



Universidad  
de Alcalá

# COURSE DESCRIPTION

## INTERNATIONAL LABOUR LAW

**Degree in Law**

**University of Alcalá**

**Academic Year 2022/2023**

**Optional and cross-cutting–First Semester**

## COURSE DESCRIPTION

Name:	International Labour Law
Code:	400077
Degree:	Degree in Law
Department and Academic Discipline:	Department of Law Science Labour Law and Social Security
Type:	Optional and cross-cutting
ECTS (European Credit Transfer System) Credits:	6
Year and Semester:	First semester
Instructors:	Ph. D. Prof. Tatsiana Ushakova
Tutorial Schedule:	Individual: at the teacher's discretion Groups: To be scheduled in class
Language of Instruction:	English

### 1. INTRODUCTION

*International Labour Law*, worth six credits, is especially recommended for students of Law, Business Administration, Tourism and other degrees in Social Sciences. Prior knowledge of the basics concepts of Labour Law and International Law and English language skills are advisable in order to facilitate a thorough understanding of the subject.

The course is designed to give the students a general overview and understanding of the international aspects of current Labour Law. It is divided into three parts: General Overview, Labour Law of the United Nations and International Labour Regulation of the Council of Europe. In each of these parts, the main topics of International Labour and Social Law in a globalized world are analysed. These include internationalization, the sources of International Labour Law and its agents, fundamental principles and rights at work, international instruments on working and employment conditions, social protection and international labour migration.

In short, the purpose of this module is to provide students with a conceptual foundation so that they can develop professionally, equipped with an adequate understanding of labour relations and social security in the international environment. This module is therefore extremely useful, given the current environment of globalization and economic interdependence and the phenomenon of labour

migration, which is becoming more and more relevant. The fact that the course is taught in English makes it particularly valuable, since English is used in cross-border legal relations and economic exchanges.

While the module is taught from a theoretical perspective there is a constant focus on the practical applications of knowledge. This is undoubtedly an advantage as students achieve a high level of expertise. Moreover, the students' prior knowledge is taken into consideration and the social experience that they have acquired in their own lives is harnessed and recast into technical knowledge. The students use real case-law to develop hypotheses and solutions. Where possible, the teacher will also organize seminars in which student participation and debate are encouraged. The aim of these seminars is to build up the ability to summarise information, promote critical analysis and work in team.

In addition, it is intended to provide a first contact with internship or job opportunities in international organizations such as the UN, the ILO and the Council of Europe, which are looking for the highest standards of professional competence, efficiency and integrity, with strong client orientation and multilingual skills. In the case of the ILO, these opportunities include training to form part of the service staff (locally recruited), professional and high-categories staff (internationally recruited), temporary and short-term staff (short-term contracts), external collaborators and Interns. It is stressed that the International Training Centre of the ILO particularly welcomes applications from qualified candidates from Member States in under-represented regions—Africa, the Arab States, and Asia and the Pacific.

### Summary:

*International Labour Law* is an optional and cross-cutting course which includes the fundamental aspects of this important part of Labour Law, taking into consideration the continuous processes of internationalisation and globalization of national legal systems. The course consists of the three following parts: general framework of International Labour Law; Labour Law of the United Nations, and International Labour Regulation of the Council of Europe. The subject provides a theoretical and practical approach of these core issues. For a better performance, it is convenient that students have a previous knowledge of the basic concepts and sources of Law.

## 2. SKILLS

### General skills:

1. Analysing, understanding and summarising theoretical information.
2. Engaging in reflective, critical and autonomous learning.
3. Solving legal problems and applying theoretical knowledge to practical cases by identifying conflicts.
4. Developing and defending positions through arguments and legal reasoning.

5. Developing the social skills needed for teamwork, cooperation and collaboration and understanding the difficulties and benefits inherent in collaborative work.
6. Applying the skills needed for legal information.
7. Acquiring the ability to engage in self-criticism.
8. Developing skills related to written and oral communication.
9. Developing the ability to integrate and summarise knowledge.

#### Specific skills:

1. Acquiring basic knowledge in the field of International Labour Law by referring to appropriate reading materials. Keeping abreast of the latest developments in technology and the legal and scientific fields.
2. Analysing and summarising information and studying the theoretical content of the discipline using reading materials published in English.
3. Problem-solving and the practical application of knowledge by interpreting rules and legal arguments in written and oral exercises. These activities may be done individually or in groups.
4. Being able to make critical judgements about current labour law.
5. Acquiring the autonomous learning skills needed for further study. The knowledge that students acquire on this module will allow them to work in research, in the professional field (legal advice, legal representation of parties involved in labour relations, etc.) in the civil service (e.g. the Labour and Social Security Inspectorate, the technical section of the Social Security Department, etc.) or as officials in various international organisations such as the UN or, in particular, the ILO.

### 3. SYLLABUS

<b>Module Contents</b> (The individual units may be further clarified if necessary)	Total credits
<b>Part I. General Framework:</b> Unit 1. Internationalization of Labour Law. Unit 2. International Sources of Labour Law. Unit 3. Actors of Labour Law in the International Sphere.	2 cr.
<b>Part II. Labour Law of the United Nations:</b> Unit 1. Labour Norms of the UN. Unit 2. Labour Standards and Human Rights at Work of the ILO. Unit 3. International Migration Law and the ILO.	2 cr.

**Part III. International Labour Regulation of the Council of Europe:** Unit 1. Labour Regulation of the Council of Europe. Unit 2. Labour Jurisprudence of the European Court of Human Rights.

2 cr.

### Teaching Schedule (Optional)

Week / Session	Syllabus
1 <sup>st</sup>	• <b>Part I. General Framework</b>
2 <sup>nd</sup>	• Continued
3 <sup>rd</sup>	• Continued
4 <sup>th</sup>	• Continued
5 <sup>th</sup>	• Continued
6 <sup>th</sup>	• <b>Part II. Labour Law of the United Nations</b>
7 <sup>th</sup>	• Continued
8 <sup>th</sup>	• Continued
9 <sup>th</sup>	• Continued
10 <sup>th</sup>	• Continued
11 <sup>th</sup>	• <b>Part III. International Labour Regulation of the Council of Europe</b>
12 <sup>th</sup>	• Continued
13 <sup>th</sup>	• Continued
14 <sup>th</sup>	• Continued
15 <sup>th</sup>	• Continued

## 4. TEACHING- LEARNING METHODOLOGY. PRACTICAL WORK.

### 4.1. Distribution of Credits (In hours)

Number of Classroom Hours:	45 (Classes in large and small groups)
Number of Hours of Independent Work:	105 (Independent study, preparation for activities, exams and on-line activities).
Total Number of Hours	150

## 4.2. Methodological strategies, materials and didactic resources

Independent Work	Reading Finding appropriate sources of information Case study and theoretical exercises Group meetings
Classwork	Introductory classes explaining core concepts and the conceptual framework of units Group sessions focused on discussion of conceptual definitions and debate Seminars for conceptual analysis and problem solving. Case study sessions
Tutorials	Group tutorials and individual meetings

## 5. ASSESSMENT: Procedures, assessment criteria and grading system

### Assessment criteria

**A) Continuous assessment system:** This is the preferred method of assessment in the standard examination session (i.e. when students are being assessed for the first time). Therefore, it is the method that is normally used, except in the case of students who are recognized as being eligible for the final exam.

In order to be eligible for continuous assessment students must attend at least 80% of classes.

Students who do not inform the Faculty of Law that they wish to opt out of the continuous assessment option will be considered as having failed to participate in the assessment process for the module and will not be allowed to attend the final exam.

Students who choose the continuous assessment option and don't comply with the basic requirements of attendance and participation or who make a unilateral decision to opt out of the continuous assessment system will be given a 'fail' result.

**B) Final assessment system:** In the standard examination session this method of assessment is only available to students who have been recognized as eligible for the final exam in accordance with the assumptions and conditions that are expressly stipulated in the regulations governing learning assessment procedures, adopted by the Governing Council of the University of Alcalá. Therefore, students must apply in writing to the Dean in the first two weeks of teaching, explaining why they cannot participate in the continuous assessment process.

In the repeat examination session all students are assessed by means of the final assessment system.

The final assessment is a written exam with theoretical and practical components.

### Assessment Criteria

- Knowledge of the core concepts within each section of the syllabus.
- Ability to apply theoretical knowledge in practice.
- Originality, accuracy and clarity of expression in the exam, practical sessions, presentations and debates.
- Use of recommended reading materials.
- Participation in theory and practical sessions, seminars and trials.

### Grading System

According to the Royal Decree 1125/2003, which entered into force on 5 September and which regulates the Diploma Supplement, the grading system should use the following scale, which applies both numerical (with one decimal) and qualitative marks:

- 0.0 – 4.9 FAIL
- 5.0 – 6.9 PASS
- 7.0 – 8.9 MERIT
- 9.0 – 10 DISTINCTION
- 9.0 – 10 STARRED DISTINCTION (limited to 5% of students)

**A) The continuous assessment method** is based on the following criteria:

- a) The final mark is the average of the marks obtained in individual course units, which are assessed by means of quizzes, exercises, assignments and presentations.
- b) Attendance and high-quality participation in sessions where students give presentations, engage in debate and defend work produced can add up to 1 points to the final grade.
- c) Personal interviews will be held at the end of each course unit when it is considered appropriate for determining the final mark.

**B) The final exam** takes into account the following criteria:

- a) Theoretical component: 60% of the mark.
- b) Practical component: 40% of the mark.

## 6. RECOMMENDED READING

BACCHETTA, MARC; JANSEN, MARION (eds.) (2011), *Making Globalization Socially Sustainable*, World Trade Organization and International Labour Office, Geneva, 316 pp.

GIL Y GIL, JOSÉ LUIS; USHAKOVA, TATSIANA (2015), *Social Justice as Expressed in International Labour Standards. Documents and Materials*, Juruá, Curitiba, 400 pp.

INTERNATIONAL LABOUR CONFERENCE (1944), *Declaration concerning the aims and purposes of the International Labour Organisation, adopted by the Conference at its twenty-sixth Session, Philadelphia, 10 May 1944*.

INTERNATIONAL LABOUR CONFERENCE (1998), *ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference at its Eighty-sixth Session, Geneva, 18 June 1998 (Annex revised 15 June 2010)*.

INTERNATIONAL LABOUR OFFICE (2008), *ILO Declaration on Social Justice for a Fair Globalization, adopted by the International Labour Conference at its Ninety-seventh Session, Geneva, 10 June 2008*, Geneva, 2008, 22 pp.

INTERNATIONAL LABOUR OFFICE (2009), *Recovering from the crisis: A Global Jobs Pact, adopted by the International Labour Conference at its Ninety-eighth Session, Geneva, 19 June 2009*, Geneva, 2009, 15 pp.

INTERNATIONAL LABOUR CONFERENCE (2019), *ILO Centenary Declaration for the Future of Work, adopted by the International Labour Conference at its One hundred and eighth Session, Geneva, 21 June 2019*, 8 pp.

RODGERS, GERRY; LEE, EDDY; SWEPSON, LEE; VAN DAELE, JASMIEN (2009), *The ILO and the Quest for Social Justice, 1919-2009*, Geneva, 272 pp.

SERVAIS, MICHEL (2020), *International Labour Law: International Labour Standards*, 6th Edition, Kluwer Law International, 372 pp.

WORLD COMMISSION ON THE SOCIAL DIMENSION OF GLOBALIZATION (2004), *A Fair Globalization: Creating Opportunities for All*, International Labour Office, Geneva, 168 pp.

ADVERTENCIA: La Universidad de Alcalá garantiza a sus estudiantes que, si por exigencias sanitarias las autoridades competentes impidieran la presencialidad total o parcial de la actividad docente, los planes docentes alcanzarían sus objetivos a través de una metodología de enseñanza-aprendizaje y evaluación en formato online, que retornaría a la modalidad presencial en cuanto cesaran dichos impedimentos