# Law and Technology in Labour Relations

Code: 105068
ECTS Credits: 6

**2025/2026**

| Degree | Type | Year |
|---|---|---|
| Labour Relations | OT | 4 |
| Law | OT | 4 |

## Contact

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## Teachers

(External) Anna Capellà Ricart

## Teaching groups languages

You can view this information at the end of this
document.

## Prerequisites

It is recommended to have passed the subject Constitutional Law beforehand

Lessons will be teached taking into account the sustainable development goals.

## Objectives and Contextualisation

The right to data protection is perhaps the most relevant right related to information and communication
technologies (ICTs), along with the right to privacy and freedom of expression. In labour law, a large number of
personal information about the professional life of the workers are collected, such as degrees, positions and
compensation, as well as other personal aspects such as family life, marital status, DNI and name of children,
among others. In addition, sensitive information about trade union affiliation, usually serving to discount the
union quota, and health data such as casualties and illnesses, are often also stored. This allows you to create
a personal profile that deserves to be protected.

This course aims at describing the general principles applicable to legal problems related to fundamental rights
at workplace, as well as possible protective measures and their effectiveness. The common situations of risk
for the fundamental rights are:

- Selection processes

- Business controls, with biometric technology, monitoring and video surveillance

- Interception of communications and navigation on the Internet

- Sensitive data

The question to answer in this course is none other than the level of real protection of the fundamental rights of workers in the company. Possible solutions will often be regulatory, but we will occasionally mention other complementary options, such as Privacy Enhancing Technologies.

## 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.
- 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.
- Working autonomously.
- Working effectively in teams.

Law
- Defending and promoting the essential values of the social and democratic State of Law.
- Mastering the computing techniques when it comes to obtaining legal information (legislation databases, jurisprudence, bibliography...) and in data communication.
- Students must be capable of learning autonomously and having an entrepreneurial spirit.
- 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. Applying the information and communication technologies to the different areas of action.
2. Clearly expressing ideas or facts in a compelling way.
3. Gathering good business related practices.
4. Identifying the databases of commercial nature and knowing how to use them correctly.
5. Interpreting the social events as mechanisms that affect rules and current legal institutions.
6. Knowing the foundations of the legal areas of industrial relations in the specific scenario of new technologies and freedom of speech and information.
7. Knowing the foundations of the legal areas of industrial relations in the specific scenario of new technologies and labour market.
8. Knowing the mechanisms that must be applied in every situation.
9. Self-motivating by undertaking specific training programs to acquire new knowledge.
10. Students must be capable of deciding, sharply taking decisions and judging.
11. Students must be capable of learning autonomously and having an entrepreneurial spirit.
12. Students must be effective in a changing environment and when facing new tasks, responsibilities or people.

13. Use different information and communication technologies.
14. Working autonomously.
15. Working effectively in teams.
16. 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. FUNDAMENTAL RIGHTS AND NEW TECHNOLOGIES

Fundamental rights and Constitution. Fundamental rights of workers.

UNIT 2. UNION FREEDOM AND THE NEW TECHNOLOGIES

Right of the unions to use the electronic mail of the company. Conditions and restrictions.

UNIT 3. THE PROTECTION OF PERSONAL DATA OF THE WORKER

Databases in the company. Union fees and medical data.

UNIT 4. RIGHT TO PRIVACY IN THE COMPANY

Video surveillance, Control of navigation. RFID tags, biometric access and location monitoring.

UNIT 5. SECRET OF COMMUNICATIONS AT WORK

The control of the worker's email. Professional and personal mail. Reasonable use and collective agreements.

UNIT 6. FREEDOM OF EXPRESSION AT WORK

Critics within the company. Critics in social networks.

UNIT 7. DISCRIMINATION DUE TO NEW TECHNOLOGIES

Selection process and promotion

## Activities and Methodology

| Title | Hours | ECTS | Learning Outcomes |
|---|---|---|---|
| Type: Directed | | | |
| Lessons | 22 | 0.88 | 1, 7, 6, 8, 12, 3 |
| Type: Supervised | | | |
| Homework for next lesson | 22 | 0.88 | 1, 9, 7, 6, 8, 12, 3, 10, 14 |
| Type: Autonomous | | | |
| Homework | 101 | 4.04 | 1, 9, 7, 6, 8, 12, 3, 10, 14, 15 |

Time

Monday 8h30 to 11h45

There will be a break of 15 minutes at 10a.m.

Attendance to class is not compulsory

Classroom activated on the virtual Campus

Continuous Evaluation

3 exercises in class, on materials indicated on the virtual campus. The materials may be brought into practice. They will be corrected and will be returned (50% of the total).

Intermediate examl about a sentence of the first units, which has not been seen in class. You can take the materials to the partial (see date on the virtual campus, 25% of the final grade)

Final Exam

Final exam about a sentence of any topic, which has not been addressed before. The materials can be brought to the final exam (see academic calendar, 25% of the final grade)

Revaluation

View dates on the virtual campus

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.

## Assessment

## Continous Assessment Activities

| Title | Weighting | Hours | ECTS | Learning Outcomes |
|---|---|---|---|---|
| Activities at classroom | 50% | 2 | 0.08 | 1, 9, 7, 6, 8, 12, 2, 11, 10, 14, 15 |
| Final Exam | 25% | 1 | 0.04 | 1, 9, 7, 6, 8, 12, 2, 4, 5, 3, 10, 14, 15, 16, 13 |
| Half-period Exam | 25% | 1 | 0.04 | 9, 7, 6, 8, 12, 2, 4, 5, 3, 10, 14, 16 |
| Second-chance Exam | 50% | 1 | 0.04 | 9, 7, 6, 8, 12, 2, 10, 14 |

Continuous Evaluation

3 exercises in class, on materials indicated on the virtual campus. The materials may be brought into practice. They will be corrected and will be returned (50% of the total).

Intermediate examl about a sentence of the first units, which has not been seen in class. You can take the materials to the partial (see date on the virtual campus, 25% of the final grade)

Final Exam

Final exam about a sentence of any topic, which has not been addressed before. The materials can be brought to the final exam (see academic calendar, 25% of the final grade)

Non-avaluable

Students will get a mark as long as they fulfill activities equivalent to 2/3 of the final mark of the subject. If the weight of the fulfilled activities does not reach this threshold, the professor of the subject can consider the student as non-avaluable.

Revaluation

View dates on the virtual campus

Unique Evaluation

3 exercises in class about documents previously sent (50% value).

1 final exam (50%)

Re-evaluation:

Same as for continuous evaluation.

Non-avaluable:

Same as for continuous evaluation.

## Bibliography

GENERALS REFERENCES

PRECIADO DOMÉNECH, Carlos Hugo, *Breve historia del Trabajo y los derechos fundamentales*, Editorial Bomarzo, 2018.

VALDÉS DAL-RÉ, Fernando, *El Constitucionalismo laboral europeo y la protección multinivel de los Derechos laborales fundamentales*, Editorial Bomarzo, 2016.

GARCÍA MURICA, Joaquín (director), *Derechos del trabajador y libertad de empresa. 20 casos de jurisprudencia constitucional*, Ed. Aranzadi, 2013.

ROIG, Antoni, Derechos fundamentales y tecnologías de la información y de las comunicaciones, Ed. Bosch, Barcelona, 2010.

WOLTERS KLUWER España, *Documentos sobre el impacto de las nuevas tecnologías en la gestión de las personas y en las relaciones laborales.* Códigos telemáticos. Registro horario y derecho a la desconexión. Analítica de personas. Retención del talento. Compliance y whistleblowing, 2020.

ABADÍAS SELMA, Alfredo y GARCÍA GONZÁLEZ, Guillermo (coords.) *Protección de los trabajadores e inteligencia artificial. La tutela de los derechos sociales enla cuarta revolución industrial,* Atelier, Barcelona, 2022.

CONCRETE REFERENCES

(Also jurisprudential and doctrinal materials will be indicated on time in each subject on the virtual campus).

ABADÍAS SELMA, Alfredo (2023) El Derecho penal frente a la discriminación laboral algorítmica, Ed. Aranzadi, Pamplona.

ÁLVAREZ DEL CUVILLO, Antonio (2024) **_El concepto de discriminación grupal y su eficacia real en el ámbito de las relaciones laborales_**, Ed. Tirant lo Blanch, València.

APARICIO ALDANA, Rebeca Karina, Derecho a la intimidad y a la propia imagen en las relaciones laborales, Thompson Reuters Aranzadi, 2016.

CAMPAL MARTÍNEZ, Ángel Mariano, "La libertad sindical y el uso de las nuevas tecnologías de la información y la comuniciación en el ejercicio de las libertades de expresión e información por los representantes de los trabajadores, Revista General del Derecho del Trabajo y de la Seguridad Social, núm. 27, 2011.

DELGADO JIMÉNEZ, Antonio Felipe, _La privacidad de la persona trabajadora y el control tecnológico de la actividad laboral_, Universidad de Jaén, 2021.

FERNÁNDEZ ORRICO, Francisco Javier, _Criterios sobre uso de dispositivos tecnológicos en el ámbito laboral. Hacia el equilibrio entre el control empresarial y la privacidad del trabajador_, Tirant lo Blanch, Valencia, 2021.

GONZÁLEZ DEL RÍO, José María (2024) _El derecho a la libertad de expresión del trabajador a través de redes sociales_, Ed. Aranzadi, Pamplona.

LÓPEZ FERNÁNDEZ, Rubén (2023) "Dispositivos de geolocalización de la persona trabajadora y despido disciplinario ", _Lan Harremanak_, 2023, 50, 15-39.

MERCADER UGUINA, Jesús R., _Protección de datos en las relaciones laborales_, Ed. FrancisLefebvre, 2018.

MOLINA NAVARRETE, Cristóbal, _Datos y derechos digitales de las personas trabajadoras en tiempos de (pos)Covid19_, Ed. Bomarzo, Albacete, 2021.

POQUET CATALÀ, Raquel (2024) _El derecho de no discriminación en la relación laboral. Tendencias actuales_ , Ed. Aranzadi, Pamplona.

PRECIADO DOMÉNECH, Carlos Hugo, _El derecho a la protección de datos en el contrato de Trabajo_, Ed. Aranzadi, 2017.

RIVAS VALLEJO, Pilar, _La aplicación de la inteligencia artificial al trabajo y su impacto dicriminatorio_, Ed. Aranzadi, Pamplona, 2021.

RIVAS VALLEJO, Pilar (dir.) _Discriminación algorítmica en el ámbito laboral. Perspectiva de género e intervención_, Ed. Aranzadi, Pamplona.

SERRANO GARCÍA, Juana María, _La protección jurídica de los datos de las personas trabajadoras_, Ed. Bomarzo, Albacete, 2022.

TOSCANI GIMÉNEZ, Daniel y TRUJILLO PONS, Francisco (eds.), _La desconexión digital en el_ trabajo, Ed. Aranzadi, Pamplona, 2020.

VALLE MUÑOZ, Francisco Andrés, "Las redes sociales como medio de prueba en el proceso laboral", _Revista de Estudios Jurídico-Laborales y de Seguridad Social_, 2023, núm. 6, 118-143.

For every Lesson more concrete jurisprudence and documents will be available.

## Software

Not required.

## Groups and Languages

Please note that this information is provisional until 30 November 2025. You can check it through this link. To consult the language you will need to enter the CODE of the subject.

| Name | Group | Language | Semester | Turn |
|------|-------|----------|----------|------|
| (PAUL) Classroom practices | 1 | Catalan | first semester | morning-mixed |
| (PAUL) Classroom practices | 2 | English | second semester | morning-mixed |
| (TE) Theory | 1 | Catalan | first semester | morning-mixed |
| (TE) Theory | 2 | English | second semester | morning-mixed |