



## COURSE DATA

### Data Subject

<b>Code</b>	42765
<b>Name</b>	Associated work cooperatives, worker-owned companies and mutual companies
<b>Cycle</b>	Master's degree
<b>ECTS Credits</b>	3.0
<b>Academic year</b>	2023 - 2024

### Study (s)

Degree	Center	Acad. year	Period
2204 - M.D. in Social Economics (Coop.and Non-Profit Organisations)	Faculty of Economics	1	Second term

### Subject-matter

Degree	Subject-matter	Character
2204 - M.D. in Social Economics (Coop.and Non-Profit Organisations)	10 - Associated work cooperatives, worker-owned companies and mutual companies	Optional

### Coordination

Name	Department
ALEGRE NUENO, MANUEL	76 - Labour and Social Security Law
LOPEZ MORA, FEDERICO V.	76 - Labour and Social Security Law

## SUMMARY

The modulus of Worker Cooperatives, Labor and Mutual Societies focuses on the study, analysis and reflection on the different socio legal issues that affect this kind of companies and organizations of the Social Economy productive. By understanding the regulatory framework of Worker Cooperatives, Labor and Mutual Societies, scholars, professionals and the organizations of the Social Economy have an essential tool in identifying, applying and interpreting from the respective plot , the legal discipline to which those are inevitably subjected. That should enable them to make decisions effectively and efficiently. And faced with situations common in the traffic of economic relations, tension or conflict of interest both in a plane intrasocietario and to third parties. Scholars, professionals and the organizations of social economy should be able to process it in all its logical sequence, the regulatory framework of socio Worker Cooperatives, Labor and Mutual Societies, adapting its methodology to the idiosyncrasies and peculiarities of these organizations, so that through its implementation to improve both their effectiveness (meeting the needs of the groups to which they direct their actions) as its efficiency (properly allocate its



resources and capabilities).

## PREVIOUS KNOWLEDGE

### Relationship to other subjects of the same degree

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

### Other requirements

Haber cursado las asignaturas troncales del Master (primer cuatrimestre)

## OUTCOMES

### 2127 - M.U. en Economía Social (Coop.Entidades No Lucrativas)

- Students should apply acquired knowledge to solve problems in unfamiliar contexts within their field of study, including multidisciplinary scenarios.
- Students should be able to integrate knowledge and address the complexity of making informed judgments based on incomplete or limited information, including reflections on the social and ethical responsibilities associated with the application of their knowledge and judgments.
- 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.
- Comprender el funcionamiento de las entidades y empresas que conforman la Economía Social
- Students should possess and understand foundational knowledge that enables original thinking and research in the field.
- Know how to work in multidisciplinary teams reproducing real contexts and contributing and coordinating their own knowledge with that of other branches and participants.
- Participate in, lead and coordinate debates and discussions, be able to summarize them and extract the most relevant conclusions accepted by the majority.
- Use different presentation formats (oral, written, slide presentations, boards, etc.) to communicate knowledge, proposals and positions.
- Proyectar sobre problemas concretos sus conocimientos y saber resumir y extraer los argumentos y las conclusiones más relevantes para su resolución.
- Ser capaces de buscar, ordenar, analizar y sintetizar la información, seleccionando aquella que resulta pertinente para la toma de decisiones.
- Saber trabajar en equipo con eficacia y eficiencia.
- Ser capaces de tomar decisiones tanto individuales como colectivas en su labor profesional y/o investigadora.



- Have a proactive attitude towards possible changes that may occur in their professional and/or investigative work.
- Be able to integrate new technologies in their professional and/or research work.
- Know how to write and prepare presentations to present and defend them later.
- Ser capaces de analizar de forma crítica tanto su trabajo como el de su compañeros.
- Be able to integrate into teams, both as managers or coordinators and for specific and limited functions and in support of the team or of others.
- Entender el ámbito de actuación de la Economía Social desde sus diferentes puntos de vista y perspectivas: jurídica, social, económica y empresarial, fundamentalmente.
- Conocer la realidad sectorial de las cooperativas y sociedades laborales: su funcionamiento y peso dentro de la Economía Social.
- Entender el funcionamiento de las empresas de trabajo asociado (cooperativas y sociedades laborales) y de las mutualidades.

## LEARNING OUTCOMES

The skills that students acquire to the monitoring of the course are:

Competition 1st: Understand and analyze the content of socio-legal framework of Worker Cooperatives, Labor and Mutual Societies.

Competition 2 nd: Know the institutional system that is based on the socio-legal framework of Worker Cooperatives, Labor and Mutual Societies.

Competition 3 rd: Being able to focus on the basics, to the public and private actors involved in these projects on such policy issues.

Competition 4 th: have the learning skills that enable them to continue studying in a way that will be largely self-directed or autonomous.

Competition 5 th: The ability to critically analyze the legal rules applicable to socio Worker Cooperatives, Labor and Mutual Societies.

## DESCRIPTION OF CONTENTS

### 1. THE PROFESSIONAL RELATIONSHIP SYSTEM IN SPAIN

- 1.1. The legal regimes of work and its transformations.
- 1.2. The three main forms of regulated employment: wage labor, self-employed and civil servants.
- 1.3. Other forms of work and its renewed problems (volunteering, scholarships, organic, compulsory).
- 1.4. The irregular, illegal or undeclared work.
- 1.5. The balkanization of the system of professional relations and their effects.
- 1.6. The future of employment and the new challenges.
- 1.7. The ILO Decent Work Program: Worthwhile Labor and Social Economy.



## **2. MODELS OF COMPANIES OF SOCIAL ECONOMY AND THE APPLICATION OF LAW OF WORK**

- 2.1. The forms of work in Social Economy companies and their differences.
- 2.2. The legal nature of the provision of services of members and employees in Social Economy companies: their professional status.
- 2.3. The normative framework of employment in the companies of Social Economy: international, EU, state and of the CC.AA of Spain.

## **3. THE PROMOTION OF EMPLOYMENT FOR COMPANIES OF THE SOCIAL ECONOMY**

- 3.1. The plans, programs and aid for employment in the Social Economy from the European Union.
- 3.2. The plans, programs and aid for employment in the Social Economy from the State.
- 3.3. Autonomous employment programs and grants in the field of Social Economy.

## **4. TRIANGULAR RELATIONS AND FORMS OF BORDERS OR FRAUDULENT COOPERATION OF SOCIAL ECONOMY**

- 4.1. Productive decentralization: cooperatives and labor societies as contractors and subcontractors.
- 4.2. Unlawful transfer of workers.
- 4.3. Temporary Employment Companies, Multiservice Companies and franchises
- 4.4. Groups of societies, especially cooperatives
- 4.5. The guarantees of continuity of the working partners in the case of succession of company and succession or reversal of contract or administrative concession.
- 4.6. The Cooperatives of Services, Entrepreneurs or Corporate Impulse.
- 4.7. TRADEs and sporadic self-employed.

## **5. THE PROFESSIONAL STATUS OF MEMBERS AND / OR WORKERS OF THE COMPANIES OF SOCIAL ECONOMY**

- 5.1. Management structure, business powers and socioeconomic relationship.
- 5.2. The letter of rights and obligations.
- 5.3. Working conditions and salary regime.
- 5.4. Modification and suspension of the contract, leave, permits and licenses.
- 5.5. Control, monitoring and sanctioning regime.
- 5.6. Termination of the contract.
- 5.7. Guardianship and work guarantees for partners and / or workers.

## **6. COLLECTIVE LAW OF WORK FOR MEMBERS AND / OR EMPLOYEES OF SOCIAL ECONOMY COMPANIES**





- 6.1. Freedom of association and representation in the company.
- 6.2. Collective bargaining.
- 6.3. Collective conflict: strike and employer closure.
- 6.4. Conciliation, mediation and arbitration. Special reference to cooperative solutions.
- 6.5. Social dialogue, consultation and institutional participation of the representative organizations of the Social Economy

## 7. THE SOCIAL PROTECTION OF MEMBERS AND / OR EMPLOYEES OF SOCIAL ECONOMY COMPANIES

- 7.1. Framing in the Social Security System.
- 7.2. Affiliation, affiliation and contribution.
- 7.3. Protective action
- 7.4. The Social Security Mutuals: function and scope of action

## WORKLOAD

ACTIVITY	Hours	% To be attended
Theory classes	15,00	100
Classroom practices	15,00	100
Development of group work	10,00	0
Development of individual work	10,00	0
Study and independent work	10,00	0
Readings supplementary material	10,00	0
Preparing lectures	5,00	0
<b>TOTAL</b>	<b>75,00</b>	

## TEACHING METHODOLOGY

The learning module is divided into a theoretical and a practical part.

The theoretical part will be developed through lectures supported by the Basic and complementary bibliography for each topic and specific reading materials will be provided to students through the virtual classroom. However, positively valued student participation throughout the theoretical sessions, participation may consist of personal reflections and evaluations of students about the concepts and theoretical content disseminated by the teacher.

The practical sessions will be developed through active participation based on the students and inspired by the discovery teaching through the case method. Case studies will be presented concerning Cooperatives, Mutual Societies and Labour. Information concerning the case studies to solve in class the student will be provided through the virtual classroom, so that the student will read and analyze this information in advance of the conclusion of the practice session and proceed to search for information supplementary information which may be helpful in solving the case.

Simulating participation in discussions on organizational matters of interest. Assumption of roles.

The practice session will be as follows: first, in small groups of students (3 to 4 people) will analyze and



solve the case, secondly, each group will present to other groups the conclusions reached, and in Third, there will be a discussion by the whole class in order to reach a final solution only. After the practice session, each student should prepare a separate report containing the analysis and resolution of the case, to be delivered by the teacher in the practice session later. The student can use both the virtual and face tutorials to solve, together with the teacher, the doubts that may arise in connection with the resolution and report writing for practice.

## EVALUATION

The evaluation system will consist of a continuous assessment based on the following aspects: assistance to the theoretical and practical module (20% of the total grade), development and delivery of individual reports relating to the implementation of case studies (60 % of overall mark) and participation, interest in the module, attitude to the matter and possibility of attending a seminar related to the contents of the module (20% of the total grade). The preparation of the reports made according to the criteria and guidelines set by the teacher of the module. The teacher may consider the need for a student - or all - have to conduct a final review of the module in case the quality of reports submitted is insufficient.

**Policy for the use of Artificial Intelligence (AI).** A paragraph should be included at the end of any task that uses Artificial Intelligence, explaining what it has been used for and what instructions have been applied to obtain the results. Failure to do so will violate the academic honesty policy and will be considered plagiarism. In fact, according to article 11.g of Law 3/2022, of February 24th, on university coexistence, regarding ChatGPT, it shall be considered a very serious offense to fully or partially plagiarize a work, or engage in academic fraud in the preparation of any assignment or activity requested of the students. Academic fraud shall be understood as any deliberate behavior aimed at falsifying the results of an exam or assignment, whether it is one's own or someone else's (including the improper use of artificial intelligence such as ChatGPT), carried out as a requirement to pass a subject or demonstrate academic performance.

## REFERENCES

### Basic

- López Gandía, J. (2006): La aplicación del Derecho del Trabajo en Cooperativas de Trabajo Asociado. Tirant Lo Blanch, Valencia.
- López Gandía, J. (2006): La aplicación del Derecho del Trabajo en las Sociedades Laborales. Tirant Lo Blanch, Valencia.
- Fajardo, G.; Senent, M.J (2016): Cooperativa de Trabajo Asociado y estatuto jurídico de sus socios trabajadores. Tirant lo Blanch, Valencia
- Fajardo García, G. (directora) (2018): Participación de los Trabajadores en la Empresa y Sociedades Laborales. Tirant lo Blanch, Valencia.



- Biblioteca de ciencias sociales de la UV "Guía de recursos bibliográficos sobre economía social" <https://cibisoc.blogs.uv.es/recursos-tematicos/economia-social/>
- Chaves,R., Fajardo,G, Monzón,J.L. (dir) (2020): Manual de economía social, Editorial Tirant lo blanc, Valencia

#### **Additional**

- CES, Memoria sobre la situación socioeconómica y laboral de España 2018, Madrid, CES, 2019
- Memoria sobre la situación socioeconómica y laboral de España 2018 (Text complet): [http://www.ces.es/documents/10180/6058920/Memoria\\_Socioeconomica\\_CES2018.pdf](http://www.ces.es/documents/10180/6058920/Memoria_Socioeconomica_CES2018.pdf)
- Memoria sobre la situación socioeconómica y laboral de España 2018 (Resum executiu) [http://www.ces.es/documents/10180/6058920/Memoria-CES-2018\\_RESUMEN-EJECUTIVO.pdf](http://www.ces.es/documents/10180/6058920/Memoria-CES-2018_RESUMEN-EJECUTIVO.pdf)