Instructions for the formal evaluation of the wage equality analysis with the standard analysis tool Logib

As required under Art. 13*c* para. 2 of the Gender Equality Act (GEA) the Confederation provides employers with a free standard analysis tool Logib for conducting wage equality analyses. The instructions for the formal evaluation of a wage equality analysis conducted with the standard analysis tool Logib are provided by the Federal Office for Gender Equality (FOGE) as per Art. 3 para. 2 of the Ordinance on the Evaluation of the Wage Equality Analysis).

These instructions are intended for independent bodies as set out in Art. 13*d* GEA who evaluate the wage equality analysis in accordance with Art. 13*a* GEA on behalf of the employer.

1. General information on the audit

1.1. Task

As per Art. 13*d* GEA, employers subject to the Code of Obligations must have their wage equality analysis evaluated by an independent body. For this they can choose between:

a) An auditing company licensed in accordance with the provisions of the Federal Act of 16 December 2005 on the Licensing and Oversight of Auditors;
b) An organisation pursuant to article 7 of the GEA or an employee representative as defined in the Federal Information and Consultation of Employees in the Workplace Act of 17 December 1993.

In the case of an evaluation by a licensed auditing company (Art. 13*e* GEA) an order confirmation must be supplied. If the evaluation is performed by an organisation pursuant to Art. 7 GEA or an employee representative, the employer enters into an agreement with the organisation or employee representative on the procedure[1] of the evaluation and the report to the management of the company (Art. 13f GEA).

Document	Audit
Order confirmation or agreement on the evaluation procedure	☐ Submitted ☐ Not submitted (not fulfilled)

1.2. Legal entity of the wage equality analysis

Employer:	
UID:	
Address:	
Number of employees*:	
Contact:	

**excluding apprentices*

[1] The agreement may also state that the evaluation will be performed in collaboration with a licensed auditing company.

1.3. Evaluation of the wage equality analysis by an independent body

☐ An auditing company licensed in accordance with the provisions of the Federal Act of 16 December 2005 on the Licensing and Oversight of Auditors (Art. 13*d* para. 2 (a) GEA)

Auditing company:	
UID	
FAOA no.	
Address:	
Head auditor:	
Training course attended on:*	
Evaluation order received on:	
Evaluation performed on:	

** The auditor must provide the client with verification of attendance of a training course on the evaluation of wage equality analyses.*

☐ An organisation pursuant to article 7 of the GEA or an employee representative in accordance with the Federal Information and Consultation of Employees in the Workplace Act of 17 December 1993 (Art. 13*d* para. 2 (b) GEA)[2]

Organisation:	
Agreement date:	
Evaluation order received on:	
Evaluation performed on:	

[2] The employer enters into an agreement with the organisation as per article 7 or the employee representative on the evaluation and reporting process for the attention of the management of the company.

2. Formal evaluation of the wage equality analysis

2.1. Audit of the required documentation

In order for a careful evaluation of the wage equality analysis to be performed, the employer must submit all the required documentation and supply the required information (Art. 13*e* para. 1 GEA). Audit confidentiality as per the Code of Obligations Art. 730*b* para. 2 applies in this context.

Document	Audit
Full wage equality analysis data as per to the guide to the standard analysis tool Logib	☐ Submitted ☐ Not submitted (not fulfilled)
Wage equality analysis report Logib based on the wage equality analysis data	☐ Submitted ☐ Not submitted (not fulfilled)
Verifications relating to the statistical population to be evaluated (non-exhaustive list): • Recapitulation from the payroll system • Verification of changes in reference month • Employees excluded (especially apprentices)	☐ Submitted ☐ Not submitted (not fulfilled)

Evaluation result (point 2.1)

Evaluation result of the submitted documents	☐ Fulfilled ☐ Not fulfilled

2.2. Check if the wage equality analysis was conducted within the legally prescribed time period

The amendment to the Gender Equality Act and the Ordinance on the audit of the equal pay analysis came into force on 1 July 2020. Companies with 100 or more employees had to conduct the first internal wage equality analysis by the end of June 2021 at the latest. The evaluation of the wage equality analysis had to be done by the end of June 2022 at the latest (Art. 13e para 3 GEA) and the employees and shareholders had to be informed of the result of the wage equality analysis by the end of June 2023 at the latest (Art. 13*g* and Art. 13*h* GEA).

Employers who employ 100 or more employees for the first time at the start of any year shall conduct an internal equal pay analysis for that year (Art. 13a para 1 GEA). Furthermore, employers whose initial equal pay analysis indicated that equal pay requirements were not met, shall repeat the analysis after four years (Art. 13a para 2 GEA). Employers may be subject to the obligation to conduct an analysis until 2032 if they reach the threshold of 100 employees.

Checklist	
Did the employer have 100 or more employees at the beginning of the year (excluding apprentices)?	☐ Yes Obligation to conduct a wage equality analysis applies ☐ No No obligation to conduct a wage equality analysis
Was the wage equality analysis performed for the year in question? *(Reference month between January and December of the year in question)?*	☐ Yes ☐ No (not fulfilled)
Was the internal wage equality analysis performed by the end of the respective calendar year at the latest?	☐ Yes ☐ No (not fulfilled)

Evaluation result (point 2.2)

The wage equality analysis was performed within the legally prescribed time period	☐ Fulfilled ☐ Not fulfilled

2.3. Check if there is proof that the wage equality analysis was conducted in accordance with a scientifically rigorous and legally compliant method

The Declaration of Conformity for the Standard Analysis Tool Logib was produced by the Federal Office for Gender Equality (see https://www.ebg.admin.ch/en/equal-pay-analysis-with-logib) and does not need to be checked again. You can use this checklist.

Evaluation result (point 2.3)

There is proof that the wage equality analysis was conducted in accordance with a scientifically rigorous and legally compliant method	☐ Fulfilled *The wage equality analysis was conducted with the Confederation's standard analysis tool Logib (Art. 13c para. 2 GEA)* ☐ Not fulfilled

2.4. Check if all employees were recorded in full

The analysis must include all the employees who were employed by the employer in the reference month. The lowest independent legal entity is the determining factor[3]. An independent legal entity is deemed to be an operating unit with an independent legal corporate form (e.g. AG, GmbH or a company subsidiary). This does not include facilities, branches, branch offices, affiliates, business units etc. where these do not have an independent legal corporate status.

Number of employees		
	Wage equality analysis	Payroll accounting
Reference month		
Men		
Women		
Total		

Check if all employees were recorded in full	
Does the number of persons recorded in the wage equality analysis for the reference month correspond to the actual number of employees?	☐ Yes ☐ No
Were the members of management included in the data (e.g. if on a separate payroll)	☐ Yes ☐ No (not fulfilled)

<u>Evaluation result (point 2.4)</u>

All employees were recorded in full	☐ Fulfilled ☐ Not fulfilled

[3] See the Standard Analysis Tool Logib Guideline

2.5. Check if all wage components were recorded in full

The following wage components must be included in the wage equality analysis according to the term 'pay' used in the instructions provided in the Standard Analysis Tool Logib:

Data that must be provided for all employees <u>in full and be valid</u>	
Wage component	Evaluation
Basic wage (including regular wage components, including proportion of fringe benefits and participation rights)	☐ Recorded ☐ Not recorded (→ not fulfilled) ☐ Wage component not included
13th, 14th monthly wage, if applicable	☐ Recorded ☐ Not recorded (→ not fulfilled) ☐ Wage component not included
Allowances if applicable (e.g. hardship allowances, extra pay for difficult working conditions)	☐ Recorded ☐ Not recorded (→ not fulfilled) ☐ Wage component not included
Special payments which are paid irregularly (e.g. bonuses, premiums)	☐ Recorded ☐ Not recorded (→ not fulfilled) ☐ Wage component not included

<u>**Evaluation result (point 2.5)**</u>

All wage components were recorded in full	☐ Fulfilled ☐ Not fulfilled

2.6. Check if all the required details, including personal and function-related characteristics were recorded in full

Data that must be recorded for all employees if applicable	
Data	Evaluation
Key	☐ Recorded ☐ Not recorded (→ not fulfilled)
Year of birth / age	☐ Recorded ☐ Not recorded (→ not fulfilled)
Gender	☐ Recorded ☐ Not recorded (→ not fulfilled)
Years of service	☐ Recorded ☐ Not recorded (→ not fulfilled)
Education and training	☐ Recorded ☐ Not recorded (→ not fulfilled)
Function	☐ Recorded ☐ Not recorded (→ not fulfilled)

Level of requirements **(used in Logib module 1 only)**	☐ Recorded ☐ Not recorded (→ not fulfilled) ☐ Function related characteristic not required (analysis with Logib module 2)
Professional position **(used in Logib module 1 only)**	☐ Recorded ☐ Not recorded (→ not fulfilled) ☐ Function related characteristic not required (analysis with Logib module 2)
Usual weekly working hours	☐ Recorded ☐ Not recorded (→ not fulfilled)

Data that must be recorded for employees, depending on their job	
Data	Evaluation
Details of employment level (if monthly wage) **or**	☐ Recorded ☐ Not recorded (→ not fulfilled)
Details of the number of paid hours during the reference month (if hourly wage)	☐ Recorded ☐ Not recorded (→ not fulfilled)

Data that must be recorded for the evaluation of functions in **Logib module 2**, if applicable	
Data	Evaluation
Education/training requirements	☐ Recorded ☐ Not recorded (→ not fulfilled) ☐ Function related characteristic not required (analysis with Logib module 1)
Requirements regarding ability to work independently	☐ Recorded ☐ Not recorded (→ not fulfilled) ☐ Function related characteristic not required (analysis with Logib module 1)
Requirements in terms of specific expertise and methodological skills	☐ Recorded ☐ Not recorded (→ not fulfilled) ☐ Function related characteristic not required (analysis with Logib module 1)

Responsibility-related requirements and demands	☐ Recorded ☐ Not recorded (→ not ful-filled) ☐ Function related character-istic not required (analysis with Logib module 1)
Psychological and social requirements and demands	☐ Recorded ☐ Not recorded (→ not ful-filled) ☐ Function related character-istic not required (analysis with Logib module 1)
Physical requirements and demands	☐ Recorded ☐ Not recorded (→ not ful-filled) ☐ Function related character-istic not required (analysis with Logib module 1)

Evaluation result (point 2.6)

All required data were recorded in full	☐ Fulfilled ☐ Not fulfilled

3. Report on the result and the process of the wage equality analysis

Within a year of conducting the wage equality analysis, an independent body according to Art. 13d GEA writes a report on the process of the wage equality analysis and its result for the attention of the management of the company that was reviewed (Art. 13e para. 3 GEA).

<u>Summary of evaluation result</u>

<table>
<tr><th colspan="2">Formal evaluation</th></tr>
<tr><td>The wage equality analysis was performed within the legally prescribed time period (point 2.2).</td><td rowspan="5">☐ Fulfilled
→ Positive evaluation finding

☐ Partly fulfilled
→ Negative evaluation finding

☐ Not fulfilled
→ Negative evaluation finding</td></tr>
<tr><td>There is proof that the wage equality analysis was conducted in accordance with a scientifically rigorous and legally compliant method (point 2.3).</td></tr>
<tr><td>All the employees were recorded in full in the wage equality analysis (point 2.4).</td></tr>
<tr><td>All wage components were recorded in full (point 2.5).</td></tr>
<tr><td>The required data including personal and function-related characteristics were recorded in full (point 2.6).</td></tr>
</table>

<u>Additional information</u>

Did the wage equality analysis indicate that equal pay requirements were met (the limit value vas not exceeded)?	☐ Yes *The employer is no longer subject to the duty to conduct analyses (Art. 13a para 3 GEA)* ☐ No *The wage equality analysis must be repeated in four years (Art. 13a para. 2 GEA, including evaluation and notification of employees and shareholders).*
Employee notification by: *(one year after completion of the evaluation at the latest)*	
Next wage equality analysis: *(Every four years or when 100 employees exceeded for the first time, if no exception applies)*	

Place, date

First name / last name
(Head Auditor)