



Universitat de Lleida

DEGREE CURRICULUM

LABOR LITIGATION

Coordination: GONZÁLEZ GIL, YASMINA ESTHER

Academic year 2021-22

Subject's general information

Subject name	LABOR LITIGATION			
Code	14609			
Semester	2nd Q(SEMESTER) CONTINUED EVALUATION			
Typology	Degree	Course	Character	Modality
	Double degree: Marter's degree in Legal Practice and Master's degree in Administrative Management	1	COMPULSORY	Attendance-based
	Double master's degree: Master's degree in Legal Practice and Master's degree in Criminal Justice System	1	COMPULSORY	Attendance-based
	Master's Degree In Legal Practice	1	COMPULSORY	Attendance-based
Course number of credits (ECTS)	6			
Type of activity, credits, and groups	Activity type	PRAULA		TEORIA
	Number of credits	3.6		2.4
	Number of groups	1		1
Coordination	GONZÁLEZ GIL, YASMINA ESTHER			
Department	PUBLIC LAW			
Teaching load distribution between lectures and independent student work	60 hours of face-to-face classes 90 hours of student self-employment classes			
Important information on data processing	Consult this link for more information.			
Language	Castellà i català			
Distribution of credits	2,4 credits theory and 3,6 credits practice			

Teaching staff	E-mail addresses	Credits taught by teacher	Office and hour of attention
CASTILLO SOLSONA, MARIA MERCEDES	merce.castillo@udl.cat	0	
GONZÁLEZ GIL, YASMINA ESTHER	yasmina.gonzalez@udl.cat	3	
MORAGUES MARTINEZ, JOSE MIGUEL	josemiguelmoragues@advocatslleida.org	1,5	
MORENO GENE, JOSE	josep.moreno@udl.cat	0	
SIMO ANGLÉS, JOSE ANTONIO	jsimo@teixido.net	1,5	

Learning objectives

1. Assume the legal profession as a social and solidarity function.
2. Identify the interests at stake in the most common situations in which you can find when you start in the profession.
3. Identify the substantive aspects of the case and use the most appropriate means of proof.
4. Identify the interdisciplinary implications of the matter entrusted to it.
5. Analyze the feasibility of possible solutions to conflicts from the substantive and procedural point of view, taking into consideration the possible duration of the litigation or negotiation, economic and even fiscal aspects, and the repercussions on the human aspect for the parties in conflict.
6. Choose, if appropriate, the appropriate judicial action to resolve the case.
7. Know and apply the tactical techniques and strategies that allow you to direct, follow and resolve judicially any legal issue.
8. Argue with legal correction both orally and in writing.
9. Locate, analyze and assess the legislation, jurisprudence, and scientific doctrine applicable to the case.
10. To know the "fori uses" of the courts and tribunals where they perform their activity.

Competences

Basics

CB6. Possess and understand knowledge that provides a basis or opportunity to be original in the development and / or application of ideas, often in a research context.

CB7. That students know how to apply the knowledge acquired and their ability to solve problems in new or little-known environments within broader (or multidisciplinary) contexts related to their area of study

CB8. That students are able to integrate knowledge and face the complexity of formulating judgments based on information that, being incomplete or limited, includes reflections on the social and ethical responsibilities linked to the application of their knowledge and judgments.

CB9. That students know how to communicate their conclusions - and the knowledge and ultimate reasons that support them - to specialized and non-specialized audiences in a clear and unambiguous way

CB10. That students possess the learning skills that allow them to continue studying in a way that will be largely self-directed or autonomous

General

CG1. Respect for the fundamental rights of equality between men and women, the promotion of Human Rights and the values of a culture of peace and democratic values

Specifics

CE1. Possess, understand and develop skills that it is possible to apply the special academic connections acquired in the field to the possible reality to which the advocates are faced to avoid situations of injury, risk or conflict in relation to the interests entrusted or the seu exeribuncici professional davant trals o public authorities and in the functions of assessment

CE2. Conèixer the techniques directed to the esbrinament and establishment of the fets in the different types of procedures, especially the production of documents, the interrogations and the proves experts

CE3. Connect and be able to integrate the defense of clients' drets in the framework of national and international jurisdictional protection systems

CE4. Conèixer the different techniques of composition of interests and know how to find solutions to problems mitjançant alternative methods to the jurisdictional route

CE7. To know how to identify conflicts of interest and to connect the techniques for the seva resolution, to establish the professional secrecy and confidentiality, and to preserve the independence of criteria.

CE8. Know how to identify the requirements of provision and organization determinants per a l'assessorament jurdic

CE10. Develop desires and qualifications for the choice of the correct strategy for the defense of the clients' wishes, tenint in compte the demands of the different areas of professional practice

CE13. Knowing how to present orally and in writing fets, and extraure argumentalment legal conseqüències, in attention to the context and to the destination to which vagin is directed, whether it is the case with the proper modalities of each procedural area

CE14. Know how to develop professional treballs in specific and interdisciplinary teams

CE15. Knowing how to develop interpersonal skills and abilities, which facilitate the exercise of the profession in the various relationships with the citizens, with the professionals and with the institutions.

Subject contents

PART ONE: SUBSTANTIVE RIGHT

1. Work contract.
2. The subjects of the work contract.
3. Working conditions: working day and salary.
4. Vicissitudes of the work contract: modification, suspension and termination.
5. Collective labor law.
6. Social Security.

SECOND PART: LABOR PROCEDURAL LAW

1. The competence of the social jurisdictional order.
2. The jurisdictional organs of the social order.
3. The procedural actions.
4. Preprocess activities: prior conciliation and prior administrative claim .
5. The ordinary process (I). Initiation phase, preparatory acts, preliminary proceedings, anticipation and assurance of the evidence and precautionary measures. The initiation of the claim. The accumulation of shares and cars. The citation of the parties. The judicial conciliation.
6. The ordinary process (II). Stage of instruction and decision: the phase of allegations. The phase of opposition to the demand. The test phase. The conclusion phase. The documentation of the trial. The final proceedings and the sentence.
7. The procedural modalities.
8. The resources.
9. The execution.

* This program may be subject to modifications in accordance with the agenda of the official proof of access to the legal profession.

Methodology

The teaching methodology will combine the realization of theoretical classes and practical classes.

Development plan

Social litigation module sessions

DIA I HORA	MATÈRIA A IMPARTIR	PROFESSOR RESPONSABLE
DIA 14 DE MARÇ: DE 16:00 A 17:00 HORES	PRESENTACIÓ DEL MÒDUL.	JOSEP MORENO

DIA 14 DE MARÇ: DE 17:00 A 21:00 HORES	CONTRACTE DE TREBALL	YASMINA GONZÁLEZ
DIA 21 DE MARÇ: DE 16:00 A 18:15 HORES	CONTRACTE DE TREBALL I MODALITATS CONTRACTUALS (I)	YASMINA GONZÁLEZ
DIA 21 DE MARÇ: DE 18:45 A 21:00 HORES	CONTRACTE DE TREBALL I MODALITATS CONTRACTUALS (II).	YASMINA GONZÁLEZ
DIA 23 DE MARÇ: DE 16:00 A 18:15 HORES	CONDICIONS DEL CONTRACTE DE TREBALL. JORNADA I SALARI. FALTES I SANCIONS.	YASMINA GONZÁLEZ
DIA 23 DE MARÇ: DE 18:45 A 21:00 HORES	MODIFICACIÓ I SUSPENSIÓ DEL CONTRACTE DE TREBALL	YASMINA GONZÁLEZ
DIA 28 DE MARÇ: DE 16:00 A 18:15 HORES	EXTINCIÓ DEL CONTRACTE DE TREBALL (I).	YASMINA GONZÁLEZ
DIA 28 DE MARÇ: DE 18:45 A 21:00 HORES	EXTINCIÓ DEL CONTRACTE DE TREBALL (II).	YASMINA GONZÁLEZ
DIA 30 DE MARÇ: DE 16:00 A 18:15 HORES	DRETS DE REPRESENTACIÓ COL·LECTIVA. RECLAMACIONS EN MATÈRIA ELECTORAL	YASMINA GONZÁLEZ
DIA 30 DE MARÇ: DE 18:45 A 21 HORES	NEGOCIACIÓ COL·LECTIVA	YASMINA GONZÁLEZ
DIA 6 d'ABRIL: DE 16:00 A 18:15 HORES	LA VAGA I ELS CONFLICTES COL·LECTIUS	YASMINA GONZÁLEZ
DIA 6 D'ABRIL: DE 18:45 A 21 HORES	ACCIDENT DE TREBALL I MALALTIES PROFESSIONALS. INCAPACITAT TEMPORAL I PERMANENT. RECÀRREC DE PRESTACIONS	YASMINA GONZÁLEZ
DIA 20 D'ABRIL: DE 16:00 A 21:00 HORES	JURISDICCIÓ I COMPETÈNCIA DE L'ORDRE SOCIAL. LES PARTS DEL PROCEDIMENT LABORAL. CAPACITAT, LEGITIMACIÓ, REPRESENTACIÓ I DEFENSA	JOSÉ MIGUEL MORAGUES

<p>DIA 25 D'ABRIL DE 16:00 A 21:00 HORES</p>	<p>EL PROCÉS ORDINARI. EL PROCÉS MONITORI.</p>	<p>JOSÉ MIGUEL MORAGUES</p>
<p>DIA 27 D'ABRIL DE 16:00 A 21:00 HORES</p>	<p>LA ACUMULACIÓ D'ACCIONS I PROCEDIMENTS. EL PROCÉS D'ACOMIADAMENT I D'IMPUGNACIÓ DE SANCIONS. EL PROCEDIMENT EN MATÈRIA DE SEURETAT SOCIAL. EL PROCEDIMENT DE MODIFICACIÓ SUBSTANCIAL DE LES CONDICIONS DE TREBALL</p>	<p>JOSÉ MIGUEL MORAGUES</p>
<p>DIA 2 DE MAIG DE 16:00 A 21:00 HORES</p>	<p>1ª PROVA LITIGACIÓ SOCIAL</p>	<p>JOSEP MORENO</p>
<p>DIA 4 DE MAIG DE 16:00 A 21:00 HORES</p>	<p>LES ACTUACIONS PROCESSALS. L'EVITACIÓ DEL PROCÉS. LA RECLAMACIÓ PRÈVIA A LA VIA JUDICIAL</p>	<p>JOSEP A. SIMÓ</p>
<p>DIA 9 DE MAIG DE 16:00 A 21:00 HORES</p>	<p>PROCESSOS DE CONFLICTES COL·LECTIUS. LES RESOLUCIONS PROCESSALS: TIPUS I MITJANS D'IMPUGNACIÓ (I)</p>	<p>JOSEP A. SIMÓ</p>
<p>DIA 18 DE MAIG DE 16:00 A 21:00 HORES</p>	<p>LES RESOLUCIONS PROCESSALS: TIPUS I MITJANS D'IMPUGNACIÓ (II). L'EXECUCIÓ PROVISIONAL I DEFINITIVA.</p>	<p>JOSEP A. SIMÓ</p>
<p>DIA 30 DE MAIG DE 16:00 A 21:00 HORES</p>	<p>2ª PROVA LITIGACIÓ SOCIAL</p>	<p>JOSEP MORENO</p>

Evaluation

The passing of this training module requires passing the different test type tests (a substantive law test and a procedural law test) that will be carried out according to the teaching schedule, with a final score of 5 points.

Bibliography

A) Bibliography of Labor and Social Security Law.

ALEMÁN PÁEZ, F.: *Curso de Derecho del Trabajo I*. Ed. Tecnos. Madrid.

ALONSO OLEA, M. i CASAS BAAMONDE,M.E.: *Derecho del Trabajo*. Ed.Civitas. Madrid.

CAMPS RUIZ,L.M. i RAMÍREZ MARTÍNEZ, J.M. (Coords.): *Derecho del Trabajo*. Ed. Tirant lo Blanch. Valencia.

CRUZ VILLALÓN, J.: *Compendio de Derecho del Trabajo*. Ed. Tecnos. Madrid.

GALA DURÁN, C. i BELTRÁN DE HEREDIA RUIZ, I. (Dirs.): *Derecho del Trabajo*. Ed. HUYGENS. Barcelona.

GARCÍA NINET, I. (Dir.) i VICENTE PALACIO, A. (Coord.): *Derecho del Trabajo*. Ed. Thomson Reuters Aranzadi.

Cizur Menor (Navarra).

MARTÍN VALVERDE, A.; RODRÍGUEZSAÑUDO, F. i GARCÍA MURCIA, J.: *Derecho del Trabajo*. Ed. Tecnos. Madrid.

MARTÍNEZ ABASCAL, V.A. i HERRERO MARTÍN, J.B.: *Curs de Derecho del Trabajo*. Ed. Tecnos. Madrid.

MERCADER UGUINA, J.R.: *Lecciones de Derecho del Trabajo*. Ed. Tirant lo Blanch. Valencia.

MONTOYA MELGAR, A.: *Derecho del Trabajo*. Ed. Tecnos. Madrid.

PALOMEQUE LÓPEZ, M.C. i ÁLVAREZ DE LAROSA, M.: *Derecho del Trabajo*. Ed. Centro de Estudios Ramón Areces. Madrid.

VELASCO PORTERO, T.; NÚÑEZ-CORTES CONTRERAS i MIRANDA BROTO, J.M.: *Derecho del Trabajo y de la Seguridad Social para titulaciones no jurídicas*, Tecnos, Madrid.

B) Bibliography of Labor Procedural Law.

ALBIOL ORTUÑO, M.; ALFONSO MELLADO, C.L.; BLASCO PELLICER, A. I GOERLICH PESET, J.M.: *Derecho procesal Laboral*. Ed. Tirant lo Blanch, Valencia.

ALEMAÑ CANO, J.: *Manual de Derecho Procesal Laboral*, Ed. Bomarzo, Albacete.

BLASCO PELLICER, A. (Dir.) i ALEGRE NUENO, M. (Coord.): *El proceso laboral*. Ed. Tirant lo Blanch. Valencia.

ALONSO OLEA, M. I MIÑAMBRES PUIG, C.: *Derecho procesal del Trabajo*. Ed. Civitas, Madrid.

BAYLOS GRAU, A.; CRUZ VILLALÓN, J.: *Instituciones de Derecho procesal laboral*. Ed. Trotta, Madrid.

MONEREO PÉREZ, J.L. (Coord.): *Manual de Derecho Procesal Laboral: Teoría y práctica*, Tecnos, Madrid.

MONTOYA MELGAR, A.; GALIANA MORENO, J.M. Y SEMPERE NAVARRO, A.V., RÍOS SALMERÓN, R. CAVAS MARTÍNEZ, F. i LUJÁN ALCARAZ, J.: *Curso de Procedimiento Laboral*. Ed. Tecnos, Madrid.