



## Teaching Guide

| Teaching Guide         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                 |           |
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| Identifying Data       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                 | 2022/23   |
| Subject (*)            | Employment Law                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |        | Code                                                                                            | 612G01023 |
| Study programme        | Grao en Dereito                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                 |           |
| Descriptors            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                 |           |
| Cycle                  | Period                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Year   | Type                                                                                            | Credits   |
| First and Second Cycle | 1st four-month period                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Third  | Obligatory                                                                                      | 6         |
| Language               | SpanishGalicianEnglish                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |        |                                                                                                 |           |
| Teaching method        | Face-to-face                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |        |                                                                                                 |           |
| Prerequisites          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                 |           |
| Department             | Dereito Público                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                 |           |
| Coordinador            | Martinez Giron, Jesus                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | E-mail | jesus.martinez.giron@udc.es                                                                     |           |
| Lecturers              | Arufe Varela, Alberto<br>Carril Vázquez, Xosé Manuel<br>Martinez Giron, Jesus                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | E-mail | alberto.arufe.varela@udc.es<br>xose.manuel.carril.vazquez@udc.es<br>jesus.martinez.giron@udc.es |           |
| Web                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |        |                                                                                                 |           |
| General description    | <p>We pretend with our subject:</p> <p>- To increase the student's self-esteem, making him to understand the whole powers he holds.</p> <p>- To ease to the student the knowledge and handling on the Labor legal sources, both normative and case Law ones.</p> <p>- To ease to the student the use of the specific Labor legal terminology (for example, contract of employment, labor union, collective bargaining agreement, or labor proceeding).</p> <p>- To approach the student to the solution of true Labor legal problems.</p> <p>- To involve our students in the scientific activities of the Research Institute of the Asociación Coruñesa de Derecho Comparado del Trabajo y de la Seguridad Social, in order to help them to improve their curricula vitarum, by means of contributions to its ?Anuario?, and of the filing of submissions to the International Congress to be organized during the academical term.</p> <p>- To approach the students to the techniques of comparative labor law, so that they realize that the solutions tried in other countries are profitable, in order to solve the labor legal problems that we have in Spain.</p> <p>- To increase the potential employability of our students.</p> |        |                                                                                                 |           |

## Study programme competences

| Code | Study programme competences                                                                                                                                                                                                                                   |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A1   | Knowledge of the main legal institutions                                                                                                                                                                                                                      |
| A2   | Knowledge of the role of law as a regulatory system of social relations                                                                                                                                                                                       |
| A7   | Knowing the national and international legal and political structures.                                                                                                                                                                                        |
| A9   | Ability to handle legal sources (legal, jurisprudential and doctrinal).                                                                                                                                                                                       |
| A10  | Ability to interpret and critically assess the legal system.                                                                                                                                                                                                  |
| A13  | Mastering new technologies applied to law.                                                                                                                                                                                                                    |
| B2   | Ability to know how to apply their knowledge to their work or vocation in a professional way and possess the skills that are usually demonstrated through the elaboration and defense of arguments and the resolution of problems within their area of study. |
| B3   | Ability to gather and interpret relevant data (usually within their area of study) to make judgments that include a reflection on social, scientific or ethical relevant issues.                                                                              |
| B4   | Ability to transmit information, ideas, problems and solutions to a specialized and non-specialized public.                                                                                                                                                   |



|     |                                                                                                                                      |
|-----|--------------------------------------------------------------------------------------------------------------------------------------|
| B7  | Effective problem solving.                                                                                                           |
| B8  | Critical, logical, and creative thinking.                                                                                            |
| B11 | Ethical and social responsibility.                                                                                                   |
| B13 | Computing and ICT skills.                                                                                                            |
| C2  | Mastering oral and written expression in foreign languages.                                                                          |
| C3  | Using ICT in working contexts and lifelong learning.                                                                                 |
| C4  | Exercising an open, educated, critical, committed, democratic and supportive citizenship for the sake of the common good.            |
| C6  | Critically assess the knowledge, technology and information available to solve the problems they face.                               |
| C8  | Valuing the importance of research, innovation and technological development for the socioeconomic and cultural progress of society. |

| Learning outcomes                                                                                                                                                                   |           |                             |    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------------------|----|
| Learning outcomes                                                                                                                                                                   |           | Study programme competences |    |
| - Fluency in the handling of English Labor legal terminology, to lose the shame of using the English language in the Labor legal field.                                             |           |                             | C2 |
| -To deep in the criticism of the unfair nature of the current social-labor reality, with the view that it is possible a solution in the future.                                     | A10       | B11                         | C6 |
| - Individual skill to perform the whole tasks or operations relating to Labor Law with a top quality level.                                                                         |           | B7<br>B13                   |    |
| - To master the basic concepts and principles of Labor Law.                                                                                                                         | A1        |                             |    |
| - To fill the students view of our legal order, but bearing in mind that they are studying a subject directly affecting in Spain to millions of working people, and their families. | A10       |                             | C4 |
|                                                                                                                                                                                     | A2<br>A7  |                             |    |
|                                                                                                                                                                                     | A9<br>A13 |                             |    |
|                                                                                                                                                                                     |           | B8<br>B2<br>B3              |    |
|                                                                                                                                                                                     |           | B4                          |    |
|                                                                                                                                                                                     |           |                             | C3 |
|                                                                                                                                                                                     |           |                             | C8 |

| Contents                                                                   |           |
|----------------------------------------------------------------------------|-----------|
| Topic                                                                      | Sub-topic |
| Lesson 1. THE SOURCES OF LABOR LAW                                         |           |
| Lesson 2. THE PRINCIPLES OF LABOR LAW                                      |           |
| Lesson 3. THE PERSONAL SCOPE OF LABOR LAW                                  |           |
| Lesson 4. THE SPANISH MODEL OF PUBLIC SERVICES OF EMPLOYMENT               |           |
| Lesson 5. THE ORDINARY OR COMMON CONTRACT OF EMPLOYMENT AND ITS MODALITIES |           |
| Lesson 6. THE RENDERING OF WORK                                            |           |
| Lesson 7. THE WORKING TIME                                                 |           |
| Lesson 8. THE WAGES                                                        |           |
| Lesson 9. THE OCCUPATIONAL SAFETY AND HEALTH                               |           |
| Lesson 10. THE MODIFICATION OF THE CONTRACT OF EMPLOYMENT                  |           |
| Lesson 11. THE SUSPENSION OF THE CONTRACT OF EMPLOYMENT                    |           |



|                                                                                                         |  |
|---------------------------------------------------------------------------------------------------------|--|
| Lesson 12. THE TERMINATION OF THE CONTRACT OF EMPLOYMENT, BY REASONS INDEPENDENT OF THE EMPLOYEE'S WILL |  |
| Lesson 13. THE TERMINATION OF THE CONTRACT OF EMPLOYMENT, BY REASONS DEPENDENT OF THE EMPLOYEE'S WILL   |  |
| Lesson 14. THE STATUTORY OR UNITARIAN WORKERS? REPRESENTATIVES IN THE ENTERPRISE                        |  |
| Lesson 15. THE UNIONS                                                                                   |  |
| Lesson 16. THE SECTORIAL STATUTORY COLLECTIVE BARGAINING AGREEMENTS                                     |  |
| Lesson 17. THE «EXTRA-STATUTORY» COLLECTIVE BARGAINING AGREEMENTS                                       |  |
| Lesson 18. THE RIGHT TO STRIKE                                                                          |  |
| Lesson 19. THE LABOR INSPECTION                                                                         |  |
| Lesson 20. THE LABOR COURTS                                                                             |  |
| Lesson 21. THE FIRST INSTANCE LABOR PROCEEDINGS                                                         |  |

| Planning                                                                                                                        |                 |                      |                               |             |
|---------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------------|-------------------------------|-------------|
| Methodologies / tests                                                                                                           | Competencies    | Ordinary class hours | Student's personal work hours | Total hours |
| Objective test                                                                                                                  | A9              | 3                    | 0                             | 3           |
| Seminar                                                                                                                         | A7 A13 C3 C6    | 14                   | 21                            | 35          |
| Guest lecture / keynote speech                                                                                                  | A1 A7 A13 C3 C6 | 28                   | 56                            | 84          |
| Oral presentation                                                                                                               | B13 C2 C4       | 2                    | 5                             | 7           |
| Problem solving                                                                                                                 | A10 B7          | 0                    | 11                            | 11          |
| Personalized attention                                                                                                          |                 | 10                   | 0                             | 10          |
| (*)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                 | Two examinations. The first one, on a short questions basis, in English language. The second one, on a long questions basis, with the possibility to choose among English, Spanish or Galician languages.                                                                     |
| Seminar                        | To attend the classes, with the duty of checking the several powerpoints explained in them, and of studying the corresponding lesson of the handbook.                                                                                                                         |
| Guest lecture / keynote speech | To attend the classes, with the duty of checking the several powerpoints explained in them, and of studying the corresponding lesson of the handbook.                                                                                                                         |
| Oral presentation              | To make a submission in group, to be defended in the International Congress on Comparative Labor Law, which take place during the semester, using the English language in it.                                                                                                 |
| Problem solving                | To make reports (at least, about finding through the Internet the sources of Labor Law, about "riders" o delivery persons, about the site EURES, about the European Social Charter, about occupational health and safety, about dismissal, and about unions on the Internet). |

| Personalized attention |             |
|------------------------|-------------|
| Methodologies          | Description |



|                   |                                                                                                                                                                                                                                            |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective test    | To be made on a small size group basis. In the classroom, in the professor offices, or by e-mail. In order to prepare the submissions to be defended in the International Congress about Comparative Labor Law at the end of the semester. |
| Guest lecture /   |                                                                                                                                                                                                                                            |
| keynote speech    |                                                                                                                                                                                                                                            |
| Problem solving   |                                                                                                                                                                                                                                            |
| Oral presentation |                                                                                                                                                                                                                                            |
| Seminar           |                                                                                                                                                                                                                                            |

| Assessment        |                 |                                                                                                   |               |
|-------------------|-----------------|---------------------------------------------------------------------------------------------------|---------------|
| Methodologies     | Competencies    | Description                                                                                       | Qualification |
| Objective test    | A9              | To pass the examinations.                                                                         | 50            |
| Guest lecture /   | A1 A7 A13 C3 C6 | Regular attending.                                                                                | 15            |
| keynote speech    |                 |                                                                                                   |               |
| Problem solving   | A10 B7          | Delivery of the report.                                                                           | 10            |
| Oral presentation | B13 C2 C4       | To attend the preparation, to attend the International Congress, to orally defend the submission. | 10            |
| Seminar           | A7 A13 C3 C6    | Regular attending.                                                                                | 15            |
| Others            |                 |                                                                                                   |               |

| Assessment comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>We will give the maximum, legally permitted, number of As with Honors. Relating to part-time students, we will not negatively assess their lack of attending lessons, but they must submit the reports and practice exams in the same conditions applied to full-time students. As a rule, the same assessment system governs the second chance, above all concerning the exams. Following the instructions of the competent academic authorities, we remember that, in the event of plagiarism, the activity at issue will not be assessed.</p> |

| Sources of information |                                                                                                                   |
|------------------------|-------------------------------------------------------------------------------------------------------------------|
| Basic                  | - J. MARTÍNEZ GIRÓN - A. ARUFE VARELA (2016). DERECHO CRÍTICO DEL TRABAJO. CRITICAL LABOR LAW. BARCELONA: ATELIER |
| Complementary          |                                                                                                                   |

| Recommendations                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------|
| Subjects that it is recommended to have taken before                                                                        |
|                                                                                                                             |
| Subjects that are recommended to be taken simultaneously                                                                    |
|                                                                                                                             |
| Subjects that continue the syllabus                                                                                         |
| Social Security Law/612G01037                                                                                               |
| Other comments                                                                                                              |
| &lt;p&gt;There are no quotas in qualifications other than A with Honors (for example, relating to &quot;A&quot;).&lt;/p&gt; |

(\*)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.