

Program: Doctoral Academic Studies			
Course title: SETTLEMENT OF COLLECTIVE LABOUR DISPUTES			
Teachers: Prof. Dr. Branko Lubarda, Prof. Dr. Predrag Jovanović			
Course status: Optional course – Labour Law narrow scientific field			
Number of ECTS: 10			
Requirements: /			
Aims of the course: The aim of this Course is to provide the student with in-depth theoretical consideration of the concept and type of collective labour disputes and appropriate methods for their settlement, with emphasis on methods of peaceful settlement of disputes (conciliation, mediation, arbitration). The contents of the course include conception of the right to strike and principles of Committee on Freedom of Association of International Labour Organization, while the right to the lockout is analyzed in the context of the principle of equality of labor struggle.			
Course result: The course provides the student with in-depth knowledge of interest and legal collective labor disputes, training them for a proper understanding of the methods for settlement of collective labor disputes and institutions for conciliation and mediation. Besides, the course develops the ability to critically analyze the role and importance of arbitration for collective labor disputes, for comparative legal analysis of methods for settlement collective labor disputes and for proper understanding of international standards on the right to strike and the right to a lockout.			
Course content: Subjects of collective labour dispute; The subject of collective labour dispute; Legal collective labour dispute; Interest collective labour dispute; Collective labour dispute in private and public sector; Collective labour disputes of different levels (at the employer, branch, national, European); <i>Sui generis</i> collective labour dispute; A dispute between the trade unions; Principles of settlement of collective labour disputes; Models of settlement of collective labour disputes; The concept and types of conciliation; The concept and types of mediation; Fact findings; The concept and types of arbitration; Informal methods of settlement of collective labour disputes; Public services for conciliation and mediation; Private institutions for conciliation and mediation; Judicial institutions (labour court, court having general jurisdiction, administrative court); The jurisdiction of other state bodies and local authorities; Collective action of employees; The strike as a fundamental social right; Exercising, prohibition and limitation of the right to strike; Types of strike; Forms of collective action similar to the strike; Strike termination; Legal consequences of the strike; The concept and types of boycott; The concept and types of the picketing; The concept, types and legal consequences of the lockout.			
Literature: Branko Lubarda, <i>Rešavanje kolektivnih radnih sporova – Metodi i institucije</i> , Jugoslovensko udruženje za radno pravo i socijalno osiguranje, Beograd, 1999; Branko Lubarda, „Sloboda udruživanja poslodavaca“, <i>Pravo i privreda</i> , br. 5-8/2007, str. 979-992; Branko Lubarda, „Pravo na sindikalno organizovanje“, <i>Pravni život</i> , br. 5-6/2007, str. 89-98; Branko Lubarda, <i>Međunarodna zaštita socijalnih prava, s posebnim osvrtom na sindikalna prava</i> , u: Silvio Devetak, Jovica Trkulja (ur.), „Bilanca tranzicije/Bilans tranzicije“, Maribor-Beograd, 2004; Marc Rigaux, Patric Humblet (dir.), <i>Conciliation, médiation et arbitrage: vers une régulation européenne des modes alternatifs du règlement des conflits (collectifs) du travail?</i> , Bruxelles, 2011; International Labour Organization, <i>Freedom of Association</i> , International Labour Office, Geneva, 1996; A. de Roo, R. Jagtenberg, <i>Settling Labour Disputes in Europe</i> , Kluwer, Deventer-Boston, 1984; M. Rigaux, J. Rombouts (eds.), <i>The Essence of Social Dialogue in (South East) Europe</i> , Intersentia, Antwerpen-Oxford, 2006; A. Ph. C. M. Jaspers, <i>Right to Collective Action in European Law</i> , u: F. Dorssemont, T. Jaspers, A. van Hoek (eds.), “Cross-Border Collective Actions in Europe: A Legal Challenge”, Intersentia, 2007, str. 23-74.			
Number of lectures – active classes	Theoretical classes: 75	Practical classes :	
Instruction method: Lectures and consultations.			
Grading system (maximum number of points 100)			
Pre-exam obligations	Points	Final Exam	Points
Activities during lectures	30	Oral exam	70
Activities during practical classes			
Tests			
Seminar classes			