

Master Studies in Labour Law and Social Security Law
Information Booklet

University of Tilburg
Department of Social Law
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1. Introduction

The University of Tilburg has a longstanding tradition in the study of labour law and social security law. The Department of Social Law is part of the Law Faculty and has a renowned international reputation.

In the field of research, the Department of Social Law covers the whole range of individual and collective labour law, including individual employment relationships, labour protection, health and safety, labour market regulation, restructuring of enterprises, workers involvement, as well as social security law. Typical for the Department is its strong focus on the study of European, international and comparative labour law and social security law.

In this context, the Department is also represented in the Faculty's programmes of study both at bachelors as well as at master level.

This booklet gives an overview of the possibilities of study of labour law and social security law on master level in Tilburg or with its partners in the Netherlands.

2. What we offer

Students with an interest in labour law and social security law in an international perspective have many possibilities to form a study programme in Tilburg suitable to their particular needs thanks to the various offerings of the Department of Social Law.

The Department of Social Law not only has its own Master Programme in Social Law (M.A./LL.M. degree), but also participates in other international master programmes at the Law Faculty and offers a semester of “master studies programme in labour law and social security law”.

These possibilities make Tilburg quite unique in Europe in the field of labour law and social security law.

A. Master Social Law (M.A./LL.M., full academic year)

The ‘Master of Social Law’ is a one-year and full-time LL.M. programme of study of 60 ECTS which offers an in depth study of individual and collective labour law, international and comparative labour law, European labour law and social policy and European and international social security law.

The master programme is open for Dutch students as well as foreign students. It is specifically designed to integrate foreign students in the faculty programmes and to meet the requirements of international study.

In particular, this programme enables students to fulfil part of the programme requirements at their home university through exchange arrangements. For example, courses relating to national labour or social security law taken at the student’s home university can lead towards accepted credits at Tilburg.

B. Master Studies in Labour Law and Social Security Law (semester)

This programme of one semester (February till June) of 30 ECTS works towards a Certificate in Master Studies in Labour Law and Social Security Law. It is open for students who do not wish to undertake a full year of study but still like to spend some time to the study of labour law in an international context, or for those students who want to undertake an exchange-term abroad (e.g. Erasmus) in the field of labour law. The master studies – programme covers four compulsory courses of 6 ECTS each on international and comparative labour law, European

labour law, European social security law and an introduction to Dutch social law. The other 6 ECTS can be taken from a list of electives.

The Master Studies- programme is integrated in the Master of Social Law programme and students will be fully involved in its courses and classes.

C. Electives social law in other master programmes

Students who wish to study labour law in the broader context of European and international business can opt for the one-year Master in European and International Business Law (60 ECTS) and take the elective “European law and regulation”. This programme is primarily a business law programme with courses on corporate law and economic law, but it has a strong emphasis on labour law in the sphere of electives.

Another master at the University of Tilburg is the Master in European Constitutional Principles. This one-year master programme (60 ECTS) focuses on EU law with a strong emphasis on institutional and constitutional matters.

3. Cooperation with other universities in the Netherlands

As a solid research institute in the Netherlands, the Department of Social Law has concluded partnership agreements with other leading universities in the Netherlands, in order to better accommodate students needs and interests. The partnerships imply that students can follow courses at other Dutch universities that can be recognised towards obtaining either the LL.M. degree in social law or the Master Studies in Labour Law and Social Security Law- degree.

A pre-defined list of courses exists with equivalent courses taught elsewhere in the Netherlands. These courses are valuable and recognised alternatives for the Tilburg courses in social law programmes.

You can consult the relevant courses below.

4. Who we are

The faculty of the Department of Social Law consists of outstanding specialists in international, European and comparative labour law and social security law. These members of the international teaching staff of the Department of Social Law have strong and extensive experience in international research and education, both in the Netherlands as well as abroad.

The following staff members take part in the various English taught programmes:

Prof. Dr. Roger Blanpain: obtained his dr. iurus at the University Leuven, Belgium in 1956 and became professor Ordinarius since 1967, for Belgian Labour Law, European, Comparative and International Labour Law. He was visiting professor at various universities abroad, such as Universities of Michigan (1970), Kentucky (1976), Insead Fontainebleau (France) (1981-1993), Georgia (1983), Florida (1989)(USA), Sophia (1987) (Tokyo-Japan) and Trier (Germany) (1990-1991) and Paris (1994-1997). He is the general editor of the International Encyclopaedia of laws.

Dr. Frank Hendrickx: Dr. Frank Hendrickx obtained his law degree (1992) as well as his bachelors in philosophy at the University of Leuven (Belgium). In 1997, he obtained an LL.M. from the London School of Economics (United Kingdom). He obtained his doctorate degree at the University of Leuven in 1999. He is currently employed at the Law Faculty of the University of Tilburg, where he teaches European and Comparative labour law and Sports law, and he is also Research Fellow of the Fund for Scientific Research Flanders at the Law Faculty of the University of Leuven (Belgium). He has published numerous articles and books in the field of labour law, privacy law and sports law and has advised both national and international governmental institutions in these fields. He is a member of the editorial board of the International Sports Law Journal.

Prof. Dr. Antoine Jacobs: Antoine Jacobs took his masters degree in law at Leyden University, 1973 and later studied in Düsseldorf, Paris, Cambridge, Canterbury and Brussels. He was deputy-secretary on social affairs at the Dutch Merchant Shipping Council (1968-1974) and lecturer in Labour Law and social security law at Tilburg University (1976-1982). In 1986 he got his Ph.D. at the University of Tilburg on the right of collective bargaining in European and comparative perspective. He holds the chair of Professor in Labour Law, Social Security Law and Social Policy at Tilburg University since 1987. He was visiting professor in Montpellier (1993), Bari (1995), Nantes (1996) and Leuven (1998). He

is member of the Research Network on Transnational trade union rights of the European Trade Union Institute.

Prof. Dr. Frans Pennings: Prof dr Frans Pennings is Professor of European and Comparative Social Security Law at Utrecht University and Professor of Labour Law and Social Security Law at Tilburg University. He wrote a comparative Ph.D. thesis on the employment and unemployment benefit schemes of France, Germany, United Kingdom and the Netherlands (Utrecht University, 1990), which was published by Kluwer International. He wrote the monograph *Europe* of the International Encyclopaedia of Social Security Law and is the editor of the codex and the case law of European social security law for this Encyclopaedia. At Tilburg University he gives lectures on Regulation 1408/71 for foreign students and for Dutch students. In addition, he gives courses on this subject for employees of the benefit administration, lawyers and judges.

5. Admission requirements

A. The Master of Social Law is typically designed for students who have followed basic courses in national labour law and social security law taken at their home university for a total of 12 ECTS. If approved by the Department of Social Law, this will then exempt the admitted students for 12 ECTS in obtaining the LL.M.-degree.

For other more specific admission requirements for international students, please consult the Faculty pages: www.tilburguniversity.nl/faculties/frw/

B. The Master Studies in Labour Law and Social Security Law also supposes that students already possess basic knowledge of labour law and/or social security law. While the Department is of the opinion that only these students will be able to follow the programme, it is not a formal admission requirement.

6. Detailed programme information

All courses can be taken either in Tilburg or, if available, with a university partner in The Netherlands (see information below in this booklet).

A. Master Social Law (60 ECTS)

An M.A. or LL.M. at the University of Tilburg normally consists of 60 ECTS of courses and a master-thesis. However, the 'Master Social Law' exempts admitted students for a total of 12 ECTS on the basis of equivalent courses in national labour law and social security law followed at the students' home university. This means that admitted students typically obtain the M.A./LL.M. within 48 ECTS.

Therefore, the programme requires that the student takes the following courses:

Compusory:

- Introduction to Dutch Social Law (6ECTS)
- European Labour Law & Social Policy (6 ECTS)
- European Social Security Law (6 ECTS)
- International Labour Law and Globalisation (6ECTS)

Elective:

- Courses for at least 6 ECTS as an elective from the course list of the Law Faculty.

Thesis:

The student writes a Master-thesis of 18 ECTS under the supervision of the Department of Social Law.

B. Master Studies in Labour Law and Social Security Law (30 ECTS)

Students who wish to undertake the Master Studies in Labour Law and Social Security Law have to take the following courses:

Compulsory:

- Introduction to Dutch Social Law (6ECTS)
- European Labour Law & Social Policy (6 ECTS)
- European Social Security Law (6 ECTS)
- International Labour Law and Globalisation (6ECTS)

Elective:

- Courses for at least 6 ECTS as an elective from the course list of the Law Faculty.

7. Course descriptions, University of Tilburg

The following English taught courses are offered in Tilburg:

International labour law and globalisation (6 ECTS – spring term)

Teaching staff: A. Jacobs, R. Blanpain

The International Labour Organisation (ILO, established in 1919, is the first specialised agency of the United Nations and the most significant public body dealing with labour law on the international scene. This course first deals with the foundations and structure of the ILO, its operation and programmes. Following this, the substantial body of international labour norms will be examined and their position in international and national law. The course then discusses the issue of globalisation and the role of the ILO in this context, and the relationship of the ILO with other intergovernmental and regional organisations (like WTO, EU, ...).

Part of this course can be replaced by the ILO Seminar (optional, see below).

European labour law and social policy (6 ECTS – autumn term)

Teaching staff: F. Hendrickx, R. Blanpain

This course deals with the background and sources of labour law and social policy of the European Union. The relevant Treaty provisions, the secondary legislation as well as the case law of the European Court of Justice in the area of labour law and social policy will be studied. It will involve institutional issues and subjects including the relations between employers' organisations and trade unions at European level, European social dialogue and collective bargaining, fundamental social rights, freedom of movement, working conditions, health and safety protection, non-discrimination, labour-management relations and employee involvement in multinational enterprises, employment and job creation strategies, etc.

European social security law (6 ECTS – spring term)

Teaching staff: F. Pennings

This course examines social security law in the context of the European Union. This concerns in the first place the aspect of free movement of workers and the

legal position of people who are working in another Member State or more than one Member State. A second main topic is the issue of non-discrimination in social security as governed by EU law. In the third place, attention will be given to the EU's social policy with regard to social inclusion.

Introduction to Dutch social law (6 ECTS – spring term)

Teaching staff: A. Jacobs, F. Pennings

This course deals with individual and collective labour law as well as social security law in the Netherlands. The course is designed as an introduction to students who have no prior knowledge of Dutch law and gives insight in Dutch social law on a comparative basis.

ILO Seminar (Geneva) (3 ECTS – spring term, optional)

Teaching staff: R. Blanpain, F. Hendrickx

On a yearly basis, the Department organises the 'Geneva-trip' during the spring term (i.e. every first week of March). This is a one-week study trip to the headquarters of the International Labour Organisation in Geneva. Students are able to follow interactive lectures and seminars in the field of international labour law and labour relations and to meet an international group of students. Students can use the Geneva-trip to gain credits towards the course in 'international labour law and globalisation'.

8. Courses descriptions, partner universities in the Netherlands

Some of the courses taught at Tilburg are also taught elsewhere in the Netherlands. Students are free to follow a course with a partner University, mentioned below, and use this course as an equivalent in one of the Tilburg programmes.

A. Equivalents for the Tilburg course ‘European labour law and social policy’

European labour law (University of Groningen)

Teaching staff: dr H.H. Voogsgeerd

This advanced European Law course starts with a look at the history and the structure of EC Labour Law. Attention will also be paid to the impact of the Treaty of Amsterdam (1997) on European Labour Law. During the main part of the course case law of the EC Court of Justice concerning the below mentioned issues will be treated. In this course, EC Labour Law is also studied from a comparative law angle. Harmonisation by EC Directives is sometimes only meant to be partial, for example in the case of transfer of undertakings. The individual Member States have a substantial amount of freedom to adapt their national systems of labour law to the Directive. Therefore study of these national systems and the relations between EC law and the national systems are highly relevant.

European employment law (University of Nijmegen)

Teaching staff: prof. mr. I.P. Asscher-Vonk

The law of the European Community is increasingly important for national social law. European law is significant in the field of labour migration, labour markets, equal treatment of men and women, the protection of workers in restructuring of enterprises, the organisation of workers involvement in companies, working conditions. This course is an introduction in European social law.

European labour law (University of Leiden)

Teaching staff: Prof. G.J.J. Heerma van Voss, Dr. T. van Peijpe, Mr. J. Heinsius

Social Policy is getting more incorporated as a subject of European law. The Social Dialogue with labour and management organisations leads to agreements that can be transformed into Directives of the Council. Legislation on the European level is enacted in several areas of labour and employment Law, such as the free movement of workers, equal treatment, restructuring of enterprises, atypical working relations, information and consultation of workers and health and safety.

The aim of this course is to give an overview of the influence of European labour law, legislation and case law in this field and the specific procedures foreseen in the EC-treaty for the creation, implementation and enforcement of European Labour Law. Where possible and useful, reference will also be made to the national systems of labour law of the EU member states.

B. Equivalent for the Tilburg course 'International labour law and globalisation'

International labour law (Free University of Amsterdam)

Teaching staff: prof. dr. K. Boonstra

Through a general Introduction in international labour law and international social security law students will be made familiar with the institutional framework and the legal nature of international social law (from both a global and a regional perspective), and various legislative techniques, material aspects and the impact of international social law on the Dutch national legal order.

B. Equivalent for the Tilburg course 'International labour law and globalisation' and 'European labour law and social policy'

International and European labour law (University of Utrecht)

As this course is equivalent for two Tilburg courses, it will only be recognised if taken for 12 ECTS, or if an additional assignment is done in Tilburg.

Teaching staff: Dr. Ph. Dorssemont

International and European Labour Law are gaining importance due to the process of globalisation of the economy and the ongoing integration of Europe. Moreover

the recognition of the fundamental social rights on the international and European scale is resulting in a growing influence of the international and European labour law on the industrial relations and social policy of the states. So national labour law will be increasingly shaped by international labour standards and more in particular by EC employment law. The objective of this course is to familiarize the students from the various countries with the specific issues of the international labour law, its instruments and the way and forms the standards as laid down in the several international legal sources, are implemented in and will effect the national legal systems.

9. Practical information

- Students who wish to obtain further information on any of the aforementioned **programmes in social law** or who would like to learn more about the Department of Social Law can contact the programme coordinator.

Programme coordinator: Dr. F. Hendrickx

Department of Social Law
University of Tilburg
Post Box 90153
5000 LE Tilburg
The Netherlands

Tel.: + 31 / 13 466 8132
Fax: + 31 / 13 466 3139
E-mail: M.M.vWoesik@uvt.nl

- Students who want to learn more about practical details of international study at the Law Faculty in Tilburg should contact the **International Office**:

International Relations Coordinator: Mrs. Renée Rijkens

Faculty of Law
University of Tilburg
Post Box 90153
5000 LE Tilburg
The Netherlands

Tel.: +31 / 13 466 3141
Fax: +31 / 13 466 3143
E-mail: R.S.Rijkens@uvt.nl

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