UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

# COURSE SYLLABUS

# Trade-Union Law

**2627-5-A5810201**

## Learning objectives

This course intends to provide a good knowledge of juridical regulation of the Italian trade unions structure and union actions in Italy, by analysing law sources as well as social issues with a case-law approach.
Learning Objectives.
-Knowledge and ability to understand. The student must demonstrate knowledge of the legal discipline, designed by law and by collective bargaining, applicable to collective and individual labor relationship and industrial relations in the Italian and European juridical context.

- Application skills. The student must demonstrate the ability to apply the notions learned to concrete situations.
- Autonomy of judgment. The student must demonstrate, during the lectures and the profit examination, that he or she has developed legally grounded critical positions in relation to the topics covered in the course.
  -Ability in communication. The student must demonstrate that he or she has developed sufficient argumentative ability and adequate language property with regard to the topics covered in the course.
  -Learning ability. The student must demonstrate that he or she has developed an adequate ability to understand the evolution of the labor and industrial relations discipline and its main interpretative issues that enables him or her to study the legal institutions with a sufficient degree of autonomy.

## Contents

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## Detailed program

This course intends to provide a good knowledge of juridical regulation of the Italian trade unions structure and union actions in Italy, by analysing law sources as well as social issues with a case-law approach. The course also includes an historical approach of Italian industrial relations since World War II and a reflection on the industrial relations system and it’s possible evolution in Italy.
The topic of the course will be dedicated to point up the fundamental institutes of labour law and industrial relations system.
Namely:
- Origins of Unions' existence and historical evolution of labour law;
- Freedom of association;
- Trade Unions organization and labour representation (workers and employers);
- Collective Bargaining;
- Collective Bargaining and employment contracts regulation (private and public sector);
- The right to strike (in general and in essential public services) and lock-outs

## Prerequisites

Knowledge of the general principles of Employment and labour law.

## Teaching methods

Frontal class-room teaching with a case-law approach.
More specifically 21 2-hour frontal class lessons. Under exceptional cases and previous notice to students, it will be possible to deliver lectures remotely within the limit of 1 cfu in accordance with department regulations.

## Assessment methods

Students who do not attend the course will take an oral examination

Students who attend the course will take the examination through procedures to be defined during the course, comprehensive of the possibility of specifics reading list, written examinations, working papers and a final oral examination.

Expected learning outcomes:
The student, in order to successfully pass the examination, must be able to demonstrate knowledge and understanding of the legal institutes of Labor law and Industrial relations as well as to apply the knowledge acquired to the resolution of legal cases proposed by the teacher. Students are, in addition, required to demonstrate that they have acquired sufficient critical and argumentative skills and adequate legal language property to enable them to communicate with specialized interlocutors. Finally, the student must demonstrate that he or she possesses the skills to study the discipline of labor law with a high level of autonomy.

## Textbooks and Reading Materials

Some monographic works, lecture notes, judicial decisions related to issues discussed, and necessary to pass the

examination, will be suggest and place at students' disposal during the lessons.

**All the students** have to get judicial decisions contained in the following resource:

**- L. Giasanti, Compendio di Giurisprudenza, 2026/2027.** This case-law Compendium will be at students' disposal at the beginning of the new academic year on the University website (Giasanti, e-learning, Diritto sindacale, Compendio).

**Students who attend the course** have to study the following essays (all of those can be found at the University library or on the University website):
1. F. Scarpelli, *La libertà sindacale*, in F. Carinci (diretto da), Commentario di diritto del lavoro, C. Zoli (a cura di), Il diritto sindacale, Utet, 2007, pp. 65-109;

2. G. Proia – M. Gambacciani, *Il contratto collettivo di diritto comune*, in M. Persiani, F. Carinci (diretto da), Trattato di diritto privato, G. Proia (a cura di), Organizzazione sindacale e contrattazione collettiva, Cedam, 2014, pp. 595-670;

3. G. Gragnoli, *I profili attuali dell'efficacia soggettiva del contratto collettivo*, in G. Gragnoli, Il contratto nazionale nel lavoro privato italiano, cap. V, 2021, Giappichelli, pp. 155-192;

4. L. Giasanti, *Il testo unico sulla rappresentanza del 2014 e la facoltà di indizione di assemblea da parte della rsu*, in Rivista italiana di Diritto del lavoro, Giuffrè, 3, II, 2015, pp. 776 – 783;

5. A. Zoppoli, *Diritto di sciopero e rappresentatività sindacale: il paradosso dei servizi essenziali tra sistema "di fatto", istanze di moderna democrazia e bilanciamento dei diritti*, in Diritto delle Relazioni Industriali, Giuffrè, 4, 2017, pp. 1145 – 1164;

**Students who do not attend the course** have to study the following text: M.V. BALLESTRERO, Diritto sindacale, Giappichelli, Torino, ult. ed.;

## Sustainable Development Goals

DECENT WORK AND ECONOMIC GROWTH