

**INTERAMERICAN UNIVERSITY OF PUERTO RICO
METROPOLITAN CAMPUS
FACULTY OF ECONOMIC AND ADMINISTRATIVE SCIENCES
School of Management
Labor Relations Graduate Program**

*****Syllabus*****

I. GENERAL INFORMATION

Course Title:	Labor Legislation
Code and Number:	LARE 5400
Credits:	Three (3)
Academic Term:	
Professor:	
Office Hours:	
Office Telephone:	
E-mail:	

II. Course description

Pre-requisites:	None
	Review of Federal and Puerto Rican labor laws (except those regulating labor relations), their historical development and possible future trends.
	Topics include, among others, workers' constitutional rights; minimum local and federal wages; anti-discrimination laws, unemployment insurance, and occupational safety and health preservation, among others.

II. Goals:

At the end of the course, the student should:

- 1) Identify the Constitutional Rights of all workers in Puerto Rico.

- 2) Compare the work protective systems of the Public Sector and the Private Sector in Puerto Rico

- 3) Identify the Public Policy, and the effect of the federal and state laws of the protective work legislation.
- 4) Acknowledge the administrative and judiciary procedures available and it's importance to execute the rights and protection of all parties in the work environment that will lead to maintain the industrial peace.

IV. Contents

Topics:

- A. Constitution of the Commonwealth of Puerto Rico (CWPR) and the Bill of Rights
 1. Corporate instrumentalities of the (CWPR) that function as private business.
 2. Fundamental rights of the governmental employees unionized and non-unionized.
 3. Labor rights of the private sector
- B. Federal and local protective legislation
 1. Federal jurisdiction
 2. State and local jurisdiction
- C. Exempt employees
 1. Independent contractors
 2. Probation contract
 3. Executives, professionals, administrators and supervisors
(Definitions in Regulations number 13 of the Department of Labor 2005 and Federal Labor and Standard Act)
- D. Regular contract (non-exempt employees)
 - 1) Minimum Salary for the private sector
 - a) local
 - b) Federal
 - 2) Regular vacations and sick leave licenses: General laws

- 3) Other legislation, rules and regulations, and employment conditions
 - a) Decreed of the Minimum Salary Board
 - a) Income guaranties
 - b) Sick and vacations

- 4) Working days and hours
 - a) Daily and weekly working journey
 - 1. Regular journey
 - 2. Flexi-time journey
 - 3. Over time (29 LPRA)
 - b) Resting journey (7th day resting legislation)
 - c) Closing Law (33 LPRA 2201)
 - d) Lunch (dinner) and breaks

- 5) Lay-off Legislation
 - a) Prohibitions
 - b) Severance payments
 - c) "Just cause" determinations
 - d) Remedies

- 6) Federal and local legislation against discriminations
 - a) Different modalities
 - 1) Sexual harassment
 - 2) Labor Harassment
 - 3) Disability Local laws amendments
 - 4) Others
 - b) Personal and institutional responsibilities

- 7) Salary payments
 - a) Deductions, dates and payments
 - 1. Social Security
 - 2. Unemployment Insurance
 - 3. Non-occupational disability insurance
 - 4. Others

- b) Prohibitions
 - c) Payment seizure (32 LPRA 1130 (7))
- 8) Motherhood Labor and Minors protection legislation (29 LPRA 473, 431 respectively)
- a) Latency at the work place
 - b) Fatherhood license?
- 9) Immigrant Protective Laws (29 LPRA 526)
- a) local
 - b) Federal
- 10) Privacy
- a) Substance Control detection tests
 - b) 9-11 events effects
 - 1) Security systems
 - 2) Recruitment process screening
 - a) Sensible jobs
 - b) Discrimination or security?
- 11) Christmas Bonus
- a) Governmental employees (3 LPRA 336)
 - b) Private sector (29 LPRA 510)
 - c) Agricultural sector (29 LPRA 510)
 - d) Others
- 12) Labor Insurances (Security)
- a) Workers' compensation legislations (11 LPRA 203)
 - b) Non-occupational Disability Insurance (11 LPRA 203)
 - c) Drivers' and chauffeurs Insurance (29 LPRA 681)
 - d) Social Security
- 13) Licenses
- a) Witness in a criminal case (29 LPRA 193)

- b) Athlete Representation at sports events (Law 49, 1987)
- c) Jury duty (29 LPRA 152)
- d) Military
- e) Maternity
- f) Workers' Compensation accident treatment
- g) others

14) Judicial and administrative process

- a) Secretary of Labor jurisdiction
- b) Courts
- c) Others
- d) Status of limitations
- e) Remedies
- f) Legal Fees

V. ACTIVITIES

- 1) Short quizzes
- 2) Special Projects
- 3) Research and reports on special subjects

VI. EVALUATIONS

No less than 3 grades will be the evaluation criteria

- | | |
|--|------------|
| 1) Research questions | 100 points |
| 2) Class assistances, punctuality and participation | 100 points |
| 3) Preparation of an Employee Manual and a
Probation contract | 100 points |

VII. SPECIAL NOTES

A. Special Accommodations

Students who require special accommodations must request these services at the beginning of the course as soon as they notice that they need help. Students can access this service with Professor Jose Rodriguez, Coordinator of Students with Special Needs at the Guidance and Counseling Office on the first floor at Metro's Student Center.

B. Plagiarism

Plagiarism, dishonesty, fraud and any other type of manipulation or inappropriate behavior related with academic performance are unacceptable in our institution. Disciplinary actions will be taken on students found guilty of such practice as established in Chapter V, Article 1, Section B.2 of the Student's Rules and Regulations handbook.

<http://metro.inter.edu/servicios/documentos/reglamentosestudiantes2006.pdf>

Inter American University has very strict regulations regarding plagiarism (using the ideas or words of others without giving proper credit), so it is important that you specifically read Chapter 5, Article 1, Section B.2c of the Student' Rules and Regulations Handbook. This section clearly explains what plagiarism is. In addition, it explains the types of sanctions students are exposed to when they commit it.

C. Use of Electronic Devices

Cellular (mobile) telephones and any other electronic device that could interrupt the teaching-learning process or disrupt a milieu favorable for academic excellence will be deactivated. Critical situations will be dealt with in an appropriate manner. The use of electronic devices that permit the accessing, storing or sending of data during tests or examinations is prohibited.

VIII. Teaching resources and materials

Text: Busse, Richard. Your Rights at Work. 2005 USA: Sphinx Publishing.

IX. Supplementary readings and bibliography

Legislation

Article II, Section 15 - 18, "Bill of Rights", Constitution of the Commonwealth of Puerto Rico

Law no. 180, July, 27, 1998, Local minimum salary, vacations and sick leave license

29 U.S.C.A 1947, Fair Labor and Standar Act, as amended

Law no. 379, 15 May 15, 1948, Law of daily journey and working hours

Law no. 80, May 30, 1976, Law to pay severance pay for unjustified lay-off. as amended

Employment reserve: Workers' Compensation Law, Unemployment, chauffers, and others

Law no. 100 June, 30, 1959, Law to prohibit discrimination in employment

Law no. 69, July 6, 1985, Law to prohibit sex discrimination in employment

Law no. 17 April, 17, 1988, Law to prohibit Sexual Harassment.

Title VII, Civil Rights Act 1964,

1990/92. Americans with Disability Act (ADA).

Law no. 3, Marzo 13, 1942, Law to Protect de Motherhood in employment.

Law no. 148, June 30, 1969, Law for Christmas Bonus

Law no. 2, 1961, Summary procedures for Speedy employee claims (32 LPRA 3118 et.seq.)

Law no.74, 1995, Payment by checks.

Law no. 83 July, 20, 1995, Flexi-time Law

Law no. 86, 1950 -Established the local Department of Labor

Stores Closing Law

Law to protect employees to be obligedly present at court

Law to employ Minors

Law of resting journey

Law to rule mother's latency periods

Law to rule the Control Substance tests

Law prohibiting the use of the Social Security number as an ID

Regulation 13, Refining Executive, Professionals and Administrators

Regulation for Christmas Bonus

Regulation for Probation Contracts

Other Laws and regulations up to date

Laws Resources: www.lexjuris.com

Jurisprudence: (Puerto Rico Jurisprudence, PRJ) to be assigned

