UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto del Lavoro

2526-3-E1601N017

Learning objectives

The course of employment and labor law aims to give students an understanding of the principles of two different but strictly linked aspects: legal rights and obligations regulating all aspects of the workplace relationship between employer and employee on one hand, and, on the other hand, role, regulation and actions of trade unions and employers organizations.
More precisely, declining them within the framework of the Dublin descriptors, the course pursues the following objectives:
Dd1: knowledge of the main labour law institutes;
Dd2: orientation in the context of the most relevant normative and contractual sources of labour law so as to identify the context of rules within which the institute of interest is inserted
Dd3: development of critical spirit through discussion during the lessons of the most relevant current cases that have labour law implications.
Dd4: development of communication skills in the use of appropriate legal categories relating to labour law
Dd5: development of learning skills relating to the main institutions of labour law and trade union law

Contents

This course intends to provide a good knowledge of juridical regulation of the Italian labour market, by analysing some central and topical issues [imperative norms, law sources, decentralisation, job placement system, contracts]

The emphasis of the course will be put on the sources of regulation of the employment relationships. By examination and discussion of some other different issues of labour law it is intended that students will develop their skills of analysis to understand the principal characteristics of the topic: namely role of the constitutional principles; legal provisions and imperative law in employment law; important role and impact of European law; role of the judges and case law; development, characteristic and juridical problems of collective bargaining; role and limits of the contractual freedom of the parties.

Detailed program

The emphasis of the course will be put on the sources of regulation of the employment relationships.

Namely:

Sources of the labour law: Constitutional principles; European Union law; legal provisions and imperative law; contractual freedom of the parties; collective agreement; individual employment contract.

Trade unions organisation and representation of Trade Unions. Collective bargaining. The social conflict and the right to strike.

The structure of the Labour market.

Employment status: full-time permanent contract and different forms in contract relationships. Direct and indirect utilisation of workforce. Fundamental principles and terms of the relationship between employer and employee; protective rights of the worker. The content of the employment contract: legal rights and obligations of the parties. Discipline and Dismissal. Unfair dismissal.

Prerequisites

No specific prerequisites are required

Teaching methods

Frontal class room teaching andLectures and case studies with classroom exercises.
Depending on the level of participation, the lecturer expects up to 10 hours of interactive teaching, consisting mainly of discussions on specific cases and assigning individual students/groups to prepare presentations.
Up to a maximum of 30% of the total teaching hours will be delivered remotely. case study with classroom exercises

Assessment methods

a) In conjunction with the exam sessions, oral exams will be administered consisting of interviews on the entire programme explained in class, illustrated in the syllabus and on the course's e-learning page. For the purposes of preparing for the programme, **it is essential to study the indicated manual.**
b) The skills assessed for each test consist of understanding the programme and the sources that regulate the subject matter.
c) The assessment and grading criteria used relate to the level of knowledge of the institution in question, the ability to place it within the multi-level labour system, the candidate's reasoning ability, and the correct and appropriate use of legal expressions and categories.

Textbooks and Reading Materials

R. DEL PUNTA, Diritto del lavoro, Giuffrè Editore, Milano, last edition;

Direct consultation of the main legal texts on the subject (those whose contents are described or discussed in the manual) is recommended, as well as a national collective labour agreement. The latter (which can be freely chosen from the national collective agreements of any production sector, e.g. industry or the tertiary sector) should be used not to recall its contents, but to verify (for each topic dealt with in the manual) how collective bargaining complements and specifies the legal discipline.

Sustainable Development Goals

DECENT WORK AND ECONOMIC GROWTH