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Ordinance of the ETH Board on the Organisation of the Conciliation Commission under the Gender Equality Act for the ETH Domain (ConCom-ETH-O)

of 12 December 2019 (Status as of 1 March 2020)

The ETH Board,

based on to Article 1 paragraph 2 of the Ordinance of 10 December 2004¹ on the Conciliation Commission under the Gender Equality Act,
ordains:

Art. 1 Scope of application

This Ordinance governs the organisation of the Conciliation Commission under the Gender Equality Act of 24 March 1995² for:

- a. the personnel of the ETH Domain in accordance with Article 1 of the ETH Board Ordinance on Personnel of the Federal Institutes of Technology (Ordinance on the Personnel of the ETH Domain, PersO-FIT) of 15 March 2001³; and
- b. the professors of both Federal Institutes of Technology in accordance with Article 1 paragraph 1 of the Ordinance of the ETH Board on Professors at the Federal Institutes of Technology (ETH Professorial Ordinance) of 18 September 2003⁴.

Art. 2 Independence

¹ The Conciliation Commission is not bound by instructions.

² It is administratively affiliated to the ETH Board, to which it submits an annual report.

³ The staff office of the ETH Board keeps the accounts.

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¹ SR 172.327.1

² SR 151.1

³ SR 172.220.113

⁴ SR 172.220.113.40

Art. 3 Composition

¹ The Conciliation Commission consists of the President, four other members and four substitute members.

² The members and substitute members represent the institutions of the ETH Domain, with half representing the employer's side and half representing the personnel, including the professors.

³ Equal numbers of women and men are members and substitute members of the Conciliation Commission.

⁴ The language communities must be appropriately represented.

Art. 4 Eligibility

¹ The members of the Conciliation Commission must be familiar with issues relating to gender equality and be knowledgeable in the area of human resources, employment law and the Federal Personnel Act (especially the Gender Equality Act), or occupational science.

² The President must also have legal training, and preferably have experience in mediation.

Art. 5 Appointment

¹ The President and the two members and two substitute members representing the employer's side are appointed by the ETH Board. The two Federal Institutes of Technology and the research institutes may make recommendations to the ETH Board regarding the appointments.

² The ETH Board Rat may appoint a deputy in case the President is unable to act or is required to recuse him- or herself.

³ The two members and two substitute members representing the personnel are appointed by the recognised staff organisations of the ETH Domain, i.e. the organisations which are required by their statutes to safeguard the interests of the personnel.

⁴ The staff office of the ETH Board coordinates the preparations for the nomination process. It ensures that dual parity is observed as set out in Article 3 paragraphs 2 and 3, and that the language communities are appropriately represented.

⁵ The term of office of the President, members and substitute members of the Conciliation Commission is four years. It is aligned with the legislative periods of the National Council. It begins on 1 January and ends on 31 December.

⁶ The tenure of the President, members and substitute members of the Conciliation Commission is limited to a total of twelve years; it terminates at the end of the respective calendar year.

Art. 6 Compensation

¹ The members and substitute members are entitled to a daily allowance of CHF 300 for their work on the Commission. Members and substitute members who are employed in the ETH Domain do not receive a daily allowance.

² The daily allowance received by the President is 25 per cent higher. In exceptional cases, and where justified, the ETH Board may pay the President a maximum of double the daily allowance.

³ If, in addition to meetings and inspections, an exceptional amount of time is spent by the President or a member on studying documents, writing reports or preparing speeches, the authority responsible may pay him or her a maximum of sixteen additional daily allowances per year.

⁴ More than one daily allowance may not be paid for one and the same day, even if several different or separately invoiced tasks have been undertaken.

⁵ The amounts are not subject to the cost-of-living increase.

⁶ OASI/IV/LEC and ALV contributions are payable on daily allowances.

⁷ The reimbursement of expenses for the President, members and substitute members of the Conciliation Commission is governed by the relevant provisions applicable to the personnel of the ETH Domain.

Art. 7 Secretarial support

¹ The President manages the secretarial support on the basis of mandates. She or he may appoint a secretary to perform administrative tasks and take minutes.

² Compensation for the secretarial work reflects the amount of work undertaken. It is governed by an agreement between the ETH Board and the President.

³ If the President or secretary is employed in the ETH Domain, no additional payment is made for managing the secretarial support or performing the secretarial work.

Art. 8 Procedure

The provisions of the Ordinance of 10 December 2004 on the Conciliation Commission under the Gender Equality Act apply by analogy to the conciliation procedure.

Art. 9 Transitional provision

The first term of office of the members of the Conciliation Commission ends on 31 December 2023.

Art. 10 Commencement

This Ordinance comes into force on 1 March 2020.

