


ENGLISH FRIENDLY COURSES (EFC) 2023-2024 CAMPUS OF BIZKAIA

<https://www.ehu.es/es/web/zuzenbide-fakultatea/mugikortasun-programak>

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In addition to the general offer of courses taught in English, some Centers offer for incoming students English Friendly Courses (EFC): subjects taught in Spanish or Basque, in which the syllabus summary; lecturer tutoring, examinations and/or papers are available in English.

English Friendly Courses taught in SPANISH:

FACULTY OF LAW (324)					
COURSE	SEMESTER ¹	CREDITS	SCHEDULE ²	LINK TO SYLLABUS	
Bachelor`s Degree in Law					
26146	Historia del Derecho	1st	6	M	
26174	Derecho Financiero II	1st	8	M	
26168	Derecho del Trabajo y de la Seguridad Social II	2nd	6	M	

¹ SEMESTER: Annual: September 2023 to May 2024

^{1st}: September 2023 to January 2024

^{2nd} : January 2024 to May 2024

² SCHEDULE: Morning (M)/ Afternoon (A): begins at 13.30.

COURSE GUIDE

2023/24

Faculty 324 - Faculty of Law. Bizkaia Department

Cycle .

Degree GDEREC20 - Bachelor`s Degree in Law

Year Third year

COURSE

26168 - Employment and Social Security Law II

Credits, ECTS: 6

COURSE DESCRIPTION

Labour and Social Security Law II is one of the compulsory subjects in the 3rd year of the Bachelor's Degree in Law.

It is situated in the second four-month period of that year and is usually taken after passing the course Labour and Social Security Law I. In this subject, the collective bargaining process in Labour Law is studied, as well as the relation between Labour Law, as well as the relationship between collective conflict, including strikes. A second block deals with Social Security Law, with emphasis on its general regime. The last part is devoted to the control of the application and enforcement of labour and social security legislation, with special attention to the Public Labour Administration and Labour Procedure.

Given its compulsory nature and as a subject in the last cycle of the Bachelor's Degree in Law, which regulates a very specific legal relationship, it should serve as a support for the Compulsory Practicals as well as for the Final Degree Project.

The work to be carried out in this subject will allow students to solve basic legal problems such as such as the determination of the parties entitled to negotiate a collective bargaining agreement, the distinction between legal and illegal or abusive strikes, the configuration of the legal relationship with the Social Security or the formalisation of a dismissal of the legal relationship with the Social Security or the formalisation of a claim for dismissal, which are of great importance in the performance of the profession, with several professional opportunities.

In order to be able to develop Labour and Social Security Law II without too much difficulty, it is necessary to have a basic command of the sources of Law, as well as of the sources of Law, as well as certain aspects of Administrative Law. In addition, a basic knowledge of Procedural Law is necessary.

COMPETENCIES/LEARNING RESULTS FOR THE SUBJECT

COMPETENCIES

C1 Acquire the basic knowledge, categories and legal institutions that make it possible to explain the content of collective relations in labour law, social security and labour procedural law.
collective labour law relations, social security and labour procedural law.

C2 Be able to search for and use sources of law relevant to the field of collective relations in labour law, social security and labour procedural law.
labour law, social security and labour procedural law.

C3 Develop the capacity for analysis, synthesis and critical reasoning in the field of collective labour relations, social security and labour procedural law.
labour law, social security and labour procedural law.

C4 Apply theoretical and practical knowledge in the resolution of conflicts linked to collective relations in labour law, social security and labour procedural law.
labour law, social security and labour procedural law.

C5 Offer argued solutions based on an attitude of tolerance and recognition of the diversity of interests in the company or entity, demonstrating interests in the company or entity, demonstrating an integral training coherent with the fundamental rights of equality, non-discrimination and the equality, non-discrimination and promotion of the culture of peace.

C6 Mastering the process of oral and written communication, based on the use of argumentation and critical reasoning techniques, in order to be able to critical reasoning, in such a way that they are able to effectively transmit their positions, reflections and legal conclusions to both an expert and an conclusions to both expert and non-expert audiences.

C7 Ability to lead groups of people and to undertake new work, demonstrating a sufficient ability to

ability to organise, work in small groups and plan.

C8 Manage one's own learning process and autonomous work in order to be able to successfully carry out the theoretical-practical activities of the course.

the theoretical-practical activities of the course, as well as subsequent specialisation or recycling studies.

LEARNING OUTCOMES

Upon successful completion of this subject, students must achieve the following learning outcomes, in a sequence that will be progressively

The following LEARNING OUTCOMES will be progressively assessed in the following sequence:

LO1 Identify and explain concepts, categories and legal institutions applicable to the field of collective relations of Labour Law, Social Security and Social Security.

labour law, social security and labour procedural law.

LO2 Identifies and analyses the applicable legislation and its interpretation in conflicts related to the field of collective labour law, social security and labour procedural law.

labour law, social security and labour procedural law.

LO3 Identifies and analyses relevant case law and its interpretation in conflicts related to collective labour law, social security and labour procedural law.

labour law, social security and labour procedural law.

LO4 Applies theoretical and practical knowledge in the resolution of conflicts related to collective relations of labour law, social security and labour procedural law.

labour law, social security and labour procedural law, generating alternatives and justifying proposals coherent with fundamental rights, fundamental freedoms and labour law.

proposals coherent with fundamental rights, non-discrimination and peaceful coexistence.

LO5 Master the process of oral and written communication, using argumentation and critical reasoning techniques in face-to-face presentations and debates.

presentations and debates, as well as in written reports.

LO6 Manages the learning process, in a continuous and autonomous way in the development of the individual and group activities proposed.

and group activities

LO7 Participates actively and appropriately in the face-to-face activities of contrast, analysis and debate.

Theoretical and Practical Contents

I.- TRADE UNION LAW

SUBJECT 1.- TRADE UNION FREEDOM.

SUBJECT 2.- THE TRADE UNION AND THE BUSINESS ASSOCIATION.

SUBJECT 3.- TRADE UNION PARTICIPATION AND ACTION IN THE COMPANY.

SUBJECT 4.- COLLECTIVE BARGAINING AGREEMENTS

SUBJECT 5.- COLLECTIVE CONFLICTS.

SUBJECT 6.- STRIKE ACTION

II.- SOCIAL SECURITY LAW

SUBJECT 7.- SOCIAL SECURITY SYSTEMS IN THE LIGHT OF NATIONAL REALITIES.

SUBJECT 8.- THE SPANISH SOCIAL SECURITY SYSTEM.

SUBJECT 9.- FIELD OF APPLICATION OF THE SOCIAL SECURITY SYSTEM.

SUBJECT 10.- PROTECTIVE ACTION OF THE GENERAL SCHEME.

SUBJECT 11.- BENEFITS UNDER THE GENERAL SCHEME (I).

THE BENEFITS OF THE GENERAL SCHEME (II).

SUBJECT 13.- SPECIAL SCHEMES AND COMPLEMENTARY PROTECTION TECHNIQUES.

SUBJECT 14.- INTERNATIONAL SOCIAL SECURITY LAW.

III.- LABOUR ADMINISTRATION AND SOCIAL JURISDICTION.

SUBJECT 15.- LABOUR ADMINISTRATION AND LABOUR ADMINISTRATIVE PROCEDURES.

SUBJECT 16.- THE RESOLUTION OF LABOUR DISPUTES and THE SOCIAL JURISDICTION:

SUBJECT 17.-THE LABOUR PROCESS: ITS SPECIALITY.

SUBJECT 18.-THE ORDINARY PROCESS.

SUBJECT 19.-SPECIAL PROCEEDINGS.

SUBJECT 20.-MEANS OF CONTESTATION.

TEACHING METHODS

The weekly teaching hours will be distributed as follows:

- Lectures
- Practical cases directly related to the subject matter of the programme.
- Practical exercises directly related to the course syllabus.

Lectures will be given in expository classes and student participation will be encouraged.

Practical teaching will be channelled through the resolution of practical cases and practices of the subject to be carried out individually or in groups.
will be carried out individually or in groups.

The methodological aspects will be specified through guides that will be published on the egela platform to support teaching.

TYPES OF TEACHING

Types of teaching	M	S	GA	GL	GO	GCL	TA	TI	GCA
Hours of face-to-face teaching	42		18						
Horas de Actividad No Presencial del Alumno/a	63		27						

Legend: M: Lecture-based S: Seminar GA: Applied classroom-based groups
GL: Applied laboratory-based groups GO: Applied computer-based groups GCL: Applied clinical-based groups
TA: Workshop TI: Industrial workshop GCA: Applied fieldwork groups

Evaluation methods

- End-of-course evaluation

Evaluation tools and percentages of final mark

- Oral defence 70%
- Exercises, cases or problem sets 30%

ORDINARY EXAMINATION PERIOD: GUIDELINES AND OPTING OUT

In this subject, the final evaluation system will be followed with the exceptions indicated in this guide (activities during the course that will represent up to 30% of the final grade).

In order to achieve the 30% of the mark, the activities proposed in class will be carried out. Among them:

- Resolution of practical cases and, where appropriate, oral presentation.
- Active participation in class activities individually or in groups.

70% of the final mark will be obtained through a test or tests containing theoretical and/or practical content, in oral or written form, as specified in class on the basis of the enrolment of the group of students.

A system of FINAL EVALUATION of the course performance will be followed, with the following distribution and nuances:

- 70% of the mark depending on the exam, which will be oral in its theoretical part (or, where appropriate, written), and will also consist of a written practical case study; unless the completion of the final practical case study is not necessary because the students have obtained 1.5 points in the practical exercises which represent 30% (3 points) of the final mark.
- 30% of the mark depending on the practical exercises carried out during the course, where the resolution or participation in the practical exercises (resolution of legal cases and problems and/or analysis of texts proposed by the teacher, etc.) will be valued with up to 3 points. It is necessary to obtain a minimum of 4 points out of 10 in the theory exam in order for the practical exercises mark to be taken into account.

In the event that the group exceeds 40 students, the teacher may decide that the theory exam will be written. Students will be assessed on the basis of the proposed learning outcomes. The continuous assessment mark (maximum 3 points) will be retained in the special exam in July.

According to the regulations on student assessment in UPV/EHU undergraduate degrees (para. 8), students will have the right to be assessed through the final assessment system, regardless of whether or not they have participated in the continuous assessment system.

In order to do so, i.e. in the case of wishing to waive the practical exercise, which represents up to 30% of the final mark, students will have a period of 9 weeks. The period will start to run from the beginning of the term, by submitting it in writing to the lecturer responsible for the subject.

Students who opt for the final assessment will be able to obtain 100% of the mark by means of a final test of the whole course, which will consist of a theoretical-practical test. The test will take place during the official examination period (art. 8.2 b).

As this is a final assessment system, in order to waive the assessment period, it will be sufficient not to take the final exam (art. 12.3).

In the event that the group exceeds 40 students, the teacher may decide that the theory exam will be written.

Students will be assessed on the basis of the proposed learning outcomes. The continuous assessment mark (maximum 3 points) will be retained in the special exam in July.

According to the regulations on student assessment in UPV/EHU degree courses (art. 8), students will have the right to be assessed on the basis of the proposed learning outcomes, regardless of whether or not they have participated in the continuous assessment system or not.

In order to do so, i.e. in the case of wishing to waive the practical exercise, which represents up to 30% of the final mark, students will have final mark, students will have a period of 9 weeks. The period will start to run from the beginning of the four-month period, by submitting it in writing to the lecturer responsible for the subject.

Students who opt for the final assessment will be able to obtain 100% of the mark by taking a final test of the whole subject, consisting of a final test of the whole course, which will consist of a theoretical-practical test. The test will take place during the official examination period (art. 8.2 b).

As this is a final assessment system, in order to waive the assessment period, it is sufficient not to take the final exam (art. 12.2 b).

EXTRAORDINARY EXAMINATION PERIOD: GUIDELINES AND OPTING OUT

In accordance with the UPV/EHU assessment regulations (art. 9.2), assessment in the extraordinary exam sessions will be carried out exclusively through the final assessment system.

In the final assessment test of the extraordinary call, the attainment of knowledge and competences inherent to the whole subject will be accredited by means of a final test in which students may obtain 100% of the grade (art. 9.3) and which will

consist of a theoretical and a practical part.

Where appropriate, the positive results obtained by students during the course may be retained. In the event that they are negative, these results may not be kept for the extraordinary exam, in which students may obtain 100% of the grade (art. 9.3).

Failure to take the final exam set on the official exam date will result in the student being withdrawn from the exam (art. 12.3).

MANDATORY MATERIALS

Legislación social básica (Civitas), by Profs. Serrano and Sequeira; or Legislación laboral y de la Seguridad Social (Aranzadi) Profs. Galiana and Sempere Navarro. In any case, it is essential to use the latest editions.

BIBLIOGRAPHY

Basic bibliography

1. Compendio de Derecho del Trabajo, Cruz Villalón (Tecnos), latest edition.
2. Derecho del Trabajo, Garcia Ninet and Vicente Palacio (Aranzadi), latest edition.
3. Derecho del Trabajo, Martín Valverde, Rodríguez Sañudo and García Murcia (Tecnos), latest edition.
4. Derecho del Trabajo, Luis Miguel Camps and Juan Manuel Ramirez (Tirant lo Blanch), latest edition.
5. Derecho del Trabajo, Montoya Melgar (Tecnos), latest edition.
6. Derecho del Trabajo by Professors Palomeque and Alvarez de la Rosa (CEURA), latest edition.
7. Manual de Derecho del Trabajo, Ignacio Garcia-Perrote Escartin (Tirant lo Blanch), latest edition.
8. Curso básico de Derecho del Trabajo (Para titulaciones no jurídicas), Juan Manuel Ramírez Martínez (Tirant lo Blanch), latest edition.
9. Derecho del Trabajo", Luis Miguel Camps and Juan Manuel Ramirez (Tirant lo Blanch), latest edition."

Detailed bibliography

CODIGO DE LA SEGURIDAD SOCIAL (Sempere, Rodriguez, Sánchez) E. Aranzadi-Thomson, latest edition.

BLASCO LAHOZ; LOPEZ GANDIA; MOMPALER CARRASCO. "Curso de Seguridad Social" Ed. Tirant lo Blanch. latest edition.

VIDA SORIA, MONEREO PEREZ, MOLINA NAVARRETE, QUESADA SEGURA "Manual de Seguridad Social". Ed Tecnos latest edition.

European Union Law. Editor/a . Barnard, Catherine Editor/a . Peers, Steve
Oxford University Press. 3rd ed., 2020

Journals

Aranzadi Social
Civitas: Revista Española de Derecho del Trabajo y de la Seguridad Social
Documentación Laboral
Droit ouvrier
Droit social
Economía & lavoro: rivista quadrimestrale di politica economica, sociologia e relazioni industriali
Estudios financieros. Revista de trabajo y seguridad social: Comentarios, casos prácticos : recursos humanos
Estudios Latinoamericanos de Relaciones Laborales y Protección Social
Foro de Seguridad Social
Gaceta sindical: reflexión y debate
Giornale di diritto del lavoro e di relazioni industriali
Industrial & labor relations review
Información laboral. Jurisprudencia (Doctrina y comentarios)
Información laboral. Legislación y convenios colectivos (Doctrina y comentarios)
Iuslabor
Lan Harremanak
Lavoro e Diritto
Relaciones laborales: Revista crítica de teoría y práctica
Revista de derecho de la seguridad social. Laborum
Revista de Derecho Social
Revista de información laboral
Revista de Seguridad Social
Revista del Ministerio de Trabajo e Inmigración: Revista del Ministerio de Empleo y Seguridad Social
Revista General de Derecho del Trabajo y de la Seguridad Social
Temas laborales: Revista andaluza de trabajo y bienestar social
Trabajo: Revista iberoamericana de relaciones laborales

Trabajo y derecho: nueva revista de actualidad y relaciones laborales
Transfer: European Review of Labour and Research
Tribuna social: Revista de seguridad social y laboral

Web sites of interest

www.inem.es (Servicio público de Empleo)
www.mtas.es (Ministerio de Trabajo y Asuntos Sociales)
www.ces.es (Consejo Económico y Social)
europa.eu.int/pol/socio/index_es.htm (Actividades de la UE. Empleo y Política Social)
www.ilo.org/public/spanish/ (Organización Internacional de Trabajo)
www.tribunalconstitucional.es (Tribunal Constitucional)
www.poderjudicial.es (Consejo General del Poder Judicial)

OBSERVATIONS

It will be compulsory to bring labour legislation to the classes, both theoretical and practical.