

Employment law

Code: 100498
ECTS Credits: 6

| Degree | Type | Year | Semester |
|--------------------------|------|------|----------|
| 2500258 Labour Relations | OB | 2 | 2 |

Contact

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Use of languages

Principal working language: catalan (cat)
Some groups entirely in English: No
Some groups entirely in Catalan: Yes
Some groups entirely in Spanish: No

Teachers

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Prerequisites

In order to carry out a correct follow-up of this subject it is necessary to have previously passed the subjects "Labour Law I" and "Labour Law II", given that both offer basic training in relation to the legal framework of individual and collective labour relations without which the issues dealt with in "Labour Law III" cannot be properly understood and analysed.

Objectives and Contextualisation

The main objective of this course is to provide knowledge and understanding of the different changes, both objective and subjective, that may occur in the individual employment relationship (functional mobility, geographical mobility, substantial changes in working conditions, change of employer, suspensions and leave of absence), as well as the circumstances that may lead to their termination.

Content

UNIT 1. MODIFICATIONS OF LABOUR RELATIONS (I). OVERVIEW AND FUNCTIONAL MOBILITY

1. Changing the employment relationship: introduction

1.1. Concept

1.2. Fundamentals

1.3. Classes

1.4. Effects

2. Functional mobility.

2.1. Concept and rationale.

2.2. Modalities: enumeration and configuration.

2.2.1. Within the same occupational group.

2.2.2. Between different professional groups or professional categories. Top functions and bottom functions.

2.2.3. Change of functions not agreed upon or included in the previous points.

Reasons, limits, procedure and effects of each of the modalities.

UNIT 2. MODIFICATIONS OF LABOUR RELATIONS (II). GEOGRAPHICAL MOBILITY

1. Concept and type

2. Weak or non-substantial geographical mobility: requirements and effects

3. Displacement: requirements and effects

4. Transfer: type, requirements and effects

UNIT 3. MODIFICATIONS OF LABOUR RELATIONS (III). SUBSTANTIAL CHANGE TO WORKING CONDITIONS

1. Concept and type

2. The substantial modification to working conditions foreseen for art. 41 TRLET: type, requirements, procedure and effects

3. The modification or non-application of the working conditions provided for in statutory collective agreements (art. 82.3 of the TRLET): assumptions, requirements and procedure.

UNIT 4. MODIFICATIONS OF LABOUR RELATIONS (IV). BUSINESS SUCCESSION

1. Concept and rationale

2. Procedure

3. Responsibilities

4. Effects

UNIT 5. SUSPENSION OF LABOUR RELATIONS AND LEAVE OF ABSENCE

1. Concept, rationale and effects

2. Cases of suspension of the employment relationship

2.1. Classification

2.1.1. In the interests of the worker

2.1.2. In the interests of the employer

2.1.3. In the interests of both parties

2.2. Configuration, procedure and effects of each case of suspension

3. Leave of absence

3.1. Concept and type

3.2. Legal regime of the different typologies

UNIT 6. TERMINATION OF LABOUR RELATIONS (I). GENERAL ASPECTS AND TERMINATION AT THE EMPLOYEE'S REQUEST

1. Concept

2. Type: general comparison of the cases of termination of the employment relationship

3. Termination of the employment relationship at the employee's request

3.1. Resignation

3.2. Abandonment

3.3. Gender-based violence

3.4. Causal termination

UNIT 7. TERMINATION OF LABOUR RELATIONS (II). TERMINATION AT THE WILL OF BOTH PARTIES AND FOR REASONS BEYOND THE CONTROL OF THE PARTIES

1. The termination of the employment relationship at the joint will of both parties

1.1. Mutual agreement

1.2. Causes stipulated in the contract

1.3. Expiry of the agreed time or completion of the work or service which is the subject of the contract

2. The termination of the employment relationship for reasons beyond the control of the parties

2.1. Death of the worker. Permanent disability of the worker

2.3. Employee retirement

2.4. Death, retirement or permanent disability of the employer

UNIT 8: TERMINATION OF LABOUR RELATIONS (III): DISCIPLINARY DISMISSAL

1. Concept and rationale

2. Causes

3. Procedure

4. Qualification (justified, unfair, null/void) and effects

UNIT 9: TERMINATION OF LABOUR RELATIONS (IV): OBJECTIVE, COLLECTIVE AND FORCE MAJEURE DISMISSAL

1. Dismissal for objective reasons

1.1. Concept and rationale

1.2. Causes

1.3. Procedure

1.4. Classification (justified, unfair, null/void) and effects

2. Collective dismissal

2.1. Concept and delimitation with objective dismissal

2.2. Causes

2.3. Procedure: the occupancy regulation procedure

2.4. Effects

3. Force majeure dismissal

3.1. Concept

3.2. Procedure and effects