

**International regulations and European Community
Social Law**

Code: 100494
ECTS Credits: 6

Degree	Type	Year	Semester
2500258 Labour Relations	OB	2	2

Contact

Name: Jaume Munich Gasa

Email: jaume.munich@uab.cat

Teaching groups languages

You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject. Please note that this information is provisional until 30 November 2023.

External teachers

Alberto Moreno Solé

Prerequisites

Is good to have a good knowledge of of the subjects of the first course.

Objectives and Contextualisation

The aim of the subject International norms and European Union Social Law is to have basic notions on the sources of Public International Law, of the International Labour Organization and of the European Union Social law.

Competences

- Advising union and business organizations and their members.
- Applying the information and communication technologies to the different areas of action.
- Carrying out representation and negotiation roles in several fields of the industrial relations.
- Clearly expressing ideas or facts in a compelling way.
- Consulting and managing in terms of employment and labour recruitment.
- Drawing up and formalising reports and documents.
- Preparing, drawing up and formalising the general written documents in administrative and judicial processes.
- Self-motivating by undertaking specific training programs to acquire new knowledge.

- Students must be capable of deciding, sharply taking decisions and judging.
- Students must be capable of persuading others to agree with their point of view.
- Technically representing the people or entities of the administrative, fiscal, and procedural fields, and also of defence in labour courts.
- Verbally communicating and defending a project.
- Working autonomously.
- Working effectively in teams.

Learning Outcomes

1. Acting as a negotiator in a collective bargaining presented as a practical work.
2. Applying and using in teaching practice the mechanisms of the collective agreements.
3. Applying the information and communication technologies to the different areas of action.
4. Assessing the benefits of the extrajudicial systems of conflict solution in the procedural practice.
5. Classifying the basic institutions of employee representation in a company.
6. Clearly expressing ideas or facts in a compelling way.
7. Drawing up and formalising reports and documents.
8. Explaining the methods of job placement and intermediation in the labour market.
9. Recognising the different measures that form the industrial dispute.
10. Self-motivating by undertaking specific training programs to acquire new knowledge.
11. Students must be capable of deciding, sharply taking decisions and judging.
12. Students must be capable of persuading others to agree with their point of view.
13. Understanding the meaning and proceedings of every formality and the means of challenge of every assumption.
14. Verbally communicating and defending a project.
15. Working autonomously.
16. Working effectively in teams.

Content

BLOCK I.

Lesson 1. The subjects of public international law (PIL): the International Organizations (IO).

Introduction. Concept of IO and differences with other international actors. The international subjectivity of the IO.

Lesson 2. Concept, characteristics and principles of PIL.

Concept and characteristics of the PIL as a legal system of the international society. Structural principles of the P

Lesson 3. The process of formation of norms in PIL.

The sources of the PIL. Treaty concept. The celebration of treaties. The role of other sources and mechanisms of

Lesson 4. The process of applying the rules in PIL.

The reception and hierarchy in domestic law of the general IL, conventional and the normative acts of the IO. The

Lesson 5. General aspects of the International Labor Organization (ILO) and its normative action.

Origin and characteristics of the ILO. Evolution of the ILO: special reference to the Philadelphia Declaration of 1944.

Lesson 6. Application and control of the ILO's regulatory framework.

The effects of international labor agreements. The review, suspension and denunciation of the conventions. The role of the ILO.

Lesson 7. The institutions and competences of the European Union (EU).

The process of European integration. The institutional system of the EU (Council, European Council, EP, Commission, Court of Justice).

Lesson 8. The law of the EU and its application.

The sources of the legal system of the EU: primary law, non-written law (custom and general principles), law resulting from the secondary law.

BLOCK II.

Lesson 9. The European construction and its social dimension.

Evolution of European social law since 1957. Community social policy after the reform of the Treaty of Amsterdam.

Lesson 10. Evolution of social objectives and their community legal instrumentation.

The European Social Agenda. The Charter of Fundamental Rights of the EU.

Lesson 11. The internal market. The free movement of workers. The right of establishment and the freedom to provide services.

The notion of a worker. Scope of application of free movement. The rights linked to the free movement of workers.

Lesson 12. Non-discrimination of gender and other discriminatory aspects in the field of the European Union.

Equal pay for men and women: scope of equality and remuneration notions. Equality in relation to access to employment.

Lesson 13. The health and safety of workers in the field of the European Union. Work time.

A) health and safety of workers; b) working time c) working conditions

Lesson 14. Temporary and part-time contracts within the European Union.

Non-discriminatory directives and prohibition of abuse within the European Union

Lesson 15.-Transmission of company

The contributions of the European Directive and Community case law in the field of the European Union.

Lesson 16. From the Lisbon Strategy to the 2020 Strategy.

The European employment strategy. Community guidelines and national employment plans. Economic, social an

Methodology

Directed activities:

- Master classes: taught by the teacher.
- Case study resolution: each teacher at the beginning of the course will explain their system.

Autonomous activities (case study preparation, recensions, and study): each teacher in the classroom (and virtual campus) will explain how to prepare autonomously the contents of the course.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
CASE STUDY RESOLUTION	22.5	0.9	2, 3, 14, 12, 6, 7, 11, 15, 16
MASTER CLASSES	22.5	0.9	1, 10, 5, 11
Type: Autonomous			
Case study preparation	40	1.6	13, 7, 15, 4
RECENSIONS	10	0.4	3, 10, 8, 15

Assessment

EVALUATION

Assessment model: the evaluation is continued and aims to enable the teaching staff to determine the degree of

EVALUATION BLOCK I

The evaluable practical activities carried out throughout the course will account for 30% of the final grade. These

Continuous evaluation of content examinations: two examinations will be made related to the contents of the subj

Re-evaluation of Block I

Only there is a reassessment of the examinations of contents and only students can present themselves if in the

EVALUATION BLOCK II

The practical activities that can be evaluated throughout the course will represent 50% of the final mark.

Continuous evaluation of contents of the program will be 50% of the final mark.

The final mark of the continuous evaluation will be obtained by calculating the average mark of the final exam (50

Re-evaluation of Block II

Only there is a reassessment of the contents examination and only those students who have obtained a score eq

FINAL NOTE OF THE SUBJECT

Each block must be approved separately to pass the subject. The final mark of the subject will be the average no

SINGLE ASSESSMENT: The single assessment consists of a 20-question exam worth 50% and two practicals e

IMPORTANT NOTE (Block I and Block II):

Students who copy totally or partially practices, reviews, papers, exams, etc. will be qualified with a 0 (zero) final

The simple possession in the examinations of a cell phone or any other electronic instrument is presumed that th

Students who plagiarize practices, reviews, jobs, etc. will be qualified with a 0 (zero) final mark of the subject.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
4 CASES STUDY EVALUABLE	40	0	0	1, 2, 3, 13, 14, 12, 6, 7, 11, 16, 4
EXAM OF CONTENTS	50	5	0.2	10, 5, 13, 12, 8, 6, 9, 7, 15, 4
RECENSION	10	0	0	3, 10, 6, 7

Bibliography

MANDATORY BIBLIOGRAPHY

- AA.VV., *Derecho social de la Unión Europea. Aplicación por el Tribunal de Justicia*, 3ª ed., BOE, 2023 (on line).
- ACOSTA, J. B., *El sistema jurídico de la O.I.T. y el derecho español*, Cedecs, 1997.
- CASANOVAS, O., RODRIGO, A. J., *Compendio de derecho internacional público*, 11ª ed., Tecnos 2022.
- DIEZ DE VELASCO, M., *Las organizaciones internacionales*, 16ª ed., Tecnos, 2010.
- FERRER, J., *Introducción al derecho de la Unión Europea*, Tirant lo Blanch, 2020.
- MANGAS, A., LIÑAN, D. J., *Instituciones y derecho de la Unión Europea*, 10ª ed., Tecnos, 2020.

RECOMMEND BIBLIOGRAPHY

- AA.VV., *O.I.T. Cinquantième anniversaire des Conventions sur la liberté syndicale (1949-1999)*, RBDI, 33(1), 2000, p. 4-83.
- AA.VV., *Derecho Social Internacional y Comunitario*, monográfico de la *Revista del Ministerio de Trabajo e Inmigración*, 92, 2011 (on line).
- AA.VV., *Protección social en España, en la Unión Europea y en el derecho internacional*, Laborum, 2017.
- AA.VV., *Derecho social de la Unión Europea. Aplicación por el Tribunal de Justicia*, Francis Lefevre, 2018.
- ALCAIDE, J., CASADO, R., *Curso de derecho de la Unión Europea*, 4ª ed., Tecnos, 2020.

- ALONSO, J. M^a., *Política Social Europea*, UNED, 2014.
- ALONSO, R., *Sistema jurídico de la Unión Europea*, 4^a ed., Civitas, 2014.
- BONET, J., *Mudialización y régimen jurídico internacional del trabajo. La O.I.T. como referente polític-jurídico universal*, Atelier/Universitat de Barcelona, 2007.
- BONET, J., *Nociones básicas sobre el régimen jurídico internacional del trabajo*, Huygens, 2010.
- BONET, J., "El sistema de control de la OIT y la interpretación de los convenios de la OIT: aproximación jurídica a una crisis institucional", *REEI*, 26, 2013, p. 1-46.
- CAMAS, F., *Trabajo decente e inmigrantes en España*, Huygens, 2017.
- COLINA, M., *et al.*, *Derecho social comunitario*, Tirant lo Blanch, 1995.
- CORTEBEECK, L., *Aún queda trabajo por hacer. El futuro del trabajo decente en el mundo*, Catarata, 2023.
- CRUZ, J., PEREZ, T., *Una aproximación al derecho social comunitario*, Tecnos, 2000.
- DIEZ DE VELASCO, M., *Instituciones de derecho internacional público*, 18^a ed., Tecnos, 2013.
- DOMÍNGUEZ, A., *La acción normativa de la O.I.T.*, Laborum, 2002.
- FALGUERA, A., MORALO, S. (coord.), *Derecho social europeo*, Consejo Superior del Poder Judicial, 2007.
- FIELDS, G. S., "El trabajo decente y las políticas de desarrollo", *Revista Internacional del Trabajo*, 122 (2), 2003, p. 263-290.
- GHAI, D., "Trabajo decente. Concepto e indicadores", *Revista Internacional del Trabajo*, 122 (2), 2003, p. 125-160.
- GHEBALI, V. Y., *et al.*, *The International Labour Organization: a case study on the evolution of U.N. specialised agencies*, Martinus Nijhoff, 1989.
- GUTIÉRREZ, C., *et al.*, *La Unión Europea y su derecho*, 3^a ed., Trotta, 2019.
- GUTIÉRREZ, I., *El Tribunal de Justicia de la Unión Europea ante el espejo del derecho social*, Tirant lo Blanch, 2017.
- HINOJOSA, L. M., *Comercio justo y derechos sociales. La condicionalidad social en el comercio internacional*, Tecnos, 2002.
- HUGHES, S., HAWORTH, N., *The International Labour Organization (ILO)*, Routledge, 2011.
- JAVILLIER, J-C., GERNIGON, B., *Les normes internationales du travail: un patrimoine pour l'avenir, Mélanges en l'honneur de Nicolas Valticos*, OIT, 2004.
- KULKE, U., "Cometido presente y futuro de las normas de la OIT en la materialización del derecho a la Seguridad Social", *Revista Internacional de Seguridad Social*, 60 (2-3), 2007, p. 133-158.
- LÓPEZ, E., "Los procedimientos de control especiales de la OIT: la protección internacional de los derechos fundamentales del trabajo", *Nuevas controversias internacionales y nuevos mecanismos de solución*, Tirant lo Blanch, 2005, p. 237-280.
- MAUPAIN, F., *The future of the International Labour Organization in the global economy*, Hart, 2013.
- MOLINA DEL POZO, C., *Derecho de la Unión Europea*, 7^a ed., Reus, 2023.
- MONTOYA, A., *et al.*, *Derecho social europeo*, Tecnos, 1994.

- MONTT, M., *Principios de derecho internacional del trabajo. La O.I.T.*, 2ª ed., Ed. Jurídica de Chile, 1998 (on line).
- OIT, *Trabajo decente: del programa piloto a los programas por país*, 2006.
- OIT, *Programa de trabajo decente por país en la OIT*, 2008a.
- OIT, *Medición del trabajo decente*, Documento de trabajo para la reunión tripartita de expertos sobre medición del trabajo decente, 2008b.
- OIT, *Las reglas de juego. Una breve introducción a las normas internacionales del trabajo*, edición revisada 2009 (on line).
- OIT, *Manual sobre procedimientos en materia de convenios y recomendaciones internacionales del trabajo*, 2019 (on line).
- ORTEGA, M. (ed.), *Las políticas de la Unión Europea en el Siglo XXI*, Bosch, 2017.
- PASTOR, J. A., *Cursode derecho internacional público y organizaciones internacionales*, 26ª ed., Tecnos, 2022.
- PANIAGUA, E. L., et. al., *Principios de derecho de la Unión Europea*, Colex, 2012.
- POTOBSKY, G., BARTOLOMEI DE LA CRUZ, H., *La Organización Internacional del Trabajo: el sistemanormativo internacional, los instrumerntos sobre derechos fundamentales*, Astrea, 1990.
- RODGERS, G., LEE, E., SWEPSTON, L., *La Organización Internacional del Trabajo y la lucha por la justicia social, 1919-2009*, Oficina Internacional del Trabajo, 2009.
- RODRIGO, A. J., *Las resoluciones obligatorias de las organizaciones internacionales de cooperación*, Tecnos, 1997.
- RODRIGUEZ-PIÑERO, M. C., et al., *Manual de derecho social de la Unión Europea*, Tecnos, 2011.
- SALCEDO, M. C., "La aplicabilidad directa de la Carta Social Europea (LA LEY 55/1961) por los órganos judiciales", *Trabajo y Derecho*, 13, 2016, p. 1-19.
- SERVAIS, J. M., "Política de trabajo decente y mundialización. Reflexiones sobre un planteamiento jurídico renovado", *Revista Internacional del Trabajo*, 123 (1-2), 2004, p. 215-238.
- SERVAIS, J., M., *Droit social de l'Union Européenne*, Bruylant, 2011.
- SERVAIS, J. M., "International Labour Organization", *International Encyclopedia of Laws:International Organizations*, Kluwer, 2011.
- SERVAIS, J. M., *International Labour Law*, 3ª ed., Kluwer, 2013.
- TOVAR, J. A., *Introducción al derecho social de la Unión Europea*, Bomarzo, 2005.
- VALTICOS, N., *Derecho Internacional del trabajo*, Tecnos, 1977.
- VALTICOS, N., VON POTOBSKY, G., *International Labour Law*, 2ª ed., Kluwer, 1995.
- WISSKIRCHEN, A., "El sistema normativo de la OIT. Cuestiones jurídicas y expectativas", *Revista Internacional del Trabajo*, 124 (3), 2005, p. 277-316.

<http://www.un.org/es>

<http://www.un.org/es/ecosoc>

<http://www.ilo.org>

ESSENTIAL TEXTS

- ANDRES, P., *Legislación básica de derecho internacional público*, 22ª ed., Tecnos, 2022.
- MANGAS, A., *Tratado de la Unión Europea, Tratado de Funcionamiento y otros actos básicos de la Unión Europea*, 26ª ed., Tecnos, 2022.
- TORRES, N., *Derecho internacional público. Instrumentos normativos*, 2ª ed., Tirant lo Blanch, 2017.
- ILOLEX.

Software

I don't use computer software in my subject.