Health and safety legislation

Academic Year: (2022 / 2023) **Review date: 19-05-2022**

Department assigned to the subject: Social and Private International Law Department

Coordinating teacher: MUÑOZ RUIZ, ANA BELEN

Type: Compulsory ECTS Credits : 6.0

Year : 1 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

None.

OBJECTIVES

-Understanding of occupational hazard prevention legislation (national, European and international).
-Ability to locate and interpret the matter's most relevant legal criteria.
-Skills to identify the regulated preventive content in company collective agreements and good business practises regarding occupational health and safety.
-Ability to identify the people obligated by preventive legislation in addition to the people protected by said legislation.
-Approximate understanding of the organisation of prevention in the company.
-Ability to delimit the scope and content of the safety deficit. Ability to differentiate between the generic safety obligation and instrumental obligations.
-Understanding of the legal aspects for each and every one of the obligations established by the law and its guidelines.
-In-depth knowledge of the coordination of business activities and the obligations of each and every person affected by the simultaneity of workers in several companies.
-Basic knowledge of representation organisations for employees at the company: competences, faculties and duties.
-Ability to identify the particular prevention system applicable to special sectors (civil servants, freelance workers, cooperatives).

DESCRIPTION OF CONTENTS: PROGRAMME

Brief description of contents
1. Occupational health and safety policies. European, national and regional strategies in the scope of hazard prevention.
2. The legal system for occupational hazard prevention. The concept of preventive legislation. National, international and European legislation. Technical legislation.
3. Collective bargaining in preventive matters: possibilities, levels and content. Analysis of relevant conventional experiences.
4. The subjective scope of hazard prevention: protected groups. Hazard prevention for civil servants and special employees. Hazard prevention in freelance work.
5. Company obligations regarding hazard prevention: general obligations, determination of their scope. Analysis focussed on instrumental obligations.
6. Integrated safety. Risk assessment and preventive planning.
7. Company obligations in relation to particular groups: particularly vulnerable groups, minors, pregnant women, temporary workers and companies offering temporary employment.
8. Monitoring of health.
9. Technical advice in preventive matters: its justification. Preventive organisation in the company: designated employees and individual and joint prevention services. External prevention services: prevention organisations. Preventive resources.
10. Preventive obligations in the event of a concurrence of activities. Contractors and subcontractors. The special regulation of the construction sector.
11. The obligations of employees in preventive matters.
12. The participation of employees in preventive matters. Prevention delegates and Occupational Health and Safety Committees. Competences, faculties and duties.
13. Hazard prevention in the civil service. General and individual systems for certain civil service workers: the military and the police. Hazard prevention in local authorities.
14. The auditing of prevention systems.
15. The connection between hazard prevention and the Social Security system: financing, contributions

and public benefits. Possible public benefits derived from complementary systems.

LEARNING ACTIVITIES AND METHODOLOGY

The teaching methodology will be theorical and practical. The professor will be available to solve questions for the timetable.

ASSESSMENT SYSTEM

The evaluation of continuous academic performance will be worth 40% of the final mark. This will be done in the following manner:
-The completion of case studies, workshops, field work and seminars.
-The ability of the student to manage the documentation, their ability to resolve and apply quick, correct and efficient responses to the generally unforeseen circumstances that are presented, and their ability in searching for solutions in unregulated situations will be assessed.
-The final exam will be a test on specific questions, and this will be worth 60% of the final mark. This exam will have between 50-60 questions. This number may rise, depending on the subject areas. Any student who has not performed sufficiently well in practicals to have passed them during the course must undertake a practical exam which will be assessed along with the grade from the final exam. This will help to check the student has acquired the established competences.
Percentage weighting of the Final Exam: 60
Percentage weighting of all other forms of assessment: 40

In case of the extraordinary exam, the student must complete a theory exam and a practical exam. The completion of the practical exam will not be necessary if the student has passed the continuous assessment

% end-of-term-examination:	60
% of continuous assessment (assigments, laboratory, practicals…):	40

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