

Valid for 2024.FS

Module Name: Employment Law	
Module Code	w.BA.XX.3AR-BL.XX
Module Description	Students know the system and the principles of Swiss labor law and its most important points of dispute. They apply the relevant sources of law to concrete cases from operational practice.
Program and Specialization	Business Law
Legal Framework	Academic Regulations BSc dated 29.01.2009, for the degree programs in Business Administration, International Management, Business Information Technology, Business Law, Business Law and Applied Law, first adopted on 12.05.2009
Module Category	Module Type: Compulsory
	Program Phase: Main Study Period
ECTS	6
Organizational Unit	W Zentrum für Unternehmensrecht
Module Coordinator	Eylem Demir (demi)
Deputy Module Coordinator	Andreas Petrik (pean)
Prerequisite Knowledge	The following modules: <ul style="list-style-type: none"> • Staats- und Verwaltungsrecht • Anspruchsgrundlagen • Rechtsgeschäfte im Privatrecht
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... § know the basics and the structure of the Swiss labor law § describe the structure of Swiss labor law and the areas of application of the relevant laws and pertinent legal norms § present application-oriented basic knowledge of labor law § consolidate the knowledge acquired in the first semesters (private law and public law) § apply standards from the core area of labor law to more complex issues from business practice § apply the norms scattered among various legal sources to more complex issues using the principles of case resolution techniques learned in the course of their studies § correctly classify labor contract law and labor law issues from everyday business life in this network of standards § analyze the interests of various stakeholders § Form and articulate opinions on current labor law controversies or common disputes in an expert manner § present the basis for decision-making to legal laypersons in a comprehensible form § argue in different roles based on pseudonymous documents in an expert and goal-oriented manner

	§ acquire and practice the ability to work individually and in a group on complex issues § acquire and practice the ability to work scientifically and using academic skills		
Module Content	§ Introduction to the module: Structure of the module, information on the performance assessment, basics of labor law, legal sources of labor law, scope of application, hierarchy of norms, differentiation of private-law and public-law employment relationships. § Fundamentals of labor law II; individual employment contract, formation, type-determining characteristics, types, de facto employment relationships, differentiation from other contracts for work performance, special employment contracts, probationary period. § Duties of employer: salary, types of salary, expenses, the modalities of salary payment § Employer's obligations: Continued payment and replacement of wages in the event of incapacity to work, in particular in the event of illness, accident, or maternity. § Working hours and time off, vacations, health protection, and special protection. § Group meetings (coaching sessions) to discuss the performance assessment. § Data protection during the employment relationship, application procedure, personnel file, and monitoring at the workplace. § Employer's duty of care: protection of personality, protection against discrimination, principle of equal treatment, mobbing and sexual harassment, and equality between men and women § Duties of employees: duty specifications and amendments, duty of loyalty, default of acceptance by the employer, secrecy and contractual non-competition clause; duty of care, and liability. Non-compete clause; duty of care and liability. § Termination of employment, overview of the various grounds for termination. § Consequences of termination of contract, references, termination agreement, leave of absence, and post-contractual non-competition clause. § Collective labor law and collective labor agreements § Procedure and administration of justice in labor law § Exam preparation week		
Links to other modules	The content of this module is linked to the following modules: w.BA.XX.1SozVR-BL.XX w.BA.XX.2AGPR-BL.XX w.BA.XX.2RGPR-BL.XX w.BA.XX.2SVR-BL.XX w.BA.XX.3LeMe-BL.XX		
Methods of Instruction	§ Lecture § Interactive Instruction § Application Tasks § Case Studies § Exercises § Explorative Learning § Literature Review § Discussion § Presentation § Group assignment § Simulation	Social Settings Used: -	
Digital Resources	§ Reader § 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
Written assignment and instructional discussion about the assignmentprocessing	Grade	20	25,00 %

Classroom Attendance Requirement	Mandatory Attendance: None All group members are required to be present for group meetings to verify performance. The group meetings last 20 minutes per group.
Language of Instruction/Examination	German
Compulsory Reading	<p>§ Wohlwend, M. (2020). Rechtsnormen zum schweizerischen Arbeitsrecht. 4th edition. Bern: Stämpfli. ISBN 978-3-7272-0681-8. This edition of the law book or (alternatively) official editions of the laws listed in "Rechtsnormen" will be required for class and the end-of-module exam.</p> <p>§ Geiser, T., Müller, R. & Pärli, K. (2019). Arbeitsrecht in der Schweiz. 4. Aufl edition. Bern: Stämpfli. ISBN 978-3-7272-2590-1.</p> <p>§ Additional documents (graphs, court decisions, references, work and exercise sheets, and sample solutions, etc.) on Moodle</p>
Recommended Reading	§ Streiff, U., Von Kaenel, A. & Rudolph, R. (2012). Arbeitsvertrag. Praxiskommentar zu Art. 319-362 OR. 7th edition. Zürich/Basel/Genf: Schulthess. ISBN 978-3-7255-6450-7.
Comments	Wohlwend, M. (2020). Rechtsnormen zum schweizerischen Arbeitsrecht. 4th ed. Bern: Stämpfli. ISBN 978-3-7272-0681-8. These editions or (alternatively) official editions of the laws listed in "Rechtsnormen" are required for class and the final module exam. These may not include notes.