

Degree	Type	Year
2500258 Labour Relations	OB	3

Contact

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Teachers

Elizabeth del Rio Cumbreño

Teaching groups languages

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Prerequisites

In order to carry out this subject correctly, it is necessary to have previously passed the subjects of "Labor Law I", "Labor Law II" and "Labor Law III", since all of them offer basic training in relation to the framework. labor relations law without which the configuration and dynamics of occupational risk prevention cannot be properly understood or analyzed. The teaching of the subject will be taught taking into account the perspective of the Sustainable Development Goals.

Objectives and Contextualisation

The main objectives of the subject are that the student understands both the legal framework of the right to occupational safety and health, as well as the main jurisprudential and administrative criteria used in resolving legal conflicts that arise in the matter.

The course aims to provide students with the necessary conceptual tools to address the analysis of the following issues:

- 1.- The reason for the prevention of occupational risks.
- 2.- The subjects that participate in the prevention of labor risks.
- 3.- The modalities of organization of the preventive activity.
- 4.- The rights and obligations in preventive matters.

5.- Responsibilities for non-compliance with safety and health regulations

Skills to be acquired and learning outcomes

The results of the learning carried out must fundamentally allow to acquire competences in:

- 1.- the domain and knowledge of the legislation in matter of security and health
- 2.- the interpretation made by the judicial bodies of the same
- 3.- the application carried out by the different agents involved, such as employers, workers and the public administration.

In relation to the mentioned competences, the students will develop their capacity to look for in the legal norms the applicable regulatory precepts to each concrete case. He will also understand the legal precepts, interpret them and finally interrelate them to provide a solution to the problems raised.

Competences

- Applying the information and communication technologies to the different areas of action.
- Clearly expressing ideas or facts in a compelling way.
- Drawing up and formalising reports and documents.
- Preparing, drawing up and formalising the general written documents in administrative and judicial processes.
- Students must be capable of persuading others to agree with their point of view.
- Working autonomously.
- Working effectively in teams.

Learning Outcomes

1. Applying the information and communication technologies to the different areas of action.
2. Clearly expressing ideas or facts in a compelling way.
3. Drawing up and formalising reports and documents.
4. Students must be capable of persuading others to agree with their point of view.
5. Understanding the meaning and proceedings of every formality and the means of challenge of every assumption.
6. Working autonomously.
7. Working effectively in teams.

Content

SUBJECT 1. INTRODUCTION.

- 1.1. Purpose and meaning of the Right to Safety and Health at Work.
- 1.2. The system of sources of the Right to Safety and Health at Work: an overview.
- 1.3. The scope of application of preventive regulations. Inclusions and exclusions: Penitentiary and military establishments, the armed forces and security forces. Self-employed.
- 1.4. The role of Public Administrations in the management of prevention policy. Special reference to the Labor and Social Security Inspectorate.

SUBJECT 2. THE PREVENTION OF OCCUPATIONAL RISKS IN THE COMPANY.

- 2.1. The right of workers to effective protection.
- 2.2. The obligations of the worker.
- 2.3. The business duty of protection: logic and general characteristics.
- 2.4. Accidents at work and occupational diseases
- 2.5. The basic scheme of business action in preventive matters: evaluation, planning, execution and control.

SUBJECT 3. THE ORGANIZATION AND MANAGEMENT OF THE PREVENTIVE ACTIVITIES.

- 3.1 The integration of prevention in the company.
- 3.2 Risk assessment.
- 3.3 Planning of preventive activity.
- 3.4 Modalities of management of the preventive activity.

SUBJECT 4. THE RIGHTS AND OBLIGATIONS IN MATTER OF SAFETY AND HEALTH AT WORK (I).

- 4.1. The obligation to provide adequate work equipment and personal means of protection.
- 4.2. Obligations in emergency situations and in cases of serious and imminent risk.
- 4.3 The obligations of information and training of workers.
- 4.4. The obligation to monitor the health of workers.
- 4.5. The obligation of documentation and notification.
- 4.6. The obligation to coordinate preventive activity.

SUBJECT 5. THE RIGHTS AND OBLIGATIONS IN MATTER OF SAFETY AND HEALTH IN THE WORK (II).

- 5.1. The protection of especially sensitive workers.
- 5.2. Maternity protection.
- 5.3. The protection of minors.
- 5.4. Protection in cases of temporary employment and workers in the service of temporary work companies.

SUBJECT 6. THE CONSULTATION, THE PARTICIPATION AND THE COLLECTIVE NEGOTIATION IN THE FIELD OF THE PREVENTION.

- 6.1. The rights of consultation and participation of workers.
- 6.2. The mechanisms of specialized participation.
 - 6.2.1. Prevention delegates.
 - 6.2.2. The health and safety committee.
 - 6.2.3. Other specialized participation formulas.

SUBJECT 7. THE RESPONSIBILITY IN PREVENTIVE MATTER.

- 7.1. Administrative responsibility
- 7.2. Criminal liability
- 7.3. Labor responsibility

7.4. Social Security liability

7.5. Civil liability

7.6. Rules for coordinating responsibilities.

SUBJECT 8. SECTORIAL REGULATIONS AND SPECIFICITIES OF THE REGULATIONS OF SAFETY AND HEALTH AT WORK.

8.1. The regulation of safety and health in specific sectors of activity. In particular, the construction sector, mining and maritime sector.

8.2. The particularities of safety and health at work in Public Administrations. 8.2.1. Inclusions and exclusions. Consultation, participation and collective bargaining.

8.2.2. The regime of responsibilities.

Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
-	5	0.2	4, 2, 3
-	10	0.4	1, 5, 6
-	15	0.6	5, 6
-	18	0.72	1, 5, 4, 3
-	22	0.88	1, 4, 2, 3, 6
-	24	0.96	5
Type: Supervised			
-	10	0.4	1, 4, 6, 7
Type: Autonomous			
-	40	1.6	5, 6

The learning process of the students in the framework of this subject will be organized from different types of training activities that are set out below:

1. DIRECTED ACTIVITIES

The directed activities are all those that are developed in the classroom, in the schedules foreseen for the asignatura and under the direction of the professor. They can be theoretical or practical in their different forms.

1.1. Theoretical classes

They consist of the presentation by the teacher of various aspects of the syllabus, taking as a basis the applicable regulations and the schemes that have previously been provided through the Teaching Space of the subject within the Virtual Campus.

1.2. Practical classes

They are engaged in the execution of nine practical activities, each of which will involve work outside the classroom and face-to-face work in the classroom. Both will involve the performance of a series of tasks of various formats: identification and study of the regulatory framework of a given institution, research, reading and understanding of jurisprudence, search for collective agreements, resolution of practical cases, drafting of legal documents, public defense of legal positions, etc.

The practical activities will be structured in three major thematic blocks:

- 1) the organization and management of prevention in the company
- 2) the rights and obligations in preventive matters
- 3) responsibilities arising from non-compliance with regulations

Each thematic block will include practical activities that will be executed in the classroom individually or in groups of 3 to 6 students. Groups of 3 to 6 students will be formed at the initiative of the students at the beginning of the semester and in their absence according to the teacher's criteria.

2.SUPERVISED ACTIVITIES

Supervised activities are those carried out individually or collectively by students outside the classroom following the instructions given by the teacher during tutorials and which are subject to same process of supervision or monitoring by the latter.

3. AUTONOMOUS ACTIVITIES

Autonomous activities are all those in which students organize their time and effort autonomously, either individually or in groups, such as research and study of bibliography, elaboration of schemes or summaries, etc. Within the framework of this subject, the essential part of the autonomous activities is linked to the follow-up of the theoretical classes and to the preparation of the final theoretical exam.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Assessment

Continuous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
-	-	4.5	0.18	1, 5, 4, 2, 3, 6, 7
-	-	1.5	0.06	2, 3, 6

1. ORDINARY EVALUATION

It combines the continuous evaluation of practical activities and the resolution of a final theoretical exam.

1.1 Continuous evaluation of practical activities.

It requires to attend the practical classes and to deliver the documentation that in each case is requested.

The continuous assessment will consist of 3 assessment activities, one for each thematic blok. It will be carried out as an individual test and/or resolution of individual practical cases or in groups of 3 to 6 students. Each assessment activity will be worth 30% of the grade.

Also, the behaviour, monitoring and participation of students in class will be evaluated, having a value of 10% of the grade.

The dates of the three activities of evaluation and of the delivery of the practical case will be public to the beginning of the semester through the Teaching Space of the Virtual Campus.

1.2 Ordinary theoretical final exam.

It will consist of solving 40 test-type questions or seven / eight short questions, including in both cases questions covered during the practical activities.

In the case of test-type questions, each of them will be graded on 1 point and incorrect questions may be penalized.

As for the short questions, each of them will be graded from 0 to 10 points. The grade of the exam will be obtained from the average resulting from the total score obtained divided by seven / eight.

1.3 Qualification of the subject through the ordinary evaluation.

Students will be assessable as long as they have completed a set of activities whose weight is equivalent to a minimum of 2/3 of the total grade for the subject. If the value of the activities carried out does not reach this threshold, the subject teacher may consider the student as not assessable.

The score obtained in the continuous evaluation of the practical activities will have a value of 50% of the qualification of the subject. The score of the final theoretical exam will have a value of 50% of the qualification of the subject.

In order to be able to add the score corresponding to the continuous evaluation of the practical activities, the mark of the final theoretical exam must be at least 4 points out of 10. If this minimum is not reached, the grade will be "suspended". and the numerical value corresponding to the theoretical examination expressed in parameter 0-10.

The final grade of the course will be obtained by making the corresponding average and will be considered passed if a minimum of 5 points out of 10 is achieved.

2. REVALUATION

It can be accessed by students who have taken part in the ordinary assessment by participating in at least three of the assessment activities set out in the ordinary assessment system, which must include the theoretical final exam and, at least, two thematic block assessment activities.

2.1 Theoretical exam. It will consist of solving 40 test-type questions or seven / eight short questions, including in both cases questions covered during the practical activities.

In the case of test-type questions, each of them will be graded on 1 point and incorrect questions may be penalized.

As for the short questions, each of them will be graded from 0 to 10 points. The grade of the exam will be obtained from the average resulting from the total score obtained divided by seven / eight. This part of the exam will be worth 50% of the grade.

2.2 Practical exam. It will consist of the resolution test-type question and/or one practical case with the thematic content corresponding to the subject object of examination, similar to those that have been solved during the practical activities submitted to continuous evaluation. For the resolution of this part the teacher may choose to allow the students to solve with support material consisting of a compilation of labour regulations. This part of the exam will have a value of 50% of the grade.

Only those who have obtained a grade of less than 5 points out of 10 through the practical activities of continuous assessment will have to take the practical exam. People who have obtained a grade equal to or higher than 5 points will be retained as a grade of practical part.

2.3 The final grade of the exam will be obtained by making a weighted average of the score obtained in both parts. The subject will be passed when this average is equal to or higher than 5, as long as the grade of the theoretical part is equal to or higher than 4. If the grade of the theoretical part does not reach this minimum, the grade will be "suspended" and the numerical value corresponding to the theoretical exam expressed in parameter 0-10.

Note that affects the whole section of Assessment: A student who copies or tries to copy an exam will have a 0 in the subject and will lose the right to re-assessment. A student who submits a practice in which there is evidence of plagiarism or who cannot justify the arguments of their practice will get a 0 and receive a warning. In case of repetition of the behavior, the student will suspend the subject (0) and will lose the right to recovery.

3. SINGLE ASSESSMENT

The unique assessment will be carried out when the student has requested it and it has been granted through the means stipulated for the purpose.

This assessment will consist of a test-type exam of 40 questions of a theoretical nature. Each correct answer will be valued at one point and the incorrect one may be penalized. The test will be worth 50% of the final grade.

Likewise, an evaluable activity consisting of solving 20 test-type questions will be carried out, each of them containing a practical case. Each correct answer will be valued at one point and the incorrect one may be penalized. The test will be worth 30% of the final grade.

Finally, the student will have to answer 1 or 2 medium sort format questions that will mean giving an answer based on law. This part will have a value of 20% of the final mark.

The re-evaluation will have the same format in terms of the number test, their content and their rating. There will be no mark reservation in the event that a student has passed any of the test.

Bibliography

- Social Practice, within the "Westlaw" databases
- SALA FRANCO, Tomás: Law of the prevention of labor risks, Tirant lo Blanch, Valencia, updated edition
- LOPEZ GANDÍA, Juan and BLASCO LAHOZ, José Francisco: Course of prevention of labor risks, Tirant lo Blanch, updated edition

Software

The subject does not require any specific software.

Language list

Name	Group	Language	Semester	Turn
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(PAUL) Classroom practices	1	Spanish	second semester	morning-mixed
(PAUL) Classroom practices	51	Catalan	second semester	afternoon
(TE) Theory	1	Spanish	second semester	morning-mixed
(TE) Theory	51	Catalan	second semester	afternoon