

**COURSE DATA****Data Subject**

<b>Code</b>	35861
<b>Name</b>	Occupational health and safety
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	4.5
<b>Academic year</b>	2023 - 2024

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. year</b>	<b>Period</b>
1313 - Degree in Business Management and Administration	Faculty of Economics	4	First term

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
1313 - Degree in Business Management and Administration	36 - Legal aspects of human resource management	Optional

**Coordination**

<b>Name</b>	<b>Department</b>
SALCEDO BELTRAN, MARIA DEL CARMEN	76 - Labour and Social Security Law

**SUMMARY**

The course Occupational health and safety is an elective course of half-yearly character that can be taken in the Bachelor of Business Administration, counting for 4.5 ECTS credits. As stated in the Business Administration and Management degree curriculum on page 170.

Its objective is that of introducing the student to the prevention for occupational risk laws, their role within the productive world and in the determination of the working conditions. The topics covered by the course will provide the students with the sufficient knowledge in order for them to facilitate entrepreneurs and workers the basic information on the legal aspects related to the prevention of occupational risks.

This subject is integrated within a set of subjects which intend to offer the students with the basic regulation concerning individual and collective relations or social protection.

This content facilitates the learning of those aspects related to the prevention of occupational risks, addresses the learning of aspects related to the prevention of occupational risks, paying particular attention at an aspect which, besides its specific features due to its unique content, is of vital importance due to its direct relation with the protection of the right to life and integrity of the person in the workplace.



All this will be of key importance in providing the student with a holistic view of the labour-related legal order. It is, however, not an end in itself as it has to be understood in relation to other legal disciplines and the rest of dimensions present in the business world.

## PREVIOUS KNOWLEDGE

### Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

### Other requirements

There are no specified enrolment restrictions with other subjects of the curriculum.

## OUTCOMES

### 1313 - Degree in Business Management and Administration

- Demonstrate capacity for analysis and synthesis.
- Be able to analyse and search for information from different sources.
- Be able to make decisions.
- Be able to negotiate and reconcile interests effectively.
- Be able to transmit and communicate complex ideas and approaches to both specialised and lay audiences.
- Be able to apply economic principles for the diagnosis and resolution of social problems such as immigration, discrimination and others that affect society and the market.
- Be able to work in a team.
- Have interpersonal skills.
- Have critical and self-critical capacity.
- Show commitment to ethics and social responsibility.
- Manage time effectively.
- Be able to learn autonomously.
- Be able to adapt to new situations.
- Show creativity.
- Be able to contribute positively to raising awareness of environmental and social issues and to overcoming all forms of discrimination, as essential factors for economic development and poverty alleviation.
- Be able to coordinate activities.



- Acquire interdisciplinary knowledge of the company and its social, economic, institutional and legal environment, and of the basic elements of the management process, such as organisation and administration, accounting, taxation, operations, human resources, marketing, financing and investment.
- Know the fundamental elements of labour law.
- Be able to apply labour standards to solve specific problems.
- Be able to assess occupational risks and manage prevention plans.

## LEARNING OUTCOMES

The subject of occupational risk prevention aims to achieve the following learning outcomes:

- Acquisition of a suitable legal terminology
- Learn the fundamentals of labour law
- Acquisition of minimum skills in the application of the labour legislation when solving concrete problems
- Raise the students' awareness in regards to the importance of the management of occupational risks, as well as the organizational modalities of preventive action
- Ability to collect bibliography, structure it and interpret it from theoretical knowledge

## DESCRIPTION OF CONTENTS

### 1. 1. NORMATIVE FRAMEWORK OF LABOUR RISK PREVENTION

- I. INTERNATIONAL STANDARDS
- II. RULES OF THE EUROPEAN UNION
- III. INTERNAL NORMATIVE FRAMEWORK

### 2. SECURITY AND WORK HEALTH BODIES

- I. SPECIALIZED ORGANS OF THE EUROPEAN UNION: THE EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK
- II. ADMINISTRATIVE ORGANS SPECIALIZED AT AN INTERNAL LEVEL
  - A) THE NATIONAL INSTITUTE OF SAFETY AND HYGIENE AT WORK
  - B) THE NATIONAL COMMISSION FOR SAFETY AND HEALTH AT WORK
  - C) THE FOUNDATION FOR THE PREVENTION OF LABOUR RISKS
  - D) LABOUR INSPECTION AND SOCIAL SECURITY
  - E) THE AUTONOMOUS ORGANS



### **3. CORPORATE OBLIGATIONS IN PREVENTIVE MATTERS AND THE OBLIGATIONS OF WORKERS**

- I. THE EMPLOYERS DUTY TO PROTECT WORKERS; CONCEPT AND CHARACTERISTICS
- II. THE OBLIGATIONS INCLUDED IN THE EMPLOYERS DUTY TO PROTECT WORKERS
- III. THE OBLIGATIONS OF WORKERS

### **4.**

### **5. SPECIAL RISK GROUPS**

- I. THE OBLIGATION TO PROTECT WORKERS SPECIALLY SENSITIVE TO CERTAIN RISKS
  - A) THE PROTECTION OF MATERNITY
  - B) THE WORK OF UNDER-18s
- II. SPECIFIC PROTECTION OF TEMPORARY WORKERS
- III. SPECIFIC PROTECTION IN TEMPORARY EMPLOYMENT COMPANIES: THE "POSTED" WORKER

### **6. SYSTEMS AND MANAGEMENT OF PREVENTION**

- I. POSSIBLE SYSTEMS OF PREVENTION IN COMPANIES:
  - A) THE ENTREPRENEURS' PERSONAL COMMITMENT WITH PREVENTIVE ACTIVITY
  - B) DESIGNATION OF WORKERS FOR PREVENTIVE ACTIVITY
  - C) PREVENTIVE SERVICES
- II. CONTROL OF THE EFFECTIVENESS OF THE PREVENTION SYSTEM. THE AUDITS

### **7. THE CONSULTATION AND PARTICIPATION OF WORKERS IN THE MATTER OF PREVENTION OF LABOUR RISKS**

- I. THE BUSINESS' OBLIGATION OF CONSULTATION AND THE RIGHT OF WORKERS AND THEIR REPRESENTATIVES TO MAKE PROPOSALS
- II. FORMS OF PARTICIPATION OF WORKERS AND EMPLOYEES IN THE MATTER OF PREVENTION OF LABOUR RISKS:
  - A) GENERIC REPRESENTATION: PERSONNEL DELEGATES AND COMMITTEES OF COMPANIES
  - B) SPECIALIZED REPRESENTATION: DELEGATES OF PREVENTION
  - C) THE HEALTH AND SAFETY COMMITTEE

**8. RESPONSIBILITIES AND SANCTIONS IN THE MATTER OF PREVENTION OF LABOUR RISKS****I. CORPORATE RESPONSIBILITIES IN THE MATTER OF PREVENTION OF LABOUR RISKS:****A) ADMINISTRATIVE RESPONSIBILITY: INFRACTION AND SANCTION REGIME****B) CRIMINAL RESPONSIBILITY****C) RESPONSIBILITY IN SOCIAL SECURITY MATTERS****D) CIVIL RESPONSIBILITY****II. RESPONSIBILITIES OF WORKERS****WORKLOAD**

ACTIVITY	Hours	% To be attended
Theory classes	30,00	100
Classroom practices	15,00	100
Study and independent work	32,00	0
Readings supplementary material	4,50	0
Preparation of evaluation activities	5,00	0
Preparing lectures	10,00	0
Preparation of practical classes and problem	10,00	0
Resolution of case studies	6,00	0
<b>TOTAL</b>	<b>112,50</b>	

**TEACHING METHODOLOGY**

Exhibition of theoretical content: The Professor will expose and explain those fundamental elements that should guide the students in the study and understanding of the matter.

Students, on the other hand, will have to involve actively in the learning process through reading, -prior to the teachers' explanation, or in class, according to the teaching time organization- of those materials, manuals, monographs or texts provided or indicated previously.

-Applied activities: They consist of the analysis of case-law or news, the resolution of cases or carrying out activities or questionnaires, analysis of labour issues, etc., through which the students will have to develop the skills mentioned before.

These activities may either serve as a complement to the exhibition of the theoretical knowledge by the teacher, or will focus on specific points of the courses' programme which will not be explained by the professor.

These activities will be participatory, and each teacher shall indicate what will be subject of evaluation. These will introduce students and get them used to handle materials and techniques of the discipline.

-Directed researches, both for the theoretical presentations and for the realization of applied activities, the professor will indicate the readings, the search for judgments, preparation of cases, etc., that the students should do. Even if these are not analysed within the lessons, the professor has the possibility of establishing, in accordance to the students' workload, other activities that serve to reinforce or review the knowledge gained.





-Unscheduled tutoring assistance. Students can go to unscheduled tutorials that each teacher cover, within the timetable established timetable, for purposes of consultations on any topic or aspect of the subject and its dynamics of work.

## EVALUATION

The subjects' evaluation is scheduled as the following rating system:

A) Preparation of written test/s / s and/or oral, consisting of one or more tests, which may take different formulas (tests of short answer, objective or half objective type test, tests involving theoretical-practical issues and/or problems or that they consist of the resolution of case studies, or other similar options).

The following will be the general evaluation criteria for this subject

- Adequacy of the response to the question: specificity, accuracy and legal justification.
- Writing and spelling: the spelling mistakes may involve a mark reduction.
- Terminology and technical precision.
- Coherence and internal logic of the reasoning of the answers.

\* The mark obtained in this test constitutes 70% of the final grade for the course. In any case, in order to consider the remaining 30%, students will have to necessarily pass the final exam.

B) Continuous evaluation of the student, through the assessment of the practical and theoretical-practical activities proposed during the course for these purposes, and the active participation and involvement in the process of teaching and learning, skills and attitudes displayed during the development of the activities.

The derived mark from the continuous assessment constitutes 30% of the final grade of the course and, as already stated, it will be a necessary condition to pass the final exam in order for the continuous assessment mark to be taken into consideration.

## REFERENCES

### Basic

- LOPEZ GANDÍA, J. Y BLASCO LAHOZ, F., Curso de Prevención de Riesgos Laborales (10a edición, 2019) Valencia, Tirant lo Blanch.
- SALA FRANCO, T. Derecho de la Prevención de Riesgos Laborales, Tirant Lo Blanch, Valencia (11a edición, 2022).
- VVAA, ROMERO RÓDENAS, M.J. y TRILLO PÁRRAGA, F. (coord.), Manual de Prevención de Riesgos Laborales, Bomarzo, Albacete 2012.
- VVAA, MERCADER UGUINA, J.R. (dir.) y CARRERO DOMÍNGUEZ, C. (coord.), Esquemas de Prevención de Riesgos Laborales, Tirant Lo Blanch, Valencia, 2008
- TEXTOS LEGALS/TEXTOS LEGALES



- Tanto para la preparación de la materia por parte del alumnado, como para utilizar como instrumento de trabajo en las sesiones de teoría y práctica resulta imprescindible que el alumnado adquiera y maneje la legislación en materia de prevención de riesgos laborales; especialmente la Ley 31/1995, de 8 de noviembre, de Prevención de Riesgos Laborales. También el RD 39/1997, de 17 de enero, por el que se aprueba el Reglamento de los Servicios de Prevención.

Tant per la preparació de la matèria per part de l'alumnat, com per a utilitzar com a instrument de treball en les sessions de teoria y pràctica, resulta imprescindible que l'alumnat adquirisca i manege la legislació en matèria de prevenció de riscos laborals, especialment la Llei 31/1995, de 8 de novembre, de Prevenció de Riscos Laborals. També el Reial Decret 39/1997, de 17 de gener, pel que s'aprova el Reglament dels Serveis de Prevenció.

Both for the preparation of the course as for the its use throughout the theoretical and practical lessons, students will have to necessarily acquire and handle the prevention of occupational risks legislation; particularly Law 31/1995, of 8th of November, of Prevention of Occupational Risks. Also, the Royal-Decree Law 39/1997, of 17th of January, approving the Regulation of Prevention Services.

#### **Additional**

- Entre altres/Entre otras:
  - <http://www.empleo.gob.es>
  - <http://www.noticiasjuridicas.es>
  - <http://www.boe.es>
  - <http://www.tribunalconstitucional.es>