

SYLLABUS DEL CORSO

Diritto del Lavoro Avanzato

2021-2-F7701M044

Learning objectives

Students will learn at deepening the understanding of the employment law (employment and self), as well as to reconstruct and apply the rules relating to concrete contexts in which they operate.

Contents

Employment relationship law.

Detailed program

1. The sources of employment law: national and international. The collective agreement: national, territorial and corporate.
2. The subordinate work. The jurisprudential work of qualifying the subordinate employment relationship. Self-employment. Coordinated and continuous work. The free work, family and volunteer.
3. The subordinate employment contract. The elements of the contract of employment. Probationary period. Compulsory hiring: disability recruitment targets.
4. The classification of workers: work tasks, qualifications and categories. The executives. Ius Variandi: regulatory evolution. The place of work performance: transfer and posting. The discipline of working time.
5. Contractual types. The general form. The part-time contract. The fixed-term contract. The intermittent employment contract. The apprenticeships. The smart working.
6. Work without a contract: the orientation internship; the casual work and family booklet.
7. The outsourcing of work. The staff leasing. The works contract. The company and branch transfer.
8. The worker's obligations: diligence, obedience and loyalty. Non compete clause.
9. Employer powers and duties. The governing power, control and discipline of the employer. Remote

- controls. Privacy protection.
10. The disciplinary proceedings and conservative sanctions. The appeal. The adjustment in the national collective bargaining agreement.
 11. Health and safety at work.
 12. Remuneration: sufficiency, proportionality and equal pay. The forms of pay. The TFR. The corporate welfare.
 13. The prohibition of discrimination.

 14. Suspension of work: illness, accident, maternity leave and parental leave.

 15. The termination of the employment relationship. The resignation. The individual dismissal. The just cause and justified reason, subjective and objective. The discriminatory dismissal, for unlawful purposes, of fraud in law, during the ban on withdrawal. Dismissal of managers .
 16. Form and procedure for imposing dismissal: disciplinary and economic. The appeal. The penalty regime. Real and indemnity protection. The contract with increasing safeguards. The protection of managers in the CCNL. Collective dismissal. The sanctions regime.
 17. Social safety nets. Protection in case of unemployment.

Prerequisites

Private law.

Teaching methods

Frontal lessons.

During the Covid-19 emergency period, lessons will take place remotely in synchronous videoconference.

Assessment methods

Interview on the topics covered in class.

During the Covid-19 emergency period, oral exams will only be online. They will be carried out using the WebEx platform and on the e-learning page of the course there will be a public link for access to the examination of possible virtual spectators.

Textbooks and Reading Materials

F. Carinci – R. De Luca Tamajo – P. Tosi – T. Treu, Diritto del lavoro, 2. Il rapporto di lavoro subordinato, Utet, Torino, 2019.

Semester

First semester.

Teaching language

Italian.
