# Labour Law (Advanced Course)

## Prof. Matteo Corti

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

The course mainly aims to transmit advanced tools and techniques of Labour Law, both through an in-depth analysis of the Labour Law of the European Union (first module of the course), and by analysing specific features of the national labour discipline, which reflect current issues of the labour regulation, and may be further investigated as compared to the concise analysis offered in the general courses of Labour Law or Institutions of Labour Law (second module of the course).

The first module aims to allow students to develop the ability to examine EU social policy with appropriate language, conceptual autonomy, and a critical spirit. In the second module, the following profiles of national labour law are studied in detail: 1) employment services and active labour policies, 2) outsourcing techniques (business transfers, tenders, administration) and the labour law to protect the workers involved, 3) health and safety in the workplace, 4) anti-discrimination law.

At the end of the course, students will know and understand the main features of the specialised topics addressed in the course. They will be able to apply the knowledge acquired and solve problems relating to the course topics, developing familiarity with the reference legislation, also in light of the most relevant doctrinal and jurisprudential orientations. They will also be able to clearly communicate their conclusions, knowledge and underlying reasons to specialist and non-specialist speakers, with full mastery of the technical-legal language and with reference to the more concrete implications of the issues addressed. They will be able to autonomously advance in labour law studies and be open to updating and developing the subject, especially the various thematic areas addressed in the programme.

***COURSE CONTENT***

First module (3 ECTS)

*European Labour law*

* Labour in the Treaties.
* Employment policies.
* Social policy directives.

Second module

* Employment services and active labour policies.
* Outsourcing techniques (business transfers, tenders, administration) and labour law regulations for the protection of the workers involved.
* Protection of health and safety at the workplace.
* The anti-discrimination law.

***READING LIST***

Students will prepare the exam of the first module of the course on the following textbook:

M. Roccella-T. Treu, *Diritto del lavoro dell’Unione europea,* Cedam (parts I, II, III; except for part IV), latest edition available.

Students will prepare the exam of the second module of the course on the following parts of the manual F. Carinci, R. De Luca Tamajo, P. Tosi, T. Treu, *Diritto del lavoro 2. Il rapporto di lavoro subordinato*, Utet, Turin, 2019:

1. Employment services and active labour policies: chapter four, letter A).
2. Outsourcing techniques of (business transfers, tenders, administration) and the labour law regulations for the protection of the workers involved: chapter four, letter B), and chapter five.
3. Protection of health and safety at the workplace: chapter eight, letter D), nos. 1-4
4. The anti-discrimination law: chapter eight, letter A), nos. 3-7.

In the second module of the course, the lecturer makes available to students at the photoreproduction office a collection of additional in-depth materialsfor each of the topics in 1-4: these materials will form an integral part of the exam programme.

***TEACHING METHOD***

Classroom lectures.

***ASSESSMENT METHOD AND CRITERIA***

The final exam aims to assess the students’ achievement of the course aims. The learning assessment consists of a final oral exam. Questions relating to qualifying topics of the various parts of the programme, and in particular of each module, are aimed at testing the level of overall knowledge acquired by the candidate, their ability to critically address the topics studied and relate the different parts of the programme. The criteria for awarding the final mark are as follows.

The proficiency demonstrated in the development of qualitative and quantitative arguments, as well as the critical approach to the topics addressed and the correct use of technical-legal language, equally contribute to the formulation of the final mark. Specifically, the oral exam consists of a series of questions on the programme based on the reading list textbooks and other materials specified for personal study. The final mark results from an average of the outcomes of the answers to the questions asked to the candidate with reference to both modules of the course.

The candidate’s acquisition of a comprehensive awareness of the topics addressed in class together with the ability to critically use the notions learnt, as well as demonstrating mastery of specific language and expression skills, will be awarded excellent marks, with possible honors only in exceptional cases where the candidate demonstrates an extraordinary preparation.

Not well-articulated analysis and synthesis skills and/or the use of not entirely appropriate language will lead to fair/good assessments, with proportionate differentiation of the mark depending on the level of preparation demonstrated in the exam.

Training gaps and/or the use of inappropriate (but not completely incorrect) language - in a context of demonstrated basic knowledge of the exam material - will lead to marks that will not exceed sufficiency.

Serious training gaps (such as ignoring part of the textbooks in the programme), incorrect language, and/or lack of familiarity with the contents of the reading list materials studied during the course can only be negatively assessed.

***NOTES AND PREREQUISITES***

We remind the prerequisites of Labour Law (Jurisprudence) and Labour Law Institutions (Legal Services).

We strongly recommend the use, also in class, 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.

If the course is included in the degree curriculum for a total of 3 credits, the students are required to prepare the exam studying the programme of the first module (European Union Labour Law).

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.