

Course Name : E Drejtë e Punës dhe Sgurimeve Shoqërore II							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 312	N/A	Spring	3.00	0.00	0.00	3.00	6.00
Lecturer		Sajmir Bata, PhD					
Assistant							
Course language		Albanian					
Course level		Program i Integruar					
Description		The subject "Labor Law and Social Security II" covers the right to strike and the resolution of collective labor disputes. It analyzes the meaning, objectives, subjects, principles, and features of social and health insurance. Additionally, the course elaborates on contracts, the Fund, and the schemes of social security, as well as analyzing the management and administration of Social and Health Insurance in the Republic of Albania, among other topics.					
Objectives		The objectives of studying the subject "Labor Law and Social Security II" for students are as follows: 1) To recognize, explain, and analyze the concepts, sources, and recent developments concerning labor law and social and health insurance. 2) To learn how labor relations and social and health insurance are protected in a rule of law and democratic state. 3)To understand the objectives, subjects, principles, and features of social and health insurance in Albania. 4)To acquire knowledge of the rights and obligations arising from social and health insurance. 5) To master the knowledge about institutions that help resolve disputes related to the resolution of collective labor conflicts and the Social Insurance Institute. 6) Mastery of the subject "Labor Law and Social Security II" helps students become knowledgeable and competent jurists in the future, enabling them to contribute and work toward further developing this field not only from a theoretical perspective but also in the interpretation and practical implementation, successfully addressing the various problems that may arise in this area of law.					
Core Concepts		Konfliktet kolektive të punës – Collective labor disputes Sigurimet Shoqërore – Social Security Sigurimet Shëndetësore – Health Insurance Kontribute – Contributions Skema e sigurimeve shoqërore – Social security schemes Fondi i Sigurimeve Shoqërore – Social Security Fund Masa e kontributeve – Contribution rate Komisionin Epror – Supervisory Commission Instituti i Sigurimeve Shoqërore – Social Security Institute Instituti i Sigurimeve të Kujdesit Shëndetësor – Health Care Insurance Institute					
Course Outline							
Week	Topic						
1	The right to strike and the resolution of collective labor disputes. Students will become familiar with the method and form of lectures, attendance obligations, the content and literature related to the subject, as well as the evaluation format. The topic addresses the concept of the right to strike and collective conflicts, analyzes mediation, conciliation, and arbitration for the resolution of collective labor disputes, discusses the legal nature of strikes and the related case law, covers the characteristics, subjects, and legality of strikes, as well as the cases in which strikes are prohibited, the effects of legal and illegal strikes, argues for the conclusion of a strike, and examines the labor administration related to strikes and collective disputes. Relevant Literature: 1) Kudret Çela, Labor Law, Tirana, Ilar, 2015, pp. 613-645. 2) LAW No. 7961, dated 12.7.1995, Labor Code of the Republic of Albania (Amended by laws: No. 8085, dated 13.3.1996; No. 9125, dated 29.7.2003; No. 10,053, dated 29.12.2008; No. 136/2015, dated 5.12.2015; No. 91/2024, dated 26.7.2024) (Updated).						

2	The meaning, subjects, and principles of social insurance. The topic elaborates on the meaning, subjects, and elements of social insurance. It also analyzes the principles of social insurance, not only regarding their meaning but also in terms of their content, importance, and the issues related to their development. Relevant literature: 1) Social Security Handbook: Overview of Social Security Programs, Berman Press, Lanham-Boulder-New York-London, 2024. pp. 37-57. 2) LAW No. 7703, dated 11.05.1993 "ON SOCIAL INSURANCE IN THE REPUBLIC OF ALBANIA," (amended by laws: No. 7932, dated 17.05.1995; No. 8286, dated 16.02.1998; No. 8392, dated 02.09.1998; No. 8575, dated 03.02.2000; No. 8776, dated 26.04.2001; No. 8852, dated 27.12.2001; No. 8889, dated 25.04.2002; No. 9058, dated 20.03.2003; No. 9114, dated 24.07.2003; No. 9377, dated 21.04.2005; No. 9498, dated 03.04.2006; No. 9600, dated 27.07.2006; No. 9708, dated 05.04.2007; No. 9768, dated 09.07.2007; No. 10070, dated 05.02.2009; No. 10447, dated 14.07.2011; No. 13/2014, dated 13.02.2014; No. 104/2014, dated 31.07.2014; No. 144/2015, dated 17.12.2015; No. 111/2016, dated 03.11.2016; normative act No. 1, dated 25.01.2017; normative act No. 7, dated 30.11.2019, amended by Law No. 65/2020, dated 21.05.2020; normative act No. 33, dated 11.12.2020; Law No. 64/2023, dated 21.07.2023) (updated). 3) European Convention on Social Security, Paris 1972. 4) Jason Nickless and Helmut Siedl, Coordination of Social Security in the Council of Europe – Guide, Council of Europe Publications. 5) International Labour Organization Strategy, Social Security for All, International Labour Organization, Tirana 2013. 6) Recommendation on Minimum Levels of Social Protection, 2012 (No. 202), International Labour Organization, Tirana 2013. 7) Convention on Minimum Standards of Social Security, 1952 (No. 102), International Labour Organization, Tirana 2013. 8) Zhaklina Peto, Social Protection Law, Tirana, Adelprint, 2011, pp. 18-31, 209-218, 225-234. 9) Council of Europe, European Convention on Social Security, Paris, 14th December 1972.
3	Sources and features of social and health insurance. The topic lists and addresses the sources of social and health insurance in Albania. It also analyzes the features of social and health insurance, such as: (constitutional and legal obligations, insurance as a personal right, its realization based on an employment contract, insurance as a mandatory social obligation, voluntary, supplementary, etc.). Relevant literature: 1) CONSTITUTION OF THE REPUBLIC OF ALBANIA (Amended by laws: No. 9675, dated 13.01.2007; No. 9904, dated 21.04.2008; No. 88/2012, dated 18.09.2012; No. 137/2015, dated 17.12.2015; No. 76/2016, dated 22.07.2016; No. 115/2020, dated 30.07.2020; No. 16/2022, dated 10.02.2022). 2) Council of Europe, European Convention on Social Security, Paris, 14th December 1972. 3) Law No. 10/107, dated 30.03.2009, "On Healthcare in the Republic of Albania" (amended by Law No. 51/2013, dated 14.02.2013, No. 76/2015, dated 16.07.2015, No. 27/2019, dated 08.05.2019; No. 99/2024, dated 12.09.2024) (updated). 4) Law No. 7703, dated 11.05.1993, "ON SOCIAL INSURANCE IN THE REPUBLIC OF ALBANIA" (updated). 5) Social Insurance Institute, Regulation, "On the organization and functioning of the Social Insurance Institute", March 2018. 6) Zhaklina Peto, Social Protection Law, Tirana, Adelprint, 2011, pp. 31-103.
4	The Right to Social Insurance in Comparison and Contrast with Other Branches of Law This topic addresses the social importance of the right to social insurance and provides comparisons and contrasts with labor law, constitutional law, civil law, family law, administrative law, commercial law, etc. Relevant Literature: 1) Zhaklina Peto, The Right to Social Protection, Tirana, Adelprint, 2011, pp. 234-245. 2) The Constitution of the Republic of Albania (Amended by the following laws: No. 9675, dated 13.01.2007; No. 9904, dated 21.04.2008; No. 88/2012, dated 18.09.2012; No. 137/2015, dated 17.12.2015; No. 76/2016, dated 22.07.2016; No. 115/2020, dated 30.07.2020; No. 16/2022, dated 10.02.2022). 3) Legislative Compilation on Social and Health Insurance, Published by the Official Publishing Center, December 2017.
5	The concept, features, and types of social contributions. The topic addresses the meaning and system of social contributions. It also analyzes the types, collection, payment, distribution, sanctions, priority, and benefits of social contributions, among others. Relevant literature: 1) Social Security Handbook: Overview of Social Security Programs, Berman Press, Lanham-Boulder-New York-London, 2024. pp. 57-121. 2) Council of Europe, European Convention on Social Security, Paris, 14th December 1972. 3) Zhaklina Peto, Social Protection Law, Tirana, Adelprint, 2011, pp. 259-277. 4) LAW No. 7703, dated 11.05.1993, "ON SOCIAL INSURANCE IN THE REPUBLIC OF ALBANIA" (updated). 5) Law No. 9136, dated 11.09.2003, "On the Collection of Mandatory Social Security and Health Insurance Contributions in the Republic of Albania." Amended by the following laws: Law No. 9164, dated 18.12.2003; Law No. 9329, dated 06.12.2004; Law No. 9933, dated 26.06.2008; Law No. 10/2012, dated 09.02.2012; Law No. 87/2014, dated 17.07.2014; Law No. 143/2015, dated 17.12.2015; Amended by the decision of the Constitutional Court No. 60, dated 16.09.2016; Normative Act No. 1, dated 25.01.2017.

6	Contracts and the Social Insurance Fund in Albania. This topic explains the contracts for mandatory insurance, voluntary insurance, and supplementary insurance, providing the key elements of each, as well as the differences between them. Additionally, it analyzes the administration of the Social Insurance Fund by the Social Insurance Institute, addressing the revenues, expenses, and usage of the Fund for Social Insurance. It also highlights the importance, legal criteria, and relevant characteristics of the Fund. Relevant literature: 1) Zhaklina Peto, Social Protection Law, Tirana, Adelprint, 2011, pp. 245-259. 2) LAW No. 7703, dated 11.05.1993, "ON SOCIAL INSURANCE IN THE REPUBLIC OF ALBANIA" (updated). 3) Legislative Compilation on Social and Health Insurance, Published by the Official Publishing Center, December 2017.
7	The Concept, Types, and Characteristics of Social Security Schemes This topic elaborates on the meaning of the term "social security scheme." It also discusses the benefits and types of social security schemes. Relevant Literature: 1) Council of Europe, European Convention on Social Security, Paris, 14th December 1972. 2) Legislative Compilation on Social and Health Insurance, Published by the Official Publishing Center, December 2017. 3) Zhaklina Peto, The Right to Social Protection, Tirana, Adelprint, 2011, pp. 277-366.
8	Middterms.
9	The concept, development, and importance of Health Insurance. This topic addresses the origin, meaning, development, and importance of Health Insurance. It also elaborates on the principles and elements of health insurance, as well as the content, significance, and challenges related to its development. Relevant literature: 1) Law No. 10,107, dated 30.03.2009, "On Healthcare in the Republic of Albania" (amended by Law No. 51/2013, dated 14.02.2013, No. 76/2015, dated 16.07.2015, No. 27/2019, dated 08.05.2019; No. 99/2024, dated 12.09.2024) (updated). 2) Social Security Handbook: Overview of Social Security Programs, Berman Press, Lanham-Boulder-New York-London, 2024. pp. 621-623. 3) Zhaklina Peto, Social Protection Law, Tirana, Adelprint, 2011, pp. 366-382.
10	The Object, Subjects, and Contributions of Health Insurance This topic explains the object and subjects of Health Insurance and analyzes the contributions to Health Insurance. Relevant Literature: 1) Social Security Handbook: Overview of Social Security Programs, Berman Press, Lanham-Boulder-New York-London, 2024. pp. 621-623. 2) Zhaklina Peto, Social Protection Law, Tirana, Adelprint, 2011, pp. 382-393, 401-408. 3) Legislative Compilation on Social and Health Insurance, Published by the Official Publishing Center, December 2017.
11	Management and administration of Social Insurance in the Republic of Albania. This topic addresses how the Social Insurance System is organized and functions in Albania. It analyzes the mission, objectives, and governing bodies of the Institute of Social Insurance, among other aspects. Relevant literature: 1) Law No. 7703, dated 11.05.1993 "On Social Insurance in the Republic of Albania" (updated), Articles 71-78. 2) Institute of Social Insurance, Regulation on the organization and functioning of the Institute of Social Insurance, March 2018. 3) Zhaklina Peto, "The Right to Social Protection," Tirana, Adelprint, 2011, pages 418-435. 4) Legislative Compilation on Social and Health Insurance, Published by the Official Publishing Center, December 2017.
12	The status, structure, functions, and activities of the Mandatory Health Care Insurance Fund. This topic analyzes the meaning of the Mandatory Health Care Insurance Fund, the insured individuals, the obligation to pay contributions, the measures, collection, and the package of services covered by mandatory insurance, as well as the health services not covered by insurance. Additionally, it covers the statute, governing bodies, financing, structure, procedures, contracts, and the information system of the Mandatory Health Care Insurance Fund, among others. Relevant literature: 1) Law No. 10,107, dated 30.03.2009, "On Healthcare in the Republic of Albania" (amended by Law No. 51/2013, dated 14.02.2013, No. 76/2015, dated 16.07.2015, No. 27/2019, dated 08.05.2019; No. 99/2024, dated 12.09.2024) (updated). 2) Decision No. 124, dated 05.03.2014, "On the Approval of the Statute of the Mandatory Health Care Insurance Fund in the Republic of Albania."
13	State social assistance and care in the service of societal development and social democracy. This topic analyzes state social assistance and care, without requiring participation in the corresponding contributory schemes, by offering help to members of society in need, while also developing social democracy. Relevant literature: 1) Zhaklina Peto, Social Protection Law, Tirana, Adelprint, 2011, pp. 408-417. 2) Council Of Europe, European Convention on Social and Medical Assistance, Paris, 11. XII. 1953.

14	Social needs as a condition for social assistance and protection. This topic addresses social assistance as a legal right, analyzes the schemes for categories of economic aid, presents the administration of state social assistance, and examines the types of social aids. Relevant literature: 1) Zhaklina Peto, Social Protection Law, Tirana, Adelprint, 2011, pp. 393-400. 2) Legislative Compilation on Social and Health Insurance, Published by the Official Publishing Center, December 2017.
15	Challenges and the future of social and health insurance. This topic addresses the challenges currently faced by social and health insurance, as well as analyzes the best opportunities regarding their future. It argues for the improvement of healthcare in Albania through the health insurance scheme, discusses challenges related to organizational and human resources, lists strategies for achieving social inclusion, universal coverage, the informalization of healthcare, and the issues within this system, among others. Relevant literature: 1) Jens Holst, Susanne Lein, Etjola Kola, Eriona Minka-Cullhaj, Social and Health Protection in Albania: Challenges and Opportunities, ISKSh / GTZ, Tirana, pp. 10-84. 2) Legislative Compilation on Social and Health Insurance, Published by the Official Publishing Center, December 2017.
16	Final Exam

Prerequisites	The student must attend the course at a minimum rate of 75%.
Literature	• 1) Social Security Handbook: Overview of Social Security Programs, Berman Press, Lanham-Boulder-New York-London, 2024. • 2) Kudret Çela, E Drejtë e Punës, Tiranë, Ilar, 2015. • 3) Zhaklina Peto, E Drejta e Mbrojtjes Shoqërore, Tiranë, Adelprint, 2011.
References	• Cabrelli David, Employment Law in Context: Text and Materials, Oxford University Press, 2016. • Hava Bujupi-Ismaili, E drejta e Punës, Prishtinë, 2017. • Gëzime Starova, E Drejta e Punës, Shkup: Logos-A 2004. • Kushtetuta e Republikës së Shqipërisë 1998 (me ndryshme). • Ligj Nr.7961, datë 12.7.1995, Kodi i Punës i Republikës së Shqipërisë (i përditësuar). • Karta Sociale Europiane, 1999 (e ndryshuar). • Vendime të Gjykatës Kushtetuese dhe vendime unifikuese të Gjykatës së Lartë 1998-2025 për të drejtën e punës. • Konventa mbi standartet minimale të sigurimeve shoqërore, 1952 (Nr. 102), Organizata Ndërkombëtare e Punës 2013. • LIGJ Nr. 7703, datë 11.05.1993 PËR SIGURIMET SHOQËRORE NË REPUBLIKËN E SHQIPËRISË (ndryshuar me ligjet: nr. 7932, datë 17.05.1995; nr. 8286, datë 16.02.1998; nr. 8392, datë 02.09.1998; nr. 8575, datë 03.02.2000; nr. 8776, datë 26.04.2001; nr. 8852, datë 27.12.2001; nr. 8889, datë 25.04.2002; nr. 9058, datë 20.03.2003; nr. 9114, datë 24.07.2003; nr. 9377, datë 21.04.2005; nr. 9498, datë 03.04.2006; nr. 9600, datë 27.07.2006; nr. 9708, datë 05.04.2007; nr. 9768, datë 09.07.2007; nr. 10070, datë 05.02.2009; nr. 10447, datë 14.07.2011; nr. 13/2014, datë 13.2.2014; nr. 104/2014, datë 31.07.2014, nr. 144/2015, datë 17.12.2015; nr. 111/2016, datë 3.11.2016; aktin normativ nr. 1, datë 25.1.2017; aktin normativ nr. 7, datë 30.11.2019, ndryshuar me ligjin nr. 65/2020, datë 21.5.2020, aktin normativ nr. 33, datë 11.12.2020; ligjin nr. 64/2023, datë 21.7.2023) (i përditësuar). • Instituti i Sigurimeve Shoqërore, Rregullore, Për organizimin dhe funksionimin e Institutit të Sigurimeve Shoqërore, Tiranë, 2018. • Jens Holst, Susanne Lein, Etjola Kola, Eriona Minka-Cullhaj, Mbrojtja socialo-shëndetësore në Shqipëri: Sfidat dhe Mundësitë, ISKSh / GTZ, Tiranë, • Ligj Nr.10 107, datë 30.3.2009 “Për Kujdesin Shëndetësor Në Republikën e Shqipërisë” (ndryshuar me ligjin nr. 51/2013, datë 14.2.2013, nr. 76/2015 ,datë 16.7.2015 dhe nr. 27/2019, datë 8.5.2019; nr. 99/2024, datë 12.9.2024) (i përditësuar). • Përmbledhje e Vendimeve të Gjykatës Europiane për të Drejtat e Njeriut kundër Shqipërisë, Botim i Qendrës së Publikimeve Zyrtare, Tiranë, 2010. • Përmbledhje e Vendimeve të Gjykatës Europiane për të drejtat e Njeriut kundër Shqipërisë, Vëllimi I, 2010-2014, Botim i Qendrës së Botimeve Zyrtare, Tiranë 2022. • Përmbledhje e Vendimeve të Gjykatës Europiane për të drejtat e Njeriut kundër Shqipërisë, Vëllimi II, 2015-2019, Botim i Qendrës së Botimeve Zyrtare, Tiranë 2022. • Përmbledhje e Vendimeve të Gjykatës Europiane për të drejtat e Njeriut kundër Shqipërisë, Vëllimi III, 2020-2021, Botim i Qendrës së Botimeve Zyrtare, Tiranë 2022. • Përmbledhje e Vendimeve të Gjykatës Europiane për të drejtat e Njeriut kundër Shqipërisë, 2022-2023, Botim i Qendrës së Botimeve Zyrtare, Tiranë 2024. • Përmbledhje e Vendimeve Unifikuese të Gjykatës së Lartë (Të botuara në Fletoret Zyrtare 2013-2018), Botim i Qendrës së Botimeve Zyrtare, Tiranë, 2020. • Vendime të Gjykatës Kushtetuese të Republikës së Shqipërisë, Tiranë, 1998-2025. • Council Of Europe, Konventa Europiane e Sigurimeve Shoqërore, Paris, 14. XII. 1972. • Council Of Europe, European Convention on Social and Medical Assistance, Paris, 11. XII. 1953. • PËRMBLEDHJE LEGJISLACIONI PËR SIGURIMET SHOQËRORE DHE SHËNDETËSORE, Botim i Qendrës së Botimeve Zyrtare, Dhjetor, 2017. • Ligj nr. 9136, datë 11.9.2003, Për mbledhjen e kontributeve të detyrueshme të sigurimeve shoqërore dhe shëndetësore në Republikën e ShqipërisëNdryshuar me ligjet:nr. 9164, datë 18.12.2003, nr. 9329, datë 6.12.2004, nr.9933, datë 26.6.2008, nr. 10/2012, datë 9.2.2012, nr. 87/2014, datë 17.7.2014, nr. 143/2015, datë 17.12.2015, ndryshuar me vendimin e Gjykatës Kushtetuese nr. 60, datë 16.9.2016, aktin normativ nr. 1, datë 25.1.2017).
Course Outcome	
1	Students are introduced to the national and international legal acts of Labor Law and Social and Health Insurance II.
2	Students understand the rights and obligations they will have in the employment relationship and in Social and Health Insurance.

3	Students understand the elements of the employment relationship and Social and Health Insurance.
4	Students learn to apply their theoretical knowledge in practice, especially for resolving disputes that may arise from the employment relationship and Social and Health Insurance.
5	Students are equipped with basic knowledge of the current legislation on labor law and Social and Health Insurance, etc.

Course Evaluation

In-term Studies	Quantity	Percentage
Midterms	1	20
Quizzes	0	0
Projects	1	20
Term Projects	0	0
Laboratory	0	0
Class Participation	1	10
Total in-term evaluation percent		50
Final exam percent		50
Total		100

ECTS Workload (Based on Student Workload)

Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	3	48
Study hours outside the classroom (Preparation, Practice, etc.)	14	5	70
Duties	1	10	10
Midterms	1	8	8
Final Exam	1	14	14
Other	0	0	0
Total Work Load			150
Total Work Load / 25 (hours)			6.00
ECTS			6.00