

**Instruments for the Legal Management of Company
Responsibility and Procedural Management**

Code: 44067
ECTS Credits: 15

Degree	Type	Year	Semester
4313301 Social and Employment Rights	OB	0	2

Contact

Name: Ricardo Esteban Legarreta
Email: Ricardo.Esteban@uab.cat

Teachers

Jaume González Calvet
Miguel Angel Purcalla Bonilla
Josep Cañabate Pérez

Use of Languages

Principal working language: spanish (spa)

Prerequisites

In order to achieve a usefull attendance to the courses, it is advisable to have a basic knowledge of the legal framework related to the different issues on the subject.

Objectives and Contextualisation

Aims of the course

The central goal of this course is to deal with a set of key materials of in the performance of a labour advisor or a person in charge of human resources in a company. In this sense, the course combines a selection of more classic and central aspects as procedural labour law, workplace hazard prevention, the calculation of compensation paid by the employer, with other more current issues such as the impact of the sharing economy on labour regulations or corporate social responsibility, the international mobility of workers and the management of personal data protection in the field of human resources. Finally, there is also an approach to the taxation of wages and compensation.

So, the global aim of this course would be to provide students with some tools allowing them a proper and an updated management of/advise on human resources in the company.

Competences

- Apply legal techniques for decision-making in personnel management.
- Apply systems, media and technologies for obtaining and providing information in one's profession or research.
- Apply techniques of socio-occupational auditing to take decisions regarding personnel management, acknowledging and orienting the needs of the persons in one's workplace.
- Continue the learning process, to a large extent autonomously.

- Evaluate the fiscal aspects of CSR and its effect on human resources, knowing and applying the code of good tax practice.
- Identify and apply case law and constitutional doctrine on basic labour rights, especially on the treatment of diversity within companies.
- Identify and apply corporate social responsibility in various contexts: flexibility of labour, social policies and active labour market policies .
- Lead interdisciplinary teams in varying environments.
- Look for new areas to open up within the field.
- Recognise the human, economic, legal and ethical dimension in professional practice.
- Solve problems in new or little-known situations within broader (or multidisciplinary) contexts related to the field of study.
- Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.

Learning Outcomes

1. Apply fiscal regulations in the corporate framework.
2. Apply flexicurity in the new corporate environments.
3. Apply socio-occupational auditing techniques.
4. Apply systems to enable the reconciliation of work and family life.
5. Apply systems, media and technologies for obtaining and providing information in one's profession or research.
6. Continue the learning process, to a large extent autonomously.
7. Document strategies for socially responsible action.
8. Draw up Equality Plans to be negotiated within the company.
9. Draw up fiscal strategies for social responsibility in businesses and other organisations.
10. Draw up plans to promote family planning and sharing of responsibilities in the care of children.
11. Empirically assess flexicurity in the new organisational structure of European business.
12. Formulate proposals to adapt corporate needs to workers' basic rights, especially that of religious freedom.
13. Formulate proposals to improve planning and human resources policies, detecting changes and problems and planning the processes and policies of the future.
14. Formulate reasonable hypotheses on the impact of flexicurity in businesses as a manifestation of corporate social responsibility.
15. Know constitutional doctrine on gender equality and discrimination for personal, social, religious, or cultural reasons.
16. Lead interdisciplinary teams in varying environments.
17. Look for new areas to open up within the field.
18. Prepare the fiscal documents and design strategies for fiscal matters.
19. Recognise the human, economic, legal and ethical dimension in professional practice.
20. Reflect on social and ethical responsibilities associated with the corporate environment.
21. Solve problems in new or little-known situations within broader (or multidisciplinary) contexts related to the field of study.
22. Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.

Content

1. Labour procedural law
2. Workplace hazard prevention
3. Calculation of compensations
4. Productive decentralization
5. Gig Economy and Labour Law.
6. Corporate social responsibility in the labour field. General issues.

7. Specific areas of CSR: gender viewpoint in labour relations, disability, corporate volunteering, domestic and International outsourcing and CSR, Whistleblowing
8. Transnational mobility of workers.
9. Management of personal data protection
10. Taxation of salaries, non-wage items and employee compensations

Methodology

1) Directed activities

They are those that are developed in the classroom, in the schedules foreseen for the course and under the direction of the teacher in charge. Three types of activities are planned: a) master classes, in which the teacher will present and develop different key points of the syllabus; b) conferences, in which specialists from the academic or professional field will analyse current issues; and c) practical activities, consisting of the resolution of practical cases or questionnaires and their oral or written presentation, based on the work carried out by the student body prior to the face-to-face session. Through this last kind of directed activities, between four and six continuous assessment activities will be carried out, with the value that will later be specified.

2) Supervised activities

Within the framework of this course, the most common tasks will be the search and analysis of legal documentation (case-law, regulations, administrative resolutions, collective agreements, etc.), the search and reading of bibliography, the resolution of practical cases and the preparation of legal documents, all linked to practical activities, through which the work carried out by the students will be supervised.

3) Autonomous activities

These activities are all those in which students organise their time and effort autonomously, individually or in a group, such as for example the search and reading of bibliography, the elaboration of schemes and summaries or the study. Within the framework of this course, the autonomous activities, which are essentially linked to the preparation and passing of the final exam, constitute an important section in the learning process, especially in the master's degree, in which the maturity of the student allows for greater solvency and exploitation of the autonomous activities.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Master classes	52	2.08	15, 22
Practical activities	24	0.96	4, 1, 3, 7, 9, 18, 12, 13, 17, 6, 19, 22
Talks	4	0.16	3, 7, 17, 21, 19, 22
Type: Supervised			
Resolution of practical cases and the preparation of legal documents	37.5	1.5	4, 2, 1, 3, 18, 10, 14, 21, 6, 19, 20, 16, 11
Search and reading of bibliography	20	0.8	15, 6, 22

Search and reading of legal documentation (case-law, regulations, administrative resolutions, collective agreements, etc.),	15	0.6	3, 15, 7, 18, 6, 16
Type: Autonomous			
Search and reading of bibliography	40	1.6	15, 6, 22
Study	120	4.8	15, 6, 22
Elaboration of schemes and summaries	60	2.4	15, 6, 20, 22

Assessment

Assessment will be based on continuous evaluation activities, attendance and a final exam

As far as ongoing assessment activities are concerned, these will be of a short format and will be developed within the framework of the practical activities. They will consist of the resolution of practical cases, the resolution of questionnaires and/or the writing of writings, for their subsequent oral or written presentation. Six evaluation activities will be carried out, which as a whole will have a value of 45 per cent of the final mark.

Attendance is also subject to assessment, always keeping in mind that attendance of no less than 80 per cent of the sessions of each part of the course will be necessary. Within this margin, a slight penalty is foreseen in the final grade, which will rely on the student's absences. In this regard, it is understood that the master's teaching character, the small number of students and the teaching dynamics leads to this importance of the most complete attendance possible to the programmed sessions. Class attendance will have a maximum value of 15 per cent of the grade.

The final exam will result in a grade of 40 per cent of the final mark. Before the end of the face-to-face sessions, precise indications will be given about the number and specific characteristics of the questions that will be included in the exam.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Continuous assessment activities	45 per 100	0	0	4, 5, 2, 1, 3, 7, 9, 18, 8, 10, 14, 12, 13, 17, 21, 6, 20, 16, 11
Final exam	40 per 100	2.5	0.1	1, 15, 19, 20, 22

Bibliography

Main Bibliography:

FERNÁNDEZ AMOR, J.A. and GALA DURÁN, C.: *La responsabilidad social empresarial: un nuevo reto para el Derecho*, Madrid, Marcial Pons, 2009.

GONZÁLEZ CALVET, J.: *Las indemnizaciones por accidente de trabajo en base al nuevo baremo de trafico*, Barcelona, Bosch, 2018.

MONTOYA MELGAR, A.: *Curso de procedimiento laboral*, Madrid, Tecnos, 2016.

MARTÍN VALVERDE A. (and others): *Derecho del Trabajo*, Madrid, Tecnos, 2018,

Besides, further bibliography (papers, reports and other documents) will be provided by the teaching staff by means of virtual campus.