



# UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2023/2024		
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)	DE MARCO CINZIA	Professore Ordinario	Univ. di PALERMO
	MARINELLI	Professore Ordinario	Univ. di PALERMO
	MASSIMILIANO		
	RICCOBONO	Professore Ordinario	Univ. di PALERMO
	ALESSANDRO		
OTHER PROFESSOR(S)			
CREDITS	13		
INDIVIDUAL STUDY (Hrs)	221		
COURSE ACTIVITY (Hrs)	104		
PROPAEDEUTICAL SUBJECTS	02432 - CONSTITUTIONAL LAW - INTEGRATED COURSE 04035 - ELEMENTS OF PRIVATE LAW		
MUTUALIZATION			
YEAR	2		
TERM (SEMESTER)	Annual		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	<p><b>DE MARCO CINZIA</b> Tuesday 9:30 11:30 Dipartimento di Giurisprudenza, via Maqueda n. 172, sezione Diritto privato generale, piano 1°, stanza n.53</p> <p><b>MARINELLI MASSIMILIANO</b> Friday 12:00 15:00 Online Microsoft teams</p> <p><b>RICCOBONO ALESSANDRO</b> Tuesday 9:00 11:00 dipartimento di Giurisprudenza,Palermo stanza ricercatori diritto del lavoro Friday 11:00 12:00 Polo didattico trapani</p>		

**DOCENTE:** Prof. ALESSANDRO RICCOBONO- *Lettere O-Z*

<b>PREREQUISITES</b>	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 ) .
<b>LEARNING OUTCOMES</b>	<p>Knowledge and ability to Understand</p> <ul style="list-style-type: none"> <li>- Knowing and Understanding the Fundamentals principles of the employment relationship and of the trade unions law.</li> <li>- 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.</li> </ul> <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"> <li>- Understand the operating mechanisms of legal institutions of labour law</li> </ul> <p>Autonomy of Rating</p> <ul style="list-style-type: none"> <li>- Capacity to solve problems which may arise in labour law standard.</li> <li>- Critical evaluation of the origins and of the current provisions and of the reforms of labour law occurred over the years.</li> </ul> <p>Communicative skills</p> <ul style="list-style-type: none"> <li>- Communicating Knowledge gained clearly.</li> </ul> <p>Capacity of understanding the principal institutes of european and national labour law. Capacity of orientation among doctrinal contributions</p>
<b>ASSESSMENT METHODS</b>	<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 underscored</p> <ul style="list-style-type: none"> <li>-Excellent outcome 30 -30 and praise: good knowledge of the topics, excellent property 'of language, excellent analytical skill;</li> <li>- Very good outcome 26-29: good knowledge of the topics, good property 'of language, good analytical skill ;</li> <li>- Good outcome 24-25: Basic knowledge of the main topics, discreet language skills,</li> <li>- Satisfactory outcome 21-23: the student does not show complete mastery of Main topics of the course, while possessed one knowledge fundamental; shows still good enough</li> <li>- Sufficient Outcome 18-20: minimal knowledge of the main topics and technical language,</li> <li>- Insufficient outcome: the student does not have an acceptable knowledge of content of the various topics on the agenda.</li> </ul> <p>The exam is aimed at verifying the knowledge of the students, their critical skills , and the ability to use legal language.</p> <p>Exam in progress: in the months of January or April an in-progress test will be conducted, the results of which will be taken into account for the final assessment. In particular, the part of the program identified by the teacher for the purposes of the ongoing test will not be the subject of the final exam. The student is in any case required to be properly prepared on the links between the part of the program subject to the ongoing test and that on which the final exam is concerned.</p>
<b>EDUCATIONAL OBJECTIVES</b>	<p>Critical awareness of labor law and its values in the current context characterized by the globalization of markets and the pandemic emergency.</p> <p>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.</p>
<b>TEACHING METHODS</b>	Lectures, seminars and tutorials.
<b>SUGGESTED BIBLIOGRAPHY</b>	<p>per lo studio del rapporto di lavoro: E. Ghera, A. Garilli, D. Garofalo, Diritto del lavoro, Giappichelli, Torino, 2023, ISBN 9788892145689;</p> <p>per lo studio del diritto sindacale: M. Magnani, Diritto sindacale, Giappichelli, Torino, 2021, ISBN 9788892137608;</p>

## SYLLABUS

Hrs	Frontal teaching
4	The transformations of labour law: from its origins to the phase post - pandemic emergency
4	The contract work
4	The economically dependent work; 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

## SYLLABUS

Hrs	Frontal teaching
5	The object of workers' duties, classification, categories, and modification of tasks
2	Health and safety in the workplace
1	Teleworking and smart working
4	Wages and employee leaving indemnity
2	The contract work with increasing protections
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 tool to decentralize companies
2	The guarantees of the employee. Transactions, waivers, prescription.
5	Flexible contracts: fixed-term work, part-time, job sharing
2	Social security benefits against unemployment: general principles and anti-Covid measures
2	The fight against social exclusion: minimum income guaranted and other forms of support. the role of the European Union.
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 I . n . 148/2011
2	The forms of struggle different from the strike
2	Consultation and social dialogue

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

<b>PREREQUISITES</b>	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.
<b>LEARNING OUTCOMES</b>	<p>Knowledge and ability to Understand</p> <ul style="list-style-type: none"> <li>- Knowing and Understanding the Fundamentals principles of the employment relationship and of the trade unions law.</li> <li>- 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.</li> </ul> <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"> <li>- Understand the operating mechanisms of legal institutions of labour law</li> </ul> <p>Autonomy of Rating</p> <ul style="list-style-type: none"> <li>- Capacity to solve problems which may arise in labour law standard.</li> <li>- Critical evaluation of the origins and of the current provisions and of the reforms of labour law occurred over the years.</li> </ul> <p>Communicative skills</p> <ul style="list-style-type: none"> <li>- Communicating Knowledge gained clearly.</li> </ul> <p>Capacity of understanding the principal institutes of european and national labour law. Capacity of orientation among doctrinal contributions</p>
<b>ASSESSMENT METHODS</b>	<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 underscored -</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"> <li>- Very good outcome 26-29: good knowledge of the topics, good property 'of language, good analytical skill ;</li> <li>- Good outcome 24-25: Basic knowledge of the main topics, discreet language skills,</li> <li>- 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</li> <li>- Sufficient Outcome 18-20: minimal knowledge of the main topics and technical language,</li> <li>- Insufficient outcome: the student does not have an acceptable knowledge of content of the various topics on the agenda.</li> </ul> <p>Exam in progress: in the months of January or April, an iteration test will be conducted, the results of which will be taken into account for the final assessment. In particular, the part of the program identified by the teacher for the purposes of the ongoing test will not be the subject of the final exam. The student is in any case required to be properly prepared on the links between the part of the program subject to the ongoing test and that on which the final exam is concerned.</p> <p>The exam is aimed at verifying the knowledge of the students, their critical skills, and the ability to use legal language.</p>
<b>EDUCATIONAL OBJECTIVES</b>	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.
<b>TEACHING METHODS</b>	Lectures, seminars and tutorials
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## 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

## SYLLABUS

Hrs	Frontal teaching
2	Staff leasing
6	Fixed term contract and part time contract
4	transfer of undertakings
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
104	Labour law

<b>PREREQUISITES</b>	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.
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