

Labour Law

Code: 102381
ECTS Credits: 6

Degree	Type	Year	Semester
2501572 Business Administration and Management	OT	4	2
2501573 Economics	OT	3	2
2501573 Economics	OT	4	2

Contact

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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

There are no prerequisites. However it is advisable to have passed the first-year course "Law", since it provides a basic understanding of the legal system that can help you understand the issues related to labour law.

Objectives and Contextualisation

Introducing students to the knowledge of the main institutions of labour law as a tool for business management and as a tool for understanding their impact on economy. Defining the scope of labour regulations and understanding the rules governing the sources of the rights and obligations at work. Analyzing the different types of employment contracts. Knowing the regulations regarding working time, salaries, the suspension of the labour employment contract and especially the termination of the contract. Introducing students to knowledge of the role of trade unions and employers' associations, as well as the role of the representation and participation of workers in the company, and the relations of collective bargaining and collective conflict.

Competences

Business Administration and Management

- Adapt professional activity and company management to the prevailing legislation.
- Capacity for independent learning in the future, gaining more profound knowledge of previous areas or learning new topics.

- Capacity for oral and written communication in Catalan, Spanish and English, which enables synthesis and oral and written presentation of the work carried out.
- Demonstrate initiative and work individually when the situation requires it.
- Manage conflicts of interest and in particular conflicts involving proposals for the fair distribution of value generated.
- Organise the work in terms of good time management, organisation and planning.
- Select and generate the information necessary for each problem, analyse it and take decisions based on that information.
- Work well in a team, being able to argue proposals and validate or reject the arguments of others in a reasoned manner.

Learning Outcomes

1. A capacity of oral and written communication in Catalan, Spanish and English, which allows them to summarise and present the work conducted both orally and in writing.
2. Analyse the process of the distribution of profits resulting from commercial and tax legislation.
3. Apply the law to work-related or commercial conflicts.
4. Capacity to continue future learning independently, acquiring further knowledge and exploring new areas of knowledge.
5. Demonstrate initiative and work independently when required.
6. Organise work, in terms of good time management and organisation and planning.
7. Select and generate the information needed for each problem, analyse it and make decisions based on this information.
8. Use the commercial, tax and labour law that is currently in force in Spain.
9. Work as part of a team and be able to argue own proposals and validate or refuse the arguments of others in a reasonable manner.

Content

UNIT 1: INTRODUCTION TO LABOUR LAW. EMPLOYMENT STATUS

1. Background and functions
2. Employment status
 - 2.1 Voluntariness, working for someone else, subordination and wage payment
 - 2.2 Exclusions
 - 2.3 Inclusions: special labour relations
3. Independent work: concept and typology

UNIT 2: SOURCES THAT REGULATE THE LABOUR RELATIONS AND PRINCIPLES OF IMPLEMENTATION

1. European and international standards
2. The Spanish Constitution
3. State regulations
4. Collective bargaining
5. The autonomy of the parties' will

6. Principles of implementation.

UNIT 3: THE PARTIES TO AN EMPLOYMENT CONTRACT

1. The employee

2. The employer

2.1. Concept

2.2. Temporary Work Agencies

2.3. Outsourcing

2.4. Transfer of companies

2.5. Illegal transfer of workers

2.6. Group of undertakings

UNIT 4: GENERAL ISSUES AND TYPES OF EMPLOYMENT CONTRACT

1. Form and formalities of the employment contract

2. Probationary period and other typical terms

3. Types of contracts

3.1. Permanent contracts

3.1.1 Ordinary permanent contract

3.1.2 Permanent-seasonal contract

3.2. Temporary contracts

3.2.1 Production circumstances and substitution contracts

3.2.2 Training contracts

3.2.3 Other temporary contracts

3.3. Part-time work and other forms and types of employment contracts.

UNIT 5: DEVELOPMENT OF LABOUR RELATIONS (I). WORKING TIME AND SALARY.

1. Ordinary working time and special working time

2. Ordinary working time. Quantitative and distributive elements 3

. Extraordinary working time (overtime)

4. Schedule and Calendar

5. Working time interruptions: breaks and permissions

6. Concept and types of salaries.

7. Non-wage payments.

8. Wagestructure and wage determination

9. Payment of wages and protection

UNIT 6: DEVELOPMENT OF LABOUR RELATIONS (II). MODIFICATIONS TO THE SERVICE PERFORMANCE AND SUSPENSION.

1. Occupational classification

2. Functional mobility

3. Geographical mobility

4. Substantial changes to working conditions

5. Change of employer: business succession

6. Suspension of labour relations

UNIT 7: TERMINATION OF LABOUR RELATIONS

1. Concept, causes and effects

2. Termination for objective reasons

3. Collective dismissal

4. Disciplinary dismissal

UNIT 8: THE IMPACT OF COLLECTIVE LABOUR LAW IN BUSINESS DYNAMICS

1. Trade unions and employers' organizations in labour relations

2. Union and employee representation in the company. Rights and guarantees

3. The collective bargaining as a means of regulating working conditions

3.1 Types and effectiveness of collective agreements

3.2 Negotiators and procedure

3.3 Contents of the agreement

4. Relations of conflict

4.1 The right to strike

4.2 The lockout

4.3 Autonomous systems of dispute resolution. Conciliation, mediation and arbitration

Methodology

1. DIRECTED ACTIVITIES

Directed activities are those that take place in the classroom at the subject's scheduled times and under the direction of the lecturer. They can consist of lectures or practical classes or a mix of the previous.

1.1. Lectures: Lectures consist in the presentation by the teaching staff of various aspects of the subject's programme, based on the applicable regulations and, in some cases, on the materials previously provided through the Virtual Campus.

1.2. Practical classes: They consist of the presentation, discussion and resolution of case studies. We will work in small groups and in classroom discussion.

2. SUPERVISED ACTIVITIES

Supervised activities are carried out outside the classroom, based on the information provided by the lecturer, and are subject to some kind of supervision or monitoring process by the lecturer.

3. INDEPENDENT ACTIVITIES

The independent activities are those in which the students organize their time and effort autonomously, either individually or in groups, such as the research and the study of literature, drawing schemes or summaries, etc. In this subject the essential part of independent activities are linked to the preparation of the mid-term and the final written exam.

The proposed teaching methodology may undergo some modifications according to the restrictions imposed by the 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			
Practice	17	0.68	1, 4, 6, 7, 9
Theory	32.5	1.3	3, 4, 8
Type: Supervised			
Research and analysis of legal documents (literature, regulations, jurisprudence, etc.)	15	0.6	4, 5, 6, 7, 9, 8
Summarization and schemes	10.5	0.42	4, 6, 7
Type: Autonomous			
Study	68.5	2.74	2, 3, 1, 4, 5, 6, 7, 8

Assessment

The assessment system is made up of three elements: a mid-term exam, a final exam and an evaluation of each student's participation in class.

All students are required to perform the mid-term and the final exam. If the student's grade is 5 or higher, the student passes the course and he/she cannot be subject to further evaluation. If the student grade is less than 3.5, the student will have to repeat the course the following year. Students who have obtained a grade that is equal to or greater than 3.5 and less than 5 can take a second chance exam. The lecturers will decide the type

of the second chance exam. When the second chance exam grade is greater than 5, the final grade will be a PASS with a maximum numerical grade of 5. When the second chance exam grade is less than 5, the final grade will be a FAIL with a numerical grade equal to the grade achieved during the course (not the second chance exam grade).

A student who does not perform any evaluative task is considered "not evaluable", therefore, a student who performs the mid-term exam can no longer be qualified with a "not evaluable".

1. MID-TERM EXAM The purpose of the mid-term exam, which is scored from 0 to 10 points will be to verify the acquisition of skills worked through the theoretical and practical classes. The score obtained in the mid-term exam will comprise 40% of the grade for the course. It can include theoretical questions and/or the resolution of practical cases.

2. FINAL EXAM The purpose of the final exam, which is scored from 0 to 10 points will be to verify the acquisition of skills worked through the theoretical and practical classes. The score obtained in the final exam will comprise 50% of the grade for the course. It can include theoretical questions and/or the resolution of practical cases.

3. FINAL GRADE FOR THE COURSE

The final grade for the course is obtained from the three evaluation parts: mid-term exam (40%), final exam (50%) and participation in class (10%). The course will be Passed if the resulting mark is greater than or equal to 5 out of 10 IF THE FINAL EXAM MARK IS GREATER THAN OR EQUAL TO 4 OUT OF 10. If the mark obtained in the final exam is under 4 the grade of the course will be Failed with the mark obtained in the final exam.

Calendar of evaluation activities

The dates of the mid-term and 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

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 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 course. If the student does not pass the retake, the grade will remain unchanged, and hence, the student will fail the 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". Section 10 of Article 116. Results of the evaluation. (UAB Academic Regulations).

COMPREHENSIVE EVALUATION (Art. 265 of the UAB Academic Regulations)

By requesting the comprehensive evaluation the student waives the option of continuous evaluation.

The comprehensive evaluation must be requested at the Academic Management (Gestió acadèmica) of the Campus where the degree/master's degree is taught. The request must be filed according to the procedure and the deadline established by the administrative calendar of the Faculty of Economics and Business.

Attendance :

- Student attendance is mandatory on the day of the comprehensive assessment. The date will be the same as that of the final exam of the semester as per the evaluation calendar published by the Faculty of Economics and Business and approved by the Faculty's Teaching and Academic Affairs Committee. The duration of the comprehensive assessment must be specified in the characteristics of such activity.
- 100% of the evaluation evidences must be handed in by the student on the day of the comprehensive assessment.
- The evaluation evidences carried out in person by the student on the same day of the comprehensive assessment must have a minimum weight of 70%.

Evidence Type	Weight in the final assessment (%) (2)	Duration of the activity	Is the activity that corresponds to this evaluation evidence to be carried out in person on the date scheduled for the comprehensive evaluation? (YES/NO) (3)
Theoretical questions	40%	45 min	yes
Solving practical cases	40%	45 min	yes
Multiple-choice or true/false questionnaire	20%	20 min	yes
TOTAL	100%	1h50min	

RETAKE PROCEDURE :

For the retake procedure, no distinction is made between students who have followed the continuous evaluation and those who have opted for the comprehensive evaluation. All will be re-assessed using the same test or evaluation evidence.

REVIEW OF THE FINAL QUALIFICATION:

The review of the final qualification will follow the same procedure as for the continuous evaluation.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Final Exam	50%	2	0.08	2, 3, 1, 4, 6, 8
Mid-term exam	40%	1.5	0.06	2, 3, 1, 4, 5, 6, 8
Participation in class, discussion of practical cases and materials	10%	3	0.12	3, 1, 7, 9, 8

Bibliography

GÓMEZ ABELLEIRA, F.: Handbook of Spanish Employment Law. Tecnos, Madrid, 2012 (last edition).

The use of legal compilations is not necessary, as there are no updated translations into English of the main regulations in the field of Labour Law.

Software

Moodle and, in case of having to move to telepresence teaching, Teams.