

Degree programme	Type	Course
Labour Relations	OB	2

Contact lecturer

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Teaching staff

Nacho Parra Arnaiz

Group languages

You can consult this information at the [end](#) of the document.

Prerequisites

There are no prerequisites. Nevertheless, in order to attain the competences and learning outcomes it is essential to have previously consolidated those corresponding to the first-year, second-semester, course "Employment Law I" (ELI). Likewise, it is important to have consolidated basic knowledge linked to History of Social Law and Labour Institutions, Civil Law and Constitutional Law.

The course incorporates the gender perspective in a transversal manner and will be taught taking into account the perspective of the Sustainable Development Goals, with emphasis on SDG 4 (quality education), SDG 5 (gender equality), SDG 8 (decent work), SDG 10 (reduction of inequalities) and SDG 16 (strong institutions).

Teaching Staff

Group 1 (lectures): Oriol Cremades Chueca.

Group 11 (case-resolution classes): Oriol Cremades Chueca.

Group 12 (case-resolution classes): Natxo Parra Arnaiz.

Group 51 (lectures): Oriol Cremades Chueca.

Group 511 (case-resolution classes): Oriol Cremades Chueca.

Objectives

The main objective of the course is to consolidate the knowledge of the foundations of Employment Law attained in Employment Law I (ELI) and to acquire the capacity to apply the instruments that regulate the legal regime of the ordinary individual employment relationship.

From this general objective the following specific objectives are derived:

1. To understand and apply the legal regime of access to employment and of the contractual arrangements of employed work (lessons 1 to 3).
2. To understand, identify and apply the labour-law mechanisms related to business fragmentation and productive decentralisation, as well as their legal consequences (lesson 4).
3. To analyse and apply the regime of rights, duties and powers of the parties in the employment contract, with special attention to the employee's fundamental rights (lessons 5 and 6).
4. To understand and apply the legal regime of working time and non-working time, conciliation rights and digital disconnection (lesson 7).
5. To understand and apply the remuneration and wage regime, its mechanisms of fixing and protection, with the incorporation of the principle of equal pay (lessons 8 and 9).

The achievement of these objectives is important to be able to pass the second semester subject Employment Law III (ELIII).

Learning outcomes

1. Explaining the employment contract and its variations.
2. Describing regular processes and special processes.
3. Applying and using in teaching practice the mechanisms of the collective agreements.
4. Explaining the methods of job placement and intermediation in the labour market.
5. Working autonomously.
6. Self-motivating by undertaking specific training programs to acquire new knowledge.
7. Students must be capable of deciding, sharply taking decisions and judging.
8. Clearly expressing ideas or facts in a compelling way.
9. Students must be capable of persuading others to agree with their point of view.
10. Verbally communicating and defending a project.
11. Drawing up and formalising reports and documents.
12. Applying the information and communication technologies to the different areas of action.
13. Working effectively in teams.
14. Solving the practical issues related with suspension and extinction of industrial relations by applying the legislation and jurisprudence.

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BLOCK I. ACCESS TO EMPLOYMENT AND TYPOLOGIES AND MODALITIES OF THE EMPLOYMENT CONTRACT

LESSON 1. ACCESS TO EMPLOYMENT AND THE EMPLOYMENT CONTRACT: PARTIES, FORMATION, AND ACCESSORY AGREEMENTS OF THE EMPLOYMENT CONTRACT

1. Access to employment.
2. Concept, delimitation and subjects of the contract of employed work (referral to course ELI).
3. Capacity to work. Recruitment of foreign nationals.
4. The formation of the employment contract
 - 4.1 Capacity, object, cause and consent.
 - 4.2 Validity and nullity.
 - 4.3 Form in the employment contract. Presumption of existence of the employment contract. The basic copy of the employment contract.
 - 4.4 Condition and term.

4.5 The trial period.

5. Accessory agreements to the employment contract

5.1 Exclusive dedication agreement.

5.2 Company permanence agreement.

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LESSON 2. TYPES AND MODALITIES OF EMPLOYMENT CONTRACTS (I): INDEFINITE AND TEMPORARY CONTRACTS

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2.2.1.1 Occasional and unforeseeable situations.

2.2.1.2 Occasional and foreseeable situations.

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1.1 Training employment contracts vs. internships.

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1.3.2.1 The training employment contract with alternating work.

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BLOCK II. PRODUCTIVE DECENTRALISATION AND RIGHTS AND DUTIES OF THE PARTIES IN THE EMPLOYMENT CONTRACT

LESSON 4. BUSINESS FRAGMENTATION, PRODUCTIVE DECENTRALISATION, AND EMPLOYMENT

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1. Advantages and risks of business fragmentation and productive decentralisation.

2. Main responses in Spanish Labour Law

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2.2 Assignment of employees.

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1. The duties of the employer

1.1 Effective occupation.

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1.3 Professional promotion and training.

1.4 Occupational health and safety (referral to course 'Occupational Health and Safety').

2. Powers of the employer: legal foundations and typology

2.1 Legal foundations of the employer's powers.

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2.2.1 Management power.

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2.2.4 Power to suspend and terminate the employment contract (referral to course course DTIII).

LESSON 6. PERFORMANCE OF WORK AND RIGHTS AND DUTIES OF THE PARTIES (II): PROFESSIONAL CLASSIFICATION SYSTEM AND DUTIES AND EMPLOYEE'S RIGHTS

1. Professional classification systems. Professional grading.

2. The duties and rights of the worker

2.1 Duties of the worker

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2.1.2 Duty of diligence: due performance, collaboration and contribution to improving productivity.

2.1.3 Duty of good faith.

2.1.4 Prohibition of unfair competition vs. post-contractual non-competition agreement.

2.1.5 Exclusive and permanence agreement (referral to lesson 1).

2.2 Rights of the worker

2.2.1 Basic rights of the worker.

2.2.2 Fundamental rights of the worker

2.2.2.1 Typology and main channels for the protection of the worker's fundamental rights in the employment contract.

2.2.2.2 Overview of the worker's individual fundamental rights in the employment contract

I. Dignified treatment, equality and non-discrimination.

A) Concept and differences between equality and non-discrimination.

B) Promotion of equality between women and men in the company and equality plans.

C) Equality and non-discrimination of LGTBI and trans persons.

II. Right to privacy, right to the protection of personal data and right to the secrecy of communications.

III. Other fundamental rights.

IV. The guarantee of indemnity. Whistleblowers and channels for reporting regulatory infringements and the fight against corruption and protection of the whistleblower.

BLOCK III. WORKING TIME AND REMUNERATION

LESSON 7. WORKING TIME AND NON-WORKING TIME

1. The importance of working time and non-working time.

2. Working day and work schedule. Daily working-time record. Irregular distribution of working time.

3. Overtime. Complementary hours (referral to lesson 3).

4. Night work and night workers. Shift work.

5. Occasional interruptions of the work performance.

6. Reduction of working time.

7. Adaptation of working time.

8. Rest periods, public holidays, work calendar and annual leave.

9. Digital disconnection at work.

LESSON 8. REMUNERATION AND WAGE (I): CONCEPTS, FIXING, TYPOLOGY AND STRUCTURE

1. Concept of remuneration vs. concept of wage. The wage presumption. non-wage benefits.

2. Typology, modalities and wage systems

2.1 Gross wage vs. net wage.

2.2 Wage per unit of time, per unit of work or mixed.

2.3 Wage in cash vs. wage in kind.

2.4 Qualification-based wage (job evaluation).

2.5 Other wage and remuneration systems: performance; objectives; commission; participation in the improvement of productivity/profits; and stock options.

3. Fixing of wages and remuneration

3.1 The Minimum Interprofessional Wage.

3.2 Equal pay for work of equal value: pay gap and pay discrimination on grounds of sex.

3.3 The collectively agreed wage, the wage agreed between the parties, double wage scales and compensation and absorption.

4. Wage structure: base wage and supplements.

LESSON 9. REMUNERATION AND WAGES (II): THE MECHANISMS FOR THE PROTECTION OF WAGES

1. Form and place of the wages. The pay slip and its functions.

2. The frequency of wage payments. Advances and punctuality.

3. The protection of the wage credit

3.1 Late payment surcharge.

3.2 Insolvency and non-insolvency situation.

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3.4 The Wage Guarantee Fund.

Learning activities and methodology

Title	Hours	ECTS	Learning outcomes
Lectures	22	0.88	1, 2, 3, 4, 8, 10, 12, 14
Search for legislation, judgments, collective agreements and other documentation	5	0.2	3, 5, 7, 8, 12, 13, 14
Study	45	1.8	1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 13, 14
Drafting/resolution of practical cases	20	0.8	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14
Final tutorial	1	0.04	1, 2, 3, 4, 7, 8, 9, 10, 12, 14
Reading legal texts	10	0.4	1, 2, 3, 4, 5, 6, 12
Reading and analyzing materials to solve and present practical cases, and creating outlines and texts for this purpose.	20	0.8	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
Case-resolution classes	22	0.88	1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14

The learning process is organised on the basis of 3 types of training activities:

1. DIRECTED ACTIVITIES

They respond to a predetermined timetable, require the direction of the lecturer and are carried out in a group

(lectures) or subgroup (case-resolution classes).

A) Lectures

The main role falls on the teaching person and they have an essentially expository character of the legislation and criteria of judicial doctrine and case law, as well as legal cases and conflictive situations and how the regulations, the courts and, in general, legal operators respond to them. They consist of the exposition of various aspects of the syllabus, taking as a basis, among others, the regulations, and the materials that may eventually be provided through the teaching space of the course within the Campus Virtual.

In these sessions "short questions" may be carried out (see the "assessment" section).

B) Case-resolution classes

With a role shared between the teaching person and the student, these activities will have a practical character and will be carried out in regular case-resolution sessions, each of which will entail previous work outside the classroom and in-person work in the classroom based on the resolution, oral presentation (individual or in a group) and collective discussion of cases and/or the preparation of legal documents.

In the part corresponding to the work in the classroom, the practical activities will be carried out in a team or individually, as determined, and will incorporate interaction, oral presentations and answers to questions on the part of the students.

In these sessions the student's participation will be assessed and "short questions" may be carried out, and in the sessions that are determined the two continuous assessment tests are taken (see the "assessment" section).

2. SUPERVIDES ACTIVITIES

They can be carried out autonomously, but they require the more or less occasional supervision of the teaching staff. They are carried out individually or in small teams, with the non-in-person support of the teaching staff, geared towards the preparation of the assessable practical work. As a guideline, it includes the search for and reading of materials (including, among others, regulations, judgments and collective bargaining agreements) for the resolution and presentation of practical cases, as well as the preparation of outlines and texts for this purpose.

3. AUTONOMOUS ACTIVITIES

They are all those in which the student organises their time and effort autonomously, individually or in a team: research and study, preparation of outlines or summaries, and resolution of cases when they must be done beforehand and resolved and discussed in the classroom. An essential part of these activities is linked to completing, analysing and studying the contents of the lectures and of the continuous assessment tests and the preparation of the final exam.

Note: 15 minutes of a class will be set aside, within the schedule established by the center/program, for students to complete the surveys evaluating the teaching staff and the course.

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

Continuous assessment activities

Title	Weight	Hours	ECTS	Learning outcomes
2 Continuous assessment tests (practical	30% of the continuous assessment grade in	2	0.08	1, 2, 3, 4,

cases - max.1 hour each for the two tests)	the regular phase (15% for each of the two tests)			5, 7, 8, 9, 11, 14
Participation in case resolution sessions	20 % of the grade from continuous assessment in the regular phase	0.75	0.03	1, 2, 3, 4, 7, 8, 9, 10, 12, 13, 14
Short questions	10 % of the grade from continuous assessment in the regular phase	0.75	0.03	1, 2, 3, 4, 5, 6, 7, 8, 9, 14
Final theoretical-practical exam	40% of the grade from continuous assessment in the regular phase	1.5	0.06	1, 2, 3, 4, 5, 7, 8, 11, 14

There are two mutually exclusive assessment systems: continuous assessment (section A) and single assessment (section B). In any case, both systems share common aspects (section C).

A. CONTINUOUS ASSESSMENT

A distinction must be drawn between continuous assessment in the ordinary phase and in the reassessment phase.

A.I. Continuous assessment in the ordinary phase

The continuous assessment system in the ordinary phase comprises 4 assessment instruments:

A.I.1 - Short questions (10%)

These are short questions to be answered individually, in writing and without reference material. They are set during sessions -lectures and/or case-resolution sessions-, without prior notice, in order to check whether the student has actively processed the session. To answer each short question, the student will have a maximum of 5 minutes. Over the course of the term, between 5 and 15 short questions will be administered and each short question is graded by means of a rubric with 3 possible levels/grades. This rubric will be published in the virtual space of the Campus Virtual before the start of the teaching of the subject.

The grade for this assessment instrument is the arithmetic mean of the student's computable grades. The following conditions apply to this instrument:

- a) Owing to its formative nature linked to active attendance and knowledge, the short questions are not recoverable nor substitutable by any alternative activity, whatever the cause.
- b) The grades of the short questions to which the student has presented themselves are considered computable, as well as each of those graded with a 0 for not having been done for an unjustified cause.
- c) Short questions to which the student does not present themselves for a valid justified cause are not computed (see section C.3).
- d) When the student has two or more computable grades, before calculating the mean the lowest grade is excluded (if the lowest grade is repeated, only one is excluded).
- e) If, for one or more valid and duly accredited justified causes, the student has no computable grade in this instrument, its weight (10%) is not computed and is added to the final theoretical-practical exam, which then accounts for 50% (see section C.3).

The grade of each short question will be published in the corresponding virtual space of the Campus Virtual and the student will have the period established for that purpose, from the publication of the grade, to request its review through the relevant established channel. The date, time and place of this review will be set by the teaching staff of the subject.

The short questions account for 10% of the total grade of the continuous assessment system in the ordinary phase.

A.1.2 - Participation in the case-resolution sessions (20%)

This instrument assesses, individually for each student, the frequency and relevance of their interventions, the grounding and the legal and technical correctness of their oral answers and presentations, the argumentative quality and the active and constant contribution and commitment to teamwork in the case-resolution sessions.

Participation in the case-resolution sessions is graded globally and by means of a rubric with 5 possible levels/grades. This rubric will be published in the virtual space of the Campus Virtual before the start of the teaching of the subject. Owing to its nature as a global formative instrument throughout the case-resolution sessions and linked to the student's active presence and participation, participation in the case-resolution sessions is not recoverable nor substitutable by any alternative activity, whatever the cause.

Notwithstanding the above and exceptionally, the case-resolution sessions that the student has been unable to attend for a valid justified cause, duly communicated and documented in the established terms, will not be assessed and participation will be assessed solely on the basis of the sessions actually attended (see section C.3).

Likewise, and also exceptionally, if for a valid duly accredited justified cause the student has not attended any session that can be assessed for the purposes of participation, the weight of this instrument (20%) is not computed and is added to the two continuous assessment tests, which then account for 25% each (see section C.3).

The global rubric is applied considering only the computable sessions; sessions not attended for a valid justified cause are not taken into account and those not justified are assessed.

The global grade of this instrument will be published in the corresponding virtual space of the Campus Virtual once the case-resolution sessions have ended, and the student will have the period established for that purpose, from the publication of the grade, to request its review through the relevant established channel. The date, time and place of this review will be set by the teaching staff of the subject.

Participation in the case-resolution sessions accounts for 20% of the total grade of the continuous assessment system in the ordinary phase.

A.1.3 - Continuous assessment tests (2 tests, 15% each; 30% in total)

The 2 continuous assessment tests are taken individually, in writing in the classroom and without reference material, within 2 set case-resolution sessions, with a maximum duration of 60 minutes each. Test 1 is taken at approximately the midpoint of the subject and test 2 in the last case-resolution session of the subject. The specific dates are published in the virtual space of the Campus Virtual before the start of the teaching of the subject.

Both tests have an exclusive format of practical cases -where the drafting of documents and exercises involving calculations is possible- and each test contains between 2 and 4 cases and each case may have several questions. Each question in the case and each case may have a different score and the maximum overall score of each test is 10 points. For the marking of each test, the correct legal argumentation, the written legal expression and spelling are mainly assessed. Should the teaching staff of the subject deem it appropriate and allow the use of a calculator, they will give specific instructions on the type of calculator, as well as other possible details, via the virtual space of the Campus Virtual.

If the student is absent in an unjustified manner from a test, that test is graded with a 0, without prejudice to the fact that the student may end up being not assessable if the requirements established for that purpose are met; if the absence is validly justified, the teaching staff will set an alternative date, time and place to take a test of equivalent format.

The grade of each of the tests will be published in the corresponding virtual space of the Campus Virtual and the student will have the period established for that purpose, from the publication of the grade, to request its review through the relevant established channel. The date, time and place of this review will be set by the teaching staff.

Each of the continuous assessment tests accounts for 15% of the total grade of the continuous assessment

system in the ordinary phase. Therefore, in total, the 2 continuous assessment tests account for a total of 30% of the total grade of the continuous assessment system in the ordinary phase.

A.I.4 - Final theoretical-practical exam (40%)

The final exam, of a theoretical-practical nature, is taken individually by the student on the day set by the official examination period established by the Faculty of Law, with a maximum duration of 1 hour and 30 minutes. It consists of 5 development questions of a theoretical-practical nature, where each question is graded from 0 to 10 points and the exam grade is the arithmetic mean of the 5 questions. Legal comprehension and expression and the ability to relate and apply the legal concepts of the subject are especially assessed. The exam grade will be weighted with the rest of the grades obtained from all the other assessment instruments of the continuous assessment system in the ordinary phase provided that the student obtains a minimum of 4.5 out of 10 in the exam; otherwise the subject is not passed in the ordinary phase of the continuous assessment system.

If the student is absent in an unjustified manner from the exam, this activity is graded with a 0, without prejudice to the fact that the student may end up being not assessable if the requirements established for that purpose are met; if the absence is validly justified, the teaching staff will set an alternative date, time and place to take the exam of equivalent format.

The grade of the final theoretical-practical exam will be published in the corresponding virtual space of the Campus Virtual and the student will have the period established for that purpose, from the publication of the grade, to request its review through the relevant established channel. The date, time and place of this review will be set by the teaching staff.

The theoretical-practical exam accounts for 40% of the total grade of the continuous assessment system in the ordinary phase.

Non-recoverable instruments

Owing to their nature, neither the short questions nor participation in the case-resolution sessions are recoverable under any circumstances, regardless of the cause alleged (see sections A.I.1 and A.I.2).

Grades in continuous assessment in the ordinary phase:

Not-assessable student:

A student will be considered "not assessable" who has not presented themselves to a set of continuous assessment activities in the ordinary phase whose weight totals at least 2/3 of the total grade of the subject and which necessarily include one of the two continuous assessment tests (point A.I.3) and the final theoretical-practical exam (point A.I.4). For the purposes of computing the 2/3:

- i) it is done on the weights applicable to the student, including, where appropriate, the exceptional redistribution provided for in sections A.I.1, A.I.2 and C.3;
- ii) the student is deemed to have presented themselves to the final exam or to a test when they take them, even if they hand in the exercise wholly or partially blank, and an unjustified absence from the exam or from a test is not deemed presentation to that instrument (without prejudice to the fact that, for the calculation of the grade, the test or the exam is graded with a 0 and recorded as not presented);
- iii) they are deemed to have presented themselves to the short questions when they have at least one computable grade in this instrument; and
- iv) they are deemed to have presented themselves to participation when they have an assessment based on at least one attended session.

Calculation of the final grade in the continuous assessment phase:

- If the student meets the requirements to be assessed and the final exam grade is equal to or higher than 4.5 out of 10, the subject grade is calculated as follows: final grade = $(0.10 \times \text{overall short-questions grade}) + (0.20 \times \text{participation grade}) + (0.15 \times \text{test 1 grade}) + (0.15 \times \text{test 2 grade}) + (0.40 \times \text{final exam grade})$. The subject is passed with a final grade equal to or higher than 5 out of 10. If the final grade is lower than 5, the subject is failed, the record will show this final grade, with a

maximum of 4.5 out of 10, and the student must take the reassessment (see section A.II). In the cases of redistribution under sections A.I.1, A.I.2 and C.3, the weights of this formula are adjusted as indicated therein.

- If the student meets the requirements to be assessed (see "Not-assessable student") and if the final exam grade is lower than 4.5 out of 10, the subject is failed in the continuous assessment system in the ordinary phase: the record will show the grade obtained in the exam, with a maximum of 4.5 out of 10, and the student must take the reassessment (see section A.II).

A.II. Reassessment in the continuous assessment system

Access to reassessment in the continuous assessment system

A student is entitled to reassessment provided they meet the two conditions below:

a) Having presented themselves to assessable activities whose weight totals at least 2/3 of the subject grade, among which the final theoretical-practical exam and at least one of the two continuous assessment tests must necessarily appear. For the purposes of computing the 2/3:

- i) it is done on the weights applicable to the student, including, where appropriate, the exceptional redistribution provided for in sections A.I.1, A.I.2 and C.3;
- ii) the student is deemed to have presented themselves to the final exam or to a test when they take them, even if they hand in the exercise wholly or partially blank, and an unjustified absence from the exam or from a test is not deemed presentation to that instrument (without prejudice to the fact that, for the calculation of the grade, the test or the exam is graded with a 0 and recorded as not presented);
- iii) they are deemed to have presented themselves to the short questions when they have at least one computable grade in this instrument; and
- iv) they are deemed to have presented themselves to participation when they have an assessment based on at least one attended session.

b) Having failed the subject in the continuous assessment in the ordinary phase.

A student who does not meet both conditions (a and b) is not entitled to reassessment, and the record will show the respective grade obtained in the continuous assessment in the ordinary phase.

Modalities of reassessment in the continuous assessment system

The reassessment exam is taken individually by the student and the day is set for that purpose by the official examination period established by the Faculty of Law. Without prejudice to the provisions in the case of non-attendance for a valid justified cause (see section C.3), a student who does not take the reassessment exam in the continuous assessment system when entitled to do so will have the subject failed and the record will show the grade that would correspond in the ordinary phase of the continuous assessment system.

The modality of reassessment in the continuous assessment system depends on the arithmetic mean of the two continuous assessment tests; and if, in the ordinary phase, weights have been redistributed because the student could not be assessed, for a valid justified cause, in the short questions and/or participation (sections A.I.1, A.I.2 and C.3), this redistribution is maintained in the reassessment, as detailed in each modality.

Modality 1, applicable when the mean of the two continuous assessment tests is equal to or higher than 5.0 points out of 10 points.

All grades for the short questions, participation and the 2 continuous assessment tests are kept, maintaining their joint weight of 60%. The student takes a final reassessment exam, with the same duration (1.5 hours), the same assessable contents and the same grading criteria as the ordinary final exam (40%). The final grade is obtained from the weighted average of the kept continuous assessment (60%) and the reassessment exam (40%), provided that the grade of this exam is equal to or higher than 4.5 out of 10. Under no circumstances is the grade of the final exam taken in the ordinary phase kept.

As in this modality the continuous assessment tests are kept (where, where appropriate, the weight of participation had been incorporated), in the exceptional case where the student is in the redistribution situation of the ordinary phase (see sections A.I.1 and A.I.2), the weights are as follows:

- a) if no short question could be computed for a valid duly accredited justified cause (and therefore its 10% had been incorporated into the final exam), participation (20%) and the tests (30%) are kept -jointly, 50%- and the reassessment exam is worth 50%;
- b) if participation could not be computed in any session for a valid duly accredited justified cause (and therefore its 20% had been incorporated into the tests), the short questions (10%) and the tests (50%) are kept -jointly, 60%- and the reassessment exam is worth 40%;
- c) if neither any short question nor participation in any session could be computed for a valid duly accredited justified cause, the tests are kept (which came to have a weight of 50%) and the reassessment exam is worth 50%.

The subject is passed with a final grade equal to or higher than 5 out of 10.

If the reassessment exam grade is equal to or higher than 4.5 but the final grade is lower than 5, the subject grade is a fail and the record will show this final grade with a maximum of 4.5 out of 10.

If the reassessment exam grade is lower than 4.5, the subject grade is a fail and the record will show the exam grade with a maximum of 4.5 out of 10.

Modality 2, applicable when the mean of the two continuous assessment tests is lower than 5.0 points out of 10 points.

The grades of the short questions and of participation in the case-resolution sessions are kept and, owing to their non-recoverable nature, maintain their weight of 30% (10% + 20%). The grade of neither of the two continuous assessment tests (point A.I.3) nor that of the final theoretical-practical exam (point A.I.4) is kept; they are replaced by a reassessment exam with a maximum duration of 2 hours, structured in two parts:

- Development-questions part (40% of the subject grade): five development questions, each graded from 0 to 10; the grade of this part is the arithmetic mean of the five questions.
- Case-resolution part (30% of the subject grade): resolution, duly grounded in law, of between 2 and 4 practical cases (which may include the drafting of legal documents, and each case may have several questions and scores) of the subject matter under examination.

Each of the two parts of the exam is graded from 0 to 10. The final grade of the subject in this modality 2 is calculated as follows: final grade = $(0.10 \times \text{overall short-questions grade}) + (0.20 \times \text{participation grade}) + (0.40 \times \text{grade for the development part of the reassessment exam}) + (0.30 \times \text{grade for the case-resolution part of the reassessment exam})$. In the cases of redistribution under sections A.I.1, A.I.2 and C.3, the weights of this formula are adjusted as indicated therein.

As in this modality neither the continuous assessment tests nor the ordinary final exam are kept, in the exceptional case where the student is in the redistribution situation of the ordinary phase (see sections A.I.1 and A.I.2), the weights are as follows:

- a) if no short question could be computed for a valid duly accredited justified cause (and therefore its 10% had been incorporated into the final exam, which in this modality is replaced by the reassessment exam), participation (20%) is kept and the reassessment exam is worth 80%, with the following final weighting: development questions 50% and case resolution 30%;
- b) if participation could not be computed in any session for a valid duly accredited justified cause (and therefore its 20% had been incorporated into the tests, which in this modality are not kept), the short questions (10%) are kept and the reassessment exam is worth 90%, with the following final weighting: development questions 40% and case resolution 50%;
- c) if neither any short question nor participation in any session could be computed for a valid duly accredited justified cause, the reassessment exam is worth 100%, with the following final weighting: development questions 50% and case resolution 50%.

To pass the subject, two conditions must be met simultaneously: 1) achieving a minimum grade of 4.5 out of 10 in each of the two parts of the reassessment exam; and 2) obtaining a final grade equal to or higher than 5 out of 10.

If either of the two aforementioned conditions (1 or 2) is not met, the subject grade is a fail and the record will show the final grade calculated according to the previous formula, with the maximum limit of a grade of 4.5 out

of 10 points.

B. SINGLE ASSESSMENT

Single assessment is only applicable to a student who has requested it from the Faculty of Law within the established period and to whom it has been granted. Otherwise, the student is subject for all purposes to the continuous assessment system.

In single assessment, the exam constitutes a single assessment activity. A student who presents themselves to it is considered assessable, even if they hand in one or more parts blank; a student who does not present themselves will be "not assessable".

B.I. Single assessment in the ordinary phase

It consists of a written exam, taken individually, with a duration of 2 hours and 30 minutes.

The exam, which is considered a single activity, consists of 3 parts:

- Multiple-choice test (20% of the grade).
- Five development questions (40% of the grade); minimum grade of 4.5 out of 10 in this part.
- Resolution of practical cases (between 2 and 4, with multiple questions), without reference materials (40% of the grade); minimum grade of 4.5 out of 10 in this part.

Each part is graded from 0 to 10 and the indicated percentages are applied to it. To pass the subject, it is necessary to obtain a total grade equal to or higher than 5 out of 10 and, at the same time, to achieve the minimum grades of 4.5 both in the development-questions part and in the practical-case-resolution part. If these requirements are not met, the record will show a maximum of 4.5 and the student may take the reassessment provided that the total grade is equal to or higher than 3.5 out of 10.

B.II. Reassessment of the single assessment

A student is entitled to reassessment who, having presented themselves to the ordinary single assessment, has obtained a total grade equal to or higher than 3.5 out of 10; otherwise, they are not entitled and the record will show the grade obtained in the ordinary single assessment. Without prejudice to the provisions in the case of non-attendance for a valid justified cause (see section C.3), a student who does not take the reassessment exam in the single assessment system when entitled to do so will have the subject failed and the record will show the grade that would correspond in the ordinary phase of the single assessment system.

The reassessment consists of an exam identical in format to the ordinary single assessment, with the same marking criteria and the same minimum grades. No grade (of any part) of the ordinary single-assessment exam is kept. If the requirements are not passed, the record will show the grade obtained with a maximum of 4.5 out of 10.

C. COMMON ASPECTS OF ALL ASSESSMENT SYSTEMS

Without prejudice to their specification through the virtual space of the Campus Virtual before the start of the teaching of the subject, the following aspects apply both in continuous assessment and in single assessment:

C.1 Use of artificial intelligence (AI)

Restricted use: for this subject, the use of artificial intelligence (AI) technologies is permitted exclusively for support tasks, such as bibliographic or information searches, text correction or translations. The student must clearly identify which parts have been generated with this technology, specify the tools used and include a critical reflection on how these have influenced the process and the final result of the activity. Lack of transparency in the use of AI will be considered a breach of academic honesty and may entail a partial or total penalty in the grade of the activity, or greater sanctions in serious cases.

In any case, in the context of taking any written assessable question, test or exam, the use of AI is not permitted under any circumstances. Likewise, the teaching staff may indicate at any time situations or contexts in which no use of AI is permitted.

C.2 Instructions for carrying out any assessment activity

The student will follow the instructions of the teaching staff before, during and at the completion of any type of assessment activity. This includes, among others, their identification when required by the means/documentation defined for that purpose.

C.3 Non-attendance for a valid justified cause at tests, exams and case-resolution sessions

When the student is unable to attend a continuous assessment test or an exam for a valid justified cause, and provided they are entitled to it under the applicable assessment system, they may request, on the terms, within the periods and in the cases established for that purpose, to take a test or exam of equivalent format on an alternative date, time and place set by the teaching staff. This right to an equivalent test or exam does not apply to the short questions or to participation. A request submitted out of time and/or without sufficient supporting documentation will not give the right, under any circumstances, to the alternative test or exam.

When the student is unable to attend a case-resolution session for a valid justified cause and communicates this on the terms, within the periods and in the cases established for that purpose, that session will not be taken into account and participation will be assessed solely on the basis of the case-resolution sessions actually attended. If the absence is not validly justified, or is not communicated on the established terms and within the established periods, the corresponding session will count for the purposes of assessing participation.

When, for a valid duly accredited justified cause, the student has no computable element of the short questions and/or participation, the weight redistributions provided for in sections A.I.1 and A.I.2 apply: the weight of the short questions is added to the final theoretical-practical exam and that of participation is added to the two continuous assessment tests. If both circumstances concur, the final exam accounts for 50% and each continuous assessment test, 25%. This provision does not apply under any circumstances to unjustified absences.

For all the above purposes, valid justified causes are always exceptional scenarios, of a restricted nature and interpretation, and will be determined and always assessed, case by case, by the teaching staff. In any case, they will require written accreditation and, where appropriate, the submission of the corresponding official documentation and/or supporting documents.

The attempt at or the actual irregularity and/or fraud -including invention and/or documentary falsification-linked to alleging, justifying or generating a valid justified cause will entail the loss of the right to an alternative date and/or the exclusion of sessions from the assessment of participation. In addition, any exceptional weight redistribution derived from the alleged cause will be rendered void. The student will receive a written warning, with a copy to the degree coordination. In the event that the equivalent test and/or exam has already been taken, these will be graded with a 0 and will not be recoverable; and if one or more sessions had been excluded, these will again be computed in the assessment of participation and for the calculation of the grade. Likewise, the degree coordination and the Faculty's Dean's Office will be informed and the measures, including disciplinary ones, that may apply will be taken.

Repetition of the conduct (or the combination thereof) entails a grade of 0 (fail) in the subject and the loss of the right to reassessment, without prejudice to informing the degree coordination and the Faculty's Dean's Office thereof and to the measures, including disciplinary ones, that may apply being taken.

C.4 Review of exams

The teaching staff will set the day and time for the review of the corresponding assessment exams (both for continuous assessment and single assessment, and both for the ordinary phase and the reassessment phase) by means of a notice on the Campus Virtual and/or by informing of it on the day of the exam. In any case, the student must request the review within the period established for that purpose in order to be entitled to the review of the exam.

C.5 Irregular and fraudulent conduct and copying

Irregular and fraudulent conduct, copying and/or the attempt thereof -active or passive-, in any of its forms -action, omission, verbal, written and/or by means of gestures-, mechanism and/or medium, are not acceptable. Irregular and fraudulent conduct and copying include, in any case and for any question, test, exam,

act and/or assessment activity: total or partial copying; allowing copying; helping another student in carrying it out when the assessment is of an individual nature; not participating in the preparation and elaboration of group assessment works, activities or tasks; presenting as one's own materials elaborated by a third party, even if they are translations or adaptations, and/or made by a technology or tool, and in general works with elements that are not original and exclusive to the student; and having within reach and/or using any type of communication, reproduction and recording device and, in general, any technological device (for example, mobile phones, smartwatches, etc.), except when duly authorised by the teaching staff.

Irregular and fraudulent conduct and copying entail a grade of 0 in the corresponding assessment activity (short question, test, participation or exam), which will not be recoverable or reassessable. The student will receive an oral and written warning, with a copy to the degree coordination. Likewise, the Faculty's Dean's Office will be informed and the measures, including disciplinary ones, that may apply will be taken. Repetition of the conduct entails a grade of 0 (fail) in the subject and the loss of the right to reassessment, without prejudice to informing the degree coordination and the Faculty's Dean's Office thereof and to the measures, including disciplinary ones, that may apply being taken.

Note: all grades will be expressed on a scale of 0 to 10 points; and in the event of discrepancies between the language versions of this teaching guide, what the Catalan version indicates will prevail.

Bibliography

At the start of the teaching, the responsible teaching staff will detail the aspects for the use of the general bibliography, on the basis of the following materials and criteria:

1.It is very important that the consultation and study of the subject is done with the current wording of the law. For manuals and regulatory repertoires, only the latest edition is valid, with the updates indicated by the teaching staff.

2.Compulsory bibliography: it will be specified by the responsible teaching staff of each group, where appropriate.

3.Recommended bibliography:

- Goerlich Peset, José María (ed.): *Derecho del trabajo*, Ed. Tirant lo Blanch, latest edition. Available in the physical and digital library of the UAB.
- Mercader Uguina, Jesús (ed.): *Lecciones de Derecho del Trabajo*, Ed. Tirant lo Blanch, latest edition. Available in the physical and digital library of the UAB.

4.For the basic regulations of labour law, consult the "Biblioteca Jurídica General" of the BOE (Boletín Oficial del Estado), of free access and permanently updated, and download the Código Universitario de Derecho del Trabajo from the Códigos Electrónicos Universitarios collection.

5.For other regulations, judicial resolutions, collective bargaining agreements and other legal documentation, you have a wide catalogue of electronic resources (legal databases) accessible from the Library website, on and off campus (in the latter case, possibly through ARE+). Recommended for labour law: Aranzadi Instituciones, vLex, La Ley Digital and Biblioteca Virtual Tirant.

6.It is entirely inadvisable to use materials (notes, etc.) from previous years.

Software

No specific software will be used.

Course groups and languages

The information provided is provisional until November 30. After this date, you will be able to consult the language of each group through this [link](#). To access the information, you will need to enter the course CODE

Type of teaching	Group	Language	Semester	Shift
(TE) Theory	1	Catalan	first semester	morning-mixed
(PAUL) Classroom practices	11	Catalan	first semester	morning-mixed
(PAUL) Classroom practices	12	Catalan	first semester	morning-mixed
(TE) Theory	51	Catalan	first semester	afternoon
(PAUL) Classroom practices	51	Catalan	first semester	afternoon