

COURSE OF STUDY: Scienze delle Amministrazioni (LM-63)

ACADEMIC YEAR: 2023/2024

ACADEMIC SUBJECT: PUBLIC AND PRIVATE ADMINISTRATIONS LABOUR LAW

General information	
Academic subject	Public and Private Administrations Labour Law
Degree course	Administration Sciences
Academic Year	1° Year
Academic calendar (starting and ending date)	Second Semester (12 february 2024 – 17 may 2024)
ECTS	8
SSD	IUS/07
Language	Italian
Attendance	Recommended

Professor/ Lecturer	
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Department and address	Corso Italia, 23 – V piano – stanza n. 9
Virtual headquarters	On the Microsoft Teams platform, through Professor's email address
Tutoring (time and day)	Tuesdays, by appointment between 9.30 and 12.30, in presence and on Microsoft Teams. Consult the web page: www.uniba.it/it/ricerca/dipartimenti/scienze-politiche/docenti

Work schedule			
Total	Lectures	Hands on (Laboratory, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
Hours			
200	56	8	136
ECTS			
8	7	1	

Learning Objectives	The course aims to provide an overview of the discipline of work employed by the State and other public administrations, whose specialty continues to be maintained through the many reforms it has undergone since the so-called privatization process. The legal framework aimed to be offered starts therefore from the constitutional principles up to the sector legislation, and to its interpretation and jurisprudential application. Finally, a specific focus will be dedicated to employment relationships in publicly controlled companies.
Course prerequisites	Basic knowledge of labour and trade union law is recommended

Teaching strategy	The teaching is based on theoretical lectures, accompanied by practical insights.
Expected learning outcomes	
D1 Knowledge and understanding on:	<ul style="list-style-type: none"> ○ define ○ compare

	<ul style="list-style-type: none"> ○ explain ○ summarize <p>the legal outlines of the discipline and its development.</p>
D2 Applying knowledge and understanding on:	<ul style="list-style-type: none"> ○ choose ○ select ○ solve <p>practical cases with the use of the acquired knowledge.</p>
D3 Soft skills	<ul style="list-style-type: none"> • <i>Making informed judgments and choices</i> At the end of the course, the student must be able to <ul style="list-style-type: none"> ○ analyze ○ classify ○ distinguish ○ examine <p>the fundamental institutions of the course matter</p> <ul style="list-style-type: none"> • <i>Communicating knowledge and understanding</i> At the end of the course, the student must be able to <ul style="list-style-type: none"> ○ have full knowledge of legal terms ○ use the technical-legal vocabulary correctly • <i>Capacities to continue learning</i> At the end of the course, the student must be able to <ul style="list-style-type: none"> ○ Assess and analyze the future reviews of the course matter
Contents	<p>The reform of public administration and public work in Italy. The processes of organizational modernization of the public administration and their impact on public work. Privatization and contractualization of employment relationships and new legal structures of the organization of public administrations. Trade union representation, collective bargaining and conflict. The strike in essential public services. The individual employment relationship. The recruitment and hiring of staff. Flexible work and the use of self-employment. The organization and duties; progressions and careers. The economic treatment. The system for evaluating the performance of structures, management and personnel in the reform of the public administration. Public management: organization and employer powers of the public executive; the employment relationship of the public executive; the evaluation of managerial performance and related managerial and disciplinary responsibilities. The incompatibility regime. The code of conduct. Whistleblowing. The disciplinary power. Individual dismissal of civil servants. Individual and collective mobility. The specialty of the employment relationship in public companies.</p>
Books and bibliography	F. CARINCI, A. BOSCATI, S. MAINARDI, "Diritto del lavoro nelle pubbliche amministrazioni", Utet Giuridica, 2021
Additional materials	The use of an up-to-date Labour Code is recommended.
Teaching materials	Eventual additional materials will be made available at the Professor's institutional webpage.
Assessment and feedback	
Methods of assessment	A final exam, consisting of an oral interview, is to be taken.

<p>Evaluation criteria</p>	<ul style="list-style-type: none"> • Knowledge and understanding – The course will help acquire an understanding of the constitutional foundations and the functioning of the discipline of the employment relationship in public administrations and public companies. • Applied knowledge and understanding – The course will provide an In-depth knowledge and method for the understanding of the numerous regulatory changes on the subject, as well as the relevant knowledge to understand and manage the main public labour institutes, grasping the legal specificities of structure and operation. • Autonomy of judgment - The course aims to develop critical skills with respect to the regulation of public work and the stresses that the search for a balance with organizational effectiveness and public interest gives to the subject. • Communication skills - Students will be able to communicate information, problems and solutions concerning employment relationships in the public sector to specialists and non-specialists • Capacities to continue learning - The course aims to outline the general framework of the employment relationship in the public sector, so as to allow subsequent and autonomous in-depth studies.
<p>Criteria for assessment and attribution of the final mark</p>	<p>The final grade is awarded out of thirty. The exam is passed when the grade is greater than or equal to 18. The grade is determined by an overall evaluation with reference to the clarity of the presentation, the completeness of the acquired knowledge, the property of the specific vocabulary of the subject, the depth of knowledge, the ability to analyze questions and provide suitable answers. In particular, the grade breakdown is as follows:</p> <p>Insufficient: 0-17 Lack of, incomplete and inadequate knowledge of the topics contained in the syllabus, use of non-legal vocabulary</p> <p>Sufficient: 18-20 Sufficient knowledge of the topics contained in the syllabus and overall adequacy of the legal vocabulary used</p> <p>Adequate: 21-23 Adequate knowledge of the topics contained in the syllabus, adequate ability to argue and make connections between the various topics, use of appropriate legal vocabulary</p> <p>Good: 24-26 Good knowledge of the topics contained in the syllabus, good capacity for in-depth analysis and criticism, through the use of an adequate legal vocabulary</p> <p>Distinguished: 27-28 More than good knowledge of the topics contained in the syllabus, more than good capacity for in-depth study, for linking the various topics, for critique and mastery of legal vocabulary</p> <p>Excellent: 29-30</p>



	<p>Very good knowledge of the topics contained in the syllabus, very good ability to deepen, to link between the different topics, as well as criticism and mastery of the legal vocabulary</p> <p>Excellent: 30L</p> <p>Excellent knowledge of the topics contained in the syllabus, excellent capacity for in-depth study, for linking the various topics, for critique and mastery of the legal vocabulary</p>
Additional information	