

5.0 credits	30.0 h	1q
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Teacher(s) :	Van Gehuchten Pierre-Paul ;
Language :	Français
Place of the course	Louvain-la-Neuve
Main themes :	<p>The change in corporate structure is portrayed as one of the factors characterising the "new economic" system. It sometimes accompanies a change in the establishment of corporate assets. It often goes in hand with a requirement for increased flexibility in the organisation of working practices. Labour law includes this requirement for flexibility, particularly where labour legislation is concerned. It also includes procedures for giving information and holding consultations prior to restructurations when they occur. Outsourcing, recourse to some types of sub-contracting or collaboration with self-employed workers are legally recognized and co-exist with work under an employment contract. It is not however appropriate to consider these alternatives as being covered under separate legal regimes: though obligations on health and safety for sub-contractors working on site or for casual workers should be considered. The expression "parasubordination " has now been coined to take account of the nature of several of these diverse working arrangements adopted by the company.</p> <p>The labour legislation, social law provisions governing restructurations and legal protection of the various contractual arrangements adopted within the same company network are at the heart of the teaching. This also covers the description of the techniques and constraints governing outsourcing, sub-contracting and self-employed work. The implications of each of these legally established working arrangements on the rights of the company (with particular reference to intellectual property) and on its obligations (especially for tax and social matters) will be covered. As for the tax implications, this involves dealing with the personal regimes for salaried workers and for the self-employed as well as analyzing the differences in fiscal liability for economic activities undertaken by the company, according to the working arrangements selected to carry them out.</p>
Aims :	<p>The objectives are:</p> <ul style="list-style-type: none"> <li>- to teach the student how to identify, from substantive law, the instruments to use in order to implement a work organisation programme (social law, contract law, company law) ;</li> <li>- to teach the student how to analyse critically the implementation of these legal instruments with due consideration of their constraints and objectives.</li> </ul> <p>At the end of this course, the student should be equipped to provide concrete solutions to practical situations.</p> <p>The course is part of a cohesive series in the "FIRM" focus programme. The course lecturers for the specialization programme are a team: they cooperate upon the content and methods of each course to ensure they are complementary.</p> <p>As far as possible and given the number of students registered, the course makes use of participatory teaching methods. The teacher illustrates the course by examples and invites students to apply newly acquired knowledge to concrete situations.</p> <p><i>The contribution of this Teaching Unit to the development and command of the skills and learning outcomes of the programme(s) can be accessed at the end of this sheet, in the section entitled "Programmes/courses offering this Teaching Unit".</i></p>
Cycle and year of study :	> <a href="#">Master [120] in Law</a>
Faculty or entity in charge:	BUDR