

2019.HS

Module Name: Employment & Social Insurance Law	
Module Code	w.BA.XX.2ASVR-BL.XX
Module Description	Students understand the basic principles of Swiss employment law and its key areas of contention. Students know the system of Swiss social security law and draw on relevant legal sources about specific cases from operational practice.
Program and Specialization	Business Law
Legal Framework	Academic Regulations BSc dated 29.01.2009, Appendix to the Academic Regulations for the degree programs in Business Administration, Business Information Technology, and Business Law, first adopted on 12.05.2009
Module Category	Module Type: Compulsory
	Program Phase: Main Study Period
ECTS	6
Organizational Unit	W Abteilung Business Law Leitung
Module Coordinator	Sara Licci (lisa)
Deputy Module Coordinator	Eylem Demir (demi)
Prerequisite Knowledge	Constitutional and administrative law Legal transactions in civil law
Contribution to Program Learning Goals (Affected by Module)	§ Professional Competence § Methodological Competence § Social Competence § Self-Competence
Contribution to Program Learning Objectives	Professional Competence § Knowing and Understanding Content of Theoretical and Practical Relevance § Apply, Analyze, and Synthesize Content of Theoretical and Practical Relevance § Evaluate Content of Theoretical and Practical Relevance Methodological Competence § Problem-Solving & Critical Thinking § Scientific Methodology § Work Methods, Techniques, and Procedures § Information Literacy § Creativity & Innovation Social Competence § Written Communication § Oral Communication § Teamwork & Conflict Management § Intercultural Insight & Ability to Change Perspective Self-Competence § Self-Management & Self-Reflection § Ethical & Social Responsibility § Learning & Change
Module Learning Objectives	Students... § describe the structure of Swiss employment law and the scope of legal norms § outline the foundations of employment law as they apply to legal practice § elaborate on the complex structure of Swiss social security law based on its historical development. § name the insurance affiliations of employees in Switzerland, the mandatory contributions, and the most important aspects of the various insurance sectors. § deepen the basic knowledge gained in the first semesters (civil law and public law). § apply norms from core areas of employment and social security law to complex situations in operational practice. § apply the norms from various legal sources to complex situations using the principles of case-solving techniques they have learned in the module. § classify everyday employment and social insurance/legal issues correctly within a set of norms. § analyze the interests of different protagonists. § articulate an informed opinion about a current employment and social insurance/legal controversy or frequent area of conflict. § present the basis for decisions taken to legal lay-people in a comprehensible way. § argue in various roles based on anonymized documents in an informed and target-oriented way

Module Content	§ Formation and content of employment contracts, legal Framework (cogent law, collective agreements), types of employment, differences to other types of contract § Social insurance, legal foundations, application of the Federal Act on General Aspects of Social Security Law, mandatory insurance cover, insurance affiliation, social insurance agencies § Termination of an employment contract, reasons for termination, ordinary termination, period of notice, retention period, wrongful termination, instant dismissal § Unemployment compensation and short-time work; retirement benefits (1st pillar) § Salary from an employment and social insurance law perspective; types of remuneration, expenses; definitive wage (basis for obligation to pay contributions, employed/self-employed work; pensions, 1st pillar), unpaid salary; family allowances § Obligation to pay wages and compensation to those unable to work due to illness, accident, maternity, etc.; treatment costs, insured salary, ability to do part-time work § Welfare obligation, employment protection, health protection in the workplace, expectant mothers and family members with family obligations; leisure, leave, and leave compensation § Employee obligations (insured); contractual specifications and modifications, duty of allegiance, default of acceptance by employer, non-disclosure and non-competition clauses, duty of care, employee liability § Identity protection and data protection law; application process, personnel files, surveillance in the workplace (e-mail, Internet); equal treatment; protection against discrimination; equality, bullying in the workplace ("mobbing") and sexual harassment § Consequences of contract termination, testimonies, references; termination agreement, release from work, post-contractual obligation not to compete § Disability (accident insurance, in particular disability insurance) § Coordination of social insurance benefits § Occupational Pension schemes § Social insurance proceedings; claims for social insurance benefits; obligation to minimize loss, re-integration, benefit reduction; employment law proceedings		
Links to other modules	-		
Methods of Instruction	§ Interactive Instruction § Case Studies § Exercises § Problem-Oriented Teaching § Explorative Learning § Literature Review § Discussion § Presentation § Group project § Simulation	Social Settings Used: Group Work	
Digital Resources	§ Practice and Application Exercises (with Key) § Case Studies (with Key)		
Type of Instruction	Classroom Instruction	Guided Self-Study	Autonomous Self-Study
Large Class	28 h	-	
Small Class	28 h	30 h	
Group Instruction	-	-	
Practical Work	-	30 h	
Seminar	-	-	
Total	56 h	60 h	
Performance Assessment			
End-of-module exam	Form	Length (min.)	Weighting
Oral exam		15	75,00 %
Permitted Resources	Permitted resources to be communicated.		
Others	Assessment	Length (min.)	Weighting
Paper and interactive instruction in preparing the paper	Grade	20	25,00 %
Classroom Attendance Requirement	-		
Language of Instruction/Examination	German		

Compulsory Reading	<p>§ (2019). Sozialversicherungsrecht, Gesetzesausgabe mit Verweisen und Anmerkungen. Zürich: Schulthess. ISBN 978-3-7255-7951-8. This edition is needed in class and for the end-of-module exam.</p> <p>§ Steiger-Sackmann, S. (2017). Rechtsnormen zum schweizerischen Arbeitsrecht. 3rd edition. Bern: Stämpfli. ISBN 978-3-7272-0681-8. This edition is needed in class and for the end-of-module exam.</p> <p>§ Other materials (graphs, court decisions, excerpts, work sheets, exercises and model answers, etc.)</p> <p>§ Geiser, T., Müller, R. & Pärli, K. (2018). Arbeitsrecht in der Schweiz. 4th edition. Bern: Stämpfli. ISBN 978-3-7272-2590-1. Due to be published in December 2018.</p> <p>§ Kieser, U. (2017). Sozialversicherungsrecht in a nutshell. 4th edition. Zürich/St. Gallen: Dike. ISBN 978-3-03751-979-0.</p>
Recommended Reading	<p>§ Hürzeler, M. & Scartazzini, G. (2012). Bundessozialversicherungsrecht. 4th edition. Basel: Helbing Lichtenhahn. ISBN 978-3-7190-3071-1.</p>
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