

Valid for 2022.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
Module Coordinator	Eylem Demir (demi)
Deputy Module Coordinator	Andreas Petrik (pean)
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	§ Module introduction: Formation and content of employment contracts, legal framework (cogent law, collective agreements), types of employment, differences to other types of contract. § Principles of social insurance law, legal basis, application of the Swiss Social Security Act, compulsory insurance, insurance subordination, social insurance institutions. § Employer obligations: remuneration, types of remuneration, expenses, payment modalities § Continued payment and replacement wages due to inability to work, especially because of illness, accident, and maternity. § Employer obligations, employment protection, working time and leisure time, vacation pay, health protection, and special protection. § Employer's duty of care, protection of personality, protection against discrimination, data protection, equality of men and women, application procedure, personnel file, monitoring at work, bullying, and sexual harassment. § Obligations of employees; specifications and amendments, duty of loyalty, default of acceptance by the employer, confidentiality and contractual prohibition of competition; duty of care, liability of the employee. § Termination of employment. § Consequences of contract termination, employment references, testimonials; termination agreement, layoffs, post-contractual non-competition clause; procedural issues in employment law. § Subordination and contribution obligation under the Swiss social insurance law, benefits in kind (Health Insurance Act, Accident Insurance Act, and Disability Insurance Act). § Daily allowance benefits of accident insurance. § Unemployment insurance benefits; disability benefits (Occupational Retirement, Survivors' and Disability Pension Plans Act, Accident Insurance Act, and Disability Insurance Act). § Disability benefits (Health Insurance Act, Accident Insurance Act, and Disability Insurance Act); retirement benefits and survivors' benefits (Social Security Act, Occupational Retirement, Survivors' and Disability Pension Plans Act); supplementary benefits. § Coordination and issues of social insurance law procedure.		
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	Mandatory Attendance: Other Students are required to participate in group meetings for the performance assessment.		
Language of Instruction/Examination	German		

Compulsory Reading	<p>§ Gächter, T. (2021). Sozialversicherungsrecht, Gesetzesausgabe mit Verweisen und Anmerkungen. Zürich: Schulthess. ISBN 978-3-7255-8170-2. This edition or (as an alternative) other official editions is needed in class and for the end-of-module exam.</p> <p>§ Wohlwend, M. (2020). Rechtsnormen zum schweizerischen Arbeitsrecht. 4th 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. (2019). 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. (2021). Sozialversicherungsrecht in a nutshell. 5th edition. Zürich/St. Gallen: Dike. ISBN 978-3-03891-322-1.</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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