



LUND
UNIVERSITY

Faculty of Law

JAEN64, European Labour Law and the Internal Market, 7.5 credits

Europeisk arbetsrätt och den inre marknaden, 7,5 högskolepoäng
Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2019-03-18 and was last revised on 2022-09-07. The revised syllabus applies from 2022-09-07, spring semester 2023.

General Information

The course is an elective course within the Master's Programme in European Business Law at the Faculty of Law. The course is open to students on the programme leading to a Swedish Professional Law degree and to international students participating in exchange programmes with the Faculty of Law.

Language of instruction: English

Main field of studies

European Business Law

Depth of study relative to the degree requirements

A1F, Second cycle, has second-cycle course/s as entry requirements

Learning outcomes

The aim of the course is to enable students to critically reflect upon the interaction between EU law and national labour law and between labour law and the foundations and functioning of the EU internal market.

Further, it aims at enabling students to bridge a practice-oriented knowledge with a research-oriented knowledge in the field of European labour law.

Knowledge and understanding

To pass the examination, the students must be able to demonstrate knowledge and comprehension of

- the relevance of labour law issues in the context of the EU internal market
- the interplay between national labour law frameworks and EU internal market

This is a translation of the course syllabus approved in Swedish

law

- the sources of European labour law
- the relevant case law of the Court of Justice of the EU.

Competence and skills

The students shall be able to

- identify and analyse the sources of European Labour Law
- critically assess and analyse the jurisprudence of the Court of Justice in the field of European labour law
- reflect upon and contextualise the impact of EU internal market law on the national labour law framework of the EU Member States
- conduct independent research on relevant topics concerning the interplay between labour law and the EU internal market
- present the findings of their research.

Judgement and approach

The students are encouraged to adopt a critical approach in their tasks. They are required to demonstrate the ability to relate legal dynamics to the broader socio-political and socio-economic contexts and to develop a critical thinking in the practical application of legal rules in the field of European labour law.

The students shall also demonstrate independence and originality in producing research-based contents, and proficiency, both orally and in writing, in presenting and discussing the findings of their research.

Course content

The course covers a range of topics concerning the interplay between labour law and the EU internal market. The aim is to provide the students with a comprehensive picture of the different areas in which labour law and EU internal market interact. The contents of the course emphasise the multiple dimensions of this relationship and they spotlight the relevance of labour law issues for enriching knowledge and expertise on the legal dynamics of the EU internal market.

In particular, the course explores

- the foundations of European labour law: actors, sources, law-making processes and fundamental rights that form the legal framework of European labour law
- the individual dimension of European labour law: employment rights, freedom of movement for workers and companies and the regulation of the employment relationship from an EU perspective
- the collective dimension of European labour law: collective bargaining and collective action in the EU internal market, information and consultation of workers, cases of transfer of undertakings and collective redundancies
- the comparative dimension of European labour law: elements of comparative labour law in the context of the EU internal market and methodology for comparative research in the field of European labour law.

Course design

The course is designed with teaching and learning activities that combine lectures and seminars. In particular, the seminars, in which students will be required to prepare in

advance for the discussion, address specific cases related to the topics discussed more generally in the lectures.

Further activities are the feedback sessions in which the students receive individual tuition on the production of a research-based report and the class-based presentations in which the students illustrate their reports and discuss with their classmates.

Assessment

The examination tasks consist of

- a written research report on a European labour law issue chosen by the student (90% of the final grade)
- an oral presentation of the report (10% of the final grade)

Both components must be passed separately in order to pass the course. In case of failed oral presentation, a new possibility will be offered at a later date.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

Subcourses that are part of this course can be found in an appendix at the end of this document.

Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA.

B – Pass

To obtain a B grade the student must be able to show a basic yet sound knowledge of the fundamental elements in each of the four dimensions of European labour law; the foundations of European labour law, the individual dimension of European labour law, the collective dimension of European labour law and the comparative dimension of European labour law. Further, the student must be able to demonstrate a basic ability to conduct independent and original research and to analyse legal material in the field of European labour law.

BA – Pass with credit

To obtain a BA grade the student must be able to show a high degree of comprehension of the multiple legal dynamics that occur in the field of European labour law. The student must also be able to show a good ability to develop critical perspectives and thinking in his/her analysis and research.

AB – Pass with distinction

To obtain an AB grade the student must be able to show excellent competences in dealing with complex issues concerning the legal dynamics in European labour law. The student must demonstrate mastery of the subject in conducting research, analysing legal materials, producing original material and presenting it.

Entry requirements

Passed examination in courses corresponding to the first term of the Master's programme in European Business Law equivalent to 30 credits.

For students on the Professional Law Degree Programme the entry requirements for semesters 7 and 8 are outlined in the Programme syllabus (utbildningsplanen).

Exchange students must have passed at least two and a half years of law studies at university level including basic knowledge of EU law.

Further information

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

Subcourses in JAEN64, European Labour Law and the Internal Market

Applies from V19

1901 European Labour Law and the Internal Market, 7,5 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction