



UNIVERSIDAD
DE MURCIA

1. Identification

1.1. About the course

Academic Term	2024/2025
Degree	GRADO EN ADMINISTRACIÓN Y DIRECCIÓN DE EMPRESAS
Course	DERECHO DEL TRABAJO
Code	2380
Year	CUARTO
Course type	OBLIGATORIA
Number of groups	4
ECTS	4.5
Estimation of workload	112.5
Timeline	1º Cuatrimestre
Languages	Spanish, English

1.2. Teaching staff

RODRIGUEZ EGIO, MARIA DE MONSERRATE

Professor: **GRUPO 1, GRUPO 4**

Group coordination: **GRUPO 1, GRUPO 4**

Course coordinator

Category

PROFESOR PERMANENTE LABORAL

Area

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Department

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Email / Personal web page / Online tutoring sessions

mrodriguez@um.es mrodriguez@um.es Online tutoring sessions: **Sí**

Phone number and office hours

Duration:	Day:	Hours:	Place:
A	Miércoles	12:00-15:00	There are no records

Remarks:

Las tutorías podrán realizarse en el despacho 2.24 de la Facultad de Derecho o en la Facultad de Ciencias del Trabajo en el despacho -2.15. Por razones organizativas las tutorías se atenderán preferentemente, previa cita enviando un correo electrónico a mrodriguez@um.es

CEGARRA CERVANTES, FELIPE

Professor: **GRUPO BILINGÜE**

Group coordination:

Category

ASOCIADO A TIEMPO PARCIAL

Area

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Department

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Email / Personal web page / Online tutoring sessions

fcegarra@um.es fcegarra@um.es Online tutoring sessions: **Sí**

Phone number and office hours

Duration:	Day:	Hours:	Place:
A	Viernes	17:00-18:00	Debe seleccionar una ubicación

Remarks:

Contactar previamente con el profesor por correo electrónico. fcegarra@um.es

GARCIA ROMERO, MARIA BELEN

Professor: **GRUPO 3**

Group coordination: **GRUPO 3**

Category

CATEDRATICOS DE UNIVERSIDAD

Area

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Department

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Email / Personal web page / Online tutoring sessions

belengar@um.es belengar@um.es Online tutoring sessions: **Sí**

Phone number and office hours

Duration:	Day:	Hours:	Place:
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A Jueves 12:00-14:30 868884209, Facultad de Derecho B1.2.032

Remarks:

Previa concertación de cita a través del correo electrónico: belengar@um.es

Duration:

A

Day:

Martes

Hours:

11:00-14:00

Place:

868884209, Facultad de Derecho B1.2.032

Remarks:

Previa concertación de cita a través del correo electrónico: belengar@um.es

NORTE GIL, MARIA ANTONIA

Professor: **GRUPO 3**

Group coordination:

Category

ASOCIADO A TIEMPO PARCIAL

Area

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Department

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Email / Personal web page / Online tutoring sessions

ma.nortegil@um.es ma.nortegil@um.es Online tutoring sessions: **Sí**

Phone number and office hours

Duration:

A

Day:

Miércoles

Hours:

16:00-19:00

Place:

There are no records

Remarks:

por correo electrónico ma.nortegil@um.es

Duration:

A

Day:

Viernes

Hours:

16:00-18:00

Place:

There are no records

Remarks:

There are no records

RIOS MESTRE, JOSE MARIA

Professor: **GRUPO BILINGÜE**

Group coordination: **GRUPO BILINGÜE**

Category

PROFESOR CONTRATADO DOCTOR TIPO A (DEI)

Area

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Department

DERECHO DEL TRABAJO Y DE LA SEGURIDAD SOCIAL

Email / Personal web page / Online tutoring sessions

Phone number and office hours

Duration:	Day:	Hours:	Place:
A	Jueves	09:00-10:30	There are no records

Remarks:

Por motivos organizativos, se ruega contactar previamente con el profesor via email. Despacho -2.15 Fac CCTT

Duration:	Day:	Hours:	Place:
A	Martes	10:30-11:30	There are no records

Remarks:

Por motivos organizativos, se ruega contactar previamente por e-mail con el profesor. Despacho -2.15 Fac CCTT

2. Presentation

Labour Law offers tools to Business School graduates to work as CEO, company or human resources managers to lead and organize. Special attention is paid to small and middle size companies and enterprises. Selecting the most advantageous kind of labour contracts. Knowing the rights and duties of employers and employees, especially civil liberties and rights in labour and industrial relationships. Wages and compensations, work time and other conditions. Employee's representatives and Trade Unions: collective bargaining and agreements. Health and security rights and duties.

3. Conditions of access to the course

3.1. Incompatibilities

There are no records

3.2. Requirements

There are no records

3.3. Recommendations

Incompatibilities: none

Recommendations: Labour Law is related to Private Law, therefore the study of "Derecho Civil -Parte General y Obligaciones y Contratos- (código asignatura 2352)" is good for the understanding of the matter.

4. Competencies

4.1. Basic competencies

- CB1: Que los estudiantes hayan demostrado poseer y comprender conocimientos en un área de estudio que parte de la base de la educación secundaria general, y se suele encontrar a un nivel que, si bien se apoya en libros de texto avanzados, incluye también algunos aspectos que implican conocimientos procedentes de la vanguardia de su campo de estudio
- CB2: Que los estudiantes sepan aplicar sus conocimientos a su trabajo o vocación de una forma profesional y posean las competencias que suelen demostrarse por medio de la elaboración y defensa de argumentos y la resolución de problemas dentro de su área de estudio
- CB3: Que los estudiantes tengan la capacidad de reunir e interpretar datos relevantes (normalmente dentro de su área de estudio) para emitir juicios que incluyan una reflexión sobre temas relevantes de índole social, científica o ética
- CB4: Que los estudiantes puedan transmitir información, ideas, problemas y soluciones a un público tanto especializado como no especializado
- CB5: Que los estudiantes hayan desarrollado aquellas habilidades de aprendizaje necesarias para emprender estudios posteriores con un alto grado de autonomía

4.2. Degree competencies

- CG4: Considerar la ética y la integridad intelectual como valores esenciales de la práctica profesional en el ámbito de la economía y la empresa
- CG8: Tener capacidad de análisis y síntesis
- CG9: Tener capacidad de organización y planificación
- CG11: Tener capacidad para la resolución de problemas
- CG16: Tener capacidad crítica y autocrítica
- CG17: Tener capacidad de aprendizaje autónomo
- CG23: Tener sensibilidad hacia temas medioambientales y sociales
- CE4: Conocer el entorno social y la historia económica
- CE6: Poseer conocimientos básicos del ordenamiento jurídico relacionado con la empresa

4.3. Transversal and course competencies

- Interrelacionar las distintas disciplinas que configuran las relaciones laborales aplicando conocimientos a la práctica
- Conocer el convenio colectivo como fuente específica del Ordenamiento laboral
- Conocer el objeto central del ámbito de aplicación del Derecho del Trabajo Individual: el contrato de trabajo
- Conocer el régimen jurídico de las diversas modalidades contractuales
- Conocer el marco regulador de la relación laboral individual: el contenido de la relación, con especial mención al régimen jurídico del salario y la jornada
- Conocer el régimen jurídico del ejercicio de los poderes empresariales, fundamentalmente, de dirección y disciplinario
- Conocer el régimen jurídico de las principales vicisitudes que pueden afectar a la relación laboral individual afectando a sus elementos subjetivos u objetivos
- Conocer el marco normativo de los cauces de extinción de la relación laboral individual
- Conocer el régimen jurídico básico de las relaciones laborales colectivas (Libertad Sindical, Derechos de Representación, Negociación Colectiva, Derechos de Conflicto)

- Conocer sucintamente el procedimiento sancionador en el ámbito laboral, así como los principios y órganos de aplicación de la norma laboral
- Comprender el carácter dinámico y cambiante del Derecho del Trabajo en el ámbito nacional e internacional (proceso de globalización de las relaciones laborales)

5. Contents

5.1. Theoretical contents

Theme 1: Scope of application of Labour Law

1. Historical background 2. Concept 3. The growing scope of Labour Law 4. Evolution of Labour Law. New Challenges 5. Scope of application of Labour Law 6. Faculties of the employer 7. The self-employed 8. The riders

Theme 2: Labour legislation: Statutory provisions.

1. Introduction 2. Labour Law as a system of dispositions 3. Labour Law and State Dispositions. 4. International and european Labour Law 5. Collective agreement as a source of Labour Law

Theme 3: Employment contract. General provisions. The parties.

1. Meaning of the employment contract as a way to balance opposed interests 2. Employment contract: concept and elements 3. The inadequacy of the contract and its amendment 4. The parties 5. Documentation and probation of the contract 6. Labour relations of special character

Theme 4: Employment contract: legal framework and types.

1. Meaning of the employment contract as a way to balance opposed interests 2. Employment contract: concept and elements 3. The inadequacy of the contract and its amendment 4. The parties 5. Documentation and probation of the contract 6. Labour relations of special character

Theme 5: Right and duties of the employee.

1. Rights of the worker 2. Obligations of the employee 3. Rights of the employer over inventions and intellectual work of the employee 4. Obligations of the employer 5. Recruiting companies 6. Temporary work companies

Theme 6: Wage

1. Concept and functions 2. Structure of the salary 3. Compensation and absorption of wages 4. Minimum wage 5. Extra payments 6. Payroll 7. Guarantees of the salary 8. Wage guarantee fund 9. «Non seizure» of the salary

Theme 7: Working time

1. Time 2. Overtime 3. Night work, shift work and patterns of work 4. Weekly rest, holidays and leave 5. Annual leave

Theme 8: Labour Contract circumstances

1. Functional mobility 2. Geographical mobility 3. Substantive amendments to the contract 4. Succession of companies 5. Contracting and subcontracting of companies 6. Illegal transfer of workers 7. Temporary work companies 8. Suspension of the employment contract

Theme 9: The termination of the employment contract.

1.Introduction 2. Expiration of the time and conclusion of the agreed work 3. Affecting businessman 4. Extinction by mutual agreement 5. Extinction by the will of the worker 6. Extinction by the will of the employer 7. Disciplinary dismissal 8. Dismissal for objective causes 9. Collective dismissal

Theme 10: Trade Unions and employers' organizations

1. Freedom of association. 2. The trade union: concept, functions, economic regime, responsibility of the trade union and trade union representativeness. 3. Employers' associations.

Theme 11: Workers' representatives

Statutory representatives. 2. Trade Union representatives

Theme 12: Collective bargaining and collective agreement.

1. Concept of collective bargaining agreement. 2.Legal nature: the duality of contract/rule. 3.Collective agreements in the Constitution: subjects and content. 4. Scope of collective agreements. 5.Parties to the agreement, bargaining representatives and obligated parties. 6. Content and limits of the agreement. 7. Duration of the agreement. 8. Concurrence of agreements. 9. Application, interpretation and control of the collective bargaining agreement. 10. Adhesion and extension of agreements.

Theme 13: Labour conflict. Strike. Lockout.

1.Meaning.2. Dispute resolution procedures. 2.1 The out-of-court settlement of disputes. 2.2. Judicial settlement of collective disputes. 3. Means of labor pressure: strike and lockout.

5.2. Practical contents

■ Practical activity 1: Task 1

Lesson 1 y 2: Global

Related to:

- Theme 1: Scope of application of Labour Law
- Theme 2: Labour legislation: Statutory provisions.

■ Practical activity 2: Task 2

Prácticas sobre los contenidos de los temas 3 y 4

Related to:

- Theme 10: Trade Unions and employers' organizations
- Theme 12: Collective bargaining and collective agreement.

■ Practical activity 3: Task 3

Lesson 5: Global

Related to:

- Theme 3: Employment contract. General provisions. The parties.

■ Practical activity 4: Task 4

Lesson 6 y 7: Global

Related to:

- Theme 4: Employment contract: legal framework and types.
- Theme 5: Right and duties of the employee.

■ **Practical activity 5: Task 5**

Lesson 8 y 9: Global

Related to:

- Theme 6: Wage
- Theme 7: Working time

■ **Practical activity 6: Task 6**

Lesson 10 - I: Global

Related to:

- Theme 8: Labour Contract circumstances

■ **Practical activity 7: Task 7**

Lesson 10 - II: Global

Related to:

- Theme 8: Labour Contract circumstances

■ **Practical activity 8: Task 8**

Lesson 11-I: Global

Related to:

- Theme 9: The termination of the employment contract.

■ **Practical activity 9: Task 9**

Lesson 11-II: Global

Related to:

- Theme 9: The termination of the employment contract.

■ **Practical activity 10: Task 10**

Lesson 11-III: Global

Related to:

- Theme 9: The termination of the employment contract.

6. Training activities

Training Activity	Methodology	Hours	In-person
3.1: Resolución de problemas / Estudios de caso.	Classroom Activities: theoretical exposition, lectures, projections, etc., directed at the large group, regardless of whether the content is theoretical or practical. Along with the presentation of knowledge, classes pose questions, clarify doubts, provide examples, establish connections with different practical activities, and guide the search for information.	8.4	100.0
3.2: Seminarios	Classroom Practical Activities: practical activities involving exercises and problem-solving, case studies, project-based learning, presentation and analysis of works, debates, simulations, etc. These activities involve tasks carried out by the students, directed and supervised by the professor, whether they are performed individually or in small groups in the classroom.	4.25	100.0
3.3: Aprendizaje orientado a proyectos / Elaboración, exposición y discusión de trabajos	They will be aimed at promoting active student participation and reinforcing their knowledge.	4.25	100.0
AF1: Exposición teórica / Clase magistral	Expository Classroom Activities: theoretical exposition, lectures, projections, etc., directed at the large group, regardless of whether the content is theoretical or practical. Alongside the presentation of knowledge, classes pose questions, clarify doubts, provide examples, establish connections with various practical activities being carried out, and guide the search for information.	22.5	100.0
AF2: Tutorías individuales o grupales	Group Tutorials: scheduled sessions for guidance, review, or support for students by the professor, conducted in small groups, regardless of whether the content is theoretical or practical.	5.6	100.0
AF6: Trabajo Autónomo del alumno	Independent Work	67.5	0.0
Total		112.50	

7. Course schedule

<https://www.um.es/web/estudios/grados/ade/2024-25#horarios>

8. Assessment systems

Identifier	Name of the assessment tool	Assessment criteria	Weighting
SE1	Prueba final oral y/o escrita.	Final wrting exam: Writing exam based in questions (5-10) to be briefly answered	70.0
SE2	Pruebas intermedias orales y/o escritas.		0.0
SE3	Seminarios, trabajos, prácticas e informes escritos y/o presentación pública de los mismos.	Seminars, writing tasks Writing tasks of the student Only the tasks submitted through Aula Virtual before the class will count The attendance is mandatory Special indications in case of students ERASMUS and SICUE They must contact to the teachers in advance In case of illness that affects the attendance, student must prove the situation (ie medical report) Originality, technical correction, the use of the legal and judicial framework, the active participation of the student, the use of the criteria indicated by the teacher, will rate	20.0
SE4	Procedimientos de observación del trabajo del estudiante.	Motivation and work of the student: A report of the student done throughout the semester, based in a study of one specific topic of the subject highlighting the main concepts and the legal framework The teacher will indicate the deadline	10.0

9. Exam dates

<https://www.um.es/web/estudios/grados/ade/2024-25#examenes>

10. Learning outcomes

- Understand the importance of labour law as a vehicle for legal structuring of the dynamics of the relation between employee and employer
- Know in a basic way the main legal institutions that make up the subject
- Get the skills to understand and apply the basic legal regulations suitable to the entrepreneur and his activity
- Know and understand labour relations and their legal content, both individually and collectively, within the framework of the company

11. Bibliography

Basic bibliography

There are no records

Further reading

- [Albiol Montesinos I., Sala Franco T., y otros, Compendio de Derecho del Trabajo II. Contrato individual, última edición, Tirant lo Blanch, Valencia.](#)
- [Comentarios al Estatuto de los Trabajadores, Montoya Melgar, A. , Galiana Moreno, J.M., Sempere Navarro, A.V., Ríos Salmerón, Bartolomé, Edit. Aranzadi, Pamplona, última edición.](#)
- [Francisco Miguel Ortiz González-Conde \(Coord.\) ; María Elisa Cuadros Garrido, Encarnación Gallego Martínez, Inmaculada Hernández Morales, María Teresa García Castillo, José María Ríos Mestre. \(2020\) Editorial: Murcia : Universidad de Murcia. Servicio de Publicaciones, 2020.](#)
- [García-Perrote Escartín, Ignacio. Manual de derecho del trabajo / Ignacio García-Perrote Escartín. \(2021\) Edición: 11ª ed. Editorial: Valencia : Tirant lo Blanch, 2021.](#)
- [Gómez Abelleira, Francisco Javier. Esquemas de derecho del trabajo y la seguridad social de la Unión Europea / Francisco Javier Gómez Abelleira. \(2022\) Edición: 2ª ed. Editorial: Valencia : Tirant lo Blanch, 2022.](#)
- [Legislación Laboral y de Seguridad, última Edición, Editorial Aranzadi](#)
- [Martín Valverde, A., Rodríguez-Sañudo Gutiérrez, F., García Murcia, J., Derecho del Trabajo, última Edición, Editorial Tecnos, Madrid](#)
- [Martín Valverde, Antonio. Derecho del trabajo / Antonio Martín Valverde, Joaquín García Murcia. \(2021\) Edición: 30ª ed. Editorial: Madrid : Tecnos, 2021.](#)
- [Monereo Pérez, José Luis, Los grupos de empresas en el derecho del trabajo / José Luis Monereo Pérez, Pompeyo Gabriel Ortega Lozano. \(2021\) Editorial: Cizur Menor \(Navarra\) : Aranzadi-Thomson Reuters, 2021.](#)
- [Selma Penalva, Alejandra, y Cuadros Garrido, Mª Elisa \(dir.\): Cuestiones básicas de Derecho del Trabajo, EditorialColecx, 2022,](#)
- [Montoya Melgar, Alfredo. Derecho del trabajo / Alfredo Montoya Melgar. \(2021\) Edición: 42ª ed. \[rev. y puesta al día\].](#)

12. Remarks

Any student who has particular circumstances and may require special resources should let the professor know at the beginning of the course

The continuous evaluation score is not recoverable in subsequent exam calls (convocatorias) and will be kept for the June and July exam calls

This subject is directly linked to the Sustainable Development Goals: nº5 (Gender Equality), nº 8 (Decent Work and economic growth) and nº 16, (Peace, Justice and solid Institutions)

The skills that the student will develop (in English Language):

41 Basic skills

- CB1 That students have demonstrated knowledge and understanding in an area of ¿¿study that starts from the base of general secondary education, and is usually at a level that, although supported by advanced textbooks, also includes some aspects that imply insights from the cutting edge of your field of study
- CB2 That students know how to apply their knowledge to their work or vocation in a professional way and have the skills that are usually demonstrated through the development and defense of arguments and problem solving within their area of ¿¿study
- CB3 That students have the ability to gather and interpret relevant data (usually within their area of ¿¿study) to make judgments that include reflection on relevant issues of a social, scientific or ethical nature
- CB4 That students can transmit information, ideas, problems and solutions to both a specialized and non-specialized audience
- CB5 That students have developed those learning skills necessary to undertake further studies with a high degree of autonomy

42 Degree-specific skills

- GC16 Have critical and self-critical capacity
- GC4 Consider ethics and intellectual integrity as essential values ¿¿of professional practice in the field of economics and business
- GC8 Have the capacity for analysis and synthesis
- GC9 Have organizational and planning skills
- GC11 Have the ability to solve problems
- GC17 Have autonomous learning capacity
- GC23 Be sensitive to environmental and social issues
- CE4 Know the social environment and economic history
- CE6 Possess basic knowledge of the legal system related to the company

43 Crossed and Subject skills

- Skill 1 Interrelate the different disciplines that make up labor relations by applying knowledge to practice
- Skill 2 Know the collective agreement as a specific source of labor law · Skill 3 Know the central object of the scope of application of Individual Labor Law: the employment contract
- Skill 4 Know the legal regime of the various contractual modalities
- Skill 5 Know the regulatory framework of the individual labor relationship: the content of the relationship, with special mention to the legal regime of salary and working hours
- Skill 6 Know the legal regime for the exercise of business powers, fundamentally, management and disciplinary
- Skill 7 Know the legal regime of the main vicissitudes that can affect the individual employment relationship, affecting its subjective or objective elements
- Skill 8 Know the regulatory framework of the termination channels of the individual employment relationship · Skill 9 Know the basic legal regime of collective labor relations (Freedom of Association, Rights of Representation, Collective Bargaining, Rights of Conflict)
- Skill 10 Briefly know the disciplinary procedure in the workplace, as well as the principles and bodies of application of the labor standard

· Skill 11 Understand the dynamic and changing nature of Labor Law at the national and international level (process of globalization of labor relations)

SPECIAL EDUCATIONAL NEEDS

Those students with disabilities or special educational needs may contact the Service of Attention to Diversity and Volunteering (ADYV - <https://www.um.es/adyv>) to receive guidance on better use of their training process and, where appropriate, the adoption of measures of equalization and improvement for inclusion, under the Rectoral Resolution R-358/2016. The treatment of information about this student body, in compliance with the LOPD, is strictly confidential.

STUDENT EVALUATION REGULATIONS

Article 8.6 of the Student Evaluation Regulation (REVA) provides that "except in the case of activities defined as compulsory in the teaching guide, if the student is unable to follow the continuous evaluation process due to duly justified supervening circumstances, he/she shall be entitled to take a global test".

It is also recalled that Article 22.1 of the Student Evaluation Regulations (REVA) stipulates that "the student who uses fraudulent conduct, including the improper attribution of identity or authorship, or is in possession of means or instruments that facilitate such conduct, will obtain a grade of zero in the evaluation procedure and, where appropriate, may be subject to sanction, after opening disciplinary proceedings".