

Course guide

310516 - 310516 - Mediation and Conflict Management

Last modified: 15/05/2023

Unit in charge: Barcelona School of Building Construction
Teaching unit: 732 - OE - Department of Management.

Degree: MASTER'S DEGREE IN BUILDING CONSTRUCTION MANAGEMENT (Syllabus 2015). (Optional subject).

Academic year: 2023 **ECTS Credits:** 5.0 **Languages:** Spanish

LECTURER

Coordinating lecturer: JAIME GUIXA MORA

Others:

DEGREE COMPETENCES TO WHICH THE SUBJECT CONTRIBUTES

Specific:

CE12MUGE. Apply management models suitable for edification processes

CE05MUGE. Implement management models of resources in companies in the sector of construction

Generical:

CG4MUGE. Analyse, evaluate and synthesise critically, the information to propose solutions or alternatives to situations arising from building management processes.

Transversal:

05 TEQ. TEAMWORK. Being able to work as a team player, either as a member or as a leader. Contributing to projects pragmatically and responsibly, by reaching commitments in accordance to the resources that are available.

Basic:

CB7. The students must be able to apply the acquired knowledges and their ability of resolution of problems in new or little known environments inside more wide environments (or multidisciplinary) related with their study field.

TEACHING METHODOLOGY

This subject aims to combine the teaching methodology of the case based on simulations of mediation and conflict management together with the presentation of the necessary theoretical contents.

In the theoretical classes the theoretical concepts related to the different subjects of the subject will be presented creating spaces for participation using real cases to enrich the debate among the students.

LEARNING OBJECTIVES OF THE SUBJECT

THE PURPOSE OF THE MEDIATION AND MANAGEMENT OF CONFLICTS IS THAT THE PARTS IN CONFLICT HAVE THE CAPACITY TO MANAGE PRE-CONFLICTUAL SITUATIONS AND SPECIFIC SITUATIONS DURING THE CONFLICT, LIKE THE EFFECTIVE MEDIATION IN FRONT OF ANTAGONIC INTERESTS

STUDY LOAD

Type	Hours	Percentage
Hours large group	15,0	12.00
Hours small group	5,0	4.00
Hours medium group	5,0	4.00
Self study	90,0	72.00
Guided activities	10,0	8.00

Total learning time: 125 h

CONTENTS

1.- Conflict mediation

Description:

Management of conflicts from the perspective of the current society model.

Vectors of analysis of the conflict between individuals, companies and against the administration

The mentality of the negotiation: technique of transmission, knowledge and capacity of dialogue

Differentiation between mediation and transaction. Performance Techniques and Profiles

Full-or-part-time: 27h

Theory classes: 2h

Practical classes: 4h

Guided activities: 1h 15m

Self study : 19h 45m

2.- Intrajudicial mediation

Description:

Structure of the administration of Justice. Judicial organs: powers

The conflict from the point of view of the judiciary

Types of conflicts according to the jurisdictional order

Personal scope of the conflict: fundamental rights, private rights and public rights

European and Spanish regulations

Capacity of management of the conflict by the judge

Full-or-part-time: 9h

Theory classes: 2h

Practical classes: 1h

Guided activities: 1h 15m

Self study : 4h 45m

3.- Mediation and lawyers

Description:

Types of conflict involving the lawyer
Advocacy as a lawyer and advocacy as mediator
The lawyer and the transaction
Lawyer and area of economic interest of the conflict
Strategy of the compromises
Strategy in stakeholder interviews
Drafting of agreements

Full-or-part-time: 27h

Theory classes: 4h
Practical classes: 2h
Guided activities: 1h 15m
Self study : 19h 45m

4.- Conflict of organized crime

Description:

Conflict management as a weapon against organized crime.
The power of social relations
Globalization and Crime
Formal tools
A social proposal

Full-or-part-time: 27h

Theory classes: 4h
Practical classes: 2h
Guided activities: 1h 15m
Self study : 19h 45m

5.- Conflict management in private security

Description:

Coordination and Organization of the Emergency Structure
Annual issues
Staff and Training

Full-or-part-time: 42h

Theory classes: 6h
Practical classes: 3h
Guided activities: 1h 15m
Self study : 31h 45m

GRADING SYSTEM

CONTINUOUS ASSESSMENT BASED ON CASE STUDIES (70%) WITH PRESENTIAL EVIDENCE (30%)

BIBLIOGRAPHY

Basic:

- "Ley 31/1995, de 8 noviembre Prevención Riesgos Laborales". Ley 31/1995, de 8 noviembre Prevención Riesgos Laborales. Gobierno de España.
- "Ley Ordenación Edificación - LOE". Ley Ordenación Edificación - LOE. Gobierno de España.
- "LIBRO SEXTO CÓDIGO CIVIL de CATALUÑA, relativo obligaciones y los contratos.". LIBRO SEXTO CÓDIGO CIVIL de CATALUÑA, relativo obligaciones y los contratos..
- ESTATUTO de los TRABAJADORES. VI Edición. ESTATUTO de los TRABAJADORES,
- Cortes Generales. "Constitución Española". Constitución Española 1978. 310516.
- Código Ético UPC, de 22 febrero 2022..
- ". Ley reguladora de la subcontratación en el Sector de la Construcción". . Ley reguladora de la subcontratación en el Sector de la Construcción.