



## Fact Sheet

*This English translation is provided for convenience purposes only. The original German text fully prevails.*

(Dated January 2009)<sup>1,2,3,4,5,6,7,8,9,10</sup>

## Parenthood

In compliance with its Gender Policy, the University of Zurich promotes employment conditions that foster the compatibility of career/studies and family life, and provides day care centers for the children of the University's staff and students. The following information applies to staff employed at UZH under public law. For teaching positions under private law, the relevant benefits must be determined with the responsible HR coordinator in Human Resources.<sup>1</sup>

### 1. Maternity Leave and Continued Pay

Female employees at the University of Zurich are entitled to **16 weeks' paid maternity leave** beginning at the earliest two weeks before the baby's due date. During maternity leave, the full salary is paid regardless of the individual employment modalities (monthly or hourly salary, full or part-time work). Upon conclusion of maternity leave, employees are entitled to return to their jobs under the same conditions as prior to the pregnancy. However, employees also have the option of applying for unpaid leave for the period following paid maternity leave (§ 96 para 4 VVO). Pursuant to § 92 VVO, such leave is to be granted if business operations permit an extended absence. The application must be submitted as early as possible to the HR officer for the department or office concerned. In the case of unpaid leave of more than one month, the risk insurance application must reach the pension fund one month before that leave begins. Accident insurance must also have been arranged prior to the period of unpaid leave (for further information, please refer to the "Unpaid Leave" fact sheet that is available on the Human Resources Office website).

Maternity leave must be reported to Human Resources in the form of a decision (*Verfügung*) by the institute/department or office concerned, together with the form for applying for maternity benefits (*Anmeldung für eine Mutterschaftsentschädigung*, in German only, available at [www.pa.uzh.ch](http://www.pa.uzh.ch)). Human Resources then applies for the maternity insurance funds and credits them to the relevant cost center. Professors should submit their application for maternity pay (*Anmeldung für eine Mutterschaftsentschädigung*, in German only), along with the necessary enclosures, to the Professorships Department.

If the newborn baby is required to stay in the hospital for three weeks or more, the mother may apply for deferment of maternity leave. The period between birth and start of maternity leave can be taken as unpaid leave or, on employee request, as vacation or compensation days, provided the employee still has such days available. In the case of a stillborn child, maternity leave of eight weeks is granted. However, if a pregnancy has lasted at least 23 weeks, the employee is entitled to 14 weeks leave.

Employees who adopt a child should contact Human Resources or the HR Professors Office directly for further information.

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<sup>1</sup> For teaching positions under private law, see legal basis on p. 6



Employees with **temporary employment agreements** receive maternity leave up to the agreed-upon termination of the employment relationship if the department or office is able to submit proof that no extension of the work relationship was planned (inversion of burden of proof, § 97, para 2 VVO). If no proof is supplied, temporary employees are granted an extension of the employment relationship and full payment of salary throughout 16 weeks' maternity leave. Supervisors must present justification for non-extension of the employment relationship with pregnant employees to Human Resources. Should an employment relationship conclude during maternity leave, the employee concerned will receive the remaining compensation directly from the compensation office (*Ausgleichskasse*).

Expectant mothers with **SNSF-financed employment relationships** may submit a request for extension of the project (and thus the employment relationship) to the SNSF office in question (see below "Special provision for SNSF employees").

**Recipients of support from a UZH research fund** may apply for an extension to the term of their research fund by contacting Research, Innovation and Academic Career Development, or the UZH Grants Office. Additional salary costs will be met via cost reimbursement (cf. "Substitutes" below)

## 2. Protection against Dismissal during Pregnancy, and during and after Maternity Leave

After conclusion of the trial period, an employment relationship may not be terminated during the entire period of the employee's pregnancy or during the 16 weeks following childbirth. An employment relationship may also not be terminated upon conclusion of maternity leave on the basis of motherhood; see Art. 3 and 6 of the Swiss Gender Equality Act.

## 3. Pregnancy-Related Absences

Up to two weeks before the baby's birth, a pregnancy-related absence is treated as sick leave. If an employee is required to stop working for pregnancy-related reasons, the final two weeks of pregnancy-related absence before the birth are treated as part of maternity leave (§ 96, para 1 VVO). In such cases, paid leave after the birth is 14 weeks.

## 4. Substitutes

Human Resources and the Office for Gender Equality recommend employing a temporary substitute during an employee's maternity leave, unless the absence can easily be covered due to particular personnel resources or operational circumstances. Substitutes may also be found for long, pregnancy-related absences.

For employees with a temporary employment agreement: Instead of finding a substitute, the term of employment may be extended to include the scheduled maternity leave if the employee gives consent and if business operations permit.

The compensation office (*Ausgleichskasse*) finances substitute employees or extended terms of employment, in accordance with the Swiss Loss of Earnings Compensation Act. The compensation office provides funding in the amount of 80% of the salary for 14 weeks; however, a limit of CHF 196.00 per day applies. These payments are made to the UZH cost center concerned. If these funds do not cover the cost of a substitute or an extension of employment, the University pays the difference between these funds and the employee's usual salary. In addition, the institute/department



or office must submit a request to Human Resources for an adjustment to the budget or reimbursement. The institutes/departments and offices do not incur additional costs. Forms are available at [www.pa.uzh.ch](http://www.pa.uzh.ch).

**Special provision for UZH employees financed by the SNSF:** In the case of SNSF-funded employment relationships, the Swiss National Science Foundation assumes costs for a temporary substitute; the request must be submitted directly to SNSF. If a project is delayed on account of a pregnancy or maternity leave, a request to extend both the project and the employment relationship may be submitted to SNSF. The form for this is available at the Swiss National Science Foundation ([www.snf.ch](http://www.snf.ch)).

## 5. Compatibility of Career/Studies and Family Life

In compliance with its Gender Policy Code of Conduct, the University of Zurich supports employment conditions that promote the compatibility of studies, work, and family for women and men.

### **UZH child care**

The University of Zurich offers subsidized child care to its full and part-time employees. It is recommended that employees register for a place already at the beginning of a pregnancy: [www.kihz.ch](http://www.kihz.ch).

### **Change in workload due to parenthood**

Employees may apply to reduce their workload on account of parenting responsibilities if business operations permit and the supervisor grants permission (§ 96 para 3 VVO). Any change in workload requires the agreement of the employee. It is therefore recommended that such changes are discussed as early as possible and that changes are documented in a written decision (*Verfügung*). In compliance with the Gender Policy Code of Conduct, a change in workload may not have negative repercussions on the employee's job category, continuing education possibilities, promotions, etc.

### **Paternity leave**

Paid paternity leave is five working days (§ 85c VVO); in addition, new fathers are entitled to one month of unpaid leave in the first year of the child's life. When arranging leave, the employee is required to show consideration for the business circumstances at hand. Additional leave may be granted if business operations permit (§92 VVO).

### **Sickness of a child**

Parents are entitled to take time off to care for sick preschool and school-age children. Such absences, however, may not exceed five working days per period of illness (§85e VVO). When children are ill, parents are required to do their utmost to find outside help and to miss as few days of work as possible.

## 6. Employment and Health Protection during Pregnancy and Nursing (Maternity Protection)

In accordance with § 97, para 3 VVO and Articles 35 and 36 of the Swiss Employment Act, pregnant women and nursing mothers must be granted employment conditions that promote their health and the health of their child. Protection from unsafe work during pregnancy and when nursing must be guaranteed. The checklist of the Office for Safety, Security and Environment provides more information ([www.su.uzh.ch](http://www.su.uzh.ch), in German only).



Pursuant to Article 60 para 2 of ordinance 1 to the Employment Act (SR 822.111), nursing mothers must be given the necessary time to nurse their children or express milk. The time required to nurse a child or express milk (but not to give the bottle) is counted as paid working time in the first year of the baby's life. Nursing times are as follows:

1. For working hours of up to four hours per day: 30 minutes nursing time.
2. For working hours of more than four hours per day: 60 minutes nursing time.
3. For working hours of more than seven hours per day: 90 minutes nursing time.

Working time is made available regardless of whether the mother nurses the child or expresses milk at work or at other premises; in the latter case, time spent commuting to work or to other premises such as the child care center is not included in the paid time allowed for nursing. Time spent nursing before or after work does not qualify as paid nursing time or working hours.

The length of paid nursing time per working day is determined by the actual working hours (incl. nursing time) rather than the standard working hours. No more than the standard working hours may be written down. No allowance is given for nursing time during vacation, illness, or other paid absences.

Nursing times are to be understood as paid breaks of a maximum length as mentioned above. These breaks must be used for nursing or expressing milk. If less time is used for nursing than the time allowed, only the time effectively used for nursing may be recorded as such.

Nursing times can be used at once or as several nursing breaks, and are given for every child, i.e. for each child under the age of one that is to be nursed. For example, double the amount of time can be used for twins.

In exceptional cases, especially when required by the physiological needs of a child, a blanket solution may be feasible and the employer and the nursing mother can agree to payments that go beyond the minimum nursing times or a daily reduction of working hours.

The entitlement to paid nursing time is limited to the first year of the child's life.

Actual nursing time must be evident for superiors and must thus be detailed separately in the employee's time sheet.

Pregnant women and nursing mothers may not work for longer than the agreed-upon standard daily working hours, and in no case longer than nine hours (Article 60 para 1 of Ordinance 1 to the Employment Act). For this reason, the daily working hours and nursing time may together **not exceed the agreed-upon daily standard working hours**, and in no case exceed nine hours. Pregnant women and nursing mothers must also be given the opportunity and the proper conditions to lie down and rest as needed (Article 34 Ordinance 3 to the Employment Act). If an office has no suitable rooms to rest or nurse, a request may be submitted to Safety, Security and Environment ([info@su.uzh.ch](mailto:info@su.uzh.ch)). The office will then look for a suitable solution with Facility Management.



In general, employees with family duties are to be afforded particular consideration by their employer, (e.g. by refraining from requiring them to work extra hours and granting them time to care for sick children).

### Legal Basis

Please consult the list of key words at [www.pa.uzh.ch](http://www.pa.uzh.ch).

- a) Swiss Confederation
  - Gender Equality Act, especially Art. 3, 5, and 6
  - Art. 324a, 328 ff., 336c Code of Obligations
  - Employment Act, Art. 35 ff. and Art. 36
  - Ordinance 1 to the Employment Act, Art. 60
  - Ordinance 3 to the Employment Act, Art. 34
  - Loss of Earnings Compensation Act and Ordinance to the Loss of Earnings Compensation Act
- b) Canton of Zurich
  - Personnel law of the Canton of Zurich (*Personalgesetz*), especially § 20
  - Personnel implementation ordinance (VVO), especially §§ 96 ff.
  - Department of Finance conduct order on parenthood (Weisung "Elternschaft"), dated 1 July 2008
- c) University
  - University Statutes
  - Personnel ordinance of the University of Zurich (in German)
  - UZH Gender Policy Code of Conduct
  - Guidelines on outline of rights and responsibilities for the faculties, especially § 8
  - Teaching positions under private law: Art. 324a and 324b Code of Obligations
- d) Swiss National Science Foundation
  - SNSF regulations

More information is available at:

Human Resources Office:	<a href="http://www.pa.uzh.ch">www.pa.uzh.ch</a>
Professorships Department:	<a href="http://www.prof.uzh.ch">www.prof.uzh.ch</a>
Office for Gender Equality:	<a href="http://www.gleichstellung.uzh.ch">www.gleichstellung.uzh.ch</a>
Safety, Security and Environment (in German):	<a href="http://www.su.uzh.ch">www.su.uzh.ch</a>
Research, Innovation and Academic Career Development:	<a href="http://www.fnf.uzh.ch">www.fnf.uzh.ch</a>

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<sup>1</sup> Edited in January 2010

<sup>2</sup> Edited in October 2010

<sup>3</sup> Edited in May 2013

<sup>4</sup> Edited in March 2015

<sup>5</sup> Edited in November 2015

<sup>6</sup> Edited in May 2016

<sup>7</sup> Edited in January 2017

<sup>8</sup> Edited in October 2017

<sup>9</sup> Edited in January 2018

<sup>10</sup> Edited in October 2018