

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	Pravo javnih uslužbencev
Course title:	Law on civil service

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Doktorski študij, 3. stopnja	Pravo	1	2
Doctoral studies, 3rd level	Legal studies	1	2

Vrsta predmeta / Course type

Univerzitetna koda predmeta / University course code:

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
15	8				102	5

Nosilec predmeta / Lecturer:

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

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Izpolnjevanje pogojev za vpis na doktorski študij Pravo in osnovno znanje s področja predmeta, ki ustreza znanju na tem področju, pridobljenem na ravni prve in (ali) druge stopnje študija prava.

Prerequisites:

General conditions for enrolment into the Doctoral Programme in Legal Studies with a basic knowledge of the subject at the level of first and (or) second cycle programme in Legal Studies.

Vsebina:

1. Temeljni prava javnih uslužbencev
2. Različni modeli: karierni, pozicijski model uradništva
3. Imenovanje najvišjih uradnikov na položaje: sistem plena, sistem zaslug in mešani sistemi
4. Plačni sistem v javni upravi
5. Zaposlovanje v javni upravi
6. Napredovanje in izobraževanje v javni upravi
7. Uradniško pravo kot posebno delovno pravo

Content (Syllabus outline):

1. Knowledge of law on public administration , administrative law and EU law , required for first and second level degree. Foundations of civil service law
2. Different models: career and position models
3. Nomination of highest civil servants: spoil, merit and mixed systems
4. Pay system in the public sector
5. Employment in the public sector
6. Promotion and education in public administration
7. Civil service law as a special labor law discipline

Temeljni literatura in viri / Readings:

C.Demmke, European Civil Services Between Tradition and Reform, EIPA, 2004.

Cilji in kompetence:

Cilj predmeta je, da slušatelj pridobi osnovna teoretična in praktična znanja s področja pravne ureditve uradniškega prava oziroma prava javnih uslužbencev. Na praktični ravni se načrtuje osvojitve veščin pravne argumentacije o pravnih institutih uradniškega prava, poznavanja sistema kot trendov v primerjalnem pravu.

Objectives and competences:

Main objective of the course is that students acquire basic theoretical and practical knowledge about civil service law. On more practical level, students are expected to learn how to make legal arguments about legal institutes of civil service law, knowledge of the system and trends in comparative law.

Predvideni študijski rezultati:

Znanje in razumevanje:
Študent pridobi znanje in razumevanje kompleksnih pravnih vprašanj in primerov iz obravnavanih tem.

Intended learning outcomes:

Knowledge and understanding:
Student acquires knowledge and understanding of complex legal issues and cases from selected topics of public administration.

Metode poučevanja in učenja:

Predavanja – predavajo se izbrane teme, ki se določijo posebej glede na razvoj teorije, zakonodaje in sodne prakse.
Seminarske vaje – na seminarjih vajah študentje predstavijo vsebino seminarske naloge
Drugo – izdelava seminarske naloge, ki obravnava zahtevnejši pravni problem z navedenih področij.
Individualni študij za izpit.

Learning and teaching methods:

Lectures: selected topics are presented in the class, according to recent developments on theory, legislation and judicial case law. Seminars: seminars are used for students's presentations of their seminar work. Others: preparation of seminar paper dealing with a complex legal issue from selected areas. Individual study for the exam.

Načini ocenjevanja:

Ustni izpit. Za pristop k izpitu se zahteva uspešno izdelana in predstavljena seminarska naloga. Predstavitev se lahko opravi na seminarjih vajah ali pred učiteljem ocenjevalcem.

Delež (v %) /
Weight (in %)

100%

Assessment:

Type (examination, oral, coursework, project):
Oral exam. A seminar paper is required before exam. Paper has to be presented during seminar or in professor's office.

Reference nosilca / Lecturer's references:

Bugarič, Bojan: Law and development in Central and Eastern Europe : neoliberal development state and its problems. in: PEERENBOOM, Randall P., GINSBURG, Tom (eds.). *Law and development of middle-income countries : avoiding the middle-income trap*. Cambridge: Cambridge University Press, [2014].

Bugarič, Bojan: »Populism, Liberal Democracy, and the Rule of Law in Central and Eastern Europe, *Communist and Post-Communist Studies*, vol. 41/2 (2008), pp.191-203.

Bugarič, Bojan: »Openness and Transparency in Public Administration: Challenges for Public Law«, *Wisconsin International Law Journal*, vol.22, No.3, Fall 2004, pp.483-521.

Bugarič, Bojan: Courts as policy-makers : lessons from transition. *Harvard International Law Journal*, Winter 2001, vol. 42, no. 1, str. 247-288.