**Syllabus**   
The course will consist of two parts focusing on labour unions in the first part and centering on workers' participation and social dialogue in the second. In compliance with the difference in emphasis between the American and European (primarily German) experience the first week of the course will highlight topical issues of the labour movement and collective bargaining in the United States whereas the second week will give an insight into the German experience with co-determination, works councils and board participation. The dialogue between social partners from plant level up to the transnational level of the European Union will be discussed in the light of the developments of the international labour movement.

**Week One:** Freedom and labour. The US experience and implications for Central and Eastern Europe. (July 10-14, 2000)

***Unit 1.****Free to organize?*   
History of trade union development in Anglo-Saxon countries. Declining and restructuring labour unions in these countries. Overview of the prevailing North American model for union organizing and collective bargaining. North American representation procedures, and an evaluation of aspects which are successes and failures. Union responses to increase of marginalised labour, divisiveness and global competition. The impacts of regionalisation on trade union organisations and activities. Impact of privatization and socio-economic transition on the position of labour. Conceptions and misconceptions about trade union pluralism. The role of international solidarity in the shaping of free trade union movement in the transition countries. Comparison of the Anglo-Saxon cases to CEE countries for attaining representative status and the structure within which representation is to occur.

***Unit 2.*** *Free to bargain?*   
Collective bargaining - the corner stone of American industrial relations. What is a bargaining unit, and its significance in the North American practice of industrial relations? The nature of the duty to bargain in good faith, and the scope of subject matter for which collective bargaining is either required or permitted.  What is the future of collective bargaining under the National Labour Relations Act and analogous Canadian legislation? Comparison to CEE models of collective bargaining.  Potential lessons from the US experience with bargaining units for CEE labour movements coping with unsettled pluralism and fluctuating between company and industrial level bargaining.

***Unit 3****. Fair and unfair - who sets the rule of the game and how effective are they?*   
Fair and unfair labour practices and sanctions - theory, legal rules and union and employer action and reaction in the light of the case law of the U.S. National Labour Relations Board as well as Canadian labour boards. Common features and differences in employers' attitudes toward worker representation in established industrial democracies and in transition countries.  Assessment of the extent to which these attitudes are correlated with various industrial relations structures rather than economic and social factors.  Stable values and uncertainties around labour organizations in the law of the free-enterprise system and in the post-communist countries. Labour and judicial (administrative) response to intimidation, hidden pressure or division in North America and in CEE countries.

***Unit 4.*** *Collective disputes and their resolution - traditional ways and new alternatives.*   
Concepts and cases of "collective dispute". The special significance, history, practice and future of alternative dispute resolution methods in collective labour disputes. Agencies, rules and new trends of private arbitration in the US. Developing legal and institutional background of private dispute resolution.   
Comparisons to CEE developments with special regard to changing negotiating and dispute resolution methods.

***Unit 5****. Workers' participation through expanded collective bargaining and otherwise.*   
The traditional approach of American labour movement rejecting participation as a false alternative to collective bargaining. Experiments with alternatives: collectively bargained workers' seats at the board: the shaping and the complex legal and moral position of the "labour directors"; worker ownership (with or without control) of the enterprise.  Developments in "labour management cooperation" structures in unionized facilities.  Comparisons to non-unionized facilities.  Tentative experiments toward legally mandated joint committees in heath and safety and other areas.  Comparisons to new institutions of collective representation through collective bargaining in the Central and East European countries. 

**Week Two:**   
Cooperation and balance. The "German model" and its role in the development of social partnership. (July 17-21, 2000)

***Unit 1.*** *Multiemployer Bargaining and Social Partnership*   
Sector and Industry wide collective contracts are considered another key value of the German industrial relations' system. Historic and economic background of the centralized collective bargaining system and its legal and social implications. Reasons of the slow shift from company level contracts towards multiemployer (centralized) collective bargaining in the post-socialist countries. German and rudimentary CEE experience with "plant agreements": could it be a trade off for plant level bargaining by unions?

***Unit 2.*** *The System of Labour Courts.*   
Integration of social partners into the machinery of judicial conflict resolution; implication for the juridification of labour relations. Models of labour dispute resolutions in the Central East European countries - fluctuation between the predominance of court jurisdiction and alternative methods in labour dispute resolution.

***Unit 3.*** *Participation by way of a Works Council System*   
Cooperative industrial relations - a fundamental characteristic of the "German model" of social market economy. The relationship between the labour organizations and participatory representation through works councils ("Betriebsrat"-s). East European dilemmas about "workers participation" and varieties of recent answers between  rejecting it and to copying it? Pros and cons of "inclusive" management with special regard to experiences of fake representation and corporative tendencies.

***Unit 4.*** *Board Participation*   
The unique historic background of German board participation. Experience and future of the European workers' representation at company level. Legal, ethical and social problems with worker's seats at board.

***Unit 5.*** *Workers' Participation in the EU*   
The European Works Council Directive as a special source of EU law: experiences of its adoption and implementation.  Proposal for a European Company Statute involving the implementation of worker participation schemes. Proposal for harmonisation of national systems of information and consultation, implications for industrial relations within and outside the European Union.

**Teaching methods**   
The class meetings are going to be based on intensive interaction between the teachers and participants. Short introductory lectures will be followed by discussions on the basis of the experience of the enrolled experts in a highly participative way. Course attendants coming from different countries of the Central and East European regions are expected to make a presentation on a chosen topic relevant to their country. (Participants from the same country may prepare a joint presentation provided that each of the presenters will have an active role in the presentation of the joint paper.) Practical aspects of collective bargaining and dispute resolution will be addressed in part through role play and simulation exercises so that participants will gain a deeper insight into the processes by which worker organization and representation may yield effective results in establishing and implementing terms and conditions of employment.

**Application requirements**   
For applicants from academia, a law degree and a teaching or researcher position or, alternatively being admitted to a postgraduate program (JD, SJD and Ph.D.) is a precondition. Practitioners may apply with any higher education degree, provided they have spent at least three or more years in the field of industrial relations. Applicants must submit a one-paragraph outline of a paper (5 to 10 pages) within their field of interest that they anticipate developing by the end of the course.