

TOURISM AND RECRUITMENT

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Abstract: Tourism as an economic activity is characterized by seasonality. However, in order to cope with the fluctuation of the need for manpower, employers opt for various forms of employment. Since 2011, the trainee contract, which is linked to the extracurricular professional placements with the objective of "acquiring a professional qualification legally required for access to the practice of a particular profession", as well as for the insertion or reintegration of workers, has been a of contract forms, although it does not constitute a form of employment contract. However, the most common modality is that of a permanent or fixed-term fixed-term employment contract, which requires an objective justification, ie directly linked to the economic activity of the employer, although the CT has changed the rules of justification, namely, allowing the contracting to term certain, independent of the legal list. There is, therefore, an "abandonment of the technique of the typicity of the causes of justification ... and ... a general clause was chosen ... followed by a merely exemplary enumeration". For the uncertain fixed-term contract, the exhaustive list of reasons was maintained, although the assertion that the fixed-term contract is a "contractual arrangement", as referred to above, seems to allow, although we disagree with this position, the broadening of that list through its provision in instruments of collective labor regulation. The temporary employment contract, another of the recurrent forms of employment, is a phenomenon of quantitative flexibility and "bosses' dilution". It is part of the atypical forms of employment that have contributed to the effects of productive slimming, decentralization and outsourcing. Finally, within the contracting modalities introduced with the publication of the Labor Code of 2009, it is defended that the intermittent labor contract is the form of permanent contract that can best associate the fluctuations of labor with a bond more stable and long-lasting.

References

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