

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	Delovno pravo
Course title:	Labour Law

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Pravo - 1. stopnja		2	2
Law - 1st degree		2	2

Vrsta predmeta / Course type obvezni / mandatory

Univerzitetna koda predmeta / University course code:

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
40	0	20	0	0	65	5

Nosilec predmeta / Lecturer: Docent dr. Verena Rošic Feguš/Assistant Prof. dr. Verena Rošic Feguš

Jeziki / Languages:

Predavanja / Lectures:	Slovenski jezik /Slovenian
Vaje / Tutorial:	slovenski jezik /Slovenian

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

Vpis v 2. letnik dodiplomskega študija.

Vsaj 80% prisotnost na predavanjih in vajah.

Prerequisites:

Enrollment in the 2nd year of undergraduate study.

At least 80% attendance at lectures and tutorials.

Vsebina:

Predmet delovno pravo obravnavana naslednja osnovna področja:

- nacionalni in mednarodni viri delovnega prava, umestitev delovnega prava v pravni sistem;
- definicija delovnega prava (pojem, vrste), definicija delovnega razmerja in njegovo razmerje do drugih pogodb civilnega prava;

Content (Syllabus outline):

The course on Labour Law at the undergraduate level includes the following basic concepts:

- national and international sources of labour law, the position of labour law in legal system;
- definition of labour law (concept, different types), definition of employment relationship and its relation to other civil law contracts;

- sklenitev delovnega razmerja, bistvene sestavine pogodbe o zaposlitvi, vrste pogodb o zaposlitvi, odpoved pogodbe o zaposlitvi in drugi načini prenehanja delovnega razmerja;
- pravice in obveznosti delavcev in delodajalcev iz delovnega razmerja;
- postopki varstva pravic delavcev pred delodajalcem in v sodnem postopku
- kolektivni dogovori in kolektivne pogodbe, stavka, sodelovanje delavcev pri upravljanju;
- delovno pravo in pravo EU.

Predmet na dodiplomski ravni študija obravnava osnove delovnega prava, razvoj delovnega prava, študentke in študenti pa se seznanijo z njegovimi temeljnimi instituti in značilnostmi. Obravnavana so tudi posamezna aktualna vprašanja glede na razvoj teorije, zakonodaje in sodne prakse.

- conclusion of employment relationship, employment contract and its elements, types of employment contracts, termination of employment contracts;
- rights and obligations of employees and employers from the employment relationship;
- proceedings for protection of employees' rights before the employer and in court proceedings;
- collective bargains and collective agreements, strike, participation of employees by management
- labour law and EU law.

At the undergraduate level the course deals with basic labour law concepts, development of labour law, the students are familiarised with its basic institutes and characteristics. According to the development of theory, legislation and case-law the course also analyses current issues related to labour law.

Temeljna literatura in viri / Readings:

1. Bečan et al., Zakon o delovnih razmerjih s komentarjem, IUS Software GV Založba, Ljubljana, 2016
2. Barnard C., EU Employment law, Oxford University Press, Fourth Edition, 2012
3. Kresal Šoltes K., Vsebina kolektivne pogodbe, GV Založba, Ljubljana
3. Nacionalna zakonodaja in predpisi EU s področja delovnega prava in relevantna sodna praksa.

Glede na razvoj teorije in sodne prakse se literatura dopolnjuje z aktualnimi znanstvenimi/strokovnimi članki. /Regarding the development of theory and case law the literature is appropriately adjusted with academic articles.

Cilji in kompetence:

Študenti/ke bodo pridobili naslednje splošne kompetence:

- uporaba ustreznih metod pravnega raziskovanja, njihovih postopkov, analize in sinteze;
- sposobnost skupinskega dela in

Objectives and competences:

Students will gain the following general competences:

- use of appropriate methods of legal research, their procedures, analysis and synthesis;
- ability to work together and be willing to

pripravljenosti za sodelovanja pri reševanju konkretnih primerov s področja delovnega prava;

- razvoj komunikacijskih sposobnosti in veščin pri razumevanju in uresničevanju delovnega prava;
- razvoj veščin javnega nastopanja in predstavitev pri obravnavi institutov delovnega prava;
- razvoj ustvarjalnosti in sposobnosti premagovanja problemov pri uporabi načel in pravil delovnega prava;
- razvoj sposobnost vodenja pri reševanju konkretnih primerov s področja delovnega prava;
- razvoj sposobnosti uporabe interdisciplinarnih znanj pri reševanju zadev s področja delovnega prava;
- sposobnost uporabe delovnega prava v praksi in delovnem okolju.

Študenti/ke bodo pridobili naslednje predmetno specifične kompetence:

- poznavanje in razumevanje osnovnih pravnih pojmov s področja delovnega prava in njegovih značilnosti
- sposobnost samostojnega in avtonomnega študijskega dela;
- razvoj sposobnosti kritično analizirati pravne vire in pravna besedila;
- kritična refleksija obstoječih pravnih virov in ocena njihove potrebnosti in kakovosti;
- uporaba pojmov, načel in pravnih pravil s področja delovnega prava pri reševanju konkretnih primerov iz sodne prakse;
- sposobnost kritične strokovne razprave in analize o temeljnih pojmih, načelih in pravil delovnega prava;

work together to solve specific cases in the field of labour law;

- development of communication skills and competences in the understanding and implementation of labour law;
- development of public speaking and presentation skills when dealing with labour law institutes;
- development of free enterprise skills in the implementation of the principles and rules of labour law;
- development of creativity and the ability to overcome problems in applying the principles and rules of labour law;
- development of leadership skills in resolving concrete labour law cases;
- development of the ability to use interdisciplinary knowledge in the resolution of labour law cases;
- ability to apply labour law in practice and in a working environment.

Students will gain the following subjects specific competences:

- knowledge and understanding of fundamental legal concepts, legal principles and rules in the field of labour law;
- ability to study independently and autonomously;
- development of ability to critically analyse legal sources and legal texts;
- a critical reflection on existing legal sources and an assessment of their need and quality;
- the application of concepts, principles and legal rules of labour law when resolving concrete cases from case law;
- ability to critically discuss and analyse the fundamental concepts, principles and rules of labour law;

Predvideni študijski rezultati:

Znanje in razumevanje:

- seznanitev študentov z osnovnim pojmom in razvojem delovnega prava ter njegovimi temeljnimi koncepti;
- predmet razvije zanimanje in znanje o delovnem pravu;
- predmet razvije kritično razumevanje delovnega prava;
- študenti/študentke so zmožni kritične presoje ter analize in interpretacije dogodkov in usmeritev iz delovnega prava v sodobnem obdobju;
- študenti/študentke so sposobni kritično oceniti in se opredeliti do prakse slovenskih sodišč in Sodišča EU;
- študenti/študentke so sposobni kritično obravnavati varstvo pravic delavcev;
- študenti/študentke so sposobni kritično presojati, analizirati in razlagati dogodke in politike, povezane z vidiki delovnega prava v sodobnem obdobju;
- študenti/študentke poznajo in uporabljajo osnovne metodološke pristope pri raziskovanju vprašanj delovnega prava.

Intended learning outcomes:

Knowledge and understanding:

- to familiarise students with basic notion and development of labour law and its fundamental concepts;
- the course aims to develop the students' interest in and knowledge of labour law;
- the course develops students' critical understanding of labour law;
- the course develops students' critical understanding of the events and guidelines relevant to the labour law in the modern period;
- students can critically evaluate and define the practice of Slovenian courts and CJEU concerning labour law;
- students can critically address the protection of employees' rights;
- students are able to critically assess and analyse events and policies related to labour law in the modern period;
- students know and use basic methodological approaches when researching issues of labour law.

Metode poučevanja in učenja:**Oblike dela:**

- Frontalna oblika poučevanja
- Delo v manjših skupinah oz. v dvojicah
- Samostojno delo študentov
- e-učenje
- drugo (vpišite) _____

Metode (načini) dela:

- Razlaga
- Razgovor/ diskusija/debata
- Delo z besedilom
- Proučevanje primera
- Igra vlog
- Druge vrste nastopov študentov
- Reševanje nalog

Learning and teaching methods:**Types of learning/teaching:**

- Frontal** teaching
- Work in smaller groups or pair work
- Independent students work
- e-learning
- other _____

Teaching methods:

- Explanation
- Conversation/discussion/debate
- Work with texts
- Case studies
- Role-play
- Different presentation
- Solving exercises

<input type="checkbox"/> Študijski obiski podjetij ipd.)	<input type="checkbox"/> Field work (e.g. company visits)
<input checked="" type="checkbox"/> Vključevanje gostov iz prakse	<input checked="" type="checkbox"/> Inviting guests from companies
<input checked="" type="checkbox"/> Udeležba na okrogli mizi, na konferenci	<input checked="" type="checkbox"/> Attending round table and conference

Delež (v %) /

Načini ocenjevanja:

Weight (in %)

Assessment:

Način (pisni izpit, ustno izpraševanje, naloge, projekt)		Type (examination, oral, coursework, project):
Pisni izpit; pogoj za pristop k izpitu: opravljene vaje/seminarska naloga	100%	Written examination; prerequisite for the exam: tutorials/seminar

Reference nosilca / Lecturer's references:

Verena Rošic Feguš je docentka za evropsko pravo na Evropski pravni fakulteti. Je nosilka predmeta Delovno pravo in so nosilka predmeta Teorija in praksa socialne države, oba na Evropski Pravni fakulteti, kot predavateljica sodeluje še pri predmetih Pravo EU, Metodološki seminar, v okviru Fakultete za državne in evropske študije pa tudi pri predmetu Evropsko upravno pravo. Na Pravni fakulteti Univerze v Mariboru je diplomirala leta 2008, doktorirala pa iz področja prava EU v letu 2015. Zaposlena je kot strokovna sodelavka na Okrožnem sodišču v Mariboru, sodeluje pri več EU projektih kot nacionalna poročevalka in raziskovalka.

Verena Rošic Feguš is an Assistant Professor of European Law at the European Faculty of Law. She is lecturer of Labour Law and Theory and Practice of Social State, both at the European Law Faculty. As a teacher she is involved also by EU Law, Methodological Seminar and European Administrative Law at the Faculty of Government and European Studies. She graduated from Faculty of Law University of Maribor in 2008. She completed her PhD from EU law at the same faculty in 2015. She works as the higher legal adviser at the District Court in Maribor and participates in various EU projects as a national reporter and researcher.