

**Labour Law**

Code: 102116  
ECTS Credits: 6

Degree	Type	Year	Semester
2501231 Accounting and Finances	OT	4	2

**Contact**

Name: Francisco Javier Sanchez Rodriguez  
Email: franciscojavie.sanchez@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**

Requirements,

there are not previous requirements. It considers that the students that enrolls to the optional subject of fourth course has approved the subjects of basic and compulsory training of first course. Introduction to the law contributes the knowledges of the necessary juridical legislation to understand the bases of the labour law.

**Objectives and Contextualisation**

Analyse the regulation of the salaried work and the self-employed, as well as the general obligations and of economic character that has the employer in front of the public system of Social Security. With this aim centres the subject in the contents of the labour law and of the Social Security that insert specifically in the academic training and professional orientation of the Quotation of Accounting and Finances (essentially the wage, perceptions non-wage, compensations, employer contribution to the Social Security, like matters acutely linked to the accounting of costs).

**Competences**

- Communicating in oral and written form in Catalan, Spanish and English, in order to be able to summarise and present the carried out project in both forms.

**Learning Outcomes**

1. Communicating in oral and written form in Catalan, Spanish and English, in order to be able to summarise and present the carried out project in both forms.

**Content**

SUBJECT 1

CONCEPT, FUNCTION And OBJECT OF REGULATION OF THE LABOUR LAW.

1. Concept
2. Function
3. Delimitation of the object of regulation of the labour law: the salary labor
4. Delimitation of the self-employed
5. Labor and Social Security business obligations

## SUBJECT 2

### CONFIGURATION AND CLASSES OF EMPLOYMENT CONTRACTS

1. General configuration of the employment contract
2. Workers and employers as a subjects of the employment contract
3. Indefinite employment contract
4. Temporary employment contract
5. Classes and special modalities of employment contracts

## SUBJECT 3

### THE DEVELOPMENT OF THE LABOUR RELATION. WORKING TIME, PROFESSIONAL CLASSIFICATION And MODIFICATIONS OF THE WORKING CONDITIONS

1. Common ordinary working time and special working time
2. Extraordinary working time
4. Working hours
5. Interruptions of the working time: rests and permissions
6. Professional classification and functional mobility
7. Geographic mobility and substantial modifications of the working conditions

## SUBJECT 4

### THE SALARY (I): CONFIGURATION AND FIXATION

1. The salary: concept and functions
2. Modalities and systems of salary
3. Salary structure: basic salary, salary complements, annual bonus
4. Fixation of the salary
  - 4.1 Minimum salary
  - 4.2 Salary in the collective agreement
  - 4.3 Salary in the employment contract
5. Non salary perceptions: labour implications, tax and contribution

## SUBJECT 5

### THE SALARY (II): PAYMENT AND PROTECTION

1. Place, time and way of payment
2. Salary systems protection
  - 2.1 Surcharge for salary arrears
  - 2.2 Salary credit privileges
  - 2.3 Salary garnishment
3. Special reference at the Fondo de Garantia Salarial

## SUBJECT 6

### ENDING OF THE LABOUR RELATION: COMPENSATIONS AND ACQUITTANCE

1. Ending causes of the labour relation
2. The compensation in the ending of the employment contract
  - 2.1 Compensation by ending of temporary employment contract
  - 2.2 Compensation for objective and collective dismissal
  - 2.3 Compensation for disciplinary dismissal
  - 2.4 Special reference, in his case, to the processing salary
3. The settlement

## SUBJECT7

### THE JURIDICAL RELATION OF SOCIAL SECURITY

1. The Public System of Social Security: General and Special system
  2. Classification acts: registration of companies and membership of workers
  3. Contribution to the Social Security and other contributions of conjoint collection
    - 3.1 Obligated subject and responsible subject
    - 3.2 Calculation of the contribution: bases, types and dues
    - 3.3 Dynamics of the obligation to contribute
    - 3.4 Voluntary collection: documentation and payment of the contribution
    - 3.5 Postponements
    - 3.6 Breach of the obligation of contribution: executive collection, sanctions and responsibilities of the employer
  4. Other obligations in matter of Social Security: direct responsibility and payment delegated of the provision by temporary inability. Benefits charge
  5. Voluntary improvements
- Nombre de paraules: 422.

### **Methodology**

The type of teaching planned for the subject is face-to-face classroom teaching.

#### 1. ACTIVITIES DIRECTED

The activities directed are all those that develop in the classroom, in the horaris planned by the subject and under the direction of the professor. They can be theoretical classes, practical classes or conferences - colloquium.

##### 1.1. THEORETICAL CLASSES

They consist in the exhibition by part of the professor of diverse appearances of the list of subjects, taking the applicable rules and the materials that previously will have facilitated through the Educational Space of the subject inside the Virtual Campus.

##### 1.2. PRACTICAL CLASSES

They devote to the execution of practical units. Each unit includes a face-to-face work in the classroom and a previous work out of the classroom. So much one like another will suppose the realisation of a series of tasks of diverse format: identification and study of the normative frame of a determinate institution, reading and understanding of materials, resolution of juridical problems that pose usually in the practice, etc.

## 2. ACTIVITIES SUPERVISED

The activities supervised are those that carry out out of the classroom, from the indications given by the professor and remain subjected later to some process of supervision or follow-up by part of this. As already it has put of self-evident, the previous work that involve the practical activities generates a series of tasks of diverse format that has to execute out of the classroom and later are object of supervision and verificación through the work of the classroom proposed in the frame of the same activity.

## 3. AUTONOMOUS ACTIVITIES

The autonomous activities are all those in which the students organisehis time and effort of autonomous form, already was individually or in group, like the research and studyof bibliography, the elaboration of diagrams or summaries, etc. In the frame of this subject the essential part of the autonomous activities links to the preparation of the final theoretical examination.

The teaching staff should allocate approximately 15 minutes of a class to allow their students to answer the evaluation surveys of the teaching performance and the evaluation of the subject or module.

The proposed teaching methodology may undergo some modifications according to the restrictions imposed by health authorities on on-campus courses.

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			
Practical classes	17	0.68	1
Theoretical classes	32.5	1.3	
Type: Supervised			
Preparation of summaries and diagrams	15	0.6	
Research and analysis of juridical documentation	11.5	0.46	
Resolution of practical cases	22	0.88	1
Type: Autonomous			
Study	48.5	1.94	1

## Assessment

Evaluation

## Calendar of evaluation activities

The dates of the evaluation activities (midterm exams, exercises in the classroom, assignments, ...) will be announced well in advance during the semester.

The date of the final exam is scheduled in the assessment calendar of the Faculty.

"The dates of evaluation activities cannot be modified, unless there is an exceptional and duly justified reason why an evaluation activity cannot be carried out. In this case, the degree coordinator will contact both the teaching staff and the affected student, and a new date will be scheduled within the same academic period to make up for the missed evaluation activity." **Section 1 of Article 115. Calendar of evaluation activities (Academic Regulations UAB)**. Students of the Faculty of Economics and Business, who in accordance with the previous paragraph need to change an evaluation activity date must process the request by filling out an Application for exams' reschedule

[https://eformularis.uab.cat/group/deganat\\_feie/application-for-exams-reschedule](https://eformularis.uab.cat/group/deganat_feie/application-for-exams-reschedule)

The system of evaluation conforms from two elements: the evaluation continued of the practical activities and the final examination.

### 1. The evaluation continued of the practical activities

Resolution of practical cases by writing: 30% of the note

Oral presentation and discussion of the works: 20% of the note

The student has to present the resolution by writing of three practical activities the days that detail in the planning (30% of the note). These works will be object of exhibition and debate in the classroom (20% of the note). The assistance to the classroom, so much the day of the session of preparation of the practical activity like the day of his delivery and debate is compulsory to effects that they mark these activities.

VALUE 50% NOTE

### 2. The final examination

The objective of the final examination, that will mark of 0 to 5 points, will be to verify the acquisition of the competencies worked through the theoretical and practical classes (the punctuation obtained will conform 50% of the note of the subject).

The final examination will consist in 5 questions of development with answer of half extension (between 10 and 15 minutes each one) with a maximum value of 10 punts each one. Total 50 punts.

It is necessary to obtain a minimum note of 2 punts in the final examination to be able to do the average with the rest of activities. If the minimum threshold is not reached the note will not be counted to effects of the calculation of the final note of the subject since it will receive a 0

### 3. Final note of the subject

The final note of the subject will obtain adding the qualification obtained in the evaluation continued of the practical activities (on 5 points) more the obtained in the final examination (on 5 points).

The subject will consider approved if the resultant total punctuation is equal or upper to 5.

## Grade revision process

After all grading activities have ended, students will be informed of the date and way in which the course grades will be published. Students will be also be informed of the procedure, place, date and time of grade revision following University regulations.

## Retake Process

"To be eligible to participate in the retake process, it is required for students to have been previously been evaluated for at least two thirds of the total evaluation activities of the subject." Section 3 of Article 112 ter. The recovery (UAB Academic Regulations). Additionally, it is required that the student to have achieved an average grade of the subject between 3.5 and 4.9.

The date of the retake exam will be posted in the calendar of evaluation activities of the Faculty. Students who take this exam and pass, will get a grade of 5 for the subject. If the student does not pass the retake, the grade will remain unchanged, and hence, student will fail the course.

.The process of recovery will consist in an examination of similar format to the final examination.

The student that have not participated in the final examination of evaluation will obtain a "No Evaluable", and will not have right to recovery although, in his case, the qualification obtained in the evaluation continued of the practical activities have been able to arrive to 3,5. Therefore, it will have to do the subject the following course.

## Irregularities in evaluation activities

In spite of other disciplinary measures deemed appropriate, and in accordance with current academic regulations, *"in the case that the student makes any irregularity that could lead to a significant variation in the grade of an evaluation activity, it will be graded with a 0, regardless of the disciplinary process that can be instructed. In case of various irregularities occur in the evaluation of the same subject, the final grade of this subject will be 0"*.

The proposed evaluation may undergo some changes according to the restrictions imposed by the health authorities on on-campus courses.

## Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Evaluation continued of the practical activities. Oral presentation and discussion of the works	20%	0	0	1
Evaluation continued of the practical activities. Resolution of practical cases by writing	30%	1.5	0.06	1
Final exam	50%	2	0.08	1

## Bibliography

Previous rule are not valid for the preparation of the matter. To the start of the course the responsible professor will resolve any doubt in this regard.

### 1. Manual

Although, there is not in the market a manual that can adjust to the exact content of the subject, some of the manuals that include all the theoretical matter that will treat along the course are, among others, MONTOYA MELGAR, A.: "Derecho del Trabajo", Tecnos,(last edition) or MERCADER UGUINA, J.R. "Lecciones del Derecho del Trabajo", Tirant lo Blanch, (last edition). Nevertheless, his content is much wider that the matter that will treat and will evaluate.

<https://biblioteca-tirant-com.aren.uab.cat/cloudLibrary/ebook/show/9788413979335>

## 2. Rule

The professor will inform and will facilitate (mainly via virtual campus) the norms that will have to use the students.

For the access to the norms recommends the utilisation of the database of legislation of the Boletín Oficial del Estado (public and gratuita): <http://www.boe.es/legislacion/legislacion.php>

## 3. Link web

The main link web that will have to use in the frame of this subject correspond to the databases "Aranzadi", "Tirant on-line" and "La Ley, that are of free query for all the students of this University.

Documentation, forms and normative of interest can consult in the web of the Ministerio de Trabajo y Seguridad Social

- In labour matter- [http://www.empleo.gob.es/es/sec\\_trabajo/debes\\_saber/index.htm](http://www.empleo.gob.es/es/sec_trabajo/debes_saber/index.htm)

- In matter of Social Security - [http://www.seg-social.es/internet\\_1/index.htm](http://www.seg-social.es/internet_1/index.htm)

## Software

Computer programs are not used in this subject.