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Themenplan

Introduction to labour law 1: Establishment of the employment relationship

Basic terms: What is labour law? (civil/contract law, differentiation from other areas of law)

History of labour law

Legal sources of labour law: Hierarchy of norms (especially the significance of the collective agreement), excursus on collective bargaining law, practical work on a sample collective agreement

Working with legal texts and commentaries (group work on case studies featuring selected laws)

Differentiation between individual and collective law

Employment contract:

- :: Differentiation from other contracts; definition of the term "employee"
- :: Rights and duties under the employment contract
- :: Employer's right to issue instructions under Section 106 of the Trade, Commerce and Industry Regulation Act (Gewerbeordnung)
- :: Amendment of contractual conditions, notice of termination
- :: Contents of the employment contract under the Evidence Act

Establishment of the employment relationship:

- :: Application and interview costs
- :: Freedom of employment and its limits (legitimacy of certain questions during interviews, prohibition of discrimination, excursus: personality rights in the employment relationship)
- :: Data protection (using the example of application documents)
- :: Involvement of the works council
- :: Probation period

Temporary suspension of the employment relationship:

- :: Definition of suspension, clarification of terms and examples
- :: Effects on pay and other benefits

Brief overview on the participation rights of the works council regarding the establishment and suspension of the employment relationship