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The reason why the question of financial inducements to renounce the exercise of certain rights matters, is because the question of waiver arises proeminently in the context of employment relationships. Because the relationships between the parties are generally imbalanced in that context, human rights courts have an important role in protecting workers from abuse of power. They have generally adopted the view that, while the consent of the individual may be *necessary* to justify certain restrictions to his/her rights, such a consent, as expressed in contractual clauses, should never be considered, as such, a *sufficient* justification. It is significant for instance that, in two cases concerning restrictions to the right to respect for private life of employees, the European Court of Human Rights did not satisfy itself with the consideration that the employees concerned must be presumed to have consented to such restrictions as a condition for their employment, but instead examined whether the said restrictions were justified as 'necessary, in a democratic society' (as required under para. 2 of Art. 8 ECHR) to the achievement of the legitimate aims put forward – in the cases concerned, public safety on a vessel or on a nuclear plant (see Eur. Ct. H.R. (1st sect.), decision of 7 November 2002, *Madsen v. Denmark*, Appl. No. 58341/00 (inadmissibility); and Eur. Ct. H.R. (4th sect.), decision of 9 March 2004, *Wretlund v. Sweden*, Appl. No. 46210/99 (inadmissibility)).

Consider also the case of *Wilson, National Union of Journalists and Others v. the United Kingdom* (/c4x/LouvainX/Louv2.01x/_asset/_Materials__Duty_to_Protect_and_waivers_-_Wilson_Final_.pdf), decided by the European Court of Human Rights in 2002. Why do you think the Court decided that the United Kingdom could not allow the employer to induce employees, through financial rewards, not to become members of the union? Aren't all relationships between individuals imbalanced in some way? What distinguishes permissible methods of trying to convince individuals to renounce their rights, from impermissible methods? Please contribute to the discussion forum below.

INSTRUCTIONS: In responding to the above questions, **DO NOT click on 'New Post'**. Click on '**Show discussion**', and then, in the first discussion thread, called '**[4.1.2] Waivers in employment relations**', click on '**View discussion**' and then on '**Add a response**' to propose your views to the community. If you want to comment on a peer's opinions in that thread then click on '**Add a comment**' in his response. You can also watch the tutorial (<http://youtu.be/SINSJKdez6g>) (see also, the updated (<http://youtu.be/TNoOB8q19kQ>) version) in order to make the best use of the interface.

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☒ I have read the excerpts of the decision, considered the questions raised and participated in the forum. 

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