

Course manual
Joint Master's Programme in
International Humanitarian Action

Labour law in humanitarian action

University of
Warsaw, Poland

Version 2018

Semester 2

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Lecturers:	Dr. Piotr Grzebyk e-mail: p.grzebyk@wpia.uw.edu.pl office location: Department of Labor Law, University of Warsaw, Collegium Iuridicum I, room 411 office hours: Friday, 12.00-13.00
Credits	5 ECTS, equivalent to 125 work hours (1 ECTS = 25 hours)
Period:	Second semester, block 1.
Venue &	Collegium Iuridicum II, room 3.4 13.15-15.00

1. Introduction

The module is an element of the second component (Core Course, 25 ECTS) / third component (Orientation Period, 30 ECTS) of the NOHA Joint Master's Degree in International Humanitarian Action to be completed during the first/second semester. It forms a recognised part of the curriculum and is a requirement for obtaining the NOHA Master's degree.

The aim of this module is that students learn about legal frameworks of providing humanitarian action abroad with focus on labour law. It provides students with knowledge about main legal instruments referring to applicable labour law, jurisdiction in labour cases, features of the situation of posted humanitarian aid workers.

2. Learning outcomes

In conformity with the learning outcomes set out by the NOHA network, students should achieve the following learning outcomes by the end of this module:

Knowledge

- Has a thorough knowledge about law applied to labour relations, with special focus on international instruments concerning choice of applicable law, jurisdiction and situation of posted workers; has an understanding of linkage between labour law and human rights law.

Skills

- Has demonstrated the ability to indicate main legal instruments applied to international humanitarian aid workers, can adapt to different legal conditions in order to comply with national regulations.

Social competencies

- Has developed an open attitude towards acquiring new knowledge and understanding about professional developments in humanitarian action, is sensitive to different labour conditions and different cultures of work.

3. Course material

Basic literature:

- Ch. Reis, T. Bernath, *Becoming an International Humanitarian Aid Worker*, 2017
- S. Roth, *The Paradoxes of Aid Work*, 2015
- M. Gedee, *Working in International Development and Humanitarian Assistance: A Career Guide*, 2015
- U. Grusic, *The European Private International Law of Employment*, Cambridge 2015
- J. M. Servais, *International labour law*, Kluwer 2014

Suggested readings:

- ILO's role in conflict and disaster settings: Guides and toolkit, Geneva 2010
- V. Mantouvalou, *Are labour rights human rights?* ELLJ 2012/2
- M. Rocca, *Posting of workers and collective labour law*, Intersentia 2015
- X. Yang, *Contracts of employment in X. Yang, State Immunity in International Law*, Cambridge 2012
- Frank Hendrickx, *Foundations and functions of contemporary labour law*, ELLJ 2012/2
- Regulating the employment relationship in Europe. A guide to Recommendation No. 198*, Geneva 2013
- U. Grusic, *Jurisdiction in employment matters under Brussels I: A reassessment*, ICLQ 2012/61

4. Teaching and learning methodology

Lectures in a classroom. Q&A sessions. Guest lectures.
At the end of the course written exam.

5. Programme and training activities

Week 1

26.02.2018

The personal scope of labour law. Who is protected by labour law?

Week 2

5.03.2018

International Humanitarian Aid Worker – identifying legal challenges.

Week 3

12.03.2018

Who is to sue in case of a dispute and where to institute proceedings? Humanitarian Aid Worker goes to court.

Week 4

19.03.2018

Law applicable to Humanitarian Aid Workers' contracts. Does Humanitarian Aid Worker need a lawyer?

Week 5

26.03.2018

Security of employment – unfair dismissal, abusing of fixed-term contracts, collective redundancies, transfer of undertakings.

Week 6

9.04.2018

Anti-discrimination law.

Week 7

16.04.2018

due to my Business trip to Shanghai no classes in this week, moved to week 11 (guest lecture by Ketevan Iremashvili)

Week 8**23.04.2018**

Let's unite! Collective voice of Humanitarian Aid Workers'. Trade unions, collective bargaining, co-determination and strikes

23.04.2018

Pre-exam; 20 minutes open book exam/case-study during the classes covering lectures from week 1 to 7.

Week 9

30.04.2018 no classes. Dean prof. T. Giaro has announced this day off due to bank holidays at the first week of May. See week 15 (exam).

Week 10**7.05.2018**

Guest lecture(s) by Ketevan Iremashvili

Leadership for Lawyers. Intensive 2-3 days training (10-11.05.2018 tbc) – together with a group of Polish/international students

Week 11**14.05.2018**

guest lecture by Zakaria Shvelidze Tbilisi State University, Georgia, EU monitoring mission's work in Georgia after 2008 war.

14.05.2018

Guest lecture by Ketevan Iremashvili

Flip the Coin: War as a Powerful Lesson

Week 12**21.05.2018**

Guest lecture by Antonio García-Muñoz Alhambra Goethe University in Frankfurt, Germany

Subject tbc

Week 13

28.05 visiting profesor Elisabeth Brameshuber, Vienna University of Economics and Business, Austria

Subject tbc

Week 14

4.06.2018 guest lecture by Attila Kun, Karoli Gaspar University in Budapest, Hungary.

Business and Human Rights - A global perspective on the accountability of Transnational Corporations"

Week 15

5.06.2018

Exam

6. Workload

Attendance: 30h

Reading and study in order to prepare for classes and for the exam: 95h

Total: 125 h = 5 ECTS

7. Assessment methods

Written exam (close-ended and open-ended questions) 80%.

Being active during the classes 20%.

8. Assessment criteria

90% of points - grade 5

80% of points - grade 4,5

70% of points – grade 4

60% of points – grade 3,5

Over 50% of points – grade 3

9. Appendices

N/A