**Labour Law Institutions**

Prof. Matteo Corti

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to provide basic knowledge about labour and trade union legislation, as well as a clear understanding of the dynamics related to industrial and labour relations. Through the historical-systematic contextualisation of the institutions and the presentation of the current law, the course aims to provide students with a solid conceptual basis, a wealth of clear and up-to-date knowledge and mastery of technical-specialist language. Through the illustration of concrete cases and their classification in the labour law categories, the course aims to develop in students a conscious and critical approach to the multi-faceted problems that affect individual and collective working relationships.

At the end of the course students will know the basic notions of Labour law and Trade union law. In addition, in the field of labour law, they will know how to identify the provisions relevant to the concrete cases they will have to deal with, and to independently resolve the main legal issues that may arise in the context of the management of individual and collective working relationships. They will also be able to use the specialized language appropriately and to keep the knowledge and skills acquired during the course constantly updated.

***COURSE CONTENT***

The course will deal with the following topics:

– Labour in the Constitution and in the international sources;

– Autonomy and subordination;

– Subordinate employment contract and the different types of work relations (closed-term, part-time, on-call, apprenticeship);

– Labour market: Employment services and active employment policies.

– Outsourcing; temporary work, service contract, transfer of undertakings;

– The subject of the contract: tasks, qualifications, categories. Workplace and working time;

– Employer’s obligations (safety and remuneration) and worker’s duties (diligence, obedience and loyalty). Managerial power.

– Suspension of employment; the social safety net;

– Safeguarding of parenting; gender equality; discriminations;

– Individual dismissals and collective redundancies.

– Workers’ rights guarantees.

– Trade union freedom; the trade unions; collective bargaining and its structure;

– Workers’ representation in companies; strikes;

***READING LIST***

Students shall study the textbooks suggested below to prepare the exam.

– For attending students: M. Magnani, *Diritto del lavoro,* Giappichelli, Torino, 2021, e M. Magnani, *Diritto sindacale*, Giappichelli, Torino, 2021.

– For non attending students: O. Mazzotta, *Manuale di diritto del lavoro,* Wolters Kluwer Cedam, Milano, 2021.

Some supplemental material will be available on Blackboard.

***TEACHING METHOD***

The course will supplement the illustration of the theoretical fundamentals of the subject with the discussion and resolution of practical cases.

***ASSESSMENT METHOD AND CRITERIA***

Oral exam.

Students’ learning outcomes will be tested through an oral exam according to the following procedures.

Two questions on labour law and two on trade union law. Students will have to be familiar with labour legislation covered during the course and master the subject by being able to grasp the practical and applicative aspects of the topics studied.

Assessment will be based on a 30-point scale. The final mark will consider students’ accuracy and breadth of answers (70%) as well as their ability to adequately justify the statements and opinions expressed during the interview (30%).

More precisely, the following criteria will be applied for the assignment of the final mark.

Students with a wide knowledge of the topics covered in the course, the ability to critically apply the acquired knowledge and a good command of labour law and labour relations specific language and expressions, will be assigned excellent marks (between 27 and 30/30 ), with possible awarding of honours only in cases when students stand out for their exceptional preparation.

Students with a not completely satisfactory knowledge of the topics of the course, with difficulties in applying the concepts learned to concrete cases, the use of a language that is not completely appropriate, will be assigned satisfactory or good evaluations (between 23 and 26/30), according to their level of preparation during the exam.

Students with knowledge gaps and an inappropriate use of the language, although not completely incorrect, will be assigned a pass or slightly higher mark (between 18 and 22/30).

Students with serious knowledge gaps on basic parts of the course content, the complete omission of a part of the contents, the inappropriate or incorrect use of specialized language, will be negatively assessed and will be assigned a fail mark.

***NOTES AND PREREQUISITES***

Students are reminded of the introductory nature of the Private Law Institutions course. We strongly recommend the use of an updated labour code, such as: M.T. Carinci (edited by), *Codice del lavoro*, Giuffré, Milan, latest edition available; L. Ciardini-F. Del Giudice-F. Izzo (edited by), *Codice del lavoro. I codici MINOR*, Edizione Giuridiche Simone, latest edition available.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG, or on the Faculty notice board.