

New Methods of Work Organisation: Employment, Contracting, Productive Decentralisation

Code: 42137

ECTS Credits: 10

Degree	Type	Year	Semester
4313301 Social and Employment Rights	OB	0	1

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.

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Teachers

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Use of Languages

Principal working language: spanish (spa)

Prerequisites

For the correct follow-up of this subject, it is advisable to have a basic knowledge of the legal framework corresponding to the different aspects that make up the syllabus.

Objectives and Contextualisation

The objective of this course is to analyse the most relevant aspects of the legal system corresponding to the essential aspects of the traditionally named as "Individual Labour Law", with special emphasis on the impact of regulatory reforms and on the questions that generate the greatest conflict in practice. However, the aim is to provide students with the necessary tools to manage the multiple and complex legal problems that individual labour relations pose in an environment as variable as the present one, by solving them.

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.
- Continue the learning process, to a large extent autonomously.
- Identify and apply case law and constitutional doctrine on basic labour rights, especially on the treatment of diversity within companies.
- Identify and interpret the legal frameworks that regulate employment contracts and mark out companies' powers to lead and manage their human resources.
- Look for new areas to open up within the field.
- Recognise legally-based collective labour disputes and collective disputes of interest in companies, identify out-of-court legal mechanisms to solve these and interpret the resulting agreements and arbitrators' awards in legal terms.
- Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.

Learning Outcomes

1. Apply systems, media and technologies for obtaining and providing information in one's profession or research.
2. Apply the legal techniques of modification of functions, geographical mobility and substantial modification of working conditions.
3. Compare case law contributions from the Constitutional Court and the Supreme Court.
4. Continue the learning process, to a large extent autonomously.
5. Describe the changes that have taken place in common workplace relations.
6. Know about intervention in out-of-court legal mechanisms to solve collective disputes.
7. Know the contributions from the employment divisions of the higher courts of the autonomous communities.
8. Look for new areas to open up within the field.
9. Recognise and define economically dependent self-employed work and teleworking.
10. Recognise the specificity of special labour relations of interest.
11. Recognise, apply and critically assess the system of employment contracts.
12. Resolve individual disputes arising from redundancy situations.
13. Resolve individual disputes arising from terminations on disciplinary and objective grounds.
14. Use acquired knowledge as a basis for originality in the application of ideas, often in a research context.

Content

1. Access to the labour market and recruitment
2. Working conditions and development of the employment relationship
3. Termination of the employment relationship
4. Reconciliation of personal and family life
5. Jurisdictional protection of individual labour rights

Methodology

The student learning process in this module is structured around the three types of training activities specified below:

1) Directed activities

These are those that take place in the classroom, at the times foreseen for the module 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 aspects of the agenda; b) conferences, in which specialists from the academic or professional field will analyse particularly relevant 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 type of directed activities, between four and six continuous assessment activities will be carried out, with the value that will later be specified in the corresponding section.

2) Supervised activities

These are those that are developed outside the classroom, based on the instructions given by the teaching staff, and which are subject to some process of supervision or monitoring by the teaching staff.

Within the framework of this module, 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 bibliographies, the resolution of practical cases and the preparation of legal documents; all of this linked to practical activities, through which the work carried out by the students will be supervised.

3) Autonomous activities

These 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 module, the autonomous activities, which are essentially linked to the preparation and passing of the final exam, constitute an important section in the development of learning, especially in the master's degree, in which the maturity of the student allows for greater solvency and exploitation of the autonomous activities.

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			
Conferences	4	0.16	2, 3, 7, 5, 9, 10, 11, 13, 12
Master Classes	36	1.44	2, 3, 7, 5, 9, 10, 11, 13, 12
Practical activities	20	0.8	2, 3, 7, 5, 9, 4, 10, 11, 13, 12, 14
Type: Supervised			
Resolving case studies and drafting legal documents	17.5	0.7	2, 3, 7, 5, 9, 4, 10, 11, 13, 12, 14
Search and analysis of legal documentation (case law, regulations, administrative rulings, collective agreements...)	10	0.4	1, 2, 3, 7, 5, 9, 8, 4, 10, 11, 13, 12, 14
Search and reading of bibliography	10	0.4	1, 2, 3, 7, 5, 9, 4, 10, 11, 13, 12, 14
Type: Autonomous			
Elaboration of diagrams and summaries	20	0.8	2, 3, 7, 5, 9, 4, 10, 11, 13, 12, 14
Searching and reading bibliography	40	1.6	2, 3, 7, 5, 9, 4, 10, 11, 13, 12, 14
Study	90	3.6	2, 3, 7, 5, 9, 10, 11, 13, 12

Assessment

The evaluation will be based on continuous evaluation activities, attendance and a final test or examination. As far as ongoing evaluation 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. There will be four continuous assessment activities, which together will be worth 45 per cent of the mark. Attendance is also subject to assessment, always bearing in mind that attendance of no less than 80 per cent of the sessions of each module will be necessary. Within this margin, a slight penalty is foreseen in the final grade, which will depend on the student's absences. In this sense, it is understood that the master's teaching character, the limited number of students and the teaching dynamics contribute 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 grade. 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 this test.

Those who do not pass the course through the evaluation system described in the previous paragraphs will have the right to a retake, which will have a similar format to the final exam.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Final examination	40	2.5	0.1	2, 3, 6, 7, 5, 9, 10, 11, 13, 12
Ongoing evaluation activities	45	0	0	1, 2, 3, 7, 5, 9, 8, 4, 10, 11, 13, 12, 14

Bibliography

a) General Bibliography

MERCADER UGUINA, Jesús R.: *Lecciones de Derecho del Trabajo*, 13^a edició, Tirant lo Blanch, 2020. The UAB Library has an electronic version, accessible from the "Magazines and digital books" section of the home page of the Library Service (<https://www.uab.cat/biblioteques>).

b) Specific Bibliography

It will be provided through the documentation corresponding to the different subjects under analysis.

Software

No specific software is required to take the course.