

**Labour Law
Law-302.2
3 credits
Spring 2019**

Schedule: Fridays @ 9.25/10.50
Room: 206
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I. General Description and Objectives of the Course

This is an introductory compulsory course meant for junior students of the Law division. An objective of the course is to provide students with the basic knowledge of the Labour Law concepts, principles, theoretical underpinnings and legislation. The course also aims to teach skills that are necessary to apply Labour Law norms correctly and to find solutions for various legal problems and situations.

II. LAW DIVISION AND COURSE LEARNING OUTCOMES

Law Division Learning Outcomes

Graduates of the Law Program should have the following competencies:

1. carry out professional activities in good faith on the basis of developed legal consciousness, legal thinking, and legal culture and with observation of ethical principles of the legal profession;
2. apply professional judgment, perform quality legal analysis, conduct legal research, and solve legal problems;
3. be able to speak and write in an argumentative, logical, and clear way in the legal context, have skills necessary to draft legal documents, be fluent in the English language at the level of professional communication;
4. draft normative legal acts and carry out their legal expertise in the field of professional activity;
5. interpret and apply substantive and procedural norms, provide qualified legal opinions and consultations in concrete types of legal activity;
6. demonstrate leadership qualities, active citizenship, take and develop initiatives aimed at promotion of civil society and welfare state;
7. understand the essence and significance of information in the development of modern society and law, master the basic methods of working with information and information technologies in the professional sphere.

COURSE LEARNING OUTCOMES

	Law Division Learning Outcomes
Upon successful completion of the course students will be able to:	
Define the notion, methods, principles of Labour Law, its content, rights and responsibilities of employees and employers, notion of a labour contract, its types and difference from civil contracts, meaning of	1, 2

collective agreements, role of labour unions and unions of employers for the regulation of labour relations;	
Demonstrate an ability to differentiate between legislative instruments and local acts of organizations, national law and international instruments in the area of labour law;	1, 2
Define such notions as labour discipline, dispute settlement, working time and leisure time, forms and system of compensation, basis of labour safety, liability of employees and employers, international standards in the area;	1, 2
To apply learnt concepts and rules to solve various legal situations/problems related to covered topics;	1, 2
To analyze legal texts, statutes, cases and contrast them to other texts	1, 2
To produce legal analysis in written form through drafting various legal documents (labour contracts, collective agreements)	3, 4

III. Course Readings

Students are required to regularly refer to the e-course page of the course: www.e-course.auca.kg where **all reading materials** and all assignments are uploaded. Moreover, all course assignments should be uploaded by students only to the e-course. E-mail submissions are allowed ONLY if the e-course page does not work due to technical problems.

IV. Teaching Methods

The class will meet once a week. This course does not use traditional method of lecture and seminar division. There is going to be hybrid of lecture/seminar every class or it can be called as interactive lecture method. This method implies students to read new materials beforehand and be ready to discuss the given materials in class. Such method helps and equips the student a self-learning skill, which he/she will need in their further studies.

The main teaching methods used include the Socratic Method, which is widely used in law schools and is a way of engaging large groups of students into discussion of course topics through asking them questions and guiding them right to the core issues. This method equip students with analytical and critical thinking since the student is not given the answer to question but the student should find an answer himself by answering instructor's question.

V. Grading Criteria

Component	%
Attendance and Participation	10
Assignments (5)	20
Quizzes (2)	20
Midterm Exam	25
Final Exam	25
Total	100

Attendance is required! Students are expected to BE ON TIME for classes. If the instructor marked the student absent in case that the student is late for the class, he is considered to be absent for the entire class.

If a student misses 3 class meetings he/she will automatically get 0 for class participation. Missing more than 6 classes can incur failure of the entire course upon discretion of the instructor.

Active Participation. Students are expected to take an active participation in class discussions. Points for the active participation are only given in case a student demonstrates readiness for the class (in terms of reading assignments) and contributes constructively to class discussions.

Exams. Midterm and final exams will be conducted in an open book format. Further explanations will be provided closer to the exam date. **Exam retakes are allowed only in exceptional cases!**

Grading Scale

A 94-100%	B- 77-79%	D+ 60-63%
A- 90-93%	C+ 74-76%	D 54-59%
B+ 86-89%	C 68-73%	D- 50-53%
B 80-85%	C- 64-67%	F less than 50%

VI. Course Policies & Student Conduct

Student Conduct

All students are expected to follow the AUCA Code of Student Rights, Responsibilities and Conduct. Any kind of disruptive behavior of a student gives an instructor the right to expel him/her from the class and an entire course.

Originality, Academic Honesty & Plagiarism

Students are expected to get acquainted with the primary sources of International Law as well as with the secondary sources as textbooks and periodical articles, which facilitate deeper comprehension and assessment of the law. While essays and examination answers will draw on and be informed by this material, students are expected to **think for themselves** and to express themselves in their **own** words, providing a certain portion of originality.

All course assignments should be original and must not be plagiarized. Plagiarism is the appropriation of another person's thoughts or words without attribution. Plagiarism is an offence against the AUCA Code of Student Rights, Responsibilities and Conduct.¹ All

¹ Part III, Section A.3 of the Code states that "[a] student must not adopt or reproduce ideas, words, or statements of another person without appropriate acknowledgment. A student must give credit to the originality of others and acknowledge indebtedness whenever he or she does any of the following: 3.1.Quotes another person's actual words, either oral or written; 3.2.Paraphrases another person's words, either oral or written; 3.3.Uses another person's idea, opinion, or theory; or 3.4. Borrows facts, statistics, or other illustrative material from work of the other student, unless the information is common knowledge."

types of cheating (plagiarism etc.) are strictly prohibited. If student fails to observe this requirement, instructor may give from an "F" for the work up to an "F" for the whole course depending on the type of assignment and other circumstances.

Cell Phones and other Electronic Devices

- Should be off or on silent during classes;
- Can be used ONLY for the course purposes;
- Can be prohibited by the instructor for particular sessions.

VII. Course Content

Date	Topics
18.01	An introduction to Labour law: main concepts and principles. Sources of Labour law, subjects.
25.01	Notion of labour relations, their difference from the Civil Law relations. Social partnership in labour relations. Collective negotiations and agreements.
01.02	Labour contract: general provisions, conclusion, change of terms, termination.
08.02	Working time. Leisure time.
15.02	Discipline and work schedule. Quiz 1(35 min)
22.02	Salary. Compensation and guarantees.
01.03	Professional development of employees. Occupational safety and health.
08.03	No class
15.03	Midterm exam
22.03	Spring Break
29.03	Material liability of employees and employers under the contract.
05.04	Responsibility of employers for harm caused to employees' health during an employment period.
12.04	Specifics of regulation of women and minor's labour. Specifics of regulation of labour of disabled persons, senior management and collective bodies of legal entities.
19.04	Quiz 2 (35 min). Part-time and short term contract employees, seasonal workers, rotational workers, workers in mountainous and remote areas.
26.04	Specifics of regulation of labour of teachers, diplomats, employees of religious organizations, employees of entities in bankruptcy, and other.
03.05	Labor disputes: individual and collective. Protection of labour rights of employees. Monitoring and controlling an enforcement of the labour legislation.
10.05	Final Exam

N.B! This syllabus can anytime be changed by the professor, please follow updates on the e-course (www.e-course.auca.kg)!