

Department of Law

General information	
Academic subject	Labour Law
Degree course	SSG
Academic Year	2°
European Credit Transfer and Accumulation System (ECTS)	12
SSG	IUS/10
Language	Italian
Academic calendar (starting and ending date)	Annual – 1° Semester from 17 /10/2024 to 16/12/2024 2° Semester from 17/02/2025 to 23/05/2025
Attendance	Attendance is not mandatory but recommended

Professor/ Lecturer	
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Tutoring (time and day)	Tuesday, from 12 a.m. to 1 p.m. Students are invited to make in advance via e-mail and to consult the Professor's institutional page for further information.

Syllabus	
<b>Learning Objectives</b>	<p>The Course aims at providing students with basic legal knowledge and at developing critical thinking skills with regard to the traditional institutions of labour law. In this perspective, principles and crucial legal concepts of individual and collective labour relations will be explored through the analysis of relevant law and bargaining sources also by making use of a historical and interdisciplinary approach. This way, students will be able to re-elaborate concepts being aware of the logical connection among them and will acquire professionalizing methodologies and contents that are also essential for access to the world of work.</p>
<b>Course prerequisites</b>	Institutions of Private Law, Constitutional Law.
<b>Contents</b>	<p>The employment relation</p> <ul style="list-style-type: none"> <li>- General notions and historical developments: from the so-called social legislation and the 1942 Civil Code; from the 1948 Constitution to the EU law and policies.</li> <li>- The employment contract and the concept of subordination. Identifying Dependent Labour. The absence of the worker's subordination: coordinated and continuous collaborations, hetero-organized collaborations, autonomy and casual work.</li> <li>- Sources of Contractual Terms and Conditions to the managerial, supervisory and disciplinary powers of the employer.in self-employment and semi-dependent work.</li> <li>- Imperative statutory norms; employment rights, terms and conditions of employment.</li> <li>- Duties of Obedience, co-operation and care.</li> <li>- Payment of Wages and Salaries.</li> <li>- Working time.</li> <li>- Health and safety and the working environment.</li> <li>- The protection of rights of employees</li> <li>- Discipline and Termination of Employment.</li> <li>- Flexible work: fixed-term, part-time and agency Workers.</li> <li>- Identifying the Employer: transfers of undertakings</li> </ul>

	<p>Collective Labour Law</p> <ul style="list-style-type: none"> <li>- Introduction and historical developments: from liberalism to the fascist regime. The Constitutional legal order.</li> <li>- Basic definitions and concepts</li> <li>- The Rationale and Role of Collective Organisation</li> <li>- Constitutional principles of labour law and trade union freedoms (art. 39 of the Constitution).</li> <li>- Trade union representatives and trade union activities; trade union membership and activities in relation to employers</li> <li>- Trade union, collective bargaining and collective agreements; the scope and the enforceability of collective agreements; the system of collective agreements: characteristics, levels and internal coordination; Collective bargaining and the law.</li> <li>- Trade unions and the State.</li> <li>- Collective bargaining in the public sector.</li> <li>- Industrial action, legal policy relating to industrial action: an overview; the right to strike; the limits to industrial action; strike action in 'essential services'; strike action and other forms of industrial action; the lockout.</li> </ul>
<b>Books and bibliography</b>	<p>G. Giugni, <i>Diritto Sindacale</i>, Cacucci, Bari, ultima edizione disponibile.</p> <p>E. Ghera-A. Garilli–D. Garofalo, <i>Manuale di diritto del lavoro</i>, Giappichelli, edizione 2023.</p> <p style="text-align: center;">Or</p> <p>R. Del Punta, <i>Diritto del lavoro</i>, Giuffrè, 2023.</p>
<b>Additional materials</b>	<p>With regard to the above-mentioned texts, the reference must be made to more recent edition, if available during the academic year.</p> <p>Additional teaching material, which can be used for specific in-depth studies, will be made available on E-Learning and/or a special Team class.</p> <p>It is recommended to combine the study of manuals with the consultation of the main regulatory texts, in an updated version (cf. Normattiva.it).</p>

<b>Work schedule</b>			
Total	Lectures	Hands on (Laboratory, working groups, seminars)	Out-of-class study hours/ Self-study hours
<b>Hours</b>			
300	80	20	200
<b>ECTS</b>			
9			
<b>Teaching strategy</b>			
Lectures accompanied by the discussion of case law; in-depth thematic studies carried out during seminars, conferences, specialist lectures, workshops.			
<b>Expected learning outcomes</b>			
<b>Knowledge and understanding on:</b>	Students will acquire an adequate knowledge of the essential concepts of labour law and will be able to understand the ratio of the institutes and their systematic connection, at national and supranational level. In particular, students are expected to be able to understand principles and institutions and to connect them to the overall legal and industrial relations system as well as to be aware of the different rights and interests of the parties of the employment contract while understanding both their constitutional relevance and their socio-political implications with due regard to the organizational context of the workplace.		
<b>Applying knowledge and understanding on:</b>	Students will acquire legal skills in terms of method and basic disciplinary contents, research of legislative and bargaining source as well as of jurisprudential ones and will be able to orient themselves in the solution of legal problems inherent to the		

	functioning of the labour market as well as to the management of the workforce and of industrial relations at the workplace.
<b>Soft skills</b>	<ul style="list-style-type: none"> <li>• <i>Making informed judgments and choices</i> Students will acquire the ability to autonomously evaluate principles and legal concepts of individual and collective labour relations being aware of constitutional principles and rights there involved.</li> <li>• <i>Communicating knowledge and understanding</i> Students will acquire an adequate mastery of technical-legal language and the ability to illustrate the essential features of the most important concepts and question in the field of labour law.</li> <li>• <i>Capacities to continue learning</i> The students will acquire a complete basic knowledge of labour law and will be able to understand and explore the further developments of regulatory and jurisprudential sources, also thanks to their active participation to the course. The notions learned will allow a continuous updating and improvement process, even autonomously.</li> </ul>

<b>Assessment and feedback</b>	
Methods of assessment	Oral exam. There will be an optional mid-term verification on parts of the programme carried out in class.
Evaluation criteria	<ul style="list-style-type: none"> <li>• <i>Knowledge and understanding</i> Degree of knowledge and understanding demonstrated with respect to the topics indicated in the program.</li> <li>• <i>Applying knowledge and understanding</i> Acquisition of relevant skills in terms of method, basic disciplinary contents, research of legislative and bargaining source as well as of jurisprudential ones in the face of the prospect of legal application.</li> <li>• <i>Autonomy of judgment</i> Ability to elaborate concepts and autonomously resolve issues related to individual labour relation as well as to the management of industrial relations at the workplace.</li> <li>• <i>Communicating knowledge and understanding</i> The capacity of understanding and the communication of knowledge, through proper technical language, will be taken into account.</li> <li>• <i>Communication skills</i> Mastery of legal language and ability to present comprehensively, including through the use of examples and connections, the regulation of institutions.</li> <li>• <i>Capacities to continue learning</i> Learning skills will be verified in the light of reference texts indicated in relation to the programme and in consideration of the understanding of the most relevant sources for the study of the discipline.</li> </ul>
Criteria for assessment and attribution of the final mark	<p>The oral exam is based on questions concerning general principles and concepts of labour law (e.g. the managerial prerogatives or trade union freedom) and on further discussion of the topics dealt with aimed at assessing whether the students have achieved the intended learning outcomes.</p> <p>Examination results are expressed in thirtieths. For the assignment of the final grade, the evaluation obtained at the end of the optional mid-term exam will be considered, if accepted by the student.</p> <p>For the attribution of the final mark, the level of preparation achieved in accordance with the aforementioned criteria will be taken into account and, in line with the expected learning outcomes, the different levels of preparation will lead to different judgments: excellent (30/30 with honors), very good (28/29), good (25/27), satisfactory (21/24), sufficient (18/20). The honors is awarded on the basis of the previous unanimous consent of the examination committee</p>
<b>Additional information</b>	