Labour Law in the European Union

A.Y. 2017/2018 – 2nd Semester (Summer)
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Learning Agreement

Seminar Introduction
– The Seminar is aimed at providing a general introduction on European Social Law in the different spheres of collective labour issues.
– It requires a basic knowledge of Labour Law and EU Union Law.
– Specific themes and material aspects of European Labour Law will be explored in more detail. These include Freedom of Movement of Workers, Precarious employment, Transfer of Undertakings, Business Reorganisation and Employee Involvement in the undertaking, to list but a few.
– Where possible and useful, reference will also be made to the national systems of Labour Law of the EU member states.

More in particular, the proposed course will trace the process and obstacles of the recognition of collective labour rights in EU law, with specific reference to the relevant case law of the Court of Justice of the European Union. We will study the different expressions of the collective labour rights in the different legislative provisions (EU Treaties and Directives) as well as in the case-law of the Court of Justice of the EU.

The language of instruction and presentations is English.
With the successful completion of the course, participants will acquire *inter alia*:

a) a better understanding of the different sources of EU and their evolution;
b) the ability to critically analyse and evaluate CJEU case-law in the field;
c) an excellent command of basic notions of collective labour rights in connection with other fundamental principles of the European Unions (free movement of workers; free movement of services);
d) more ease in expressing themselves orally in legal academic English.

The proposed course responds to the need to equip students with specialized knowledge of specific EU law themes and to increase their ability to express legal arguments clearly and effectively in English.

**Candidate Evaluation and Teaching Method**

– Each student is expected to give an *oral presentation*;
– Each student is expected to prepare a *written essay* (max 6.000 words)

**Note**

Students should note that over the course of the semester, small changes may be made to the content, or teaching arrangements set out in the following reading list. These changes will be communicated to students directly.

<table>
<thead>
<tr>
<th>TOPICS FOR PRESENTATIONS</th>
<th>Suggested readings and case law</th>
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<tbody>
<tr>
<td>2. Free movement for workers and citizens and social rights</td>
<td>* CJEU 15th December 1995, C-415/93, &quot;Bosman&quot;.</td>
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</tbody>
</table>
| 6. Business Reorganisations  
#1 Theoretical foundations  
| 7. Business Reorganisation:  
| 8. Business Reorganisation:  
#4 Transfer of Undertaking | CJEU 21st October 2010, C-242/09, "Albron"  
- CJEU 6th March 2014, C-458/12, "Amatori"  
- CJEU 18th July 2013, C-426/11, "Mark Alemo-Herron and Others" |
- CJEU 8th July 2017, C-566/15 "Erzberger/TUI AG"  
- CJEU 12th September 1996, C-67/96, "Albany" |
- Batsaikhan U. (2017), *EU posted workers: separating fact and fiction*  
- Case Study: E.C.J. 18th December 2007, C-341/2005, "Laval" |