POLTAVA UNIVERSITY OF ECONOMICS AND TRADE

Educational and scientific institute of full-time education Department of Law

SYLLABUS

academic discipline

«Law»

for the 2022-2023 academic year

Course and semester of study	31th year, 6nd semester
Educational program/specialization	«Management»
Specialty	073 Management
Branch of knowledge	07 Management and administration
Degree of higher education	bachelor

Name of the teacher responsible for the discipline, scientific degree and academic title, position

Halyna Terela candidate of historical sciences Associate Professor of the Department of Law

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Schedule of educational classes	http://schedule.puet.edu.ua/
Consultations	intramural http://pravo.puet.edu.ua/
	online: by e-mail, Mon-Fri from 10:00 a.m. to 5:00 p.m
Distance course page	http://www2.el.puet.edu.ua/st/course/view.php?id=2484

Name of the teacher responsible for the discipline, scientific degree and academic title, position

Victoria Kayun candidate of historical sciences

senior lecturer of the Department of Law

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Consultations intramural http://pravo.puet.edu.u	
	online: by e-mail, Mon-Fri from 10:00 a.m. to 5:00 p.m

Description of the academic discipline

Goal study of an academic discipline	consists in students' assimilation of theoretical knowledge in the field of legal regulation of labor and economic relations; acquired management skills based on norms and principles of labor and economic law		
Duration	4 ECTS credits/120 hours (lectures – 16 hours, seminars – 32 hours, private study – 72 hours)		
Forms and methods of education	Lectures and seminar classes in the classroom, independent work outside the schedule		
System of current and final control	Current control: attending lectures; discussion of theoretical issues at a seminar session; protection of homework; testing; performance of tasks provided for in the independent work plan; current modular work Final control: exam		
Basic knowledge	Knowledge of the history of Ukrainian state formation, sociology, and the basics of jurisprudence		
Language of teaching	Ukrainian		

List of competencies provided by this educational discipline, program learning outcomes

Program learning outcomes	Competencies that should master the acquirer
 to know one's rights and responsibilities as a member of society, to be aware of the values of civil society, the rule of law, the rights and freedoms of a person and a citizen in Ukraine (PL01); demonstrate the skills of independent work, flexible thinking, openness to new knowledge, be critical and self-critical (IIP16); adequately evaluate their knowledge and apply it in various professional situations (PL19); evaluate the legal, social and economic consequences of the organization's functioning (PLO 12). 	

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Topic name	Types of work	Tasks of independent work in terms of topics
1 1 1 1		Module 1. Labor law
1. Labor law as a branch of the legal system of Ukraine	Attending a lecture class; discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Using normative legal acts, give in writing three examples of general norms of labor legislation that apply to all categories of employees, and special legal norms that regulate the peculiarities of labor relations of certain categories of employees, namely: women; minors; foreign citizens; persons with disabilities; temporary and seasonal workers; workers employed at enterprises with harmful and difficult working conditions. Solve the situational task: At the meeting, the former classmates started a conversation about which of them is covered by the guarantees provided by the labor law. Hanna works as a family doctor, Andriy is a military man, Pavlo is a writer, Olga is engaged in programming, registered as an individual entrepreneur and works in an IT company, Mykola has a farm, Volodymyr works as an economist at a private enterprise, Anton is a civil servant. What is the scope of labor law? Justify your answer with reference to current legislation.
2. Legal regulation of employment and employment	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 To prepare a report on the topic: "Innovations of the legislation on the employment of the population for the period of quarantine established by the Cabinet of Ministers of Ukraine in order to prevent the spread of the acute respiratory disease COVID-19 caused by the SARS-CoV-2 coronavirus on the territory of Ukraine." Solve the situational task: On the fifth day after release from a private enterprise under Clause 1 of Art. 40 of the Labor Code of Ukraine, engineer Sidorov applied to the state employment service. He had 18 years of experience and a salary of UAH 14,500. Having registered Sydorov as unemployed at the local employment center, two weeks later he was offered the position of engineer at a state-owned enterprise with a salary of UAH 9,000. Sidorov objected and believed that such an offer would not be suitable for him. Analyze the situation and provide a legal opinion. What work is considered suitable according to the Law of Ukraine "On Employment of the Population"?
3. Collective agreements and agreements	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Referring to the text of the General Agreement on the Regulation of Basic Principles and Standards for the Implementation of Socio-Economic Policy and Labor Relations in Ukraine for 2019-2021, conduct an analysis (research) of the parties' actual fulfillment of their obligations. Solve the situational task: While discussing the draft collective agreement, the representative of the elected body of the trade union objected to the inclusion in the draft collective agreement of a provision regarding the possibility of applying overtime without the prior consent of the trade union. The employer's representative explained that overtime work is used in various unforeseen situations that can happen at the enterprise at any time of the day, and there may not be time to obtain the consent of the trade union. Analyze the case and provide a legal opinion with reference to applicable law.

Thematic plan of the educational discipline

Topic name	Types of work	Tasks of independent work in terms of topics
4. Employment contract	Attending a lecture class; discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Solve the situational task: Citizen Petrov got a job at the design institute as an architect with a probationary period of three months. After three months and 7 days, he was released according to Article 11. 40 of the Code of Criminal Procedure of Ukraine as having failed the test. Do the actions of the administration meet the requirements of the law? Solve the situational task: Accountant Kryvenko worked under an open-ended employment contract and on September 15 submitted an application for dismissal of her own volition. On September 20, Kryvenko fell ill and was on sick leave for three weeks. When she went to work on November 11, the HR department informed her that she was fired on September 16 by mutual agreement. Provide a legal assessment of the situation. What is the procedure for voluntary dismissal and by agreement of the parties.
5. Legal regulation of working time and rest time	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Solve the situational task: Engineer Kosov asked the company's legal advisor to explain to him whether the company's administration has the right to oblige him to come to work 30 minutes before the start of work every day. In addition, according to Kosov, he quite often stays to perform work after the end of the working day to eliminate production deficiencies. He is also often called to work on weekends. In response to a request for an increase in wages, the manager replied that Kosov works on irregular working hours, where additional wages are not provided for. <i>Is there a regime of non-standard working hours in this case? How to determine whether Kosov belongs to the category of employees who work on irregular working hours? Are the actions of the administration legal?</i> Solve the situational task: The engineer of the enterprise, Petrov, was involved in work on weekends in accordance with the director's order. The engineer refused the offer to take time off for the days worked. Instead, he asked to be paid for work on weekends in a double amount. Despite this, the manager issued an order to grant Petrov three additional days off. The engineer appealed to the commission on labor disputes. <i>Provide a legal assessment of the situation. What decision should be made by the CTS?</i>
6. Payment of labor	Attending a lecture class; testing; performance of educational tasks.	 Solve the situational task: By order of the director of the enterprise, accountant Ivanova held the position of chief accountant during a month, who was on vacation. Savelieva, a financier, was a leading financier who was on sick leave. What is the payment procedure for temporarily absent employees? Solve the situational task: At the enterprise, in connection with interruptions in the power supply, there was an outage lasting 6 hours. The workers asked the foreman about the payment for the day's work. The foreman explained that they would be paid for the time they actually completed the work, which was 2 hours. Some of the workers agreed, and some chose a representative to clarify the issue with a legal adviser. Analyze the situation and provide a conclusion with reference to the current legislation.
7. Labor discipline. Disciplinary responsibility of employees	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	2. Solve the situational task: On May 10, 2020, Vakhter Markov was dismissed pursuant to Article 3. 40 of the Labor Code of Ukraine. During the hearing of the case in the court, to which Markov applied for reinstatement, it was found that Markov had indeed violated labor discipline, for which he was reprimanded on March 14, 2019 and on March 5, 2020. Having submitted reprimands at the court's request, the employer's representative failed to provide explanatory notes to the watchman regarding his violation of labor discipline. <i>What decision should the court make? What is the</i> <i>procedure for dismissal under Clause 3 of Art. 40 of the Labor Code of Ukraine?</i>
8. Material responsibility of the parties to the employment contract	Attending a lecture class; testing; performance of educational tasks.	1. Solve the situational task: Tokar Sliptsov negligently broke a machine tool with software control, causing the company losses in the amount of UAH 20,000, of which UAH 15,600 is the cost of repairs, and UAH 4,400 is the cost of downtime of the machine. The salary of a turner is UAH 14,000. The employer filed a lawsuit to the court for reimbursement of the employee's full financial responsibility. <i>What decision</i>

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		should the court make? In what amount should the turner compensate for the damages caused, on the condition that an agreement on full financial responsibility was concluded with him? 2. Solve the situational task: When concluding an employment contract with the laboratory assistant Kuntsov, a separate clause of the contract provided for full financial responsibility of the employee. After some time, due to the negligence of the laboratory assistant, the device worth 21,000 UAH was damaged. The salary of a laboratory assistant is
		UAH 5,600. To what extent should Kuntsov be financially responsible? Is it sufficient to indicate in the contract the employee's obligation to take full individual financial responsibility in order to collect the damages in full? Justify your answer with reference to current legislation and case law.
9. Labor protection. Supervision and control over compliance with labor and occupational safety legislation	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Solve the situational task: To analyze the normative prescriptions of the European Social Charter (revised) of 1996, Directive No. 89/391 / EEC of the COUNCIL on the introduction of measures to improve the safety and occupational hygiene of workers in production, the Law of Ukraine "On Occupational Safety" and prepare a report on the topic: "Risk -oriented approach in the field of labor: European standards and national legislation" Simulate the situation and prepare a draft of an appeal of an individual who has violated the rules of registration of labor relations to the State Labor Service of Ukraine.
10. Labor disputes	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Solve the situational task: Slyusar Rybachuk submitted a statement to the labor dispute commission (KTS), in which he expressed his disagreement with going on vacation for the third year in a row in November according to the vacation schedule, as he plans to go on vacation to the sea with his children in the summer. Resolve the dispute. <i>Does the KTS have the right to consider such disputes? What is the principle of choosing a body for resolving labor disputes?</i> Contact the official website of the National Mediation and Conciliation Service and prepare a report on the results of the National Mediation and Conciliation Service's activities in assisting in the settlement of labor disputes (conflicts).
	•	Module 2. Commercial law
11. General characteristics of economic law and economic legislation	Attending a lecture class; testing; performance of educational tasks.	 Characterize in writing the features inherent in the sources (forms) of economic law in contrast to the sources (forms) of other branches of law, in particular, civil and administrative. Solve the situational task: The joint Ukrainian-Polish enterprise "Ukrpol", registered in the city of Uzhhorod, has concluded a contract for the supply of components for washing machines with the Slovak subsidiary company, registered in the city of Lutsk. When concluding the contract, the question arose as to which legislation should be followed in this situation (Ukrainian, Polish or Slovak)? Provide a legal assessment of the situation.
12. State regulation of economic activity. Legislation on the protection of economic competition	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Solve the situational task: The state registration body received an application with an attached set of necessary documents for the registration of a limited liability company that intended to carry out publishing activities and sell literature. The state registration body refused the applicant on the grounds that the city already has several business entities engaged in publishing. <i>Provide a legal assessment of the situation with references to applicable law.</i> In accordance with Article 7 of the Law of Ukraine "On Licensing of Types of Economic Activity", select one of the types of economic activity for which a license is required, and referring to the relevant Licensing Conditions, describe in writing the algorithm of actions for obtaining a license.
13. Legal status of economic entities. Protection of the rights and legitimate interests of subjects of economic relations	Attending a lecture class; discussion of theoretical and practical material at the seminar; testing; performance of	1. Solve the situational task: The members of the limited liability company Mriya decided to open structural divisions in a number of cities. Some of them were planned as remote offices with representative functions, while others were supposed to perform the functions of LLCs. <i>What can be structural subdivisions? What is the difference between a branch and a representative office?</i>

Topic name	Types of work	Tasks of independent work in terms of topics
	educational tasks.	2. To solve the situational task: Citizen Petrenko, intending to engage in entrepreneurial activity as an individual entrepreneur and to open an insurance company, submitted an application to the state registration body (administrative services center of the Poltava District State Administration). The registering body refused, advising to engage in another type of business activity. <i>Provide a legal assessment of the situation with references to applicable law. What are the legal restrictions on doing business for individuals</i> ?
14. Legal regulation of property relations in the field of business	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Draw up a structural and logical scheme, reflecting in it the peculiarities of privatization of various state-owned objects. Solve the situational task: The limited liability company "Urozhai" purchased three tons of planting potatoes from the "Vegetables and Fruits" farm, fully paying for the product. Due to the fact that the potatoes were purchased in December, Urozhai LLC agreed to leave the purchased goods in the basement of the farm until spring in order not to spoil the planting material during its transportation in winter. It so happened that in the spring, due to unfavorable climatic conditions (floods), the cellars were flooded and the potatoes became unusable. "Urozhai" LLC demanded either to return the money or to provide the same amount of potatoes of the same variety. The farm refused such offers on the grounds that they sold the potatoes and they kept them only for safekeeping, and therefore the risk of product spoilage must be borne by
15. Mandatory relations in economic activity	Attending a lecture class; discussion of theoretical and practical material at the seminar;	 the buyer. Provide a legal assessment of the situation with references to applicable law. 1. Compile a comparative table of grounds for termination of business contracts, termination of business contracts and recognition of business contracts as invalid. 2. Solve the situational task: The limited liability company "Globus" filed a lawsuit with the commercial court to collect fines from the private enterprise "Mercury" for non-fulfillment of
	testing; performance of educational tasks.	obligations under the supply contract. The defendant objected with reference to the fact that the contract was not concluded, since the original of such a contract is missing. And the correspondence of the parties that took place can only testify to the intentions of the parties. The court found that the agreement between the plaintiff and the defendant was reached by exchanging facsimile copies of the agreement, which were signed by the heads of each party. There was no delivery contract in the form of a separate document. <i>What decision should the court make? Justify your answer with reference to current legislation.</i>
16. Liability of business entities	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	the construction object, determined the obligations of the parties regarding the conclusion of the contract with the contractor, the procedure for payment of the contractor's work, the procedure for accepting the construction object from the contractor, and the procedure for its joint use by entrepreneurs during the implementation of transportation services . With regard to the liability of the parties, the contract did not provide for specific sanctions, however, it contained an indication of liability in accordance with current legislation. <i>Can sanctions be applied in case of violations by entrepreneurs of the terms of the contract? If so, which ones? What sanctions, in your opinion, would be appropriate to include in such a contract? Justify your answer with reference to current legislation. 2. Solve the situational task:</i>
17. Legal regulation of	Attending a lecture	The communal enterprise "Trans-service" concluded a contract with the production cooperative "Budivelnyk" for the repair of warehouses with funds allocated from the local budget. In accordance with the terms of the contract, the customer undertook to ensure the continuity of the financing of the works. However, after five months, the payments were delayed for a month due to the untimely receipt of funds from the local budget. <i>What sanctions can be applied for violation of the terms of the contract? How should the customer act to compensate for the sanctions applied to him? Justify your answer with reference to current legislation.</i> 1. After working out the normative prescriptions of the Code of Ukraine on
restoring the debtor's solvency or declaring	class; testing; performance of educational tasks.	bankruptcy procedures, draw up a structural and logical scheme "Court procedures that are applied to the debtor-legal entity and to the debtor-natural

Topic name	Types of work	Tasks of independent work in terms of topics
him bankrupt		person", in which to reflect the sequence, content and order of application of court procedures.2. After working out the normative prescriptions of the Code of Ukraine on bankruptcy procedures, draw up a comparative table "Sanitization of the debtor before the opening of proceedings in the case and rehabilitation as a judicial procedure."
18. Legal regulation of economic, commercial and financial activities	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Solve the situational task: A contract for the supply of milk was concluded between the farm and the dairy, which the farmer undertook to supply once every two days. However, the farmer began to supply milk with a delay, which led to the complication of the production process at the dairy. What are the legal consequences for the farmer for violating the terms of the supply contract? Justify your answer with reference to current legislation. Solve the situational task: Production cooperative "Budivelnik" purchased 5 tons of bricks with installment The second second
		payment from "Sbut-service" LLC under a supply contract. Due to financial difficulties, the cooperative was unable to fully pay for the bricks received and offered the LLC to take part of the unpaid goods. LLC refused such an offer and demanded to fulfill the terms of the contract in full. What will be the consequences for the production cooperative for non-fulfillment of the terms of the supply contract?
19. Legal regulation of quality. Protection of consumer rights	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 Solve the situational task: During the reception of the goods (shoes), which took place in accordance with the delivery contract concluded between "Cherevychky" LLC and "Universal" LLC, defects of the goods were discovered (some pairs of shoes were missing accessories). What requirements can the buyer make to the supplier in this case? Justify your answer with reference to current legislation. Solve the situational task: Citizen Spivak bought a television set at the Universal LLC store. A week later, the TV stopped working. The singer turned to the store with a demand to replace the TV or return the money. However, the store refused him, referring to the fact that they only sell the product, but are not its manufacturers, and therefore are not responsible for the quality of the product, and advised to contact the manufacturer directly. Provide a legal assessment of the situation.
20. Legal regulation of foreign economic activity. Legal regime of foreign investment. Special economic regimes	Discussion of theoretical and practical material at the seminar; testing; performance of educational tasks.	 problem can you offer? Justify your answer with reference to current legislation. 1. After processing the recommended sources of information, prepare a structural and logical diagram of the "Guarantee of the protection of investors' rights". 2. After processing the recommended sources of information, prepare a written report on the topic "World experience of legal support for the activities of free economic zones."

Information sources

- Constitution of Ukraine: adopted at the fifth session of the Verkhovna Rada of Ukraine on June 28, 1996 No. 254k/96-BP // Bulletin of the Verkhovna Rada of Ukraine. – 1996. – No. 30 (07/23/1996). - Art. 141.
- Economic Code of Ukraine: Law of Ukraine dated January 16, 2003 No. 436-IV // Official Gazette of Ukraine. 2003. No. 11. – Art. 462.
- 3. Code of Labor Laws of Ukraine: Approved by the Law of the Ukrainian SSR dated December 10, 1971 // Bulletin of the Verkhovna Rada of the Ukrainian SSR. 1971. Supplement. to No. 50. Art. 375.
- 4. Code of Ukraine on Bankruptcy Procedures: Law of Ukraine dated October 18, 2018 No. 2597-VIII // Bulletin of the Verkhovna Rada of Ukraine. 2019. No. 19. Art. 74.
- 5. Vinnyk O. M. Commercial law [Text]: course of lectures: (general part) / Vinnyk O. M.; Private Research Institute law and entrepreneurship named after F. G. Burchak National Academy of Sciences of Ukraine. Kyiv: Lira-K, 2017. 239 p.
- 6. Milash V. S. Commercial law [Text]: academician. manual for preparation to exams / V. S. Milash. 5th ed., changes. Kharkiv: Pravo, 2018. 336 p.
- Labor law of Ukraine [Text]: textbook / Kyiv. national University named after Taras Shevchenko, Center for European Implementation Problems. social law, National Kyiv-Mohylyan University. Acad.", Nat. Ostroz University Acad."; [Inshin M. I. and others]; in general ed. M. I. Inshina, V. L. Kostyuka. - 2nd ed., pp. - Kyiv: Yurinkom Inter: Letter of the Law, 2018. - 593 p.

- Labor law [Text] : textbook / [O. M. Yaroshenko and others] ; in general ed. doctor of law of Science, Prof., Member-Cor. O. M. Yaroshenko of the National Academy of Sciences of Ukraine; National law University named after Yaroslav the Wise. - 3rd ed., revision. and added - Kharkiv: Pravo, 2019. - 541 p.
- 9. Chaikovska V. V. Economic law [Text] : textbook / V. V. Chaikovska ; Odessa national University named after I. I. Mechnikova. Odesa: Phoenix, 2018. 366 p.

Educational discipline software

- Law: tasks for classroom testing of correspondence students / H. V. Terela [Electronic resource]. Access mode: <u>http://10.0.0.34/</u>
- Law: Distance course in the discipline for students of the specialty 073 "Management" [Electronic resource]. Access mode: <u>http://el.puet.edu.ua/course/view.php?id=29</u>

Policy of study of academic discipline and assessment

Deadline and rescheduling policy: Assignments that are submitted late without good reason will be graded at a lower grade (75% of the maximum possible points for the activity). Modules can be rearranged with the permission of the leading teacher if there are good reasons (for example, sick leave).

Academic Integrity Policy: Students must consciously adhere to the "Academic Integrity Regulations"

http://puet.edu.ua/sites/default/files/polozhennya_pro_akademichnu_dobrochesnist_2020.pdf); writing off during ongoing modular work and testing is prohibited (including using mobile devices). Mobile devices are allowed to be used only during online testing and preparation of practical tasks during class. Attendance Policy: Class attendance is a mandatory component. For objective reasons (for example, illness, employment, internship), training can take place online (Moodle) upon agreement with the leading teacher. Policy of enrollment of results of non-formal education: http://puet.edu.ua/uk/neformalna-osvita ; Provisions on enrollment of results of non-formal education.

Assessment

The final grade for the study of the academic discipline is calculated through the current assessment

Types of work	Maximum number of points
Module 1 (topics 1-10): discussion of a theoretical issue at a seminar (12 points); testing (5 points); performance of tasks provided for in the independent work plan (5 points); current module work (8 points)	30
Module 2 (topics 11-20): discussion of a theoretical issue at a seminar (12 points); testing (5 points); performance of tasks provided for in the independent work plan (5 points); current module work (8 points)	30
Exam	40
Total	100

The scale of evaluation of students of higher education according to the results of the study of the academic discipline

The sum of points for all types of educational activities	Evaluation according to the ECTS scale	Evaluation on a national scale
90-100	А	Perfectly
82-89	В	Very good
74-81	С	Fine
64-73	D	Satisfactorily
60-63	E	Satisfactorily enough
35-59	FX	Unsatisfactory with the possibility of re-take an exam
0-34	F	Unsatisfactory with mandatory repeated study of the academic discipline