

Academic Year/course: 2022/23

32065 - European and Global Labour Regulations Teaching Guide Information

Academic Course: 2022/23

Academic Center: 807 - Masters Centre of the Department of Law

Study: 8071 - Advanced Master in Legal Sciences

Subject: 32065 - European and Global Labor Regulations

Credits: 4.0

Course: 1

Teaching languages:

Theory: Group 1: English

Teachers: Mark Jeffery

Teaching Period: Third Quarter

Presentation

This course will look at how attempts have been made to regulate particular aspects of the work relationship through European and International Law. Through a detailed examination of some of the specific norms and some of the key decisions of the Court of Justice of the European Union, students will be encouraged to think about the larger picture: Why has such law been created? What impact does it have in practice? What conditions are necessary for it to be effective?

The focus will be on EU Social Law as this is a body of substantive legal rules which has had a significant impact on workers throughout the EU: not just those who have gone to work in another Member State but also those who have never left their Member State of origin. We shall also look at the International Labour Standards of the International Labour Organization and compare these to the EU law.

Learning Outcomes

At the end of the course, students should:

- Understand the political motivations behind the creation of European and global labour standards and how these motivations have an impact upon the effectiveness in practice of the legal rules.
- Have a detailed understanding of key areas of European social law.
- Have a critical understanding of the impact of European and global labour standards upon domestic law and so be able to understand the significance of new proposals for laws and of new judicial sentences, by setting these within their overall context.

Students will also have the opportunity to work on their skills in debating and presenting complex legal issues.

Prerequisites

All reading, lectures and class activities will be in English.

Contents

A detailed schedule, specifying the reading for each session, will be available on Global Campus. If necessary, this will be updated during the course.

The course will consist of ten themes:

A1: Basic Concepts - what is labour law and why does it exist? & A2: Enforcing EU Law and International Law

B: EU Social Policy - Great ambitions, patchy progress?

C: The Free Movement of Persons/ Workers

D: Posted Workers

E: Equality and Anti-discrimination

F: Business Restructuring

G: Health and Safety at Work

H: "Atypical" forms of Work

J: ILO Standards

K: The Use of ILO Standards in Free Trade Agreements

Towards the end of the course, there will be a special session where students working in groups will make a detailed presentation of a recent sentence of the Court of Justice of the European Union, demonstrating how the case does (or does not) fit into the theoretical framework discussed in the course.

At the final session of the course there will be an exam.

Teaching Methods

For most of the sessions, the format will be as follows:

- The session will be divided into two halves.
- During the first half of the session, the lecturer will give an initial presentation of one of the ten themes (A to K). Questions will be welcome. The theme that is presented will be the subject of the class activity at the following session.
- Students will then have a week to do the set reading: this will include (1) a specific document - such as a court sentence or a proposal for a law - that will be the subject of the class activity and (2) an academic text (usually a section of the main textbook) that will reinforce and clarify the theoretical framework.
- During the second half of the session, the students will participate in an activity based on the theme that was presented at the previous session and for which they have already done the reading.

Evaluation

20% Participation in class activities.

- a) Students who have been a chairperson or spokesperson for their group will receive 10%. If a student is a chairperson or spokesperson on more than one occasion, this will not increase this grade beyond 10%, but it may be taken into consideration when evaluating the final, overall grade: for example, if a student has a final grade that is just short of a higher number (such as 5.9, 6.8 or 7.9) their grade will be rounded up (to 6, 7 or 8).
- b) Students who attend a minimum of 10 sessions (not including the exam) will receive 10%. c) If a student fails to do the reading for a particular session and so cannot participate effectively in the class activities, the overall participation grade may be reduced to zero.

20% Group presentation of CJEU case.

A single grade will be given for each group

Students must be present at the session in order to receive this grade.

60% Final exam

Students who fail the exam will have the opportunity to do a retake (the format will be confirmed). This will again count as 60% of the overall grade; the grades for participation and the group presentation will remain the same.

Attendance at class is not compulsory, but students who fail to receive the 40% of the grade related to course activities may have difficulties in passing the course (they would need to pass the exam with a grade of at least 8.4 in order to pass the course overall).

Bibliography and information resources

The course bibliography is short: **this is because students are required to do the reading in order to prepare in advance for each class.**

1. The readings that students must do in order to prepare for the exercises will usually be CJEU sentences or official documents. These will be uploaded on Global Campus (or links provided).

2. The course textbook will be:

Jaspers, Pennings and Peters (eds), *European labour law*, Intersentia, 2019

(The detailed schedule on Global Campus will indicate which chapter of *Jaspers* relates to each of the thematic blocks.)

3. For the International Labour Organization, the reading will be:

The Rules of the Game: An introduction to the standards-related work of the International Labour Organization, ILO, 4th Edition 2019

(This is available for free on the ILO website)

4. During the course, students will need to consult:

- The official website for EU law (EUR-LEX): (<https://eur-lex.europa.eu/homepage.html>)
- The website of the Court of Justice of the European Union (CURIA):

(https://curia.europa.eu/jcms/jcms/j_6/en/)

- The website of the ILO: (<https://www.ilo.org/global/lang-en/index.htm>)