

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

Code	35221
Name	Labour Law I
Cycle	Grade
ECTS Credits	4.5
Academic year	2018 - 2019

Study (s)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Faculty of Law	2	Second term
1921 - Double Degree Program BMA and Law	Faculty of Economics	3	Second term
1922 - Double Degree Prog. Law-Political Science	Faculty of Law	3	Second term
1923 - Double Degree Programme Law-Criminology	Faculty of Law	2	Second term

Subject-matter

Degree	Subject-matter	Character
1303 - Degree in Law	17 - Labour law	Obligatory
1921 - Double Degree Program BMA and Law	4 - Year 3 compulsory subjects	Obligatory
1922 - Double Degree Prog. Law-Political Science	4 - Year 3 compulsory subjects	Obligatory
1923 - Double Degree Programme Law-Criminology	3 - Year 2 compulsory subjects	Obligatory

Coordination

Name	Department
BALLESTER PASTOR, MARIA AMPARO	76 - Labour and Social Security Law



SUMMARY

The four-month compulsory subject "Labour Law I" is taught in the semester and indicated course.

According to the Curriculum or Verifica, the mandatory subject "Labour Law I" has a special bond with various subjects.

Specifically the course is part of a field, called Labour Law, in which there are two subjects, Labour Law I, during a semester, and Labour Law II, throughout the year; the contents are sequenced and most of them are taught in the annual course of 9 credits.

When defining the specific content of this subject the logical sequence of skills and knowledge has been analyzed to incorporate into this course the more basic or introductory content or the one that should be taught early in the development of the subject, leaving the remaining for the other subject taught in the following year.

Otherwise, the contents of the subject may be developed in different optional or elective courses assigned to the area and that appear in the curriculum of the Degree.

The box with the contents of the subject appears in the data sheet of the compulsory subject "Labour Law", included in the Verifica of the Degree in Law (page 89).

Contents of the subject "Labour Law I", regarding the considerations made besides:

- Labour Law and Social Security: Training history. Sources
- Contract of employment: boundaries, subjects, form, classes and modalities, legal regime.
- Special Labour Relations

Comments:

The teaching program or syllabus of each of the groups must comply with the content of the academic guide prepared by the Department of Labour Law and Social Security

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

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



Other requirements

Not required

COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

1303 - Degree in Law

- Conocer y comprender la singularidad del ordenamiento jurídico laboral, sus fuentes y los criterios de aplicación de las normas
- Conocer, comprender y ser capaz de resolver cuestiones relacionadas con la delimitación del contrato de trabajo, de las relaciones laborales especiales y de los supuestos excluidos
- Capacidad para utilizar los principios y valores constitucionales como herramienta de trabajo en la interpretación del ordenamiento jurídico laboral.
- Capacidad de entender el ordenamiento laboral en su dimensión histórica y de las diferentes regulaciones secuenciadas cronológicamente

LEARNING OUTCOMES (RD 1393/2007) // NO CONTENT (RD 822/2021)

The Degree general competences (instrumental, interpersonal and systemic) acquired when studying, among others, the subject "Labour Law I" are:

- Ability to search, locate, analyze and correctly select the different sources of legal information.
- Ability to analyze and synthesize in the understanding of the legal texts, jurisprudence and doctrine.
- Ability to acquire the knowledge needed for coping through the Society of Knowledge and be able to use ICT appropriately to locate, evaluate, use and communicate legal information
- Ability to organize and plan the study and research.
- Ability to take decisions with legal arguments.
- Ability to develop critical thinking
- Ability to acquire an ethical commitment to social issues
- Ability to develop independent learning
- Ability to adapt to new situations
- Ability to create and generate ideas
- Ability to adopt a sensible attitude towards issues of social, economic and environmental reality.

DESCRIPTION OF CONTENTS

1. CONCEPT AND HISTORY OF LABOUR LAW

Identification of relationships submitted to Labour Law, its functions and purposes in society and its historical evolution from its origins to the present.



2. SOURCES OF LABOUR LAW

Identification of sources of Labour Law, with special attention to the specific: collective agreements. Analysis of the Spanish Constitution, Acts, executive regulations, covenants and agreements, individual contract and custom as possible sources of employment relationship.

3. APPLICATION OF SOURCES OF LABOUR LAW

Analysis of problems related to the application and concurrence posed by sources of employment relationship on account of their diversity, complexity and possible coexistence

4. THE WORKER

Analysis of the concept of worker, identification of characteristic features. Analysis of the excluded activities and comprehensive study of the special labour relationships

5. THE EMPLOYER

Identification of the labour concept of employer. Problems of identification of the employer and new forms of organization (contracts, companies for temporary work, etc.)

6. FUNCTIONS OF THE CONTRACT OF EMPLOYMENT

Identification of functions performed by the employment contract: constitutive and regulatory. Study of the inalienable labour rights (rights that cannot be waived)

7. THE ENTRY INTO THE COMPANY

Analysis of the problems of the entry into the company. Determination of the template. Worker selection, possible reserves and preferences. Selection companies. Trial period.

8. THE LABOUR HIRING

Analysis of types and forms of contract: non fixed term contracts, temporary contracts, part-time contracts, contract for an indefinite period of a permanent but discontinuous nature, contract for training, etc. Hiring promotion.



WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	45,00	100
Development of individual work	22,50	0
Study and independent work	45,00	0
TOTAL	112,50	

TEACHING METHODOLOGY

Theoretical content: The teacher will present and explain those fundamental elements that should guide students in the study and understanding of the subject. The student, meanwhile, should actively engage in the learning process through reading, before the teacher's explanation, or in class, depending on the organization of teaching time, those materials, textbooks, monographs and texts provided or previously indicated.

Applied activities: They consist in the comment of statements or press news, case resolution or activities like puzzle or questionnaires, analysis of labor issues, etc., through which students will develop the skills mentioned above.

These activities may either be complementary to the exposure of theoretical knowledge by the teacher, or focus on specific issues of the subject that will not be subject to exposure by the teacher.

These activities should be participatory and each teacher will indicate, where appropriate, which will be evaluated.

Through them the student will be introduced to and accustomed in the handling of those materials and techniques of the discipline.

Activities outside the classroom: Complementary activities such as seminars, collective tutorials, visits to public institutions, etc., will be scheduled in the context of the course and will consist of specific or interdisciplinary or cross activities, always in coordination with the other groups. The teacher must indicate whether they are evaluated or not.

Directed activities: For both tracking of the theoretical exposure and realization of the applied activities, the teacher will indicate the readings, search of sentences or case preparation, etc., which will be accomplished by the student.

Although not being object of classroom work, the teacher may also program, within the volume of student work, other activities to reinforce or review the student's acquisition of knowledge.

Unscheduled tutorials assistance: For questions on any topic or aspect of the subject and its workflow, students may attend, on the schedule set by each teacher, to unscheduled tutorials fixed by every teacher



EVALUATION

The assessment will be continuous, following these criteria.

- Global exam: 70% of the value of the final mark. To pass the course will be necessary to overcome this global exam. Each program shall specify the type of exam to be performed.
- Three additional assessed activities, to be specified by each teacher in the program, and their performance or delivery schedule as stated in this teaching guide. Whether applied activities carried out in class, or directed activities, the dedication to it should be counted in the total volume of student work. These activities will be worth: 30% in the final grade.

REFERENCES

Basic

- Referencia b1: AA.VV. Goerlich y García (coord.) Derecho del Trabajo. Valencia (Tirant lo Blanch) (puede sustituirse por las referencias que se indican más abajo)
Solo debe utilizarse una de ellas y siempre en la última edición disponible.
- Referencia b2: * Alonso Olea y Casas Baamonde: Derecho del Trabajo, Civitas, Madrid
- Referencia b3: * García Ninet: Manual de Derecho Sindical, Atelier, Barcelona
- Referencia b4: * Martín Valverde, Rodríguez-Sañudo y García Murcia: Derecho del Trabajo, Tecnos, Madrid.
- Referencia b5: * Montoya Melgar: Derecho del Trabajo, Tecnos, Madrid.
- Referencia b6: * Palomeque y Alvarez: Derecho del Trabajo, Ceura, Madrid.
- Referencia b7: * Vida Soria, Monereo López y Molina Navarrete: Manual de Derecho del Trabajo. Comares, Granada
- Referencia b8: * Cruz Villalón: Compendio de Derecho del Trabajo. Tecnos, Madrid.
- Referencia b 9: Tomás Sala Franco: Derecho Sindical. Tirant lo Blanch. Valencia.

Additional

- Referencia c1: * Normas laborales básicas, a cargo de Blasco y Goerlich. Edit. Tirant lo Blanch.
- Referencia c2: * Legislación laboral básica, a cargo de Serrano y Sequeira. Ed. Civitas.
- Referencia c3: * Código Laboral, a cargo de Pérez de los Cobos, Ed. La Ley.
- Referencia c4: * Legislación laboral y de la Seguridad Social, a cargo de Galiana y Sempere. Ed. Aranzadi.
- Referencia c5: * Legislación Laboral, a cargo de Rodríguez Piñero, Ojeda Avilés, Fernández López y Gorelli Hernández. Edit. Tecnos, Madrid.



- Referencia c6: Pueden utilizarse diversas fuentes en internet como apoyo; se enumera un listado meramente indicativo:

Bases de datos:

<http://www.westlaw.es>

<http://www.tirantonline.com>

Normas:

Convenios internacionales

<http://www.ilo.org/global/lang--en/index.htm>

Diario oficial de la Unión Europea:

<http://eur-lex.europa.eu/JOIndex.do>

<http://www.boe.es>

Boletines autonómicos: http://www.boe.es/aeboe/consultas/enlaces/boletines_autonomicos.php

Boletines provinciales:

http://www.boe.es/aeboe/consultas/enlaces/boletines_provinciales.php

Convenios colectivos:

http://www.mtin.es/es/sec_trabajo/ccncc/

Jurisprudencia:

Tribunal Constitucional:

<http://www.tribunalconstitucional.es>

Tribunal de Justicia de la Unión Europea

http://curia.europa.eu/jcms/jcms/j_6/pagina-principal

Tribunal Supremo

Cendoj

<http://www.poderjudicial.es/search/index.jsp>

Publicaciones:

Ministerio de Trabajo: Publicaciones electrónicas

http://www.mtin.es/es/publica/pub_electronicas/destacadas/index.htm

Fundación 1º de mayo

<http://www.1mayo.ccoo.es/nova/>