

Course Unit	Labour Law	Field of study	Law
Bachelor in	Law for Solicitors	School	School of Public Management, Communication and Tourism
Academic Year	2023/2024	Year of study	3
Type	Semestral	Semester	1
Workload (hours)	162	Contact hours	T - TP 60 PL - TC - S - E - OT 20 O -
ECTS credits		6.0	
Code		9242-317-3102-00-23	

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 portuguese Labour Code and related legislation.
2. Put forward and identify some of the issues involved in the labour relations.
3. Know the main academic and case-law information.
4. Acquire knowledge of the employment contract, parties of the individual relations, formation, content, contractual changes, termination and industrial relations.
5. Apply the legal concepts and normative to practical situations.

Prerequisites

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

Course contents

I - Introduction; II – The Employment Contract; III – Individual Relations; IV – The Formation of an Employment Contract; V - Content of an Employment Contract; VI – Termination of an employment Contract; VII - Industrial Relations.

Course contents (extended version)

1. INTRODUCTION
 - Concept of Labour Law
 - Sources of Labour Law
2. THE EMPLOYMENT CONTRACT
 - Concept of employment contract
 - Characterization of employment contract
 - Employment contract with special regimens
 - Contracts equivalent of an employment contract
 - Employment contract and services supply contract (and the presumptions of employment contract)
3. INDIVIDUAL RELATIONS
 - The worker -- Category, length of service and duties
 - -- Personal rights -- Equality and non-discrimination
 - The employer: -- Powers: direction power, disciplinary authority and regulatory power -- Duties
 - Maternity and paternity protection
 - Child labour
 - Workers with reduced working capacity
 - Workers with disabilities, chronic or oncologic disease
 - Working student
 - Carer Worker
4. THE FORMATION OF AN EMPLOYMENT CONTRACT
 - Formal requirements of an employment contract
 - Form
 - Tryout period
 - The nullity of an employment contract
 - Subsidiary clauses
 - Types: - Fixed-term work contract - Part-time work
 - - Intermittent employment - Committee servisse - Telecommuting - Temporary work
5. CONTENT OF AN EMPLOYMENT CONTRACT
 - The workplace
 - Working time and its organization: - Length of servisse - Working time
 - - Exemption from working times - Shift work - Night work - Extra work
 - - Weekly rest - Annual holidays - Holidays - Absenteeism
 - Salary
 - Work accidents and occupational diseases
 - Contractual changes - Company or business transmission
 - - Occasional remise - Lay off
6. THE TERMINATION OF AN EMPLOYMENT CONTRACT
 - Lapse
 - Rescission
 - Dismissal for cause
 - Collective dismissal
 - Extinction of the work post
 - Inadaptability of the employee
 - Resolution: employee's own initiative
 - Resignation
7. THE INDUSTRIAL RELATIONS
 - The subjects of the industrial relations
 - The collective labour agreement
 - Collective labour disputes

Recommended reading

1. Falcão, D. & Tomás, S. (2023). Lições de direito do trabalho (12ª edição). Almedina.
2. Ferreira dos Santos, S. & Falcão, D. (2020). Casos práticos. Direito do trabalho (4ª edição). Almedina.
3. Ferreira dos Santos, S. [et al] (2023). Código do trabalho. Editora D'Ideias.
4. Menezes Leitão, A. (2023). Direito do trabalho. Almedina (8ª edição).

Recommended reading

5. Monteiro Fernandes, A. (2023). Direito do trabalho (22ª edição). Almedina.

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.

Assessment methods

1. Final Evaluation - (Regular, Student Worker) (Final, Supplementary)
 - Final Written Exam - 80%
 - Presentations - 20% (Groups of 2 or 3 students. Student-workers: possibility of being individual)
2. Final Evaluation - (Student Worker) (Final, Supplementary, Special)
 - Final Written Exam - 100%
3. Final Evaluation - (Regular) (Supplementary, Special)
 - Final Written Exam - 100%
4. Exchange Students - (Regular) (Final, Supplementary)
 - Development Topics - 60% (15 pages)
 - Presentations - 40%

Language of instruction

Portuguese, with additional English support for foreign students.

Electronic validation

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06-10-2023	06-10-2023	06-10-2023	15-10-2023