



DEPARTMENT	Giurisprudenza			
ACADEMIC YEAR	2015/2016			
MASTER'S DEGREE (MSC)	LAW			
SUBJECT	LABOUR LAW I			
TYPE OF EDUCATIONAL ACTIVITY	B			
AMBIT	20011-Laburistico			
CODE	02452			
SCIENTIFIC SECTOR(S)	IUS/07			
HEAD PROFESSOR(S)	GARILLI ALESSANDRO	Professore a contratto in quiescenza	Univ. di PALERMO	
	DE MARCO CINZIA	Professore Ordinario	Univ. di PALERMO	
	MARINELLI MASSIMILIANO	Professore Ordinario	Univ. di PALERMO	
OTHER PROFESSOR(S)				
CREDITS	9			
INDIVIDUAL STUDY (Hrs)	153			
COURSE ACTIVITY (Hrs)	72			
PROPAEDEUTICAL SUBJECTS	10100 - CONSTITUTIONAL LAW I 00505 - FOUNDATION OF PRIVATE LAW II			
MUTUALIZATION				
YEAR	2			
TERM (SEMESTER)	1° semester			
ATTENDANCE	Not mandatory			
EVALUATION	Out of 30			
TEACHER OFFICE HOURS	DE MARCO CINZIA Tuesday 9:30 11:30 Dipartimento di Giurisprudenza, via Maqueda n. 172, sezione Diritto privato generale, piano 1°, stanza n.53 GARILLI ALESSANDRO Tuesday 9:00 12:00 presso Dipartimento di Giurisprudenza, via Maqueda n. 172, sezione Diritto privato generale, piano 1° MARINELLI MASSIMILIANO Friday 12:00 15:00 Online Microsoft teams			

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

PREREQUISITES	Knowledge of legal institutions and fundamental categories of law Private and contract. Knowledge of norms and constitutional principles (Fundamental principles, personal rights, economic and social relations, shared by Competence states regions).
LEARNING OUTCOMES	EXPECTED LEARNING OUTCOMES Knowledge and understanding skills Understand and understand the core institutions of the labor relations and labor law Ability to apply knowledge and understanding Applying abstract rules to concrete cases Judgment autonomy Critical awareness of the values of labor law in the current context characterized by Globalization of markets Communication skills Communicate knowledge comprehensively and convincingly Learning ability The student will be able to rethink the different historical phases of labor law, Through the knowledge of the major doctrinal theses and the most significant orientations Case-law concerning domestic and Community law.
ASSESSMENT METHODS	oral and in itinere examination
EDUCATIONAL OBJECTIVES	Critical awareness of the values of labor law in the current context characterized by Globalization of markets. Exposure of knowledge in an exhaustive and convincing way. Knowledge of the various historical phases of labor law, through the main doctrinal theses and the most important jurisprudential guidelines regarding domestic and community law.
TEACHING METHODS	lessons, practice
SUGGESTED BIBLIOGRAPHY	E. Ghera, a. Garilli, D. Garofalo, Diritto del lavoro, ultima edizione, Giappichelli, 2014 o, se disponibile, ed. successiva b) Per lo studio del diritto sindacale: M. Magnani, Diritto sindacale, Giappichelli, 2014 o, se disponibile, ed. successiva

SYLLABUS

Hrs	Frontal teaching
6	6 teh evolution of labour law: from the origins to the jobs act
4	subordinate work
4	economically dependent work, coordinated work and self employment.
6	The governing power, the disciplinary power, the power of control
2	The obligations of the worker and the employer
6	The subject of the work contract. categories, tasks and modifications
4	Productive decentralization, administration, procurement and business transfer
4	fixed term work, part time, job sharing
4	wage and tfr
8	individual and collective dismissal
2	Guarantees of the workers. Waives transaction, prescription, decay
2	trade unions law.
4	Representation and trade union representativeness
2	freedom of union in constitution and in the Title II of the Statute. Lav
4	Collective bargaining. Subjective efficacy
2	Collective bargaining in privatized public work
2	The repression of anti-union conduct
2	the right to strike
2	the right to strinke in the public services
2	the lock

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	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	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. The evaluation will follow the evaluation grid underscoring - 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 ; - 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. 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	per lo studio del rapporto di lavoro: E. Ghera, A. Garilli, D. Garofalo, Diritto del lavoro, 2015 Giappichelli, o se disponibile edizione successiva; per lo studio del diritto sindacale: M. V. Ballestrero, Diritto sindacale, 2014, Giappichelli, o se disponibile edizione successiva

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

DOCENTE: Prof.ssa CINZIA DE MARCO- *Lettere O-Z*

PREREQUISITES	
LEARNING OUTCOMES	Conoscenza e capacità di comprensione Conoscere e comprendere gli istituti fondamentali del rapporto di lavoro e del diritto sindacale Capacità di applicare conoscenza e comprensione Applicazione delle regole astratte alle fattispecie concrete Autonomia di giudizio Consapevolezza critica dei valori del diritto del lavoro nell'attuale contesto caratterizzato dalla globalizzazione dei mercati Abilità comunicative Comunicare le conoscenze in modo esaustivo e convincente Capacità d'apprendimento Lo studente sarà messo in condizione di ripercorrere le diverse fasi storiche del diritto del lavoro, attraverso la conoscenza delle principali tesi dottrinarie e dei più significativi orientamenti giurisprudenziali con riguardo al diritto interno e a quello comunitario
ASSESSMENT METHODS	prova orale, prova in itinere
EDUCATIONAL OBJECTIVES	Consapevolezza critica dei valori del diritto del lavoro nell'attuale contesto caratterizzato dalla globalizzazione dei mercati. Esposizione delle conoscenze in modo esaustivo e convincente. Conoscenza delle diverse fasi storiche del diritto del lavoro, attraverso le principali tesi dottrinarie e dei più significativi orientamenti giurisprudenziali con riguardo al diritto interno e a quello comunitario.
TEACHING METHODS	lezioni
SUGGESTED BIBLIOGRAPHY	E. Ghera, a. Garilli, D. Garofalo, Diritto del lavoro, ultima edizione, Giappichelli, 2014 o, se disponibile, ed. successiva b) Per lo studio del diritto sindacale: M. Magnani, Diritto sindacale, Giappichelli, 2014 o, se disponibile, ed. successiva

SYLLABUS

Hrs	Frontal teaching
6	le trasformazioni del diritto del lavoro: dalle origini al Jobs act
4	la subordinazione
4	lavoro economicamente dipendente, coordinato ed autonomo. Partite iva e lavoro occasionale
6	il potere direttivo, il potere disciplinare, il potere di controllo
2	gli obblighi del prestatore e del datore di lavoro
6	l'oggetto della prestazione lavorativa, inquadramento, categorie, mansioni e ius variandi
4	decentramento produttivo, somministrazione, appalti e trasferimento d'azienda
4	i contratti flessibili: termine, part-time, job sharing
4	la retribuzione e il t.f.r.
8	l'estinzione del rapporto di lavoro, i licenziamenti individuali e collettivi
2	le garanzie del prestatore di lavoro. rinunce e transazioni, prescrizione, decadenza
2	il diritto sindacale: evoluzione storica
2	la libertà sindacale nella costituzione e il titolo II dello statuto dei lavoratori
4	rappresentanza e rappresentatività sindacale
4	la contrattazione collettiva. efficacia soggettiva e inderogabilità del contratto collettivo
2	la contrattazione collettiva nel pubblico impiego privatizzato
2	la repressione della condotta antisindacale
2	lo sciopero nella costituzione: limiti e teorie
2	lo sciopero nei servizi pubblici essenziali
2	la serrata