

## Regulations for the recording of working time and absences

Date:13.12.2016

***This English translation is for information purposes only and has no legal force. The German version is the legally binding document.***

*The Executive Board of ETH Zurich,*

pursuant to Article 3 of the Ordinance of the ETH Board concerning personnel in the Swiss Federal Institutes of Technology (Personnel Ordinance for the ETH Domain [ETH PO]) dated 15 March 2001<sup>1</sup> and Article 8, Paragraph 3 and Article 10, Paragraph 3 of the Ordinance on the financial and accounting systems of the ETH Domain<sup>2</sup> and in compliance with Clause 4.16.5 of the Accounting Manual for the ETH Domain dated 30 October 2015,

*hereby issues the following Regulations:*

### **Art. 1 Subject and scope**

<sup>1</sup> These Regulations cover the recording of working time and absences (time management) by all employees of ETH Zurich.

<sup>2</sup> They do not apply to professors<sup>3</sup>: This category of staff is not required to record their working time or absences.

<sup>3</sup> If the provisions of these Regulations contradict rules on time management established by individual ETH organisational units for their employees, the provisions of these Regulations shall take precedence.

### **Art. 2 Legal bases and principles**

<sup>1</sup> The main issues relating to time management are regulated by the Personnel Ordinance for the ETH Domain:

- a. Working time (Article 54)
- b. Extra hours and overtime (Article 55)
- c. Public holidays (Article 50)
- d. Vacations (Article 51)
- e. Leave (Article 52)
- f. Unpaid or partly paid leave (Article 52a)
- g. Loyalty premiums (Article 45).

<sup>2</sup> For employees who work shifts or are on-call, the regulations on shift and on-call duties<sup>4</sup> shall also apply.

<sup>3</sup> The current version of the accounting standards IPSAS<sup>5</sup> relating to provisions<sup>6</sup> stipulate that each employee must, on request be able to account for daily and hourly credits. When calculating these provisions, the relevant criterion is the legal entitlement and not the issue of compensation (monetary payment or time-off).

<sup>4</sup> In accordance with Article 3, Paragraphs 1b and 1c of the Pension Plan Regulations for employees in the ETH Domain, employees in Function Grades 10 – 15 are classed as executive personnel<sup>7</sup>.

<sup>1</sup> SR 172.220.113

<sup>2</sup> SR 414.123

<sup>3</sup> Full, associate and assistant professors

<sup>4</sup> RSETHZ 213.2

<sup>5</sup> International Public Sector Accounting Standards

<sup>6</sup> Clause 4.16.5 Accounting Manual (Rechnungslegungshandbuch) for the ETH Domain

<sup>7</sup> SR 172.220.142.1

### **Art. 3 Working hour model**

<sup>1</sup>In principle, the model used for the working hours of ETH employees is the annual working time. Under this model, the average working week for full-time staff is 41 hours. For part-time employees, it is the equivalent of their agreed activity rate.<sup>8</sup>

<sup>2</sup>The model used for the working hours of executive personnel and scientific employees as defined in Article 1 of the Ordinance on scientific employees of ETH Zurich<sup>9</sup> is the trust-based model. They are exempt from recording their actual working time.

### **Art. 4 Recording system**

In principle, hours are recorded in ETHIS (time management). Subject to consultation with the Human Resources Department, alternative systems may be used. At the end of each calendar year or by the beginning of the following year, balances as defined in Article 8 must be transferred to the ETHIS time management system irrespective of which system is used.

### **Art. 5 Mandatory recording**

<sup>1</sup>The following categories of employees are required to record both working time and absences as defined in Article 6:

- a. Administrative/technical employees up to and including Function Grade 9;
- b. Employees paid on an hourly basis.

<sup>2</sup>The following categories of employees are required to record absences as defined in Article 6, Paragraph 4 (excluding letter d):

- a. Scientific employees;
- b. Executive personnel.

<sup>3</sup>Staff employed by ETH Zurich must comply with this requirement irrespective of whether they are working at their contractually agreed place of work, at home (home office) or travelling (business trip).

### **Art. 6 Time recorded**

<sup>1</sup>The working hours to be recorded are the hours actually worked per day. The hours worked include a 15-minute break in the morning and afternoon. Travel to and from work as well as lunch breaks are not classed as working time.

<sup>2</sup>Absences that can be planned are only classed as working time if they cannot be arranged at a time when employees are not working or as part of flexi-time: This includes doctors' appointments, therapy sessions and summons to appear before an authority in a non-private matter.<sup>10</sup>

<sup>3</sup>Time spent travelling on domestic business trips is classed as working time. When travelling abroad on business, the agreed working time is credited<sup>11</sup>.

<sup>4</sup>In particular, the following absences must be recorded:

- a. Vacations
- b. Illness
- c. Accidents
- d. Days in lieu (extra hours/overtime) if recording is mandatory

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<sup>8</sup> Art. 54 Paragraph 1 ETH PO

<sup>9</sup> SR 172.220.113.11

<sup>10</sup> Art. 52 Paragraph 3 ETH PO

<sup>11</sup> Art. 54 Paragraph 3 ETH PO

- e. Loyalty premiums (length of service rewards) taken in the form of paid leave in accordance with Article 52, Paragraph 2 ETH PO.
- f. Paid leave as defined in Article 52, Paragraph 2 ETH PO
- g. Unpaid leave
- h. Maternity and paternity leave
- i. Military service, civil defence service, alternative civil service.

## **Art. 7 Responsibilities**

<sup>1</sup> In principle every employee subject to the mandatory recording of working hours as specified in Article 5 of these Regulations has personal responsibility for ensuring that individual working hours and absences are recorded correctly in ETHIS (time management system).

<sup>2</sup> As part of their supervisory duties, superiors are responsible for ensuring that their employees comply with the requirement to record working time.

<sup>3</sup> Ultimate responsibility for ensuring that hours are recorded lies with the budget holder for each ETH unit.<sup>12</sup> The budget holder is responsible for transferring to the new calendar year balances relating to vacations, paid leave taken as part of a length of service reward, extra hours and overtime.

## **Article 8 Transfer of balances for vacations/leave/extra hours/overtime**

<sup>1</sup> In principle, vacations must be taken in the calendar year in which the entitlement arises. Exemptions are admissible subject to a consideration of operational interests and with the agreement of the employee's superior.<sup>13</sup> Balances may, therefore, be carried forward to the following calendar year.

<sup>2</sup> Paid leave in the form of a loyalty premium (length of service reward) must be taken within five years. Transfer to the following calendar year is admissible provided that the maximum period of five years is not exceeded. The entitlement lapses on expiry of that period<sup>14</sup>.

<sup>3</sup> Extra hours and overtime must be requested or authorised by the employee's superior.<sup>15</sup> Overtime is time worked in excess of the statutory maximum working week of 45 hours. A maximum of 170 hours overtime may be worked per year.<sup>16</sup>

<sup>4</sup> Extra hours or overtime that is approved or requested must be compensated by an equal period of time off in lieu<sup>17</sup>. Overtime may not exceed 170 hours in any calendar year. Compensation may only be paid for a maximum of 100 hours of extra hours and overtime and only a maximum of 100 hours may be transferred to the following calendar year<sup>18</sup>.

<sup>5</sup> Subject to a consideration of operational interests, superiors must ensure that vacations, paid leave (long-service reward) and any extra hours and overtime for which compensation is due are taken in the calendar year in which they arise.

<sup>6</sup> Any annual balances accruing must be approved by the employee, his or her superior and the budget holder if this is not the same person; evidence shall take the form of a signed statement of balance (see Article 2, Paragraph 3).

<sup>7</sup> Any balance carried forward to the following calendar year must be approved by the budget holder. The balance must be carried forward to the new calendar year by the 10<sup>th</sup> January at the latest.

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<sup>12</sup> Staff function, administrative department, departments, institute, professor

<sup>13</sup> Art. 51 Paragraph 5 ETH PO

<sup>14</sup> Art. 45 Paragraph 3 ETH PO

<sup>15</sup> Art. 55 Paragraph 1 ETH PO

<sup>16</sup> Art. 55 Paragraph 2 ETH PO

<sup>17</sup> Art. 55 Paragraph 3 ETH PO

<sup>18</sup> Art. 55 Paragraph 5 ETH PO

## **Article 9 Compensation**

Compensation for extra hours and overtime as defined in Article 8, Paragraph 4 shall be made in consultation with the employee's superior where a half-day or more is to be compensated at one go.

## **Article 10 Payment**

<sup>1</sup> A written application for the payment of extra hours and overtime as defined in Article 8, Paragraph 4 must be submitted by the employee's superior or by the budget holder in good time to the relevant Head of Personnel.

<sup>2</sup> In accordance with Article 2, Paragraph 4, executive personnel in Function Grades 10 – 15 are not paid for extra hours or overtime.

<sup>3</sup> A payment may only be made for extra hours and overtime once it has been approved by the Human Resources Department.

<sup>4</sup> The payment of extra hours and overtime must be reflected in the balance carried forward to the following year.

<sup>5</sup> Payment for vacation not taken when an employee leaves ETH Zurich requires the approval of the relevant Head of Personnel.

## **Article 11 Transitional provision**

For the calendar year 2017, the budget holder shall carry forward the balances for vacation/leave/extra hours/overtime as specified in Article 8 by 31 March 2017 at the latest.

## **Article 12 Effective date**

These Regulations shall take effect on 1 January 2017.

Executive Board ETH Zurich

President: Lino Guzzella

Secretary General: Katharina Poiger Ruloff