Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 310309 **Name:** Employment Law

Credits: 6,00 **ECTS Year:** 3 **Semester:** 2

Module: Labour Law

Subject Matter: Labour Law **Type:** Compulsory

Field of knowledge: Social and Legal Sciences

Department: -

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

313A	Jose Benet Escolano **(Responsible Lecturer)**	jose.benet@ucv.es
313B	Jose Benet Escolano **(Responsible Lecturer)**	jose.benet@ucv.es

Module organization

Labour Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
Labour Law	6,00	Employment Law	6,00	3/2

Recommended knowledge

Common or general subjects of Law: Constitutional Law, Civil Law, Administrative Law, Procedural Law, among others.

Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

R1	To use confidently the sources and elements of Labour Law.
R2	To know how to differentiate the individual relationships.
R3	To know the effects of agreements on the individual relationships.
R4	To know and be able to draw up an employment contract.
R5	To know and handle the different economic matrimonial regimes.
R6	To know the different remedies for situations of marital crisis.
R7	To know and be confident in the use of the sources of the individual labour relationship.
R8	To know the collective agreements.
R9	To know the issues related to the alterations throughout the life of the work contract.
R10	To know the problems of the concurrence of the labour regulations and their resolution.
R11	To know the principles applicable in the labour legal system and to know how to apply them fluently to each case.

Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

GENERAL		Weighting			
		1	2	3	4
CG1	Knowledge of the Science being studied, in this case of the science of Law, fundamentally of the most practical branches, with their international and economic implications and their specialized language.				x
CG2	Analysis and synthesis capacity			x	
CG4	Problem-solving capacity.				x
CG8	Ethical commitment to information management.			x	
CG13	Information management capacity.			x	
CG16	Ability to develop and maintain one's own competencies, skills and knowledge according to the standards of the profession.			x	

SPECIFIC		Weighting			
		1	2	3	4
CE6	Ability to identify and know the rights of the workers and their means of defence.				x
CE13	Ability to identify conduct that involves a breach of the legal system and its consequences.			x	
CE27	Capacity for negotiation and conciliation.			x	
CE28	Ability to give legal form to bilateral and multilateral relations of individuals.			x	
CE29	Ability to legally articulate projects, agreements, or disagreements.				x

Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3, R4	50,00%	Practical tests
R1, R2, R3, R4	15,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
R1, R2, R3, R4	35,00%	Written theoretical tests

Observations

The computation of the results obtained both in the Practical Block and in the Assistance Block will be conditioned to the student's passing the theoretical final test, and this in both the first and second calls.The final exam format (first call) will be oral. However, the final exam format (second call) may be oral or written, at the student's choice.The teacher, in order to assess and set the percentage indicated in the Assistance Block, will take as reference both the attendance of the student in class (from a quantitative prism) and the level of participation of the student during the development of the teaching sessions (from a prism qualitative).The student, in order to justify absences from class, will have a period of two working days (counting from the day following that in which the absence occurs) to communicate it to the teacher and deliver the corresponding supporting documentation of the cause of the absence (cases reduced to urgent causes of force majeure, inexcusable duties of a public and personal nature and of a medical - sanitary nature).The student, once the qualifications of the practical case object of study and evaluation by the teacher have been entered in the Virtual Classroom, will have a period of 2 working days to communicate to the teacher their intention when setting a tutorial and proceed to the revision of the qualification obtained in the practical case.

MENTION OF DISTINCTION:
According to Article 22 of the Regulations governing the Evaluation and Qualification of UCV Courses, the mention of "Distinction of Honor" may be awarded by the professor responsible for the course to students who have obtained, at least, the qualification of 9 over 10 (“Sobresaliente”). The number of "Distinction of Honor" mentions that may be awarded may not exceed five percent of the number of students included in the same official record, unless this number is lower than 20, in which case only one "Distinction of Honor" may be awarded.

Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

M1 Group work sessions supervised by the teacher. Study of legal cases, both true and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis of values and social commitment.

M8 Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom.

M11 Personalised attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the aim of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.

M12 Set of written and/or oral tests used in the initial, formative or summative evaluation of the student.

M13 Group preparation of readings, essays, resolution of problems, seminars, papers, dossiers, etc., to be presented or delivered in theory classes, practical classes, and/or small group tutorials.

M14 Student's study: individual preparation of readings, essays, problem-solving, seminars, works, reports, etc. to present or deliver in the theoretical classes, practical classes and/or small group tutorials.

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Practical cases. M1, M8, M11	R1, R2, R3, R4	32,50	1,30
Theoretical classes. M1, M8, M11	R1, R2, R3, R4	17,50	0,70
Tutorial. M11	R1, R2, R3, R4	7,50	0,30
Assessment M11	R1, R2, R3, R4	2,50	0,10
TOTAL		**60,00**	**2,40**

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M1, M8, M11	R1, R2, R3, R4	45,00	1,80
Individual work. M8, M11	R1, R2, R3, R4	45,00	1,80
TOTAL		**90,00**	**3,60**

Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
UNIT 1 THE LABOUR LAW:	UNIT 1 THE LABOUR LAW: Concept of Labour law. Content of the Labour law. Birth and Development of the Labour law. Beginning and Development of the Labour law in Spain. Current evolution of the Labour law.
SECTION II: THE SOURCES OF THE LABOUR LAW	Unit 2. THE SOURCES OF THE LABOUR LAW. Introduction Unit 3. SOURCES OF THE LABOUR LAW (II): The Collective Agreements: the collective bargaining. Unit 4. SOURCES OF LABOUR LAW (III): Concurrence of labor procedure.
SECTION III: THE CONTRACT OF EMPLOYMENT	Unit 5. THE CONTRACT OF EMPLOYMENT Unit 6. THE TEMPORARY CONTRACTING AND THE MODALITIES OF CONTRACT OF WORK.
SECTION IV: THE DETERMINATION OF THE PRESENTATION OF WORK.	Unit 7. The working day. Unit 8. The Salary.
SECTION V: THE MODIFICATION OF THE CONTRACT OF EMPLOYMENT	Unit 9. THE UNILATERAL MODIFICATION ON THE PART OF THE BUSINESSMAN OF THE LABOR RELATION. Unit 10. THE VISICITUDES OF THE FRINGE BENEFIT.

SECTION VI: THE EXTINCTION OF THE CONTRACT OF WORK.	Unit 11: The resolution of the contract for will of the worker. Without well-taken reason. With well-taken reason. The resolution of the contract for will of the businessman. The dismissal on disciplinary grounds. The extinction for objective reasons. The collective dismissals for economic, technical, organizational reasons or of production. The dismissals for major force. The extinction of the contract for death, retirement, and invalidity of the worker. The extinction of the contract for death, retirement, disability or extinction of the juridical personality of the businessman. The mutual dissent. The receipt of quittance. The extinction of the contract for joint will of worker and
SECTION VII: THE SPANISH SOCIAL SECURITY SYSTEM.	Unit 12: Basic concepts of Social Security. The contribution to Social Security. Social Security benefits.
SECTION VIII: THE LABOR PROCEDURE.	Unit 13: the courts of the Social Order. The labor process: basic aspects.

Temporary organization of learning:

Block of content	Number of sessions	Hours
UNIT 1 THE LABOUR LAW:	2,00	4,00
SECTION II: THE SOURCES OF THE LABOUR LAW	6,00	12,00
SECTION III: THE CONTRACT OF EMPLOYMENT	5,00	10,00
SECTION IV: THE DETERMINATION OF THE PRESENTATION OF WORK.	3,00	6,00
SECTION V: THE MODIFICATION OF THE CONTRACT OF EMPLOYMENT	5,00	10,00
SECTION VI: THE EXTINCTION OF THE CONTRACT OF WORK.	6,00	12,00
SECTION VII: THE SPANISH SOCIAL SECURITY SYSTEM.	2,00	4,00
SECTION VIII: THE LABOR PROCEDURE.	1,00	2,00

References

INDISPENSABLE BIBLIOGRAPHY TO PASS THE THEORETICAL CONTENT OF THE COURSE:

ALFONSO MELLADO, C.L. y otros: Derecho del Trabajo, Tirant lo Blanch, Valencia, 2016.

FURTHER READING:

·ALONSO OLEA, M. Y CASAS BAAMONDE, Ma E. Derecho del Trabajo. Fac. Do Univ. Complutense, Madrid, última edición.

·BORRAJO DACRUZ, E. Introduccio´n al Derecho Espan~ol del Trabajo. Tecnos. Madrid, última edición.

·MERCADER UGUINA,R.J. Lecciones de Derecho del Trabajo, Tirant lo Blanch,Valencia, última edición.

·MONTOYA MELGAR, A. Derecho del Trabajo. Tecnos. Madrid, última edición.

·SALA FRANCO, T.: Derecho del Trabajo. Tirant lo Blanch. Valencia, última edición.

Addendum to the Course Guide of the Subject

Due to the exceptional situation caused by the health crisis of the COVID-19 and taking into account the security measures related to the development of the educational activity in the Higher Education Institution teaching area, the following changes have been made in the guide of the subject to ensure that Students achieve their learning outcomes of the Subject.

Situation 1: Teaching without limited capacity (when the number of enrolled students is lower than the allowed capacity in classroom, according to the security measures taken).

In this case, no changes are made in the guide of the subject.

Situation 2: Teaching with limited capacity (when the number of enrolled students is higher than the allowed capacity in classroom, according to the security measures taken).

In this case, the following changes are made:

1. Educational Activities of Onsite Work:

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject will be made through a simultaneous teaching method combining onsite teaching in the classroom and synchronous online teaching. Students will be able to attend classes onsite or to attend them online through the telematic tools provided by the university (videoconferences). In any case, students who attend classes onsite and who attend them by videoconference will rotate periodically.

In the particular case of this subject, these videoconferences will be made through:

[X] Microsoft Teams

[ ] Kaltura

Situation 3: Confinement due to a new State of Alarm.

In this case, the following changes are made:

1. Educational Activities of Onsite Work:

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject, as well as the group and personalized tutoring, will be done with the telematic tools provided by the University, through:

X	Microsoft Teams
	Kaltura

Explanation about the practical sessions:

Aclaraciones sobre las sesiones prácticas: En las sesiones prácticas se mantiene la exigencia del trabajo en equipo y colaborativo de los alumnos (virtual); los alumnos presentan la resolución de las prácticas en la plataforma (no se enviarán por correo electrónico), por medio de “Tarea” a través del campus UCVnet, en los plazos previamente informados y determinados por el profesor, según el cronograma actualizado subido en la plataforma hace ya semanas. Las prácticas se corrigen por equipos, online, a través de las sesiones en Teams que son grabadas para que posteriormente puedan volver a ser consultadas por el alumno. Se mantiene la evaluación continua durante el desarrollo de la asignatura; se mantiene, por tanto, en materia de prácticas, el mismo instrumento de evaluación.

2. System for Assessing the Acquisition of the competences and Assessment System

ONSITE WORK

Regarding the Assessment Tools:

[X] The Assessment Tools will not be modified. If onsite assessment is not possible, it will be done online through the UCVnet Campus.

[ ] The following changes will be made to adapt the subject's assessment to the online teaching.

Course guide		Adaptation	
Assessment tool	Allocated percentage	Description of the suggested changes	Platform to be used

The other Assessment Tools will not be modified with regards to what is indicated in the Course Guide.

Comments to the Assessment System:

Prueba teórica (35% nota global): No se modifica este instrumento de evaluación. De esta manera, la modalidad del examen será oral (primera convocatoria) y oral o escrita (a elección del alumno) en segunda convocatoria. Asimismo, cabe destacar que el examen adoptará tales modalidades con independencia de que se realice en modalidad online o presencial.

Asistencia y Participación activa (15% nota global): Se mantiene la exigencia de participación activa del alumno siendo insuficiente la mera presencia pasiva en el aula (ahora virtual). La participación será medida a través de las intervenciones del alumno en las sesiones docentes mediante Teams, así como mediante sus intervenciones en tutorías virtuales, chat y foro de dudas de la asignatura en el Campus UCVnet.

Tal y como estaba previsto desde el inicio de curso:

- En 1ª convocatoria es imprescindible obtener un mínimo de 5 sobre 10 en la prueba teórica final para poder computar o valorar íntegramente los otros dos instrumentos de evaluación (la participación activa y las prácticas entregadas por la plataforma y corregidas en clase presencialmente o, posteriormente, online). Se deberá obtener una nota total de 5 sobre 10 en la suma total de todos los items para poder aprobar la asignatura.
- En 2ª convocatoria, sin embargo, se mantiene la nota de la asistencia y participación activa (cualquiera que sea ésta) y de las prácticas entregadas a lo largo del curso/o de la prueba teórica, si están aprobadas con nota de 5 o superior: todos estos ítems sumarán en segunda convocatoria con la nota de la nueva prueba teórica o práctica obtenida en 2ª convocatoria si es superior a 5. Para superar la asignatura se requiere un mínimo de 5 sobre 10 que se obtiene de la suma de todos los porcentajes.