# Labour Law

## Prof. Pietro Antonio Varesi; Prof. Francesca De Michiel

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

The course aims to provide students with the essential knowledge of:

* the regulation of the different forms of labour in the light of the most recent legislation in this field, and the provisions of collective bargaining and case law;
* Trade union law, with a focus on the regulation of the organisation and the activities of trade unions, the repression of anti-labour activities, and collective bargaining;
* the latest reforms in the field of labour law, with a focus on the organisation and the regulation of labour market, employment services, and other active labour market policies;
* the forms of income support in case of termination of the employment relationship or unemployment.

The course will cover topics related to Social security law.

At the end of the course, students will be able to:

* know the foundations of the regulation of wage labour and semi-subordinate work contracts:
* know the rules concerning the different steps of the employee relationship management (hiring, task allocation and variation; the suspension of the employment relationship; the imposition of disciplinary sanctions, the termination for just cause or justified reasons);
* know the rules that allow employers to proceed with the suspension of their employees for economic reasons or collective dismissals;
* know the foundations of the Italian trade union law, with a focus on the structure of the contract system, the relationship between the different collective bargaining levels, the subjective effects of collective labour agreements;

-know the public institutions and the private subjects involved in the regulation of active labour market policies and the supply of services;

- know the regulation of the main active labour market policy tools;

- know the social security system and the different forms of income support in case of unemployment or employment difficulties.

The acquisition of the skills illustrated above will allow students, once they enter the labour market, to join the systems of business/territorial industrial and labour relations as legal professionals (consultants, experts, public officials).

**COURSE CONTENT**

The course is divided into three parts.

**Part 1 - THE REGULATION OF LABOUR RELATIONS**

* + The sources of labour law. The regulation of labour relations between law, collective agreement, and individual contract.
  + Wage labour and the criteria for its identification.
  + The hiring of a worker.
  + The non-standard forms of employment.
  + The determination of the work performance: tasks, qualifications, and categories.
  + The regulation of employee performance:
  + the managerial, control, and disciplinary power of the employer and the limits to its exercise;
  + remote monitoring.
  + the workplace and its variations;
  + working hours;
  + leave and holidays;
  + occupational safety.
  + Child labour, women’s employment, and gender equality.
  + Remuneration.
  + The suspension of the employment relationship for economic reasons and the reduction of working hours.
  + The termination of the contract of employment and the regulation of individual dismissal.
  + Collective dismissals.
  + The guarantees for the protection of labour rights.
  + Elements of Social security law.

**Part 2 - TRADE UNION LAW**

* + Trade union law: the object of the discipline.
  + The evolution of trade union law.
  + The organisation of trade unions according to the existing law.
  + Trade union organisation in the workplace.
  + Trade union rights.
  + The repression of anti-labour activities.
  + Collective agreements.
  + Collective labour conflicts (strike and lockout).

**Part 3 - LABOUR MARKET LAW**

* + Labour market organisation and active labour market policies.
  + The European employment strategy.
  + The decentralisation of powers from the State to regions and local authorities.
  + The mixed system of employment services.
  + Professional training.
  + Internships and training programmes.
  + Community work.
  + The economic and regulatory incentives to favour the hiring of disadvantaged people.

***READING LIST***

1. Tursi–P.A. Varesi, *Istituzioni di diritto del lavoro*, CEDAM, Padua, last edition, part one, two, three, and four.

M. Magnani, *Diritto sindacale*, Giappichelli, Turin, Fourth edition, 2021, p. 1-220.

***TEACHING METHOD***

Lectures in class, seminars and/or conventions.

***ASSESSMENT METHOD AND CRITERIA***

The evaluation of the intended learning outcomes will be carried out through an oral exam, assessed in thirtieths, consisting in a selection of questions aimed to test the students’ knowledge of the topics included in the course content.

Students will be given not less than 20 minutes in total to answer the questions.

During the oral exam, they will be assessed not only on the accuracy of their answers in terms of content, but also on the ability to make a clear exposition, use reasoning skills, and be concise.

***NOTES AND PREREQUISITES***

As this is an introductory course, there are no prerequisites in terms of knowledge of Labour law. However, students are expected to have a good knowledge of Private and Public law.

Information on office hours available on the teacher's personal page at http://docenti.unicatt.it/.