# Labour Law

## Prof. Pietro Antonio Varesi- Prof. Gabriele Fava

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

The course aims to provide basic knowledge of:

* the regulations concerning the different forms of work in the light of the latest applicable labour legislation, of the provisions of collective bargaining agreements and case law;
* Trade Union law, with a special focus on the trade union organisation and action, on anti-union activity repression, and on collective bargaining;
* the most recent reforms of labour market law, with special reference to: organisation and regulations of the labour market, employment services and other active labour-market policies;
* employment support forms in case of suspension of employment or unemployment.

During the course, topics related to the social security law will also be addressed.

At the end of the course students are expected to:

* be familiar with the fundamentals of subordinate and semi-subordinate work agreements;
* know the rules concerning the management of employment relationship in its different stages (recruiting, assignment and variation of tasks; suspension of employment; application of disciplinary sanctions, individual dismissal for just cause or for justified reasons);
* know the rules that allow employers to implement suspensions from work due to economic reasons, or to collective redundancy;
* know the fundamentals of Italian trade union law with special reference to the structure of the contractual system, to the relationship among the different levels of collective bargaining, to subjective effectiveness of collective labour agreements;

***-*** know the public institutions and private entities that are involved in the regulation of active employment policies and provision of services;

- know the main tools for active employment policy;

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

***COURSE CONTENT***

The course content is divided into three parts.

**Part 1 – EMPLOYEMENT LAW**

Sources of labour law. The discipline of labour relations between law, collective agreement and individual employement contract.

* + Subordinate employment and criteria for its identification.
  + Recruiting workers.
  + Non-standard forms of employment.
  + Definition of work performance: duties, qualifications and categories.
  + Subordinate employment regulation:
  + management, control, and disciplinary power of the employer and limitations on its exercise;
  + remote supervision.
  + workplace and its variations;
  + working time;
  + holidays;
  + safety at work.
  + Child labour, female labour and gender equality.
  + Remuneration.
  + Suspension of employment due to economic reasons and reduction in working time.
  + Termination of the employment contract and individual dismissal.
  + Collective dismissal.
  + Workers’ rights guarantees.
  + Aspects of social security law.

**Part 2 – TRADE UNION LAW**

* + Trade union law: its foundamentals.
  + Evolution of trade union law;
  + Trade union organiwation in existing law;
  + Trade union organiwation in the workplace;
  + Trade union rights;
  + Repression of anti-union conduct;
  + The collective bargaining agreement;
  + Collective conflict (strikes and lockouts).

**Part 3 – LABOUR MARKET LAW**

* + Organisation of the labour market and active labour policies.
  + The European employment strategy.
  + Decentralisation of power from the State to the local authorities.
  + The mixed system of employment services.
  + Professional training.
  + Orientation and vocational training.
  + Social utility jobs.
  + Economic and regulatory incentives to favour recruitment of disadvantaged workers.

***READING LIST***

1. squeglia- A.Tursi– P.A. Varesi, *Istituzioni di diritto del lavoro,9th edition,*  CEDAM, Padua, 2023.

***TEACHING METHOD***

Classroom lectures combined with seminars and/or conferences.

***ASSESSMENT METHOD AND CRITERIA***

Generally assessment will be based on an oral exam consisting of questions aimed at testing students’ knowledge and mastery of the topics covered in the course. Students may also be required to take a selection written test to be admitted to the oral exam.

***NOTES AND PREREQUISITES***

Since this is an introductory course, no background knowledge of Labour Law is required; preparatory knowledge of Private Law and Public Law is required.

***INFORMATION***

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