

Ministry of Education and Science of Ukraine  
Kharkiv National University named after V.N. Karazin  
Department of State and Legal Disciplines

"APPROVED" by

Dean of the Faculty of Law

Vitalii SEROHIN



сергій 2024

Working program of the academic discipline

**INTERNATIONAL LABOR LAW**

level of higher education	master's (second)
field of knowledge	29 International relations
specialty	293 International law
specialization in	public law
type of discipline is	mandatory
faculty	of law

2024 / 2025 academic year



The program is recommended for approval by the Academic Council of the Faculty of Law

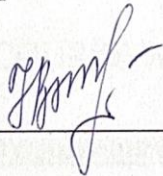
August 28, 2024, Protocol No. 1

PROGRAM DEVELOPER: Lyudmila Viktorivna Kulachok-Titova - candidate of legal sciences, associate professor, associate professor of the department of state and legal disciplines

The program was approved at the meeting of the department state and legal disciplines

Minutes of August 26, 2024 No. 12

Head of the Department of State and Legal Disciplines



Nataliya HRYSHINA

The program was agreed with the guarantor of the educational (professional/scientific) program of the second (master's) level of higher education "International Law"

Guarantor of the educational (professional/scientific) program

"International law" doctor of legal sciences, professor



Oleksandr GAVRYLENKO

The program was approved by the scientific and methodical commission of the Faculty of Law

Minutes dated August 28, 2023 No. 1

Head of the Scientific and Methodological Commission of the Faculty of Law



Anna ZUBENKO

## INTRODUCTION

The program of the study discipline "International Labor Law" is compiled in accordance with the educational and professional training program

master's degree

specialty International Law

The subject of study of the academic discipline is the theoretical and normative foundations of relations between states and other subjects of international law regarding labor relations.

### 1. Description of the academic discipline

#### 1.1. The purpose of teaching the academic discipline:

To give an idea of the system of international labor standards, their role in the formation of national labor law. To study the peculiarities of international labor regulation, the functions of the UN and the ILO in this area. Learn the specifics of the regulatory consolidation of the labor standards of the Council of Europe and the EU, their importance for the reform of national labor law.

#### 1.2. The main tasks of studying the discipline:

Formation of such competencies in students:

- the ability to faithfully fulfill professional duties, to act in accordance with ethical motives and current legislation (GC-2);
- the ability to improve and develop one's intellectual and general cultural level in the conditions of the development of legal science and state policy, the ability to acquire new knowledge using modern information and educational technologies (GC-3);
- the ability to competently apply international legal acts in various spheres of legal activity, the ability to implement material and procedural international legal norms in professional activity (PC-2);
- the ability to ensure compliance with the requirements of international law, international obligations of Ukraine within the scope of the performance of their official duties (PC-3);
- the ability to interpret international legal acts in a qualified manner and to give qualified legal opinions and consultations on international legal issues (PC-4);
- the ability to analyze and implement managerial innovations in professional activities, to ensure compliance with international legal standards in professional activities (PC-6);

**1.3. The number of credits is 5.**

**1.4. The total number of hours is 150.**

<b>1.5. Characteristics of the academic discipline</b>	
<u>Mandatory</u> / optional	
Full-time form of study	Correspondence (distance) form of study
A year of training	
1st	1st
Semester	
2nd	2nd
Lectures	
28 hours	6 hours
Practical, seminar classes	
14 hours	4 hours
Independent work	
108 hours	140 hours
Including individual tasks (abstract)	
15 hours	

**1.6. Planned learning outcomes:**

**According to the requirements of the educational and professional program, students must:**

*to know:* the history of the establishment and development of international labor law; subject, functions, sources and legal institutions of international labor law; legal relations regulated by international labor law; the legal status, competence, functions, principles and main areas of activity of the International Labor Organization; issues regulated by ILO conventions and recommendations; regulation of labor relations within the framework of the European Union, the source base of the EU in this area; peculiarities of international legal protection of human labor rights; peculiarities of labor regulation of employees of international intergovernmental organizations;

***to be able to:*** formulate a problem that arises in the field of international labor law and approaches to its solution in oral and written form, relying on relevant normative acts; to determine the norms of which act regulates this or that type of relations in the field of hired labor when foreign subjects are involved, as well as taking into account the legal regulation of labor of migrants; draw up an employment contract with a migrant worker taking into account the specifics of the legislation of a separate state; determine the priority of norms of international and national labor law when regulating the work of employees of international intergovernmental organizations;

***have the skills to:*** analyze international legal acts of labor law, state legislation and court practice; drawing up legal documents; support of international activities of enterprises and organizations on issues of regulation of labor relations; as well as independent increase of acquired knowledge, including the creation of a database.

## **2. Thematic plan of the educational discipline**

The program of the academic discipline consists of the following sections:

1. General provisions of international labor law.
2. Fundamental rights and principles in the field of work
3. International labor standards.

### ***Section 1. General provisions of international labor law***

#### ***Topic 1. The concept of international labor law, its subject, method and principles***

Concept and subject of international labor law. Commonalities and differences between national and international labor law. Features of the method of international labor law: dispositive and imperative elements. Application of the comparative method in international labor law. Principles of international labor law. Basic (fundamental) principles of international labor law: freedom of association and effective recognition of the right to collective bargaining; abolition of all forms of forced or compulsory labor; effective prohibition of child labor; prevention of discrimination in the field of work and occupations.

#### ***Topic 2. History of the development of international labor law***

Prerequisites for the emergence of international labor regulation in the 19th century. The contribution of R. Owen, C. Hindley, D. Legrand to the initiation of the idea of international legal regulation of labor. Association for Legal Protection of Workers. Creation of the International Labor Organization (ILO) and the beginning of its activities. USSR and ILO. Activities of Albert Tom. Declaration of Philadelphia regarding the goals and objectives of the ILO. ILO in the period after the Second World War. Modern international legal regulation of labor relations. Contradictions between rich and poor countries regarding the adoption of

international labor standards. Change in ILO policy after the end of the Cold War. ILO and the problem of globalization. Decent Work Program, 2008 ILO Declaration on Social Justice for Fair Globalization.

***Topic 3. Subjects of international labor law.***

Concepts and types of subjects of international labor law. International organizations. ILO: structure, International Labor Conference, International Labor Office; Administrative Council of the International Labor Office. International Association of Social Security. World Health Organization; World Trade Organization; Organization of economic cooperation and development; regional international organizations. International trade union organizations. International associations of employers. Non-governmental organizations related to international labor law.

***Topic 4. Sources of international labor law. Monitoring compliance with international labor standards and their effectiveness.***

Concept and classification of sources of international labor law. Correlation between international and national labor law. Basic principles and rights in the field of labor. Direct effect of sources of international labor law. Types of sources by number of participating states. Universal and regional acts. Acts of the CIS, the Council of Europe, the European Union, the North American Agreement on Cooperation in the Field of Labor, Mercosur. Classification according to the form of the act: international agreements; Jus cogens; national legislation; international advisory acts; international collective agreements and agreements; corporate acts of multinational corporations; codes of conduct of non-governmental organizations. Classification of ILO acts by status and content. Procedures related to ILO acts.

Mechanism for monitoring compliance with international labor standards. Supervision. Consideration of complaints. Special control procedures of the ILO. Other methods of monitoring compliance with international labor standards. "Social clauses" of the USA and the EU. The debate on "social clauses" within the World Trade Organization. Monitoring compliance with corporate codes of conduct. Social marking. Effectiveness of international labor standards.

***Section 2. Fundamental rights and principles in the field of labor***

***Topic 5. Freedom of association and effective recognition of the right to collective bargaining.***

Legal acts on freedom of association and recognition of the right to collective bargaining by the UN, ILO, regional and national acts. "Positive" and "negative" right to association. Creation of organizations. The right to independently create statutes and organize one's activities. Prevention of administrative dissolution. The right of associations to create federations and confederations.

The right to conduct collective negotiations and conclude collective agreements. Subject of collective negotiations, content of collective agreements.

Parties and levels of collective bargaining and contracts. Principles of management, scope, term of validity and legal force of collective agreements.

Procedures for informing and consulting with workers' representatives in the management of the organization. Acts of the ILO and the European Social Charter. National models of informing employees in European countries. EU directives on European works councils of 1994 and 2009. EU directive on information and consultation with employees of 2002. Participation of employees in supervisory boards of companies.

Peaceful procedures for resolving labor disputes between social partnership participants. Strikes and other industrial actions of workers. Lockouts and other means of protecting employers against industrial action by workers.

***Topic 6. Abolition of all forms of forced or compulsory labor. Effective prohibition of child labor***

Legal acts on the prohibition of slavery and forced labor: acts of the League of Nations, UN, ILO, regional and bilateral agreements, national legislation. Forced labor, slavery and human trafficking. Legal definitions of forced labor in ILO conventions: purpose of legal definitions; scope of application; definition of forced labor. Provisions of the 1930 ILO Convention on Forced Labor No. 29. ILO Recommendation of 1930 on Indirect Forced Labor No. 35.

Legal acts on the labor of children and adolescents. The problem of child labor in the modern world. Definition of the concept of child labor. Discussion on the use of child labor. The relationship between poverty and the use of child labor. 1973 ILO Convention on Minimum Age No. 138 and Recommendation No. 146. 1999 Convention on the Worst Forms of Child Labor No. 182. Recommendation No. 190.

***Topic 7. Prevention of discrimination in the field of work and occupations***

Legal acts on the prohibition of discrimination in the field of labor. Modern concepts of ensuring equality in the field of work: equal treatment; differentiation and discrimination; formal and real equality; open and closed lists of discrimination criteria; direct and indirect, open and hidden discrimination. Scope of application of anti-discrimination legislation. Discrimination in the interpretation of the ILO Convention of 1958 on discrimination in the field of work and occupation No. 111 and criteria of discrimination. Racial and gender discrimination; gender discrimination; discrimination related to the views of the employee. Legitimate exceptions to the principle of equal treatment: specific job requirements; considerations of national security; protection of certain categories of employees ("compensatory action").

***Chapter 3. International labor standards.***

***Topic 8. Employment.***

Different approaches to the right to work. International acts on the right to work and protection against unemployment. Key elements of international legal regulation of the employment issue. ILO Conventions and Recommendations on

Employment Policy. Flexibility and stability in the labor market. European policy of "flexibility". Acts of the ILO on the development of human resources. Activities of employment services and agencies, the problem of temporary work. The right to work and the stability of labor relations. Recommendation of 2006 on employment relations No. 198. Termination of employment relations. Preservation of labor relations during the transition of the enterprise to the EU.

***Topic 9. Payment of labor.***

International acts on remuneration: general international legal standards; acts of the ILO. Concept, form of payment, freedom of disposition, periodicity of salary payment. The employee's right to information about the salary due to him.

Protection of the employee's right to wages in case of bankruptcy of the employer. History of the problem and trends in the development of national legislation. ILO Convention of 1949 on the protection of wages No. 95. ILO Convention of 1992 on the protection of workers' claims in the event of the insolvency of their entrepreneur No. 173. EU Directive No. 2002/74/EC. Minimum wage. The right to wage indexation.

***Topic 10. Working time and rest time. Health and safe working conditions (occupational safety). Protection of personal data of employees.***

Working hours: general norms; normal and reduced working hours; overtime work; regulation of working hours of certain categories of employees. Rest time: weekly rest; paid leave. Separate types of working time: work on part-time terms; home work and telework; night work

General issues of occupational safety and hygiene. Acts of the ILO on occupational safety and hygiene. Evolution of the international approach to occupational safety and health. Acts of 1981 and Protocol of 2002. Acts of 2006

Human right to protection of private life and freedom of speech: basic concepts and legal acts. Recommendation of the Council of Europe No. R(89)2 and the ILO Code of Practice on the Protection of Personal Data of Employees: Conceptual Apparatus and Scope of Acts; general principles; receiving personal data; storage; use and transfer; individual and collective rights of employees.

***Topic 11. Regulation of the work of employees of international organizations.***

Regulation of labor relations between an international and intergovernmental organization and its staff. Autonomy of an intergovernmental organization, which is a subject of private international law, regarding consideration of issues related to its internal activities. The special nature of the organization's legal personality, which is not affected by the place of conclusion of the agreement or the place where the employee performs his duties.

Labor disputes of the UN and its specialized agencies with their personnel are considered by the administrative tribunals of these organizations. Jurisdiction of the United Nations Administrative Tribunal to hear claims relating to violations of



the contracts of employment of UN Secretariat personnel or the terms of employment of such personnel.

Contents of the Regulations on the staff of the International Labor Office, other international organizations that have recognized the jurisdiction of the Tribunal (UNESCO, the International Telecommunication Union, the Food and Agricultural Organization, the Universal Postal Union, etc.). Category of international civil servants, international nature of their responsibility. The procedure for hiring personnel, payment of salaries and other monetary rewards, business trips, pension provision, prohibition of restrictions on the rights of women and men to participate in the performance of labor functions, competitive selection of personnel. Other conditions of employment: granting of leave, disciplinary responsibility of the employee, hours of work and rest, medical examinations or medical support, payments of various types of compensation, etc.

### 3. The structure of the academic discipline

Names of sections and topics	Number of hours											
	full-time form						correspondence form					
	total	including					total	including				
		lecture	practical	laborator	individual	Independ. work		lecture	practical	laborator	individual	Independ. work
1	2	3	4	5	6	7	8	9	10	11	12	13
<b>Section 1. General provisions of international labor law</b>												
Topic 1. The concept of international labor law, its subject, method and principles	10	2	1			7	10	1				9
Topic 2. History of the development of international labor law	10	2	1			7	10					10
Topic 3. Subjects of international labor law	14	2	1			11	14	1				13
Topic 4. Sources of international labor law. Control over compliance with international labor standards and their effectiveness.	14	4	1			9	14	1				13

Total by chapter 1.	48	10	4			34	48	3				45
<b>Section 2. Fundamental rights and principles in the field of labor</b>												
Topic 5. Freedom of association and effective recognition of the right to collective bargaining	15	2	2			11	15		1			14
Topic 6. Abolition of all forms of forced or compulsory labor. Effective prohibition of child labor	25	4	2			19	25	1	1			23
Topic 7. Prevention of discrimination in the field of work and occupations	15	4	2			9	15	1				14
Total by chapter 2	55	10	6			39	55	2	2			51
<b>Chapter 3. International labor standards.</b>												
Topic 8. Employment	12	1	1			10	12		1			11
Topic 9. Payment of labor	12	1	1			10	12		1			11
Topic 10. Working time and rest time. Health and safe working conditions (occupational safety). Protection of personal data of employees.	12	4	1			7	12	1				11
Topic 11. Regulation of the work of employees of international organizations	11	2	1			8	11					11
Total by chapter 3	47	8	4			35	47	1	2			44
<b>Total hours</b>	150	28	14			108	150	6	4			140

#### 4. Topics of seminar (practical, laboratory) classes

number	Topic name	Number of hours by forms of education
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		full-time	extramural
1.	The concept of international labor law, its subject, method and principles. The history of the development of international labor law.	2	
2.	Subjects of international labor law. Sources of international labor law. Monitoring compliance with international labor standards and their effectiveness.	2	
3.	Freedom of association and effective recognition of the right to collective bargaining	2	1
4.	Abolition of all forms of forced or compulsory labor. Effective prohibition of child labor.	2	1
5.	Prevention of discrimination in the field of work and occupations.		
6.	Employment. Pay.	2	2
7.	Working time and rest time. Health and safe working conditions (occupational safety). Protection of personal data of employees. Regulation of the work of employees of international organizations..	2	
	<b>Total</b>	<b>14</b>	<b>4</b>

### 5. Tasks for independent work

number in order	Name of the topic (types, content of independent work)	Number of hours by form of education	
		full-time	extramural
1.	<b><i>The concept of international labor law, its subject, method and principles.</i></b>  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources). Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	7	9
2.	<b><i>The history of the development of international labor law.</i></b>  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources). Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	7	10
3.	<b><i>Subjects of international labor law.</i></b>	11	13

	Study of theoretical material (textbooks, monographs, scientific publications in periodicals, information resources). Study of the founding regulatory documents of the ILO: structure, competence of working bodies, work regulations. Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.		
4.	<b><i>Sources of international labor law. Monitoring compliance with international labor standards and their effectiveness</i></b>  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources) and normative acts of the UN, the ILO of the Council of Europe and the EU. Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	9	13
5.	<b><i>Freedom of association and effective recognition of the right to collective bargaining</i></b>  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources) and normative acts of the UN, the ILO of the Council of Europe and the EU. Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	11	14
6.	Abolition of all forms of forced or compulsory labor. Effective prohibition of child labor  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources) and normative acts of the UN, the ILO of the Council of Europe and the EU. Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	19	23
7.	<b><i>Prevention of discrimination in the field of work and occupations</i></b>  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources) and normative acts of the UN, the ILO of the Council of Europe and the EU. Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	10	14
8.	<b><i>Employment</i></b>  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources) and normative acts of the UN, the ILO of the Council of Europe and the EU. Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	10	11
9.	<b><i>Pay.</i></b>  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources) and normative acts of the UN, the ILO of the Council of Europe and the EU. Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	10	11

10.	<b><i>Working time and rest time. Health and safe working conditions (occupational safety). Protection of personal data of employees.</i></b>  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources). Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	7	11
11.	<b><i>Regulation of the work of employees of international organizations.</i></b>  Study of theoretical material (lecture notes, textbooks, monographs, scientific publications in periodicals, information resources) and normative acts of the UN, the ILO of the Council of Europe and the EU. Preparation for seminar classes, targeted reports in agreement with the teacher, preparation for the test and exam.	8	11
	<b><i>Total</i></b>	<b><i>108</i></b>	<b><i>110</i></b>

## **6. Individual tasks**

Individual tasks develop opportunities for independent work and contribute to a more in-depth study of theoretical material, formation of skills in using knowledge to solve relevant practical tasks.

A type of individual task from an educational discipline is control work performed during classroom classes and independent work, which are determined by the curriculum. In addition, the program provides for the execution of abstracts (essays) as a type of scientific work of the applicant. Individual tasks are performed by the student independently with the necessary consultations from a scientific and pedagogical worker.

For the performance of an individual task, a comparativist research method is proposed, which allows, on the basis of knowledge of the labor legislation of Ukraine, international labor standards, to compare the labor legislation of a separate state or relevant EU directives in order to find similarities or differences, as well as proposals for changes to Ukrainian legislation within the framework of its reform .

Labor legislation is proposed for research:

- 1) of the European Union;
- 2) Canada;
- 3) USA;
- 4) Japan;
- 5) China;
- 6) Italy;
- 7) Spain;
- 8) Germany;
- 9) France;
- 10) Great Britain;



- 11) Sweden;
- 12) Belgium;
- 13) Switzerland;
- 14) Finland;
- 15) Portugal;
- 16) Albania;
- 17) Serbia;
- 18) Montenegro;
- 19) Poland;
- 20) Slovakia;
- 21) of India;
- 22) United Arab Emirates

or any other state or union of states (upon agreement with the teacher).

The result of the work is the text of the report and the presentation, the assessment is given after the student's speech at the seminar.

## **7. Teaching methods**

During the study of the academic discipline, a variety of teaching methods are used, the choice of which depends on the specifics of the topic, the form of the lesson, and the audience. The factor of choosing one or another teaching method is a student-centered approach, encouraging the student to analytical and research activities, correspondence of the form and method of teaching, peculiarities of a specific topic.

Explanation - verbal interpretation of concepts, phenomena, principles of operation of devices, words, terms, etc. Used mainly when teaching new material, as well as in the process of consolidation, especially when the teacher feels that the students did not understand something.

A story is a monologue form of teaching. It is used when it is necessary to present the educational material systematically and consistently - as a rule, these are lecture classes. The elements of the story are an accurate description, narration, logical substantiation of the facts. A popular science story involves a theoretical analysis of certain phenomena. Descriptive narrative is a sequential exposition of signs, features of objects and phenomena of the surrounding reality (description of the history of the emergence and development of a particular phenomenon). Each type of story should provide an educational effect of learning, be based on reliable scientific facts, emphasize the main idea, be accessible and emotional, contain conclusions and remarks.

Conversation is a teaching method in which the teacher, with the help of questions, prompts students to reproduce the acquired knowledge, form independent conclusions and generalizations based on the learned material - seminar or practical classes. According to the purpose of the educational process,

the following are distinguished: an introductory interview (conducted during preparation for a seminar class or an assignment to study new material); conversation-message (based mainly on observations organized by the teacher in classes with the help of visual aids, as well as on materials from scientific research texts or documents); conversation-repetition (used to consolidate educational material); a control conversation (they resort to it when checking the acquired knowledge). According to the nature of students' activities, the following are distinguished: reproductive conversation (aimed at reproducing the learned material); heuristic, or Socratic (the teacher prompts students with questions to formulate new concepts, conclusions, rules, using the knowledge and observations they have acquired); catechetical (aimed at reproducing statements that require verbatim memorization). The effectiveness of any kind of conversation depends on the skillful formulation of questions, as well as on the quality of the answers, that is, their completeness, clarity, argumentation.

An educational discussion is a public discussion of an important issue and involves an exchange of opinions between students or teachers and students. It develops independent thinking, the ability to defend one's own views, analyze and argue statements, critically evaluate other people's and one's own judgments. During the educational discussion, scientific conclusions, data that require preparation from sources that contain more extensive information than the textbook are discussed. The discussion is aimed not only at the assimilation of new knowledge, but also at the creation of an emotionally saturated atmosphere that would contribute to a deep penetration into the truth. Such discussions can be used as part of a lecture or seminar session, or organized separately - colloquium, round table, etc.

## **8. Control methods**

When studying the discipline of International Labor Law, the following types of control of study results are used: incoming, current during the semester, control work provided for in the curriculum, final semester control in the form of an exam, timed control.

Entrance control is carried out before studying International Labor Law in order to determine the level of training of students in the disciplines that provide this course (theory of the state and law, constitutional law, labor law, international law). Entrance control is carried out at the first lesson on the tasks corresponding to the preliminary training programs. Based on the results of the entrance control, measures are being developed to provide individual assistance to students, and to adjust the educational process.

Current control is carried out at all types of classroom classes during the semester in the form of an oral survey or written control at practical, seminar classes, lectures, in the form of a colloquium, student performances when discussing issues at seminar classes, in the form of computer testing, etc. The

results of the evaluation of students' work are brought to the attention of students. Written control provides a deep and comprehensive check of the mastery of the program material, with its help, a significant number of students are controlled at the same time. Oral examination is usually conducted in practical classes. It is carried out with the help of a conversation, a student's answer, interpretation of certain theories, ideas, views of professional phenomena, etc. This method, due to its specificity and nature of application, is used both daily in scheduled classes and in various inspections.

Forms of control in the discipline of International Labor Law include the performance of control work determined by the curriculum, the submission of self-learned material to the final semester control (together with the material studied during classroom training classes), etc.

The final semester control of the academic discipline is a mandatory form of evaluation of the student's study results. It is conducted in the terms established by the schedule of the educational process, and in the amount of educational material determined by the program of the educational discipline. Semester control in the discipline of International Labor Law is conducted in the form of a semester exam. A student is admitted to the semester supervision on the condition that he performs all types of work provided by the curriculum for the semester in this discipline. The exam is taken according to exam tickets approved by the department. The teacher should familiarize the students with the content of the exam questions, a sample of the exam ticket at the beginning of the study of the academic discipline. The maximum number of points that a student can score when taking an exam in an academic discipline is 40.

The assessment of the final control is set on a national scale as the sum of the points scored by the student of higher education during the semester when performing the control measures provided for in the program of the study discipline International Labor Law and the points scored during the semester exam. The maximum number of points that a student can score while studying the International Labor Law discipline is 100.

## **9. Points calculation scheme**

Full-time education

The total number of points is 100.

The number of points for the assessment is 40.

The number of points during the semester is 60:

Number of points for answers in seminar classes, performance of an individual task  $\sum 40 - 40$ :

Calculation formula

$\sum 40 = \sum 1 / \sum 2 \times 8$  (eight)

Note:

$\Sigma 40$  – the sum of the maximum number of points

$\Sigma 1$  – the sum of points received by the student for answers in seminar classes.

$\Sigma 2$  – the number of seminar classes during the semester.

8 is the coefficient

Test paper (one per semester) – 20 points

Current control and independent work												Total	Exam	Amount
Chapter 1			Chapter 2				Chapter 3					60	40	100
T1	T2	T3	T4	T5	T6	T7	T8	T9	T10	T11	CW			
$\Sigma 40$											20			

T1, T2 ... T12 - topics of sections.

The maximum number of points that a student can receive during the 2nd academic semester in seminar classes on the academic discipline "International Labor Law" is 60, due to oral and written answers in seminar classes (up to 5 points for a complete answer to the question and in total no more 40 points), writing a test paper (up to 20 points), writing and defending an essay (up to 10 points - at the request of the student).

To be admitted to the final examination, a student must score less than 10 points.

The exam is conducted according to the schedule in the form of a written work (test form). At the exam, a student can get the maximum number of points - 40.

The final grade (points) for the study of the academic discipline "International Labor Law" in the 2nd semester is given for oral and/or written answers in seminar classes, writing a test paper, preparing an essay, compiling a final test and in total is up to 100 points.

### **External form of education**

The total number of points is 100.

The number of points for the assessment is 40.

The number of points during the semester is 60:

Number of points for answers in seminar classes  $\Sigma 10$  – 10:

Formula

$\Sigma 10 = T1..T10$

Test paper (one per semester) – 50 points

Current control and independent work											Total	Exam	Amount	
Chapter 1			Chapter 2				Chapter 3				60	40	100	
1	2	3	4	5	6	7	8	9	10	11	W			
$\Sigma 10$											0			



### Rating scale

The sum of points for all types of educational activities during the semester	Assessment according to the national scale
	for a four-level rating system
90 – 100	perfectly
70-89	fine
50-69	Satisfactorily
1-49	Unsatisfactorily

### Criteria for evaluating the success of studies

Based on the results of the study, the student must demonstrate:

for a grade of "90 - 100"

- full understanding and disclosure of the researched issues;
- fluent command of special scientific terminology in this field of knowledge and general theoretical conceptual and categorical apparatus;
- correct understanding of the subject of scientific research and methodological approaches of the field of knowledge and their place in the system of methodological tools of theoretical jurisprudence;
- a clear understanding and fluency in the theoretical provisions of the field of knowledge and their systemic connections in the complex of general theoretical legal sciences
- the ability to connect theoretical postulates with normative provisions of the current legislation and identify their possible conflicts;
- the ability to interpret theoretical provisions in accordance with the problems of legal practice and make specific proposals for its improvement;
- the ability to identify scientific problems within the scope of the educational course and propose ways to solve them;
- mastering the basics of scientific forecasting;

for the grade "70-89"

- insufficient full disclosure of the topic;
- insignificant errors in the definition of concepts and categories that do not fundamentally change the essence of the presented question;
- insufficiently clear explanation of the specifics of the subject and the scientific methodology of the field of knowledge;
- difficulties in connecting theoretical knowledge with legal practice;
- mistakes were made in the normative illustration of theoretical provisions;

- incomplete mastery of theoretical and methodological tools in solving practical tasks;  
for the grade "50-69"
- understanding of the studied material at the level of the main provisions of the lecture course;
- presence of one or two significant errors in the definition of concepts and categories;
- unclear, such that requires constant clarifications, presentation of educational material;
- emergence of significant difficulties in the interpretation of scientific and theoretical provisions regarding legal practice;
- significant difficulties in ascertaining the problems of legal science and practice in this field;  
for the rating "1-49"
- non-disclosure of the topic;
- complete misunderstanding of the content of scientific concepts and categories;
- the presence of a significant number of significant errors that distort the scientific picture of the investigated problem;
- inability to make objective meaningful connections between legal science and legal practice.

## **10. Recommended literature**

### **Normative and legal acts**

1. Statute of the International Labor Organization / [Electronic resource]  
URL: [http://zakon3.rada.gov.ua/laws/show/993\\_154](http://zakon3.rada.gov.ua/laws/show/993_154)
2. Conventions and recommendations of the ILO. Text / Official web portal of the Federation of Trade Unions of Ukraine / [Electronic resource] URL::  
<http://www.fpsu.org.ua/konventsiji-rekomendatsiji-mop>

### **Basic literature**

1. Міжнародне регулювання праці. Електронний навчально-методичний посібник для студентів першого (бакалаврського) рівня вищої освіти Одеського інституту МАУП URL:  
<http://odessamaup.pp.ua/upload/editor/files.pdf>
2. Шашкова-Журавель І.О. Міжнародне трудове право: навчальний посібник. Київ: ВД «Персонал», 2017. 190 с.
3. Андріїв В.М. Міжнародне трудове право: навчальний посібник. Київ: ВД «Дакор», 2017. – 574 с.
4. Чижмарь Ю.В. Національне та міжнародне трудове право. Дисертація на здобуття наукового ступеня доктора юридичних наук. Спеціальність 12.00.05 – трудове право; право соціального забезпечення. Київ-2016. 471 с. URL:

[https://uu.edu.ua/upload/universitet/Osobisti\\_zdobutki/Zahist\\_disertaciy\\_S\\_Ya/Chizmar\\_YV\\_dis.pdf](https://uu.edu.ua/upload/universitet/Osobisti_zdobutki/Zahist_disertaciy_S_Ya/Chizmar_YV_dis.pdf)

5. Білоус О.Ю. Конвенції міжнародної організації праці як джерела трудового права України. *Дисертація на здобуття наукового ступеня кандидата юридичних наук. Спеціальність 12.00.05 – трудове право; право соціального забезпечення. Одеса-2016.* URL: <http://dspace.onua.edu.ua/handle/11300/7622>.

### Supporting literature

1. Краснов Є. В. Основні трудові права: міжнародні стандарти і законодавство України *Автореф. дис. канд. юрид. наук Спеціальність: 12.00.03 - 12.00.05 - трудове право; право соціального забезпечення Одеса, 2008.* 22 с. URL: <http://dspace.onua.edu.ua/bitstream/handle/11300/1677/%20%20%20%20%20%20%20.pdf?sequence=1>

2. Чижмарь Ю.В. Сутність і зміст міжнародного трудового права. *Науковий вісник публічного і приватного права. Вип. 5. Т. 1. 2018* URL: [http://nvppp.in.ua/vip/2018/5/tom\\_1/32.pdf](http://nvppp.in.ua/vip/2018/5/tom_1/32.pdf)

3. Яцкевич І. Поняття та особливості міжнародно-правового регулювання юридичних гарантій у сфері праці. 2014 URL: [https://www.researchgate.net/publication/315548631\\_Ponatta\\_ta\\_osoblivosti\\_miznarodno-pravovogo\\_reguluvanna\\_uridicnih\\_garantij\\_u\\_sferi\\_praci](https://www.researchgate.net/publication/315548631_Ponatta_ta_osoblivosti_miznarodno-pravovogo_reguluvanna_uridicnih_garantij_u_sferi_praci)

4. Волохов О.С. Міжнародно-правове регулювання праці: поняття і принципи URL: <http://dspace.nbu.gov.ua/bitstream/handle/123456789/64471/65-Volohov.pdf?sequence=1>

5. Клемпарський М., Назимко О. Способи застосування міжнародних трудових стандартів і національного трудового законодавства. *Підприємництво, господарство і право. 2021. № 5. С. 57-62.* URL: <http://pgp-journal.kiev.ua/archive/2021/5/10.pdf>

6. Назимко О. Зобов'язання держави стосовно врахування норм міжнародного трудового права під час регулювання соціально-трудова відносин. URL: <https://ljd.dnuvs.in.ua/wp-content/uploads/2022/01/9-nazimko.pdf>

7. Щербина В.І. Акти Міжнародної організації праці й трудове законодавство України: порівняльно-правовий аналіз норм і стандартів. *Публічне право. Фахове юридичне видання. № 3(35). 2019.* URL: [https://www.publichne-pravo.com.ua/index.php?option=com\\_content&view=article&id=117:pp-2019-35-09&catid=91&Itemid=483&lang=uk](https://www.publichne-pravo.com.ua/index.php?option=com_content&view=article&id=117:pp-2019-35-09&catid=91&Itemid=483&lang=uk)

8. Nataliia O. Melnychuk, Liudmyla V. Kulachok-Titova and Denys H. Sevryukov et al. Conceptual principles of international cooperation in labour relations. *Work Organisation, Labour & Globalisation*. Vol. 16(2):158-172. DOI: 10.13169/workorgalaboglob.16.2.0158

9. Кулачок-Тітова Л.В. Реформування трудового законодавства України у світлі відповідності міжнародним трудовим стандартам/ *Вісн. Харк. нац. ун-ту ім. В. Н. Каразіна, Серія «Право», 2018. Випуск 25. С. 113-117.*

10. Передерій О.С., Кулачок-Тітова Л.В. Аспекти взаємного впливу процесів розширення правового простору Європейського Союзу і реформування правової системи України/ *Вісник Харківського національного університету імені В.Н. Каразіна. Серія Право. 2019. № 27. С. 33-41.*

11. Сироїд Т.Л., Фоміна Л.О., Фомін П.В. Захист трудових прав співробітників міжнародних міжурядових організацій: теорія та практика *Електронне наукове видання «Аналітично-порівняльне правознавство», 2022, с. 447-452 URL: <http://journal-app.uzhnu.edu.ua/article/view/270795/266236>*

#### **Links to information resources on the Internet, video lectures, other methodical support**

1. International Labor Organization. Official website. URL: <http://www.ilo.org/moscow/lang--ru/index.htm>;

2. Міжнародна організація праці // Постійне представництво України при ООН та інших міжнародних організаціях URL: <http://geneva.mfa.gov.ua/ua/ukraine-io/labour>

3. International Organization for Migration (IOM) Official website URL: <http://iom.org.ua/ua>

## **11. Questions for preparing for the final inspection.**

1. Concept and subject of international labor law. Correlation with national labor law.
2. Features of the method of international labor law: dispositive and imperative elements. Common and different from the method of labor law as a branch of the national legal system. Application of the comparative method in international labor law.
3. Principles of international labor law. Basic (fundamental) principles of international labor law. Principles of national labor law.
4. History of the development of international labor law: main stages and personalities.
5. Creation and history of the International Labor Organization. Declaration of Philadelphia regarding the goals and objectives of the ILO.
6. Modern international legal regulation of labor relations. Change in ILO policy after the end of the Cold War.
7. ILO and the problem of globalization. Decent Work Program, 2008 ILO Declaration on Social Justice for Fair Globalization.
8. ILO decent work program for Ukraine for the period 2020-2024.
9. Concepts and types of subjects of international labor law.
10. International organizations. ILO: structure and main areas of activity. International Association of Social Security.
11. World Health Organization; World Trade Organization; Organization of economic cooperation and development; regional international organizations as subjects of international labor law.
12. International trade union organizations and international associations of employers as participants in international relations.
13. Concept and classification of sources of international labor law. Correlation between international and national labor law.
14. Types of sources of international labor law by number of participants. Universal and regional acts.
15. Acts of the Council of Europe, the European Union, the North American Agreement on Cooperation in the Field of Labor, Mercosur as sources of international labor law.
16. Classification of ILO acts by status and content. Procedures related to ILO acts.
17. Classification of sources of international labor law according to the form of the act: international treaties; Jus cogens; national legislation; international advisory acts; international collective agreements and agreements; corporate acts



of multinational corporations; codes of conduct of non-governmental organizations.

18. Mechanism for monitoring compliance with international labor standards. Effectiveness of international labor standards.

19. Legal acts on freedom of association and recognition of the right to collective bargaining of the UN, ILO, regional and national acts. Norms of Ukrainian national legislation on freedom of association.

20. Collective negotiations and conclusion of collective agreements as a subject of international labor standards and national legislation.

21. Peaceful procedures for resolving labor disputes between participants in a social partnership. Strikes and lockouts as means of protection for employers and employees.

22. Legal acts on the prohibition of slavery and forced labor: international legal and national legislation. Legal definitions of forced labor in ILO conventions.

23. The problem of child labor in the modern world. 1973 ILO Minimum Age Convention No. 138 and Recommendation No. 146. 1999 Worst Forms of Child Labor Convention No. 182. Recommendation No. 190.

24. Legal acts on the prohibition of discrimination in the field of work. Discrimination in the interpretation of the ILO Convention of 1958 on discrimination in the field of work and occupation No. 111 and criteria of discrimination.

25. International acts on the right to work and protection against unemployment. ILO Conventions and Recommendations on Employment Policy.

26. International acts on remuneration. Legal regulation of wages in national legislation, the minimum amount of wages, indexation.

27. Acts of the ILO on occupational safety and hygiene. Evolution of the international approach to occupational safety and health.

28. Council of Europe Recommendation No. R(89)2 and the ILO Code of Practice on the Protection of Employees' Personal Data.

29. Regulation of labor relations between an international and intergovernmental organization and its personnel.

30. Labor disputes of the UN and its specialized agencies with their staff.

31. Contents of the Regulation on the personnel of MBP employees. Category of international civil servants. The procedure for hiring personnel.