

European Social Law

Course Introduction

The Course is aimed at providing a general introduction on European Social Law in the different spheres of individual and collective labor issues, addressing, among others, the themes of Freedom of Movement of Workers, Protection against Discrimination, Precarious employment, Transfer of Undertakings and Employee Involvement in the Firm's management.

During the Course, some of the most relevant decisions by the European Court of Justice (ECJ) will be under attention.

Candidate Evaluation and Exam Method

The course requires a basic knowledge of Domestic Labor Law.

The final evaluation of the Candidate is based on a written examination (0-31/31).

The Candidate will be assigned four questions to be answered: two questions will require a short answer (up to ten lines) and two will require a broad answer (up to one page).

Moreover, attending students (i.e. those who will be attending at least 80% of the lectures) will be entitled to one extra point (1/30) and those who will provide (individually or, better, collectively) a class presentation of one of the assigned E.C.J. decisions will be entitled to one additional point (1/30) as well.

Course Materials

The Student's Handbook for the Course of "*European Social Law*" is: G. Thüsing, *European Labour Law*, C.J. Beck, 2013.

Other materials and the ECJ decisions that will be discussed in class will be provided on the e-learning space.

Attendants are supposed to read the teaching materials in advance as to actively contribute to class discussion.

Office Hours

Marco Biasi: Monday 16.00-17.00 (room: e.1.14);

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Course Program

- 1) Topic: ***Course Presentation***
- 2) Topic: ***European Institution and the development of European Social Law***
Materials: Course Slides;
Further readings: C. Barnard, *The Evolution of EU "Social" Policy*, in C. Barnard, *EU Employment Law*, 4th Ed., Oxford, 2012, p. 3-45;
- 3) Topic: ***Freedom of Movement for Workers***
Materials: Course Slides;
Case Study: E.C.J. 15th December 1995, C-415/93, "Bosman";

- Further readings:
- 4) Topic: ***Protection against discrimination***
Materials: Course Slides;
Case Study: E.C.J. 22nd January 2005, C-144/04, “Mangold”;
Further readings:
 - 5) Topic: ***Precarious Employment***
Materials: Course Slides;
Case Study: E.C.J. 24th November 2014, C-22/13, “Mascolo”;
Further readings: R. Nielsen, *EU Labour Law*, Copenhagen, 2013, p. 389-418;
 - 6) Topic: ***Collective Redundancy***
Materials: Course Slides;
Case Study: E.C.J. 13th February 2014, C-596/12, European Commission v. Italy;
Further readings: R. Blanpain, *European Labour Law*, 14th Ed., The Hague, 2014, 827-843;
 - 7) Topic: ***Transfer of Undertakings***
Materials: Course Slides;
Case Study: E.C.J. 21st October 2010, C-242/09, “Albron”;
Further readings: P. Watson, *Transfer of Undertakings*, in P. Watson, *EU Social and Employment Law*, 2nd Ed., Oxford, 2014, p. 137-171;
 - 8) Topic: ***Working Time***
Materials: Course Slides;
Further readings:
 - 9) Topic: ***Posting of Workers – Employee Representation and Unions***
Materials: Course Slides;
Case Study: E.C.J. 18th December 2007, C-341/2005, “Laval”;
Further readings: C. Barnard, *Labour Law and the Internal Market*, in C. Barnard, *EU Employment Law*, 4th Ed., Oxford, 2012, p. 189-239;
 - 10) Topic: ***Employee Involvement***
Materials: Course Slides;
Case Study: E.C.J. 15th January 2014, C-176/2012 “Association de mediation”;
Further readings:
 - 11) Topic: ***Final Recap***