

Social security law

Academic Year: (2022 / 2023)

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

Coordinating teacher: BARCELON COBEDO, MARIA SUSANA

Type: Compulsory ECTS Credits : 6.0

Year : 4 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

To study Individual and Trade Union Work Law

OBJECTIVES

GENERAL SKILLS

- G1 - Know how to develop personal criteria in the selection and application of knowledge.
- CG2 - Know the necessary skills to search for information in different sources and supports.
- CG4 - Know the skills of organization, analysis and synthesis.
- CG5 - Know how to express themselves orally and in writing on specific subjects.
- CG6 - Have collective discussion skills.
- CG7 - Develop a social, economic and environmental sensitivity.
- CG8 - Acquire a civic, ethical and deontological commitment.
- CG9 - Know and integrate the principles and values of the culture of peace and democratic political systems.
- CG10 - Become aware of the importance of recognizing and defending fundamental rights.
- CG11 - Acquire a personal and collective commitment to respect and protect the principles of equality between men and women and equal opportunities and universal accessibility for people with disabilities.

BASIC SKILLS

- CB2- That students know how to apply their knowledge to their work or vocation in a professional way and have the competences that are usually demonstrated through the elaboration and defense of arguments and the resolution of problems within your area of study
- CB3 - That students have the ability to collect and interpret relevant data (normally within their area of study) to issue judgments that include a reflection on relevant issues of a social, scientific or ethical nature
- CB5 - That students have developed those learning skills necessary to undertake further studies with a high degree of autonomy

TRANSVERSAL SKILLS

- CT1 - Being able to work in multidisciplinary and/or international teams as well as organizing and planning work making the right decisions based on available information, gathering and interpreting relevant data to issue judgments and critical thinking within the study area.
- CT2 - Be able to present and correctly write a topic or compose a speech following a logical order, providing the accurate information and in accordance with established grammatical and lexical rules.
- CT4 - Acquire basic humanistic knowledge that allows completing the transversal training profile of the student

SPECIFIC COMPETENCES

- CE1 - Know the techniques of oratory and legal argumentation.
- CE4 - Develop critical thinking skills.
- CE5 - Solve complex legal problems
- CE9 - Develop skills related to the management of legal sources (legal, jurisprudential and doctrinal).
- CE10 - Know how to write legal documents and reports.
- CE13 - Develop legal knowledge adapted to the fields of business and commercial relations.
- CE15 - Know the phases, procedures and specific procedural principles of the different jurisdictional orders.

DESCRIPTION OF CONTENTS: PROGRAMME

Unit 1. Protection against risk

Social risks: Methods of protection and their evolution. Social Security as a paradigmatic example of welfare state activity.

Unit 2. Configuration of the Social Security System.

Social Security in Spain: regulatory background. The constitutional configuration of Social Security. Regulatory sources of Social Security.

Unit 3. Structure and composition of the Social Security System.

The two levels of protection: contributory and non-contributory. The subjective scope of protection.

Unit 4. The management of the Social Security System.

Management Entities and Common Services. Management Collaboration of mutual insurance companies for work accidents and occupational diseases. Participation in management.

Unit 5. The legal relationship with the Social Security: Framing acts.

Registration and Membership. Joining and Leaving. Consequences of non-compliance with regard to acts of registration.

Unit 6. The financing of the Social Security System.

The financial resources of the system. Social Security contributions as a main resource. The obligation to contribute and the consequences of non-compliance with the obligation to contribute. The collaboration of the Labour Inspectorate in the matter of collection: Assessments.

Unit 7. The general rules concerning the protective action of the Spanish Social Security System.

The notions of contingency, causing event and benefit. Common and professional contingencies: Social Security Benefits: typology. General requirements for access to the benefits of the system. The amount of the benefits. Responsibility with a view to benefits. Subjects obliged to pay: direct liability and derived liability. The guarantee of benefits:

Unit 8. The protection of incapacity for work in the Social Security system: benefits for temporary and permanent disabilities.

Temporary Disability Benefit. The transit between Temporary Disability and Permanent Disability. Permanent Disability Benefit:

Unit 9. Benefits linked to the birth or adoption of a child.

Risk benefits during pregnancy and breast-feeding. Benefits for reduction of working hours for sick children.

Unit 10. The retirement pension.

Aging society and retirement pension. Concept and modalities. Voluntariness in access and so-called forced retirement. The requirements of the causing event. Especially age and contribution periods. Early retirement. The content of the benefit: the calculation of the regulatory base and applicable percentages. Compatibility of the retirement pension and work activity.

Unit 11. Benefits due for death and survival.

The delimiting of the protected situation. Protected subjects: causes and beneficiaries. Requirements for access to death and survival benefits: general and specific.

Unit 12. Unemployment protection.

The two levels of protection. The delimiting of the protected situation and configuring elements. Contributory level: Requirements for access to benefit. The legal situation of unemployment. Content and determination of the amount. Commitment to activity. Level of unemployment protection. Especially in subsidies for people over 55 years old. Other complementary protection.

Unit 13. The non-contributory benefits of the Social Security system.

Character and manifestation. The non-contributory disability pension: requirements of the causing event, content of the benefit, dynamics of the right and management. The non-contributory retirement pension: requirements of the causing event, content of the benefit, dynamics of the right and management. Family benefits. Types and character. Minimum Vital Income

LEARNING ACTIVITIES AND METHODOLOGY

THEORETICAL-PRACTICAL CLASSES. These will present the knowledge that students should acquire. Students will receive class notes and will have basic reference texts to facilitate the follow-up of the classes and the development of the subsequent work. Students will solve exercises and practical problems, and workshops will be held to acquire necessary skills.

TUTORING. Individual assistance (individual tutorials) or group assistance (collective tutorials) given to students by the teacher.

INDIVIDUAL OR GROUP STUDENT WORK.

ASSESSMENT SYSTEM

% end-of-term-examination/test: 50

% of continuous assessment (assignments, laboratory, practicals...): 50

FINAL EXAM. In which the knowledge, skills, and abilities acquired throughout the course will be assessed globally. Sitting the exam is mandatory in all cases. 50%

CONTINUOUS EVALUATION. This will assess the work, presentations, performance in debates, expositions in class, exercises, practices and participation in workshops throughout the course. 50%

BASIC BIBLIOGRAPHY

- AA.VV. (coordinado por BLÁZQUEZ AGUDO, E.M.), Derecho de la Seguridad Social, Jurua, 2017
- BLASCO LAHOZ, J.F. Curso básico de Seguridad Social, Tirant lo Blanch, última edición
- GONZALEZ ORTEGA, S Y BARCELÓN COBEDO, S Introducción al Derecho de la Seguridad Social, Tirant lo Blanch, 2022
- MONTOYA MELGAR, A y OTROS Curso de Seguridad Social, Complutense, última edición
- VIDA SORIA, J. Manual de Seguridad Social, Tecnos, última Edición