



## COURSE DATA

### DATA SUBJECT

**Code:** 35860  
**Name:** Labour and trade union law  
**Cycle:** Undergraduate Studies  
**ECTS Credits:** 6  
**Academic year:** 2025-26

### STUDY (S)

Degree	Center	Acad. year	Period
1313 - Degree in Business Management and Administration	Facultat d'Economia	3	Second quarter
1313 - Degree in Business Management and Administration	Facultat d'Economia	4	Second quarter
1330 - Degree in Business Management and Administration (Ontinyent)	Facultat d'Economia	4	
1330 - Degree in Business Management and Administration (Ontinyent)	Facultat d'Economia	3	

### SUBJECT-MATTER

Degree	Subject-matter	Character
1313 - Degree in Business Management and Administration	Compulsory subjects in the pathway: human resources management	ELECTIVES
1313 - Degree in Business Management and Administration	Compulsory subjects in the pathway: human resources management	ELECTIVES
1330 - Degree in Business Management and Administration (Ontinyent)	Materia Optatividad 3er curso	ELECTIVES
1330 - Degree in Business Management and Administration (Ontinyent)	Materia Optatividad 3er curso	ELECTIVES

### COORDINATION

LOPEZ MORA FEDERICO V

## SUMMARY

*Derecho del Trabajo y Sindical* (Employment and Labour Law) will provide the students with the specific knowledge required by the verification memoir of the Degree in Business Administration. According to this, the subject will help students to know the fundamental basis of labour legislation and will provide them with the knowledge necessary to solve problems applying labour rules.



Another aim of *Derecho del Trabajo y Sindical* is to make students aware of the existence of powers counterbalancing the employer's managerial prerogatives, both within and outside the enterprise. So that legal instruments of worker's representation and participation, collective bargaining and legal institutions for settling industrial disputes will fulfill the contents of this subject.

The subject will provide the students with the abilities needed for a proper development of the human resources management in the enterprises, within the legal framework. Nevertheless the aim is not to make the students experts in employment law but to make them achieve the basic knowledge allowing to understand the legal limits and context for applying personnel policies within the enterprises.

## PREVIOUS KNOWLEDGE

### RELATIONSHIP TO OTHER SUBJECTS OF THE SAME DEGREE

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

### OTHER REQUIREMENTS

## COMPETENCES / LEARNING OUTCOMES

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Acquire interdisciplinary knowledge of the company and its social, economic, institutional and legal environment, and of the basic elements of the management process, such as organisation and administration, accounting, taxation, operations, human resources, marketing, financing and investment.

Be able to adapt to new situations.

Be able to analyse and search for information from different sources.

Be able to apply economic principles for the diagnosis and resolution of social problems such as immigration, discrimination and others that affect society and the market.

Be able to contribute positively to raising awareness of environmental and social issues and to overcoming all forms of discrimination, as essential factors for economic development and poverty alleviation.

Be able to coordinate activities.

Be able to learn autonomously.

Be able to make decisions.

Be able to negotiate and reconcile interests effectively.

Be able to transmit and communicate complex ideas and approaches to both specialised and lay audiences.

Be able to understand and use the different quantitative and qualitative methods to reason analytically,



evaluate results and predict economic and financial parameters.

Be able to work in a team.

Demonstrate capacity for analysis and synthesis.

Demonstrate oral and written communication skills in the native language.

Have critical and self-critical capacity.

Have initiative and entrepreneurial spirit.

Have interpersonal skills.

Manage time effectively.

Show commitment to ethics and social responsibility.

Show creativity.

Show leadership and skills for mobilising the capacities of others.

Show motivation for quality.

## DESCRIPTION OF CONTENTS

**1.**

### **2. System of sources of the Labour Legal Order**

1) CHARACTERISTICS OF THE SYSTEM OF LABOUR SOURCES.

2) THE DIFFERENT SOURCES OF LABOUR LEGAL ORDER

2.1 International norms.

2.2 Community norms.

2.2 Constitution.

2.3 Laws.

2.4 Regulations.

2.5 Agreements.

2.6 Supplementary sources

**3.**



**4.**

**5. Representation of workers in the company.**

1) THE DOUBLE CHANNEL OF REPRESENTATION.

1.1 The unitary representation.

1.2 The Union representation. a) Freedom of association.

b) The Union and the greater representation c) The Union in the company.

2) SPECIALIZED REPRESENTATION IN RELATION TO LABOUR RISK PREVENTION MATTERS.

3) OTHER FORMS OF PARTICIPATION AND REPRESENTATION OF THE WORKERS IN THE COMPANY.

3.1 Assembly of workers.

3.2 The Social Responsibility of Companies or Corporate Social Responsibility.

**6. Collective bargaining and collective disputes.**

1) COLLECTIVE BARGAINING.

1.1 Statutory collective agreements.

1.2 Extra-statutory collective agreements.

1.3 The agreements and company agreements.

2) THE STRIKE.

3) THE PATRONAL CLOSURE.

4) SOLUTION OF COLLECTIVE CONFLICTS.

**7. The income in the company. Input flexibility.**

1) THE COMPANYS INCOME.

1.1 Freedom of contract and its limits.

1.2 The form of the employment contract.

1.3 The trial period.

2) CONTRACTUAL MODALITIES.

2.1 Temporary contracts.

2.2 Indefinite contracts.

2.3 Part-time contracts.

1) DETERMINATION OF LABOUR CONDITIONS.

1.1 Workplace.

1.2 Professional classification.

1.3 Salary.



**8. Determination and modification of working conditions. Internal flexibility.**

- 1) DETERMINATION OF LABOUR CONDITIONS.
  - 1.1 Workplace.
  - 1.4 Working time.
- 2) MODIFICATION OF LABOUR CONDITIONS.
  - 1.1 Geographic mobility.
  - 1.2 Functional mobility.
  - 1.3 Substantial modification of working conditions.

**9. Termination of the employment contract. Output flexibility.**

- 1) EXTINCTION BY THE WORKER.
  - 1.1 With cause
  - 1.2 Without cause
- 2) EXTINCTION BY THE ENTREPRENEUR.
  - 2.1 Disciplinary dismissal.
  - 2.2 Objective dismissals.
  - 2.3 Other causes of termination of the employment contract.
    - a) Disappearance of the worker.
    - b) Disappearance of the employer. Transmission of the company.
    - c) Mutual agreement.
    - d) Resolving condition.
    - e) Final term.

**WORKLOAD**

**PRESENCIAL ACTIVITIES**

Activity	Hours
Theory	30,00
Classroom practices	30,00
<b>Total hours</b>	<b>60,00</b>

**NON PRESENCIAL ACTIVITIES**

Activity	Hours
Attendance at other activities	0,00
Individual or group project	0,00
Independent study and work	0,00
Preparation of lessons	0,00
Preparation for assessment activities	0,00
Resolution of case studies	0,00
<b>Total hours</b>	<b>0,00</b>

**TEACHING METHODOLOGY**



Given the non-legal profile of the degree in which the subject is taught, it is essential to properly combine various teaching methodologies.

**Exhibition of theoretical contents through the master class.** After a previous work of reading and preparation of each of the topics by the students, the teacher will show and explain in a dynamic way those fundamental elements that should guide students in the study and understanding of the subject, using frequently practical assumptions, so that students are able to approach the problems and legal solutions that may arise in the daily life of companies. This way, the students will be familiarized with the legal language, the handling of legal and judicial texts, and the way in which personnel problems are solved in the labour legislation.

With the aim of exposing the contents of the subject, the involvement of the student is essential, since he/she must make an autonomous effort prior to reading and preparing the different sessions.

**Development of the knowledge acquired through the realization of practical classes.** Although the theoretical classes will include a practical component, it will be in the practices where the students, in cooperative work, will fully apply their knowledge on the subject, providing answers to somewhat more complex assumptions and trying to achieve in each of the sessions the previously defined knowledge and application objectives.

**Supervised autonomous work.** The work of the students must be supervised by the teacher. In an idyllic context, an individualized follow-up of the students' learning process would be perfectly feasible and manageable, providing satisfaction to students and teachers. A context like the current one requires rationalizing efforts and activities.

The continuous evaluation of the student cannot be based on criteria of mere class attendance or delivery of tasks. The activities entrusted to the students must be supervised by the teacher, who must provide feedback to the student about their work, otherwise this will lead to a "bureaucratization" of the learning process. Given the increase in teaching dedication of teachers, which implies a considerable increase of



students to attend; in view of the research requirements that are formulated for teachers; and with the perspective of a legal-labour context subjected to constant unexpected changes in regulations, which cause the need for constant updating of the teaching staff as well as their teaching materials, it is necessary to find a balance point between the supervision of the student activity and the other activities of the teaching staff.

In this context, the periodic collection of individual work from students is unfeasible, and group work does not solve the problem either.

Therefore, the option that seems most viable is that of autonomous work supervised through the virtual classroom forums. It is about launching questions, creating various forums, so that the students reflect and share their points of view – meditated on them and contributing ideas. The supervision of this activity by the teacher is fundamental, as collective supervision allows to rationalize the teacher's teaching efforts without detriment to their effectiveness.

**Directed activities:** Both for the follow-up of the theoretical exposition and for the realization of the applied activities, the teacher will indicate the readings, case-law or cases, etc., the student will have to carry out.

Although it is not the object of work in the classroom, the teacher can also program, within the volume of work of the student, other activities that are useful to reinforce or review the knowledge acquired by the student.

**Independent study.** Obviously, the student must prepare autonomously and independently the course and the diverse sessions to it. The tutelage instruments of the students (tutorials, either face-to-face or through the virtual classroom) will be an indispensable complement for the achievement of the teaching objectives.

## EVALUATION

1<sup>st</sup> Call:

- Final written and / or oral test, consisting of an exam, which may be in the form of objective questions or development type question, including theoretical-practical issues and / or problems. It constitutes 70% of the grade. In these tests, the following will be considered as general evaluation criteria:

- Adequacy of the answer to what is asked: concretion and precision.

- Writing and Spelling.



- Terminology and technical precision.
- Coherence and internal logic of the basis of the answers.
- The continuous evaluation of each students is based on regular attendance and active participation in the proposed face-to-face activities, such as the practical implementation or participation in workshops, the resolution of questionnaires, the preparation and / or delivery of papers, report and / or oral presentations on such activities, individually or collectively, all taking into consideration the degree of involvement and effort of students in the teaching-learning process and the skills and attitudes shown during the development of them. It constitutes 30% of the grade.

In any case, for this 30% of the grade to be taken into consideration, students must have passed the final test.

#### 2<sup>nd</sup> Call:

It is considered that the activities of the continuous evaluation developed during the course have a recoverable nature. For these purposes, at the time of the final test of the 2<sup>nd</sup> call –either written or oral- or prior to its conclusion, the corresponding recovery activities will be proposed to the students.

## REFERENCES

- -Ramírez Martínez, Juan Manuel (dir.) (2024). Curso Básico de Derecho del Trabajo y de la Seguridad Social (20<sup>a</sup> ed.). Valencia: Tirant lo Blanch. -Goerlich Peset, José María (2024). Derecho del Trabajo (12<sup>a</sup>), Valencia: Tirant lo Blanch.
- -Goerlich Peset, José María; Nores Torres, Luis Enrique (2024). Normas laborales básicas (21<sup>a</sup> ed.). Valencia: Tirant Lo Blanch.