Collective Labor Relations

Academic Year: (2020 / 2021) **Review date: 07-09-2020**

Department assigned to the subject: Social and Private International Law Department

Coordinating teacher: CORREA CARRASCO, MANUEL

Type: Compulsory ECTS Credits : 4.0

Year : 1 Semester : 1

OBJECTIVES

Basic skills

CB6 Possess and understand knowledge that provides a basis or opportunity to be original in the development and / or application of ideas, often in a research context
CB7 That students are able to apply the knowledge acquired and their ability to solve problems in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of ¿¿study
CB8 That students are able to integrate knowledge and face the complexity of making judgments apart from information that, being incomplete or limited, includes reflections on the social and ethical responsibilities linked to the application of their knowledge and judgments
CB9 That students know how to communicate their conclusions -and the knowledge and ultimate reasons that sustain them- to specialized audiences in a clear and unambiguous way.
CB10 That students have the learning skills that allow them to continue studying in a way that will be largely self-directed or autonomous

General Competences

CG1 - Recognize the growing importance of teamwork in the workplace and demonstrate ability to adapt and integrate into different groups, sometimes with conflicting interests, maintaining relationships and fluid communications, respecting ideas and solutions provided by others with an attitude of cooperation and tolerance , sharing responsibilities and giving and receiving instructions.

CG2 -Accepting the need for constant self-learning and continuous training as instruments that facilitate permanent updating in the field of labor relations derived from the need to adapt to changes in the labor market and the dizzying legislative changes and variations in criteria jurisprudential.

CG3 - Ability to apply the knowledge acquired in the tasks of job counseling and consulting, in order to solve problems of special complexity and relevance within the field of Labor Law and Social Security.

CG4 -Manifest a high sense of personal responsibility and correct deontological behavior when intervening in the processes related to professional practice and with the advisory activities of lawyers, registered social graduates, consultants and labor advisors.

CG5 - Ability to produce texts and reports with terminological precision in order to avoid unnecessary litigation and favor effective communication.
CG6 -Capacity for individual and collective negotiation between private and public administrations.

Specific competences

CE1 Identify, interpret, relate and apply all relevant norms and jurisprudence in any case that arises within the labor and social security area, even in the most complex or difficult cases.
CE2 Propose and provide solutions to real problems (present) related to legal or conventional obligations in labor and social security in all types of organizations, with or without profit, both in the public and private sectors.
CE3 Identify, evaluate and weigh risks due to possible liabilities arising from total or partial non-compliance with labor and social security obligations.
E4 Design strategies or plans that prevent future problems related to legal or conventional obligations in labor and social security in all types of organizations, with or without profit, in both the public and private sectors.
CE5 Draft documents of any level of complexity (contracts, plans, programs, policies, letters,

notifications, etc.) in any area of ¿¿labor relations and social security.
CE6 Know all administrative, judicial and extrajudicial systems with competence in monitoring compliance with labor and social security regulations or in resolving conflicts that arise in this area; as well as its operating regime and applicable procedures.
CE7 Take an active part at any level of complexity in administrative, judicial and extrajudicial procedures of any system with competence in monitoring compliance with labor and social security regulations or in resolving conflicts that arise in this area
CE8 Search means of proof, master the techniques of each one of them for the investigation of the facts, and evaluate all this in the different judicial, extrajudicial and administrative procedures taking into account the specificities of the labor procedures.
CE9 Advise all types of companies, organizations, workers, social agents, public administrations on behaviors or courses of action in labor and social security matters in all types of scenarios and environments, both national and international.
CE10
Negotiate contracts, agreements, plans and programs and give autonomous solutions to real conflicts in labor and social security matters, whatever their level of complexity.
CE11 Audit compliance with labor and social security regulations in all types of organizations.
CE12 Relate legal information with extralegal data in order to find solutions and formulate creative and original proposals for new problems in the field of labor relations and social security.
CE13 Synthesize the complex legal-labor information in order to provide interlocutors who are not legal professionals relevant information for decision making (financial, fiscal, human resources, operations, etc.).
CE14 To be updated in the face of the continuous normative and jurisprudential changes of the matter to give concrete answers to applicative problems produced by the modification of norms and judicial pronouncements.

DESCRIPTION OF CONTENTS: PROGRAMME

COLLECTIVE LABOR RELATIONS

- Freedom of association and union legal regime.
- Analysis of international and national jurisprudence.
- Normative instruments for the management of union action.

- Freedom of association and regime of business associations.
Advanced points.
Study of associations of self-employed workers

- Representation of the workers in the company.
Study of the existing problems in the constitution and functioning of the representation bodies.
Jurisprudential analysis on the different conflicts arising from the exercise of competences, concession of facilities or prerogatives by the company and violation of the guarantees of the representatives.

¿ Social dialogue and collective bargaining: state of the art.

- Collective agreements and agreements.
Study of agreements and legal problems that arise in their content.
Scope of the real problems arising in the matter after the successive labor reforms.

- Collective conflicts.
Analysis of labor conflicts in our labor relations system; in particular, the appearance of longer-term conflicts.

- Right to strike.
Study of real cases.
Analysis of the issues that cause most problems at a practical level:
abusive strikes,
designation and breach of minimum services and their consequences
and business response to the exercise of the right to strike (replacement of strikers, responsibilities of workers, "defensive" lockout, etc.)

LEARNING ACTIVITIES AND METHODOLOGY

TRAINING ACTIVITIES OF THE STUDY PLAN REFERRED TO MATTERS

AF1 Theoretical class
AF2 Practical classes

AF3 Theoretical practical classes
AF4 Laboratory practices
AF5 Tutorials
AF6 Group work
AF7 Individual student work

Code activity	Total hours	Attendance hours	% attendance Student
AF1	168	168	100%
AF2	224	224	100%
AF5	56	14	25%
AF6	336	112	33,3%
AF7	784	0	0%
TOTAL SUBJECT	1568	518	32%

Teaching methodology: Teaching will be developed in person. In application of the protocols determined, part of the sessions may be taught in an online-synchronous format to guarantee prevention measures and social distance between students in classrooms.

ASSESSMENT SYSTEM

EVALUATION SYSTEMS:

ASSESSMENT SYSTEMS OF THE STUDY PLAN REFERRED TO SUBJECTS

SE1 Participation in class
SE2 Individual or group work carried out during the course
SE3 Final exam

System of Evaluation	Minimum weighting	Maximum weight
SE1	10%	20%
SE2	40%	90%
SE3	0%	50%

% end-of-term-examination:	30
% of continuous assessment (assigments, laboratory, practicals…):	70