

CASES

CASE 1: Mercurius (Consumer Law 1)

The Client agreed to buy an educational program with an Italian company specialized in delivering remote professional education. The contract was signed on September 6th, 2014, within the Company's premises. The Client's intention was to attend a course providing professional skills as medical auxiliary personnel. After receiving the materials and paying part of the agreed sum, the Client perceived that the quality of the education program did not respect her expectations; in particular, the syllabus was incomplete and not clear, the materials provided poor and elementary; in sum: she doubted that she could acquire the medical skills requested by hospitals.

Therefore, on November 10, 2014, the Client decided not to pay the remaining installments, and to withdraw from the contract. The company claimed for payments, as well as for the restitution of the materials delivered.

The Client asked Adiconsum (a highly representative Italian consumer association) about her rights.

CASE 2: Igea (Consumer Law 2)

On March 2015 in a slaughterhouse close to Brescia, the public authorities noticed that the practices run by the firm over animals bound to slaughter did not precisely comply with the expected hygiene and safety. Therefore, they asked for supplementary enquires, that in fact revealed that some animals were affected by salmonella typhi.

A criminal proceeding was filed against the slaughterhouse. Adiconsum (a highly representative Italian consumer association) asked Brescia legal clinics about the opportunity of applying to join proceedings as a civil party.

CASE 3: Efesto (Disability)

Since 2012 Joe has been working for the sales division of *Engineering Machine Group*. His boss is Tonya, the head manager of the sales division.

Joe is in charge of dealing with new potential clients and drafting commercial agreements. His tasks include negotiating complex and sensitive legal clauses of new agreements.

Joe works mainly in his private office, which is separate from other colleagues' offices. He meets directly new clients - usually small groups of 2 or 3 people - in his office or he handles work meetings via email or phone and Skype.

From 2012 to 2017 Joe always received excellent assessments from his manager. Moreover, due to his work performance, he was often awarded bonuses (e.g. gain sharing).

His performance assessment is based on reports he is required to submit on a regular basis. He also meets Tonya once a week to discuss the most complex issues and consider possible improvements in the procedures adopted in the sales division.

At the end of 2017, *Engineering Machine Group* entrusts the company *Organising the future* to design potential new organisational arrangements for the sales

division. The budget designated for the consultancy is very high. The new arrangements proposed are approved by the CEO of *Engineering Machine Group* and in December 2017 Tonya illustrates to Joe and his colleagues the changes that will be put in place after the Christmas break, asking them if anyone has comments or suggestions.

In particular, Joe will be required to work in an open space with other colleagues and his desk will be placed near the entrance door of a long corridor.

In order to foster team work, all sales deputies will be required to meet at least once a week in a big meeting room to discuss sales strategies and relevant legal issues for the drafting of new commercial agreements, and to share experiences and good practices.

In April 2018, Tonya notes that in the first trimester of 2018 Joe's performance is very low. Contrary to all other colleagues he has not reached the goals listed in the business plan. In addition she observes that Joe does not engage in a proactive manner during meetings with other colleagues and appears distracted and indolent.

In the periodic assessment of Joe's performance, Tonya stresses that Joe's efforts and commitment in the first trimester have been unsatisfactory; therefore she does not grant Joe any extra bonus. She also warns Joe that, being again his performance negative in the next trimester, he would be threatened with dismissal.

After reading his assessment, Joe asks to meet Tonya in private. During the meeting, Joe tells Tonya that, when he was young, he served in the Army and participated in a military mission in Kosovo. During the mission he was involved in several fire attacks and he was injured three times. Since his return, he has been suffering from hearing impairment due to the bombing of the military station where he was assigned to. Besides he has been diagnosed with post-traumatic stress disorder (PTSD). Because of PTSD he suffers from panic attacks and anxiety, particularly when he stays for long time in noisy spaces.

CASE 4: Janus (Asylum)

Mr. S.S.D. was born on 17th of December 1997 in Sokodè (Togo) from a Togolese father and a Ghanaian mother. After the murder of his father in 2002, he moved to Ghana with his mother. At 12 years old, he discovered to have feelings for boys. He actually started a relationship with a schoolmate called Ibrahim M. in 2012.

While they were together in the school's bathroom, their schoolmates caught them and went straight to report them to the headmaster. Because of that, S.S.D. and Ibrahim had been beaten and expelled from school. At that time both of them were under eighteen years old and they couldn't be imprisoned, for that reason the head of the village ordered to his mother to monitor him and "cure" him from this "disease".

Despite the risks and the high level of danger, S.S.D. and Ibrahim secretly dated and spent time together for two years more until the 5th of March 2014, when Ibrahim's auntie discovered them and reported them to the Ghanaian Authorities. In order to save their lives, they had to run away, leave Ghana and start an endless, life-threatening journey.

S.S.D. and Ibrahim once at the Burkina Faso's border couldn't continue the journey together and they had to separate. S.S.D. crossed Niger and Libia and he arrived in Italy on the 29th of May 2016 where he applied for International Protection. Until now, he doesn't know where Ibrahim is or if he is still alive.