



## E-Learning Box

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### Equal Rights and Career in Switzerland

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#### The Legal and Constitutional Status of Gender-based Discrimination at Work

The equality of women and men as it pertains to careers is well-established in law. Equal rights are guaranteed by the article on equality in the [Swiss Federal Constitution](#) (Art. 8, Sec. 3), and discrimination on the basis of gender is specifically prohibited in Article 2, Section 2 of the [Gender Equality Act](#) (see. Lanfranconi 2014a: 47-48).<sup>2</sup>

Grievances and complaints regarding violations of the Gender Equality Act can be made by organisations as well as individuals (Article 7). The [Swiss Conference of Gender Equality Delegates](#) lists the [grievances and complaints](#) about violations of the law includes favouring men in appointments to managerial positions, and failing to promote women whose male colleagues are promoted at the same time. One such complaint, made a few years ago, concerned a [public administration employee](#) who had applied for a new post as a project coordinator. Although she had led large projects for years and had a great deal of experience as well as professional knowledge, the post was awarded to a male colleague who had lost his own job in a process of restructuring. The woman considered herself to have been discriminated against; the employer justified the selection of the colleague on the basis that he had better communication skills. The woman was not satisfied with this explanation, and feared that in the future her tasks and responsibilities would be curtailed. She went to the human resources arbitration panel, and they invited all the parties concerned in the appointment to exchange views. Compensation was agreed with which the woman was satisfied, and she refrained from taking any further steps.

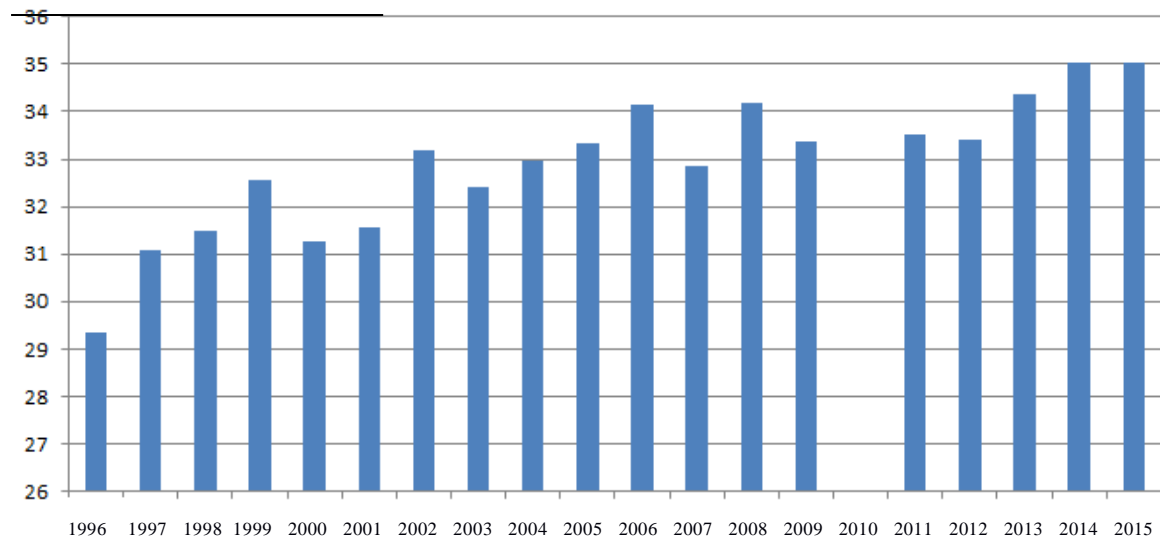
#### Gender-specific Inequalities in Professional Working Life

The proportion of women in managerial positions is a particularly prominent example of gender-specific inequalities in relation to [careers](#).<sup>3</sup> The 2015 Federal Statistical Office's [Swiss Labour Force Survey](#) revealed the clear under-representation of women in such positions (see Figure 1). The proportion of women in managerial positions has increased across all sectors between 1996 and 2015, but only from just over 29% to some 35%.

<sup>1</sup> The project is conducted by [Lucerne University of Applied Sciences and Arts – Social Work](#) and financed by the [Swiss National Science Foundation \(Agora\)](#).

<sup>2</sup> For more information on the legal basis of equal rights in Swiss working life, see [gleichstellungsgesetz.ch](#) and [leg.ch](#).

<sup>3</sup> See also the background information on Swiss [equality policy](#).

**Figure 1: Proportion of women in managerial positions, 1995-2015**

Key: women/men as company directors or employees with management positions (as per cent of all working women/men)

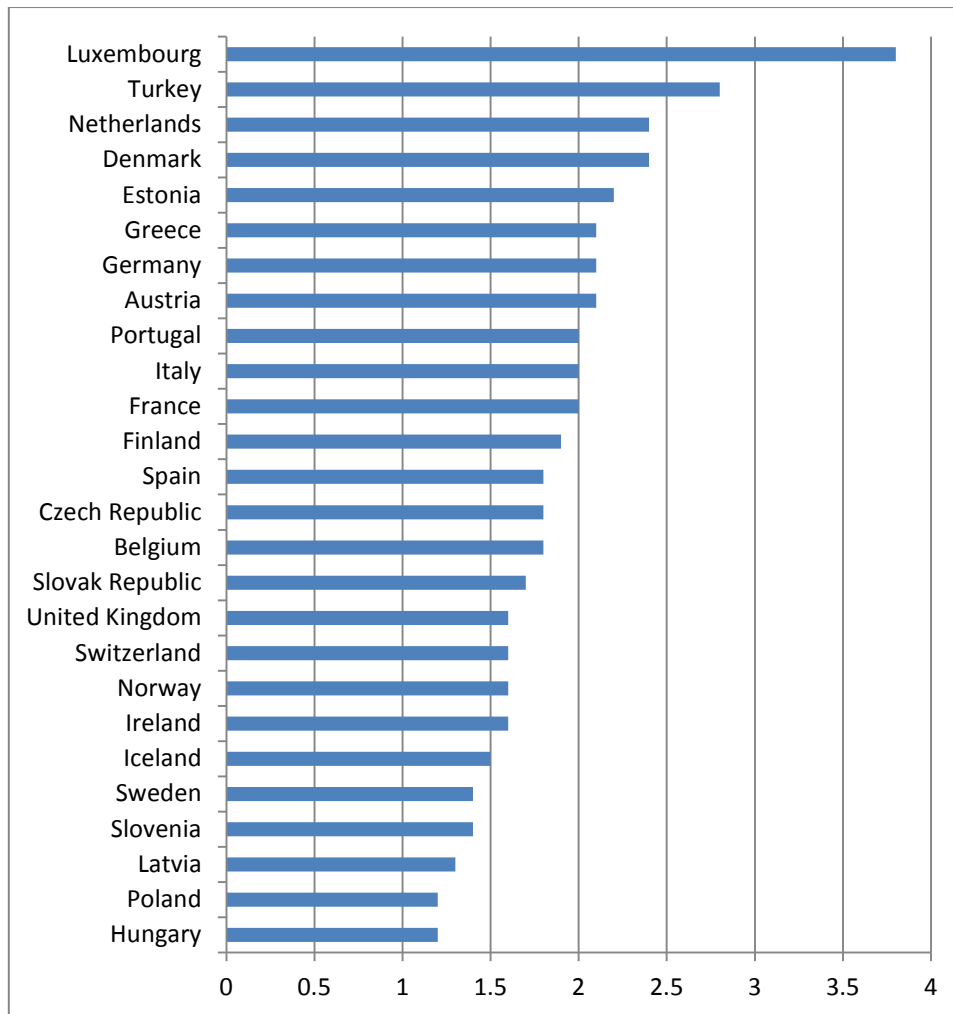
The absence of figures from 2010 is due to a reformulation of the question of occupational status.

Source: Federal Statistical Office – Swiss Labour Force Survey, 2017

A study made by the State Secretariat for Economic Affairs (Rigassi & Büsser 2014) also showed a slight tendency towards a higher proportion of women in such positions. The proportion of women on the boards of the 100 largest Swiss companies rose from 10% in 2010 to 12% in 2013 – in the public sector, however, no clear trend is discernible (Rigassi & Büsser 2014: 4-6). According to the [schillingreport](#), published in March 2017, at the end of 2016 some 21% of the newly elected directors of the 100 largest companies based in Switzerland were women, as opposed to 4% in 2015. This took the proportion of women in management positions from 6% to 8%.

An international comparative study of 22,000 companies conducted by the [consultancy company EY](#) in 2016 placed Switzerland 56th in a list of 90 countries in relation to the representation of women in managerial positions. In terms of women sitting on boards of directors, Switzerland is ranked 42nd. of 207. With regard to Swiss companies listed on the stock exchange, only six have a female Chairman, and seven a female CEO.

In Switzerland, 33.4% of all working men and 20.4% of all working women are managing a company or employed in an executive position. This means that there are 1.6 times or a third more men than women in management. In European comparisons, Switzerland has a higher proportion of women in such positions, as [OECD statistics](#) for 2015 make clear (see. Figure 2). In Poland there are only 1.3 times more men than women in management positions; in Turkey, on the other hand, there are 2.8 or nearly three times more men than women in executive posts. According to the [2016 Gender Gap Report](#), Switzerland is ranked 45th out of 125 countries in terms of the proportion of women in the most senior positions ("[l]egislators, senior officials and managers"). However, as far as administration is concerned, Switzerland has relatively few women in top management positions in comparison with other countries: The proportion of women is 10% in Switzerland, 19.5% in Germany, and 22% in Austria (Fuchs et al. 2016).

**Figure 2: Ratio of men to women in managerial positions, 2015**

Source: OECD Statistics, 2017

### Improving Women's Career Opportunities – Top-down or Bottom-up?

There is an intense discussion about legal quotas for women in administrative and supervisory positions in Switzerland and Germany,<sup>4</sup> but in other European countries legal requirements are already in place. France, Belgium, the Netherlands, Spain, Iceland, and Italy have introduced fixed quotas in recent years. The "quota pioneer" is Norway, where a legally binding quota of 40% women on boards of directors was established as early as 2003 for implementation in listed Norwegian companies by 2008 (see the [OECD article](#) on this theme).

In Switzerland, the political discussion about quotas for women has resulted in various proposals at all levels – city, canton, and state. Demands range from quotas for women on the boards of directors of listed companies and companies involved in the public sector, to quotas for managerial positions in public administrative bodies. The State Secretariat for Economic Affairs has taken up the issue with its 2014 [analysis](#) of the situation in Swiss companies.

<sup>4</sup> In November 2016 the Bundesrat adopted the [amendment of Swiss shareholding law](#), which includes desirable levels of gender specific representation on boards of directors and in executive positions.

In the Canton of Basel-Stadt, such a quota is already in force. Regulations approved by the parliament and confirmed by referendum stipulate a quota of one third women on boards of directors of companies with public sector involvement.<sup>5</sup> This possibility is also present on the level of the state. In 2012 a [decision of the council of the city of Berne](#) set a gender quota of 35% for leading positions in the city administration.

The State Secretariat for Economic Affairs has published a [report including examples of best practice](#) on Swiss companies' experiences of promoting women to management positions. The assumption that neither [part-time employment](#) nor job sharing are possible in managerial posts is still widespread and tends to favour men, and the notion that men have a natural authority and so make better superiors (Lanfranconi 2014b: 101) continues to pose an enormous obstacle to the appointment of women to senior positions in Swiss business.

Career-oriented women, however, have the opportunity to get informed, take advice, or pursue further training such as that offered by the women's advice body [frau arbeit weiterbildung](#), the [TeilzeitKarriere.com](#) platform, and the online advisory service [Karriere.ch](#). Women who are already in senior positions are organised in the national [Verband Wirtschaftsfrauen Schweiz](#), the Swiss businesswomen's association, which is also an important competence centre on questions of work and equality. The University of St. Gallen offers "[Women Back to Business](#)", a course which aims to equip women to return to work after a break in their careers.

The [Skilled Workers Initiative](#) launched by the Federal Department of Economic Affairs, Education and Research also makes provision for measures to promote women's professional lives, with activities aimed at improving the reconciliation of family and work as well as the promotion of training for women in technical (MINT) professions. These measures are now being implemented.

<sup>5</sup> The Equal Opportunities Section of the Canton of Basel-Stadt maintains a [website](#) dedicated to the quota theme.

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