

**COURSE DATA****Data Subject**

Code	33563
Name	Labour law II
Cycle	Grade
ECTS Credits	6.0
Academic year	2021 - 2022

Study (s)

Degree	Center	Acad. year	Period
1309 - Degree in Labour Relations and Human Resources	Faculty of Social Sciences	2	First term

Subject-matter

Degree	Subject-matter	Character
1309 - Degree in Labour Relations and Human Resources	10 - Labour law	Obligatory

Coordination

Name	Department
ALTES TARREGA, JUAN ANTONIO	76 - Labour and Social Security Law

SUMMARY

The subject *Labour Law II* is compulsory and worth 6 ECTS credits. It takes place in the first semester of the second academic year of the degree in Labour Relations and Human Resources and is one of the subjects included in the module Legal Framework of Labour Relations. It is especially aimed at teaching the student the basic regulations in relations (individual, labour, social protection or procedural) that arise in both autonomous and paid work.

In the first academic year the students obtained the methodological knowledge essential for the assimilation and development of theoretical and practical concepts (through subjects such as *Information Tools and Techniques, Study and Documentation*) and the knowledge on the core subject Labour Law and Social Security (through subjects such as *Basic Judicial Elements in Labour Relations*).



Students must have in mind that legal disciplines are not separate and individual but can be complemented by every new concept learnt. Therefore the knowledge acquired in subjects of legal nature is especially useful in the introduction of new concepts inherent to Labour and Social Security Law. The first-year subject *Trade Union Law* has already introduced students into the study of collective labour relations and *Labour Law II*, into the study of legal institutions and labour relations from an individual perspective (entrepreneur-worker relationship). *Labour Law II* is also the basis upon which the contents of *Social Security Law I and II*, *Administrative Intervention in Labour Relations* and *Procedural Labour Law* will be established.

Regarding specific contents of the subject, they are especially aimed at determining and modifying labour efficiency, which includes the study of functional mobility, geographical mobility and the modification of working conditions. We will also approach issues such as working time and wages, complemented by the analysis of the rest of rights and duties that arise from individual labour relations. Finally we will deal with the regulation concerning the suspension and interruption of the employment contract and the different ways of termination of said contract.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

Other requirements

Relationship with other subjects of the same degree

No enrolment restrictions have been specified.

Other types of prerequisites

Completion of the subject Psychology of Work is advisable.

1309 - Degree in Labour Relations and Human Resources

- Students must have acquired knowledge and understanding in a specific field of study, on the basis of general secondary education and at a level that includes mainly knowledge drawn from advanced textbooks, but also some cutting-edge knowledge in their field of study.
- Students must be able to apply their knowledge to their work or vocation in a professional manner and have acquired the competences required for the preparation and defence of arguments and for problem solving in their field of study.
- Students must have the ability to gather and interpret relevant data (usually in their field of study) to make judgements that take relevant social, scientific or ethical issues into consideration.
- Students must be able to communicate information, ideas, problems and solutions to both expert and lay audiences.



- Students must have developed the learning skills needed to undertake further study with a high degree of autonomy.
- Be able to learn independently and develop initiative and entrepreneurship.
- Be able to organise and plan.
- Be able to manage information and to write and formalise reports and documents.
- Be able to analyse, synthesise and reason critically.
- Be able to solve problems, apply knowledge to practice and develop motivation for quality.
- Be able to communicate orally and in writing.
- Be able to use new information and communication technologies.
- Be able to work in a team.
- Respect and promote the principles of fundamental rights, gender equality, equal opportunities and non-discrimination, democratic values and sustainability.
- Know and apply the principles of the professional code of ethics.
- Know and apply the regulatory framework of labour relations.
- Know and be able to analyse the principles, spheres and procedures of action of social and labour-related political institutions.
- Be able to interrelate the knowledge from the different academic disciplines that analyse the work environment.
- Analyse and evaluate the factors that determine inequalities in the world of work.
- Analyse and evaluate the decisions of the agents that participate in labour relations.
- Be able to select and manage social and labour information and documentation.
- Be able to advise on and deal with employment and hiring matters.
- Know and apply the basic regulatory framework of private contracting and company law to the business field.

Upon successful completion of the subject, students must be able to:

- Understand the initial forms of working conditions and how they can be later modified.
- Know the main rights and duties derived from individual labour relations, especially focusing on working time and wages.
- Understand the range of interruption and suspension of the employment contract especially regarding disciplinary dismissal, dismissal due to objective causes and collective dismissal.
- Carry out an assessment on the administration of labour force in companies from a legal and labour perspective, with special focus on the measures aimed at coping with unfavourable situations such as modifications of the working conditions, suspension, extinction of the contract, etc. This requires a thorough knowledge of labour regulations.



- Carry out a legal analysis of real socio-occupational situations to evaluate the interests at stake in each case and suggest a solution (applicable legal regulations) for each of them.

In order to achieve this, students must work with: the source of Labour Law and its interpretation (legislation, collective agreements, court sentences); the employment contract as a contract subject to general contracting regulations (Civil Code) and special regulations relative to the employment contract (Statute of Workers); the current socio-occupational situation in our country.

- Draft basic legal and occupational documents such as dismissal letters.
- Make a critical evaluation of the objectives of labour laws (identify the model of labour relations existent in our legal system) and the tools that guarantee their efficiency.

WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	60,00	100
Development of group work	4,00	0
Development of individual work	4,00	0
Study and independent work	30,00	0
Readings supplementary material	5,00	0
Preparation of evaluation activities	11,00	0
Preparing lectures	8,00	0
Preparation of practical classes and problem	10,00	0
Resolution of case studies	10,00	0
Resolution of online questionnaires	8,00	0
TOTAL	150,00	

TEACHING METHODOLOGY

The teaching methodology is based on the students' personal, individual and group work and on the combination of theoretical and practical formative activities with tutorials and activities based on study and evaluation. It is distributed as follows:

- Expository activities (lectures, seminars, work presentations). Teachers will present the main legal institutions and their interests as well as the legal and general interpretation criteria.
- Seminars and workshops lead to discussions on partial aspects of the subject and enable students to discover the legal and political problematic aspects of this discipline through reflection and individual or group assignments.



- Assignments proposed by the teachers enable students to train their research skills and improve their ability to gather information and use it for problem solving. Their written and oral skills will also be improved through oral and written presentations.
- Practical activities (case solving, classroom practical exercises, IT applications, workshops) and individual or small group tutorials. Through the analysis of real-life problems students learn about the real functioning of the legal methodology (argumentative criteria) as well as concrete aspects of problem management. The analysis includes the use of IT applications and documental management.
- Tutorials (group and individual) will be aimed at solving doubts or discussing problematic aspects of the contents of the subject.
- Group assignments, study, individual work and assessment: group and individual work will be based on the techniques mentioned above, that is, preparation of activities and lessons, presentation of work, tutorials, etc.
- Study time takes place before and after the activities since it includes preparation of the lessons and consolidation of the knowledge acquired.
- The main IT resource used by teachers is Aula Virtual, used for communication and uploading materials and activities.

EVALUATION

Assessment elements will be the following: written and/or oral tests consisting of one or more exams based on objective-type and theoretical and practical questions. They account for 70% of the final grade. Grading criteria will be:

- Appropriateness of the answer to the question; concreteness and precision.
- Composition and spelling.
- Technical and terminological precision.
- Coherence and internal logic of answers.

The remaining 30% of the grade can only be obtained after passing the examination. These activities include practical group or individual exercises, submission of assignments, reports and/or presentations; attendance at seminars and class and active participation, engagement in the process of teaching-learning and skills and attitudes shown during the course.

REFERENCES



Basic

- Base de datos de IUSTEL
- Base de datos NAUTIS
- Base de datos WESTLAW
- Base de datos TIRANTONLINE

A todas estas bases se accede desde la página de bases de datos de la Universitat de València:
http://www.biblioteca.uv.es/index_sp.php

- Legislación Laboral y de Seguridad Social. Edit. Aranzadi. Pamplona (última edición)
- Estatuto de los Trabajadores. Edit. Tirant Lo Blanch. Valencia (última edición)
- Legislación Laboral. Edit. Tecnos, Madrid (última edición)
- Legislación social básica. Edit. Civitas, Madrid (última edición)
- Estatuto de los Trabajadores. Edit. Tecnos, Madrid (última edición)
- <http://www.noticias.juridicas.com/>
- <http://www.boe.es>
- Derecho del Trabajo. Ed Tirant Lo Blanch. Última edición

Additional

- ALONSO OLEA Y CASAS BAAMONDE. Derecho del Trabajo. Edit. Civitas. Madrid (última edición)
- MARTÍN VALVERDE, RODRÍGUEZ SAÑUDO Y GARCÍA MURCIA. Derecho del Trabajo. Edit. Tecnos. Madrid (última edición)
- PALOMEQUE Y ÁLVAREZ DE LA ROSA. Derecho del Trabajo. Edit. Ceura. Madrid (última edición)
- MONTOYA MELGAR, Derecho del Trabajo. Edit. Tecnos. Madrid (última edición)

ADDENDUM COVID-19

This addendum will only be activated if the health situation requires so and with the prior agreement of the Governing Council

1. Contenidos

Se mantienen los contenidos de la asignatura, si bien, en función de su naturaleza, se procederá a su distribución entre los diferentes tipos de sesiones en que se organice la docencia híbrida o a distancia.

2. Volumen de trabajo y planificación temporal de la docencia



Se mantienen las distintas actividades, con las horas de dedicación en créditos ECTS marcadas en la guía docente original. En caso de que sea necesario recurrir a la docencia híbrida o a distancia en función de imperativos sanitarios, las sesiones y actividades programadas se desarrollarán, como regla general, en las fechas y horas establecidas por la autoridad académica competente.

3. Metodología docente

Si es posible en atención a los criterios establecidos por las autoridades sanitarias y académicas, la docencia se desarrollará de forma presencial en su totalidad conforme a las previsiones de la Guía.

En caso de que haya que recurrir a formas de docencia híbrida, las lecciones magistrales podrán desarrollarse a distancia, preferentemente por medio de videoconferencias síncronas. Si las herramientas informáticas lo permiten, las sesiones correspondientes podrán realizarse en presencia de una parte de los estudiantes y con acceso en streaming para el resto.

Los tiempos de presencia física de los estudiantes, de acuerdo con los criterios establecidos por la autoridad académica, se dedicarán a actividades aplicadas y tutorías colectivas. En función de las disponibilidades, se permitirá igualmente el acceso en streaming para el resto de estudiantes.

Si a lo largo del curso la situación sanitaria impusiera que la totalidad de la docencia sea on line, en función de las características de la materia, las disponibilidades informáticas de los componentes de cada grupo y el efectivo funcionamiento de las herramientas informáticas, las lecciones magistrales deberán realizar preferentemente mediante videoconferencias BBC síncronas. Si esto no fuera posible, podrán ser sustituidas por subida de materiales en el AV, o transparencias locutadas. Para las actividades aplicadas, que se subirán a través del AV, se garantizará la interacción entre profesores y estudiantes, mediante videoconferencias BBC o el uso de foros o chats del AV.

En todo caso, aparte la atención personalizada a través de la herramienta AV o del correo electrónico, se establecerá un sistema de tutorías colectivo, a través de sesiones de BBC o chats o foros de la AV.

4. Evaluación

Se mantienen íntegramente los criterios fijados en la guía docente, tanto respecto a la ponderación entre evaluación continua y prueba final como a los requisitos mínimos de puntuación de una y otra. Queda garantizada la posibilidad de conseguir la nota de la totalidad de la evaluación continua en el caso de que el estudiante no pueda concurrir presencialmente por imperativos sanitarios.

La prueba final se desarrollará de forma presencial de acuerdo con las previsiones de la guía docente. Para el caso de que, en algún momento, por imperativos sanitarios, la evaluación presencial no fuera posible, se realizará a distancia una prueba objetiva de preguntas teórico-prácticas de respuesta múltiple con descuento de errores, un examen de preguntas de desarrollo o un examen oral, a través de las herramientas informáticas disponibles.



5. Bibliografía

Se mantiene la bibliografía existente en la guía docente. Si la situación sanitaria implicara el cierre de las bibliotecas, se facilitará material de apoyo a través del aula virtual.