



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Scienze Economiche, Aziendali e Statistiche		
ACADEMIC YEAR	2020/2021		
MASTER'S DEGREE (MSC)	BUSINESS ECONOMIC SCIENCES		
SUBJECT	ADVANCED LABOUR LAW		
TYPE OF EDUCATIONAL ACTIVITY	B		
AMBIT	50584-Giuridico		
CODE	19319		
SCIENTIFIC SECTOR(S)	IUS/07		
HEAD PROFESSOR(S)	CAMMALLERI	Professore Associato	Univ. di PALERMO
	CALOGERO MASSIMO		
OTHER PROFESSOR(S)			
CREDITS	6		
INDIVIDUAL STUDY (Hrs)	96		
COURSE ACTIVITY (Hrs)	54		
PROPAEDEUTICAL SUBJECTS			
MUTUALIZATION			
YEAR	1		
TERM (SEMESTER)	1° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	CAMMALLERI CALOGERO MASSIMO Friday 15:00 17:00 Provare uno dei seguenti metodi: Teams: tramite membership: codice 6ef6z60; Telegram: 3404044905 o kaloscam; WhatsApp: 3404044905, Duo: 3404044905		

PREREQUISITES	<p>Labour law (broadly conceived), EU law, as extensive as possible, are compulsory, besides being necessary. It is due to class 1.</p> <p>An access test provides by class 0 provides an adequate entry-level evaluation and subjects need to recovery.</p>
LEARNING OUTCOMES	<p>In terms of expected learning at the end of the course, the student has the following abilities.</p> <p>(Comprehension) To know and to understand the basics of legal regulation of economic phenomena.</p> <p>To know and to understand: 1) the basics of subjects (public and private, both individual and collective) of the employment relationship and social security. 2) their socio-economic relations among national and EU legal regulations.</p> <p>(Ability to apply acquired knowledge and comprehension). To identify fundamental social rights and their declension in social security cases. To know how to grasp both their universalistic or insurance aspects and regulatory. To grasp both reasons and consequences of why the social protection system is entrusted to the States. To understand practical consequences of constitutional choices about private forms (both individual and collective) both of social security and the differential regulation of employment contracts.</p> <p>To recognise the superior themes into primary sources with which people are engaged in GIG Economy activities.</p> <p>(Ability to critical judgements) To have a critical awareness of reality underlying both to the recognition of fundamental social rights in a globalised economy and to the related regulations, both of employment relationship and social security systems.</p> <p>(Ability to communicate) To communicate the knowledge comprehensively and convincingly acquired through the structured organisation both of oral and written discourse even through short or long reports.</p> <p>(Ability to learn) To be able to reconstruct the evolution of the main regulatory models concerning management choices. To be able to continue their studies in second level master, in PhD courses, specialisation courses and professional practice.</p>
ASSESSMENT METHODS	<p>Workload and Grading policies</p> <p>Class Participation: This course depends upon your careful reading of the texts, also your careful attending lectures and your willing-ness to participate. You will be expected to participate in class discussion. 33,33% (10/30) of your final grade will be based on class participation. No more than two absences are allowed. I am primarily con-cerned with your contribution to the scholarly atmosphere of the course. Examples of things that contribute to that atmosphere include coming prepared to class, asking questions that help to clarify the assigned readings, making comments that link the readings to outside material (perhaps from other courses or from further works listed below), and especially contributing to the discus-sions of primary readings, films and sources.</p> <p>Examples of things that detract from that atmosphere include arriving late or leaving early, use of cell phones, distracting behaviour during lectures, speaking un-kindly or dis-respectfully to or about anyone in the classroom, or expecting special treatment.</p> <p>Short Questions: For three times, I will pose short questions to the class. I expect emailed re-sponses of about two paragraphs or three (600-1000 words). Your responses (all of them) to these questions will be counted up to 1/3 (10/30) towards your class participation grade. This exam will be graded primarily on accuracy (did you give the right answer?), clarity (can I read what you wrote?), and what I call innovation (can you take the material we learned in class and apply it to the interpretation of a specific literary work ?).</p> <p>Essays: You will have to write one (1) long essay, of no more than two thousand and five hundred (2500) words (the word count excludes citations, which should be in the footnotes). The essay should explore your thoughts, reactions, and ideas. It ought to con-cern, as the main subject, at least two subjects and their related class dis-cussions and as related all other subjects. The essay should focus on the class and readings. The essay should have a thesis and should develop that thesis by delving into the assigned texts and discussing them in detail. Fur-thermore, you will be required to demonstrate your ability to integrate the ideas presented in lectures and vocabulary from the diction-aries into your ana-lysis of primary sources. The essays will be due on the final day of class, on January 10th. It will count for 1/3 (10/30) of your grade.</p> <p>--</p> <p>At the end of classes, I'll divide your grading into three sets plus one, according to a relative system and not an absolute one as usual for the university exams: top, medium, bottom and summa cum laude; - this last gives one point more. In many cases, the short essays will improve class activism, in few others either they will confirm, or they will turn for the worse.</p> <p>--</p> <p>Course & Instructor Policies – All assignments and exams must be submitted electronically and fi-nal essays by hard copy as well.</p> <p>Academic Integrity – The Professor expects from his students a high level of</p>

	<p>responsibility and academic honesty. Because the value of an academic degree depends upon the absolute integrity of the work done by the student for that degree, it is imperative that a student demonstrate a high standard of individual honour in his or her scholastic work. Scholastic dishonesty includes, but is not limited to, statements, acts or omissions related to the submission as one's own work or material that is not one's own. As a general rule, scholastic dishonesty involves one of the following acts: cheating, plagiarism, collusion, and falsifying academic records. Plagiarism, especially from the Web, from portions of papers for other classes, and any other source is unacceptable and will be dealt with by exam exclusion. This course will use software resources which search the web for possible plagiarism and is over 90% effective.</p> <p>Missed exams and assignments – If you are ill or have a family emergency, please e-mail me before either the start of the exam or before the assignment is due. I do not look favourably on cosmetic work, and it is my policy not to accept any late assignments or arrange cosmetic exams unless the student found him/herself in an unavoidable situation. There are a few situations that meet that kind of criteria. Don't risk it.</p> <p>Incomplete Grade Policy – Incomplete grades will be granted only for work unavoidably missed at the semester end and only if 85% of the course work has been completed. An incomplete grade must be resolved within one of the spring sessions. If the required work to complete the course and to remove the incomplete grade is not submitted by the specified deadline, the incomplete grade is changed automatically to a grade of Fail.</p> <p>Warning! – Both who have not attended at least 5/6 of class activities (except who falls in the incomplete grade policy as above) is in the above case) and who fails exams in the session that follows, depending on the semester in which lecture will be given, every student will be requested to do a written exam in class. It consists of six (6) short essays and one (1) long essays. All of them must be written within the four (4) hours of exam time. The subjects will be given to the candidates on the same morning of the exam.</p> <p>Grade changes – All grades are final unless you sincerely believe I have made a mistake or have been unfair. In that case, please submit a written explanation (no longer than ten lines) within two days of receiving your grade for a particular exam or assignment, detailing the reasons why you think an error or misjudgement has been made. I will re-evaluate your work but bear in mind that I may find additional problems I had not noticed on my first reading. It is, therefore, possible that you may end up with a lower grade rather than a higher one.</p> <p>--</p> <p>I use a relative evaluation policy as well for four sets in five in which all papers will be set: very good, good, acceptable, sufficient. Instead of excellent, or summa, cum laude requires an absolute evaluation.</p> <p>Excellence is reached by a paper that meets "all the points" written down in the syllabus and with an acceptable English.</p> <p>Very good is got by the paper that with lacking no more than one of the syllabus criteria.</p> <p>Good is got by the paper that has no more than two mismatches with the syllabus criteria, English drafting included.</p> <p>Acceptable is the paper which is weak in more than two syllabus criteria, English drafting included.</p> <p>The paper that remains, on the whole weak, irrespective of the English drafting, anyway improvable, is sufficient.</p> <p>Others are insufficient.</p>
EDUCATIONAL OBJECTIVES	<p>This course, from a general point of view, concerns the connections between law and management and business administration. It will explore – in particular – the intersection between social law and GIG Economy. Social law is a comprehensive phrase which includes several aspects of the protection of people. They are considered both as workers and as human beings. Consequently, it embraces labour law and social security, both considered in a broad sense. Every three classes will explore one or more of both topics and interrelated topics through a variety of legal texts, either legal or contractual of short to moderate length. Topics will include: Labour law and economic theory; Labour law and flexicurity: (1) GIG workers informal and work, employment contracts, self-employment structures and social protections; Anti-discriminatory labour law. Protections for women.</p>
TEACHING METHODS	<p>MANDATORY ATTENDANCE (just for the class activities and laboratories) NOT MANDATORY ATTENDANCE (for the exam based on the whole content of all suggested books)</p> <p>three classes have been scheduled every week. Each class lasts two and three hours respectively depending on lectures or exercises. Three lectures (6 hours) and three exercises (9 hours) are linked one another as a single subject.</p> <p>Except for the first lecture/exercise, which will be followed by two weeks without classes for recovery work (according to the test results), every two weeks with classes and exercises will be followed by two weeks off for homework.</p>
SUGGESTED BIBLIOGRAPHY	

	<p>1) Coase, R. H, The problem of Social cost, The Journal of law & economics, vol. III, 1960, pp.1 ss.</p> <p>2) Coase, R. H., The Nature of the Firm, Economica, New Series, Vol. 4, No. 16. (Nov. 1937), pp. 386-405</p> <p>3a) Deakin S, Wilkinson F, Labour law and economics theory: a reappraisal, 3b) De Geest G, Jaspers T, Siegers J, Vandenberghe AS, The right-to-lie: new law and economics versus Dutch model labour law</p> <p>3c) Beck M, The law and economics of dismissal regulations: a comparative analysis of the US an UK system all of them in De Geest G, Siegers J, Vandenberghe AS (edited by) Law and economics and the labour market, Elgar 1999</p> <p>4) C. M. Cammalleri, Flexicurity as measuring leakage protection of workers: [...] 2012, available at: http://www.temilavoro.it/index.php/tml/article/view/32/pdf</p> <p>5) C. M. Cammalleri, Social security for informal workers, draft paper, available at: https://www.dropbox.com/sh/a5o67wl3fhrjo4f/AAD4xnNR9oagZ5Kbhln7oyGa?dl=0</p> <p>6) M. T. Viana, Lavoro informale in Brasile, Mass. Giur. Lav. 2008, 745</p> <p>7) C. M. Cammalleri, Precarious Work and Social Protection: Between Flexicurity and Social Pollution in Precarious Work, The Challenge for Labour Law in Europe (edited by) Jeff Kenner, Izabela Florczak and Marta Otto, EElgar 2019</p> <p>8) R. Schutze, European Labour Law, Cambridge University Press, II edition, 2018</p> <p>9) A.C.L. Davies, EU Labour Law, Elgar European Law, last edition</p> <p>10) F. Pennings, European Social Security Law, Intersentia, last edition</p> <p>11) H. Lelieveldt & S. Princen, The Politics of The European Union, Cambridge University Press, II edition, 2015</p> <p>12) All those suggested along with lectures</p>
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SYLLABUS

Hrs	Frontal teaching
6	The Foodora and Glove cases
6	Anti-discriminatory (labour) law.
6	Moot Court Competition
Hrs	Practice
9	Case-study
18	Moot Court Competition
Hrs	Others
0	PROLEGOMENA i. The syllabus (Class 0: presentation) ii. How are we going to work? (Class 0: how to) iii. What can law teach us about economy? (Class 0: a general introduction)