

6.00 credits

45.0 h

Q1



This learning unit is not open to incoming exchange students!

Teacher(s)	Dorssemont Filip ;
Language :	Dutch
Place of the course	Louvain-la-Neuve
Main themes	<p>Belgian labor law (of the private sector) will be analysed in conjunction with the relevant international law and European legal instruments in a spirit of legal pluralism. Fundamental rights and issues of non-discrimination as well as the progressive harmonization of labor law of the Member States of the European Union will be highlighted in a transversal way.</p> <p>The course consists of a general historical and conceptual introduction, which precedes the analysis of Belgian labor law. In the introduction, I will focus on the genesis of Belgian labor law and on its conceptualization as a legal discipline. Furthermore, the evolution of the paradigms which have shaped Belgian labor law will be examined, as well as the relevant constitutional and international legal framework.</p> <p>The analysis of the Belgian labor law consists of three parts.</p> <p>The first part relates to the legal analysis of industrial relations at the enterprise level, on the industry and on the inter-professional level. Freedom of association (the right to organize) as a prerequisite for industrial relations will be examined. The architecture of collective labor law will be outlined in a static way (actors, institutions), followed by a more dynamic approach (functions such as: consultation of workers, collective bargaining, mediation and conciliation). Last but not least, this part will be concluded by a legal analysis of collective conflicts of interest and recourse to collective action.</p> <p>Individual employment relations between employers and employees are at the heart of the second part. The contract of employment as a contract based upon mutual obligations will be scrutinized in a classical approach, focusing on the notion of the employment contract and the employment relation, the conclusion, the clauses of the contract, the rights and the obligations, the termination of the contract (civil law and labor law). In this Part, I will dwell also on some issues related to the legal regulation of the labor market.</p> <p>In a final part; we will focus on employment regulation related to external working conditions (health and safety, including working time).</p>
Learning outcomes	<p>At the end of this learning unit, the student is able to :</p> <p>1 The course is designed as an introduction to Belgian labor law. Students will become more acquainted with the structure of the non-codified Belgian labour law. The course enables them able to overcome the bifurcation between private and public law and to understand that law is not necessarily state made law. A proper understanding of the historical development of labor law, of its Europeanization and constitutionalization will be helpful to adopt a more critical view.</p>
Inline resources	Power Point Presentations will be submitted at the moodle platform shortly before or after each lecture. Students can use the materials (French) offered under LDROI 1302. A manual published in Dutch will be recommended.
Other infos	Students are advised to buy a Labour codex "that is not annotated (eg Die Keure) in French or Dutch, during the lectures and during the exam
Faculty or entity in charge	DRT

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law	DROI1BA	6		