



Teaching Guide

| Identifying Data | | | | | 2015/16 |
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| Subject (*) | Dereito Sindical II | Code | 660G01014 | | |
| Study programme | Grao en Relacións Laborais e Recursos Humanos (Coruña) | | | | |
| Descriptors | | | | | |
| Cycle | Period | Year | Type | Credits | |
| Graduate | 2nd four-month period | Second | Obligatoria | 6 | |
| Language | SpanishGalicianEnglish | | | | |
| Teaching method | Face-to-face | | | | |
| Prerequisites | | | | | |
| Department | | | | | |
| Coordinador | Vizcaíno Ramos, Iván | E-mail | ivan.vizcaino@udc.es | | |
| Lecturers | Vizcaíno Ramos, Iván | E-mail | ivan.vizcaino@udc.es | | |
| Web | http://rrll.udc.es | | | | |
| General description | <p>The Union Law II course is, as its name indicates, the natural continuation Union Law I. If in the first part we focus on the more theoretical aspects and individual Union Law, in the second we will deal with the collective aspects of this matter. To do this, we will develop 15 lessons, which we will structure into three big sections or parts.</p> <p>In the first part (lessons 1-8), talk about collective bargaining. Thus, after introducing the student to the regulatory and constitutional basis of the right to collective bargaining, we analyze in detail the bargaining units (lesson 2) and the legitimation to negotiate a statutory collective agreement (lesson 3). Consequently, lesson 4 will show us the process of negotiating these cited a statutory collective agreements. Obviously, these collective agreements are subject to different statutory mechanisms to publicize them (lesson 5), subject to study just before delving into the notice of these same conventions (lesson 6). We will conclude our study of the collective agreements alluding to efficacy of them (lesson 7) as a prelude to the final issue of the first part. Will end, therefore, considered as an object of study other forms of collective bargaining negotiation process outside the regulated under Title III of the Statute of Workers: extrastatutory collective agreements (lesson 8).</p> <p>Different content has the second part of the program, which will take care of collective labor disputes beginning with the study of extra-judicial means of resolving collective labor disputes (lesson 9). Then, we will analyze exhaustiveness the most landmark of labor disputes in lesson 10 on the right to strike, as a prelude of the study to their legal effectiveness (lesson 11) and in a more particularized form in this collective labor dispute, as are essential community services (lesson 12). We end this second part of the course with the study of right of lockout, located in the program lesson 13.</p> <p>For the third part of the program, we reserve the subjects concerning collective bargaining in the European Union. In lesson 14 the character is the European social dialogue, while the final theme of the course we will discuss about collective bargaining in the European Union Administrations (lesson15). And so we conclude our journey through the different collective aspects of union rights.</p> | | | | |

Study programme competences

| Code | Study programme competences |
|------|-------------------------------------------------------------------------------------------------------|
| A12 | Historia das relacións laborais. |
| A13 | Transmitir e comunicarse por escrito e oralmente usando a terminoloxía e as técnicas adecuadas. |
| A27 | Asesoramento a organizacións sindicais e empresariais, e aos seus afiliados. |
| A31 | Aplicar os coñecementos á práctica. |
| A33 | Comprender o carácter dinámico e cambiante das relacións laborais no ámbito nacional e internacional. |
| A34 | Interrelacionar as distintas disciplinas que configuran as relacións laborais. |
| B1 | Resolución de problemas. |
| B2 | Capacidade de análise e síntese. |
| B3 | Capacidade de organización e planificación. |



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| B4 | Capacidade de xestión da información. |
| B5 | Toma de decisións. |
| B6 | Comportarse con ética e responsabilidade social como cidadán e como profesional. |
| B8 | Razoamento crítico. |
| B11 | Traballo en ámbitos internacionais. |
| B12 | Motivación para a calidade. |
| B13 | Adaptación a novas situacións. |
| B14 | Aprendizaxe autónomo. |
| B15 | Creatividade. |
| C1 | Expresarse correctamente, tanto de forma oral coma escrita, nas linguas oficiais da comunidade autónoma. |
| C2 | Dominar a expresión e a comprensión de forma oral e escrita dun idioma estranxeiro. |
| C3 | Utilizar as ferramentas básicas das tecnoloxías da información e as comunicacións (TIC) necesarias para o exercicio da súa profesión e para a aprendizaxe ao longo da súa vida. |
| C4 | Desenvolverse para o exercicio dunha cidadanía aberta, culta, crítica, comprometida, democrática e solidaria, capaz de analizar a realidade, diagnosticar problemas, formular e implantar solucións baseadas no coñecemento e orientadas ao ben común. |
| C5 | Entender a importancia da cultura emprendedora e coñecer os medios ao alcance das persoas emprendedoras. |
| C6 | Valorar criticamente o coñecemento, a tecnoloxía e a información dispoñible para resolver os problemas cos que deben afrontarse. |
| C7 | Asumir como profesional e cidadán a importancia da aprendizaxe ao longo da vida. |
| C8 | Valorar a importancia que ten a investigación, a innovación e o desenvolvemento tecnolóxico no avance socioeconómico e cultural da sociedade. |

| Learning outcomes | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----|----|
| Learning outcomes | Study programme competences | | |
| Historia das relacións laborais. | A12 | | |
| Transmitir e comunicarse por escrito e oralmente usando a terminoloxía e as técnicas adecuadas. | A13 | | |
| Asesoramento a organizacións sindicais e empresariais, e aos seus afiliados | A27 | | |
| Aplicar os coñecementos á práctica. | A31 | | |
| Comprender o carácter dinámico e cambiante das relacións laborais no ámbito nacional e internacional. | A33 | | |
| Interrelacionar as distintas disciplinas que configuran as relacións laborais. | A34 | | |
| Resolución de problemas. | | B1 | |
| Capacidade de análise e síntese. | | B2 | |
| Capacidade de organización e planificación. | | B3 | |
| Capacidade de xestión da información. | | B4 | |
| Toma de decisións. | | B5 | |
| Comportarse con ética e responsabilidade social como cidadán e como profesional. | | B6 | |
| Razoamento crítico. | | B8 | |
| Traballo en ámbitos internacionais | | B11 | |
| Motivación para a calidade. | | B12 | |
| Adaptación a novas situacións. | | B13 | |
| Aprendizaxe autónomo. | | B14 | |
| Creatividade. | | B15 | |
| Expresarse correctamente, tanto de forma oral coma escrita, nas linguas oficiais da comunidade autónoma. | | | C1 |
| Dominar a expresión e a comprensión de forma oral e escrita dun idioma estranxeiro. | | | C2 |
| Utilizar as ferramentas básicas das tecnoloxías da información e as comunicacións (TIC) necesarias para o exercicio da súa profesión e para a aprendizaxe ao longo da súa vida. | | | C3 |
| Desenvolverse para o exercicio dunha cidadanía aberta, culta, crítica, comprometida, democrática e solidaria, capaz de analizar a realidade, diagnosticar problemas, formular e implantar solucións baseadas no coñecemento e orientadas ao ben común. | | | C4 |
| Entender a importancia da cultura emprendedora e coñecer os medios ao alcance das persoas emprendedoras. | | | C5 |



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| Valorar criticamente o coñecemento, a tecnoloxía e a información dispoñible para resolver os problemas cos que deben enfrontarse. | | | C6 |
| Asumir como profesional e cidadán a importancia da aprendizaxe ao longo da vida. | | | C7 |
| Valorar a importancia que ten a investigación, a innovación e o desenvolvemento tecnolóxico no avance socioeconómico e cultural da sociedade. | | | C8 |

| Contents | |
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| Topic | Sub-topic |
| I. THE COLLECTIVE BARGAINING AGREEMENTS | <p>LESSON 1: THE RIGHT TO COLLECTIVE BARGAINING, LABOR AND NOT LABOR.</p> <p>LESSON 2: THE COLLECTIVE BARGAINING UNITS.</p> <p>LESSON 3: THE LEGITIMATION TO NEGOTIATE STATUTORY COLLECTIVE BARGAINING AGREEMENTS.</p> <p>LESSON 4: THE PROCEDURE TO NEGOTIATE STATUTORY COLLECTIVE BARGAINING AGREEMENTS.</p> <p>LESSON 5: THE ADVERTISING OF THE STATUTORY COLLECTIVE AGREEMENTS.</p> <p>LESSON 6: THE NOTICE OF THE STATUTORY COLLECTIVE BARGAINING AGREEMENTS.</p> <p>LESSON 7: THE EFFECTIVENESS OF THE COLLECTIVE BARGAINING AGREEMENT.</p> <p>LESSON 8: THE EXTRA STATUTORY COLLECTIVE BARGAINING AGREEMENTS</p> |
| II. THE COLLECTIVE LABOR DISPUTES | <p>LESSON 9: THE EXTRAJUDICIAL MEANS OF RESOLVING COLLECTIVE LABOR DISPUTES.</p> <p>LESSON 10: THE RIGHT OF STRIKE.</p> <p>LESSON 11: THE LEGAL EFFECTIVENESS OF THE STRIKE.</p> <p>LESSON 12: THE ESSENTIAL COMMUNITY SERVICES.</p> <p>LESSON 13: THE RIGHT OF LOCKOUT.</p> |
| III. THE COLLECTIVE BARGAINING IN THE EUROPEAN UNION | <p>LESSON 14: THE EUROPEAN SOCIAL DIALOGUE.</p> <p>LESSON 15: THE COLLECTIVE BARGAINING INT HE EUROPEAN UNION ADMINISTRATIONS.</p> |

| Planning | | | | |
|--------------------------------|--------------|----------------------|-------------------------------|-------------|
| Methodologies / tests | Competencies | Ordinary class hours | Student?s personal work hours | Total hours |
| Objective test | | 2 | 0 | 2 |
| Guest lecture / keynote speech | | 22.5 | 45 | 67.5 |



| | | | | |
|-------------------------------|--|------|------|------|
| Seminar | | 22.5 | 22.5 | 45 |
| Events academic / information | | 10 | 0 | 10 |
| Workbook | | 0 | 9 | 9 |
| Personalized attention | | 16.5 | 0 | 16.5 |

(*)The information in the planning table is for guidance only and does not take into account the heterogeneity of the students.

| Methodologies | |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Methodologies | Description |
| Objective test | Written test used for the evaluation of learning, whose distinctive feature is the ability to determine if the answers are correct or not. It is a measuring instrument, rigorously developed, designed to measure knowledge, abilities, skills, performance, attitudes, intelligence, etc.. It applies both for diagnostic, formative and summative evaluation. The objective test may combine different types of questions: multiple choice, management, short answer, of discrimination, of complete and / or association. Also can build with a single type of any of these questions |
| Guest lecture / keynote speech | Oral presentation in English and Castelán, complemented by the use of media and the introduction of some questions to the students, in order to impart knowledge and facilitate learning. The master session is also known as "conference", "expository method" or "lecture". This last method is usually reserved for a special type of lesson taught by a teacher on special occasions, with a content which is an original drawing from the almost exclusive use of the word as a means of transmitting information to the audience |
| Seminar | Practical part of the contents exposed to the whole group in the master session, with key support in the use of Internet. It is a type class "seminar" for each class type "master session". The group is divided into two |
| Events academic / information | Mandatory participation in activities organized and / or supported by the Faculty, with the intervention of Spanish and foreign extraordinary professors and can even be selected to present a scientific paper. |
| Workbook | Tendentially, classical extracts directly related to the topics discussed in master sessions and seminars |

| Personalized attention | |
|----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Methodologies | Description |
| Seminar Events academic / information Workbook Objective test Guest lecture / keynote speech | Obviously, the teacher is available to each and every one of the students in the treatment and resolution of problems that may arise in relation to the topics discussed to these problems. in master sessions and seminars, in order to channel more individually the solutions to these problems. |

| Assessment | | | |
|--------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Methodologies | Competencies | Description | Qualification |
| Seminar | | Resolution of different practical cases proposed by the teacher in the sessions and development of a report thereon | 30 |
| Events academic / information | | Active participation in the proposed events and given a report thereon, and the presentation of scientific papers on a given topic, those who are selected. | 10 |
| Workbook | | Reading and subsequent delivery of a scientific commentary on the texts proposed by the teacher. | 10 |
| Objective test | | Examination of the theoretical content of the course, consisting of short development questions, to be solved by the student at a given time. | 40 |
| Guest lecture / keynote speech | | Objective evaluation of attendance and active participation of students in sessions by different tools proposed by the teacher. | 10 |

| Assessment comments |
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It is essential to achieve 50% of the grade for each one of the sections to evaluate to join the different methodologies in order to obtain an average mark end. Failure to achieve the minimum required in any of the methodologies, the student does not exceed the course. In this case, the evaluation will consist suspended in the ordinary call and may be reviewed at the July opportunity, where the evaluation methodology will be a single objective test amounting to 100% of the grade, both on theoretical and practical content of the program

Alternatively,

students who can not make a regular monitoring of the subject, may choose to examine 100% of its rating by an objective test end. Failure to achieve 50% of total grade on that test, the assessment will consist suspended in the ordinary call and may be reviewed at the July opportunity, where the evaluation methodology will be a single objective test amounting to 100% of qualification, versando both on theoretical and practical content of the program.

All students shall contain a

prominent notice on their file if they choose to CONTINUOUS EVALUATION or FINAL EXAM. If not given, or not given the card within fifteen days after the start of the academic year, is understood to opt for the FINAL EXAM. The choice is final and irreversible for the call in progress.

Sources of information

| | |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Basic | <ul style="list-style-type: none"> - Martínez Girón, J. y Arufe Varela, A. (2006). Derecho del Trabajo. A Coruña. Netbiblo - Martínez Girón, J. y Arufe Varela, A. (2011). Derecho Crítico del Trabajo. A Coruña, Netbiblo - Vizcaino Ramos, I. y Rodriguez Martín Retortillo, R. (Coordinadores) (2010). Estudios Comparatistas sobre Derecho Deportivo del Trabajo (Masculino, Femenino y Mixto). A Coruña, Netbiblo - Vizcaino Ramos, I. (2012). Aspectos jurídicos prevencionistas, laborales y de Seguridad Social del tiempo libre. Un estudio comparado de ordenamientos autonómicos.. A Coruña, Netibiblo |
| Complementary | <ul style="list-style-type: none"> - García Abellan, J (). Curso de Derecho Sindical. Universidad de Murcia - Rodríguez Piñero (Coordinador) (). Comentarios a la LOLS. Madrid. E. Tecnos - Alonso Olea. M y Casas Baamonde, Mª E. (). Derecho del Trabajo. Madrid. E. Civitas - Montoya Melgar, A. (). Derecho Social Europeo. Madrid. E. Tecnos - Tuñón de Lara, M. (). El Movimiento Obrero en la Historia de España. Barcelona. Laia - Gilles Martinet. (). Siete Sindicalismos. Madrid. Ministerio de Trabajo Y AA. SS |

Recommendations

Subjects that it is recommended to have taken before

Prácticas de Dereito do Traballo e Seguridade Social/660G01031

Dereito Procesual Laboral/660G01032

Subjects that are recommended to be taken simultaneously

Dereito do Traballo I/660G01011

Subjects that continue the syllabus

Introdución ao Dereito/660G01001

Informática Básica/660G01005

Historia Social e Política contemporánea/660G01009

Teoría das Relacións Laborais/660G01010

Dereito Sindical I/660G01013

Other comments



In the Resource section, all the bibliography and recommended legislation, must be the last edition published

(*)The teaching guide is the document in which the URV publishes the information about all its courses. It is a public document and cannot be modified. Only in exceptional cases can it be revised by the competent agent or duly revised so that it is in line with current legislation.