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Regulation on working hours and absences (working time regulation)

dated 15 February 2022

Based on § 20 of the University of Basel's Staff Regulations dated 14 February 2022, the President's Board is enacting the following regulation:

General provisions

Purpose

§ 1. The working time regulation provides both staff and the University with a great deal of flexibility as regards arranging working hours. Supervisors and their teams are responsible for organizing work. They regulate their working hours independently in the context of the following provisions and use their job as a guiding basis when doing so.

² The University is pursuing the following goals with the working time regulation:

- a) Treating staff equally;
- b) Ensuring health protection;
- c) Making optimum use of staff;
- d) Creating motivating general conditions for staff;
- e) Defining managers' tasks in connection with the provisions on working hours.

Scope

§ 2. This regulation applies to all full-time and part-time University staff.

² The President's Board may stipulate provisions that deviate from those set out in the regulation for certain categories of staff, particularly for academic personnel in accordance with the rules for academic personnel at the University of Basel (RAP).

Working hours and working arrangements

Working hours

§ 3. The average full-time working week is 42 hours.

² For part-time employment, the number of working hours is reduced accordingly.

³ The commute does not count as working hours.

Flexible working hours

§ 4. The daily hours that staff are to work must be between the hours of 6:00 am and 8:00 pm Monday through Friday, unless operational circumstances necessitate alternative working hours.



² In this context, daily working hours can be flexibly adapted to the department's and the individual staff member's personal needs. How this would specifically work in practice must be discussed between staff and their supervisor.

³ In areas where work assignments must be fixed for organizational reasons, staff perform their work according to fixed working hours.

⁴ Staff may not work more than 12 hours per working day.

⁵ Staff may also work their target working hours on Saturdays between the hours of 6:00 am and 8:00 pm with their supervisor's approval as part of their flexible working hours arrangements.

⁶ There is no surplus pay for working on a Saturday.

Trust-based working hours

§ 5. Trust-based working hours apply to staff in salary band 21 and above and to professors in accordance with § 1 (2) a) to bb) of the RAP. They are exempt from recording working hours and absences.¹

² Academic personnel in accordance with § 1 (2) d) to h) of the RAP are exempt from recording their working hours, but not from the obligation to record absences due to vacation, illness or accident (§ 16), paid absences (§ 17), pregnancy and parenthood or adoption (§ 19) or unpaid leave of absence (§ 20).

³ Staff in SB 18 and above may individually agree on trust-based working hours at their request and with their supervisor's consent. The agreement between staff and their supervisors must be made in writing and sent to Human Resources (HR) for information purposes and for filing in personnel dossiers. Through such an agreement, staff are also exempt from recording working hours in accordance with (2), but not from the obligation to record absences.

Working hours balance

§ 6. The working hours balance corresponds to the hours that the staff member works in the context of their flexible or fixed working hours. The working hours balance may not exceed 80 hours or fall below negative 30 hours.²

² Should the permissible working hours balance temporarily exceed or fall below the threshold, the supervisor will determine the necessary measures in consultation with the staff member to compensate for the overrun/shortfall.

³ Positive balances that exceed the permissible threshold in accordance with (1) will expire automatically on 30 June.

⁴ Negative balances that fall below the permissible threshold in (1) must be compensated to the permissible threshold at least by the end of December, otherwise they will be offset against the salary. If there are extra hours and vacation credits, they are offset against any negative balance at the end of December.

⁵ The working hours balance must be compensated before the employment relationship is terminated. If the balance cannot be compensated, it will be paid out following the staff member's departure. If a staff member has a negative working hours balance, their last salary will be reduced accordingly or the excess salary paid out will be reclaimed.

¹ § 5 para. 1 in the version of the Rectorate resolution of 28 March 2023, in force since 5 April 2023.

² § 6 para. 1 in the version of the Rectorate resolution of 28 March 2023, in force since 5 April 2023.



Working from home

§ 7. The University allows staff to work some of their hours from home, taking into account the department's needs.

² The President's Board regulates the details in an information sheet.

Timekeeping system

Duties of staff and supervisors

§ 8. Staff who do not work trust-based hours are responsible for regularly and accurately recording their working hours and absences in the University's timekeeping system. Staff must fully record their working hours and absences in the previous month by the tenth day of the following month at the latest.

² Scheduled absences must be approved by the supervisor in advance in the timekeeping system. Unscheduled absences must be recorded afterwards.

³ In the context of their right to issue instructions, the supervisor is responsible for ensuring that their staff comply with their timekeeping duties. The supervisor must check their staff's time sheets during the following month (from the eleventh day onwards). Staff must be notified of any queries by the end of the following month.

⁴ Staff on an hourly wage submit a release request to their supervisor in the timekeeping system. The payout is made following the release with the next wage payment.

Breaks

Paid breaks

§ 9. Staff are entitled to one 15-minute break in both the morning and the afternoon. These count towards their working hours. These breaks allow staff to rest and may not be used to credit working hours at the start or end of the day's work.

² Staff cannot catch up on breaks that they do not take.

Unpaid lunch break

§ 10. 30 minutes are automatically deducted for a break if staff do not take a lunch break lasting at least 30 minutes when working more than seven hours per day.

² If the staff member cannot leave the workplace or work site by order of their supervisor, the lunch break will count towards their working hours.



Extra hours and overtime

Extra hours

§ 11. Extra hours result from arranged and approved overtime. They are checked monthly by the supervisor in accordance with § 8 (3).

² When arranging overtime, the normal working hours stipulated in the contract may be exceeded, but not the statutory maximum working hours of 45 hours per week. Extra hours are managed in a separate quota.

³ Extra hours should generally be compensated within the calendar year with the same number of hours of time off.

Overtime

§ 12. Overtime arises from arranged and approved overtime that exceeds the statutory maximum working hours in accordance with § 11 (2). Overtime is only permissible if it is arranged in writing by the supervisor for a specific and clearly limited period of time and for extraordinary assignments, or if it is subsequently approved by way of exception. The authority to arrange overtime of up to 20 hours per calendar month or 60 hours per calendar year rests with the supervisor. Prior approval must be obtained from HR for any extra overtime.

² Overtime should be compensated within the calendar year with the same number of hours of time off. If compensation is not possible in exceptional cases for operational reasons, the staff member will receive remuneration without surplus pay for their hours of overtime up to the 60th hour and with 25% surplus pay for any additional hours of overtime.

Working late shifts, night shifts, on Sundays and on public holidays

Working late shifts

§ 13. Late shifts are work performed between the hours of 8:00 pm and 11:00 pm on weekdays (Monday through Saturday).

² Late shifts may be arranged in exceptional cases by supervisors in consultation with the management of the respective organizational unit if they are necessary for organizational reasons. University events, for example, are considered to be organizational reasons.

³ Late evening assignments to increase the flexibility of individual working hours are permissible by mutual agreement.

⁴ Staff who work late shifts will not receive any extra pay. Situational rules on working extra hours or overtime apply.

Working night shifts

§ 14. Night shifts are work performed between the hours of 11:00 pm and 6:00 am on weekdays, Sundays and public holidays.

² Night shifts are generally not permitted. They may be approved by the supervisor under exceptional circumstances.

³ Staff who work night shifts will receive a night shift bonus in the form of a 25% wage credit.



Working on Sundays and on public holidays

§ 15. Sundays and public holidays are considered to be days of rest. No work may generally be performed on these days.

² Work on official public holidays and work between the hours of 11:00 pm on Saturday and 11:00 pm on Sunday are deemed to be work on Sundays and public holidays. This is subject to approval. An application for authorization must be submitted to HR by the supervisor.

³ Work assignments undertaken by staff on standby or staff working in the University museums and libraries, IT and Animal Facilities are deemed to be approved, provided that the work assignments must be carried out on Sundays and public holidays for operational reasons.

⁴ Staff who perform authorized and temporary work on Sundays and public holidays receive a Sunday and public holiday bonus in the form of a 50% wage credit. Temporary work on Sundays is performed by staff who are deployed on a maximum of six Sundays, including official public holidays, in a calendar year.

⁵ Staff who perform authorized and permanent work on Sundays and public holidays receive a Sunday or public holiday bonus. The bonuses are CHF 6.95 per hour on Sundays and CHF 13.90 per hour on official public holidays. Work on Sundays, including official public holidays, is permanent or regularly recurring if it exceeds the scope specified in (4).

⁶ Academic work performed on Sundays and public holidays in the context of flexible working hours arrangements will be compensated with corresponding time off.

Vacation, paid absences, free days and public holidays

Vacation

§ 16. Staff are entitled to 25 days of vacation per year. Once a staff member reaches the age of 50, they receive 27 days, and then 30 days on reaching the age of 60.

² Vacations are for rest and relaxation and must generally be taken in the current calendar year. At least two consecutive weeks must be taken. Vacations cannot be paid out. Any remaining vacation entitlement should be taken by 30 June of the following year.

³ Staff apply to take accrued vacation days. The supervisor will approve the vacation request to the extent that it is compatible with the department's needs and will ensure compliance with their staff's vacation entitlement requirements.

⁴ Illness and accident interrupt the vacation if they make the recreational purpose of the vacation impossible. Staff are required to report illness or accidents to HR and their supervisor as soon as possible by presenting a medical certificate.

⁵ In the event of absences due to military service, civilian service, accident or illness totaling more than one month within a calendar year, the annual vacation entitlement may be reduced by one-twelfth for each additional full month of absence. If the absence due to illness, occupational accident or non-occupational accident extends over an entire calendar year, no vacation entitlement will arise for this calendar year. This also applies in the event of retirement or departure during the course of the calendar year if staff were unable to work at any time during this calendar year. Paid absence due to parenthood is exempt from reduction of the vacation entitlement.

⁶ If staff take unpaid absences, their vacation entitlement will be reduced accordingly if the unpaid absences exceed one month in the calendar year in total.



⁷ Vacation days must be used before termination of the employment relationship. If a staff member cannot take vacation before termination of the employment relationship for operational or other important reasons, the remaining vacation entitlement will be paid out.

⁸ Vacations not taken expire after five years.

Paid absences

§ 17. Schedulable medical consultations and medically prescribed treatments must be made outside of working hours whenever possible. They are not counted towards working hours.

² If a medical consultation cannot be scheduled outside of working hours or if the medical consultation is an emergency consultation, the actual time spent, but no more than the difference from the daily target hours per event, will be credited to the working hours.

³ In the event of absence due to inability to work, staff must submit a medical certificate to their supervisor from the fourth working day onwards at their own expense without being requested to do so. In consultation with HR, the supervisor may require a medical certificate as early as the first working day or waive the requirement for a medical certificate in justified cases.

⁴ The following absences are included in a staff member's working hours:

- a) Own marriage or registration of civil partnership – three days;
- b) Marriage or registration of civil partnership in the family – one day;
- c) Caring for a family member, life partner or person living in the same household with health problems – max. three days per event and max. ten days per calendar year;
- d) Special leave for parents to care for a child who has suffered an accident or is seriously ill, to be taken within 18 months – max. 14 weeks (in accordance with the Swiss Code of Obligations);
- e) Personally moving home – one day;
- f) Military recruitment – one day;
- g) Death of spouse, partner or children – max. ten days;
- h) Death of parents or a person living in the same household – max. three days;
- i) Death of siblings, grandparents, parents-in-law – max. two days;
- j) Death of other relatives or close persons – time actually needed, max. one day;
- k) Participation in professional or higher subject examinations – max. six days;
- l) Participation as an expert in professional or higher subject examinations – time actually needed, max. five days per calendar year;
- m) Court summons as a witness – time actually needed, max. one day;
- n) The necessary time will be granted for activities involving social partnerships while serving on a board or as a delegate;
- o) Service anniversary in accordance with the Staff Regulations – one day (the anniversary day must be taken within one month of the anniversary date at the latest. Otherwise, the entitlement is forfeited. The supervisor may approve the staff member taking the day at a later time for operational reasons).

⁶ Business trips are counted based on the effective number of working hours (including travel time). A maximum of 8.4 hours per day is counted.

⁷ When attending training sessions, a maximum of 8.4 hours per day is counted.



⁸ Trainees receive paid leave of absence of up to five working days per calendar year until they reach the age of 30 for unpaid managerial, supervisory or advisory activities in the context of extracurricular youth work in a cultural, sporting or social organization. Salaries are paid once any third-party salary replacement payments have been made.

Free days and public holidays

§ 18. HR creates a list of free days and public holidays each year. This is stored in the timekeeping system.

² Full or half free days and public holidays that cannot be used due to illness, accident, maternity leave, unpaid leave of absence or military service are forfeited and no compensation will be offered.

³ Free days and public holidays that fall on a weekday are charged at 8.4 hours for a full-time employment level. The number of hours will be reduced in accordance with the employment level for part-time staff. Any differences between free day or public holiday credits and daily target hours are offset against the working hours balance.

Pregnancy and parenthood, adoption and unpaid leave of absence

Pregnancy and parenthood, adoption

§ 19. During pregnancy and maternity, staff members are entitled to 16 weeks of leave on full pay following the birth of their child. Paid absence begins no earlier than two weeks before the due date and lasts at least until 14 weeks after the birth. If a staff member does not take any leave of absence during their pregnancy (= maternity leave before the due date), their maternity leave can last a maximum of 16 weeks after the birth.

² The University will grant paternity leave lasting four weeks on the birth of a child, to be taken within six months of the birth. Corresponding paid absence is also provided for the staff member's partner.

³ If a staff member adopts a child, one parent is entitled to full continued payment of their salary for a period of 16 weeks, provided the employment relationship existed for at least nine months before the adoption takes place. If the staff member has been employed for a shorter period of time or does not resume work for at least twelve weeks after the paid absence, the salary entitlement is reduced to 50%. Paternity leave or the other parent's leave in the case of adoption will be granted in accordance with (2).

⁴ Once they have taken their paid leave, staff may choose to take unpaid leave lasting no longer than 16 weeks. The rules on unpaid leave in accordance with § 20 will apply.

⁵ Birth or adoption-related absences are agreed in writing with the supervisor at an early stage.

⁶ The granting of paid absence does not reduce vacation entitlement.

Unpaid leave of absence

§ 20. Staff have the option of taking unpaid leave of absence. This must be authorized by their supervisor and must take their department's needs into consideration. The duration of such a leave of absence must not exceed six months.

² An unpaid leave of absence must be requested from the supervisor at least 12 weeks in advance.

³ The normal and the 13th month's salary are reduced accordingly, each on a pro rata basis.

⁴ If a staff member takes an unpaid leave of absence, the family and child support allowances will continue to be paid for the duration of the unpaid leave of absence for the current month and the



following three months. Entitlement to family and child support allowances will resume as of the day that the staff member resumes work.

⁵ If staff wish to continue pension fund insurance coverage for an unpaid leave of absence lasting more than one month, they must submit the original, completed and signed form to HR at least one week before the unpaid leave of absence is scheduled to start.

⁶ Non-occupational accident insurance ends on the 31st day of leave. Staff can extend their accident insurance for up to six months through HR by taking out interim accident insurance. Taking out interim accident insurance is mandatory if staff are continuing the pension fund insurance coverage.

⁷ If staff fall ill while taking an unpaid leave of absence, they are not entitled to an extension, cancellation or termination of the unpaid leave of absence or to daily allowances.

⁸ Vacation entitlement will be reduced by the duration of the unpaid leave of absence on a pro rata basis.

⁹ Vacation that falls within the period of unpaid leave of absence is not owed and cannot be made up.

Final provision

Entry into force

§ 21. This regulation enters into force on 1 March 2022.