

General Information	A.A. 2019-2020
Academic subject	European Social Law
Curriculum	LMG – LMGI – SSG - ConsLav
ECTS credits	9, 6 or 3
Compulsory attendance	No
Language	English

Subject teacher	Name Surname	Mail address	
	Aurora Adriana Vimercati (6 ECTS)	aurora.vimercati@uniba.it	
	Carla SPINELLI (3 ECTS)	carla.spinelli@uniba.it	
ECTS credits details	Basic teaching activities	SSD	Credits
	Labour Law	IUS/07	9-6-3

Class schedule	
Period	II Semester
Year	
Type of class	Lecture - workshops

Time management	
Total hours	225 – 150 - 75
In-class study hours	72 – 48 - 24
Out-of-class study hours	153 – 102 - 51

Academic calendar	
Class begins	February 17th 2020
Class ends	May 21st 2020

Syllabus	
Prerequisite requirements	Institutions of private law; Constitutional law
Expected learning outcomes	<p><i>Knowledge and understanding</i></p> <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 a European Union perspective.</p> <p>To this end, principles and crucial concepts of individual (contract of employment, statutory employment rights, terms and conditions of employment etc.) and collective labour law (trade union freedom, collective bargaining and collective agreements, industrial conflict) will be explored through the analysis of relevant EU law sources by making use of an historical and comparative approach.</p> <p>Students are expected to be able to connect principles and institutions to the overall legal and industrial relations system as well as to demonstrate an awareness of the functioning of supranational institutions while understanding both their constitutional relevance and their socio-political implications with due regard to the social dimension of globalization and of the effects caused by delocalisation of productive activities</p>

towards countries with a lower cost of labour.

To this end, special attention will be paid on the role of the European Union Court of Justice (CJEU) and relevant CJEU case law.

At the end of the Course students are expected to have acquired abilities, knowledge and skills as described in the following sections.

Applying knowledge and understanding

The main objective of the Course is to provide students with basic legal knowledge in the field of employment matters in a European Union perspective through a methodological approach based on the analysis and the comprehension of the EU legal and institutional framework as well as of the objectives of the process of European integration.

Students will be able to better understand questions involving domestic employment and labour market functioning both from a legal and an industrial relations point of view.

Students are expected to understand the function of labour law by developing knowledge and awareness about concepts and essential legal questions concerning:

- the institutional framework of EU
- EU employment policies
- EU Governance
- the relationship between social rights and economic freedoms
- conflict and collective social rights.

Such knowledge and understanding will be used to face and solve questions concerning the functioning of the labour market as well as the many changes occurring in work organisation and in the structure of the workforce while being aware of the complexity of the issues involved. This will overall contribute to the better implementation of employment policies.

Making informed judgements and choices

Students will use knowledge to understand the *rationale* of labour law while being aware of both the constitutional principles largely involved and the complexity concerning the rules governing the labour market in a globalised context. Such knowledge and skills will help students to address controversial questions concerning employment policies and laws and to develop their critical thinking in a problem-solving perspective, which will be useful to deal with the main labour law issues at stake in due accordance with relevant constitutional principles and norms.

Abilities

During the Course students will develop knowledge and skills which will enable them to describe basic institutions and concepts of employment law using appropriate legal language and terminology. This will also enable them to acquire basic reasoning and problem-solving skills that will prove to be valuable in their future career. Students have to demonstrate to be able to analyse and discuss issues dealt with in the

	<p>Course by using EU sources and case law being aware of the many constitutional principles there involved.</p> <p>Such abilities will be acquired while attending the Course and by individual study.</p>
Course program	
Contents	<p>Module of 6 credits - EU SOCIAL LAW - EU SOCIAL LAW AND NATIONAL LABOUR LAW REFORMS: The Evolution of EU 'Social' Policy. Law-making in the Field of Social Policy. The Employment Title and the Lisbon Strategy. Free movement of workers. Labour Law and the internal market. Special equality law (equal pay; equal treatment; family friendly policies; equal treatment in respect of social security and pensions)</p> <p>Module of 3 credits - EU SOCIAL LAW - EU LABOUR MARKET: Collective Social Rights and Economic Freedoms: worker involvement in decision-making; freedom of association; collective bargaining and collective action.</p>
Bibliography	<p>Module of 6 Cfu: Barnard C., EU Employment Law, OUP, Oxford, 2012, Parts I, II and III. Sciarra S., <i>Solidarity and Conflict</i>, CUP, 2018, Chapters 1, 2 and 3.</p> <p>Module of 3 Cfu: Barnard C., EU Employment Law, OUP, Oxford, 2012, Parts VI. Sciarra S., <i>Solidarity and Conflict</i>, CUP, 2018, Chapters 4, 5 and 6.</p>
Notes	In parallel to the textbooks, students have to consult relevant legal sources and materials.
Teaching methods	Class lectures and discussion aimed at encouraging active participation by the students. Slides. Workshops.
Assessment methods	Oral final exams.
Further information	<p>The oral exam is based on questions concerning general principles and concepts of EU labour law (e.g. the status of the Charter of fundamental rights; the right to strike in the EU legal framework etc.) and on further discussion of the topics dealt with aimed at assessing whether the students have achieved the intended learning outcomes.</p> <p>More specifically, the assessment will concern the following: knowledge of the central concepts and basic institutions of labour law; basic reasoning and problem-solving skills; ability to describe and discuss fundamental legislation governing employment relationships and the labour market, giving evidence of the constitutional principles involved; ability to use appropriate legal language and terminology.</p>

	Examination results are expressed by mark based on a 30-point scale.
Final examination	Students can prepare the final examination/thesis by getting in touch with the teacher at least a semester before the Thesis defence.