



# Rights and Duties

Employees and employers have various rights and duties. There are laws regarding, for example, maximum working hours, holidays, and insurance.

## Employment Contract

Normally employment contracts are in written form. Oral contracts are valid as well. The Swiss Code of Obligations (Obligationenrecht | Droit des obligations) is applicable. It includes minimum standards, ensuring that even persons without written contracts have rights and responsibilities.

## Employees' Rights

Employees in Switzerland have various legal rights. The most important include:

- Employers are obligated to register their employees with the social insurance, provide a contract for accident insurance and cover part of the payments.
- All employees have a right to at least 4 weeks of paid holidays. This rule applies proportionately to persons who are paid by the hour or who work part-time.
- Hours worked per week may not exceed 50. In certain industries the upper limit is 45 hours and in others longer hours are allowed. Employees are entitled to at least one day off per week.
- Employees have a right to a written work reference.
- Persons employed for more than three months are entitled to wages for a certain period of time in cases of illness or injury.
- Pregnant women and women who have recently given birth have special rights (maternity protection).

## Wages

Switzerland does not enforce a minimum wage. However, many industries have collective agreements (GAV | CCT) which include a minimum wage. Women and men have the right to equal pay for equal work. The wage defined in the collective agreement is the gross pay. Employees will receive a net income from which the contribution to the social insurance has already been deducted (Sozialabzüge | Déductions sociales). In the case of persons with a residence permit B, an F or N permit, temporary visa L or a cross-border commuter permit a withholding tax (Quellensteuer | Impôt à la source) will be directly deducted from their income.



## Dismissal

When giving notice employers as well as employees must observe the time limits agreed upon in the contract. A dismissal without notice is only possible in special cases. Employee requests for written explanations regarding a dismissal must be granted. Illness, an accident, pregnancy, or childbirth are causes for special protection against dismissal. Abusive dismissals can be challenged in court. If notice is given by the employee it can have consequences for the amount of support provided by unemployment insurance.

## Additional information (links, addresses, information sheets, brochures)

[www.hallo-bern.ch/en/work/rights-and-duties](http://www.hallo-bern.ch/en/work/rights-and-duties)