

**COURSE DATA****DATA SUBJECT****Code:** 33550**Name:** Labour union law**Cycle:** Undergraduate Studies**ECTS Credits:** 6**Academic year:** 2025-26**STUDY (S)**

Degree	Center	Acad. year	Period
1309 - Degree in Labour Relations and Human Resources	Facultat de Ciències Socials	1	Second quarter

SUBJECT-MATTER

Degree	Subject-matter	Character
1309 - Degree in Labour Relations and Human Resources	Law	BASIC

COORDINATION

LOPEZ BALAGUER MERCEDES

SUMMARY

The subject "Trade Union Law", with basic character and 6 ECTS credits, is taught in the second semester of the first course of the Degree in Industrial Relations and Human Resources.

The subject "Trade Union Law" is settled into the block of subjects designed to make it known to the student the basic regulation of relationships (individual, collective, social protection or procedural) that arise around dependent and for other persons' work, and is studied simultaneously with the subject "Labour Law", through which the student is introduced to the study of individual employment relationship.

Thus, "Trade Union Law" seeks to provide students with a broad and detailed perspective of collective labor relations in the company by defining and studying: the collective subjects who act in this area (unions, business associations, professional organizations, workers' representatives), focusing on historical development and its current policy and processes for their formation or election; the rights of trade union action: collective bargaining (process and products resulting of this process), industrial disputes (concept, types and settlement procedures); major collective measures of action, considered as rights set by the Spanish Constitution of 1978: strikes and lockouts (regulation, legal problems arising from their exercise, etc ...). All of this, taking into account the gender perspective in trade union standards.



PREVIOUS KNOWLEDGE

RELATIONSHIP TO OTHER SUBJECTS OF THE SAME DEGREE

There are no specified enrollment restrictions with other subjects of the curriculum.

OTHER REQUIREMENTS

The student undertakes the study of this subject, Trade Union Law, after having obtained, with the first semester subject "Tools and Techniques of Information, Study and Documentation", the indispensable methodological knowledge to assimilate and develop the theoretical and practical teachings of the Degree, and with the subject "Basic legal elements for labour relations", the indispensable knowledge for learning the subjects of the area of knowledge Labour Law.

COMPETENCES / LEARNING OUTCOMES

1309 - Degree in Labour Relations and Human Resources

Act with autonomy in learning, making informed decisions in different contexts, issuing judgements based on experimentation and analysis, and transferring knowledge to new situations.

Advise on the most appropriate corporate forms for business projects and the procedures for their incorporation and other corporate matters.

Analyse, synthesise and reason critically.

Collaborate effectively in work teams, assuming responsibilities and leadership roles and contributing to collective improvement and development.

Contribute to the design, development and implementation of solutions that respond to social demands, taking into account the Sustainable Development Goals as a reference.

Demonstrate critical and self-critical thinking in the field of the degree programme, considering aspects such as professional ethics, moral values and the social implications of the different activities carried out.

Develop organisational and planning actions.

Know and apply the basic regulatory framework for private contracting and company law to the business environment.

Know and apply the principles of the professional code of ethics.

Know and understand, within the field of the degree programme, gender inequalities in society; integrate different needs and preferences based on sex and gender into the design of solutions and problem solving.

Know how to communicate effectively, both orally and in writing, adapting to the characteristics of the situation and the audience.

Know the different corporate forms and their statutes and other documents related to the functioning of corporate entities.



Learn independently and develop initiative and entrepreneurial spirit.

Manage information, draft and formalise reports and writings.

Propose creative and innovative solutions to complex situations or problems within the field of knowledge, to respond to diverse professional and social needs.

Respect and promote fundamental rights, equality between men and women, equal opportunities and non-discrimination, democratic values and sustainability.

Solve problems, apply knowledge to practice and develop motivation for quality.

Use information and communication technologies.

DESCRIPTION OF CONTENTS

1. FREEDOM OF ASSOCIATION AND RIGHT TO ORGANISE

I. Introduction: the conquest of freedom of association

II. Legal framework

III. Individual freedom of association: a) Freedom of Setting-up; b) Freedom of Union Membership (right to join a Union); c) Negative Freedom of Association; d) Rights of Union Members.

IV. Collective Freedom of Association

V. Legal status of Association: Process for setting-up a Union and effects

VI. Unity vs. plurality: types of Most Representative Trade Unions (LOLS) and its prerogatives

2. COLLECTIVE REPRESENTATION

I. General overview

II. Workplace (unitary) Representation: a) Organs/Bodies: Employee Delegates and Works Committees; b) Election procedure; c) Length of mandate; d) Functioning criteria; e) Powers/Competences; e) Guarantees; f) Facilities

III. Trade Union Representation: a) Union Sections; b) Shop Stewards

IV. Right to free assembly

V. Other sorts of collective representation at the workplace: European Works Councils

3. COLLECTIVE BARGAINING

I. Concept and types of industrial disputes: a) Individual or collective; b) Legal disputes or disputes of interest



4. INDUSTRIAL DISPUTES

- I. Concept and types of industrial disputes: a) Individual or collective; b) Legal disputes or disputes of interest
- II. Procedures for solving industrial disputes: a) Judicial remedies; b) Non-judicial remedies (negotiation, mediation, conciliation, arbitration)
- III. Direct use of industrial action: measures of conflict

5. THE STRIKE

- I. Concept and legal framework
- II. Right holders
- III. Procedure: a) Strike call; b) Setting-up a Strike Committee; c) Security and Maintenance Services; d) Pickets; f) Strikebreaking or scabbing
- IV. Legal consideration of the strike: a) Illegal strikes; b) Unfair or abusive strikes
- V. Strikes in essential services for the Community: a) Concept; b) Setting-up the minimum services; c) Breach of the minimum services
- VI. End of the strike
- VII. Effects of the strike: a) For strikers; b) For non-strikers

6. LOCK-OUT

- I. Constitutional Basis
- II. Legal framework: a) Causes; b) Procedure; c) End of the Lock-out; Effects.

WORKLOAD

PRESENCIAL ACTIVITIES

Activity	Hours
Theoretical and practical classes	60,00
Total hours	60,00

NON PRESENCIAL ACTIVITIES

Activity	Hours
Attendance at other activities	4,00
Individual or group project	10,00
Independent study and work	40,00
Preparation of lessons	24,00
Preparation for assessment activities	12,00
Resolution of case studies	0,00
Total hours	90,00

TEACHING METHODOLOGY



It will combine theoretical training activities, practices, tutoring, and those that include the study, evaluation and overall work both individually and in team of students.

Distribution by types of activities in ECTS credits, which may be modified up to 20% by type of activity according to specific needs, is as follows:

- Activities of exposition (theoretical presentations, seminars, presentation of papers):
 - theoretical presentations by the teacher will present the general configuration of the main legal institutions and the interests behind it. They also will deal with more general policy and interpretation criteria of their discipline.
 - The workshops will allow the discussion of partial aspects of this discipline with the idea that the participants, prior to the implementation of reflection and personal work or in small group, may discover the political and legal problems in the various legal institutions.
 - Work proposed by the teacher responsible for allowing their individual authors or in small groups to be trained in the legal treatment of information (collection and processing) and put it at the service of problem-solving. By written and/ or oral presentation skills are acquired in the exhibition area, essential for a lawyer.
- Practical activities (resolution of cases, classroom practices, software, workshops, practical training outside the classroom) and individual tutoring or in small groups:
 - By resolution of real or hypothetical scenarios, participants face the actual functioning of legal methodology (argumentative criteria) as well as specific aspects of problem management (preparation of documentation related to it). The analysis is integrated, where appropriate, with the use of tools related to data collection and / or document management.
 - For individual tutoring or in a small group the teacher proposes a subject on which participants find and expose its problematic aspects.
- Activities of team work, study, individual work and assessment:
 - Teamwork and individual work are instrumental to techniques that have been outlined above. Is expressed in the development of the proposed work, prior preparation of case-studies and tutorials scheduled.

The time of study includes a part prior to the remaining part of training activities and a subsequent one. In the former, the students personally approach problems and content that will be the object of classroom activities, theoretical or practical. In the later, once they are developed, students strengthen related knowledge.

EVALUATION

To pass the course, students must demonstrate the degree of knowledge acquired through their individual work and teamwork throughout the course.

The specific learning assessment will be based on the following criteria:

- Test / s writing / s and / or oral, consisting of one or more tests, which may be objective type tests, may include theory and practice questions and / or problems. It constitutes 70% of the final mark. In any case, it is prerequisite to account for the remaining 30% of the note passing the final exam. These tests have as general evaluation criteria:
 - Appropriate response to what is being asked: specificity and precision
 - Writing and spelling
 - Accuracy and technical terminology
 - Consistency and internal logic of the foundation of the responses
- Assessment of practical activities, individual and / or group, from the development, delivery of papers, memos/reports and / or oral presentations, student attendance at seminars and visits to institutions and



regular attendance and active participation in classroom activities, level of involvement in the process of teaching and learning and skills and attitudes displayed during the development of activities. It constitutes 30% of final grade.

REFERENCES

- Blasco Pellicer, Ángel; Camps-Ruiz, Luis Miguel; Cardona Rubert, María Belén; Esteve Segarra, Amparo; Fabregat Monfort, Gemma; García Ortega, Jesús; Goerlich Peset, José María; López Balaguer, Mercedes; Monreal Bringsvaerd, Erik; Roqueta Buj, Remedios; Sala Franco, Tomás; Viqueira Pérez, Carmen (2023) Derecho del Trabajo. Tirant Lo Blanch, Valencia, 11ª edición.
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- Estatuto de los Trabajadores: <https://www.boe.es/eli/es/rdlg/2015/10/23/2/con>
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