

60733 - Social Practice

Syllabus Information

Academic Year: 2019/20

Subject: 60733 - Social Practice

Faculty / School: 102 -

Degree: 522 - Master's in Legal Practice

ECTS: 6.0

Year: 1

Semester: Annual

Subject Type: Compulsory

Module: ---

1.General information

1.1.Aims of the course

1.2.Context and importance of this course in the degree

1.3.Recommendations to take this course

2.Learning goals

2.1.Competences

2.2.Learning goals

2.3.Importance of learning goals

3.Assessment (1st and 2nd call)

3.1.Assessment tasks (description of tasks, marking system and assessment criteria)

4.Methodology, learning tasks, syllabus and resources

4.1.Methodological overview

The learning process that has been designed for this subject is based on the following items:

To familiarize students with procedural strategy, writing and argumentation in the field of Labor and Social Security Law. The substantive content of this discipline obliges to determine the relevant regulation which is applicable to the case in question.

For this reason, along with procedural regulations, concrete substantive rules will be used, with the intention of connecting the student with social practice. Therefore, during lectures, current legislation must be carried by students.

A professional master's degree requires a level of "maturity" in attitudes and in legal abstract thinking skills, which implies the student's critical capacity and ability to work.

4.2.Learning tasks

To help the students to achieve the expected results, the learning program offers the following activities:

- Explanation of all the lessons of the syllabus.
- Analysis of legislation and case law.
- Problem-based learning.
- Drafting opinions, lawsuits, appeals, reports or other legal documents.

All of them will try to strengthen the theoretical contents, highlighting the practical dimension of the subject, through the resolution of cases, inspired by real court decisions, whenever possible.

The teacher will provide the students the case studies sufficiently in advance to solve them. They shall work individually or in groups, using scientific papers and case law. Usually, the case study shall be solved in writing, with the structure of a legal opinion (presentation of the relevant facts, questions raised, legal foundation and conclusions). This will be a work previously done by the student.

On the appointed day, students will present their legal opinions in the classroom. The teacher will direct the debate, encourage participation, ask questions and, finally, solve the case study, exposing the main case law.

Other complementary activities decided by the teacher may consist in preparing papers, reports, lawsuits, appeals and other legal documents connected with the subjects of the syllabus, to be exposed in the classroom.

4.3.Syllabus

LABOUR PRACTICE

Unit 1. The contract of employment

Unit 2. Liability in contracts and subcontracts. Workers' guarantees.

Unit 3. Transmission of company. Workers' guarantees.

Unit 4. Part-time contract and permanent intermittent employment.

Unit 5. Temporary contracts of employment: cause and duration (temporary contract contingent upon production requirements, contract for a specific project service, substitute contract to temporarily replace an employee on leave).

Unit 6. Training contracts: cause, duration, wages and work day.

Unit 7. Workers' rights and duties.

Unit 8. The dismissal and its consequences.

Unit 9. Enforcement of money judgments.

Unit 10. The Labour Inspectorate and social administrative infractions.

Unit 11. Collective Labour Law. Unions' representation. Collective disputes. Right of strike.

Unit 12. Collective agreements.

Unit 13. Labour process: responsibility of social jurisdiction

Unit 14. Free legal assistance.

Unit 15. Parties in labour proceeding. Joinder of parties. Legal defense.

Unit 16. Avoidance of trial. Pre-action conciliation. Claim filed with the administrative authorities prior to bringing an action in the labour courts. Counterclaim. Steps to prepare for trial and provisional remedies to ensure the outcome of the proceedings. Pretrial attachment of assets.

Unit 17. Ordinary labour proceedings. Complaint. Joinder of claims or consolidation of cases or appeals. Conciliation and trial. Examination of additional evidence.

Unit 18. Special rules on dismissal proceedings.

Unit 19. Special rules on proceedings to guarantee fundamental rights.

Unit 20. Social Security proceedings.

Unit 21. Proceedings concerning collective labour disputes and proceedings to contest collective bargaining agreements.

Unit 22. Appeal labour proceedings: second instance appeal, ordinary cassation appeal and cassation appeal to ensure uniform caselaw.

Unit 23. Benefits of the Wage Guarantee Fund.

Unit 24. Intervention of the Wage Guarantee Fund and the Public Prosecution.

Unit 25. Enforcement of final judgments in dismissal proceedings.

Unit 26. Provisional enforcement

4.4.Course planning and calendar

This is a one year subject and teaching takes place during the period established in the academic calendar, published yearly by the Rector.

The timetable and the schedule may be consulted in the website:

<https://derecho.unizar.es/horarios-master-de-abogacia>

At the beginning of the course, the order of intervention of the teachers and the lessons they will teach shall be communicated, along with the schedule of the assessment activities which are part of the continuous evaluation system.

Learning material will be provided progressively.

The schedule of assessment activities which are part of continuous evaluation system will be communicated at the beginning of the year.

The call for the final global test (day, time and classroom) will be published on the notice board of the Faculty of Law with a minimum of 20 days' notice, according to what is established by the Regulation of Evaluation of Apprenticeship Standards (Agreement of December 22, 2010 of the Governing Council of the University of Zaragoza). In any case, that test will take place during the second period of examination (as indicated in the section of evaluation, in the first period the subject is evaluated only by the continuous assessment system). In addition, the date of the test can be consulted, from the beginning of the year, at the following website:

https://derecho.unizar.es/sites/derecho.unizar.es/files/archivos/fechasExamenes/examenes_master_en_abogacia.pdf

4.5.Bibliography and recommended resources

BB Derecho individual y colectivo del trabajo / Manuel Álvarez Alcolea (coordinador) ... [et al.] ; con la colaboración de, Leticia Álvarez Martínez, José Carlos Ruiz-Alejos Zabalo . 8ª ed. Zaragoza : Kronos, 2018

BB España. : Legislación laboral y de Seguridad Social / edición preparada por Jesús Mª Galiana Moreno y Antonio V. Sempere Navarro . 26ª ed. Cizur Menor (Navarra) : Aranzadi, 2018