

Global economy and labour rights (60h – 9CFU)

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Course learning objectives and skill acquisition

The course aims at developing the salient characteristics and trends in social and labour rights regulation, in the framework of the global economy and sustainable development.

It is divided into four main parts. An introduction to the international labour and decent work standards by the International Labour Organization as well as the standards emerging from the European Union agenda. The analysis of the most important international and European trade agreements and standards and new generation social clauses. The case study of a country selection. The analysis of rules regulating national, international and European laws regulating labour contracts and status, social security systems and industrial relations.

Assessment

The final assessment will be based on both an intermediate written test and a final oral interview (in English) concerning more topics selected by the teacher from those analyzed during the course.

Course general schedule

- Sustainable Development, Global Economy and Social Rights: why we need a linkage
- The International Labour Organization.
- The International Labour Standards
- The balance between competition and social rights at European level: the internal action of EU
- The EU internal action
- The EU as an international actor: the external action
- European Trade Agreements
- International Trade Agreements
- National and international CSR
- Codes of Conduct and CSR tools: an evolutionary perspective
- The social clause
- The most important international trade agreements
- The role of multinational companies

Laws regulating Labour contracts and status, social security systems and industrial relations

Social Clauses, Codes of Conduct and CSR: an evolutionary perspective

Selected case studies, guest lectures and students' presentations

Teaching material

Teachers' slides.

Supplementary and up-to-date information and materials will be available to students in a shared Dropbox folder. The access will be made available by the teacher sending an e-mail request.

Textbooks

Title book J. M. Servais, *International Labour Law*, Sixth edition, Wolters Kluwer International, 2022.

Additionally/Alternatively, just for Italian speaking students, Brino V., Perulli A., *Diritto Internazionale del Lavoro*, Terza edizione, Giappichelli, Torino, 2023.

Additional readings

Papers and reports

Perulli A., Treu T., *Sustainable Development, Global Trade and Social Rights: An Evolutionary Perspective*, Wolter Kluwer International, 2018.

Giovannone M., *La tutela dei labour standards nella catena globale del valore*, Aracne editore, 2019.

Detailed teaching agenda

Lecture #1:

The Founding Principles of the ILO (historical excursus, ILO standards and globalization); the social clause dilemma; problems relating to the social clause and possible solutions; the ILO strategy and programme; ILO's mandate and structures; the termination of ILO conventions and recommendations.

Lecture #2: The sources of International Labour Law; the international labour conventions (preparation, ratification, revision, withdrawal, abrogation, effects, cessation of effects); the international labour conventions (interpretation, characteristics, controversial issues).

Lecture #3: The other standard-setting instruments (recommendations; declarations and resolutions; model codes and codes of practice; other social initiatives).

Lecture #4: The content of international labour standards: freedom of association and social dialogue (Freedom of Association for Workers and Employers; Collective Relations between Social Players; The Protection of Workers' Representatives).

Lecture #5: The content of international labour standards: labour and employment (Forced Labour and Child Labour; The Protection of Young People at Work; Equality of Opportunity and Treatment)

Lecture # 6: The content of international labour standards: labour and employment (Employment Policy and Promotion; Job Stimulation and Social Policies; Enhancing Occupational Skills; Dismissal; Unemployment Benefits and Employment; Labour Administrations: Employment Services; Monitoring Employment Conditions; The Settlement of Labour Disputes; International Labour Relations).

Lecture # 7: The content of international labour standards: labour and employment (working time; hours of work; night work; leave periods and paid leave).

Lecture #8: The content of international labour standards: labour and employment (Wages; Wage protection; Labour clauses in public contracts; Fixing the minimum wage; Health and Security at Work; International dimension of regulations on occupational health; National implementation of the standards).

Lecture #9: Students PowerPoint Presentations

Lecture #10: The content of international labour standards: labour and employment (protection of workers' privacy; Non-Standard Forms of Work; social security; Family work; Apprenticeship; Homework; Part-time work; Domestic workers)

Lecture #11: The content of international labour standards: labour and employment (foreign workers; ILO instruments on migrant workers).

Lecture #12: The content of international labour standards: labour and employment (special categories of workers: women workers; older workers; Specific Occupation-related Standards, above all about Hotel and Restaurant Workers; Nursing Personnel; Plantation Workers; Dockworkers; Fishermen; Seafarers; Indigenous and Tribal Peoples).

Lecture #13: Students PowerPoint Presentations

Lecture #14: The content of international labour standards: social security, obligation of solidarity, financing (contributory and non contributory system), Public or Private management.

Lecture #15: The content of international labour standards: the branches of social security (Employment Injury; Medical Care; Sickness Benefits; Invalidity Benefits; Survivors' Benefits; Old-age Benefits; Maternity Benefits; Family Benefits; Unemployment Benefits; Minimum Income Security).

Lecture #16: The content of international labour standards: the branches of social security (contingencies, beneficiaries, benefits, equality of treatment, Maintenance of Acquired Rights and Provision of Benefits Abroad; Maintenance of Rights in Course of Acquisition; Applicable Legislation)

Lecture #17: Midterm

Lecture #18: Students PowerPoint Presentations

Lecture #19: The effectiveness of international labour standards (Regular Supervision; special procedures). The supervision and promotion of ILO standards (Supervisory Mechanisms; Labour Disputes that Exceed the Borders of One State; Domestic Labour Disputes; Labour Problems in Major Enterprises).

Lecture #20: The supervision and promotion of ILO standards, Social Corporate Responsibility and implementation difficulties (Promotion and Cooperation; The Problems Raised; Responses Given; Ongoing Difficulties; Difficulties Relating to the Existence of the Standard and its Wording).

Lecture #21: Students PowerPoint Presentations

Lecture #22: Difficulties related to the supervision of Labour Standards (Socio-economic context; Decent Work Agenda; Declaration on Social Justice for a fair globalization; Future prospects)

Lecture #23: Market regulation and social sphere: international trade and social rights (the social clause; the GATT-WTO System; Future Prospective; Plurilateral Free Trade Agreements).

Lecture #24: Market regulation and social sphere: international trade and social rights; free trade agreement (the CAFTA; the MERCOSUR; the Bilateral Free Trade Agreements; International Trade and Social Rights; Social clause in the US-EU Transatlantic Treaty; Investor State Dispute Settlement; TTIP and Sustainable Development).

Lecture #25: Market regulation and social sphere: international trade and social rights (the EU Generalized System of Preferences; The fundamental social rights of the external action of the EU; the EU horizontal social clause; the EU free trade agreements; the CETA and the EPA).

Lecture #26: Students PowerPoint Presentations

Lecture #27: Market regulation and social sphere: international trade and social rights (The multinational company and the respect of the core labour standards; the codes of hetero-regulation elaborated by IOs; OECD guidelines; ILO Tripartite Declaration concerning multinational enterprises and social policy; UN Global Compact; UN guiding principles on business and HR).

Lecture #28: Market regulation and social sphere: international trade and social rights. The role of States in regulating the behavior of multinationals (UK Modern Slavery Act, Loi 2017-399); Potential and limits of Corporate Social Responsibility; Internal and External dimensions of CSR; The instruments of CSR; Codes of conduct; CSR in the European experience.

Lecture #29: Market regulation and social sphere: international trade and social rights (Possible convergences between CSR and international trade; Codes of conduct in the EU; Social certification; International Framework Agreements - IFAs).

Lecture #30: Students PowerPoint Presentation