



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza
ACADEMIC YEAR	2016/2017
MASTER'S DEGREE (MSC)	LAW
SUBJECT	LABOUR LAW
TYPE OF EDUCATIONAL ACTIVITY	B
AMBIT	20011-Laburistico
CODE	02443
SCIENTIFIC SECTOR(S)	IUS/07
HEAD PROFESSOR(S)	<div>GARILLI ALESSANDRO Professore a contratto in Univ. di PALERMO quiescenza</div> <div>DE MARCO CINZIA Professore Ordinario Univ. di PALERMO</div> <div>MARINELLI Professore Ordinario Univ. di PALERMO</div> <div>MASSIMILIANO</div>
OTHER PROFESSOR(S)	
CREDITS	13
INDIVIDUAL STUDY (Hrs)	221
COURSE ACTIVITY (Hrs)	104
PROPAEDEUTICAL SUBJECTS	02431 - CONSTITUTIONAL LAW 04035 - ELEMENTS OF PRIVATE LAW
MUTUALIZATION	
YEAR	2
TERM (SEMESTER)	Annual
ATTENDANCE	Not mandatory
EVALUATION	Out of 30
TEACHER OFFICE HOURS	<div>DE MARCO CINZIA Tuesday 9:30 11:30 Dipartimento di Giurisprudenza, via Maqueda n. 172, sezione Diritto privato generale, piano 1°, stanza n.53</div> <div>GARILLI ALESSANDRO Tuesday 9:00 12:00 presso Dipartimento di Giurisprudenza, via Maqueda n. 172, sezione Diritto privato generale, piano 1°</div> <div>MARINELLI MASSIMILIANO Friday 12:00 15:00 Online Microsoft teams</div>

DOCENTE: Prof. ALESSANDRO GARILLI- *Lettere A-E*

PREREQUISITES	Knowledge of the legal system and fundamental categories of general law and contracts. Knowledge of the rules and constitutional principles (Fundamental principles; human rights; economic and social relations; competences between state and regions) .
LEARNING OUTCOMES	Knowledge and ability to understand the fundamental institutions of the employment relationship and of the trade unions law. Capacity to apply knowledge and understanding to case law. Making judgments
ASSESSMENT METHODS	Oral exam and written test in progress. The written test will consist of open-ended questions (minimum three), and will last from two to four hours . The exam is aimed at verifying the knowledge of the students, their critical skills , and the ability to use legal language
EDUCATIONAL OBJECTIVES	Critical awareness of labor law and its values in the current context characterized by the globalization of markets. Ability to manage legal language and using it in a comprehensive and convincing manner. Knowledge of the different historical phases of labor law, according with the main doctrinal dissertation and the most significant jurisprudential guidelines with regard to national and European law.
TEACHING METHODS	Lectures, seminars and tutorials.
SUGGESTED BIBLIOGRAPHY	E. Ghera, a. Garilli, D. Garofalo, Diritto del lavoro, 2015, Giappichelli, o, se disponibile, ed. successiva b) Per lo studio del diritto sindacale: M. V. Ballestrero, Diritto sindacale, Giappichelli, 2014 o, se disponibile, ed. successiva

SYLLABUS

Hrs	Frontal teaching
6	labour law transformation: from origins to the Jobs act.
4	The contract work
4	The economically dependent wor; coordinated work; ethero organized work; occasional work
6	The managerial power , the disciplinary power , the power of workers' control
2	the obligations of the worker and the employer
6	The object of workers' duties, classification, categories, and modification of tasks
4	wages and employee leaving indemnity
2	The contract work with increasing protections
8	The termination of the employment relationship , the individual and collective dismissals
4	Staff leasing,. transfer of undertakings and the other tool to decentralize companies
6	i contratti flessibili: termine, part-time, job sharing
2	The guarantees of the employee. Transactions, waivers, prescription.
2	The right of association : historical evolution
6	The freedom of trade unions in the Constitution and in Title II of the Statute of Workers
4	representation and representativeness of trade unions
6	Collective bargaining . Subjective effectiveness and mandatory nature of the collective agreement
4	collective bargaining in the public sector privatized
2	the repression of anti-union behaviour
4	the strike in the constitution limits and theories
4	The T.U. on union representation
4	The strike in essential public services
2	Union rights
2	the lockout
4	The relationship between collective agreements. Article 8 l . n . 148/2011
2	The forms of struggle different from the strike
4	Consultation and social dialogue

DOCENTE: Prof. MASSIMILIANO MARINELLI- *Lettere F-N*

PREREQUISITES	Knowledge of the legal system and fondamentale categories of general law and contracts. Knowledge of the rules and constitutional principles; human rights; economic and social relations; competences between State and Regions
LEARNING OUTCOMES	<p>Knowledge and ability to Understand</p> <ul style="list-style-type: none"> - Knowing and Understanding the Fundamentals principles of the employment relationship and of the trade unions law. - Capacity of interpretation of case law dealt at lesson, of legal qualification (by relating facts to cases), of evaluation and awareness to address theoretical and practical problems of labour and trade unions law. <p>Capacity to apply knowledge and understanding.</p> <p>Ability to connect the institutes of european labour law to national labour law</p> <ul style="list-style-type: none"> - Understand the operating mechanisms of legal institutions of labour law <p>Autonomy of Rating</p> <ul style="list-style-type: none"> - Capacity to solve problems which may arise in labour law standard. - Critical evaluation of the origins and of the current provisions and of the reforms of labour law occurred over the years. <p>Communicative skills</p> <ul style="list-style-type: none"> - Communicating Knowledge gained clearly. <p>Capacity of understanding the principal institutes of european and national labour law. Capacity of orientation among doctrinal contributions</p>
ASSESSMENT METHODS	<p>Final ORAL EXAM (maximum vote 30)</p> <p>The exam consists in an interview aimed to verify the level of knowledge of the agenda; the skill in using a legal language and the ability to develop a critical reasoning on the basis of theoretical knowledge.</p> <p>The evaluation will follow the evaluation grid underscoring -</p> <p>Excellent outcome 30 -30 and praise: good knowledge of the topics, excellent property 'of language, excellent analytical skill;</p> <ul style="list-style-type: none"> - Very good outcome 26-29: good knowledge of the topics, good property 'of language, good analytical skill ; - Good outcome 24-25: Basic knowledge of the main topics, discreet language skills, - Satisfactory outcome 21-23: the student does not show complete mastery of Main topics of the course, while owns knowledge fundamental; shows still good enough - Sufficient Outcome 18-20: minimal knowledge of the main topics and technical language, - Insufficient outcome: the student does not have an acceptable knowledge of content of the various topics on the agenda. <p>Written test in progress. The written test will consist of open-ended questions (minimum three), and will last from two to four hours . The exam is aimed at verifying the knowledge of the students, their critical skills , and the ability to use legal language.</p>
EDUCATIONAL OBJECTIVES	Critical awareness of labor law and its values in the current context characterized by the globalization of markets. Ability to manage legal language and using it in a comprehensive and convincing manner. Knowledge of the different historical phases of labor law, according with the main doctrinal dissertation and the most significant jurisprudential guidelines with regard to national and European law.
TEACHING METHODS	Lectures, seminars and tutorials
SUGGESTED BIBLIOGRAPHY	<p>per lo studio del rapporto di lavoro: E. Ghera, A. Garilli, D. Garofalo, Diritto del lavoro, 2015 Giappichelli, o se disponibile edizione successiva;</p> <p>per lo studio del diritto sindacale: M. V. Ballestrero, Diritto sindacale, 2014, Giappichelli, o se disponibile edizione successiva</p>

SYLLABUS

Hrs	Frontal teaching
2	the transformation of labour law: from the origin to the jobs act
4	the dependent employment
2	Economically dependent work; coordinated work; hetero organized work; occasional work
8	the object of job duties: Classification, categories and tasks modification
6	The managing power; the disciplinary power; the control power
4	The obligations of employer and workers
4	wages and severance indemnities
6	individual dismissal
4	redundancy
2	Staff leasing
6	Fixed term contract and part time contract
4	transfer of undertakings

SYLLABUS

Hrs	Frontal teaching
4	The protection of individual worker's rights
6	Trade Unions in Constitution and in Title II of the Statute of workers
6	Collective bargaining in private sector
4	Collective bargaining in public sector
2	The repression of anti union behaviour
4	The strike in Constitution
4	The strike in essential public services
8	Representation and representativeness of trade unions: legal and contractual rules
4	The relationship between collective agreements
2	Other forms of collective struggle
4	the social dialogue
4	Collective rights in the Statute of workers

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LEARNING OUTCOMES	<p>Knowledge and ability to Understand</p> <ul style="list-style-type: none"> - Knowing and Understanding the Fundamentals principles of the employment relationship and of the trade unions law. - Capacity of interpretation of case law dealt at lesson, of legal qualification (by relating facts to cases), of evaluation and awareness to address theoretical and practical problems of labour and trade unions law. <p>Capacity to apply knowledge and understanding.</p> <p>Ability to connect the institutes of european labour law to national labour law</p> <ul style="list-style-type: none"> - Understand the operating mechanisms of legal institutions of labour law <p>Autonomy of Rating</p> <ul style="list-style-type: none"> - Capacity to solve problems which may arise in labour law standard. - Critical evaluation of the origins and of the current provisions and of the reforms of labour law occurred over the years. <p>Communicative skills</p> <ul style="list-style-type: none"> - Communicating Knowledge gained clearly. <p>Capacity of understanding the principal institutes of european and national labour law. Capacity of orientation among doctrinal contributions</p>
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SYLLABUS

Hrs	Frontal teaching
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4	The contract work
4	The economically dependent work; coordinated work; other organized work; occasional work
6	The managerial power , the disciplinary power , the power of workers' control
2	The obligations of the worker and the employer
6	The object of workers' duties, classification, categories, and modification of tasks
4	Wages and employee leaving indemnity
2	The contract work with increasing protections
8	The termination of the employment relationship , the individual and collective dismissals

SYLLABUS

Hrs	Frontal teaching
4	Staff leasing,. transfer of undertakings and the other tool to decentralize companies
6	Flexible contracts: fixed-term work, part-time, job sharing
2	The guarantees of the employee. Transactions, waivers, prescription.
2	The right of association : historical evolution
6	The freedom of trade unions in the Constitution and in Title II of the Statute of Workers
4	Representation and representativeness of trade unions
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