



## COURSE DATA

### Data Subject

<b>Code</b>	35221
<b>Name</b>	Labour Law I
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	4.5
<b>Academic year</b>	2023 - 2024

### Study (s)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Faculty of Law	2	Second term
1921 - Double Degree Program BMA & Law	Faculty of Law	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
1930 - Programa Doble Titulación Grado Derecho-Ciencias Políticas y de la Administ	Faculty of Law	3	Second term

### Subject-matter

Degree	Subject-matter	Character
1303 - Degree in Law	17 - Labour law	Obligatory
1921 - Double Degree Program BMA & 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
1930 - Programa Doble Titulación Grado Derecho-Ciencias Políticas y de la Administ	4 - Asignaturas obligatorias de tercer curso	Obligatory



## Coordination

### Name

LOPEZ TERRADA, EVA CAROLINA

### Department

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:



## 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
<b>TOTAL</b>	<b>112,50</b>	

## 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.

### FIRST EXAMINATION PERIOD

Written and/or oral test(s), consisting of one or multiple exams that may include objective-type questions, theoretical-practical questions, and/or problems. It accounts for 70% of the final grade for the subject. To pass the subject, it will be necessary to pass this test(s).

Continuous assessment of each student, based on regular attendance and active participation in the proposed in-person activities, such as practical exercises or workshops, the preparation and/or submission of assignments, reports, and/or oral presentations related to these activities, individually or collectively, all taking into consideration the student's level of involvement and effort in the teaching-learning process and the skills and attitudes demonstrated during the execution of these activities. It accounts for 30% of the final grade for the subject.

### SECOND EXAMINATION PERIOD

The same evaluation criteria as in the first examination period will be used. The continuous assessment activities carried out during the course will be considered as recoverable in nature. For this purpose, at the time of the final exam of the second examination period - written or oral - or prior to its completion, the corresponding recovery activities will be proposed to the students



In application of the foreseen rules in case of exam coincidence, or for any other foreseen causes (e.g. justified cause of force majeure) the Evaluation and Calcification Regulation for degrees and masters of the University of Valencia establishes that it will be required to take the exam on a date different than the official one, and that the faculty responsible may determine a different examination mode to the one provided in the teaching guide. In these cases, the new exam mode taken should maintain the same level of difficulty than the one taken by the general group.

Students who have follow the continuous assessment and have been graded accordingly, in the case of not taking the final exam on the official date (either the 1sr and 2nd call) will obtain the grade NOT PRESENTED.

## REFERENCES

### Basic

- Referencia b1: AA.VV. Goerlich Peset y García Ortega (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: \*Martín Valverde, Rodríguez Sañudo y García Murcia. Derecho del Trabajo. Tecnos. Madrid

Referencia b4: \*Montoya melgar. derecho del Trabajo. Tecnos.Madrid

Referencia b5: \*Palomeque Lopez y Alvarez de la Rosa. Derecho del Trabajo. Ceura. Madrid

Referencia b6: \*Vida Soria, Monereo Lopez y Molina Navarrete. Manual de Derecho del Trabajo. Comares. Granada

Referencia b7: \*Cruz Villalon. Compendio de Derecho del Trabajo. Tecnos. Madrid

### Additional

- Referencia c1: \* Normas laborales básicas, a cargo de Blasco Pellicer y Goerlich Peset. Edit. Tirant lo Blanch.

Referencia c2: \* Legislación social básica, a cargo de Serrano Martinez y Sequeira Fuentes. Ed. Civitas.



Referencia c3: \*Código Laboral y de seguridad social, a cargo de Garcia-Perrote Escartin y Pérez de los Cobos Orihuel, Ed. La Ley.

Referencia c4: \* Legislación laboral y de la Seguridad Social, a cargo de Galiana Moreno y Sempere Navarro. 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](http://www.boe.es/aeboe/consultas/enlaces/boletines_autonomicos.php)

Boletines provinciales:

[http://www.boe.es/aeboe/consultas/enlaces/boletines\\_provinciales.php](http://www.boe.es/aeboe/consultas/enlaces/boletines_provinciales.php)

Convenios colectivos:

[http://www.mtin.es/es/sec\\_trabajo/ccncc/](http://www.mtin.es/es/sec_trabajo/ccncc/)

Jurisprudencia:

Tribunal Constitucional:

<http://www.tribunalconstitucional.es>

Tribunal de Justicia de la Unión Europea

<http://curia.eu>

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

Fundación 1º de mayo

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

