

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

<b>Code</b>	42734
<b>Name</b>	Labour and social protection legislation
<b>Cycle</b>	Master's degree
<b>ECTS Credits</b>	6.0
<b>Academic year</b>	2023 - 2024

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. year</b>	<b>Period</b>
2126 - Master's Degree in Human Resources Management	Faculty of Social Sciences	1	First term

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
2126 - Master's Degree in Human Resources Management	1 - Additional training	Obligatory

**Coordination**

<b>Name</b>	<b>Department</b>
ARADILLA MARQUES, MARIA JOSE	76 - Labour and Social Security Law

**SUMMARY**

The subject "Labour legislation and of social protection" it's part of the "Module of Complementary Formation" (30 ECTS) and is given in the first year of the "Master in Direction (Address) and management of Human resources".

The module tries to provide to the students of the knowledge, resources and capacities necessary to face adequately the requirements of the different modules of the master. The subject matters refer to basic aspects of: Strategic management of the company and audit of the organizational system; Psychology of the work, of the organizations and of the human resources; Economy of the work; Systems of labor relations; and Labour legislation and of social protection.



## PREVIOUS KNOWLEDGE

### Relationship to other subjects of the same degree

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

### Other requirements

The contents of this module converge with matters that they assure that the student should have a basic training that allows the utilization of the master. Students who, depending on their previous formation, accredit the totality or a part of the competences that are established for the module, will remain excused, total or partially, of dealing them.

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

### 2126 - Master's Degree in Human Resources Management

- Students should apply acquired knowledge to solve problems in unfamiliar contexts within their field of study, including multidisciplinary scenarios.
- Students should communicate conclusions and underlying knowledge clearly and unambiguously to both specialized and non-specialized audiences.
- Students should demonstrate self-directed learning skills for continued academic growth.
- Students should be able to self-organise, which means systematically planning and setting realistic time schedules for the different tasks in their personal agenda, prioritising their activities, attending to criteria of urgency and importance, using explicit tools and procedures to control the level of performance and optimising time.
- Students should be able to initiate, lead, promote and facilitate interactions, as well as to manage groups of people.
- Students should have the ability to communicate, influence and be effective in interpersonal relationships.
- Students should be prepared for lifelong learning and self-development. The individual develops the ability to incorporate new knowledge, skills and professional competences.
- Students should be able to lead people and teams to achieve the objectives of human resources management. In this sense, they should develop a certain level of relational sensitivity and empathy.
- Students should develop a certain tolerance for uncertainty.
- Students should be able to read a normative text or an application decision, critically and inferring its consequences in the field of business.
- Students should know the basic concepts of labour legislation and social protection needed to understand the contents of the master's degree and to carry out human resources management tasks.



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

To know how to apply the acquired knowledge and be able to solve problems in know the operation of the enterprise, the importance of a proper strategic diagnosis and the processes of formation of strategy from a global perspective.

To be able to understand and know the implications of the area of human resources in the overall strategy of the company.

To acquire the basics of psychology of work, organizations and human resources

To be prepared to pursue graduate studies, in more complex facets of the psychology of work, organizations and human resource

To Learn about the main problems and theoretical approaches developed for the analysis of labour relations.

To know and understanding issued strategies of social actors.

To know the basics of labour law and social protection necessary for the understanding of the contents of the master.

To be able to read a normative text or an application decision, in a critical way and infer its consequences in the field of the company.

To know the basic characteristics of the market of work in Spain, their trends and structural changes.

To be able to analyze the problems and the structure of the labour market, using various economic theories

## **DESCRIPTION OF CONTENTS**

### **1. Labor and Social Security Law**

1.1 Origin and Evolution. 1.2 Functions. 1.3 Sources of Labor Law: Rules of Application. 1.4 Sources of Social Security Law

### **2. Union Organization and Collective Action**

2.1 Trade Unions and Freedom of Association 2.2 Representation of Workers in the Company 2.3 Collective Bargaining 2.4 Strikes and Lockouts 2.5 Collective Disputes

### **3. The Scope of Application of Labor and Social Security Law**

3.1 The Employment Contract: Essential Elements 3.2 Excluded Relationships 3.3 Special Relationships 3.4 Judicial Qualification of the Contract 3.5 Regulation of Self-Employment 3.6 The Field of Application of Social Security Law: Levels of Protection, Structure, and Protected Subjects



#### **4. Labor Contracting and Its Effects on Social Security Matters**

4.1 Freedom of Enterprise: Coverage of Personnel Needs and Consequences for Social Security 4.2 The Employment Contract: Intermediation in the Labor Market and Employment Promotion Measures 4.3 Subjects and Form of the Contract 4.4 Temporary or Indefinite Duration? Measures Against Temporary Employment 4.5 Types of Contracting

#### **5. Obligations of the Employee During the Employment Relationship**

5.1 Labor Service: Functions and Performance 5.2 Legal Discipline of Working Time 5.3 Duty of Obedience 5.4 Contractual Good Faith and Specific Agreements

#### **6. Workers' Rights**

6.1 Introduction to Wages: Concept, Structure, Guarantees 6.2 Right to Physical Integrity 6.3 Constitutional Rights in the Company

#### **7. Corporate Powers**

7.1 Management Power: Introduction to the Powers to Modify Working Conditions due to Business Causes: Functional Mobility, Geographic Mobility, Substantial Modifications 7.2 Power of Control 7.3 Disciplinary Power

#### **8. Suspension**

8.1 Interruption of Labor Performance 8.2 Suspension of the Contract 8.3 Worker's Leave of Absence

#### **9. Termination of the Employment Contract**

9.1 Termination at the Employee's Will 9.2 Termination at the Will of the Employer: Disciplinary Dismissal, Economic Dismissal 9.3 Extinction by Joint Will of Both Parties

#### **10. Social Protection: Security**

10.1 Introduction to Employer's Social Security Obligations 10.2 Protection of Professional Contingencies: Accidents at Work and Occupational Diseases 10.3 Benefits: General Aspects

**WORKLOAD**

ACTIVITY	Hours	% To be attended
Theory classes	38,00	100
Tutorials	12,00	100
Classroom practices	10,00	100
Development of individual work	20,00	0
Study and independent work	20,00	0
Readings supplementary material	10,00	0
Preparation of evaluation activities	30,00	0
Preparing lectures	10,00	0
<b>TOTAL</b>	<b>150,00</b>	

**TEACHING METHODOLOGY**

Development of the session: the three hours of the meeting will be organized in the following way:

-A part (represent, half) will be devoted to substantive and concise development of the themes of the programme through the masterful explanation.

-For the other party, resolved issues proposed the previous week, discussing them in the group. This means that the student should habrlas worked at home, with the support of prior theoretical explanation and complementary materials. The issues must respond in writing and shall be collected at the end of the class.

\*Virtual classroom: course development will count with the support of the Virtual Classroom whose functions shall be as follows:

-publish prior schemes and/or presentations that will build the masterful explanation, in order to enable the student preparation and monitoring classes

-publish issues that will be discussed in the following class

-publish other supplementary materials (standards, statements...) that may be relevant.

**EVALUATION**

The final evaluation is adjusted to the quantitative criteria presented in the following table, according to the general Teaching Guide of Module 1 (Complementary training) in which the subject is framed.

Previous preparation of the classes presenting the resolution of the proposed questions: effective delivery, content and formal aspects will be assessed (writing, spelling): 40% Attitude of the student: attendance, participation: 10% (this part of the evaluation is not recoverable) . Final test: test-type questionnaire, on the contents developed: 50% IMPORTANT: - It must be kept in mind, however, that the passing of the subject will require, finally, to have obtained a sufficient qualification (5) in the final test.





In the second call, the classification of non-recoverable activities is maintained.

In the event of a tie when awarding the honors degree, it will be resolved by means of a brief test on general understanding of the subject.

The course grade will be subject to the provisions of the Grading Regulations of the University of Valencia (ACGUV 12/2004) (<http://www.uv.es/graus/normatives/Reglamentqualificacions.pdf>)

In the event of fraudulent practices, copying or plagiarism, the provisions of the Protocol for action against fraudulent practices of the University of Valencia (ACGUV 123/2020) will be followed: <https://www.uv.es/sgeneral/protocols/c83.pdf>

## REFERENCES

### Basic

- Ramírez Martínez, JM y García Ortega, J., Curso Básico de Derecho del Trabajo y de la Seguridad Social, Ed. Tirant lo Blanch, última edición.
- Camps Ruiz L y Ramírez Martínez JM (coordinadores), Derecho del Trabajo, Ed. Tirant lo Blanch, última edición
- Roqueta Buj, R. y García Ortega, J. (dir), Derecho de la Seguridad Social, última edición, Valencia: Tirant lo Blanch, última edición

### Additional

- Normas laborales básicas, última edición, Valencia: Tirant lo Blanch
- Legislación Social Básica, última edición, Cizur Menor (Navarra): Civitas
- Código Social, Códigos electrónicos, <http://www.boe.es/legislacion>, Madrid: BOE