

Legal System for Labour Relations in Government Organisations

Code: 100507
ECTS Credits: 6

Degree	Type	Year	Semester
2500258 Labour Relations	OT	4	0
2500786 Law	OT	4	0

The proposed teaching and assessment methodology that appear in the guide may be subject to changes as a result of the restrictions to face-to-face class attendance imposed by the health authorities.

Contact

Name: María José Feijóo Rey
Email: MariaJose.Feijoo@uab.cat

Use of Languages

Principal working language: spanish (spa)
Some groups entirely in English: No
Some groups entirely in Catalan: No
Some groups entirely in Spanish: Yes

Prerequisites

To carry out a correct follow-up of this subject it is recommended to have previously passed the Labor Law subjects, given that they offer basic training in relation to the legal framework of individual and collective labor relations without which the issues can not be adequately understood or analyzed. which are treated in the subject.

Objectives and Contextualisation

The objective of this subject is the knowledge of the legal regime of labor relations in Public Administrations, both in terms of those of civil servants and those of other public employees.

Competences

Labour Relations

- Clearly expressing ideas or facts in a compelling way.
- Identify the foundations of the main legal and organisational areas in the field of human work.
- Self-motivating by undertaking specific training programs to acquire new knowledge.
- Students must be capable of deciding, sharply taking decisions and judging.
- Students must be effective in a changing environment and when facing new tasks, responsibilities or people.
- Working autonomously.
- Working effectively in teams.

Law

- Arguing and laying the foundation for the implementation of legal standards.
- Drawing up legal texts (contracts, judgements, sentences, writs, rulings, wills, legislation...).
- Identifying and solving problems.
- Integrating the importance of Law as a regulatory system of social relations.

- Mastering the computing techniques when it comes to obtaining legal information (legislation databases, jurisprudence, bibliography...) and in data communication.
- Memorising and utilising legal terminology.
- Negotiating and mediating between different people or institutions in the context of a conflict (between public administrations-administrators, family and child protection related conflicts, between business-workers and their representatives, parties to a case..).
- Searching, interpreting and applying legal standards, arguing every case.
- Students must be effective in a changing environment and when facing new tasks, responsibilities or people.
- Students must prove they know and comprehend the main public and private institutions in its genesis and as a whole.

Learning Outcomes

1. Analysing the situation by comparing several collective agreements and watching the historical evolution of these situations.
2. Clearly expressing ideas or facts in a compelling way.
3. Defining the main interpretation and implementation principles of the Labour Law.
4. Describing in a practical way the minimum and essential content of the legal-occupational documents: employment contracts, collective agreements, or communications between employer and employee, among others.
5. Describing the databases of Spanish public administrations and European and international organizations, as well as knowing how to gain access to the news these institutions might provide.
6. Identifying and solving problems.
7. Identifying the areas (in a legal, administrative courts, collective agreements negotiation or others..) where it's possible to negotiate and mediate between several subjects in case of a labour dispute.
8. Knowing the foundations of the legal areas of industrial relations in the specific scenario of public administrations.
9. Knowing the foundations of the legal areas of the industrial relations in the specific scenarios of public administrations.
10. Self-motivating by undertaking specific training programs to acquire new knowledge.
11. Students must be capable of deciding, sharply taking decisions and judging.
12. Students must be effective in a changing environment and when facing new tasks, responsibilities or people.
13. Understanding the specific situations in a collective agreement.
14. Working autonomously.
15. Working effectively in teams.

Content

Unit 1

PUBLIC OCCUPATION: CONSTITUTIONAL AND LEGAL FRAMEWORK

- 1.1. Public function and public occupation
- 1.2. Constitutional framework
- 1.3. State regulations

Unit 2

THE INSTRUMENTS OF HUMAN RESOURCES MANAGEMENT.

- 2.1. Personnel records
- 2.2. The staff templates
- 2.3. Relations jobs
- 2.4. The public offer of occupation
- 2.5. The plans of occupation

Unit 3

STAFF AT THE SERVICE OF PUBLIC ADMINISTRATIONS

- 3.1. Personnel selection systems
- 3.2. Systems for the provision of jobs
- 3.3. Type of personnel

- 3.3.1. Public functionary
- 3.3.2. Labor hiring
- 3.3.3. Professional director

Unit 4

THE LEGAL REGIME OF THE PUBLIC OFFICER (I)

- 4.1. The administrative situations.
- 4.2. The remuneration regime.
- 4.3. The rights and duties. The code of conduct.
- 4.4. Functional and geographical mobility.
- 4.5. The disciplinary regime.
- 4.6. The incompatibility regime.

Unit 5

THE LEGAL REGIME OF THE PUBLIC OFFICER (II)

- 5.1. The collective rights of public officials: constitutional and legal framework
- 5.2. The freedom of syndication
- 5.3. Collective bargaining
- 5.4. The right to strike

Methodology

Go to the table.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Cases: real and legal text	18	0.72	10, 8, 12, 2, 11, 14, 15
Cases: resolution	15	0.6	8, 2, 11, 15
Doing Law documents	10	0.4	8, 2, 11
Doing abstracts and main messages	17	0.68	8, 2, 11, 14
Law documents: study	15	0.6	8, 12, 2, 11, 14
Theory	27	1.08	8
Type: Autonomous			
Study	42	1.68	8

Assessment

EVALUATION'S SYSTEM OF THE ACQUISITION OF THE COMPETENCES AND SYSTEM OF QUALIFICATIONS

1. ORDINARY EVALUATION AND QUALIFICATION SYSTEMS: combines the continuous evaluation of practical activities and the resolution of a final theoretical exam.

1.1 Continuous assessment of practical classes.

1.1.1. It requires to deliver the documentation that in each case is required and to solve in the classroom an evaluable activity - a practical case -. It will be passed when a minimum mark of 1.5 points has been obtained. Value: 3 points.

1.1.2. Test of basic theoretical-practical knowledge. It consists of a test in true / false format. Value: 2 points

1.2. Ordinary theoretical final exam.

It will consist of the resolution of 5 questions of objective format: multiple choice test, true / false, fill the gaps with the correct word, all of them related to the matter contained in the subject's programme. Each of the exam questions will be punctuated from 0 to 1 point. Value: 5 points.

In both 1.1 and 1.2, the wrong answer is half of the correct answer and not answering means subtracting a quarter of the correct one.

To pass this ordinary evaluation system it is necessary to reach in each of the two typologies 50% of the assigned value.

REVIEW:

The review date will be announced on the day of the exam, which will be at least five working days later. It is necessary to request the review upon request via email.

2. REVALUATION:

To access the re-assessment test, you must have been assessed in 2/3 of the indicated activities (in compliance with article 112 ter of the UAB academic regulations).

The re-assessment exam will consist of two parts:

2.1 It will consist of the resolution of 5 questions of objective format: multiple choice test, true / false, fill the gaps with the correct word, all of them related to the matter contained in the subject's programme. Each of the exam questions will be punctuated from 0 to 1 point. This part of the exam will have a value of 50% of the grade.

2.2 A practical part that will consist of

2.2.1. The resolution duly based on law, of a practical case with the thematic content corresponding to the subject object of examination. For the resolution of this part, it will only be possible to have, as support material, a collection of labour and public employment regulations. VALUE: 3 points.

2.2.2. A test of basic theoretical-practical contents, in true-false format. VALUE 2 POINTS.

In both 2.1 and 2.2 the wrong answer subtracts half of a correct answer, and the answer left blank subtracts one-fourth of a correct answer.

The final grade of the exam will be obtained by averaging the score obtained in both parts. The subject will be passed when each of the two parts of the exam have been passed independently, with a minimum grade of 50%.

REVIEW:

The review date will be announced on the day of the exam, which will be at least five working days later. Request review upon request must be requested via email.

3. EXAM DATES

They will be determined by the Faculty of Law.

4. CALLS

The number of calls is established in the regulations of permanence.

In both the regular final exams and the re-assessment exams, taking and failing or withdrawing after the questions have been communicated means that the call has been spent.

5. - FRAUDULENT CONDUCTS

The student who copies or tries to copy in an exam will have a "0" in the subject and will lose the right to re-assessment. A student who submits a practice in which there is evidence of plagiarism or who cannot justify the arguments of their practice will get a "0" and will receive a warning. In case of repetition of the behaviour the student will fail the subject (0) and will lose the right to second-chance exam.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Activities for evaluation in cases and normative for resolution	50	4.5	0.18	1, 10, 8, 9, 3, 12, 4, 5, 13, 2, 7, 6, 11, 14, 15
Final exam	50	1.5	0.06	8, 2, 11, 14

Bibliography

PALOMAR OLMEDA, Alberto, Derecho de la Función Pública. Régimen jurídico de los funcionarios públicos, Dykinson, Madrid, last edition.

PALOMAR OLMEDA, Alberto, El nuevo estatuto del empleado público, Thomson-Aranzadi, Cizur Menor, 2007.

SÁNCHEZ MORÓN, Miguel, Derecho de la Función Pública, Tecnos. Madrid, last edition.

Software

No software required.