

Legal System for Labour Relations in Government Organisations

Code: 100507
ECTS Credits: 6

Degree	Type	Year	Semester
2500258 Labour Relations	OT	4	1
2500786 Law	OT	4	1

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Teaching groups languages

You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject. Please note that this information is provisional until 30 November 2023.

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

- Applying the information and communication technologies to the different areas of action.
- Clearly expressing ideas or facts in a compelling way.
- Contextualising the social events from a (geographical, historical, economic, ecological, sociopolitical or cultural) global point of view.
- Contrasting the equality between men and women in the workplace and solving the issues arisen with the Act on Equality.
- Drawing up and formalising reports and documents.
- Identify the foundations of the main legal and organisational areas in the field of human work.
- Identifying, analysing and solving complex problems and situations from an (economic, historical, legal, psychological, and sociological) interdisciplinary perspective.

- Properly analysing the specific situations of reconciliation of work and family life, and implementing the corresponding regulations.
- 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.
- Verbally communicating and defending a project.
- Working autonomously.
- Working effectively in teams.

Law

- Arguing and laying the foundation for the implementation of legal standards.
- Defending and promoting the essential values of the social and democratic State of Law.
- Drawing up legal texts (contracts, judgements, sentences, writs, rulings, wills, legislation...).
- Explaining the legislative reforms and jurisprudential changes.
- 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..).
- Present information in a way that is appropriate to the type of audience.
- Properly analysing the issues related to equality between men and women.
- Searching, interpreting and applying legal standards, arguing every case.
- Students must be capable of communicating their points of view in a compelling way.
- Students must be capable of learning autonomously and having an entrepreneurial spirit.
- Students must be capable of making decisions.
- Students must be effective in a changing environment and when facing new tasks, responsibilities or people.
- Use different information and communication technologies.
- Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Learning Outcomes

1. Analysing the situation by comparing several collective agreements and watching the historical evolution of these situations.
2. Applying the information and communication technologies to the different areas of action.
3. Applying the principle of inalienability of labour rights.
4. Clearly expressing ideas or facts in a compelling way.
5. Clearly identifying the controversy points as well as differentiating between legal and interest labour disputes.
6. Defining the content and utility of the regulatory and jurisprudential newsletters and databases used in the occupational framework.
7. 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.
8. Describing the mechanisms and legal principles used to balance the relations produced in the scope of implementation of Labour Law.
9. Detecting the assumptions where the collective bargaining, unilateral pacts or unilateral decisions of the entrepreneur damage the equality between men and women in the workplace.
10. Drawing up and formalising reports and documents.
11. Drawing up said documents with an appropriate content and style.
12. Identifying and solving problems.
13. Identifying the issues and aspects that should be reformed, and properly integrating them with the current part of the legal system or the jurisprudence and/or judicial doctrine.

14. Identifying the transitional or derogatory arrangements of the legal-occupational standards and applying them in a proper way, in combination with the principle of most beneficial condition.
15. Interpreting and comprehending labour regulatory texts, sentences of the labour court and collective agreements.
16. Interpreting the employment standards in the light of the general rules of interpretation and the pro operario principle.
17. Knowing the foundations of the legal areas of industrial relations in the specific scenario of legal management of diversity in the company.
18. Knowing the foundations of the legal areas of industrial relations in the specific scenario of new technologies and freedom of speech and information.
19. Knowing the foundations of the legal areas of industrial relations in the specific scenario of public administrations.
20. Knowing the mechanisms that must be applied in every situation.
21. Present information in a way that is appropriate to the type of audience.
22. Recognising the influence and implementation of the Act on Equality on the labour market.
23. Recognising the space between the promulgation of the rule and its effective implementation.
24. Self-motivating by undertaking specific training programs to acquire new knowledge.
25. Students must be capable of communicating their points of view in a compelling way.
26. Students must be capable of deciding, sharply taking decisions and judging.
27. Students must be capable of learning autonomously and having an entrepreneurial spirit.
28. Students must be capable of making decisions.
29. Students must be effective in a changing environment and when facing new tasks, responsibilities or people.
30. Understanding the specific situations in a collective agreement.
31. Use different information and communication technologies.
32. Verbally communicating and defending a project.
33. Working autonomously.
34. Working effectively in teams.
35. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

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	29, 8, 30, 5, 13, 14, 23, 22, 34, 35
Cases: resolution	15	0.6	19
Doing Law documents	10	0.4	19
Doing abstracts and main messages	17	0.68	19
Law documents: study	15	0.6	19
Theory	27	1.08	19, 13, 14, 15, 22
Type: Autonomous			
Study	42	1.68	16, 1, 3, 25, 19, 18, 20, 6, 29, 15, 11, 34, 35

Assessment

Assessment

1. ORDINARY EVALUATION SYSTEM

This system combines the continuous evaluation of the practical part and a theoretical exam.

1.1 Continuous practical evaluation.

Only those persons who have attended at least 80% of the classes will be able to take the exam, otherwise they will have to take the single evaluation.

The grade corresponding to the continuous evaluation of the practical activities will be the one obtained in a PRACTICAL CASE, with five questions of objective answers, with a value of 2.5 POINTS and in a BASIC PRACTICAL TEST - V/F - with a value of 2.5 POINTS.

The wrong answer means deducting half of the correct answer.

1.2 Theoretical examination

Only those persons who have attended at least 80% of the classes will be able to take the exam, otherwise they will have to be examined by means of the single evaluation.

It will consist of five objective questions. VALUE: 5 POINTS.

The wrong answer means deducting half of the correct answer.

1.3 Grading of the subject

The score obtained through the practical continuous evaluation will have a value of 50% of the grade of the subject. The score of the theoretical exam will have a value of 50% of the grade of the subject.

It is necessary to pass each part with a minimum grade of 2.5 points. Only in this case, the grades obtained in both parts can be added together.

If this minimum score is not reached in one of the parts: the grade that will be introduced in the minutes will be "failed" and the numerical value will be the one corresponding to the failed part, expressed in the parameter 0-10.

Consequently, the passing of the subject will be obtained once 2.5 points have been obtained in each of the parts, and, only in that case, both scores will be added together, being the minimum grade a 5 out of 10.

2. RE-EVALUATION

2.1. Theoretical examination.

Only those persons who have attended at least 80% of the classes will be able to take this exam, otherwise they will have to be examined by means of a single evaluation.

It will consist of the resolution of five questions with objective answer options. Each question is worth 1 point.

The theoretical exam will have the value of 50% of the grade, being necessary to achieve at least 2.5 points.

Each wrong answer means deducting half of a correct answer.

2.2. Practical exam.

Only those persons who have attended at least 80% of the classes will be able to take this exam, otherwise they will have to take the exam by means of a single evaluation.

It will consist of answering 5 questions of objective answer on a practical case. Value: 2.5 points. and to carry out a basic practical test - V/F- . Value: 2.5 points.

Each wrong answer means deducting half of a correct answer.

This part of the exam will have a value of 50% of the grade and a minimum score of 2.5 out of 5 points must be reached in order to be added to the grade obtained in the theoretical exam, which also requires a minimum grade of 2.5 points to be added to the practical exam.

Only those who have obtained a grade lower than 2.5 out of 5 points, through the continuous practical evaluation, will have to take the practical exam. Those who have obtained a grade equal to or higher than 2.5 points, this grade will be maintained as the grade for the practical part.

2.3. The final grade of the exam will be obtained from the sum of the score obtained in the two parts, theoretical and practical, provided that in each part a minimum score of 2.5 points out of 5 is reached.

The subject is passed when, in both parts, 2.5 points are reached and, consequently, this sum is equal or higher than 5 points.

If in any of the parts the minimum grade of 2.5 points is not reached, the grade that will be recorded in the minutes will be "failed" and the numerical value will be the one corresponding to the part that did not reach the 2.5 points, expressed in parameter 0-10.

THE SINGLE EVALUATION may be taken by students who meet the requirements established in the regulations of the Faculty and provided that the faculty of the subject is aware of the choice of this modality in a timely manner.

A.- ORDINARY CALL

Students will take

1.- Eliminatory multiple-choice exam. 3 points. Minimum score to reach: 2 points.

Each wrong answer reduces half of the score of a correct answer.

2.- Students who pass the previous exam, will have to take

2.1. An oral exam on the program of the subject. 5 points

2.2. A practical case of objective answers. 2 points. Each wrong answer reduces half the score of a correct answer.

B.- EXTRAORDINARY CALL

To attend it, it is required to have achieved a minimum grade of 3 points in the ordinary call of the single evaluation.

Type of evaluation: the same as in the ordinary call and in the objective answers, each wrong answer reduces half of a correct answer.

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	16, 1, 3, 2, 24, 25, 32, 17, 19, 18, 20, 6, 29, 8, 7, 9, 30, 4, 5, 13, 14, 15, 21, 12, 23, 22, 11, 10, 27, 26, 28, 33, 34, 35, 31
Final exam	50	1.5	0.06	24, 32, 19, 4, 15, 21, 12, 26, 28, 33, 31

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.