

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) applies. It includes minimum standards, ensuring that even people without written contracts have rights as well as responsibilities.

Employees' Rights

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

- Employers are obligated to register their employees with 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 people who are paid by the hour or who work part-time.
- No more than 50 hours per week may be worked. In certain industries the upper limit is 45 hours.
- Employees have a right to a written work reference.
- People 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 (Mutterschutz).
- The Gender Equality Act (Gleichstellungsgesetz) prohibits the discrimination of people at work on the basis of their gender.

Wages

Basel-Stadt has a minimum wage. This applies to all employees in the canton, with a few exceptions. In addition, many industries have collective agreements (Gesamtarbeitsvertrag, GAV) 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 receive a net income from which the contribution to social insurance has already been deducted (Sozialabzüge). In the case of people with a residence permit B, an F or N permit, temporary visa L or a cross-border commuter permit G, a withholding tax (Quellensteuer) is directly deducted from their income. Contributions to obligatory health insurance do not form part of the income deductions in Switzerland.

Dismissal

When giving notice employers as well as employees must observe the time limits agreed upon in contract. A dismissal without notice is only possible in special cases. 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-baselstadt.ch/en/work/rights-and-duties