



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2022/2023		
MASTER'S DEGREE (MSC)	LAW		
INTEGRATED COURSE	LABOUR LAW - INTEGRATED COURSE		
CODE	02446		
MODULES	Yes		
NUMBER OF MODULES	2		
SCIENTIFIC SECTOR(S)	IUS/07		
HEAD PROFESSOR(S)	BOLOGNA SILVIO	Professore Associato	Univ. di PALERMO
OTHER PROFESSOR(S)	BOLOGNA SILVIO	Professore Associato	Univ. di PALERMO
CREDITS	13		
PROPAEDEUTICAL SUBJECTS	04035 - ELEMENTS OF PRIVATE LAW 02432 - CONSTITUTIONAL LAW - INTEGRATED COURSE		
MUTUALIZATION			
YEAR	2		
TERM (SEMESTER)	Annual		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	BOLOGNA SILVIO Tuesday 10:00 12:00 la stanza del docente (Dipartimento di Giurisprudenza-sede di piazza Bologni, II piano) previo appuntamento da concordare via mail.		

DOCENTE: Prof. SILVIO BOLOGNA

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 - 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. Capacity to apply knowledge and understanding. Ability to connect the institutes of european labour law to national labour law - Understand the operating mechanisms of legal institutions of labour law Autonomy of Rating - 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. Communicative skills - Communicating Knowledge gained clearly. Capacity of understanding the principal institutes of european and national labour law. Capacity of orientation among doctrinal contributions
ASSESSMENT METHODS	<p>Final ORAL EXAM (maximum vote 30) 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 underscored</p> <p>-Excellent outcome 30 -30 and praise: good knowledge of the topics, excellent property 'of language, excellent analytical skill; - Very good outcome 26-29: good knowledge of the topics, good property 'of language, good analytical skill ;</p> <p>- 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 possessed some 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> <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>
TEACHING METHODS	Lectures, seminars and tutorials.

MODULE
LABOUR LAW - MODULE I

Prof. SILVIO BOLOGNA

SUGGESTED BIBLIOGRAPHY

Per lo studio del rapporto di lavoro: E. Ghera, A. Garilli, D. Garofalo, Diritto del lavoro, Giappichelli, Torino, 2020, ISBN 9788892131927;
per lo studio del diritto sindacale: M. Magnani, Diritto sindacale, Giappichelli, Torino, 2021, ISBN 9788892137608;
per l'approfondimento delle recenti misure volte a fronteggiare l'emergenza pandemica: A. Garilli (a cura di), Dall'emergenza al rilancio: lavoro e diritti sociali alla prova della pandemia, Giappichelli, Torino, 2020, ISBN 9788892136267;
ulteriore materiale didattico distribuito durante le lezioni.

AMBIT	20011-Laburistico
INDIVIDUAL STUDY (Hrs)	119
COURSE ACTIVITY (Hrs)	56

EDUCATIONAL OBJECTIVES OF THE MODULE

Critical awareness of labor law and its values in the current context characterized by the globalization of markets and the pandemic emergency. 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.

SYLLABUS

Hrs	Frontal teaching
4	Labour law: historical evolution
8	Trade unions' freedom in the Constitution and in the supranational order and in Title II of the Workers' Statute
4	Trade unions' rights in the workplace
2	The repression of anti-union behaviour
4	Representation and representativeness of trade unions
4	The Interconfederal agreement on representation of 2014
4	Collective bargaining . Subjective efficacy and inderogability of the collective agreement
6	The relationships among collective agreements and law: art. 8 Act 148/2011 and art. 51 Legislative decree 81/2015
4	Collective bargaining in the privatised public sector
4	The strike in the constitution: limits and theories
4	The strike in essential facilities services
2	The lock-out
2	The actions of struggle different from strike
4	Consultation and social dialogue

MODULE LABOUR LAW - MODULE II

Prof. SILVIO BOLOGNA

SUGGESTED BIBLIOGRAPHY

Per lo studio del rapporto di lavoro: E. Ghera, A. Garilli, D. Garofalo, Diritto del lavoro, Giappichelli, Torino, 2020, ISBN 9788892131927;
per lo studio del diritto sindacale: M. Magnani, Diritto sindacale, Giappichelli, Torino, 2021, ISBN 9788892137608;
per l'approfondimento delle recenti misure volte a fronteggiare l'emergenza pandemica: A. Garilli (a cura di), Dall'emergenza al rilancio: lavoro e diritti sociali alla prova della pandemia, Giappichelli, Torino, 2020, ISBN 9788892136267;
ulteriore materiale didattico distribuito durante le lezioni.

AMBIT	20011-Laburistico
INDIVIDUAL STUDY (Hrs)	102
COURSE ACTIVITY (Hrs)	48

EDUCATIONAL OBJECTIVES OF THE MODULE

Critical awareness of labor law and its values in the current context characterized by the globalization of markets and the pandemic emergency. 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.

SYLLABUS

Hrs	Frontal teaching
3	The transformations of labour law: from its origins to the contemporary age
3	The subordination
3	The economically dependent work; coordinated work; ethero organized work; occasional work
4	The managerial power, the disciplinary power, the power of workers' control
2	The obligations of the worker and the employer
4	The object of workers' duties, classification, categories, and modification of tasks
2	Health and safety in the workplace
1	Teleworking and smartworking
4	Wages and employee leaving indemnity
3	Working time and rests
7	The termination of the employment relationship , the individual and collective dismissals. Covid-19 and stop of dismissals.
4	Staff leasing, transfer of undertakings and the other tools to decentralize company activities
4	Flexible contracts: fixed-term work, part-time, job on call
2	The guarantees of the employee. Transactions, waivers, prescription.
2	Social security benefits against unemployment: general principles and anti-Covid measuresThe fight against social exclusion: minimum in. come guaranteed and other forms of support. the role of the European Union