

## **27716 - Individual and Collective Work Law**

### **Syllabus Information**

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**Academic year:** 2023/24

**Subject:** 27716 - Individual and Collective Work Law

**Faculty / School:** 102 - Facultad de Derecho

**Degree:** 421 - Degree in Law

**ECTS:** 9.0

**Year:** 2

**Semester:** Second semester

**Subject type:** Compulsory

**Module:**

### **1. General information**

The main objective of this subject is for students to acquire sufficient competences to achieve learning results that will enable them to lay the foundations for the development of a professional legal activity in the field of individual and collective labour relations.

Since a large part of the subject revolves around the obligations derived from employment contracts and collective bargaining agreements, it is advisable to have passed the subject Civil Law: Obligations and Contracts.

The content of this subject contributes to the following Sustainable Development Goals (SDGs): 3: Health and wellness, 4: Quality education, 5: Gender equality, 8: Decent work and economic growth, 10: Reduction of inequalities and 16: Peace, Justice and Strong Institutions

### **2. Learning results**

Identify the scope of application of labour law, i.e., the factual situation regulated by labour law, clearly distinguishing the employment relationship from other services rendered.

Understand the specific system of sources and be able to apply the specific principles of the labour law system

Be able to solve problems and conflicts that arise in labour relations; to do so, they must know, understand and apply the regulation of labour relations, as well as the interpretation criteria unified by jurisprudence.

Know the competences and functions of the labour administration, being able to appear before the administrative bodies to act before them.

Master the jurisdictional procedure for the resolution of labour disputes and the means of extrajudicial resolution of labour disputes, whether individual or collective.

### **3. Syllabus**

**LESSON 1.** Concept of Labour Law

**LESSON 2.** Source system

**LESSON 3.** The employment contract: concept, characters and subjects

**LESSON 4.** Employer identification

**LESSON 5.** Elements and requirements of the employment contract

**LESSON 6.** Contractual modalities

**LESSON 7.** Duties and obligations of the Worker

**LESSON 8.** Working time

**LESSON 9.** Salary

**LESSON 10.** Other employee rights

**LESSON 11.** Modification and suspension of the employment contract

**LESSON 12.** Termination of the contract I

**LESSON 13.** Termination of the employment contract II (dismissals)

**LESSON 14.** Special labour relations

**LESSON 15.** Freedom of association

**LESSON 16.** Employee representation in the company

**LESSON 17.** Collective bargaining

**LESSON 18.** The right to strike

- LESSON 19. Collective conflicts
- LESSON 20. Labour administration
- LESSON 21. The labour jurisdiction
- LESSON 22. The ordinary process
- LESSON 23. Procedural modalities
- LESSON 24. Resources and execution

#### 4. Academic activities

**Theoretical classes.** The fundamental contents of the subject program will be explained in the form of a lecture , being necessary to complement the teacher's explanations with the student's personal work.

**Practical classes.** With these teachings, the teaching staff will try to reinforce the theoretical contents, highlighting the practical dimension of the subject, through the resolution and discussion of cases, taken from the sentences of our courts, whenever possible.

**Other complementary activities.** Students may be asked to prepare papers and presentations on content related to the program, in order to deepen their understanding of the content. Likewise, seminars may be programmed with the participation of students.

#### 5. Assessment system

**Mixed assessment system.** It will consist of two parts:

**Anticipated evaluation.** In addition to the student's participation both in the theoretical classes and, especially, in the practical classes, the teacher will evaluate the written resolution, in the form of a legal opinion, of the proposed cases, as well as the completion of other activities (preparation of papers, presentations, etc.).

Among the assessment criteria, the teacher will consider the application of the acquired knowledge, the handling of the sources and the argumentative capacity.

Students who pass the assignments will obtain a grade with a weighted value of 30% of the final grade, which will be saved for the second call of the term. Those who do not pass the anticipated evaluation must take the overall final exam in order to pass the subject.

**Final knowledge test.** At the end of the semester, students will take a multiple-choice exam with a minimum of 15 questions related to the course syllabus. In order to pass the test, it will be necessary that 60% of the total number of questions are correctly answered. For these purposes, wrong answers will not deduct the grade obtained for correct answers.

In addition to the test, there will be some developmental questions on the contents of the program. In this regard, we will take into account the knowledge acquired, the expository capacity and the precision in the use of the legal terms. This part of the final test will only be assessed if the test has been passed in accordance with what has been stated in the previous paragraph.

The knowledge test will be worth **70%** of the total.

The **final grade** of the blended assessment consists of the weighted average of the anticipated evaluation and the knowledge test. In any case, the student must obtain **in each of the two blocks a minimum of 5 out of 10** to pass the subject; only when this requirement is fulfilled, the average will be calculated for the purposes of the final grade.

**Global final test system.** It will consist of two parts:

**Final knowledge test.** This exam is governed by the guidelines set forth in the knowledge test of the mixed evaluation system, having a value of **70%** of the final grade.

**Practical test.** Consists in the written resolution of a practical case related to the contents of the subject.

It must take the form of a legal opinion and will account for **30%** of the final grade. For this purpose, the application of the law to the resolution of the factual situation will be assessed, as well as the argumentation and the substantiation of coherent conclusions.

The **final grade** will be the weighted average of the grades obtained in both tests. In order to pass the subject the student must have obtained **at least a 5 out of 10 in both parts**; only when this requirement is met will the average be calculated for the purposes of the final grade.