Postgraduate Diploma

Termination of Employment Contract and Labor Process





Postgraduate Diploma Termination of Employment Contract and Labor Process

» Modality: online

» Duration: 6 months

» Certificate: TECH Technological University

» Dedication: 16h/week

» Schedule: at your own pace

» Exams: online

» Target Group: Professionals who would like to specialize in the field of Labor Law

Website: www.techtitute.com/in/school-of-business/postgraduate-diploma/postgraduate-diploma-termination-employment-contract-labor-process

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01 **Welcome**

In the staff of any company, it is necessary to have personnel specialized in the termination of contracts and other types of labor processes, or specific advisors in this area, who are capable of assuming the specific tasks of these fields with total security and guarantees that these tasks are being carried out properly. In order to improve the qualification of the professionals of the Labor Advisory in this field, this intensive program has been devised, meticulously designed by teachers with wide experience in labor advisory In this way, the different types of dismissals, legal proceedings and even labor executions are shown, with the purpose of providing students with an overview of the procedures they may face in their daily practice.









tech 08 | Why Study at TECH?

At TECH Technological University



Innovation

The university offers an online learning model that combines the latest educational technology with the most rigorous teaching methods. A unique method with the highest international recognition that will provide students with the keys to develop in a rapidly-evolving world, where innovation must be every entrepreneur's focus.

"Microsoft Europe Success Story", for integrating the innovative, interactive multi-video system.



The Highest Standards

Admissions criteria at TECH are not economic. Students don't need to make a large investment to study at this university. However, in order to obtain a qualification from TECH, the student's intelligence and ability will be tested to their limits. The institution's academic standards are exceptionally high...

95%

of TECH students successfully complete their studies



Networking

Professionals from countries all over the world attend TECH, allowing students to establish a large network of contacts that may prove useful to them in the future.

100,000+

200+

executives trained each year

different nationalities



Empowerment

Students will grow hand in hand with the best companies and highly regarded and influential professionals. TECH has developed strategic partnerships and a valuable network of contacts with major economic players in 7 continents.

500+

collaborative agreements with leading companies



Talent

This program is a unique initiative to allow students to showcase their talent in the business world. An opportunity that will allow them to voice their concerns and share their business vision.

After completing this program, TECH helps students show the world their talent.



Multicultural Context

While studying at TECH, students will enjoy a unique experience. Study in a multicultural context. In a program with a global vision, through which students can learn about the operating methods in different parts of the world, and gather the latest information that best adapts to their business idea.

TECH students represent more than 200 different nationalities.



Why Study at TECH? | 09 tech

TECH strives for excellence and, to this end, boasts a series of characteristics that make this university unique:



Analysis

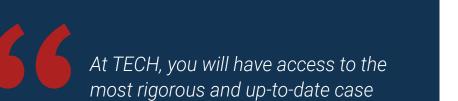
TECH explores the student's critical side, their ability to question things, their problem-solving skills, as well as their interpersonal skills.



Learn with the best

In the classroom, TECH's teaching staff discuss how they have achieved success in their companies, working in a real, lively, and dynamic context. Teachers who are fully committed to offering a quality specialization that will allow students to advance in their career and stand out in the business world.

Teachers representing 20 different nationalities.



studies in the academic community"



Academic Excellence

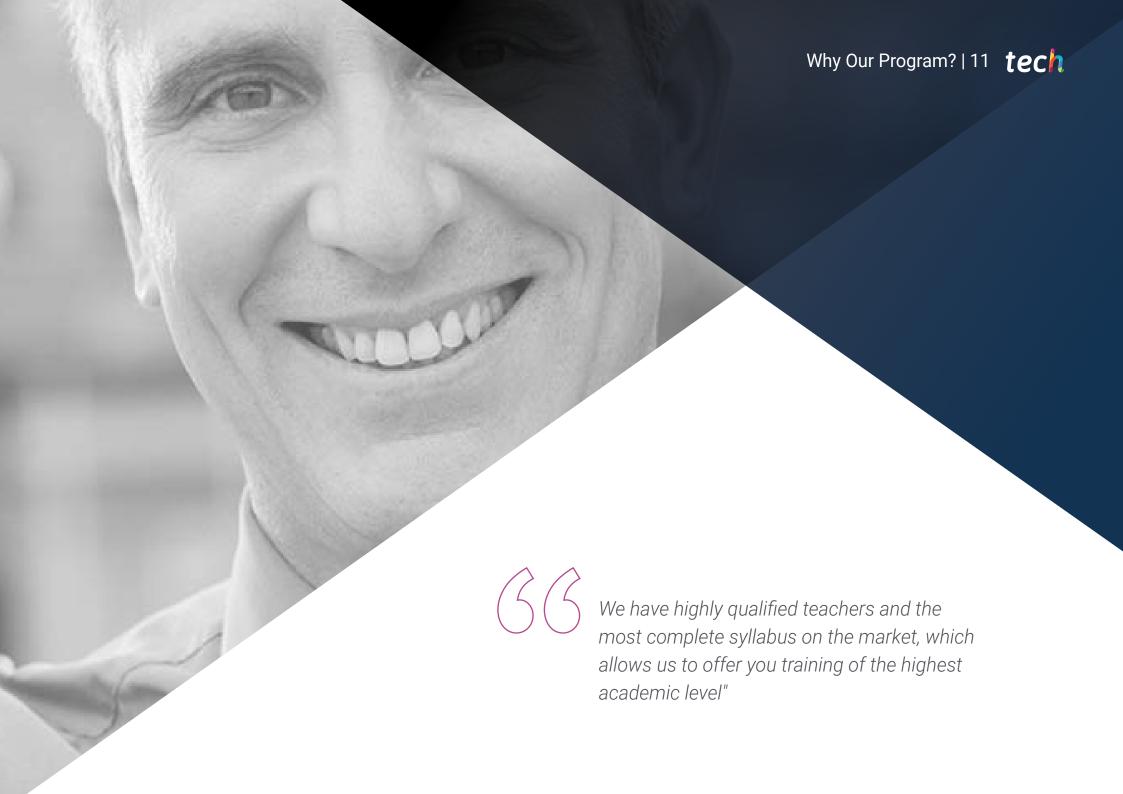
TECH offers students the best online learning methodology. The university combines the Relearning method (a postgraduate learning methodology with the highest international rating) with the Case Study. A complex balance between tradition and state-of-the-art, within the context of the most demanding academic itinerary.



Economy of Scale

TECH is the world's largest online university. It currently boasts a portfolio of more than 10,000 university postgraduate programs. And in today's new economy, **volume + technology = a ground-breaking price**. This way, TECH ensures that studying is not as expensive for students as it would be at another university.





tech 12 | Why Our Program?

This program will provide students with a multitude of professional and personal advantages, particularly the following:



A significant career boost

By studying at TECH, students will be able to take control of their future and develop their full potential. By completing this program, students will acquire the skills required to make a positive change in their career in a short period of time.

70% of participants achieve positive career development in less than 2 years.



Develop a strategic and global vision of companies

TECH offers an in-depth overview of general management to understand how each decision affects each of the company's different functional areas.

Our global vision of companies will improve your strategic vision.



Consolidate the student's senior management skills

Studying at TECH means opening the doors to a wide range of professional opportunities for students to position themselves as senior executives, with a broad vision of the international environment.

You will work on more than 100 real senior management cases.



Take on new responsibilities

The program will cover the latest trends, advances and strategies, so that students can carry out their professional work in a changing environment.

45% of graduates are promoted internally.



Access to a powerful network of contacts

TECH connects its students to maximize opportunities. Students with the same concerns and desire to grow. Therefore, partnerships, customers or suppliers can be shared.

You will find a network of contacts that will be instrumental for professional development.



Thoroughly develop business projects

Students will acquire a deep strategic vision that will help them develop their own project, taking into account the different areas in companies.

20% of our students develop their own business idea.



Improve soft skills and management skills

TECH helps students apply and develop the knowledge they have acquired, while improving their interpersonal skills in order to become leaders who make a difference.

Improve your communication and leadership skills and enhance your career.



Be part of an exclusive community

Students will be part of a community of elite executives, large companies, renowned institutions, and qualified professors from the most prestigious universities in the world: the TECH Technological University community.

We give you the opportunity to train with a team of world renowned teachers.





tech 16 | Objectives

TECH makes the goals of their students their own goals too. Working together to achieve them.

The Postgraduate Diploma in Termination of Employment and Labor Process enable students to:



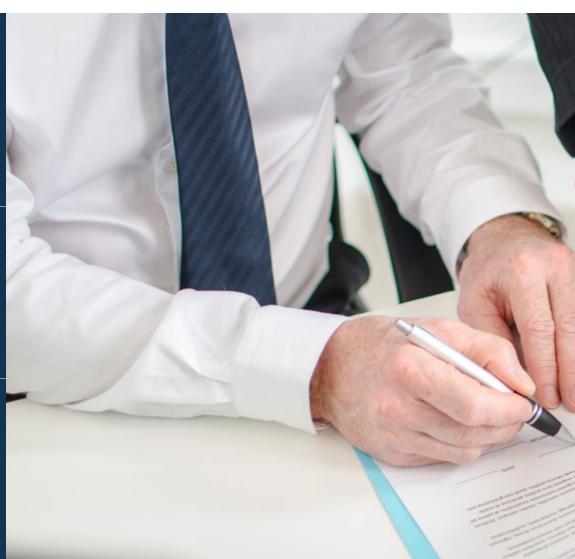
Have a general overview of the termination of the employment relationship

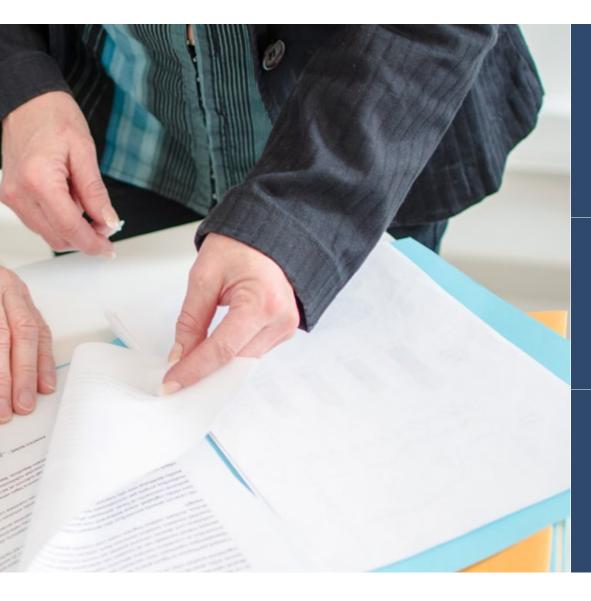


Possess all the elements to carry out dismissals in a justified and lawful manner, while employee advisors may have the tools to attack this business decision or advise the employees when they want to leave the company



Acquire the necessary skills to be able to file a lawsuit within the social jurisdiction and to face the subsequent tasks within the procedural process







In this regard, the successive stages of the ordinary process will be developed, as well as the specialties of another series of specific procedural modalities



Acquire the basic knowledge to be able to appeal judicial decisions, either before the judicial body that has issued them or in an appeal in cassation for the unification of doctrine



Learn the legal issues arising from the process of judgment execution





tech 20 | Structure and Content

Syllabus

The Postgraduate Diploma in Termination of Employment Contract and Labor Process of TECH Technological University is an intensive program that prepares students to face challenges and business decisions in the field of Labor Advisory.

The content of the Postgraduate Diploma in Termination of the Employment Contract and Labor Process is designed to promote the development of managerial skills that enable more rigorous decision-making in uncertain environments.

Over the course of 450 hours, the student analyzes various practical cases through individual work. It is, therefore, an authentic immersion in real business situations.

This Postgraduate Diploma addresses different aspects related to the termination of employment relationships and the legal processes related to this field, and does so from a strategic and innovative perspective. A plan designed for students, focused on their professional improvement and preparing them to achieve excellence in the field of Labor Law. A program that understands your needs and those of your company through innovative content based on the latest trends, and supported by the best educational methodology and an exceptional faculty, which will provide you with the skills to solve critical situations in a creative and efficient way.

This program takes place over 6 months and is divided into 3 modules:

Module 1. Termination of the Employment Relationship

Module 2. The Labor Process: Declarative Tutelage (General Part and Procedural Modalities)

Module 3. The Labor Process: Means of Contestation and Enforcement Protection



Where, When and How is it Taught?

TECH offers the possibility of developing this Postgraduate Diploma in Termination of the Employment Contract and Labor Process completely online. Throughout the 6 months of the program, you will be able to access all its contents of at any time, allowing you to manage your study time.

A unique, key, and decisive educational experience to boost your professional development and make the definitive leap.

tech 22 | Structure and Content

Module 1. Termination of the Employment Relationship

1.1. Termination of the **Employment Contract by the** Joint Will of the Parties

- 1.1.1. Termination of Contract by Mutual Agreement of the Parties
 - 1.1.1.1. Concept
 - 1.1.1.2. Requirements
 - 1.1.1.3. Effects
- 1.1.2. Termination of a Contract for Causes Validly Stated in the Contract: Concept and Requirements
- 1.1.3. Termination of the Contract due to Expiration of the Agreed Time or Performance of the Work or Service under Contract

1.2. Termination of the Employment Contract for Other Causes Related to the Parties to the Contract

- 1.2.1. Death, Retirement, Incapacity or Extinction of the Legal Personality of the Entrepreneur
- 1.2.2. Death, Retirement or Disability of the Employee

1.3. Voluntary Cancellation or Abandonment of the Employee

- 1.3.1. Concept of Resignation and Abandonment
- 1.3.2. Resignation with Notice
- 1.3.3. Notice of Resignation
- 1.3.4. Formal Aspects and Effects
- 1.3.5. Resignation of Senior Management Personnel

1.4. Termination of the Employment Contract at the Employee's Will due to a Breach of Contract by the Company

- Contract by the Company: Causes 1.4.1.1 Substantial Modifications that Result in the Impairment of the Worker's Dignity 1.4.1.2 Lack of Payment or Continued Delinguencies 1.4.1.3 Other Serious Corporate Noncompliance
- 1.4.2. Procedure

1.5. Disciplinary Dismissal

- 1.5.1. Concept and Characteristics
- 1.5.2. Causes
 - 1.5.2.1. Repeated Absences in Attendance or Punctuality
 - 1.5.2.2. Indiscipline or Disobedience in the Workplace
 - 1.5.2.3. Verbal or Physical Offenses
 - 1.5.2.4. Breach of Contractual Good Faith and Abuse of Trust in the Performance of Work 1.5.2.5. Continuous and Voluntary Decrease in performance
 - 1.5.2.6. Habitual Drunkenness or Drug Addiction
 - 1.5.2.7. Discriminatory Harassment of the Employer or Persons Working in the Company
- 1.5.3. Form and Procedure
 - 1.5.3.1. The Letter of Dismissal
 - 1.5.3.2. The Effective Date
 - 1.5.3.3. Notification of Dismissal to the Employee
- 1.5.4. The Disciplinary Dismissal Procedure in the Case of Workers' Legal Representatives

1.6. Termination of the Employment Contract for Objective Causes: Objective Dismissal

- 1.6.1. Concept and Legal Regime
- 1.6.2. Causes
 - 1.6.2.1. Worker Ineptitude
 - 1.6.2.2. Lack of Adaptation to Technical Changes in the Workplace
 - 1.6.2.3. Economic, Technical, Organizational and Production Causes
- 1.6.2.4. Insufficient Budgetary Appropriation 1.6.3. Formal and Procedural Requirements
- 1.6.3.1. The Provision of Compensation 1.6.3.2. The Letter of Dismissal
- 1.6.4. Priority of Permanence

1.7. Collective Dismissal

- 1.7.1. Concept and Characteristics
- 1.7.2. Causes
 - 1.7.1.1. Economic Reasons
 - 1.7.1.2. Organizational Causes
 - 1.7.1.3. Technical Reasons
 - 1.7.1.4. Productive Causes
- 1.7.3. Scope of the Impact of the Causes: Benchmarks
- 1.7.4. The Procedure
 - 1.7.4.1. Collective Phase of Collective Dismissal: Consultation Period and Negotiation Process 1.7.4.2. Individual Phase of
 - Collective Dismissal
- 1.7.5. Brief Reference to Collective Dismissal in Bankrupt Companies

1.4.1. Termination of the Contract for Breach of

- 1.4.3. Effects

Module 2. The Labor Process: Declarative Tutelage (General Part and Procedural Modalities) 2.1. The Social Jurisdiction: Organs and 2.2. The Proceeding Parties 2.3. Process Avoidance 2.4. Initiation of the Declaratory Competencies Judgment 2.2.1. Concept, Capacity, Legitimacy 2.3.1. Acts Prior to the Process Proceedings with Plurality of Parties 2.3.2. Reconciliation 2.1.1. Regulatory Sources of the Social Jurisdiction 2.4.1. Preparatory Acts and Anticipation of 2.2.3. Intervention of the Wage Guarantee Fund 2.3.3. Preliminary Claim 2.1.2. Jurisdiction of the Social Jurisdiction Evidence 2.1.3. Out-of-Court Settlement 2.4.2. Preventive Measures and Preventive 2.1.4. The Different Courts of the Social Jurisdiction, Attachment Functional and Territorial Jurisdiction 2.4.3. The Lawsuit: Filing, Admission, and Correction of the Lawsuit 2.4.4. Accumulation of Actions and Proceedings 2.4.5. Payment Order Procedure 2.5. The Oral Trial 2.6. Dismissal Challenge **Challenging Disciplinary Sanctions** 2.8. Termination of the Contract for **Objective Causes** 2.5.1. Concept of the Oral Trial and Pre-Trial 2.6.1 Action Forfeiture The Invalidity of the Sanction Proceedings 2.6.2. The Requisites of the Claim Confirmation of the Sanction 2.8.1. The Process for Termination due to 2.5.2. Judicial Conciliation 2.6.3. The Sentence and the Qualification Total Revocation of the Sanction Objective Causes 2.7.4. Partial Revocation of the Sanction 2.5.3. Arguments of the Parties of the Dismissal 2.8.2. Collective Dismissals for Economic. 2.5.4. Proposition and Evidence Gathering 2.6.4. The Effects of the Declaration 2.7.5. Non-Appealability of the Judgment Organizational, Technical or of Justifiable Dismissal 2.5.5. Conclusions and its Exceptions **Production Causes** 2.6.5. The Effects of the Declaration of Unfair Dismissal 2.6.6. The Effects of a Declaration of Invalid Dismissal 2.10. Social Security Processes 2.9. Procedural Modalities Related to the Development of the 2.10.1. Legitimized Parties **Employment Contract** 2.10.2. Preliminary Claim and Exhaustion of Preliminary Proceedings 2.9.1. The Vacation Process 2.10.3. Demand 2.9.2. The Professional Classification Procedure 2.10.4. Effects of the Judgment 2.9.3. The Procedure for Geographic Modification, Substantial Modification of Working Conditions and Reduction of Working Hours due to Economic, Technical, Organizational or Production Causes

2.9.4. The Process for Breastfeeding and Family Leave and Reduced Working Hours

tech 24 | Structure and Content

М	odule 3. The Labor Process: Means of (Contestation and Enforcement Protection	range in the second	
3. 3.1	3	 3.2. Appeal for Reconsideration 3.2.1. Resolutions Subject to Appeal 3.2.2. Procedure 3.2.3. Effects of the Rejection and Estimation of the Appeal for Reconsideration 	 3.3. Appeal of Complaint 3.3.1. Resolutions Subject to Appeal 3.3.2. Procedure 3.3.3. Effects of the Rejection and Estimation of the Complaint Appeal 	 3.4. Appeals for Review 3.4.1. General Considerations 3.4.2. Resolutions Subject to Appeal 3.4.3. Procedure 3.4.4. Effects of the Dismissal and Upholding of the Appeal for Review
	i.1. General Considerations	 3.6. The Appeal for the Unification of Doctrine 3.6.1. General Considerations 3.6.2. Resolutions Subject to Appeal 3.6.3. Substantive Requirements of the Contradiction 3.6.4. Processing of the Appeal 	 3.7. General Considerations in Labor Enforcement 3.7.1. Executive Titles 3.7.2. The Competent Judicial Body 3.7.3. Legal Standing in the Enforcement Process 3.7.4. Execution Procedure 	 3.8. Ordinary Executions 3.8.1. General Considerations 3.8.2. The Seizure of Goods: Concept, Phases and Incidences in the Seizure of Goods 3.8.3. The Procedure for the Enforced Execution of Foreclosed Assets 3.8.4. Payment to Creditors 3.8.5. Corporate Insolvency
3.9 3.9 3.9	1.1. Execution of Dismissal Judgments 1.2. Enforcement of Judgments against Public Entities	3.10. Provisional Execution 3.10.1. General Considerations 3.10.2. Provisional Enforcement of Judgment for the Payment of Sums of Money 3.10.3. Provisional Enforcement of Social Security Sentences 3.10.4. Provisional Enforcement of Dismissal Judgments		





This academic program offers students a different way of learning. Our methodology uses a cyclical learning approach: **Relearning.**

This teaching system is used, for example, in the most prestigious medical schools in the world, and major publications such as the **New England Journal of Medicine** have considered it to be one of the most effective.



tech 28 | Methodology

TECH Business School uses the Case Study to contextualize all content

Our program offers a revolutionary approach to developing skills and knowledge. Our goal is to strengthen skills in a changing, competitive, and highly demanding environment.





This program prepares you to face business challenges in uncertain environments and achieve business success.



Our program prepares you to face new challenges in uncertain environments and achieve success in your career.

A learning method that is different and innovative

This TECH program is an intensive educational program, created from scratch to present executives with challenges and business decisions at the highest level, whether at the national or international level. This methodology promotes personal and professional growth, representing a significant step towards success. The case method, a technique that lays the foundation for this content, ensures that the most current economic, social and business reality is taken into account.



You will learn, through collaborative activities and real cases, how to solve complex situations in real business environments"

The case method has been the most widely used learning system among the world's leading business schools for as long as they have existed. The case method was developed in 1912 so that law students would not only learn the law based on theoretical content. It consisted of presenting students with real-life, complex situations for them to make informed decisions and value judgments on how to resolve them. In 1924, Harvard adopted it as a standard teaching method.

What should a professional do in a given situation? This is the question we face in the case method, an action-oriented learning method. Throughout the program, the studies will be presented with multiple real cases. They must integrate all their knowledge, research, argue and defend their ideas and decisions.

tech 30 | Methodology

Relearning Methodology

TECH effectively combines the Case Study methodology with a 100% online learning system based on repetition, which combines different teaching elements in each lesson.

We enhance the Case Study with the best 100% online teaching method: Relearning.

Our online system will allow you to organize your time and learning pace, adapting it to your schedule. You will be able to access the contents from any device with an internet connection.

At TECH you will learn using a cutting-edge methodology designed to train the executives of the future. This method, at the forefront of international teaching, is called Relearning.

Our online business school is the only one in the world licensed to incorporate this successful method. In 2019, we managed to improve our students' overall satisfaction levels (teaching quality, quality of materials, course structure, objectives...) based on the best online university indicators.



Methodology | 31 tech

In our program, learning is not a linear process, but rather a spiral (learn, unlearn, forget, and re-learn). Therefore, we combine each of these elements concentrically. With this methodology we have trained more than 650,000 university graduates with unprecedented success in fields as diverse as biochemistry, genetics, surgery, international law, management skills, sports science, philosophy, law, engineering, journalism, history, markets, and financial instruments. All this in a highly demanding environment, where the students have a strong socio-economic profile and an average age of 43.5 years.

Relearning will allow you to learn with less effort and better performance, involving you more in your specialization, developing a critical mindset, defending arguments, and contrasting opinions: a direct equation to success.

From the latest scientific evidence in the field of neuroscience, not only do we know how to organize information, ideas, images and memories, but we know that the place and context where we have learned something is fundamental for us to be able to remember it and store it in the hippocampus, to retain it in our long-term memory.

In this way, and in what is called neurocognitive context-dependent e-learning, the different elements in our program are connected to the context where the individual carries out their professional activity.

This program offers the best educational material, prepared with professionals in mind:



Study Material

All teaching material is produced by the specialists who teach the course, specifically for the course, so that the teaching content is highly specific and precise.

These contents are then applied to the audiovisual format, to create the TECH online working method. All this, with the latest techniques that offer high quality pieces in each and every one of the materials that are made available to the student.



Classes

There is scientific evidence suggesting that observing third-party experts can be useful.

Learning from an Expert strengthens knowledge and memory, and generates confidence in future difficult decisions.



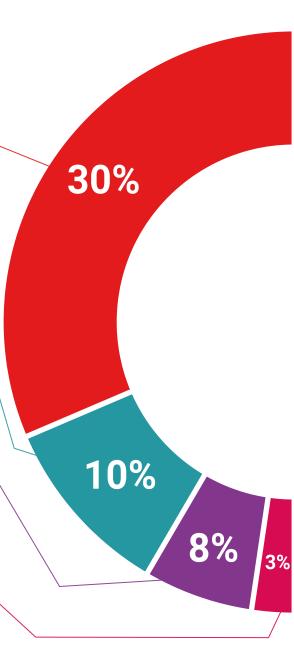
Management Skills Exercises

They will carry out activities to develop specific executive competencies in each thematic area. Practices and dynamics to acquire and develop the skills and abilities that a high-level manager needs to develop in the context of the globalization we live in.



Additional Reading

Recent articles, consensus documents and international guidelines, among others. In TECH's virtual library, students will have access to everything they need to complete their course.





Students will complete a selection of the best case studies chosen specifically for this program. Cases that are presented, analyzed, and supervised by the best senior management specialists in the world.



Interactive Summaries

The TECH team presents the contents attractively and dynamically in multimedia lessons that include audio, videos, images, diagrams, and concept maps in order to reinforce knowledge.



This exclusive educational system for presenting multimedia content was awarded by Microsoft as a "European Success Story".

Testing & Retesting

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We periodically evaluate and re-evaluate students' knowledge throughout the program, through assessment and self-assessment activities and exercises, so that they can see how they are achieving their goals.

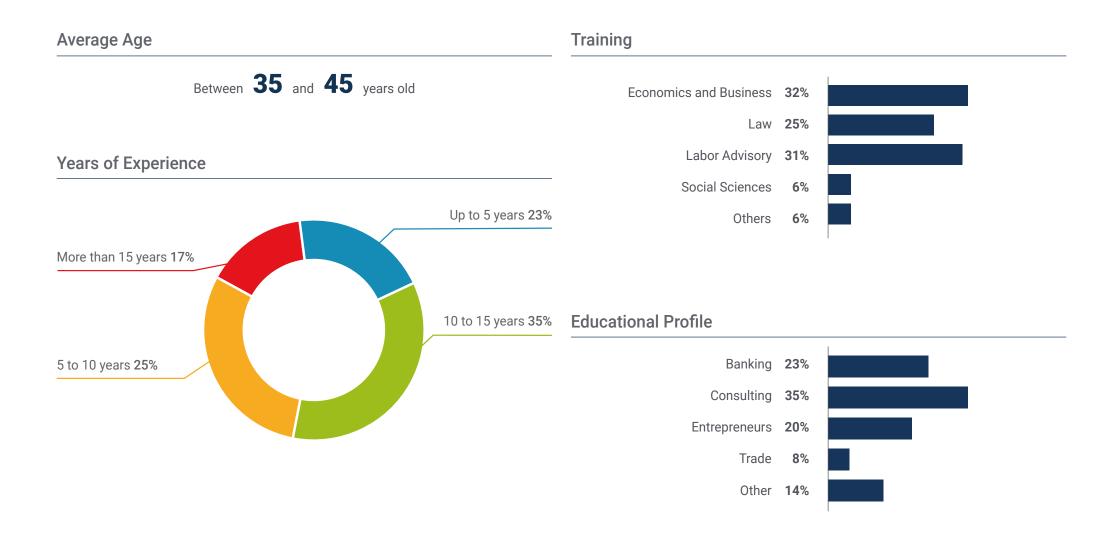


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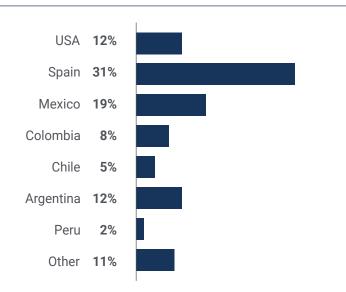


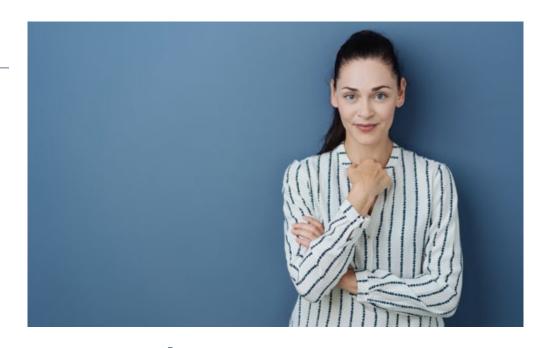


tech 36 | Our Students' Profiles



Geographical Distribution





Sara María Urquiza

Lawyer

"From this program I highlight the ability of the teachers to transmit and share knowledge in a simple, precise and orderly manner. With the balance achieved between theory and practice, the student ends up acquiring the key tools work. It's definitely an investment with great short-term returns"





tech 40 | Course Management

Management



Mr. Taléns Visconti, Eduardo Enrique

- Degree in Law from the University of Valencia
- Official Master Degree in Law, Company and Justice University of Valencia
- PhD in Law, Company and Justice University of Valencia
- Specialization Diploma in Labor Mediation University of Valencia

Professors

Mr. Ramos Moragues, Francisco

- European PhD in Labor and Center Social Security Law. University of Bologna
- Doctor in Labor and Center Social Security Law. University of Valencia
- Bachelor's Degree in Law Center University of Valencia
- Postgraduate Diploma in Employment Relationships Faculty of Social Sciences, University of Valence







tech 44 | Impact on Your Career

Are you ready to take the leap? An excellent professional improvement awaits you

The Postgraduate Diploma in Termination of Employment Contract and Labor Process of TECH is an intensive program that prepares students to face challenges and business decisions, in the field of Labor Advisory. The main objective is to promote personal and professional growth. Helping students achieve success.

If you want to improve yourself, make a positive change professionally and network with the best, this is the place for you.

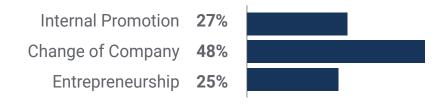
Gain access to high-paying jobs by completing this program.

We will help you to obtain a positive change in your profession.

Time of Change



Type of change



Salary increase

This program represents a salary increase of more than 25.22% for our students

\$32,900

A salary increase of

25.22%

\$41,200





tech 48 | Benefits for Your Company

Developing and retaining talent in companies is the best long-term investment.



Intellectual Capital and Talent Growth

Professionals will bring to their companies new concepts, strategies and perspectives that can bring about relevant changes in the organization.



Retaining high-potential executives to avoid talent drain

This program strengthens the link between the company its employees and opens up new avenues for professional growth within the company.



Building agents of change

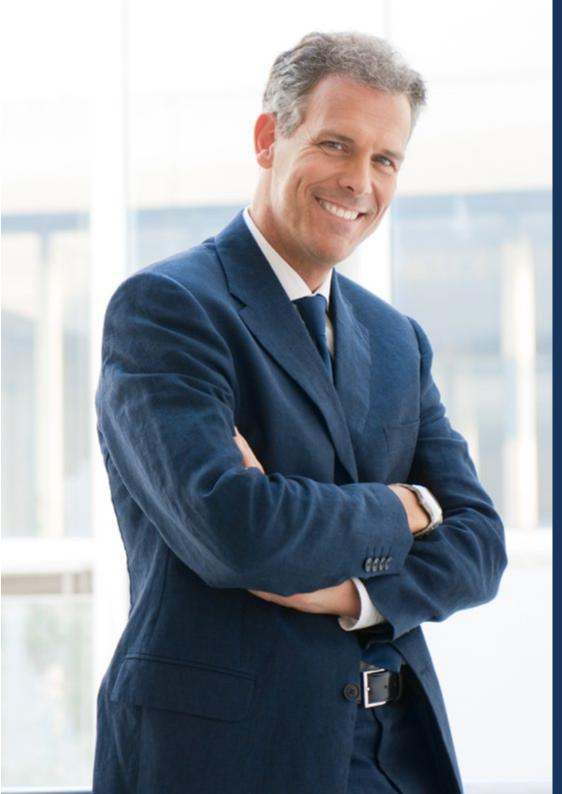
They will be able to make decisions in times of uncertainty and crisis, helping the organization to overcome obstacles.



Increased international expansion possibilities

Thanks to this program, the company will come into contact with the main markets in the world economy.







Project Development

Students will be able to work on a real project or develop new ones.



Increased competitiveness

This program provides students with the skills to take on new challenges and drive the organization forward.





tech 52 | Certificate

This **Postgraduate Diploma in Termination of Employment Contract and Labor Process** contains the most complete and up-to-date program on the market.

After the student has passed the assessments, they will receive their corresponding **Postgraduate Diploma** issued by **TECH Technological University** via tracked delivery*.

The certificate issued by **TECH Technological University** will reflect the qualification obtained in the Postgraduate Diploma, and meets the requirements commonly demanded by labor exchanges, competitive examinations, and professional career evaluation committees.

Title: Postgraduate Diploma in Termination of Employment Contract and Labor Process Official N° of Hours: **450 h**.



^{*}Apostille Convention. In the event that the student wishes to have their paper certificate issued with an apostille, TECH EDUCATION will make the necessary arrangements to obtain it, at an additional cost.



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