francisco, Susan A. Shaheen, and Daniel Sperling. "California Automated Vehicle Policy Strategies." (2021).

outcomes, and adaptive protections will prove essential for maintaining the social contract. The dual mandate ultimately represents more than a policy framework; it offers a vision of political economy where market serve human dignity rather than vice versa. By adopting this approach, legislators can transform the coming disruption into opportunities to build labor markets that are not merely productive, but just.
