窗体顶端

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**Chinese Labor Law**

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| --- | --- |
| Name： | ZHENG Aiqing |
| Nationality： | China |
| Academic Title： | Associate Professor |
| Home University（From）： | Renmin University of China |
| Email Address： | yapekin@hotmail.com |

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本科生    硕士生

Undergraduate    Master

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English

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Better already learned Civil law

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lecture

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Presence +Final written exam

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2 credits

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1984-1991: bachelor and graduate law degrees in Law School of Renmin University of China  
1998-2004:  Ph.D in social law in University Paris I  
1991-1998: lecturer in Law School of Renmin University of China  
2005-: lecture and associate professor in Law School of Renmin University of China

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Departure from the identification of employment relation, the lesson first introduces the basic concepts of labor law, indicates the type of enterprises and persons concerned by Chinese labor law. The lesson then explains the contents of job-looking legal system, analyses the problems and their improvements. The accent of the course will be put on the introduction of employment contract system, from his form, changes until his break, and points out how the employers and employees can safeguard theirs legal rights and interests. Before labor dispute system, the final part of the course, Chinese basic labor standards, trades union and collective agreement system will be briefly introduced. All through the lecture, regulations and practices of foreign countries will be mentioned appropriately.

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 Chapter I  Generality of Labor law  
    Section  I   Concept of labor law   
    Section II   Brief history and development of labor law  
    Section III   Elements of Identification for employment relation and the field of his application  
    Section IV   Fundamental rights and obligations for employer and employee  
Chapter II Brief introduction of job-looking legal system  
    Section I   Employment and unemployment in law  
    Section II   Outline of legislations on job-looking  
    Section III   Job equity, job service and job security   
 Chapter III    Employment contract system  
    Section I    Concept and characters of employment contract  
    Section II   Formality, clauses and terms of employment contract  
    Section III    Validity of employment contract  
    Section IV    Execution and changes of employment contract  
    Section V Internal regulation of enterprise  
    Section V    Termination of employment contract  
Chapter IV   Trade unions and Collective agreement   
    Section I Regulations on trade unions  
   Section II Outlines of collective agreement system   
Chapter V    Basic Labor standards  
    Section I   Outline of Work time regulations  
    Section II   Outline of wages regulations    
Chapter VI   Resolution of labor dispute  
    Section I   Concept of labor dispute and the principals of his resolution  
     Section II   Mediation of labor dispute  
    Section II   Arbitration of labor dispute  
     Section IV   Proceedings of labor dispute

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2、英文 In English: Chen Ke, Chinese Labor Law, in Roger R.Blanpain (dir.), Comparative Labor Law series “international Encyclopaedia for Labor Law and Industrial Relations”, Suppl.367, August 2010

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1、Ronald C.Brown, East Asian Labor and Employment Law: international and comparative context, Cambridge University Press, 2012.  
2、罗伯特.A.高尔曼，《劳动法基本教程》，中国政法大学出版社，2003年

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