

Advanced Master in Legal Sciences 2014-2015	
Course: Employment Policies and Labour Law	Term: 3
	Number of Credits: 4
	Language: English
Instructors: Dr. Consuelo Chacartegui and Dr. Eusebi Colàs	
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Course Description
<p>The last two decades for Labour Law have been the most striking period deconstructing social rights. The transformation of societies and labour production in the framework of economic crisis has had a strong impact in the employment relations. The decadence of classical form of employment relation characterized by full time and no temporary contract have been substituted for new forms of regulation which have created a nourish environment for precarious work and segmentation of rights. The standard and non standard forms of employment raises debates about the centrality of labour contract as instrument of regulation countervailing the asymmetry between employers and workers and the regulation of labour conditions.</p> <p>Skills: The Course will prepare students to know all the new debates on labour law referring labour contract and the connection with equality and vulnerability, the impact of flexibility will permit to analyze the idea of decent work and fundamental rights under a multilevel perspective. The students should be able to read some of the current labour relations debates, including the legal reforms, in a broader perspective national and international.</p>

Prerequisites
The language of the course is English

Methodology
Lectures, and active participation based on the readings.

Assignments and Evaluation
<p>Participation = 60 %</p> <p>It is necessary to attend and participate in 100% of the classes. With adequate justification, one absence is possible.</p> <p>Final paper = 40 %</p> <p>Mechanism by which the student will be able to be re-evaluated again in the case of having failed the first evaluation: an exam with 5 questions about topics related to the required readings. It's prohibited to have any material or reading to answer the exam.</p>

The exam will be in the date fixed by the Department.

Schedule and Work Plan

SESSION 1 :

Markets and commoditization of rights: labour rights and Trade Agreement.

SESSION 2:

Varieties of Trade Agreement: Mercosur and Labour Rights Declaration.

SESSION 3:

Varieties of Trade Agreement: European Union and social rights.

SESSION 4:

From standard to non- standard contract: the evolution of employment relation.

SESSION 5 & 6:

Temporary, part-time and training contracts: the segmentation of labour conditions.

SESSION 7 & 8:

Internal flexibility and labour conditions: the adaptability of labour conditions.

SESSION 9:

Non-standard contract and the degradation of welfare state conditions.

SESSION 10:

The erosion of collective rights. The freedom of association.

SESSION 11:

The erosion of the right to collective bargaining.

SESSION 12:

Activism and collective action in the current scenario.

Activities

Reading and commenting the recommended bibliography.

Bibliography/List of readings and materials

Basic/Required Readings and Materials

- Harry Arthurs & Katherine Stone (edit): *Rethinking Workplace Regulation. Beyond the Standard Contract of Employment*. Russell Sage Foundation, 2013.

Chapter 1 The Transformation of Employment Regimes: A Worldwide Challenge. Katherine V.W. Stone and Harry Arthurs

Part I The New Political Economy of Employment

Chapter 2 Changes in the Labor Market and the Nature of Employment in Western Countries. Morley Gunderson

Chapter 3 Labor Market Regulation and the Global Economic Crisis. Robert Kuttner

Chapter 4 The Decline of the Standard Contract of Employment in the United States: A Socio-Regulatory Perspective. Katherine V.W. Stone

Part II Revising Legal Conceptions of Employment

Chapter 5 Burying Caesar: What Was the Standard Employment Contract? Mark Freedland

Chapter 6 "The Employment Contract Is Dead! Hurrah for the Work Contract!" A European Perspective. Bruno Caruso

Chapter 1 The Transformation of Employment Regimes: A Worldwide Challenge

Part III The Restructuring of Labor Market Institutions

Chapter 7 Erosion, Exhaustion, or Renewal? New Forms of Collective Bargaining in Germany. Thomas Haipeter

Chapter 8 Flexibility and Security in Post-Standard Employment Relations: The Netherlands. Jelle Visser

Chapter 9 Regional and Local Experiments for Labor Market Policy in Europe. Ida Regalia

Chapter 10 New Forms of Dispute Resolution: Japan's Labor Tribunal System. Takashi Araki

Chapter 11 Organizational Primacy: Employment Conflict in a Post-Standard Contract World. Alexander J.S. Colvin

Part IV Beyond the Employment Nexus

Chapter 12 Flexibility and Security in Employment Regulation: Learning from Denmark. Thomas Bredgaard

Chapter 13 The Regulation of Supply Chains: An Australian Contribution to Cross-National Legal Learning. Michael Rawling and John Howe

Chapter 14 Organizing Nonstandard Workers in Japan: Old Players and New Players. Keisuke Nakamura and Michio Nitta

Part V Social Policy in Changing Labor Markets.

Chapter 15 Safety Nets and Transition Assistance: Continuity and Change in a Liberal Welfare State. Anthony O'Donnell

Chapter 16 Flexible Work, Flexible Pensions: Labor Market Change and the Evolution of Retirement Savings. Kendra Strauss

Chapter 17 Work-Family Balance and Gender Equality: Pension Reform and Antidiscrimination Law. Julie C. Suk

Chapter 18 Social Rights in Changing Labor Markets: Caring for Caregivers in the European Union. Julia López, Consuelo Chacartegui, and César G. Cantón

Part VI Learning Without Borders.

Chapter 19 Cross-National Legal Learning: The Uses of Comparative Labor Knowledge, Law, and Policy. Harry Arthurs

APPENDIX The Decline in the Standard Employment Contract: A Review of the Evidence. Katherine V.W. Stone