

Academic Year: (2023 / 2024)

Review date: 19-04-2023

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

Coordinating teacher: ALAMEDA CASTILLO, MARIA TERESA

Type: Compulsory ECTS Credits : 2.0

Year : 1 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Knowledge of Individual Labor Law

OBJECTIVES

Basic skills

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

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.

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.

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.

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

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.

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.

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.

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.

Ability to produce texts and reports with terminological precision in order to avoid unnecessary litigation and favor effective communication.

Capacity for individual and collective negotiation between private and public administrations.

Specific competences

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.

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.

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.

Draft documents of any level of complexity (contracts, plans, programs, policies, letters, notifications, etc.) in any area of labor relations and social security.

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.

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.

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.

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.

Negotiate contracts, agreements, plans and programs and give autonomous solutions to real conflicts in labor and social security matters, whatever their level of complexity.

Audit compliance with labor and social security regulations in all types of organizations.

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.

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.).

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

Lesson 1. Legal and sociological approach to entrepreneurship and self-employment

Lesson 2. Individual and collective rights of the self-employed worker

Lesson 3. Self-employment and social protection

Lesson 4. TRADE. Individual and collective rights

LEARNING ACTIVITIES AND METHODOLOGY

TRAINING ACTIVITIES OF THE STUDY PLAN REFERRED TO MATTERS

Theoretical class

Practical classes

Individual student work

ASSESSMENT SYSTEM

Continuous assessment 100%

Participation in class

Individual or group work carried out during the course

Final exam if the continuous assessment is not passed (ordinary or extraordinary call).

% end-of-term-examination: 100

% of continuous assessment (assignments, laboratory, practicals...): 0

BASIC BIBLIOGRAPHY

- AA.VV, Fomento del empleo y economía Social,, Aranzadi,, 2016.
- AA.VV (dirs. Monereo Pérez, J.L., Vila Tierno, F.), El trabajo autónomo en el marco del Derecho del Trabajo y de la Seguridad Social,, Comares. , 2017.
- AA.VV. (coords. Segismundo Álvarez Royo-Villanova, Marta García Mandaloniz) Propuestas normativas para el refuerzo del ecosistema emprendedor. Propuestas administrativas, laborales, mercantiles y fiscales, Dykinson, 2021
- AA.VV. (dirs. Ferrando García, F., Luján Alcaraz, J.), Trabajo Autónomo y Fomento del Emprendimiento. Mitos y realidades,, Bomarzo,, 2017.
- ALAMEDA CASTILLO, M.T., Emprendimiento y Trabajo autónomo. Su realidad como mecanismo de incorporación y de permanencia en el mercado de trabajo,, Cinca,, 2016.
- ARAGÓN GÓMEZ, C/ MUR TORRES, J./PÉREZ REY, J., Trabajo autónomo. Memento experto,, Francis Lefebvre,, 2016

ADDITIONAL BIBLIOGRAPHY

- BLASCO LAHOZ, J.F., El régimen especial de Seguridad Social de los trabajadores por cuenta propia o autónomos,, Tirant lo blanch,, 2016.
- MOLINA NAVARRETE, C./GARCÍA JIMÉNEZ, M., El Estatuto del trabajador autónomo. Distinguiendo lo verdadero de lo falso,, Tecnos,, 2008.
- SAGARDOY BENGOCHEA, J.A., Los trabajadores autónomos. Hacia un nuevo Derecho del Trabajo,, Cinca,, 2004.