

28519 - Collective Labour Law

Syllabus Information

Academic Year: 2020/21

Subject: 28519 - Collective Labour Law

Faculty / School: 108 - Facultad de Ciencias Sociales y del Trabajo

Degree: 428 - Degree in Labour Relations and Human Resources

ECTS: 6.0

Year: 3

Semester: First semester

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 methodology followed in this course is oriented towards the achievement of the learning objectives. A wide range of teaching and learning tasks are implemented, such as lectures and practice sessions.

4.2.Learning tasks

This course is organized as follows:

Lectures (30 hours). The most significant contents of each section will be presented in order to facilitate their understanding and study.

Practice sessions (30 hours). Search, analysis and writing of legal documents of the contents of the program. The methodology applied is based on resolution of cases.

Autonomous work and study (90 hours).

Readings of textbooks, doctrinal articles and reference books

Search and analysis of legislation and jurisprudence

Resolution of questionnaires and problems

Resolution of practical cases

4.3.Syllabus

This course will address the following topics:

DIDACTIC UNIT I. THE REPRESENTATION OF WORKERS: UNITARY AND TRADE UNION REPRESENTATION.

- 1.- Personnel representatives and collective action: Double way of representation of workers. 2.-The Unitary Representation of workers in the workplace. The right of collective representation in the LET: Personnel delegates and company committees. Competition and functions. Information competencies. Surveillance and control powers. The Guarantees of the workers' representatives. 3.- Trade Union elections. 3-1. The electoral procedure: The beginning of the electoral process, The advance notice, The constitution of the electoral tables, Publicity of the voters list, Determining the number of representatives to choose, The presentation of candidacies, The proclamation of candidates, The electoral campaign, The vote, The scrutiny, The proclamation of the electoral results. Electoral complaints. 4.- Duration of the representative mandate 5.- The inter-center committee 6.- Powers of works councils and delegates

- The representation of public officials. Delegates and staff meetings.

- Union representatives in the company. Union sections and union delegates. Facilities and guarantees of representatives. The right of assembly of workers in the company. The representation of workers at European level. The European Public Limited Company and the European Works Council.

DIDACTIC UNIT II. COLLECTIVE BARGAINING

- Collective bargaining. Concept, origin and historical evolution. Constitutional principles on collective bargaining. The social agreement. Historical evolution. Social dialogue. The social pacts. The Economic and Social Council. The institutional participation of unions. The institutional action of the unions. Participation in organs of public administration.

- Collective agreements in the Workers' Statute. Concept. Contracting parts. Negotiation units. Contents. Negotiating procedure. Impugnment. Legal effectiveness. Duration. Application and interpretation. Adhesion and extension.

- Company agreements. Extra-statutory collective agreements. Legal basis. Applicable regulations. Legal nature. Legal regime.

- The right to collective bargaining and participation in determining the working conditions of public officials. The negotiating tables. The negotiating process. Pacts and agreements.

DIDACTIC UNIT III. COLLECTIVE LABOR CONFLICTS

- Collective conflicts. Concept and classes. Collective dispute resolution procedures. Extrajudicial proceedings. The jurisdictional solution.

- The right to strike. Concept. Legal regulation. Ownership. Motivations. Process. Effects. Maintaining essential community services.

- The lockout. Concept. Causes. Process. Ending. Effects.

- Collective conflicts in the public function. The right to raise collective conflicts of officials. The legal regulation of collective conflicts in the public function. The right to strike of public officials.

4.4.Course planning and calendar

The lectures and practical classes will be conducted in a coordinated manner.

Weeks 1 to 2: Didactic unit I

Weeks 3 to 10: Didactic unit II

Weeks 11 to 15: Didactic unit III

According to academic calendar and programming by the Faculty

4.5.Bibliography and recommended resources