

INTERNATIONAL LABOUR LAW

UČNI NAČRT PREDMETA/COURSE SYLLABUS

Predmet:	International Labour Law
Course title:	International Labour Law
Članica nosilka/UL Member:	UL PF

Študijski programi in stopnja	Študijska smer	Letnik	Semestri	Izbirnost
Pravo, prva stopnja, univerzitetni	Ni členitve (študijski program)	4. letnik	1. semester	izbirni

Univerzitetna koda predmeta/University course code:	0070385
Koda učne enote na članici/UL Member course code:	ILL

Predavanja /Lectures	Seminar /Seminar	Vaje /Tutorials	Klinične vaje /Clinical tutorials	Druge oblike študija /Other forms of study	Samostojno delo /Individual student work	ECTS
20	20	0	0	80	60	6

Nosilec predmeta/Lecturer:	Luka Tičar
-----------------------------------	------------

Vrsta predmeta/Course type:	Posebni program študijskih izmenjav/Special elective course for Erasmus students
------------------------------------	--

Jeziki/Languages:	Predavanja/Lectures:	Angleščina
	Vaje/Tutorial:	

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:	Prerequisites:
Študent na študijski izmenjavi na Univerzi v Ljubljani.	Exchange student of the University of Ljubljana.

Vsebina:	Content (Syllabus outline):
A.UNIVERZALNO MEDNARODNO DELOVNO PRAVO I. Uvod 1.Pojem in predmet 2.Zgodovinski razvoj in ustanovitev MOD 3.Namen mednarodnih delovnih standardov 4.Ustanovitvena načela MOD II. Ustavnopravni okvir MOD 1.Članstvo 2.Organi MOD 3.Tripartitna struktura 4.Normativne dejavnosti in tehnično sodelovanje III. Pravni viri MOD 1.Ustava	A. UNIVERSAL INTERNATIONAL LABOUR LAW I. Introduction 1. Definition and Object 2. Historical Development and Establishment of ILO 3. The Purpose of International Labour Standards 4. The Founding Principles of ILO II. Constitutional Framework of ILO 1. The Membership 2. Organs of the ILO 3. The Tripartite Structure 4. The Standard-setting Activities and Technical Co-operation

2.Konvencije in Priporočila Pravna narava Sprejem, sprememba, prenehanje 3.Drugi normativni instrumenti MOD IV. Učinki konvencije 1.Objektivna veljavnost 2.Posredovanje konvencije pristojnim oblastem 3.Subjektivna veljavnost (ratifikacija) 4.Vključitev v nacionalno pravo 5.Prenehanje učinkovanja V. Nadzor in promocija standardov MOD 1.Splošni nadzorni postopki 2.Posebni postopki 3.Promocija in sodelovanje VI. Vsebina standardov MOD (v povezavi z izbranimi temami) VII. Instrumenti OZN B.REGIONALNO PRAVO Pravni viri Sveta Evrope 1.Evropska konvencija o varstvu človekovih pravic (EKČP) 2.Evropska socialna listina (ESL) 2.1.ESL kot dopolnitev k EKČP 2.2.ESL kot skupek instrumentov 2.3.Struktura in zajamčene pravice iz ESL 2.4.Osebnost veljavnost 2.5.Učinkovita nacionalna uveljavitev 2.6.Nadzorni postopek 2.7.Postopek kolektivnih pritožb C.DVOSTRANSKE POGODBE D. KOLIZIJA MED MEDNARODNIMI PRAVNIMI VIRI	III. ILO Sources 1. The Constitution 2. Conventions and Recommendations Legal nature Adoption, Revision, Termination 3. Other ILO Standard-setting Instruments IV. Effects of the Conventions 1. »Objective« Entry into Force 2. Bringing Convention before the Competent Authorities 3. »Subjective« Entry into Force (Ratification) 4. Incorporation into National Law 5. Cessation of Effect V. Supervision and Promotion of ILO Standards 1. General Supervision Procedures 2. Special Procedures 3. Promotion and Co-operation VI. The Content of ILO Standards (related to selected themes) VII. UN Instruments B. REGIONAL LAW Council of Europe Instruments 1. European Convention of Human Rights (ECHR) 2. European Social Charter (ESC) 2.1.ESC as a Complement to ECHR 2.2 ESC as a Set of Instruments 2.3 Structure and the Rights guaranteed by ESC 2.4. Personal Scope 2.5. Effective Domestic Enforcement 2.6. Monitoring procedure 2.7. Collective Complaints procedure C. BILATERAL TREATIES D. THE CONFLICT BETWEEN INTERNATIONAL LEGAL SOURCES
---	---

Temeljna literatura in viri/Readings:

- Jean-Michel Servais, International Labour Law, Kluwer Law International, 2005
- Nicolas Valticos, Geraldo W. von Potobsky, International Labour Law, Kluwer, 1995
- Thomas, The International Labour Organisation.Its Origin, development and future (1921), International Labour Review 1996/3-4
- Ernest Mahaim, International labour law, International Labour Review 1996/3-4
- Guide to International Labour Standards, ILO, International Standards Department (also in french)
- D.Harris, J.Darcy, The European Social Charter,2 ed., Transnational Publishers, Inc., Ardsley, New York, 2001
- Régis Brillat, The Supervisory Machinery of the European Social Charter: Recent Developments and their Impact, Búrca, Witte (eds.), Social Rights in Europe, Oxford Press, 2005
- Gisella Gori, Domestic Enforcement of the European Social Charte: The Way Forward, Búrca, Witte (eds.), Social Rights in Europe, Oxford Press, 2005

- Jean-Francois Akandji-Kombé, The Material Impact of the Jurisprudence of the European Committee of Social Rights, Búrca, Witte (eds.), Social Rights in Europe, Oxford Press, 2005
- Polonca Koncar, The Evolution of International and European Law in the field of social rights, Revista Europea de Derechos Fundamentales 13/2009, p.193-2004
- Colm O'Cinneide, Bringing Socio-economic Rights Back into the Mainstream of Human Rights: The Case of the European Committee of Social Rights as an Example of Rigorous and Effective Rights Adjudication, Revista Europea de Derechos Fundamentales 13/2009, p.259-300
- Digest of the case-law (<http://www.coe.int/socialcharter>)

Cilji in kompetence:

Tuji študent pridobi osnovna znanja o mednarodnem delovnem pravu in izbranih univerzalnih in regionalnih delovnih standardih.

Objectives and competences:

The course gives the foreign students basic information on international labour law and selected universal and regional labour standards.

Predvideni študijski rezultati:

Namen je tujemu študentu omogočiti vpogled v temeljne delovne standarde in njihov vpliv na nacionalne pravne sisteme.

Intended learning outcomes:

The aim is to give a foreign student an insight of core labour standards and their impact on the national legal systems.

Metode poučevanja in učenja:

Predavanja, seminar, konzultacije in razprava, vodeno individualno delo.

Learning and teaching methods:

Lectures, seminary work, consultations and discussions, guided individual work.

Načini ocenjevanja:

ustni izpit

Delež/Weight
Assessment:

Oral examination

Ocenjevalna lestvica:
Grading system:
Reference nosilca/Lecturer's references:

TIČAR, Luka. Novejše norme MOD in koncept dostojnega dela. *Delavci in delodajalci*, ISSN 1580-6316, 2015, letn. 15, št. 2/3, str. 209-221

TIČAR, Luka. Novejše ratificirane konvencije MOD. *Delavci in delodajalci*, ISSN 1580-6316, 2010, letn. 10, št. 2/3, str. 207-225

TIČAR, Luka. Sprememba delodajalca v insolvenčnih postopkih. *Podjetje in delo*, ISSN 0353-6521, avg. 2006, letn. 32, št. 5, str. 832-847