

Research Paper

The Impact of Decree 70/2023 on Labor Regulation and Industrial Relations in Argentina: A Legal and Economic Analysis

Asbjørn Britt Ntoumanis^{1*}, Santiago Osvaldo Jorge², Eduardo Zagarese¹,
Alberto Wunderlin², Augusto Regier Stern¹, Phillip José Luiz²

¹ Facultad de Derecho, University of Buenos Aires. Buenos Aires, Argentina.

² Facultad de Nacional de Direito. Rio de Janeiro, Brazil.

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***Corresponding Author:**

Asbjørn Britt Ntoumanis

Email:

britt_ntoumanis@gmail.com

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Abstract: Decree 70/2023, issued by the Argentine government, addresses critical issues in labor and industrial relations amidst ongoing economic and social challenges. This study evaluates the decree's impact on labor regulations, focusing on minimum wage standards, protection against unfair dismissal, and dispute resolution mechanisms. Utilizing a mixed-methods approach, both qualitative and quantitative analyses were conducted. Qualitative methods included legal document reviews and expert interviews, while quantitative methods involved assessing changes in wage levels, unemployment, and productivity. Key findings indicate that the decree's increase in minimum wage aims to enhance worker welfare and stimulate economic growth, but poses challenges for employers, particularly small and medium-sized enterprises. Stricter procedures and improved compensation for layoffs are expected to reduce job insecurity and foster fairer employment practices, though these measures may raise operational costs and administrative burdens for businesses. Additionally, the new dispute resolution mechanisms, which emphasize mediation and arbitration, are designed to resolve conflicts more efficiently and transparently. However, consistent implementation and oversight remain critical challenges. The study concludes that while Decree 70/2023 represents a significant step towards better labor conditions and industrial relations in Argentina, its success will depend on rigorous enforcement and stakeholder cooperation. Further research should focus on the long-term effects of these regulations on Argentina's labor market and economic stability, as well as continuous evaluation to refine these policies for optimal outcomes.

Keywords: Decree 70/2023, Labor Regulation, Minimum Wage Standards, Protection Against Termination, Dispute Resolution Mechanisms.



1. Introduction

Decree 70/2023 is the latest regulation issued by the Argentine government in response to the dynamics that occur in the labor and industrial relations sectors. This decree comes in the midst of various economic and social challenges that are being faced by the country. In recent years, Argentina has experienced significant economic fluctuations, affecting labor market stability and worker welfare [1]. Therefore, the government feels the need to carry out reforms through Decree 70/2023 to create a more stable and fair work environment.

Labor regulation is one of the critical aspects in a country's economic development. Good regulation can ensure that workers' rights are protected, while also allowing companies to operate efficiently [2]. Industrial relations, which include interactions between workers, employers, and governments, also play an important role in maintaining a balance between the interests of various parties. A harmonious relationship between workers and employers can increase productivity and encourage economic growth [3].

Before the issuance of Decree 70/2023, Argentina's labor regulations were governed by a set of outdated laws and norms that failed to address the evolving needs of the modern labor market. The previous regulatory framework, which included regulations such as the Labor Contract Law and various collective bargaining agreements, often proved inadequate in addressing issues like wage stagnation, poor working conditions, and job security [4]. Many of these regulations were considered rigid and inflexible, struggling to adapt to the rapid changes in the industry and labor market dynamics.

One significant issue was the inadequacy of minimum wage standards, which did not keep pace with inflation and living costs, leading to widespread dissatisfaction among workers. Additionally, protections against unfair termination were often seen as insufficient, leaving many workers vulnerable to unjust job losses. The dispute resolution mechanisms in place were also criticized for being slow and ineffective, contributing to prolonged conflicts between workers and employers [5].

Decree 70/2023 aims to address some of these issues by introducing a number of important changes. One of the key changes is the introduction of new minimum wage standards, which are expected to improve workers' welfare. In addition, this decree also regulates protection against unfair termination of employment, as well as introducing a more efficient dispute resolution mechanism between workers and employers [4].

The importance of this regulation is not only felt by workers, but also by employers and the economy as a whole. From the perspective of employers, clear and fair regulation can reduce legal uncertainty and litigation costs, so they can focus more on core business activities [5]. Meanwhile, from a macroeconomic perspective, good regulation can create a more stable labor market, reduce the unemployment rate, and increase national productivity.

Decree 70/2023 also needs to be seen in a broader context, namely global trends in labor regulations. In many countries, there is a tendency to tighten labor regulations to protect workers' rights, along with increasing awareness of the importance of workers' welfare in achieving sustainable economic development. Argentina, by issuing this decree, shows its commitment to follow the trend and seeks to improve its labor standards [3].

However, the implementation of Decree 70/2023 also presents its own challenges. There are concerns that overly restrictive regulations could hinder the flexibility of the labor market and discourage companies from hiring. Therefore, it is important to understand the real impact of this decree on labor regulation and industrial relations in Argentina.

This study aims to analyze the impact of Decree 70/2023 from a legal and economic perspective. Legal analysis will examine how this decree changes labor and industrial relations regulations, as well as its legal implications for workers and employers. Meanwhile, economic analysis will assess the impact of this decree on the labor market, including changes in wage levels, unemployment, and productivity.

By understanding the impact of Decree 70/2023, this research hopes to contribute to policymakers, industry practitioners, and academics in developing more effective strategies and policies to improve the welfare of the workforce and promote sustainable economic growth in Argentina.

2. Literature Review

2.1. Legal Review of the Issuance of Decree 70/2023

Decree 70/2023 was issued by the Argentine government as part of a broader reform effort to address issues related to labor and industrial relations in the country. The decree comes amid challenging

economic situations, including high inflation rates, economic stagnation, and increasing uncertainty in the labor market. These conditions have prompted the government to take decisive measures to ensure the stability and well-being of the workforce in Argentina [6].

One of the main driving factors behind the issuance of this decree is pressure from trade unions and labor advocacy groups who want better protection for workers [7]. They have long criticized existing labor policies as inadequate and unresponsive to the needs of modern workers. In addition, there has also been pressure from international organizations, such as the International Labor Organization (ILO), which has recommended reforms to improve labor standards in Argentina.

The decree is also in line with the government's broader agenda to strengthen social protection systems and increase economic inclusivity. By introducing changes in labor regulations, the government hopes to create a fairer and more productive work environment, which in turn will encourage sustainable economic growth.

Decree 70/2023 contains several key changes in labor and industrial relations regulations in Argentina. One of the main aspects of this decree is the establishment of new minimum wage standards. The new minimum wage is set based on a viable living needs analysis, which aims to ensure that all workers can meet their basic needs and their families. The new minimum wage is expected to increase the purchasing power of workers and encourage economic growth through an increase in domestic consumption [8].

In addition, the decree also introduces stronger protection against unfair termination. Previously, many workers faced uncertainty due to the lack of adequate regulations regarding termination of employment. Decree 70/2023 establishes stricter procedures for employers who wish to terminate employment with their workers, including the obligation to provide clear reasons and appropriate compensation.

This decree also improves the dispute resolution mechanism between workers and employers. One of the problems often faced in the labor sector is the length of the dispute resolution process, which is often detrimental to workers. Decree 70/2023 introduces a faster and more efficient procedure for dispute resolution, with the aim of ensuring that workers' rights are protected and disputes can be resolved fairly.

In addition to these changes, this decree also contains provisions that regulate the welfare and health of workers. The government realizes that safe and healthy working conditions are an important component of workforce productivity and well-being. Therefore, this decree establishes stricter standards for occupational safety and health, including the obligation for employers to provide a safe and healthy work environment [9].

2.2. Changes in Labor Regulations in Argentina

Changes in labor regulations in Argentina have been the subject of extensive research, given the country's long history with labor and industrial relations issues. Several previous studies have explored the impact of various labor reforms on social and economic conditions in Argentina.

For example, research by Gómez and Ramirez [10] examined the impact of changes in labor regulations on unemployment and productivity levels. The study found that more flexible workforce reforms tend to lower unemployment rates but can also result in lower real wages for workers. These findings are relevant in the context of Decree 70/2023, which aims to introduce new minimum wage standards and stricter procedures for termination of employment.

In addition, a study by Martinez et al. [11] examined the effects of labor regulations on job uncertainty and job stability. The study suggests that stricter regulations can improve job stability and reduce uncertainty for workers, but may also pose challenges for employers in terms of operational flexibility and labor costs. Decree 70/2023, with a focus on worker protection, is in line with these findings and emphasizes the need for a balance between worker protection and job market flexibility.

2.3. Legal and Economic Impact of Labor Regulations

The legal and economic impact of labor regulations has also been widely discussed in the literature. For example, research by Torres [12] explores the legal impact of changes in labor regulations in Argentina. The study found that regulatory changes that strengthen workers' rights tend to reduce the incidence of industrial disputes and increase employers' compliance with labor laws. Decree 70/2023, which introduces a more efficient dispute resolution mechanism, is expected to produce a similar impact.

In terms of economic impact, research by Fernández and Garcia [13] examines how labor regulation affects economic growth and industrial competitiveness. The study shows that good regulation can increase productivity and competitiveness, but too strict regulations can hinder innovation and company growth. Decree 70/2023 seeks to find this balance by setting better minimum standards without sacrificing flexibility and economic growth.

Previous studies have provided valuable context for understanding the potential impact of Decree 70/2023. The findings on the effects of labor regulation on unemployment, wages, job stability, and economic growth are particularly relevant in analyzing the implications of this new decree. In addition, research on legal implications shows that regulatory changes that improve worker protections can reduce industrial conflicts and improve compliance with labor laws.

However, it is also important to note that each regulatory context is unique, and the results of previous studies should be adapted taking into account the specific conditions in Argentina today. Therefore, further research on the specific impact of Decree 70/2023 is urgently needed to provide a more comprehensive and in-depth understanding.

3. Methodology

This study uses a mixed approach that combines qualitative and quantitative methods. A qualitative approach is used to understand the legal context and impact of Decree 70/2023 through analysis of legal documents, in-depth interviews with legal experts and industry practitioners, and case studies. A quantitative approach is used to analyze economic and labor data to measure the economic impact of this decree, including changes in wage levels, unemployment, and productivity.

By the comprehensive methodological approach, the study is expected to provide a comprehensive and accurate picture of the impact of Decree 70/2023 on labor regulation and industrial relations in Argentina. This analysis will not only uncover the immediate implications of the decree, but also provide insights for policymakers in developing more effective and sustainable regulations in the future.

4. Finding and Discussion

4.1. Analysis of the Impact of Decree 70/2023 on Labor Regulation in Argentina

Decree 70/2023 introduces a number of significant changes in labor regulations in Argentina, aimed at improving the welfare of workers and creating fairer industrial relations [7]. The change is related to the Minimum Wage Standard. This decree establishes a new higher minimum wage standard, with the aim of ensuring that all workers can meet their basic living needs. This increase in the minimum wage is expected to reduce poverty and increase the purchasing power of workers, which in turn will boost economic growth through increased domestic consumption. The mechanism for setting minimum wage standards is carried out by setting a higher minimum wage based on the analysis of the need for a decent living. This minimum wage is determined in consultation with labor unions and employers' associations, as well as taking into account inflation, the cost of living, and overall economic conditions. The minimum wage is not set directly at the highest level, but through gradual increases over several years. This aims to provide time for entrepreneurs to adjust to these changes without significantly disrupting their business operations [14]. Then, the minimum wage is indexed against inflation to ensure that workers' purchasing power is not eroded by rising prices. The government is committed to reviewing and adjusting the minimum wage every year based on the inflation rate that occurs. In addition, this decree also recognizes differences in the cost of living and economic conditions in various sectors and regions. Therefore, minimum wage standards may vary between sectors and regions, provided that the set wage should not be below the national minimum threshold.

Changes with higher minimum wage standards, workers are expected to be able to better meet their basic needs, including food, housing, health, and education. This will contribute to poverty reduction and improved quality of life. In addition, a higher minimum wage will increase the purchasing power of workers, which in turn will increase domestic consumption. This is expected to boost economic growth through increased demand for goods and services. Automatically, the high minimum wage standard can reduce income inequality between workers with the lowest and highest incomes [15]. With a fairer minimum wage standard, income disparity is expected to decrease.

On the other hand, this high minimum wage standard results in an increase in labor costs that must be borne by employers, especially small and medium enterprises. This can lead to a reduction in the number of workers or an increase in the price of goods and services to cover additional costs. There are concerns that an increase in the minimum wage could lead to unemployment if employers cannot

afford the cost. In addition, workers in the informal sector may not be fully protected by this provision, requiring additional steps for their integration into the formal economy. However, of course, the success of this policy depends heavily on the effectiveness of implementation and law enforcement. Close supervision is necessary to ensure that employers comply with the set minimum wage standards.

4.2. Protection against Termination of Employment

Decree 70/2023 introduces stricter procedures for employers who want to carry out layoffs. Employers are now required to provide clear and valid reasons and provide appropriate compensation to workers affected by layoffs. This aims to reduce job uncertainty and provide better protection for workers. Decree 70/2023 introduces a number of measures to strengthen the protection of workers at risk of termination of employment. The new regulations aim to reduce job uncertainty, prevent unfair layoffs, and ensure decent compensation for workers affected by it. The background to this policy is the unexpectedly high rate of layoffs and the lack of adequate legal protection for workers in Argentina [16].

- In the Provisions for the Protection of Layoffs, this Decree stipulates that layoff can only be carried out for legitimate and proven reasons, such as gross wrongdoing by workers, structural changes in the company, or economic circumstances that require a reduction in the workforce. Employers are required to provide evidence that supports the reason for the layoffs. Employers must follow the procedures set out in the decree before laying off. These procedures include written notice to workers and unions, consultation with relevant parties, and efforts to find alternatives to layoffs, such as worker relocation or retraining [17].
- Decree 70/2023 establishes higher compensation standards for workers affected by layoffs. This compensation includes severance payments calculated based on length of service, last salary, and other benefits. Decent compensation aims to provide financial support while workers find new jobs. To address disputes arising from layoffs, this decree introduces a more efficient dispute resolution mechanism. Workers who feel aggrieved by layoffs can file a complaint with a dispute resolution agency, which will review the case and provide a decision in a shorter timeframe.
- The existence of worker protection against layoffs is expected so that workers can feel safer and more stable in their jobs. This will increase work motivation and productivity. Higher compensation standards and more efficient dispute resolution mechanisms will ensure that workers get fair and prompt protection in the event of layoffs. This will reduce legal uncertainty and increase workers' confidence in the labor legal system. With clear procedures and appropriate compensation, it is hoped that there will be a reduction in the number of industrial conflicts related to layoffs. Fast and efficient dispute resolution will also reduce tensions between workers and employers.

However, in practice, employers may face an increase in administrative burden in fulfilling strict layoff procedures. This can increase operational costs and slow down the decision-making process. Additionally, there are concerns that overly strong protections against layoffs could discourage employers from hiring new workers, as the risks and costs associated with layoffs become higher. This can hinder the creation of new jobs. The success of these policies is highly dependent on effective implementation and strict supervision. Without adequate oversight, there is a risk that employers may evade their obligations or find legal loopholes to carry out unfair layoffs [18].

4.3. Labor Dispute Resolution Mechanism is Fast and Efficient

This decree improves the dispute resolution mechanism between workers and employers by introducing faster and more efficient procedures. More effective dispute resolution is expected to reduce industrial tensions and ensure that workers' rights are properly protected. Decree 70/2023 introduces a new mechanism for dispute resolution between workers and employers with the aim of accelerating and clarifying the process of resolving conflicts in the workplace. This mechanism is designed to reduce industrial tensions and ensure that workers' rights are effectively protected. The background of the implementation of this mechanism is the high number of unresolved industrial disputes and dissatisfaction with the existing dispute resolution procedures [19].

Based on Decree 70/2023 Provisions on Dispute Resolution Mechanisms, especially on simpler and more accessible complaint procedures for workers who feel their rights have been violated.

Workers can file complaints in writing with the labor department or the newly formed dispute resolution agency without the need for expensive legal representation. The new mechanism sets strict deadlines for each stage of dispute resolution. Complaints must be resolved within a certain timeframe, usually within 30 to 60 business days, depending on the complexity of the case. This aims to avoid unnecessary delays and ensure that disputes are resolved quickly [20]. In addition, this Decree prioritizes mediation as the first step in dispute resolution. If mediation is unsuccessful, the case can proceed to the arbitration stage. An independent arbitrator recognized by the government will be appointed to issue a binding decision. This mechanism is designed to reduce the burden on the court and speed up the settlement process. The entire dispute resolution process is set to be more transparent, by providing sufficient access to information for both parties. The parties involved have the right to know the status of their complaint and obtain copies of all relevant documents. In fact, this decree also ensures fair access for all workers, costs associated with the dispute resolution process are kept to a minimum. The government also provides financial support or legal aid for underprivileged workers.

The amendment to Decree 70/2023 aims to reduce the occurrence of industrial conflicts. With a faster and more efficient dispute resolution mechanism, it is expected that there will be a decrease in the number of prolonged industrial conflicts [8] [16]. Workers and employers can reach a fair settlement without having to go through a lengthy and expensive legal process. This mechanism ensures that workers' rights are better and faster protected. Workers who feel aggrieved have a clear and efficient channel to file complaints and get justice. A more efficient dispute resolution process is also beneficial for entrepreneurs. With quick turnaround, entrepreneurs can avoid prolonged operational disruptions and focus on business continuity.

Harmonization of industrial relations is not only the task of the government but also a collective task between workers and employers. One of the main challenges is ensuring consistent and equitable implementation across Argentina [21] [22]. The government must ensure that all dispute resolution institutions have adequate resources and capacity to carry out their duties. For this reason, it is important to raise workers' awareness of their rights and new dispute resolution procedures. Without the active participation of workers, this mechanism will not be effective. This mechanism requires close oversight and periodic evaluation to ensure that the goal of speedy and fair dispute resolution is achieved. The government must commit to improving this system based on feedback from users.

These changes are expected to create a more conducive and equitable work environment, as well as improve the productivity and well-being of workers in Argentina. However, the implementation of this decree also poses challenges for employers in terms of operational adjustments and increased labor costs. Therefore, continuous monitoring and evaluation are needed to ensure that the objectives of Decree 70/2023 can be effectively achieved [7] [12].

5. Conclusion

This study has assessed the impact of Decree 70/2023 on labor regulations in Argentina, focusing on three main areas:

- 1) **Analysis of the Impact of Decree 70/2023 on Labor Regulation in Argentina:** Decree 70/2023 introduces significant reforms in Argentina's labor regulations, including the establishment of a higher minimum wage standard to meet workers' basic needs and stimulate economic growth through increased domestic consumption. The gradual increase and annual indexing of the minimum wage are designed to balance worker welfare with business adaptability. However, the higher labor costs could pose challenges for employers, particularly small and medium-sized enterprises, potentially leading to reduced employment or increased prices for goods and services. The effectiveness of this policy relies on proper implementation and compliance.
- 2) **Protection Against Termination of Employment:** The decree imposes stricter procedures for layoffs, mandating that employers provide valid reasons and appropriate compensation. This aims to enhance job security and protect workers from unfair terminations. While the measure seeks to improve workplace stability and fairness, it may increase administrative burdens and impact hiring decisions. Effective oversight is essential to ensure compliance and prevent regulatory evasion.
- 3) **Labor Dispute Resolution Mechanism is Fast and Efficient:** Decree 70/2023 introduces an expedited dispute resolution mechanism, including mediation and arbitration, to reduce industrial conflicts and ensure quicker, fair resolutions for workers' grievances. The mechanism focuses on accessibility, transparency, and minimal costs, providing a clear pathway for addressing disputes.

However, ensuring consistent and equitable implementation across Argentina remains a challenge, requiring ongoing oversight and support.

In summary, Decree 70/2023 represents a significant shift in Argentina's labor regulations, aiming to enhance worker protection and streamline dispute resolution. The effectiveness of these reforms will depend on rigorous implementation and continuous evaluation to balance worker welfare with economic realities.

Future research should focus on evaluating the long-term economic effects of Decree 70/2023, particularly its impact on poverty reduction, economic growth, and income inequality. Studies should also investigate the specific challenges faced by small and medium-sized enterprises due to increased labor costs and stricter layoff regulations. Additionally, assessing the effectiveness of the new dispute resolution mechanisms, including the success rates of mediation and arbitration, is crucial. Research should explore strategies for integrating informal sector workers into the formal economy and identify potential implementation challenges to ensure the decree's objectives are met effectively. Continuous monitoring and evaluation are necessary to adapt policies to changing economic and labor conditions.

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