

Logib – the federal government's equal pay self-test tool to verify wage equality between women and men

# **Standard Analysis Tool Logib Module 1**

**Guideline (Version 2023.2)** 

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#### Instructions for using Logib Module 1

Logib Module 1 is a webtool for verifying whether wage equality (i.e. equal pay) between women and men is ensured in medium-sized and large companies (at least 50 valid data sets). This document describes the different steps leading to the result of the analysis and its interpretation:

- 1. What is Logib?
- 2. What data is required?
- 3. Analysis, Step 1: Preparation and procedure
- 4. Analysis, Step 1: Entering employee data in the Excel data sheet
- 5. Analysis, Step 2: Read-in data
- 6. Analysis, Step 3: Additional information
- 7. Analysis, Step 4: Verify data sheet
- 8. Analysis, Step 5: Confirm function codes
- 9. Analysis, Step 6: Information about the company
- 10. Analysis, Step 7: Conduct analysis
- 11. Result of the equal pay analysis
- A-1 General information and personal characteristics in greater depth
- A-2 Function-related characteristics in greater depth
- A-3 Coherency of data in greater depth
- A-4 Elements of remuneration in greater depth
- A-5 Amendment history

This Guideline is for the Logib webtool Module 1 (version 2023).1

Should you have any questions, please contact the FOGE helpline:

#### **Contact and helpline FOGE**

- E-mail: logib@ebg.admin.ch
- Tel.: 0800 55 99 00 (Service hours: Wed, Thu 16:00-17:00, Fri 11:00-12:00)

The current release number is indicated in the header of all reports downloaded from the webtool.

#### 1 What is Logib?

The Confederation provides employers with a free standard tool for conducting equal pay analyses in accordance with Art. 13c para. 2 of the Federal Act of 24 March 1995<sup>2</sup> on Gender Equality (Gender Equality Act, GEA). With the corresponding declaration of conformity for Logib, employers who conduct equal pay analyses as per Art. 13a GEA with this standard analysis tool can provide verification of a scientifically rigorous and legally compliant method that complies with Art. 13c para. 1 GEA (see Art. 7 para. 3 of the Ordinance of 21 August 2019<sup>3</sup> on the Evaluation of the Equal Pay Analysis).<sup>4</sup>

The standard analysis tool Logib provided enables compliance with the gender-based equal pay requirement to be verified at the **company level**. Logib consists of two modules. Module 1 is based on a statistical method and is therefore particularly well-suited to larger companies with many employees. Smaller enterprises can use Module 2.5

**Logib Module 1** is suitable for employers with **50 or more employees**<sup>6</sup> and consists of the following components:

- (1) one dependent variable: standardised gross wage based on a wage specification;
- (2) multiple independent variables: factors to justify wage differences between men and women (education, years of service, potential professional experience, level of requirements and professional position) as well as the gender variable;
- (3) a statistical analysis method (semi-logarithmic OLS regression analysis);
- (4) a tolerance level of +/-5% for the gender factor that must be exceeded by a statistically significant amount.

This method allows the parts of the wage difference that cannot be explained by objective, wage-relevant and non-discriminatory factors to be determined. Based on this, it is possible to ascertain the wage gap between all the men and women in a company at otherwise comparable conditions, based on the personal and function-related characteristics mentioned above, and whether gender-based wage discrimination in which employees of a particular gender are being systematically disadvantaged should therefore be suspected. The design of the Confederation's standard analysis tool Logib enables meaningful results to be delivered by means of a self-assessment that requires very little administrative time and effort and no in-depth specialist knowledge. The ability to use the standardised analysis instrument depends on nothing more than a limited amount of generally available information. In Logib Module 1, a 'tolerance threshold' of 5% also applies. If this threshold is exceeded by a statistically significant<sup>7</sup> margin there is justified reason to suspect systematic wage discrimination in this company.

The existence of wage discrimination at the group or individual level (see the three analysis levels described above) within the meaning of Art. 3 para. 2 GEA does not form part of this analysis and cannot be ruled out.

The principle of equal pay applies to total pay, as discrimination can occur in various wage components. The meaning of the term 'pay' (German: *Lohn*) varies depending on the area in which it is being used

3 SR 151.14

<sup>&</sup>lt;sup>2</sup> SR **151.1** 

For further information on the revised Gender Equality Act and the <u>Declaration of conformity for the standard analysis tool Logib</u> see <u>www.plattform-lohngleichheit.ch</u>

Details of the methodology underpinning Logib can be found in the methodological approach document.

To conduct an analysis with Logib, you need <u>at least 50 valid data sets</u> in which both genders are represented. "Valid" means: without employees that are to be excluded, such as apprentices/trainees/expats, and without invalid/excluded cases, such as employees paid hourly who did not work in the reference month.

Statistical significance means that the statistically calculated values or correlations are non-coincidental. Potential random errors are excluded by a predetermined probability. In this instance, the confidence level is 95%.

(tax, social insurance, etc.). This Guideline is based on a comprehensive legal opinion that examined which wage components are relevant when conducting an equal pay analysis with Logib, and exactly how they are to be taken into account.<sup>8</sup>

Logib is available free of charge as a webtool at <a href="www.logib.admin.ch">www.logib.admin.ch</a>. This document describes the various steps leading to the result of the analysis with Logib Module 1 and its interpretation. The employee data necessary for the calculation is entered in an **Excel data sheet** and then read into the **webtool**.

In addition to this Guideline, a **Quick Guide** on filling out the Excel data sheet is also available. It will help you provide the data in the Excel data sheet entitled "Datalist e.xslx".

#### 2 What data is required?

#### 2.1 Reference month

The information to be provided by you must refer to a <u>specific reference month</u> (and to a reference date at the end of the reference month). Therefore, you should select as the reference month a month that provides as representative a picture as possible of your company's workforce structure and wage policy.

#### 2.2 The company or organisational unit to be analysed

Generally speaking, the employer is the natural or legal person in the employment relationship who benefits from the work done and thus has an obligation arising from the employment contract, which, in particular, means paying the wages. In the few instances (e.g. in the case of a group of companies) in which it is not clear who the employer is, the respective labour law practice can be applied.

For an equal pay analysis with the standard analysis tool Logib, the lowest independent legal entity should be used. An independent legal entity is understood to be an operating unit with an independent corporate legal form (e.g. AG, GmbH, also a company subsidiary). This does not include facilities, branches, branch offices, affiliates, business units etc., where these do not have an independent corporate legal form.

In the public sector, the entity to be analysed is determined on the basis of the respective organisation ordinance and the employment contracts. Generally speaking, the organisational unit that concludes the employment contracts and thus ultimately determines the individual wages is to be analysed as the employer.<sup>9</sup>

PricewaterhouseCoopers AG, <u>Technical description of the pay specification used in the Confederation's standard analysis</u> model: A specification of pay that conforms with the law, 2019.

See www.bj.admin.ch > State & Citizen > Bills still under discussion > Bills adopted > Questions and Answers to the revision of the GEA > FAQ 19 (available in German, French and Italian). Wer ist im öffentlich-rechtlichen Bereich analysepflichtig?

#### 2.3 Persons to be entered in the system

In principle, <u>all</u> persons employed in the company, i.e. employees from all business units and places of activity who were employed by the company and received a salary in the reference month should be entered in the Excel data sheet. In particular, this also includes executive directors, partners<sup>10</sup> and members of the board of directors, provided they have a contract of employment with the company and are actively involved in its operations.<sup>11</sup>

Certain groups of employees with a special employment situation are specifically indicated and excluded from the analysis in order to avoid distorting the results of the analysis (e.g. apprentices, see section 4.4).

#### 2.4 Data to be recorded in the system

To use Logib to analyse equal pay in your company, you must enter personal and function-related data for all employees, along with data on the work-time percentage and wage in the **Excel data sheet** (1 row per employee or employment contract).

The 'contract view' applies to the equal pay analysis: Individuals with more than one job or employment contract (concurrent employment) are to be entered in the Excel data sheet more than once, i.e. once for each employment contract. In this case too, the key must be unique (i.e. a different key for each employment contract).

The required information and the individual columns of the Excel data sheet are explained in detail in section 4. In addition to the information per employee, you also need to enter some general details directly in the webtool (see section 5). Below you will find instructions on how to download the Excel data sheet from the internet and how the data should be entered in the webtool.

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Whether or not the owners of a company are to be included in the analysis as employees must be determined on a case-bycase basis, taking particular account of the following criteria:

<sup>-</sup> Have the owners concluded an "employment contract" with their company that would be recognised as such under the Swiss Code of Obligations?

<sup>-</sup> Are they actually the subordinate in a supervisor-subordinate relationship?

<sup>-</sup> Can they take legal action against that supervisor on the grounds of wage discrimination?

<sup>-</sup> As owners, are they themselves responsible for designing the remuneration system?

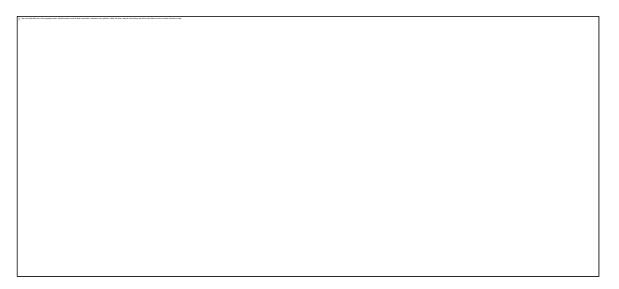
The Gender Equality Act applies to employment relationships under both public and private law, but only to employment relationships <u>as an employee</u>. If work is performed within the scope of any legal relationship other than an employment contract (e.g. under an agency contract or a contract for work and services, or by appointment), the Gender Equality Act generally does not apply. Elected members of authorities are not in a relationship of subordination as is the case with an employment contract under public law. Therefore, they are not to be included in the equal pay analyses in accordance with the Gender Equality Act. See <a href="www.bj.admin.ch">www.bj.admin.ch</a> State & Citizen > Bills still under discussion > Bills adopted > <a href="Questions and Answers to the revision of the GEA">Questions and Answers to the revision of the GEA</a> > FAQ 20. Are members of authorities to be included in the equal pay analyses in accordance with the GEA? (available in German, French and Italian)

#### 3 Analysis, Step 1: Preparation and procedure

#### 3.1 Launch the Logib webtool and download the Excel data sheet.

How to launch the Logib webtool and download the Excel data sheet:

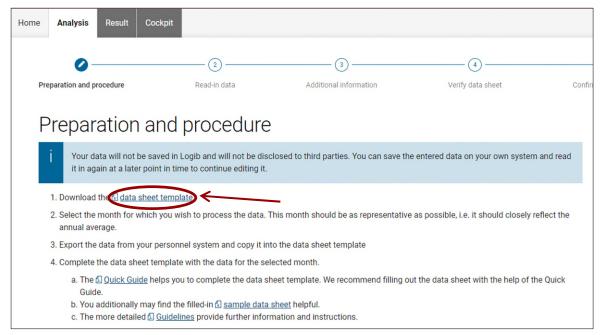
 Go to <u>www.logib.admin.ch</u> and click on "Launch webtool". You will be redirected to the homepage of the webtool:



2. Click on "Start analysis". You will be taken to the "Analysis" menu, which consists of a wizard displaying 7 steps.



3. Step 1 of the analysis, "Preparation and procedure", is where you download the data sheet template. Save the Excel data sheet to your computer.



**Tip:** Always keep a copy of the unused version of the data sheet and save all the versions you work with under a new name. This will save you from having to download the data sheet again if you wish to repeat your analysis.

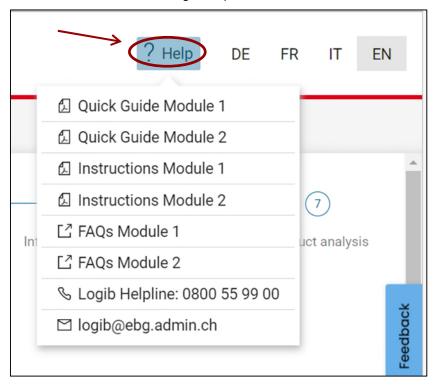
**IMPORTANT:** The structure of the data sheet must <u>not be changed</u>. The columns must remain in the given order. It is not permitted to delete columns. Unused columns should be left blank.

4. You can now enter the employee data in the Excel data sheet. Please refer to the explanations in section 4 or in the Quick Guide for guidance.

#### 3.2 "Help" menu

You can access the "Help" menu at the top right-hand side of the webtool. The "Help" menu includes:

- A link to the current Guideline and to the Quick Guide
- A link to the FAQs (see section 3.3)
- Contact details for the Logib Helpline



#### 3.3 FAQs

The FAQ page for the webtool can be accessed via the "Help" menu (see section 3.2).

Alongside general information on the equal pay analyses, the FAQs also contain information on **data security** and the actual **process**, including the technical requirements, that will ensure the webtool functions smoothly. You will also find detailed explanations that will help you interpret the **results**.

#### 4 Analysis, Step 1: Entering employee data in the Excel data sheet

- 1. Open the Excel data sheet entitled "Datalist e.xlsx".
- Enter the data for <u>all your employees</u> in the <u>reference month</u>. Fill in one row per employee. Make sure that all data fields are formatted according to the explanatory notes for the individual fields or columns.

Table columns in the Excel data sheet (file entitled "Datalist_e.xlsx"):						

The explanatory notes for the table columns can be found below organised by topic:

• Personal data (section 4.1):

Column A: Laufnummer

Column B: Age (date of birth, year of birth, age)

Column C: Gender

Column D: Years of service (date of entry, year of entry, number of years of service)

Column E: Education and training

Function-related data (section 4.2):

Column F: Function (job carried out)

Column G: Level of requirements

Column H: Professional position

- Data on work-time percentage and wage (section 4.3):
- Working hours (section 4.3.1):

Either: Column I: Employees paid monthly: Activity rate

or: Column J: Employees paid hourly: Hours paid in the reference month

• Wage, wage components (section 4.3.2):

Column K: Basic wage

Column L: Allowances

Column M: 13th (14th or "n"th) monthly wage

Column N: Special payments

• Entry of different usual working hours (section 4.3.3):

Column O: <u>Usual weekly working hours in company</u> (hours per week; for employees paid monthly)<sup>12</sup>

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Column P is hidden and will no longer be used from version 2023.1 onwards.

• Statistical population (employees with special employment contracts) (section 4.4):

Column Q: <u>Statistical population</u> to identify employees with special employment contracts (e.g. apprentices).

Remarks (section 4.5) and optional additional columns:

Column R: Remarks for notes on individual employees.

Columns S to W: Optional additional columns

#### 4.1 Personal data

#### Key

Enter a unique key or identifier for each person (or each employment relationship).

#### Age (date of birth, year of birth, age)

Enter the age of employees either in years (YY) or the year of birth as 4 digits (YYYY) or the complete date of birth in the following format: DD.MM.YYYY. **The age entered must match that of the reference year.**<sup>13</sup>

#### Gender

Use the following coding: 1 = male, 2 = female.<sup>14</sup> If you use a different coding, you can indicate this in the "Additional information" step in the webtool.<sup>15</sup>

#### Years of service (date of entry, year of entry, number of years of service)

Enter the number of years of service as an integer, the year of entry (YYYY) or the precise date of entry to the company in the following format: DD.MM.YYYY. The years of service entered must match those of the reference year.<sup>16</sup>

As a rule, the date on which the employee first joined the company should be entered. A change of function or business area is not relevant to the calculation of the years of service.

#### **Education and training**

Enter the **actual highest educational level** for each person (and *not* e.g. the education and training typically required for the function being performed, see below).

Enter numbers from 1 to 8 for the level of education as follows:

When entering the year of birth or date of birth, depending on the read-in settings, the age will be calculated on read-in and displayed in the data table as follows: Age = Reference year minus year of birth or year from date of birth

<sup>14</sup> If a person's biological or social gender does not correspond to either of the categories male or female, or is in the process of transitioning (e.g. intersex, transgender people), enter the current officially assigned gender.

<sup>15</sup> The categories used will be recoded when the data is read in and displayed in the data table as follows: F = female, M =

When entering the year of entry or date of entry, depending on the read-in settings, the years of service will be calculated on read-in and displayed in the data table as follows: Years of service = reference year minus year of entry; or if the entry date is given: Years of service = number of days from date of entry up to and including the end of the reference month divided by the average number of days per year in the defined time period.

#### Tertiary: University (codes 1 and 2):

With regard to entering tertiary level university degrees (codes 1 and 2) you have two options depending on your actual business situation:

- Either: Enter the tertiary level university degrees based on the type of institution and differentiate systematically between university degrees and degrees from a university of applied sciences.
  - 1 = Universities and institutes of technology (UNI, ETH)
  - 2 = University of applied sciences, university of teacher education or equivalent
- Or: Enter the tertiary level university degrees based on the type of degree and differentiate
  systematically between Bachelor's and Master's (regardless of whether the degree was obtained
  from a university/ETH, university of applied sciences, university of teacher education or a similar
  educational institution).
  - 1 = Master's degree
  - 2 = Bachelor's degree

#### **Tertiary: Higher vocational training (code 3)**

3 = Higher vocational training with Federal PET diploma, advanced or master craftsman diploma, diploma from a technical college (TS), PET college, engineering college (HTL), business administration college (HWV), art and design college (HFG), Institut d'Études Sociales (IES) or equivalent

#### Upper secondary (codes 4 to 6)

- 4 = Teaching certificate at various levels: primary teacher's training college (for teaching at pre-school, primary school, art and design, home economics) or equivalent
- 5 = Academic baccalaureate, vocational baccalaureate, specialised baccalaureate or equivalent
- 6 = Completed vocational education and training leading to a federal certificate of proficiency, full-time vocational school, upper secondary specialised school, VET programme (Federal VET diploma EBA) or equivalent

#### Compulsory schooling (codes 7 and 8)

- 7 = In-house vocational training not recognised by the State Secretariat for Education, Research and Innovation (SERI)
- 8 = Compulsory schooling without professional qualification

#### Please note:

• The actual educational level (personally achieved) is to be entered under the 'Education and training' characteristic. The level of education and training typically required to perform a function is relevant only for the purpose of correctly assigning the function-related characteristics of level of requirements and professional position (see section 4.2). This generally applies to both basic and further training.

The coding of these two function-related characteristics is always done without reference to the actual educational level of the employees who perform the respective function. The decisive factor is the degree of complexity (for level of requirements) and responsibility (for professional position) of the job or function being performed.

#### 4.2 Function-related data

In addition to personal data, details of the function performed, referred to as 'workplace characteristics', also need to be declared for each employee:

- Function
- Level of requirements
- Professional position

The aim here is to enter the function each employee actually performs and, based on this, indicate two important aspects of the function or activity:

- on the one hand, how much responsibility is associated with the function (see "Professional position"),
- and on the other, how demanding or complex are the activities in this function (see "Level of requirements").

While these attributes are to a certain degree linked (the greater the responsibility, the more complex the activity usually is), it is, however, quite possible for positions at lower levels to require rather complex activities.

As an example, the following matrix shows how the functions of a company can be distributed between the two attributes "Professional position" (level of responsibility) and "Level of requirements" (complexity of the activity).

Matrix of "functions by professional position and level of requirements" (illustrative example)

	1	Director Head of Sales Head of Production			
, high	2	Head of Risk & Quality Head of IT	Head of Services Head of Sales Regions		
Professional position increasing responsibility —	3	Head of Research and Development	Head of Sales Channels Head of Production Plants 1 & 2 Head of Controlling		
<b>fessiona</b> l	4	Technical Head of Laboratory	Head of Project X Head of Project Y	External Sales Representative Pre-Production	
<b>Prof</b> Low → incre	5	Research Assistant	Technical Specialist A Technical Specialist B Product Manager Manager's Assistant	Internal Sales Representative Production Employee Assembly Employee Service Employee Laboratory Employee Administration Bookkeeper	Production Assistant Logistics Assistant
		1	2	3	4
		high ←	Level of rec increasing complexity	•	← low

# The function-related attributes and the grading process are described in greater detail on the following pages.

If your company has defined functions and there is already a system in place that reflects the degrees of "responsibility" and "complexity", you may find the explanations in Appendix A-2 on the specific process to allocate these functions to the attributes "Professional position" and "Level of requirements" helpful.

#### **Function**

Enter the title of the function carried out according to the specifications for the employee's function.

#### Please note:

When entering a function, please make sure to avoid typing errors. Otherwise, these will automatically be recognised as two different functions (see sections 7 and 8). For the same reason, you should use only gender-neutral function names.

The functions are not included directly into the analysis but are used in order to allocate the two workplace-related characteristics: "Professional position" and "Level of requirements". Unlike the personal characteristics, when defining the function-related characteristics the focus is on the employee's function or job profile.

Rather than classifying the function-related characteristics for each person individually, it is advisable to define and grade the professional functions first. This means you can be sure that employees who essentially have similar tasks and responsibilities are graded in the same way. In principle, <u>a function</u> should have the same grade with regard to the level of requirements and professional position for every person who performs that function (e.g. all employees with the "project management" function are graded as follows: level of requirements = 2, professional position = 4).<sup>17</sup>

In most cases a procedure which begins quite broadly and is subsequently refined as required is the quickest way to **define functions**:

- Jobs which <u>essentially contain similar tasks and responsibilities</u> are generally combined to form a single function. This deliberately ignores the fact that people within functions created in this way may have varying additional or ancillary tasks.
- This broad function structure is used to <u>grade the professional position and the level of requirements</u> for every function (see Appendix A-2). Here it is sufficient to visualise a few function holders and their key tasks (functional specifications, position in company organisational chart/responsibility).
- Finally, a check is carried out for each function to identify whether there are <u>individual persons</u> within a function who carry out tasks which are so significantly different to those performed by other function holders that a different classification of professional position and/or level of requirements would be appropriate.
- In this case, a previously defined function (e.g. project manager) is <u>divided into two or more functions</u> (e.g. junior project manager and senior project manager).

<sup>&</sup>lt;sup>17</sup> If this is not the case, the corresponding cells will be highlighted in yellow as 'striking' values.

#### Level of requirements

Level of requirements is used to enter, for each function, the **requirements for the work or function being performed**. The classification may be based on the job profile and functional specifications (tasks), and on the skills profile (level of requirements). Enter numbers from 1 (functions with the highest requirements) to 4 (functions without particular requirements) as follows:

- 1 = an activity with the most complex problem-solving/decision-making tasks; a position that includes extremely demanding and difficult tasks
- 2 = an activity with rather complex technical or practical tasks; a position that requires very independent and skilled work
- 3 = an activity with tasks that require professional or specialist knowledge; a position that requires professional or specialist knowledge
- 4 = an activity with simple manual or routine tasks; a position with simple and/or repetitive activities

#### Please note:

In order to grade the level of requirements, it is advisable to apply a method that is based on the level of education and training required by the function as a starting point, as well as the required professional experience (especially at grades 3 and 4).

# As a rule, a function should always have the same grading for both level of requirements and professional position.

The following overview shows characteristic tasks, required skills and qualifications that are usually required for each level of requirements:

### Level of requirements 1

(function with extremely demanding and difficult tasks) Characteristic tasks according to job profile:

Solving complex problems

Decision-making based on broad factual and theoretical knowledge

Analyses, research and development

Diagnosis and remedy

Transfer of knowledge

Required skills according to job profile:

Intellectual Understands complex	Psycho-social Organisation of complex	Physical Where necessary coping						
documents Familiar with complex	interpersonal situations	with physical stress						
concepts and issues								
Qualifications usually required: University, university of applied sciences								

## Level of requirements 2

(function requiring independent and skilled work)

Characteristic tasks according to job profile:

Complex technical or practical tasks requiring factual, technical or methodical knowledge

Required skills according to job profile:

	i	i
Intellectual	Psycho-social	Physical
Understands complex	Organisation of complex	Where necessary coping
documents	interpersonal situations	with physical stress
Compilation of detailed		
reports		

Qualifications usually required: Higher vocational training, university of applied sciences

### Level of requirements 3

(function requiring professional/technical skills)

Characteristic tasks according to job profile:

Manually skilled, technical and/or clerical activities requiring knowledge and skills in a particular occupational field

Required skills according to job profile:

Intellectual
Reading and writing
minutes and simple
reports

Simple calculations

Psycho-social Regular verbal communication Physical

Specific manual skills

Qualifications usually required: Vocational training, Baccalaureate, Vocational Baccalaureate

# Level of requirements 4

(function with simple and/or repetitive tasks)

Characteristic tasks according to job profile:

Simple repetitive tasks

of a mainly manual or physical nature

Required skills according to job profile:

Intellectual
Possibly basic reading
and numeracy skills
Possibly mental stress
due to monotony

Psycho-social
Occasional simple verbal
communication

Physical
Physical strength and
stamina

Fine motor skills (precise movements)

Qualifications usually required: Compulsory schooling, vocational training

In all cases, the **principle of equality** must be applied when performing these allocations: functions that are equivalent, i.e. functions and tasks of similar complexity, must be graded at the same level of requirements regardless of the person who performs the function. The allocation of functions should not be based on wages or wage classes.

#### Example: Allocating the level of requirements

Administrative function/group of functions:

- Typically required level of education and training for the function(s)?
  - ✓ "EFZ apprenticeship"
- Complexity of activity?
  - √ Occupational/specialist knowledge required
- ⇒ Coding of function "Administrative function": Level of requirements = 3

One of the functions in the administrative group is distinct from the others (more complex matters, specific further training, many years of experience required):

- Complexity of activity?
  - ✓ Specialist occupational/specialist knowledge required (higher requirements, more complex area of responsibility in comparison to other functions in this group)
- ⇒ Renaming of this function e.g. as "Administrative function 2",
- ⇒ Coding of function "Administrative function 2": Level of requirements = 2

#### **Professional position**

Professional position is used to enter the **responsibility** associated with each function (management responsibility, specialist responsibility or responsibility for human life, etc.) The company's organisation chart may provide a basis for the classification. Enter numbers from 1 (functions with the highest responsibility) to 5 (functions without added responsibility) as follows:

- 1 = Senior management / Functions with highest responsibility
- 2 = Middle management
- 3 = Lower management
- 4 = Lowest management
- 5 = Employees with no management function/ Functions without added responsibility

#### Please note:

The "professional position" variable records the degree of **responsibility** of a function. There are five grades for the professional position (from 5 = "Employees without added responsibility" to 1 = "Employees with highest responsibility"). As a rule, a function should always be graded in the same way as regards the professional position (the same position in the organisation chart or same level in the hierarchy).

The professional position is primarily derived from the <u>management hierarchy in the company</u>, as usually shown in the <u>company's organisation chart</u>.

However, there may also be employees without management responsibility who have <u>another specific</u> <u>responsibility</u> (e.g. specialist responsibility; responsibility for human life; responsibility for valuable, material or immaterial goods). These employees may accordingly be classified higher than professional position 5 (employees without added responsibility / no management function).

The allocation of functions should <u>not</u> be derived from wages or wage classes.

As a rule, a function should always have the same grading for both level of requirements and professional position.

Enter numbers 1 to 5 according to the following **definitions**:

Professional	Employees with highest level of responsibility (top management)				
position 1	Director or involvement in executive management:				
	Shaping or helping to shape policy at corporate level				
	Responsibility or joint responsibility for the achievement of the company's goals				
	Coordination of various management functions				
	Responsibility for policy and achievement of objectives in a specific area				
Professional	Employees with high responsibility (middle management)				
position 2	Management of a department within the company, high level support roles:				
	Responsibility for the planning and organisation of a specific area				
	Involvement in the development of long-term action plans				
Professional	Employees with added responsibilities (lower management)				
position 3	Performance-oriented management of a sub-area, qualified support roles:				
-	Responsibility for carrying out tasks in own area of activity				
	Involvement in planning and organisation				

Professional position 4	Employees with minor added responsibilities (lowest management) Supervision of tasks according to specific instructions: Supervision of work in progress Occasional involvement in planning and organisation			
Professional position 5	Employees with no added responsibilities (employees with no management function)			

#### 4.3 Data on work-time percentage and wage

When entering the data for the individual **work-time percentage** (see section 4.3.1) and **wage** (section 4.3.2), it is important that the information is coherent for every single employee. In other words, the wage components entered for each person must relate to the given activity rate (i.e. work-time percentage) to ensure that the necessary standardisation (i.e. conversion to full-time equivalent and most frequent usual weekly working hours in the company) does not result in any distortion.

- You can find further information on ensuring the coherence of activity rate and wage for employees paid hourly, employees who work part-time and in the case of absences and changes in work-time percentage in chapter A-3.1 of the Appendix.
- Further information on special cases (e.g. Sunday work, overtime, special elements of remuneration and special wage components) is available in chapter A-4 of the Appendix.

#### 4.3.1 Work-time percentage (activity rate, number of paid hours)

There are two ways to enter the individual work-time percentage:

- Either you record the activity rate in column I of the Excel data sheet (employees paid monthly),
- **Or** you record the **number of paid hours during the reference month** in column J of the Excel data sheet (for employees **paid hourly**).

For each employee, please fill in only one of the two columns.

#### Employees paid monthly: activity rate

The 'Activity rate' column refers only to **employees who are paid a monthly wage**. For employees paid on an hourly basis, see the 'Paid hours' column.

Enter a decimal number (examples: an activity rate of 100% or 22.5% should be entered as 100 or 22.5 respectively). This number should correspond to either the contractual or actual work-time percentage in the reference month (in the same way as the wage paid).

#### Employees paid hourly: hours paid in the reference month

The 'Paid hours' column refers only to **employees who are paid an hourly wage**. For employees paid on a monthly basis, see the 'Activity rate' column. This number should correspond to the number of hours paid by the company in the reference month.

Please indicate **employees paid hourly who did <u>not</u> work in the reference month and did not receive any pay** (not even for "lost" hours) in the "Statistical population" column with code 5, "Other reason for exclusion", and enter "Not deployed in the reference month" as the reason for exclusion in the "Remarks" column.

#### 4.3.2 Wage, wage components

For equal pay analyses with Logib, the following <u>wage components</u> must be entered (as the proportional amount for the reference month or one-twelfth of the annual amount):

- Basic wage column: Basic wage
- Allowances column: Statutory allowances and other allowances for difficult working conditions
  or hardship, allowances for paid extra hours/overtime, if applicable
- 13th monthly wage column: Proportion of 13th monthly wage (including 14th or nth monthly wage)
- **Special payments column:** Special payments that are paid <u>regularly</u> (monthly) or <u>irregularly</u> (half-yearly, yearly, sporadically), e.g. bonus payments, gratuities, share in the profits or turnover and participation rights (wage statement point 5), commissions, tips, fees, premiums and fringe benefits (wage statement points 2.1 to 2.3)

All wage components are to be entered as **gross amounts**, i.e. including employee contributions to social insurance (AHV/IV, EO, ALV, NBUV, occupational pension).

The wage components to be entered are explained separately on the following pages.

In addition to these explanations, you will find a detailed overview which defines the elements of remuneration that should be included in analyses and those that should not be included or only under certain conditions in section A-4 of the Appendix.

#### Basic wage

#### **Employees paid monthly:**

Please indicate the <u>basic wage paid in the reference month</u> corresponding to the work-time percentage entered in the "Activity rate" column.

```
E.g. person A, full-time: activity rate = 100\% \Rightarrow basic wage = CHF 6,000/month
E.g. person B, part-time: activity rate = 25\% \Rightarrow basic wage = CHF 1,500/month
```

#### **Employees paid hourly**

Please indicate the **gross basic wage** paid in the reference month, but <u>without compensation for holidays</u> and <u>public holidays</u>, corresponding to the number of working hours entered in the "Employees paid hourly: hours paid in the reference month" column.

```
E.g. person C: Number of paid hours = 50 hours, hourly wage = CHF 30/hour, \Rightarrow basic wage = 50 * 30 = CHF 1,500/month
```

#### **Allowances**

Enter the <u>proportional gross amount</u> of the statutory allowances<sup>18</sup>, the allowances for paid extra hours/overtime<sup>19</sup> (if applicable) as well as other allowances for difficult working conditions or hardship, which corresponds to the work-time percentage in the reference month entered in either the "activity rate" column or the "number of paid hours" column.

#### 13th monthly wage

Please indicate as the 13th, 14th, etc. monthly wage the <u>proportional gross amount</u> corresponding to the activity rate (or numbers of hours paid for employees paid by the hour) in the reference month (e.g. one-twelfth, i.e. 8.33% of the basic wage in the reference month if the 13th monthly wage paid is equal to one month's full pay).

```
E.g. person A, full-time: basic wage = CHF 6,000 / month,

⇒ 13th monthly wage (proportion in reference month) = CHF 6,000/12

= CHF 500.
```

See section A-3.1 of the Appendix for the procedure to follow in the case of strongly fluctuating work-time percentages or <u>unpaid absences</u> (entry or departure from job during the reference period, unpaid leave).

#### **Special payments**

Please indicate the <u>proportional gross amount</u> of the special payments for the reference month (1/12 of the annual amount).

All payments that are paid regularly (monthly) or irregularly (half-yearly, yearly, sporadically), for example bonus payments, gratuities, shares in profit or turnover and participation rights (in accordance with wage statement point 5), commissions, tips, fees, premiums and fringe benefits (in accordance with wage statement points 2.1 to 2.3) are considered to be special payments.

As these are often annual or semi-annual payments, please indicate the pro rata amount for one month of work (i.e. for the activity rate in the <u>reference month</u>).

In other words: specify one-twelfth of the amounts paid during the period of employment in the reference period, i.e. in the 12 months preceding the reference date.

```
E.g. Company X: Reference month = July 2020; reference date = 31.07.2020.

Date special payments were last paid = April 2020.
```

⇒ Special payments to be entered = special payments for April 2020 divided by 12.

**Note**: For details of how to handle share-based employee participations and other long-term, variable elements of remuneration for which the time of accrual and realisation lie far apart, please refer to the detailed explanations in the Appendix (see section A-4.6).

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Excluding night work and Sunday work may be warranted by a company's circumstances, in line with the principle of proportionality, particularly if there is no <u>regular</u> night work (see Appendix **Fehler! Verweisquelle konnte nicht gefunden werden.**).

Overtime compensated by means of an allowance equal to at least one-quarter (25%) of the normal wage in accordance with Art. 321c para. 3 SCO must be taken into account in the wage ('Allowances' column) in the analysis (for exceptions see Appendix A-4.5).

#### 4.3.3 Entering different usual working hours

#### Usual weekly working hours in company (for full-time employees, i.e. activity rate = 100%)

There are two ways to enter the **usual working hours in hours per week** (always for full-time employees, i.e. activity rate = 100%) for <u>employees paid monthly</u>:

- **Entry** for the whole company in the webtool: see section 6 under '<u>Usual weekly working hours in company'</u>. The value entered in step 3 of the webtool, "Additional information", will be applied to all the data sets that are read in.
- **If necessary: Different usual working hours** for individual sites or groups of employees: if the usual weekly working hours for certain employees differ from those for the entire company (especially if they have a contractually agreed different holiday entitlement, see notes in the Appendix), enter the usual working hours in hours per week for an activity rate of 100% in the Excel data sheet, column O.<sup>20</sup>

#### 4.4 Statistical population (employees with special employment contracts)

#### Statistical population

As a rule, all employees should be entered in the data sheet (see section 2.3). However, certain special cases are not taken into account in the analysis. The "statistical population" column defines which employees are included in the analysis and which ones are excluded or not considered.

1 = "Normal" employment contract (normal case, included in the Logib analysis).<sup>21</sup>

For employees with special employment contracts, please enter the following codes:

- 2 = Apprenticeship
- 3 = Traineeship<sup>22</sup>
- 4 = Expat (employee's permanent workplace abroad, contract with Swiss business unit)
- $5 = Other^{23}$

#### **IMPORTANT**:

Persons who work for the company on an agency basis (agency contracts, mandates) without actually being employed by it should also be excluded from the data sheet.

<sup>&</sup>lt;sup>20</sup> Empty fields will automatically be populated with the value entered for usual weekly working hours in company in step 3 of the webtool "Additional information". In the case of different usual working hours, the wages are standardised to 100% in the webtool on the basis of the usual working hours that apply to the majority of the workforce (= mode).

Trainee lawyers, medical residents, doctoral candidates, working students, trainees and other career entrants, for example, are also classed as normal employees to be included in the analysis. Students doing a holiday job are only to be excluded if they are under 15 or if their annual pay is CHF 2,300 or less.

Trainees are only to be excluded from the analysis if their position includes a training component, i.e. if, because of the training, their wage is lower than that of employees doing comparable work, and if they are completing a fixed-term traineeship from which they will graduate within no more than 1 year of receiving their most recent qualification (diploma). Trainee lawyers are to be included in the analysis by default (see footnote 21).

<sup>&</sup>lt;sup>23</sup> Examples of cases to be excluded from the analysis include:

<sup>-</sup> Invalidity insurance recipients whose performance in their <u>current job</u> is limited and who thus receive a reduced wage (e.g. if settling-in allowances or wage bill contributions are granted or they receive active assistance from a job coach).

<sup>-</sup> Employees paid hourly who did not work in the reference month.

<sup>-</sup> Persons who work on an agency/mandate basis (legal relationship different to that of an employment contract)

<sup>-</sup> Inpats (work in Switzerland, contract with business unit abroad)

Please enter the appropriate reason for exclusion in the column entitled "Remarks".

- Employees assigned a 1 are included in the analysis.
- Employees assigned numbers 2 to 5 are excluded from the analysis.

**Empty fields** or missing details in the statistical population column are interpreted by Logib as a 1 (inclusion).

#### 4.5 Remarks (special cases) and optional additional columns

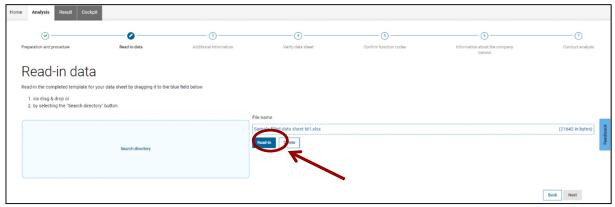
This is where you can enter your notes and remarks on individual employees or all employees (column R) and, if needed, other company-specific information such as function levels, job grades or company divisions (columns S-W). This information merely serves as guidance and not as input for the analysis.

**IMPORTANT:** The structure of the data sheet must <u>not be changed</u>. The columns must remain in the given order. It is not permitted to delete columns. Unused columns should be left blank.

#### 5 Analysis, Step 2: Read-in data

After you have completed and saved the data sheet entitled "Datalist\_e.xlsx" following the explanations given in section 4, you now need to read the data into the webtool and then enter the remaining company information. Do this by following these steps:

- In the "Analysis" menu of the webtool, go to step 2, "Read-in data".
- Read in the completed template for your data sheet by dragging it to the blue field below via drag & drop or by selecting the "Search directory" button.
- The file name for the selected data will appear. To read it in, click on the "Read-in" button.



- A message will appear once the data sheet has been successfully read in. In the example here
  using test data, it says: "Successful read-in of Datalist\_Test\_EN.xlsx with 160 employees."
- Click on "Next". This will take you to step 3 of the analysis, "Additional information" (see section 6).

#### 6 Analysis, Step 3: Additional information

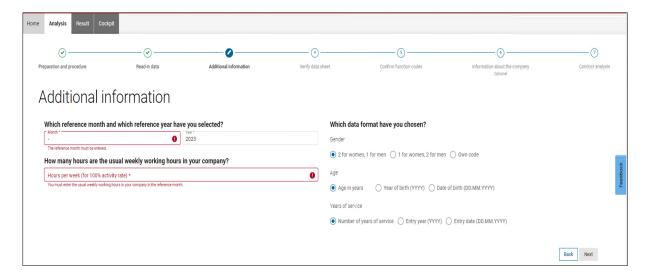
Additional information regarding the data is captured in step 3 of the analysis:

- 1. Which **reference month** and which **reference year** have you selected? Indicate the month and year from which the employee data originates (see also section 2.1).
- 2. How many hours are the usual weekly working hours in your company? Indicate the number of

hours per week for a full-time position (100% activity rate).

**Note:** Any different usual weekly working hours can be entered for individual employees or groups of employees in the Excel data sheet (see section 4.3.3, <u>Usual weekly working hours in company</u> column).

- 3. Which data format have you chosen? Indicate the formats used for your data concerning:
  - Gender: 2 for women, 1 for men (default setting) or your own choice of coding
  - Year of birth: age in the reference month in years (e.g. 23; default setting) or year of birth (e.g. 1982) or date of birth (e.g. 24.03.1982)
  - Years of service: number of years of service in the reference month (e.g. 5; default setting) or entry year (e.g. 2000) or entry date (e.g. 01.06.2000)



4. Click on "Next". This will take you to step 4 of the analysis, "Verify data sheet" (see section 7).

#### Notes:

- You can only read in one file. If you wish to analyse several files together, combine these into a single file prior to importing.
- Use the data sheet template "Datalist\_e" to read in the data. It contains the correct number and sequence of columns A to W.
- As soon as the data has been read in, you can revise and add to the data in the webtool (see section 7).

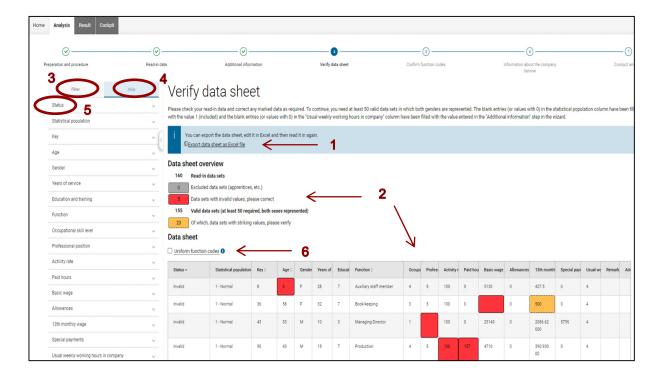
#### 7 Analysis, Step 4: Verify data sheet

Please check your read-in data and correct any marked data as required. Individual items can be changed in the webtool by double clicking on them.

To continue, you need <u>at least 50 valid data sets</u> in which both genders are represented. When you read in a data sheet, the blank entries (or values with 0) in the "Statistical population" column will be filled with the value 1 (included) and the blank entries (or values with 0) in the "Usual weekly working hours in company" column will be filled with the value entered in step 3 of the analysis "Additional information".

Please pay attention to the following points (see screenshot):

- 1. You can **export the data sheet**, edit it in Excel and then read it in again, or you can edit the data directly in the webtool (by double-clicking on it).
- The overview provides pointers to invalid or 'striking' values that must be corrected or checked, and to the number of excluded data sets.



- 3. If you are editing the data directly in the webtool, you have the option of filtering it.
- 4. You can show the explanations and validity criteria for the individual columns via the "Help" menu.
- 5. The system-managed "Status" column provides an overview of the valid data included in the equal pay analysis and thus taken into account. The status is updated following correction of all invalid entries (red fields). The "Status" column is sorted in accordance with the following criteria:
  - "Invalid" refers to data sets for employees to be included (statistical population code 1 or blank; see section 4.4) which fail to meet the validity criteria for one or more cells (red fields).

These cases must be checked and corrected if necessary.

**Example:** For technical reasons, <u>employees paid hourly who did not work in the reference</u> <u>month and therefore did not receive a wage</u> ("Basic wage" column equals zero) are

automatically marked in red/as invalid in the webtool and excluded from the analysis, even if they have been coded in the "Statistical population" column as data sets to be included (see 4.4 Statistical population).<sup>24</sup> For these employees, set all wage components to zero, enter code 5, "Other reason for exclusion", in the "Statistical population" column" and write "not deployed in the reference month" in the "Remarks" field. This will label these employees as "excluded" and they will not appear as "invalid" data sets in the report.

- "Excluded" refers to data sets for employees which are excluded from the analysis by definition (statistical population code 2, 3, 4 or 5; see section 4.4). The validity criteria will not be checked.
- "Valid" refers to data sets for employees to be included (statistical population code 1 or blank) which meet the validity criteria for all the cells (no red fields). These are taken into account in the analysis.
- 6. If you check the "Uniform function codes" box, changes to the level of requirements or the professional position will be applied to all people performing the same function. The existing values will be overwritten.

Once you have cleaned up the data, click on "Next". This will take you to step 5 of the analysis, "Confirm function codes" (see section 8).

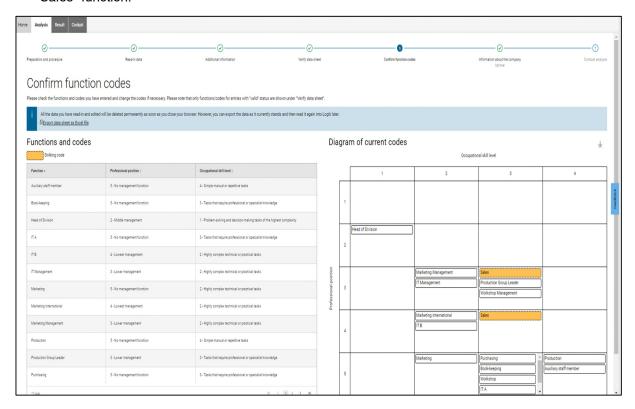
\_

<sup>&</sup>lt;sup>24</sup> The analysis can nevertheless be performed.

#### 8 Analysis, Step 5: Confirm function codes

Please check the functions and codes you have entered and change the codes if necessary. If adjustments are required, these must always be made in step 4 "Verify data sheet".

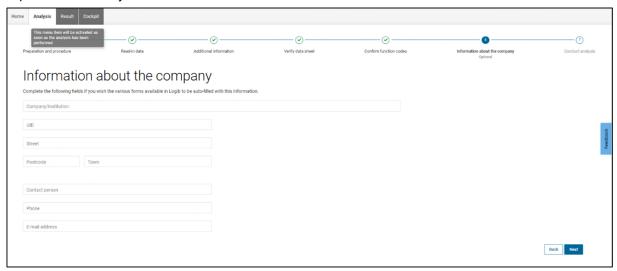
- Please note that only functions / codes for entries with "valid" status according to step 4 of the analysis "Verify data sheet" are shown (see section 7).
- If you have allocated a different professional position or different level of requirements to a function (see section 4.2), this function will be marked in yellow as a "striking code". See for example the "Sales" function.



Once you have cleaned up the data, click on "Next". This will take you to step 6 of the analysis, "Information about the company" (see section 9).

#### 9 Analysis, Step 6: Information about the company

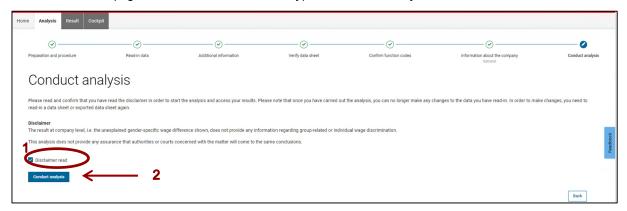
Fill in the following fields if you wish this data to be entered automatically in various reports and forms available in Logib. This is particularly important for the formal review by an audit company or employee representative body.



Click on "Next". This will take you to step 7 of the analysis, "Conduct analysis".

#### 10 Analysis, Step 7: Conduct analysis

1. When you have checked all the information and made any changes necessary, read the **Disclaimer** (legal notice/exclusion of liability) and confirm that you have done so.



- 2. Click on "Conduct analysis".
- 3. You will be taken directly to the "Result" menu (see section 11).

#### Note:

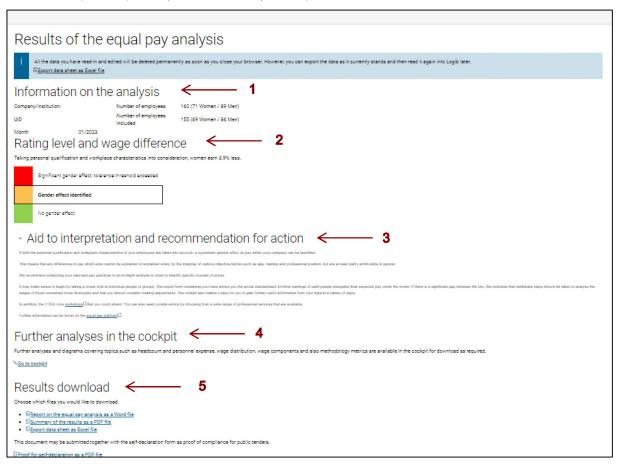
You can export the data as it currently stands at any time, save it locally and then read it back into Logib later. Exporting the data and saving it locally as an export file is recommended as all the data you have read in and edited will be deleted permanently from the server as soon as you close your browser. To make sure the data is also deleted locally, empty your computer's browser cache once you have finished conducting the analysis.

#### 11 Result of the equal pay analysis

Once the analysis has been completed, you will be taken directly to the "Result of the equal pay analysis" menu. This provides you with a summary of the most important results plus links to pages with further information.

#### 11.1 Information on the page "result"

The most important points (see screenshot) are explained below:



- 1. **Information on the analysis:** Alongside the name of the company and its UID, as given in step 6 of the analysis, and the reference month, you can see the total number of employees (women and men) as well as the number of employees included in the analysis (valid cases, see section 7, "Status" column).
- 2. **Rating level and wage difference:** This is where the key finding of the equal pay analysis is presented. > For further information on interpretation, see section 11.2.1
- **3. Aid to interpretation and recommendation for action:** This section briefly explains the result, lists recommendations for action and points to additional information.
- 4. **Further analyses in the cockpit:** Further analyses and diagrams covering topics such as headcount and personnel expense, wage distribution, wage components and also methodology metrics are available in the "**Cockpit**" menu for download as required (see section 11.2).
- 5. Results download: You can download the following documents here:
  - Report on the equal pay analysis as a Word file entitled "Report"
  - Summary of the results as a PDF file entitled "Summary"
  - Export data sheet as an Excel file entitled "Export file"

- Proof of compliance for self-declaration for public tenders

Alongside explanations of the key results and reports, you can also find further aids to interpreting selected topics.

#### 11.2 "Cockpit" menu

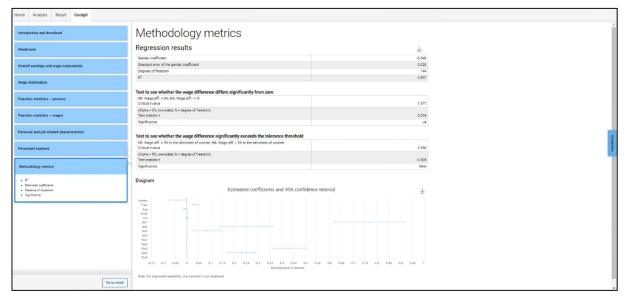
Further analyses and diagrams covering topics such as headcount and personnel expense, function value and wage, wage distribution, wage components and also methodology metrics (see section 11.2.1) are available in the "cockpit" menu.

You can also download the following files here:

- 1. Export all tables and certain diagrams from the cockpit as an Excel file: This is where you receive all the information on the various topics mentioned in Excel format.
- Export data sheet as Excel file: The export file contains your data with additional columns (see section 11.2.2)

#### 11.2.1 Methodology metrics

The **methodology metrics** (see screenshot) will now be explained:



- Gender coefficient: = coefficient of the variable for gender (if negative, this means that women earn less than men with otherwise equivalent qualifications; if positive, this means that women earn more than men with otherwise equivalent qualifications)
- Standard error of the gender coefficient
- Degrees of freedom. Degrees of freedom (df) are a statistical measure and depend both on the number of independent observations (i.e., the number of employees included in the analysis) as well as the parameters or regressors considered in the regression equation: df = number of valid cases (observations) minus the number of regressors minus 1.
- R² ("R-squared"). R-squared is a measure of the accuracy of adjustment of the regression model. It does *not* refer to gender-specific wage equality, *but* stands for how much the model explains. The R-squared value lies between 0 and 1 (or 0% and 100%) and indicates how much of the variability (distribution) of the wages can be explained by the model. In general: the higher R-squared, the better wage variability in the company is explained by the factors considered in the model.

- Difference from zero test: Key figures from the two-tailed t-test which verifies whether the gender coefficient varies in a statistically significant way from 0, where "Significance" (yes/no) means:
  - "Yes": there is a statistically significant unexplained wage difference between women and men.
  - "No": there is no statistically significant unexplained wage difference between women and men.
  - "Statistical significance" provides information on the extent to which a given result is statistically reliable.
- Tolerance threshold test: Key figures from the one-tailed t-test, which verifies whether the gender coefficient is statistically significantly smaller than -0.05 (if negative) or statistically significantly greater than 0.05 (if positive), where "Significance" (yes/no) means:
  - "Yes": The wage difference between women and men statistically significantly exceeds the tolerance threshold of +/- 5%.
  - **"No":** The wage difference between women and men is statistically significantly lower than the tolerance threshold of +/- 5% or is not statistically significantly higher.
- Diagram "Estimated coefficients and 95% confidence interval": Here the coefficients of all
  explanatory variables and the corresponding 95% confidence interval are shown. If a confidence
  interval overlaps the value 0, the influence of the corresponding characteristic is not statistically
  significant if there is no overlap with 0, the coefficient and thus the influence of the characteristic
  is significant.

This affects the meaning of the traffic light system (green/amber/red) in the "Result of equal pay analysis" menu (see section 11.1) as follows:

- A "green result" means there is no statistically significant unexplained wage difference between women and men. The gender coefficient is not statistically significantly different from zero ("Difference from zero test": significance = no).
- An "amber result" means the gender coefficient is statistically significantly different from zero, but not statistically significantly larger than the tolerance threshold of a +/-5% difference in wages ("Difference from zero test": significance = yes, but "Tolerance threshold test": significance = no).
- A "red result" means the gender coefficient statistically significantly exceeds the tolerance threshold of +/-5% (both tests: significance = yes).

#### 11.2.2 Export data sheet: Explanation of the additional columns Y, Z, AA

On successful completion of the analysis, you can export the data sheet as an Excel file (see section 11.1, point 5, Results download). The "General information" sheet of the **export file** contains general information about the reference month and usual weekly working hours in company, which does not have to be re-entered if the data is read in again. Alongside the columns A to W, which were read into and possibly also processed in the webtool, and column X ("Status"; see section 11.1), which was added by the system, the "Individual information" sheet contains three **additional columns Y, Z and AA**:

- "Total earnings standardised to usual weekly working hours in company" (column Y)
- "Estimated gender-neutral gross wages" (column Z)
- "Difference between actual and estimated gender-neutral gross wages" (column AA)

These will be filled in by the webtool following successful completion of the analysis:

- Column Y shows the wage standardised to full-time and the most frequent usual weekly working hours in company, i.e. the total earnings including all wage components. For every employee included in the analysis, columns Z and AA indicate how high the estimated individual wage for a respective profile would be as estimated by the regression model on the basis of the information available (personal and workplace, i.e. job-related, characteristics and wages actually paid) in all the data sets that were read-in if the gender factor were not taken into account in the regression model and how much these estimated gender-neutral overall earnings deviate from the actual, full-time standardised wages.
- Column Z shows the result of a model estimate without the gender factor, taking into account only
  the differences in personal qualification characteristics (education/training, length of service and
  potential professional experience) and workplace characteristics (level of requirements and
  professional position).
- Column AA indicates the percentage deviation of the actual total earnings standardised to usual
  weekly working hours in company (column Y) in comparison with the wages calculated by the
  gender-neutral model (column Z): A positive value means that the actual wage is higher than the
  calculated wage, while a negative value means that the actual wage is lower than the calculated
  wage.

This information allows you to deliberately identify individual employees who earn considerably more or less than other employees with comparable qualifications (measured against the Logib explanatory factors). This may alert you to any potential individual cases in which wages are too high or too low.<sup>25</sup>

Even if the overall result at company level is good, it generally always makes sense to analyse these individual deviations. Because even if the statistical method used does not find any indication that women and men are, *on average*, not being paid the same for work of equal value, it is still possible that some individuals are receiving too low (or too high) a wage compared to employees with comparable qualifications. Identifying these individuals helps you take swift and targeted corrective action.

You can also use this information to check and validate the correctness of the data that has been entered: sort the data in column AA first by A to Z then by Z to A. That way, you can identify any wages that are too low / too high as the result of a data input error. Correct the data and repeat the analysis.

#### A-1 General information and personal characteristics in greater depth

#### A-1.1 Reference month

As the reference month can influence the equal pay analysis, particular note should be taken of the following circumstances within your company:

- If your company makes special payments (e.g. bonuses or participations in profit), a suitable reference month would be one close in time to when these are paid. This is because the special payments made in the 12 months immediately preceding the reference date must be taken into account in the Logib analysis. Consciously choosing the reference month in this way facilitates correct data entry, especially for companies with a relatively high proportion of special payments: leaving too long a period between the time at which special payments are made and the reference month increases the likelihood that the work-time percentage taken into account will no longer be the same as at the time the special payment was made, and that the data will therefore have to be adjusted manually.
- If your company experiences periodic fluctuations in its deployment of staff (e.g. seasonal work with an above-average amount of that work being performed during weekends, or occasional increased deployment of employees paid on an hourly basis), it can make sense to choose a reference month that more accurately represents your "usual" operations (e.g. not a month in which an unusually high or low number of employees paid hourly worked and received pay in the reference month, or a month in which an unusually high or low number of hours were worked by employees paid hourly).

#### Notes:

- Accrual versus realisation principle: As a rule, the realisation principle applies when entering the wage components. This should be remembered when determining the reference month. Realisation constitutes the moment in which the claim to payment is realised and clearly defined, i.e. the amount of the payment is known. In other words, the realisation principle also applies where there is a claim to a clearly defined amount of payment, even if it has not yet been paid out in the reference month (e.g. in the case of bonuses or special payments, where the claim is realised in the reference month and defined as an amount, even if the payment is not made until later). Where there is merely a contractual claim to a future payment, the amount of which is not yet known (e.g. in the case of bonuses/special payments for new hires, even if they would be entitled to a pro rata amount on leaving the company during the year), the claim is deemed not to have been realised. The accrual principle may be used in exceptional cases (see section A-4.6 of the Appendix).
- The reference month for controls carried out in the public procurement system is determined by the authority responsible following a set procedure.

#### A-1.2 Entering education and training

- For diplomas obtained abroad, please enter the code of the equivalent education in Switzerland.
- <u>Certain qualifications</u> (e.g. Swiss Federal Proficiency Certificate, Master's) <u>and/or continuing</u> <u>professional development courses</u> (e.g. CAS, MAS) may, in part, be <u>requirements for accessing</u> <u>functions that are particularly demanding or higher up the business hierarchy</u>. If employees receive a higher salary only when they perform a function that is graded higher or better paid, and not merely because they have a diploma, please make sure that the value of the function being performed at the time of the analysis is correctly reflected using the codes for the function-related characteristics of level of requirements (complexity of tasks) and professional position (degree of responsibility) (see section 4.2).<sup>26</sup>

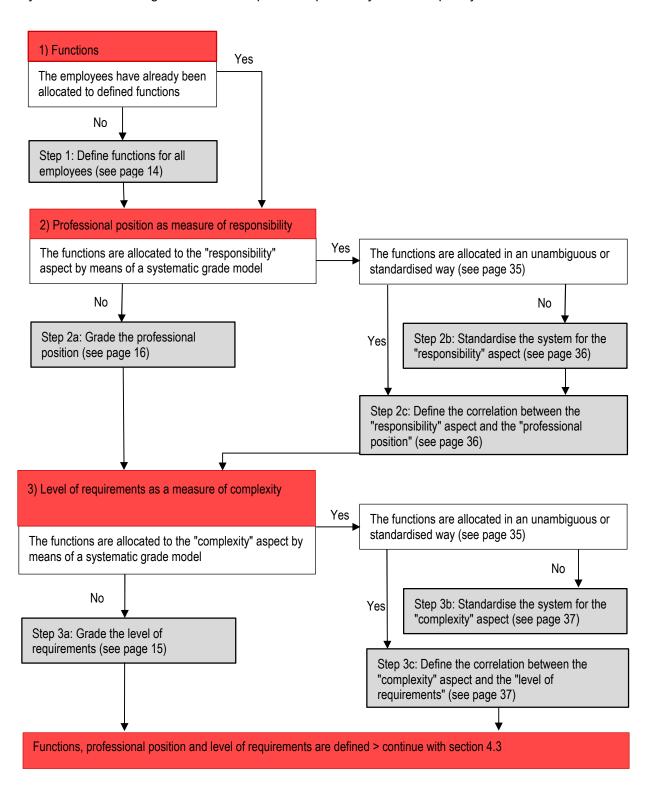
Particularly in the case of <u>MAS or MBA diplomas</u>, given the considerable work involved and increased entry requirements for studying towards these diplomas, employers may – if this information is available and, optionally, in line with the company's practice – code these particular forms of advanced education <u>in the same way as a Master's degree</u>. This can make sense especially if the fact that someone holds such a degree influences their pay without them performing a higher-graded function.

•

<sup>1.</sup>e. in the case of employees who, at the time of the analysis thanks to further training, for example, perform a more demanding and/or higher paid function requiring a greater degree of responsibility, the function-related characteristics of level of requirements and/or professional position will be coded higher than in the case of employees whose level of education is formally the same or who have respective further training but who, at the time of the analysis, (still) occupy a function that is graded and paid lower.

#### A-2 Function-related characteristics in greater depth

Depending on the situation, different steps need to be completed. Use the diagram below to determine your situation with regard to the two aspects "responsibility" and "complexity":<sup>27</sup>



In companies that are organised according to the holocracy model, the most complex tasks or activities that the employees carry out or the activities that are associated with the highest demands or the highest responsibility are relevant for the allocation of the functions (and their allocation to LRQ and PP).

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#### "Unambiguity" or "consistency" of function grades

#### Unambiguity: each function has an unambiguous grade

Each function is unambiguously allocated to a grade. The same grade matrix applies across all the functions. As a rule, all employees who perform the same function have the same grade (if there are exceptions they can be justified in individual cases).

Matrix	Function U	Function V	Function W	Function X	Function Y	Function Z
10						
9	one variant					
8		one variant				
7						
6				one variant		
5						one variant
4					one variant	
3						
2			one variant			
1						

#### Consistency: Function chains with a consistent matrix

Functions may range across multiple grades. The grades describe various variants. A standardised matrix applies across all the functions (e.g. variant I of function U [grade 6] is comparable with variant II in function V [because it is also at grade 6]). Employees are allocated to the grade in the matrix in accordance with their variant.

Matrix	Function U	Function V	Function W	Function X	Function Y	Function Z
10	Variant V					
9	Variant IV	Variant V				
8	Variant III	Variant IV				
7	Variant II	Variant III				Variant V
6	Variant I	Variant II		Variant V	Variant V	Variant IV
5		Variant I	Variant V	Variant IV	Variant IV	Variant III
4			Variant IV	Variant III	Variant III	Variant II
3			Variant III	Variant II	Variant II	Variant I
2			Variant II	Variant I	Variant I	
1			Variant I			

#### No consistency: Function chains without a consistent matrix

Functions may range across multiple grades. The grades describe several variants within a function. There is no systematic scheme (yet) that defines which variants are comparable across all the functions.

Function U	Function V	Function W	Function X	Function Y	Function Z
Variant V					
Variant IV	<b>↑</b>				
Variant III	Variant V		1		1
Variant II	Variant IV		Variant V	1	Variant V
Variant I	Variant III	1	Variant IV	Variant V	Variant IV
	Variant II	Variant V	Variant III	Variant IV	Variant III
	Variant I	Variant IV	Variant II	Variant III	Variant II
	<b>↓</b>	Variant III	Variant I	Variant II	Variant I
		Variant II	<b>↓</b>	Variant I	<b>.</b>
		Variant I		<u></u>	

#### Step 2b: Standardise the scheme for the "responsibility" aspect

<u>Starting point:</u> Your company has a grade model that distinguishes the different degrees of responsibility within each function (e.g. by hierarchical level for management functions, by project budget for project management functions, by managed turnover volume for sales functions, etc.) However, these grades are not standardised across the various functions.

<u>Procedure:</u> Define a matrix in which the variants at a particular grade are comparable in terms of "responsibility" across all the functions.

Example of a company with 6 grades (for illustrative purposes: does not have to apply to your situation)

Matrix for "responsibility"	Management functions	Project management functions	Sales functions		
1					
6	Level IV				
5	Level III			1	1
4	Level II	Project budget III	Volume III	III	III
3	Level I	Project budget II	Volume II	Ш	II
2		Project budget I	Volume I	1	I
1				<u> </u>	<b>‡</b>

Required documentation:

- Documents on existing grade model(s) for "responsibility"
- Considerations on standardisation across the various functions
- For each person: indicate the allocated grade in the additional column in the personnel system

#### Step 2c: Correlate the "responsibility" scheme with the "professional position" matrix

<u>Starting point:</u> There is a standardised (calibrated) grade model that defines grades with a comparable degree of "responsibility" across all functions.

<u>Procedure:</u> Use content-based considerations to define which "responsibility" grades should correlate to which variant of the "professional position" matrix.

Example of a company with 7 grades (for illustrative purposes: does not have to apply to your situation)

Matrix "responsibility"		Professional position
7	1	Employees with highest level of responsibility (top management)
6	1	
5	2	Employees with high level of responsibility (middle management)
4	3	Employees with added responsibilities (lower management)
3	4	Employees with minor added responsibilities (lowest management)
2	5	Employees with no added responsibilities (employees with no management function)
1	5	

Required documentation:

- Documents on the existing grade model(s) for "responsibility" [including calibration considerations across the various functions]
- Content-based considerations to correlate the existing grades to the five-grade matrix (justification of the steps taken between the individual grades)
- For each person: indicate the allocated grade in the additional column in the personnel system

## Step 3b: Standardise the scheme for the "complexity" aspect

<u>Starting point:</u> Your company has a grade model that distinguishes the differing degrees of complexity within each function (e.g. within each function – junior, senior, expert, professional). These grades are not standardised across the various functions (in the example: the grades have the same name in each function but a junior in function A performs less complex tasks than a junior in function B).

<u>Procedure:</u> Define a matrix in which the variants at a particular grade are comparable in terms of "complexity" across all the functions.

Example of a company with 6 grades (for illustrative purposes: does not have to apply to your situation)

Matrix for "complexity"	Function A	Function B	Function C		
i					
6		Professional		1	<b>↑</b>
5	Professional	Expert		Professional	Professional
4	Expert	Senior	Professional	Expert	Expert
3	Senior	Junior	Expert	Senior	Senior
2	Junior		Senior	Junior	Junior
1			Junior	<b>↓</b>	<b>↓</b>

Required • documentation: •

- Documents on existing grade model(s)
- Considerations on standardisation across the various functions
- For each person: indicate the allocated grade in the additional column in the personnel system

# Step 3c: Correlate the "complexity" scheme with the "level of requirements " matrix

<u>Starting point:</u> There is a standardised (calibrated) grade model that defines the grades with a comparable degree of "complexity" across all the functions.

<u>Procedure:</u> Use content-based considerations to define which "complexity" grades should correlate to which variant of the "Level of requirements" matrix.

Example of a company with 8 grades (for illustrative purposes: does not have to apply to your situation)

Matrix for "complexity"		Level of requirements
8	1	Activity with problem-solving and decision-making tasks of the highest complexity;
7	1	position involving extremely demanding and difficult tasks
6	2	A 6 9 20 12 11 1 - 1 - 1 6 - 14 - 1
5	2	Activity with highly complex technical or practical tasks; position that requires very independent and skilled work
4	2	position that requires very independent and stated work
3	3	Activity with tasks that require professional or specialist knowledge;
2	3	position that requires professional/technical knowledge
1	4	Activity with simple manual or repetitive tasks; position with simple and/or repetitive tasks

Required documentation:

- Documents on existing grade model(s) for "complexity"
   [including calibration considerations across the various functions]
- Content-based considerations to correlate the existing grades into the four-grade matrix (justification of the steps taken between the individual grades)
- For each person: indicate the allocated grade in the additional column in the personnel system

# A-3 Coherency of data in greater depth

# A-3.1 Coherency of work-time percentage and wage

The importance of ensuring <u>comparability among employees</u> in a company-level equal pay analysis is covered in Logib by both the personal data and workplace characteristics, and by the use of a consistent pay specification.

At the same time, however, the <u>comparability</u> and <u>coherency</u> of the data for each individual <u>employee</u> is also relevant, as the wage components for all employees are converted to a standardised and thus comparable basis when conducting an equal pay analysis using the standard analysis tool Logib. To make the data comparable in this way, Logib converts the wage components entered for all employees to a full-time equivalent. This standardisation process is performed on the data entered by you under 'usual weekly working hours in company' and 'usual annual working hours for employees paid hourly' (see section 4.3.3).

#### Example:

E.g. person A, 80% work-time percentage:

Actual basic wage in accordance with work-time percentage in reference month: CHF 4,000

(amount entered by you divided by 80 then multiplied by 100)

Standardisation thus presupposes that the information entered for each individual employee in relation to work-time percentage and wage components is coherent. In this respect, it is important to remember that not all of the wage components to be included in the equal pay analysis necessarily refer to the same reference period. On the one hand, the special payments to be included always refer to a period covering the 12 months immediately preceding the reference date or the number of months worked during this period ("reference year"). On the other, allowances may also refer to the reference year in exceptional cases. The table below makes this clear:

		Reference period for equal pay analysis			
Data / wage component	Usual payment frequency	Reference month	"Reference year"		
Personal data	n/a	х			
Workplace characteristics	n/a	х			
Work-time percentage	n/a	х			
Basic wage	regular	х	(1)		
Allowances	as a rule, regular (depending on activity)	х	(1)		
13th monthly wage	regular	x (2)	(1)		
Special payments	irregular		X		

- (1) In exceptional cases (e.g. due to strong seasonal fluctuations), the allowances should be entered as a monthly average relating to the 12 months immediately preceding the reference date ("reference year") or the number of months worked in that period. If you do so, please make sure that the amount of the allowances corresponds to the work-time percentage/number of hours in the reference month (i.e. that the data is coherent). Alternatively, in this situation you can also enter the work-time percentage/paid hours, basic wage and 13th monthly wage as a monthly average for the reference year in the same way as allowances in order to ensure coherency.
- (2) The timing of these payments will vary from company to company (e.g. yearly, half-yearly or quarterly). Regardless, if a 13th monthly wage is paid, it must be included in the equal pay analysis on a pro rata basis in relation to the basic wage for the reference month, i.e. 1/12 of the (partly theoretical) annual amount based on the basic wage entered for the reference month.

Accordingly, if the activity rate or number of hours worked by an individual employee changed in the course of the reference year and wage components which must be included for that period were paid, this must be taken into account to ensure coherency. In this case, the proportionate amount of the wage components in question (usually special payments) must refer to the work-time percentage/hours worked in the reference month and be converted coherently if applicable.

Therefore, all workplace-related changes (e.g. entry/departure, career breaks etc.) that had an effect on the wage components during the reference period must be noted in the "Remarks" column in Logib.

In addition, if any special payments or allowances are paid which are not dependent on the activity rate (e.g. "general season ticket"), coherency must be ensured. For part-time employees or employees paid hourly, the data must be entered in coherent (i.e. reduced) form to make sure these amounts are not automatically standardised to a full-time equivalent along with the other wage components. These wage components are calculated proportionally, whether artificially or manually, as follows:

E.g. person B, 50% work-time percentage:

General season ticket (1x in the reference month): CHF 200 per month

Amount to be entered by you:

CHF 100 per month for a 50% work-time

percentage

Standardised amount (automatically in Logib): CHF 200 (amount entered ÷ 50, then x 100)

Below you will find some **examples** of what to do in certain cases:

• Change in activity rate during the year for employees paid monthly: check whether the proportion of the 13th (14th or "nth") monthly wage, allowances and special payments was calculated correctly according to the activity rate in the reference month.

Example for a person who reduced their activity rate from 100% to 80% as of 1 October. If you have chosen December as the reference month for control purposes, the proportion of special payments for this month is:

[annual amount of special payments/((9\*100)+(3\*80))\*80].

The amount is thus divided by 9 months at 100% and 3 months at 80% and then multiplied by the activity rate in the control month, which in this case is 80%. For the 13th monthly wage, it is sufficient to divide the basic wage of the reference month by 12.

- Fluctuating number of hours from month to month for employees paid hourly: check whether the proportion of the 13th (14th or "nth") monthly wage, the allowances and special payments were recorded in accordance with the number of paid hours during the reference month.
- Change in basic wage during the year, e.g. in the case of a promotion: check whether the proportion of the 13th (14th or "nth") monthly wage was calculated correctly according to the activity rate and the (new) function in the reference month.
  - Example for a person who has received a pay rise in the last 12 months: check that the proportion of the 13th monthly wage equals one-twelfth of the basic wage.
- Partial or complete absences during the month (illness, accident, maternity, military service, short-time work etc.) which result in a reduction in the wage paid: the corresponding contractually agreed wage for the activity rate is given. This means that for an activity rate of 100%, the normal (contractual) 100% wage is given (instead of a reduced wage due to absences).

• Entry or departure during the month due to unpaid leave or following an entry or departure: the corresponding (contractually) agreed wage for the activity rate is given. Also check whether the proportion of the 13th monthly wage and the special payments corresponds with the activity rate (see first point).

Example for a person who started their job in the middle of the month with an activity rate of 80%: enter 80% as the work-time percentage and the contractual monthly wage for the 80% job.

A mix of regular employees paid monthly and employees paid per lesson (incl.
compensation for preparation and follow-up), e.g. teachers or course leaders: either convert the
number of lessons to "regular hours" (i.e. including preparation and follow-up time) or calculate
the activity rate.

## A-3.2 Different holiday entitlement

In certain cases, a higher entitlement to annual leave must be taken into account in the equal pay analysis by means of a correction to the usual working hours:

A) Higher holiday entitlement is governed by the individual employment contract (and is not purely age-dependent): If individual employees or a group of employees are entitled to more holidays and this entitlement does not arise by law or result from generally valid, purely age-dependent rules (personnel regulations, standard employment agreements, etc.), the usual working hours must be corrected for the persons in question using the following formula:

Corrected usual working hours in hours per week

= usual working hours in hours per week \*((52-X)/52) / ((52-Y)/52),

where

X = difference in holiday entitlement in weeks<sup>28</sup>

Y = normal (most frequent) holiday entitlement in weeks

E.g: difference in holiday entitlement X = 5 weeks, normal holiday entitlement Y = 4 weeks, usual working hours = 42 hours per week:

=> Corrected usual working hours = 42 \* ((52-5)/52) / ((52-4)/52) = 41.125

**B)** Higher holiday entitlement is <u>age-dependent</u>: If the different holiday entitlement is linked solely to the employee's age, the additional annual leave does not have to be taken into account in the equal pay analysis.

### A-3.3 Short-time work

In the case of short-time work due to partial unemployment<sup>29</sup>, enter the <u>actual</u> activity rate during the reference month (because, in this case, the basic wage and all other wage components for employees paid monthly are indicated according to the actual activity rate excluding any compensation for short-time work).

Hours to be entered include: hours worked and paid in full; fully paid "lost" hours e.g. due to a doctor's appointment, military service, holiday, absence due to accident or illness, short-time working

The correction formula is based on the information being given in additional weeks of annual leave. An additional day's holiday equals 0.2 weeks, two days equal 0.4 weeks, etc.

<sup>&</sup>lt;sup>29</sup> Employees paid monthly who did not work in the reference month due to short-time working are included in the analysis with their contractually agreed wage and activity rate.

compensation from unemployment insurance etc. Hours worked in the reference month but not yet paid (e.g. hours paid on a quarterly basis) must also be entered.

If a person did not receive their full wage for the reference month due to unpaid leave, short-time work or joining or leaving the company, the basic wage and all other components should be entered in accordance with the specified activity rate for the full month.

For hours worked in the reference month but not yet paid, please also enter the wage that corresponds to the number of hours worked entered in column J.

**Please note:** If employees receive both a monthly wage and an hourly wage, the full wage and full work-time percentage must be entered (either converted to an overall activity rate or to the total number of paid hours).

Notes on entering allowances in the case of seasonal fluctuations and/or employees with working hours that vary from month to month:

- Enter the average amount (one-twelfth of the gross annual amount), i.e. the proportional amount
  of the amounts paid out during the employment period in the reference year (in the 12 months
  before the reference date).
- For employees who have been working at the company for less than a year, enter the monthly average since they joined the company.
- Please make sure that the amount of the allowances corresponds to the activity rate entered or to
  the specified number of hours paid in the reference month. <u>If applicable, and especially if work-time</u>
  percentages fluctuate widely, enter the work-time percentage and all the wage components as a
  monthly average (relating to the last 12 months before the reference date) so that the work-time
  percentage (hours paid) and wages are coherent.<sup>30</sup>

## A-4 Elements of remuneration in greater depth

## A-4.1 The term 'pay', inclusion/exclusion of remuneration elements

The <u>principle of equal pay applies to total pay</u>, as discrimination can occur in various wage components. However, the meaning of the term 'pay' (German: *Lohn*) has been variously defined in legislation, case law and doctrine for a variety of purposes. Thus, in addition to the definition accordance with Art. 8 para. 3 Cst. and Art. 3 GEA, which serves as the basis for equal pay analyses but is somewhat rudimentary from a legal and case law perspective, there are further definitions under Swiss employment, social insurance and tax law, for example. None of the definitions of pay used in these areas of law can be adopted unchanged for equal pay analysis purposes.

In light of the revisions to the Gender Equality Act that were passed in 2018, the FOGE commissioned a legal opinion which examines the current legal framework specifically for equal pay analysis purposes.

In this respect, the pay specification arrived at on this basis establishes a clear basis and describes which remuneration elements are relevant to a gender-based equal pay analysis and how, specifically, these are to be taken into account. In doing so, the pay specification also gives due consideration to the principle of proportionality that applies in public law: this means that the time and effort invested by

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For companies with regular night work, the following should be noted: In addition to the allowances paid, compensation in time for permanent or periodic night work (compensatory leave) should be taken into account when entering the activity rate and/or usual working hours (see also the notes in section 4.3.3).

individual companies in their equal pay analyses must be reasonable in relation to the evidence they are being asked to provide. Moreover, the Logib standard analysis tool is meant to facilitate a standardised equal pay analysis that does not call for any specialist knowledge. It therefore follows that, in certain business constellations, certain elements of remuneration can be checked to see whether they may justifiably be excluded. If there are binding and contractual rules in place, an exclusion may be justified particularly if the elements of remuneration in question make up a very small proportion of the total wage and including them would impose a considerable extra administrative burden.

As a rule, discrimination can occur with respect to all wage components (basic wage incl. 13th monthly wage, allowance, special payments). According to doctrine and case law, variations in pay are non-discriminatory if they can be justified by objective, non-discriminatory factors. These factors must not discriminate between the sexes, either directly or indirectly<sup>31</sup>. Objective criteria are non-gender-specific criteria that influence the value of the work (e.g. education, age, experience, job-related tasks, the demands of the job). In the context of company-level equal pay analyses, individual pay elements must therefore be included especially if they have a certain potential for discrimination.

To counter this, the pay specification is based on an assessment procedure that determines whether a certain element of remuneration should be taken into account in the equal pay analysis.

### Assessment procedure: The term 'pay' for company-level equal pay analysis purposes

For the purposes of performing an equal pay analysis, all elements of remuneration should be taken into account if they qualify as pay under the existing doctrine and case law on Art. 8 para. 3 Cst. and Art. 3 GEA, or if current case law demonstrates a clear willingness to recognise the element of remuneration in question as pay.

If there is any doubt as to whether an element of remuneration qualifies as pay within the meaning of Art. 8 para. 3 Cst. and Art. 3 GEA, it should be taken into account in the equal pay analysis if

- it is recognised as pay in another area of law or constitutes another non-monetary benefit connected to the employment relationship
- the element of remuneration has either direct or indirect potential for discrimination, and
- the employer is entitled to exercise discretion in allotting and/or measuring the element of remuneration in question.

As a rule, this leads to the assumption that the element should be taken into consideration as a wage component for equal pay analysis purposes. This also applies if a question cannot be answered clearly in accordance with the assessment procedure.

Therefore, the majority of remuneration elements used in Switzerland can be **included or excluded unambiguously** from the equal pay analysis by all companies on the basis of this assessment

Direct discrimination: Practices or policies (e.g. regulations or CLAs) that make direct discriminatory reference to gender when measuring pay and allocating pay grades. Indirect discrimination: Practices or formally gender-neutral policies that lead to one sex being treated less favourably than the other. I.e., if a criterion has a greater impact on women or men because of their gender, thus leading to their receiving lower wages with no objective justification for the difference (e.g. paying lower hourly wages to part-time employees; this arrangement may appear formally objective, but the fact that 80% of part-time workers are women means that women will be unilaterally disadvantaged by it).

procedure:

Group 1: Remuneration elements to be included

Group 2: Remuneration elements to be included

Among the remuneration components generally to be included within group 1, those for which an exclusion can be considered in individual cases<sup>32</sup> are marked with an asterisk (\*).

The following explanations are intended to assist employers by illustrating the individual steps in the assessment procedure that must be taken before possibly deciding to exclude remuneration elements from group 1.

i. **Wage statement check:** Exclude remuneration element if it is not listed on the wage statement (expenses do not qualify as pay and are thus generally to be excluded).

**Explanation**: Business realities within the company may mean that certain pay elements are not listed on the wage statement or that they are declared as expenses (e.g. flat-rate representation expenses). If declared as expenses, excluding them may be justified in individual cases.

- ii. **Check of rules and discretion**: if remuneration elements are to be seen *a priori* as a wage component on the basis of legal interpretation and *all* of the following criteria are met, exclusion may be justified in individual cases.
  - Entitlement to and payment of the remuneration element in question is subject to <u>binding</u> rules (e.g. personnel regulations, legislation) based on <u>non-discriminatory</u>, <u>objective</u> factors
  - The employer does not have any <u>direct or indirect discretion</u> in the matter, i.e. in respect of <u>measuring</u> or <u>allotting</u> the amount in question.
- iii. **Check of rules, relevance and proportionality**: if remuneration elements are to be seen *a priori* as a wage component on the basis of legal interpretation and *all* of the following criteria are met, exclusion may be justified:
  - The remuneration element is basically statutory and
  - the remuneration element amounts to only a small proportion of total pay and
  - the remuneration element is paid only sporadically and/or to only a very small proportion of employees and
  - taking the remuneration element into account would impose a disproportionate extra administrative burden in ensuring coherency (e.g. overtime/extra hours or irregular night work).

**Explanation**: There are some elements of pay which legal interpretation dictates must be considered a priori as a wage component, because they generally have the potential to lead to discrimination within the meaning of the Gender Equality Act. However, a large number of companies have made these pay elements the subject of binding rules (e.g. generally valid personnel regulations) based on objective, non-discriminatory factors and cannot use any discretion in relation to them (i.e. the employer cannot exercise discretion either in measuring the amount or defining the group of beneficiaries). In these cases, the applicable rules governing the remuneration elements in question should be checked for discrimination potential before the respective elements are excluded. In addition, there are a few pay elements which have a direct influence on the activity rate / hours worked

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Employers assume sole responsibility for any consideration they make of the possibility of excluding individual remuneration components. The Federal Office for Gender Equality does not advise employers on this and does not validate any exclusions of remuneration components.

in the reference month and which are also subject to binding and generally statutory rules, but which nevertheless have the potential for indirect discrimination as the employer can exercise discretion in allotting them (e.g. overtime or night work). To ensure coherency and thus comparability in these cases, the work-time percentage / hours worked by the employees in question would have be adjusted. This would result in the remaining wage components also having to be converted in order to avoid any distortion in standardisation. The considerable extra effort involved may be unreasonable if these pay elements make up only a small proportion of the total wage and are sporadic in nature (in relation to payment and/or proportion of employees). Exclusion may, therefore, be justified.

# A-4.2 Detailed overview of most common pay elements

Because it is not possible to fully cover all the pay elements that actually occur in practice and their individual designations, the detailed overview focuses on the pay elements according to the Swissdec standard (in bold with the ELM standard code in [square] brackets<sup>33</sup>) as well as other pay elements that are substantial to the underlying analyses (not in bold). In the interests of clarity, the following detailed overview lists only the most common pay elements in groups 1 and 2.

A detailed list of all known pay elements follows in section A-4.7.

The detailed overview also shows how each pay element is to be classified:

Caption	Wage component	Comments
1	Basic wage	Paid regularly (usually monthly)
2	Allowances	Generally regularly (paid depending on workload)
3	13th monthly wage	-
4	Special payments	Paid irregularly/at longer intervals

Some pay elements can be assigned in various ways depending on how frequently they are usually paid. Certain pay elements are to be classified *a priori* as part of the basic wage or as allowances. However, if they only occur very irregularly/sporadically (e.g. one payment per year), they should be included as special payments. In other words, the monthly average in the "reference year" is taken into account, thus avoiding representative fluctuations in the payments. Accordingly, two wage components are listed for these pay elements (e.g. 1/4).

### In principle, the following applies:

- Pay elements that are neither explicitly listed in the table nor in section A-4.7 should also be included if they could potentially result in direct or indirect discrimination.
- Generally, if a wage component is listed on the wage statement, it should be included (e.g. fringe benefits as per points 2.1 to 2.3 of the wage statement and participation rights as per wage statement point 5), while wage components not listed in the wage statement or that qualify as expenses are not included.
  - Table of most common pay elements (following pages)

<sup>&</sup>lt;sup>33</sup> In accordance with the Swissdec Guidelines for the Swiss payroll standard (ELM), version 4.0.

Group	Most common pay elements [ELM standard code]  1 = Pay elements to be included  2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
1	Monthly wage [1000]	1			
1	Hourly wage – paid regularly [1005]	1			Leave/public holiday allowances to be excluded
1	Post-specific allowances (1031)	1			
1	Substitution allowance (1032)	1			
1	Lump-sum benefit (subject to AHV) (1411)	1/4			Take account of the regular nature of the payment
1	Inconvenience allowance (1074)	2/4			Take account of the regular nature of the payment
1	Hardship allowance (1101)	2/4			Take account of the regular nature of the payment
1	13th monthly wage / 14th monthly wage / nth monthly wage (1200)	3			
1	Bonus (1201)	4			N.B.: Ensure coherency
1	Bonus payment (1210)	4			N.B.: Ensure coherency
1	Profit participation (1211)	4			N.B.: Ensure coherency
1	Employee participations (German: Mitarbeiterbeteiligungen)	4			See Appendix section A-4.6 on practical application
1*	Childcare (allowance/discount/payment of costs)	1	Χ		
1*	Fixed expenses	1	Х	Х	Exclude if approved rules on expenses
1*	Lunch cheque	1/4	Х	Х	Take account of the regular nature of the payment
1*	Parking space (free at place of work)	1/4	Χ		Take account of the regular nature of the payment
1*	General season ticket/route season ticket for non-business travel	1/4	X	Χ	N.B.: Ensure coherency
1*	Company car (personal portion) (1910)	1/4	Χ		Take account of the regular nature of the payment
1*	Mobile phone call/subscription costs (personal portion, paid by employer)	1/4	Χ		Take account of the regular nature of the payment
1*	Gym subscription (payment/discount)	1/4	Х	X	Take account of the regular nature of the payment
1*	Reka discount (up to max. CHF 600/year)	1/4		X	Take account of the regular nature of the payment
1*	Long-service awards (1230)	4		X	
1*	Education/training costs (work-oriented) (1980)	4	Х		
1*	Birth allowance (3032)	4		Х	
1*	Marriage allowance (3033)	4		Х	

Group	Most common pay elements [ELM standard code]  1 = Pay elements to be included  2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
1*	Overtime hours 125% (1061)	2/4		Х	Relevance check for unreasonable burden ('proportionality')
1*	Overtime (1065)	2/4		×	Relevance check for unreasonable burden ('proportionality')
1*	Shift allowance (1070) <sup>R</sup>	2		Х	Check of relevance and proportionality
1*	Standby duty compensation (1071) <sup>R</sup>	2		X	Check of relevance and proportionality  N.B.: Ensure coherency
1*	Sunday allowance (1073)	2		X	Relevance check for unreasonable burden ('proportionality')
1*	Extra work (1060)	1/4		X	Relevance check for unreasonable burden ('proportionality')
1*	Night duty allowance (1075) <sup>R</sup>	2/4		Х	Check of relevance and proportionality
1*	Night allowance (1076)	2		×	Relevance check for unreasonable burden ('proportionality')
2	Payment in lieu of leave (when exiting company) (1162)	-			
2	Military service exemption (pay)	-			
2	Accident pay (1300)	-			
2	Sickness pay (1301)	-			
2	Military/civil service pay (1302)	-			
2	Allowances beyond regulatory requirements (e.g. non-mandatory family allowances)	-			
2	Care allowance (3034)	-			
2	Actual expenses	-			
2	Per diem	-			
2	Child allowance (3000)	-			

R = Pay element under review

Note: All known pay elements in groups 1 and 2 are listed in the Appendix, section A-4.7.

# A-4.3 Exclusion of remuneration elements based on the principle of proportionality

There are strict limits on the exclusion of remuneration elements based on the principle of proportionality (see section A-4.1). Only those remuneration elements which have a direct impact on the actual activity rate or number of hours worked in the reference month in particular, thus making it much more difficult to ensure data coherency, come into consideration. Specifically, these are – depending on the circumstances – compensation for night work or Sunday work and for overtime/extra hours.

# A-4.4 Night work and Sunday work

It is to be expected that, in companies which do <u>not</u> fall under Ordinance 2 of 10 May 2000<sup>34</sup> to the Employment Act (EmpO 2), night work and Sunday work will as a rule occur only sporadically, if at all, and can be excluded by applying the principle of proportionality. Exclusion is generally not justified on the basis of general custom (or lack thereof) within the sector. In every case, exclusion must be justified by the specific business realities and must be implemented consistently and thus coherently.

Compensation in time for night work and Sunday work, after review of relevance and proportionality, must be recorded as follows, depending on the sector:

• Companies with regular night work: For companies with regular night work, the following should be noted: In addition to the allowances paid, compensation in time for permanent or periodic night work (compensatory leave) should be taken into account when entering the activity rate and/or usual working hours. Companies in sectors exempted from the rules set out in the SCO, i.e. in which night work and Sunday work form part of the normal work organisation, such as hospitals, must, after review of relevance and proportionality, take the compensation in time for night work into account when entering the activity rate and must enter the compensation in pay in the "Allowances" column. Compensation in time leads to higher individual hourly wages, because the usual weekly working hours in company are reduced in the reference month while the wage stays the same. A specific calculation example:

Person A has contractual usual weekly working hours in company of 40 hrs/week or 40 hrs  $\times$  4.33 weeks = 173.2 hrs/month.

In the reference month, they work 5 nights à 8 hours = 40 hours.

Person A receives a time credit of 10%, i.e. 4 hours, for these 40 hours of night work.

This time credit of 4 hours is now deducted from the 173.2 hours of monthly working time, i.e. in the reference month only 169.2 hours need to be worked to receive a full wage.

169.2 hrs divided by 4.33 wks = 39.1 hrs usual weekly working hours in company in the reference month incl. time credit to be entered for Person A in the data sheet template.

For a person who works part-time, e.g. 80%, the formula is as follows:

138.6 (working time 80%) – 3.2 (time credit on 80%) = 135.4.

Then: 135.4 divided by 4.33 weeks = 31.3.

Finally: 31.3 divided by 80 multiplied by 100 = 39.1 hours of weekly working time to be entered in the data sheet.

 Companies with sporadic night work/Sunday work: Compensation in time for night work and Sunday work does not have to be entered if it is sporadic, only awarded to a small proportion of the workforce and the effort involved in converting it would be unreasonable.

<sup>34</sup> SR **822.112** 

### A-4.5 Overtime / extra hours

Compensation for overtime / extra hours must be recorded as follows, depending on the sector:

- Record overtime with 125% allowance and convert accordingly: Overtime compensated by means of an allowance equal to at least one-quarter (25%) of the normal wage in accordance with Art. 321c para. 3 SCO must be taken into account in the wage ("Allowances" column) in the analysis. The amount entered here must correspond to the allowance (i.e. usually 25%).
- **Do not record overtime if payment equals 100% (without allowance):** Overtime or extra hours paid without an allowance do not have to be entered.

# A-4.6 Share-based employee participations and other long-term, variable elements of remuneration

Share-based employee participations and other long-term, variable elements of remuneration regularly qualify as a wage component in various areas of law. As employers have discretion in allotting these elements of remuneration and this discretion can be exercised in a discriminatory fashion, the assessment procedure states that employee participations are to be included in the equal pay analysis (generally as a "special payment" and thus as a monthly pro rata amount for the reference year or number of months worked in the reference year).

However, employee participations are generally problematic because the time of accrual (time at which the element is allotted/granted) and time of realisation (time at which the element is exercised/sold or received/converted) can sometimes be several years apart.

This gives rise to two key problems for equal pay analysis purposes:

- Comparability: Because of the very long time gap between accrual and realisation, including
  employee participations increases the risk that the amount taken into account at the time of
  realisation will refer to a function that is no longer held by the employees in question, which will
  mean it is no longer comparable or fit for purpose.
- **Employer's discretion**: As a rule, the time of realisation is at the employees' discretion. Therefore, chance plays a role in determining whether, and which, employees realise their participations in the period covered by the analysis. In addition, employee participations are often linked to securities (real or fictitious): therefore, their value at the time of realisation also depends on that security. However, random values have no place in the equal pay analysis.

Therefore, based on the previously cited legal opinion and by way of exception, the time of accrual should serve as the basis for including employee participations which are not realised at the same time as the right to them is accrued (e.g. in the case of a lock-up period or vesting clause). This also applies *mutatis mutandis* to other long-term, variable elements of remuneration (e.g. blocked/deferred bonuses, bonus banks). This approach is in keeping with the assessment procedure, which states that disputed elements of remuneration should only be taken into account if the employer has some discretion in this respect and could exercise such discretion in a discriminatory manner (in relation to the amount and/or group of beneficiaries).

The time of accrual for these employee participations is generally the time at which they are allotted. Options can be valued at the time of accrual in accordance with the various known pricing methods, e.g. the Black-Scholes method<sup>35</sup>.

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A programme for calculating option prices can be found on Eurexchange, for example: http://www.eurexchange.com/static/dav/Option\_master/de/index.html

### **Example: Voluntary share savings plan**

Background: A company gives all its employees the opportunity to invest up to 15% of their wages on a voluntary basis in shares at a preferential price. According to the Guideline, the wage component "Employee participations" falls into category "A" and therefore <u>must</u> be included. In line with the explanations above, the <u>time of accrual</u> can serve as the basis here. In other words, the pay to be included in the analysis is that which the employees would have received if they had not bought any shares.

### A-4.7 Detailed overview of known remuneration elements

In addition to the extract of most common pay elements in section A-4.2, there now follows a list of all known pay elements in the same two groups:

Group 1: Pay elements to be included

Group 2: Pay elements to be excluded

# As a rule, the following applies:

- Pay elements that are not explicitly listed in section A-4.2 or in the following table should be included if they could potentially result in direct or indirect discrimination.
- Generally, if a pay element is listed on the wage statement, it should be included (e.g. fringe benefits as per points 2.1 to 2.3 of the wage statement and participation rights as per wage statement point 5), while pay elements not listed in the wage statement or that qualify as expenses are not included.

Among the remuneration components generally to be included within group 1, those for which an exclusion can be considered in individual cases are marked with an asterisk (\*); see section A-4.1.

> **Table:** Known remuneration elements (following pages)

Group	Known pay elements [ELM standard code]  1 = Pay elements to be included  2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
1	Monthly wage [1000]	1			
1	Hourly wage – paid regularly [1005]	1			Leave/public holiday allowances to be excluded
1	Daily wage (1006)	1			
1	Weekly wage (1007)	1			
1	Fees (1010)	1/4			
1	Piecework wage (1018)	1			N.B.: Ensure coherency
1	Members of authorities or committees (1021)	1			
1	Wage for temporary work (1015)	1			
1	Wage for work from home (1016)	1			
1	Cleaning wage (1017)	1			
1	Education and training (wage during education and training) (1303)	1			
1	Lectures (wage based on number of lectures) (1330)	1			N.B.: Ensure coherency
1	Cancelled lectures (wage based on number of paid lectures cancelled) (1340)	1			N.B.: Ensure coherency
1	Commission (1218)	1/4			Always: use monthly average
1	Attendance bonus (1219)	1/4			Take account of the regular nature of the payment
1	Length of service allowance (1030)	1			N.B.: ≠ anniversary/long-service award
1	Post-specific allowances (1031)	1			
1	Substitution allowance (1032)	1			
1	Inflation allowance (1034)	1			
1	Accommodation allowance (1050)	1			
1	Vom AG übern. AN-Anteil KTG	1/4			Take account of the regular nature of the payment
1	BVG (employee portion paid by employer) (1972)	1/4			Take account of the regular nature of the payment
1	BVG additional purchase (employee portion paid by employer) (1973)	1/4			Take account of the regular nature of the payment
1	Health insurance (employee portion paid by employer) (1974)	1/4			Take account of the regular nature of the payment

Group	Known pay elements [ELM standard code]  1 = Pay elements to be included  2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
1	Supplementary accident insurance (employee portion paid by employer) (1975)	1/4			Take account of the regular nature of the payment
1	Pillar 3b (employee portion paid by employer) (1976)	1/4			Take account of the regular nature of the payment
1	Pillar 3a (employee portion paid by employer) (1977)	1/4			Take account of the regular nature of the payment
1	Social insurance (employee contributions voluntarily paid by employer, e.g. AHV, IV, EO, ALV, pension fund, etc.)	1/4			Take account of the regular nature of the payment
1	Withholding tax/tax (paid by employer) (1978)	1/4			Take account of the regular nature of the payment
1	Lump-sum benefit (subject to AHV) (1411)	1/4			Take account of the regular nature of the payment
1	Additional compensation for work on call	2			N.B.: Ensure coherency
1	Inconvenience allowance (1074)	2/4			Take account of the regular nature of the payment
1	Construction site allowance (1100)	2/4			Take account of the regular nature of the payment
1	Hardship allowance (1101)	2/4			Take account of the regular nature of the payment
1	Risk allowance	2/4			Take account of the regular nature of the payment
1	Dirty work allowance (1102)	2/4			Take account of the regular nature of the payment
1	Dust allowance (1103)	2/4			Take account of the regular nature of the payment
1	Underground work allowance (1104)	2/4			Take account of the regular nature of the payment
1	13th monthly wage / 14th monthly wage / nth monthly wage (1200)	3			
1	Progress premium (1110)	4			
1	Breakthrough premium (1111)	4			
1	Endurance premium (1112)	4			
1	Joining premium (1130)	4			
1	Bonus (1201)	4			N.B.: Ensure coherency
1	Christmas allowance (1202)	4			N.B.: Ensure coherency
1	Bonus payment (1210)	4			N.B.: Ensure coherency
1	Profit participation (1211)	4			N.B.: Ensure coherency
1	Special allowance (1212)	4			N.B.: Ensure coherency

Group	Known pay elements [ELM standard code]  1 = Pay elements to be included 2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
1	Success bonus (1213)	4			N.B.: Ensure coherency
1	Performance bonus (1214)	4			N.B.: Ensure coherency
1	Merit bonus (1215)	4			N.B.: Ensure coherency
1	Premium for improvement suggestion (1216)	4			N.B.: Ensure coherency
1	Turnover bonus (1217)	4			N.B.: Ensure coherency
1	Recruitment fee	4			N.B.: Ensure coherency
1	Damage prevention bonus (1250)	4			N.B.: Ensure coherency
1	Severance payment (exempt from AHV) (1400)	4			N.B.: Ensure coherency
1	Severance payment	4			N.B.: Ensure coherency
1	Lump-sum benefit of a provident nature (1410)	4			
1	Employee participations (German: Mitarbeiterbeteiligungen)	4			See Appendix section A-4.6 on practical application
1	Exam compensation (for exams passed)	4			
1	Sabbatical (payment)	4			N.B.: Ensure coherency for employees on sabbatical
1*	Travel compensation (1055)	1	Χ	X	N.B.: Ensure coherency
1*	Local allowance (1033)	1	Χ	X	
1*	Childcare (allowance/discount/payment of costs)	1	Χ		
1*	Fixed expenses	1	Χ	Χ	Exclude if approved rules on expenses
1*	Tips (subject to AHV) (1920)	1/4	Χ		Take account of the regular nature of the payment
1*	Lunch cheque	1/4	Χ	X	Take account of the regular nature of the payment
1*	Parking space (free at place of work)	1/4	Х		Take account of the regular nature of the payment
1*	General season ticket/route season ticket for non-business travel	1/4	Х	X	N.B.: Ensure coherency
1*	Relocation allowance (1056)	1/4	Х	X	
1*	Free meals/meals at workplace (1900)	1/4	Х	X	Take account of the regular nature of the payment
1*	Free accommodation (1901)	1/4	Х	X	Take account of the regular nature of the payment
1*	Company car (personal portion) (1910)	1/4	Х		Take account of the regular nature of the payment

Group	Known pay elements [ELM standard code]  1 = Pay elements to be included  2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
1*	Parking space (at home for company car)	1/4	Х	Х	Take account of the regular nature of the payment
1*	Personal discount (discounts/free handouts of non-in-house products)	1/4	Χ		Take account of the regular nature of the payment
1*	Flat fee for office work / Flat-rate allowance for working from home	1/4	Χ		Take account of the regular nature of the payment
1*	Mobile phone call/subscription costs (personal portion, paid by employer)	1/4	Χ		Take account of the regular nature of the payment
1*	Petrol card (petrol purchases) without company car	1/4	Х		Take account of the regular nature of the payment
1*	Discount on accommodation rental (1950)	1/4	Χ		Take account of the regular nature of the payment
1*	Clothing compensation	1/4	Χ		Take account of the regular nature of the payment
1*	Cleaning of clothing	1/4	Χ		Take account of the regular nature of the payment
1*	Massage (payment/discount)	1/4	Х	Х	Take account of the regular nature of the payment
1*	Gym subscription (payment/discount)	1/4	Χ	X	Take account of the regular nature of the payment
1*	Health examination (voluntary)	1/4	Χ	X	Take account of the regular nature of the payment
1*	Professional association (contribution)	1/4	Χ	X	Take account of the regular nature of the payment
1*	Reka discount (up to max. CHF 600/year)	1/4		X	Take account of the regular nature of the payment
1*	Reka provision for free	1/4		X	Take account of the regular nature of the payment
1*	WIR (discount/free)	1/4	Χ	Х	Take account of the regular nature of the payment
1*	Maternity benefit, regulatory/non-mandatory	1/4	Χ		Take account of the regular nature of the payment
1*	Payment of collective employment agreement deduction/union contribution by employer	1/4	Χ	Х	Take account of the regular nature of the payment
1*	Losses from property sale/asset sale/partner income (compensation)	1/4	Χ		Take account of the regular nature of the payment
1*	Currency losses	1/4	Χ		Take account of the regular nature of the payment
1*	School/kindergarten/boarding school (payment of costs)	1/4	Х		Take account of the regular nature of the payment
1*	Support in exceptional circumstances	1/4	Х		Take account of the regular nature of the payment
1*	Emergency leave	1/4	Х		Take account of the regular nature of the payment
1*	Security costs	1/4	Х		Take account of the regular nature of the payment
1*	Accommodation cleaning costs	1/4	Х		Take account of the regular nature of the payment
1*	Furniture allowance/leasing	1/4	Х		Take account of the regular nature of the payment

Group	Known pay elements [ELM standard code]  1 = Pay elements to be included  2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
1*	Household insurance	1/4	Х		Take account of the regular nature of the payment
1*	Kitchen equipment/appliances	1/4	Χ		Take account of the regular nature of the payment
1*	Renovations (beginning/end of rental agreement)	1/4	Χ		Take account of the regular nature of the payment
1*	Storage costs	1/4	Χ		Take account of the regular nature of the payment
1*	Ancillary costs	1/4	Χ		Take account of the regular nature of the payment
1*	International payment transaction (payment of fees)	1/4	Χ		Take account of the regular nature of the payment
1*	Private use of company property	1/4	Χ		Take account of the regular nature of the payment
1*	Support for partner's career	1/4	Х		Take account of the regular nature of the payment. If only for expats = exclusion.
1*	Intercultural training/language course (employee)	1/4	Х		Take account of the regular nature of the payment. If only for expats = exclusion.
1*	Intercultural training/language course (partner)	1/4	Х		Take account of the regular nature of the payment. If only for expats = exclusion.
1*	Look and see trip	1/4	Х		Take account of the regular nature of the payment. If only for expats = exclusion.
1*	Relocation costs (actual or flat fee)	1/4	X		Take account of the regular nature of the payment. If only for expats = exclusion.
1*	Accommodation costs, temporary	1/4	X		Take account of the regular nature of the payment. If only for expats = exclusion.
1*	Transport insurance (relocation)	1/4	Х		Take account of the regular nature of the payment. If only for expats = exclusion.
1*	Hypo tax, home country	1/4	X		Take account of the regular nature of the payment. If only for expats = exclusion.
1*	Tax advisor fees	1/4	Χ		Take account of the regular nature of the payment
1*	Private use of driver (payment of costs)	1/4	Χ		Take account of the regular nature of the payment
1*	Travel home (flat fee or actual)	1/4	Х		Take account of the regular nature of the payment. If only for expats = exclusion.
1*	Household allowance (3031)	2		Χ	
1*	Assignment allowance (1072)	2/4	Х	X	Depending on how regularly the allowance or special payment is paid
1*	Staff awards	4		X	
1*	Long-service awards (1230)	4		X	

Group	Known pay elements [ELM standard code]  1 = Pay elements to be included 2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
1*	Anniversary awards (1231)	4		Х	
1*	Loyalty bonus (1232)	4		X	
1*	Fine (payment)	4		Х	
1*	Employee discount	4	Χ	Х	Take account of the regular nature of the payment
1*	Education/training costs (work-oriented) (1980)	4	Χ		
1*	Adoption of repayment obligation (for education and training)	4	Χ		
1*	Waiver of repayment obligation (for education and training)	4	Χ		
1*	Waiver of loan repayment (for education and training)	4	Χ		
1*	Interest-free loan (for education and training)	4	Χ		
1*	Retraining costs	4	Χ		
1*	Work-related private losses (compensation)	4	Χ		
1*	1*usiness events (incentivising)	4	Χ		Take account of the regular nature of the payment
1*	Driving licence transfer (payment of costs)	4	X		Take account of the regular nature of the payment expenses = exclusion.
1*	Travel cancellation at employer's request (payment of fees)	4	X		Take account of the regular nature of the payment damages = exclusion.
1*	Compensation for damaged luggage (for business travel)	4	X		Take account of the regular nature of the payment expenses = exclusion.
1*	Customs duties	4	X		
1*	Birth allowance (3032)	4		X	
1*	Marriage allowance (3033)	4		X	
1*	Overtime hours 125% (1061)	2		X	Relevance check for unreasonable burden ('proportionality')
	Overtime (1065)	2		X	Relevance check for unreasonable burden ('proportionality')
1*	Shift allowance (1070) <sup>R</sup>	2		Х	Check of relevance and proportionality
1*	Standby duty compensation (1071) <sup>R</sup>	2		Х	Check of relevance and proportionality  N.B.: Ensure coherency
1*	Sunday allowance (1073)	2		X	Relevance check for unreasonable burden ('proportionality')

Group	Known pay elements [ELM standard code]  1 = Pay elements to be included 2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
1*	Extra work (1060)	1/4		Х	Relevance check for unreasonable burden ('proportionality')
1*	Night duty allowance (1075) <sup>R</sup>	2/4			Check of relevance and proportionality
1*	Night allowance (1076)	2		Х	Relevance check for unreasonable burden ('proportionality')
2	Monthly wage – correction for back payment of prior months	-			Contractual wage reference month relevant
2	Monthly wage – correction for work not done	-			Contractual wage reference month relevant
2	Wage compensation based on minimum wage requirements or place of work/country of work	-			
2	Members of authorities and commissions (1021)				Are not to be included as members of authorities are not in an employment relationship (see section 2.3)
2	Cost of living allowance for family (1040)	-			
2	No-show compensation (1131)	-			
2	Leave payout (irregular hourly wage)	-			
2	Leave compensation (1160)	-			
2	Public holiday compensation (1161)	-			
2	Payment in lieu of leave (when exiting company) (1162)	-			
2	Military service exemption (pay)	-			
2	Accident pay (1300)	-			
2	Sickness pay (1301)	-			
2	Military/civil service pay (1302)	-			
2	Hours of absence (wage for number of paid hours of absence) (1316)	-			
2	Social security contribution by employer for social insurance abroad	-			
2	Social security contribution by employer if double contributions in Switzerland and abroad	-			
2	Fire brigade wage	-			
2	Fire brigade training compensation	-			
2	Fire brigade compensation	-			

Group	Known pay elements [ELM standard code]  1 = Pay elements to be included  2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
2	Bridging pension for early retirement	-			
2	Net wage compensation (in the case of daily benefits) (2051)	-			
2	Allowances beyond regulatory requirements (e.g. non-mandatory family allowances)	-			
2	Care allowance (3034)	-			
2	Actual expenses	-			
2	Inflated expenses	-			
2	Per diem	-			
2	Relocation costs for expatriates	-			
2	Visa/passport/work permit	-			If required for work (e.g. 2nd passport)
2	Hours of absence, unpaid (1320)	-			
2	Continued pay after death (1429)	-			
2	Directors remuneration (1500)	-			
2	Directors compensation (1501)	-			
2	Directors attendance fee (1503)	-			
2	Directors bonus (1510)	-			
2	Benefits in kind for expatriates (1953)	-			
2	Income compensation daily allowance (2005)	-			
2	Military service fund (MDK) (2005)	-			
2	Military service supplement fund (MEK) (2010)	-			
2	Parifonds contribution (2015)	-			
2	Military insurance daily allowance (2020)	-			
2	Military insurance pension (2021)	-			
2	Disability insurance daily allowance (2025)	-			
2	Disability insurance pension (2026)	-			
2	Accident daily allowances (2030)	-			

Group	Known pay elements [ELM standard code]  1 = Pay elements to be included 2 = Pay elements to be excluded	Wage component	Wage statement check	Relevance check	Comments on how to apply in practice
2	Accident pension (2031)	-			
2	Daily sickness allowance (2035)	-			
2	Maternity benefit (2040)	-			
2	Daily allowance correction (2050)	-			
2	Wage deduction, short time work/bad weather (monthly wage) (2060)	-			
2	Wage deduction, short time work/bad weather (hourly wage) (2065)	-			
2	Unemployment insurance compensation (2070)	-			
2	Waiting day, short time work/bad weather (2075)	-			
2	Child allowance (3000)	-			
2	Child allowance paid directly by AHV compensation fund (3035)	-			

R = Pay element under review

# A-5 Amendment history

## Guideline version 2023.2 (November 2023)

 The remuneration elements shift allowance [1070], Standby duty compensation [1071] and Night duty allowance [1075] are labelled as «under review» and assigned to category 1\* until the review is completed, so that they can be temporarily reviewed solely for their relevance and proportionality.

## Guideline version 2023.1 (February 2023)

- Update of screenshots based on actual version of Logib
- Revision of chapter structure
- Colum « Skill level » renamed to « Level of requirements »
- Content adjustments and clarifications regarding of capitation fees, on-call service, recording of special payments (realisation principle)
- Updating of various calculation examples for the recording of special cases