

Course Name : E Drejtë e Punës dhe Sigurimeve Shoqërore I							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 311	N/A	Fall	3.00	0.00	0.00	3.00	6.00
Lecturer		Sajmir Bata, PhD					
Assistant							
Course language		Albanian					
Course level		Program i Integruar					
Description		The course “Labor Law and Social Security I” addresses the regulation of labor relations between subjects of labor law, based on applicable legal acts. The course initially presents the historical evolution and the relationships with other branches of law. It analyzes the objects, subjects, institutes, and institutions of labor law. The functioning of labor law in time and space is also significant, as well as the determination of legal and professional criteria for employment. Individual contracts, the commencement, modification, and termination of employment relationships are discussed and constitute particular importance not only for employees but also more broadly. Wages, vacations, working conditions, trade unions, the right to strike, and means of resolving employment relations play a very significant role in the emergence, development, and conclusion of labor relations, etc.					
Objectives		The objectives of the study of the subject "Labor Law and Social Security I" regarding the students are: 1) To recognize, explain, and analyze the concepts, sources, history, and new developments regarding labor law. 2) To learn how labor legal relationships develop and are protected in a democratic state governed by law and a free market economy. 3) To understand the elements of labor legal relationships, including individual and collective labor contracts. 4) To acquire knowledge of the rights and obligations that pertain to labor legal relationships and to recognize the legal elements arising from this relationship. 5) To possess knowledge about the institutions that assist in resolving disputes related to labor law. 6) Mastering the course “Labor Law and Social Security I” helps students become knowledgeable and competent jurists in the future, enabling them to contribute to and work on the further development of this field not only in theoretical aspects but also in its practical interpretation and implementation, successfully resolving various multidimensional problems that may arise in this area of law.					
Core Concepts		1) Labor law. 2) Employer. 3) Employee. 4) The legal relationship of work. 5) Individual employment contract. 6) Collective employment contract. 7) Disciplinary measures at work. 8) Rights and obligations of labor subjects. 9) Legal and professional criteria. 10) Health insurance at work. 11) Special protection at work. 12) Salary. 13) Creation, modification, and termination of employment relationships. 14) Trade unions. 15) Arbitration, mediation, etc.					
Course Outline							
Week		Topic					

1	Historical Evolution of Labor Law and Its Relations with Other Legal Branches Students will be introduced to the structure and format of lectures, attendance requirements, the content and literature related to the subject, and the evaluation methods. The topic addresses the origins of labor law and the evolution of its characteristics throughout different historical stages. It analyzes the development features of labor law globally, with a focus on Albania, from its beginnings to contemporary developments. Additionally, it presents and argues the relationships between labor law and other legal branches. Relevant Literature: 1) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 89-109. 2) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth Edition, Oxford University Press, (March 28, 2019), pp. 3-24. 3) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 29-37. 4) Hava Bujupi-Ismaili, International Labor Law, Pristina, 2001. 5) Gëzime Starova, Labor Law. Skopje, Logos-A, 2004.
2	Object, subjects, and characteristics of labor law. The topic addresses the meaning of labor law, analyzes its object, and presents in a reasoned manner the elements of labor law in Albania. Relevant Literature: 1) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 19-89. 2) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 15-23. 3) Gëzime Starova, Labor Law. Skopje, Logos-A, 2004. 4) Constitution of the Republic of Albania, 1998 (as amended). 5) Law No. 7961, dated 12.7.1995, Labor Code of the Republic of Albania (updated).
3	Sources and National and International Institutions of Labor Law The topic elaborates on the meaning, importance, and categories of domestic and foreign sources of labor law, as well as addressing the national, regional, and international institutions related to it. Special emphasis is placed on the establishment, structures, objectives, and activities of the International Labour Organization (ILO). Relevant Literature: 1) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth edition, Oxford University Press, (March 28, 2019), pp. 24-46. 2) Kudret Çela, Labor Law. Tirana, Ilar, 2015, pp. 109-169. 3) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 39-53. 4) Hava Bujupi-Ismaili, International Labor Law, Pristina, 2001. 5) Gëzime Starova, Labor Law, Skopje, Logos-A, 2004. 6) Constitution of the Republic of Albania, 1998, (as amended). 7) Law no. 9991 dated 18.09.2008, On the Ratification of the International Labour Organization (ILO) Convention "On Employment Services, C 88, 1948". 8) Law no. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
4	The Scope and Temporal Application of Labor Law According to Persons and Content This topic analyzes the scope of labor law and the time during which it operates. The Labor Code outlines the individuals to whom it applies, as well as the entities that are excluded from its application, as they are governed by specific laws. Additionally, the application of labor law is argued based on its content. Relevant Literature: 1) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
5	Legal and Professional Employment Criteria This topic presents the legal and professional criteria for employment, such as education, qualifications, and work experience, which are crucial for professional preparation, as the employment relationship is established based on these criteria. Relevant Literature: 1) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 183-195. 2) Constitution of the Republic of Albania, 1998, (as amended). 3) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated). 4) Law no. 9547, dated 01.06.2006, On the Ratification of ILO Convention No. 168 "On Promoting Employment and Protecting Against Unemployment, 1988". 5) Law no. 9991, dated 18.09.2008, On the Ratification of the International Labour Organization (ILO) Convention "On Employment Services, C 88, 1948". 6) Law no. 9992, dated 18.09.2008, On the Ratification of the International Labour Organization (ILO) Convention "On Employment Policy, C 122, 1964". 7) Law no. 15/2019, dated 13.03.2019, On Promoting Employment.
6	Understanding, Types, and Elements of the Individual Employment Contract This topic addresses the meaning, nature, and formation of the individual employment contract. It analyzes the types and durations of individual employment contracts. The topic also presents the elements that an individual employment contract must contain. Relevant Literature: 1) Kudret Çela, Labor Law. Tirana, Ilar, 2015, pp. 195-263. 2) Gëzime Starova, Labor Law, Skopje, Logos-A, 2004. 3) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
7	Rights and obligations of employers and employees. Disciplinary measures. The topic presents and argues the fundamental rights and obligations of the contracting parties in the employment relationship, as well as legal responsibility, compensation for damages, and disciplinary measures. Relevant Literature: 1) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth edition, Oxford University Press, (March 28, 2019), pp. 144-161, 195-343. 2) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 263-341, 393-394. 3) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 118-122, 185-210. 4) Constitution of the Republic of Albania, 1998, (as amended), Articles 49-52. 5) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
8	Midterms.

9	Legal Regulation of the Work Environment and Health Protection for Employees This topic addresses the material and legal conditions that the work environment must meet. A significant focus is placed on health protection from accidents or occupational diseases at work, as well as employees' benefits under health insurance. Relevant Literature: 1) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 341-360. 2) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth edition, Oxford University Press, (March 28, 2019), pp. 423-461. 3) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 129-135. 4) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
10	Workload, Breaks, and Special Protection in Employment This topic discusses the duration of work and rest periods, as well as explaining the categories that receive special protection according to the provisions of the current labor legislation in the Republic of Albania. Relevant Literature: 1) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth edition, Oxford University Press, (March 28, 2019), pp. 461-481. 2) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 360-373. 3) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 129-135, 137-184. 4) Constitution of the Republic of Albania, 1998, (as amended). 5) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
11	Initiation, modification, and termination of the employment relationship. The topic addresses the meaning of the concepts of initiation, modification, and termination of the employment relationship, analyzing the legal procedural conditions under which the employment relationship begins, changes, or ends in Albania. Relevant Literature: 1) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth edition, Oxford University Press, (March 28, 2019), pp. 85-126. 2) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 395-509. 3) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 118-122. 4) Gëzime Starova, Labor Law, Skopje: Logos-A, 2004. 5) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
12	Meaning and elements of salary, bonuses and expenses at work. The topic analyzes the meaning of salary, its legal regime, prohibition, determination, and protection. Additionally, it addresses compensation in the workplace and expenses incurred in employment relationships, according to the current labor legislation in the Republic of Albania. Relevant Literature: 1) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth edition, Oxford University Press, (March 28, 2019), pp. 302-328, 369-384. 2) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 373-395. 3) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 123-126. 4) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated). 5) Law no. 8786, dated 07.05.2001, On the Ratification of ILO Convention No. 26 "Establishment of a Mechanism for Determining Minimum Wages, 1928". 6) Law no. 8787, dated 07.05.2001, On the Ratification of ILO Convention No. 95 "Protection of Wages, 1949". 7) Law no. 8939, dated 12.09.2002, On the Ratification of ILO Convention No. 175 "Part-Time Work, 1994".
13	The concept, object, subjects, and elements of the collective labor contract. The topic presents the meaning and object of the collective labor contract, analyzing its legal nature, elements, and importance in employment legal relations. Relevant Literature: 1) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth edition, Oxford University Press, (March 28, 2019), pp. 481-496. 2) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 537-581. 3) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 75-86. 4) Gëzime Starova, Labor Law, Skopje, Logos-A, 2004. 5) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
14	Understanding, History, and Functions of Trade Unions This topic addresses the meanings of the concepts: trade union, union freedom, and strike. It also analyzes the history, functions, legal personality, and rights of trade unions. The topic provides an interpretation of conventions regarding freedoms and rights of trade unions, as well as collective organization. Relevant Literature: 1) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth edition, Oxford University Press, (March 28, 2019), pp. 497-512. 2) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 581-613. 3) Hava Bujupi-Ismaili, Labor Law, Pristina, 2017, pp. 59-74. 4) Gëzime Starova, Labor Law, Skopje: Logos-A, 2004. 5) Constitution of the Republic of Albania, 1998, (as amended). 6) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
15	Prohibition of Collective Work Stoppages and Legal Means for Resolving Labor Disputes This topic analyzes the legal prohibition of collective work stoppages and discusses the means used in Albania for resolving disputes related to labor relations. It also covers the national and international administrative and judicial institutions (such as mediation, arbitration, courts, etc.) for resolving conflicts concerning labor relations. Relevant Literature: 1) Stephen Taylor & Astra Emir, Employment Law: An Introduction, Fifth edition, Oxford University Press, (March 28, 2019), pp. 177-195. 2) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 613-645. 3) Gëzime Starova, Labor Law, Skopje: Logos-A, 2004. 4) Law No. 7961, dated 12.07.1995, Labor Code of the Republic of Albania (updated).
16	Final Exam

Prerequisites		The student must attend the course at a minimum rate of 75%.
Literature		• 1) Stephen Taylor & Astra Emir, Employment Law: An introduction, Fifth edition, Oxford University Press, (March 28, 2019). • 2) Kudret Çela, E drejtë e Punës, Tiranë, Ilar, 2015.
References		• 1) Cabrelli David, Employment Law in Context: Text and Materials, Oxford University Press, 2016. • 2) Ismail Varoshi, Kazuse, E Drejta e Punës, Tiranë, Grand Prind, 2018. • 3) Hava Bujupi-Ismaïli, E drejta e Punës, Prishtinë, 2017. • 4) Hava Bujupi-Ismaïli, E drejta Ndërkombëtare e Punës, Prishtinë, 2001. • 5) Gëzime Starova, E Drejta e Punës, Shkup, Logos-A 2004. • 6) Bok, Derek C. Gorman, Robert, A. Finkin, Mathew W. Labor Law: cases and materials 14-th ed. USA: foundation Press, 2004. • 7) Kushtetuta e Republikës së Shqipërisë 1998 (me ndryshme). • 8) Convention on Forced Labour (1930). • 9) Convention on Freedom of Association and Protection of the Right to Organise (1948). • 10) Convention on the Right to Organise and Collective Bargaining (1949). • 11) Convention on Equal Remuneration (1951). • 12) Convention on the Abolition of Forced Labour (1957). • 13) Convention on Discrimination (Employment and Occupation), 1958. • 14) Convention on the Minimum Age (1973). • 15) Convention on the Worst Forms of Child Labour (1999). • 16) Ligj Nr.7961, datë 12.7.1995, Kodi i Punës i Republikës së Shqipërisë (i përditësuar). • 17) Karta Sociale Europiane, 1999 (e ndryshuar). • 18) Ligj nr. 8786 datë 7.5.2001, Për ratifikimin e konventës nr. 26 “Krijimi i mekanizmit për caktimin e pagës minimale, 1928”, të Organizatës Ndërkombëtare të Punës. • 19) Ligj nr. 8787 datë 7.5.2001, Për ratifikimin e konventës nr. 95 “Mbrojtja e pagave, 1949”, të Organizatës Ndërkombëtare të Punës. • 20) Ligj nr. 8939 datë 12.9.2002, Për ratifikimin e konventës nr. 175 “Puna me kohë të pjesshme, 1994” të Organizatës Ndërkombëtare të Punës. • 21) Ligj nr. 9547 datë 1.6.2006, Për ratifikimin e konventës nr. 168 të Organizatës Ndërkombëtare të Punës “Për nxitjen e punësimit dhe mbrojtjen nga papunësia, 1988”. • 22) Ligj nr. 9991 datë 18.9.2008, Për ratifikimin e konventës së Organizatës Ndërkombëtare të Punës (ILO) “Për shërbimet e punësimit, C 88, 1948”. • 23) Ligj nr. 9992 datë 18.9.2008, Për ratifikimin e konventës së Organizatës Ndërkombëtare të Punës (ILO) “Për politikën e punësimit, c 122, 1964”. • 24) Ligj nr. 15/2019, datë 13.3.2019, “Për nxitjen e punësimit”. • 25) Vendim i KM nr. 554, datë 31.7.2019, “Për krijimin, mënyrën e organizimit dhe të funksionimit të Agjencisë Kombëtare të Punësimit dhe Aftësive”. • 26) Vendim i KM nr. 809, datë 28.12.2018, “Për përcaktimin e pagës minimale në shkallë vendi”. • 27) Vendime të Gjykatës Kushtetuese dhe vendime unifikuese të Gjykatës së Lartë 2000-2024 për të drejtën e punës.
Course Outcome		
1	Students should be familiar with national and international acts of labor law.	
2	Students should understand the rights and obligations they will have in the employment relationship.	
3	Students should understand the elements of the employment relationship and of individual and collective contracts.	
4	Students should be able to apply theoretical knowledge in practice, especially in resolving disputes that may arise from the employment relationship.	
5	Students will acquire fundamental knowledge about the applicable legislation on labor law, etc.	

Course Evaluation			
In-term Studies	Quantity	Percentage	
Midterms	1	20	
Quizzes	0	0	
Projects	1	20	
Term Projects	0	0	
Laboratory	0	0	
Class Participation	1	10	
Total in-term evaluation percent			50
Final exam percent			50
Total			100
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	3	48
Study hours outside the classroom (Preparation, Practice, etc.)	14	4	56
Duties	1	10	10
Midterms	1	15	15
Final Exam	1	21	21
Other	0	0	0
Total Work Load			150
Total Work Load / 25 (hours)			6.00
ECTS			6.00