

## JUBN14, Collective Labour Law, 15 credits

*Kollektiv arbetsrätt, 15 högskolepoäng*

Second Cycle / Avancerad nivå

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### Details of approval

The syllabus was approved by Educational Committee of the Law Faculty Board on 2008-11-04 and was last revised on 2015-11-04 by Faculty of Law Board of education at undergraduate and postgraduate levels. The revised syllabus applies from 2015-11-04, autumn semester 2015.

### General Information

The main field of study of the course is law and the subject is included in the area of civil law. The course Collective Labour Law is a specialisation course. It is included as an optional component of the Master of Laws programme. It is an option in semester 7 or 8 of the programme. The course comprises ten weeks of full-time studies.

*Language of instruction:* Swedish

The language of instruction is Swedish but teaching material in English, Danish or Norwegian may be included.

*Main field of studies*

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*Depth of study relative to the degree requirements*

A1N, Second cycle, has only first-cycle course/s as entry requirements

### Learning outcomes

The aim of the course is to enable students to acquire a specialised understanding of the function of labour law through studies of the collective aspect of the regulation of the labour market that is key to Swedish labour law and the sources to the terms of employment and their regulation. A further aim is to enable students to acquire both theoretical and practical skills and abilities that will make it possible for them to analyse, discuss and solve practical issues of relevance to this field of law.

Moreover, the course aims to deal with and enable students to understand collective labour law from a legal perspective. A key element of the course is the legal

management of how the relations between employers and employees and their respective organisations are regulated. A final aim is to enable students to acquire a comprehensive understanding of the Swedish labour market, i. e. of both the private and the public sector.

### **Knowledge and understanding**

To pass the examination, students shall be able to demonstrate

- specialised knowledge and understanding of the application of collective labour law regulations
- knowledge and understanding of legal structures and provisions
- knowledge and understanding of the key legal sources within the field and the theories, methods and terminology of relevance to the field
- awareness of current research issues within the field

### **Competence and skills**

To pass the examination, students shall be able to

- identify and use law and information sources and independently and critically judge and assess the relevance of sources of law
- analyse and discuss legal problems with reference to relevant sources of law
- apply material law
- reflect on the links of legal problems to relevant theories and methods of the field
- analyse theoretical and methodological issues in connection with specific legal problems
- demonstrate a developed ability to address methodological, theoretical and terminological issues but also a good analytical ability and critical approach in written production
- ability to conduct factually and legally well supported and well structured arguments in oral presentations
- independently complete assignments within given time frames

### **Judgement and approach**

The lectures and seminars problematise the legal provisions and their application. The legal provisions are viewed in the context of the gender and ethnic segregation of working life and the unequally matched negotiation positions of the social partners. Informed by a perspective of the application of legal provisions, the students are to develop assessment skills in their argumentation on the basis of theoretical, methodological and terminological considerations. Furthermore, in the memorandum the students are to practise an analytical, independent and critical approach to the legal provisions and their functions so as to apply the regulations in a varied and constructive way.

To pass the examination of the course, the students must demonstrate the ability to assess and take a critical position on the relevant sources of law within the legal field addressed.

## Course content

The course deals with Swedish collective labour law from the perspective of the impact of EU law and international regulations. The course is divided into separate parts, all including lectures, seminars and writing of memoranda. Group assignments may occur.

An introductory part contains a summary of current collective labour law against the background of legal history. This is followed by subjects such as the system of organisations and negotiations, and the issue of co-determination. A further subject addressed is the collective agreement as a form of regulation. Finally, conflict regulations and labour law dispute resolution are discussed.

## Course design

The teaching consists of lectures and seminars, in which the students are to participate actively and reflect on different aspects of the legal material and prepare memoranda. The course includes a negotiation moot. The seminars require compulsory attendance of at least 80 per cent. The negotiation moot and the final presentation sessions are compulsory and are included in the attendance requirement of 80 per cent.

## Assessment

The students are assessed on the basis of individually written memoranda on set problems. Each part of the course includes a set of problems for discussion. The memoranda can deal with both knowledge issues and discussion and reflection issues. Problems of legal application and case analyses etc. may be included. The course is concluded with a major memorandum on a set topic.

*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.

The final grade is set for a completed course. It is based on a weighted assessment of the results of all subjects examined.

Based on the learning outcomes stated in the syllabus, the following criteria determine the grading.

### **B- Pass**

For a grade of Pass, the student must

- identify the most manifest legal issues, and the legal structures and regulations in the situations addressed, and apply relevant provisions to the issues,
- demonstrate a basic ability to reflect on the structure of sources of law and on theoretical and methodological issues,
- demonstrate a basic ability to critically review rules and principles,
- demonstrate a basic analytical ability and basic ability to adequately discuss legal problems, and
- have completed all assignments within the predetermined time frame.

#### **BA- Pass with Credit**

For a grade of Pass with Credit, the student must

- identify the majority of the legal issues, and the legal structures and regulations in the situations addressed, and apply relevant provisions to the issues on the whole correctly,
- demonstrate a good ability to reflect on the structure of sources of law and on theoretical and methodological issues,
- demonstrate a good ability to critically review rules and principles,
- demonstrate a good analytical ability and good ability to adequately discuss legal problems, and
- have completed all assignments within the predetermined time frame.

#### **AB- Pass with Distinction**

For a grade of Pass with Distinction, the student must

- identify a clear majority of the legal issues, and the legal structures and regulations in the situations addressed, and apply relevant provisions to the issues correctly,
- demonstrate a very good ability to reflect on the structure of sources of law and discuss theoretical and methodological issues very competently,
- demonstrate a very good ability to critically review rules and principles,
- demonstrate a very good analytical ability and very good ability to adequately discuss legal problems, and
- have completed all assignments within the predetermined time frame.

Student who are unable to meet all the grading criteria for the grade of Pass (B) will be awarded a grade of Fail (U).

### **Entry requirements**

To be admitted to the course, students must have attended the teaching and completed the compulsory components of previous courses and successfully passed previous semesters totalling 150 credits.

## Subcourses in JUBN14, Collective Labour Law

Applies from V09

0801 Collective Labour Law, 15,0 hp

Grading scale: Fail, Pass, Pass with credit, Pass with distinction