

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

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|----------------------|----------------------------|
| Code | 36768 |
| Name | Introduction to Labour Law |
| Cycle | Grade |
| ECTS Credits | 4.5 |
| Academic year | 2023 - 2024 |

Study (s)

| Degree | Center | Acad. year | Period |
|-----------------------------------|--|-------------------|---------------|
| 1933 - D.D. in Law-Economics 2022 | Doubles Studies Faculty of Law - Faculty of Economics | 3 | First term |

Subject-matter

| Degree | Subject-matter | Character |
|-----------------------------------|---------------------------------|------------------|
| 1933 - D.D. in Law-Economics 2022 | 3 - Asignaturas de tercer curso | Obligatory |

Coordination

| Name | Department |
|----------------------------|-------------------------------------|
| GOERLICH PESET, JOSE MARIA | 76 - Labour and Social Security Law |

SUMMARY

This is a compulsory subject taught in the indicated four-month period in which the essential concepts of Labor Law are introduced. After a brief historical approach, a detailed analysis is made of the notion that delimits the outline of the discipline: dependent and subordinate labor. The peculiarities of the sources of law in this sector of the legal system are then studied, as well as the singularities of its application, both as regards the principles and the bodies in charge of carrying them out. Finally, the legal regime of collective labor relations, derived from the constitutional recognition of the rights of freedom of association, strike and collective bargaining, is addressed.

PREVIOUS KNOWLEDGE



Relationship to other subjects of the same degree

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

Other requirements

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

OUTCOMES

LEARNING OUTCOMES

The Degree general competences (instrumental, interpersonal and systemic) acquired when studying, among others, the subject "Introduction to Labour Law" 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 adopt a sensible attitude towards issues of social, economic and environmental reality.
- Ability to create and generate ideas

DESCRIPTION OF CONTENTS

1. 1. CONCEPT AND HISTORY OF LABOR LAW

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

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2. THE WORKER

Analysis of the concept of the worker; identification of the essential assumptions: the dependence. Analysis of excluded relationships. Self-employment and its legal regime. Public employment. Common labor relationship and special labor relationships.

3. SOURCES OF LABOR LAW AND ITS APPLICATION

Identification of the sources of Labor Law, with special attention to the specific ones: collective bargaining agreements. Analysis of the Constitution, the Law, the regulations, the conventions, pacts and agreements, the individual contract and the custom as possible sources of the labor relationship. Application of labor regulations: specialties. Labor administration and jurisdiction.

4. TRADE UNION FREEDOM AND RIGHT OF ASSOCIATION

Freedom of association and its content: international and constitutional framework; individual and collective powers. Equality and plurality: trade union representativeness. Protection of trade union freedom. Business and self-employed workers' associationism.

5. REPRESENTATION AND PARTICIPATION OF WORKERS IN THE COMPANY

Unitary representation - works councils and personnel delegates - and union representation - sections and union delegates. Organizational rules. Guarantees and facilities for workers' representatives. Specialties in public employment. Other forms of representation

6. COLLECTIVE BARGAINING

Collective bargaining in the Constitution: statutory and non-statutory agreements. Collective bargaining agreements in the Workers' Statute: typology of agreements and accords; legitimacy to negotiate, the negotiating procedure, conventional content, duration, adhesion and extension. The agreement in the system of sources: concurrence between agreements; administration and interpretation; administrative control and judicial challenge.

7. COLLECTIVE CONFLICTS



Notion and typology of collective conflicts. Means of solution. The right to strike: concept and applicable regulations, ownership, motivations, procedure, essential services and security and maintenance, modes of termination and effects. The lockout.

WORKLOAD

| ACTIVITY | Hours | % To be attended |
|--|---------------|------------------|
| Theoretical and practical classes | 75,00 | 100 |
| Preparation of evaluation activities | 22,50 | 0 |
| Preparation of practical classes and problem | 45,00 | 0 |
| TOTAL | 142,50 | |

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.

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 Calculation 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. Course Guide 35221 Labour Law I 35221 Labour Law I 7 Students who have followed the continuous assessment and have been graded accordingly, in the case of not taking the final exam on the official date (either the 1st 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