

Course Unit	Legal Relationship Public Employment	Field of study	Law
Master in	Local Government	School	School of Public Management, Communication and Tourism
Academic Year	2023/2024	Year of study	1
Type	Semestral	Semester	2
Level	2-1	ECTS credits	6.0
Code	5047-585-1204-00-23		
Workload (hours)	162	Contact hours	T - , TP 45, PL - , TC - , S - , E - , OT 6, O -

T - Lectures; TP - Lectures and problem-solving; PL - Problem-solving, project or laboratory; TC - Fieldwork; S - Seminar; E - Placement; OT - Tutorial; O - Other

Name(s) of lecturer(s) Susana Isabel Pinto Ferreira dos Santos Gil

Learning outcomes and competences

At the end of the course unit the learner is expected to be able to:

1. Interpret the rules and get know the solutions of the General Employment Law on Civil Servants, of the Labor Code (as a result of the remittance rules) and other legislation.
2. Put forward and identify the most relevant issues involved in the legal relationship of public employment.
3. Know the main academic and case-law information relating to the legal relationship of public employment.
4. Propose solutions to solve practical cases, resolving quarrels and conflicts and proposing the respective legal framework.

Prerequisites

Before the course unit the learner is expected to be able to:
Not applicable.

Course contents

Introduction. Work in the Public Service. Types of the Employment Relationship of Public Service. The Civil Servant. The Public Employer. Special forms of an employment relationship of public service. Content of an employment relationship of public service. The industrial relations.

Course contents (extended version)

1. Introduction
 - Interpretation of the law
 - Sources of Public Service Law
 - Scope of application of the Public Service Law
2. Work in the Public Service
 - Employment Relationship of Public Service
 - Services Supply Contract
3. Types of the Employment Relationship of Public Service
 - Employment Contract in civil service (form and tryout period)
 - Instrument of appointment
 - Service Commission
4. The Civil Servant
 - Requirements for the establishment of the employment relationship of public service
 - Guarantees of impartiality
5. The Public Employer
 - The Human Resource Management and Planning
 - Recruitment
6. Special Forms of an Employment Relationship of Public Service:
 - Fixed-term work contract
 - Other special forms (part-time work and telework)
7. Content of an Employment Relationship of Public Service:
 - Rights, obligations and safeguards of the civil servant and of the public employer
 - Personal rights. Working student. Maternity and paternity protection.
 - Activity, workplace and careers
 - Mobility
 - Working Time
 - Non-work time
 - Salary
 - Disciplinary authority
 - Contractual Changes
 - Termination of an Employment Relationship of Public Service
8. The Industrial Relations

Recommended reading

1. Carvalho, A. V. de (2021). A Relação jurídica de emprego público. Coimbra: Gestlegal. ISBN: 9789898951588.
2. Lucas Pires, M. (2023). Lei geral do trabalho em funções públicas - anotada e comentada (4ª edição). Coimbra: Almedina. ISBN: 9789894010531.
3. Neves, A. F. (2020). Direito do emprego público local – Volume I. Braga: AEDREL. ISBN: 9789895475223.
4. Rocha, J. A. O. (2021). Gestão de recursos humanos e direito da função pública. Coimbra: Almedina. ISBN: 9789724098548.
5. Sousa, R. C. (2019). Lei geral do trabalho em funções públicas - anotada e comentada (2ª edição). Porto: Vida Económica. ISBN 9789897685460.

Teaching and learning methods

Presentation and discussion of the program of the course unit. Resolution of practical cases, with application of the legal concepts and the legal rules, as well as the research of academic and case-law information.

Assessment methods

1. Final Evaluation - (Regular, Student Worker) (Supplementary, Special)
 - Final Written Exam - 100%
2. Final Evaluation - (Regular, Student Worker) (Final)
 - Practical Work - 70% (Classroom presentation - 40 minutes)
 - Final Written Exam - 30% (Multiple choice exam - 20 questions)

Assessment methods

3. Exchange Students - (Regular, Student Worker) (Final, Supplementary, Special)
- Development Topics - 60% (from 15 to 20 pages)
 - Presentations - 40% (30 minutes)

Language of instruction

Portuguese, with additional English support for foreign students.

Electronic validation

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02-03-2024	04-03-2024	04-03-2024	12-03-2024