**Labour Rights as Human Rights**

Lecturer: Dr. Sara Hungler hungler@ajk.elte.hu

Labour and Social Law Department

**Course description**

The nature of labour rights has been heavily discussed in both labour and human rights literature. While some scholars claim that labour rights shall be seen as stringent normative entitlements, others are sceptical to characterise them as human rights.This course will endorse the view that labour law is governed by various human rights principles, addressing both individual and collective rights. Special attention will be given to the freedom of association, the right to bargain collectively and the right to strike. The course will analyse the approach and practice of various human rights instruments, notably the relevant ILO conventions, the ECHR, the European Social Charter and the Charter of Fundamental Rights of the European Union. The course will also look into the critical aspects of the human rights approach in labour law. Theories arguing from a collective law standpoint will be introduced together with those that deny the universal nature of labour rights.

**Course Schedule**

Week Theme

1 Are Labour Rights Human rights?

2 Responsibility of Multinational Corporations

3 Liability and Enforceability, the Role of ILO

4 The Prohibition of Forced and Compulsory Labour

5 The Right to Work

6 Freedom of Association

7 The Right to Collective Bargaining and the Right to Strike

8 Equality at the Workplace 1 (Gender and Race)

9 Equality at the Workplace 2 (Beyond Gender and Race)

10 Occupational Health and Safety

11 Wrap-up

12-14 Students’ Presentation

15 Evaluation

**Course Evaluation**

Team presentation on a chosen topic relevant to social integration. Presentations will be jointly evaluated by the teacher and peers.

**Reading**

Lance A Compa – Stephen F. Diamond: Human Rights, Labour Rights and International Trade, University of Pennsylvania Press, Philadelphia, 2003

Philip Alston (ed): Labour Rights as Human Rights, Oxford University Press, Oxford, 2008

Christine Kaufmann: Globalisation and Labour Rights – The Conflict Between Core Labour Rights and International Economic Law, Hart, Oxford, 2007

Virginia Mantouvalou, Are Labour Rights Human Rights? 2012 European Labour Law Journal

Kevin Kolben, Labor Rights as Human Rights? VIRGINIA JOURNAL OF INTERNATIONAL LAW Volume 50 — Issue 2

Filip Dorssemont – Klaus Löcher – Isabelle Schömann (eds): The European Convention on Human Rights and the Employment Relation, Hart, Oxford, 2013

Globalization and the right to free association and collective bargaining: an empirical analysis E Neumayer, I De Soysa - World development, 2006 – Elsevier (http://eprints.lse.ac.uk/628/1/World\_Dev\_(Labor\_Rights).pdf)