



Universidad  
Politécnica  
de Cartagena



Centro  
Universitario  
de la Defensa

**General Air Force Academy**

## **Course Unit Description**

**Administrative and Labour Law**

**Degree: Industrial Organization Engineering Degree**

## 1. Subject data

<b>Name</b>	Administrative and Labour Law					
<b>Subject área</b>	Law					
<b>Module</b>	Compulsory subjects					
<b>Code</b>	511103008					
<b>Degree programme</b>	Industrial Organization Engineering Degree					
<b>Curriculum</b>	2009 (Decreto 269/2009 de 31 de julio)					
<b>Centre</b>	University Centre of Defence at the Spanish Air Force Academy					
<b>Type</b>	Compulsory					
<b>Length of subject</b>	Four-month course	<b>Semester</b>	5th – 6th	<b>Course</b>	3rd	
<b>Language</b>	Spanish					
<b>ECTS</b>	4,5	<b>Hours / ECTS</b>	25	<b>Total workload (hours)</b>		112,5

## 2. Lecturer data

<b>Lecturer in charge</b>	Roberto Carlos Rosino Calle		
<b>Department</b>	Department of Economics and Juridical Sciences		
<b>Knowledge area</b>	Law		
<b>Office location</b>	Office n. 12		
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<b>URL / WEB</b>	<a href="http://www.cud.upct.es/">http://www.cud.upct.es/</a>		
<b>Office hours</b>	Avaliable on <a href="https://aulavirtual.upct.es/">https://aulavirtual.upct.es/</a>		
<b>Location</b>	Office n. 12 and email		

<b>Qualification/Degree</b>	Law Ph.D.
<b>Academic rank at CUD-UPCT</b>	Full time lecturer CUD
<b>Year of admission in CUD-UPCT</b>	2011
<b>Number of five-year periods (<i>quinquenios</i>) if applicable</b>	N/A
<b>Research lines (if applicable)</b>	Supranational integration: free movement of goods Public Administration
<b>Number of six-year periods (<i>sexenios</i>) if applicable</b>	N/A
<b>Professional experience (if applicable)</b>	N/A
<b>Other topics of interest</b>	National Defence: Cyber Defense

### 3. Subject description

#### 3.1. General description

This course is intended to introduce students to the basic concepts in order to understand the function of the administrative regulations in the Spanish legal system. The course also makes an overview of the Labour Law as backbone of the labour relations system, both the Spanish General Scheme and the special one of the Armed Forces Personnel.

#### 3.2. How the subject contributes to a profesional career

Industrial Organization Engineering Degree is aimed at training students in material and human resources management. Administrative and Labour Law is a key piece for achieving this objective, offering an overview of both running of organizational environment and labour relations within the field of the Armed Forces Personnel.

#### 3.3. Relationship with other subjects in the programme

Administrative and Labour Law is related to remaining legal courses. This relationship is particularly clear regarding Constitutional Law, taught in the 2<sup>nd</sup> year.

#### 3.4. Incompatibilities defined in the programme

There does not exist incompatibilities

#### 3.5. Recommendations to do the subject

Pay attention to Constitutional Law

#### 3.6. Special provisions

There does not exist especial provisions

## 4. Competences and learning outcomes

### 4.1. Basic curricular competences related to the subject

KC3. Students must have the ability to collect and interpret important data (normally within their area of study) in order to make judgments considering relevant social, scientific or ethical issues.

### 4.2. General curricular competences related to the subject

GC4. Ability to describe the legal framework in companies and other organizations.

### 4.3. Specific curricular competences related to the subject

SC22. Identify and examine basic principles of administrative and labor law.

### 4.4. Transversal curricular competences related to the subject

CCC4. Effective use of information resources

### 4.5. Subject learning outcomes

At the end of this course students will be able to:

1. Outline the sources of Spanish legal order in both Administrative and Labour fields
2. Elementary description of the Spanish administrative and functioning
3. Resolve easy administrative procedures
4. Explain the most common administrative conducts
5. Identify the distinctive features of the labour relations
6. Understand the rights and obligations of employees and employers
7. Explain the causes for finishing a labour relationship
8. Organise himself for study in order to achieve the proposed goals
9. Optionally, expose a technical report

## 5. Contents

### 5.1. Curricular contents related to the subject

- Public law entities and Administrative Law, sources of Administrative Law.
- Basic administrative conduct.
- Working relationship; Labour Law System.
- The employment contract, salary distinctive features of the labour relationship.
- Spanish Social Security Scheme.

### 5.2. Theory syllabus

#### SECTION I. ADMINISTRATIVE LAW

UNIT 1.- Administrative Law as a branch of Law: public law entities and its sources  
UNIT 2.- Administrative powers

UNIT 3.- Administrative conduct (I): The administrative procedure

UNIT 4.- Administrative conduct (II): The administrative act

#### SECTION II. LABOUR LAW

UNIT 5.- Labour Law as a branch of Law: working relationship and its sources

UNIT 6.- The employment contract

UNIT 7.- Employee & employer rights: the salary  
UNIT 8.- The end of the employment relationship

UNIT 9.- The Spanish Social Security scheme. The special scheme of the Armed Forces Personnel

### 5.3. Practice syllabus

Portfolio tasks will be given to students sufficiently in advance.

### 5.5 Detailed description of learning goals for every teaching module

#### SECTION I. ADMINISTRATIVE LAW

- History and evolution of the Administrative Law
- Distinctive features of the public law entities
- Sources of the Administrative Law System
- Normative procedures to approve state regulations
- Administrative structure in Spain
- Administrative structure: Administración General del Estado
- Public Law Entities in Spain
- Administrative procedure: types

- Administrative procedure: process
- Administrative procedure: administrative timeframes
- Administrative procedure: incidences
- Administrative procedure: resolution
- Differentiate administrative acts and regulations
- Administrative act: validity
- Control of administrative acts
- Redaction of administrative appeals

#### **SECTION II. LABOUR LAW**

- History and evolution of Labour Law
- Distinctive features of labor relationship
- Sources of the Labour Law System
- Collective bargaining agreement: concept and application
- Employment contract: validity
- Rights and obligations of employees and employers
- Civil servants and labour law
- Salary: concept and structure
- Salary: payslip
- Causes for finishing a labour relationship
- Labour relationship: dimisal and other compensations
- Social Security scheme of the Armed Forces Personnel

#### **Risk prevention**

Promoting the continuous improvement of working and study conditions of the entire university community is one of the basic principles and goals of the Universidad Politécnica de Cartagena.

Such commitment to prevention and the responsibilities arising from it concern all realms of the university: governing bodies, management team, teaching and research staff, administrative and service staff and students.

The UPCT Service of Occupational Hazards (*Servicio de Prevención de Riesgos Laborales de la UPCT*) has published a "Risk Prevention Manual for new students" (*Manual de acogida al estudiante en materia de prevención de riesgos*), which may be downloaded from the e-learning platform ("Aula Virtual"), with instructions and recommendations on how to act properly, from the point of view of prevention (safety, ergonomics, etc.), when developing any type of activity at the University. You will also find recommendations on how to proceed in an emergency or if an incident occurs.

Particularly when carrying out training practices in laboratories, workshops or field work, you must follow all your teacher's instructions, because he/she is the person responsible for your safety and health during practice performance. Feel free to ask any questions you may have and do not put your safety or that of your classmates at risk.

## 6. Teaching method

6.1. Teaching method			
Teaching activity	Teaching techniques	Student workload	Hours
Classes	Explanation of the subject. Clearing up doubts about it	<b>Attendance:</b> attendance to clases and participation	<b>38</b>
		<b>Non-attendance:</b> exam preparation	<b>38</b>
Practicals	Planning of practicals programme. Supervision of student's work	<b>Non-attendance:</b> solving of portfolio tasks	<b>21</b>
Supervisions	Studen's individual supervisions on request	<b>Attendance:</b> Attendance to supervisions	<b>10</b>
Written exam	Partial individual written examinatio (optional) and compulsory final exam following the current regulation	<b>Attendance:</b> Exam taking	<b>5,5</b>
<b>TOTAL</b>			<b>112,5</b>

## 6.2. Learning outcomes (4.5) / Teaching activities

Teaching activities (6.1)	Learning outcomes (4.5)								
	1	2	3	4	5	6	7	8	9
Classes	■	■		■	■	■	■		
Partial individual written examinations	■	■		■		■	■	■	
Practicals	■		■		■	■		■	
Personal interview (practicals)			■		■			■	■
Final Exam	■	■	■	■	■	■		■	
Office hours	■	■	■	■	■	■	■	■	



## 7. Assessment method

7.1. Assessment method					
Assessment activity	Type		Assessment methods and criteria	Percentage (%)	Assessed learning outcomes
	Summative	Formative			
Individual written examinations <sup>1</sup>	X		Individual written examinations will consist of two parts: <ul style="list-style-type: none"> <li>- Short answer or test questions. (60%)</li> <li>- Theory question. (40%)</li> </ul> Assesses: knowleged about contents related to the subject, its application to practice and oral and written communication skills. Spelling errors will be penalized	70%	1,2,4,5,6,7
Practicals <sup>2</sup>	X		Presentation of portfolio Assesses: ability to apply theory and binding normative to practice, creativity, Written communication and teamwork.	30%	2,3,8
Personal interview (optional)		X	Personal interview about portfolio. Assesses: oral communication, information management ability, interpersonal skills, ethical commitment and ability to adapt to new situations.	1 extra point	9

<sup>1</sup> There will be partial individual written examinations at the end of Units 2, 4 and 6. On the other side, partial examination corresponding Units 7-9 shall be conducted on the last week of the semester. Students that obtain a global score greater or equal to 5 out of 10 in each of them have the option to skip the final exam.

The final examination will consist of two parts:

Part A. Administrative Law (Units 1-4)

Part 2: Labour Law (Units 5-9)

The Final Examinaton will be taken by students who failed a partial individual written examination or by students who wish to try to improve upon their grade. However, students who decide to take this part permanently renounce the grade received on the individual written examinations, irrespective of the result they obtain on the final exam.

<sup>2</sup> The irregular actions that can lead to significant variation in the rating of one or more students, shall constitute a fraudulent conduct an assessment act and behave a rating qualitative as fail and numerical 0 in the corresponding call to the students involved regardless of the disciplinary process that could instruct.

**FEBRUARY/JUNE EXAM**

To pass the course the student must:

1. Obtain a global score greater or equal to 5 out of 10 in each partial written examination or in both parts of Final Examination
2. Obtain a final grade greater or equal to 5 out of 10.

**The final grade will then be calculated as:**

**Final grade = 70% (Examinations) + 30% (Practicals) + 10% extra (Personal Interview)**

**AUGUST EXAM**

Students that obtain at least a score of 6.5 points of 10 in Part 1 or Part 2 of the Final Exam are allowed to maintain it. They must communicate in advance the decision to the teacher.

**The final grade will then be calculated as:**

**Final Grade: 100% (Final exam)**

## **7.2. Control and monitoring methods**

Learning process monitoring will be realized through the following activities:

- Individual written examinations
- Classroom participation
- Monitoring student work in Practical
- Supervisions

## 8. Bibliography and resources

### 8.1. Basic Bibliography

Arana García, E. y otros. *Conceptos para el estudio del Derecho Administrativo I y II en el grado*. 2 volúmenes. Tecnos, 2013.

- Gamero Casado, E y Fernández Ramos, S. *Derecho administrativo para estudios no jurídicos (adaptado al EEES)*. Tecnos, 2011.
- Velasco Portero, T. y otros. *Derecho del trabajo y de la Seguridad Social para titulaciones no jurídicas*. Tecnos, 2011.
- Blasco Lahoz, J.F. y otros. *Regímenes especiales de la Seguridad Social*. Tirant lo Blanch, 2011.

### 8.2. Supplementary Bibliography

- Santamaría Pastor, J.A. *Principios de Derecho Administrativo*. Centro de Estudios Ramón Areces.
- Parada Vázquez, J.R. *Derecho Administrativo. Volumen 1: Parte General*. Marcial Pons.
- Entrena Cuesta, R. *Curso de Derecho Administrativo. Volúmenes 1 y 2*. Tecnos.
- Montoya Melgar, E. *Derecho del Trabajo*. Tecnos.
- Alonso Olea, M. y Casas Baamonde, M.E. *Derecho del Trabajo*. Civitas.
- Mercader Uguina, J. *Lecciones de Derecho del trabajo*. Tirant lo Blanch.

### 8.3. On-line resources and others

- Unión Europea: [www.europa.eu](http://www.europa.eu)
- Ministerio de Defensa: [www.defensa.gob.es](http://www.defensa.gob.es)
- Secretaría de Estado de Administraciones Públicas: [www.mpt.gob.es](http://www.mpt.gob.es)
- Ministerio de Empleo y Seguridad Social: [www.empleo.gob.es](http://www.empleo.gob.es)
- Instituto Nacional de Administración Pública: [www.inap.map.es](http://www.inap.map.es)
- Seguridad Social: [www.seg-social.es](http://www.seg-social.es)
- Tribunal Constitucional: [www.tribunalconstitucional.es](http://www.tribunalconstitucional.es)
- Consejo de Estado: [www.consejo-estado.es](http://www.consejo-estado.es)
- Comunidad Autónoma de la Región de Murcia: [www.carm.es](http://www.carm.es)
- Boletín Oficial del Estado: [www.boe.es](http://www.boe.es)
- Boletín Oficial de la Región de Murcia: [www.borm.es](http://www.borm.es)

**All material used during the development of this course will be available online: [www.moodle.upct.es](http://www.moodle.upct.es)**