

# Rules and Regulations concerning Working Time Management (RGT)

LEX 4.1.4

1<sup>st</sup> January 2013, status as at 15<sup>th</sup> February 2023

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*The Direction of the Ecole polytechnique fédérale de Lausanne,  
based on Art. 37 par. 3 of the Loi sur le personnel de la Confédération of 24<sup>th</sup> March 2000  
(LPers, [RS 172.220.1](#)),  
based on the Ordonnance du Conseil des EPF sur le personnel du domaine des écoles  
polytechniques fédérales of 15<sup>th</sup> March 2001 (Ordonnance sur le personnel du domaine des  
EPF, OPers-EPF, [RS 172.220.113](#)),  
based on the Ordonnance du Conseil des EPF sur le corps professoral des écoles  
polytechniques fédérales (Ordonnance sur le corps professoral des EPF of 18<sup>th</sup> September  
2003, [RS 172.220.113.40](#))*

*hereby adopts the following:*

## **Section 1    General provisions**

### **Article 1    Subject (Art. 5 OPers-EPF)**

The aim of these rules and regulations concerning Working Time Management (RGT) is to:

- a) facilitate time management for all EPFL units;
- b) ensure the monitoring of long-term absences in accordance with legal requirements, with the aim of supporting and assisting employees;
- c) guarantee the reporting essential for absence management, particularly with regard to research projects for which obligatory timekeeping is required;
- d) allow statistics to be compiled for the Human Resources report, according to the available data.

### **Article 2    Scope of application**

<sup>1</sup> The RGT applies to all employees.

<sup>2</sup> The RGT is not applicable to:

- a) professors, with the exception of sections 5 to 7 below (Art. 12 to 24)
- b) doctoral assistants with the exception of sections 4 to 7 below (Art. 10 to 24).

<sup>3</sup> The special requirements of funders remain applicable in all cases.

### **Article 2 bis Competences**

<sup>1</sup> Supervision and monitoring are the responsibility in the first instance of the heads of units or heads of higher hierarchical structures.

## **Section 2    Working time management**

### **Article 3    Generalities (Art. 54 OPers-EPF)**

<sup>1</sup> The working week generally comprises 41 hours.

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<sup>2</sup> For part-time staff, the number of working hours per week is calculated in proportion to the scale of occupation.

#### **Article 4 Reporting and statistics**

<sup>1</sup> Line managers ensure that holidays are taken and that extra hours and overtime are compensated for within a reasonable period. Reports indicating the holiday balance due, extra hours and overtime are available in the absence management system

<sup>2</sup> The annual statistics are compiled at EPFL level and provide the Direction with information concerning the type of absences. According to the principle of materiality adopted, a half-day is treated as the minimum period of absence to be reported.

<sup>3</sup> At different levels of responsibility, the RGT forms part of the Internal Control System (ICS) and key controls of each unit.

<sup>4</sup> The auditors may access the above-mentioned data at all times.

#### **Article 5 Work schedule organisation**

<sup>1</sup> Work schedules are arranged by agreement between line managers and employees based on the confidence principle and taking into account the requirements of the service involved.

<sup>2</sup> The principle of flexible working hours has been adopted at EPFL. Depending on requirements or the particular nature of the activities (reception, customer service, etc.), core time periods may be defined.

<sup>3</sup> In the event of failure to respect the present rules and regulations, supervisory measures may be taken by the direct superior(s), in agreement with the Human Resources Managers.

#### **Article 6 Breaks (Art. 54 par. 4 OPers-EPF)**

<sup>1</sup> A break of at least 30 minutes must be taken at lunchtime. This break is not counted as working time.

<sup>2</sup> Breaks of 15 minutes in the morning and afternoon are counted as working time and cannot be compensated for if not taken.

#### **Article 7 Extra hours and overtime (Art. 55 OPers-EPF)**

<sup>1</sup> Extra hours are defined as those that are worked in addition to the working time agreed in the contract (regardless of the scale of activity) but do not exceed 45 working hours a week. Hours worked in excess of 45 working hours per week are considered as overtime.

<sup>2</sup> Extra hours allow variations in the workload to be accommodated and are managed by the employee within the framework of the flexible working schedule by compensating accordingly.

<sup>3</sup> Overtime is authorised only if, as far as possible and unless there is an emergency, it is planned by agreement between the employee and their line manager or carried out on the instructions of the latter.

<sup>4</sup> Extra hours and overtime must be compensated for by taking the equivalent leave.

<sup>5</sup> If compensation by equivalent leave is not possible, extra hours are paid at the usual rate (100%). Overtime is paid on the basis of the LTr (reference by Art. 55 OPers-EPF to Art. 13, 19 and 20a LTr).

<sup>6</sup> If the employee performs any work that has not been instructed and that was not logged in the absence management software, it may only be recognised as extra hours or overtime if the employee claims it as such within six months and furnishes proof that the hours in question were actually worked (Art. 55 par.7 OPers-EPF).

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<sup>7</sup> In the event of termination of employment, the balance of extra hours or overtime will if possible be compensated for prior to departure, or, failing this, will be paid with the last salary.

### **Section 3 Overtime on Saturdays, Sundays and public holidays (Art. 55 OPers-EPF)**

#### **Article 8 Occasional work**

<sup>1</sup> Occasional overtime on Saturdays, Sundays and public holidays is only authorised on the instructions of the line manager due to urgent requirements that cannot be dealt with during the normal working schedule.

<sup>2</sup> The compensation for overtime completed on Sundays and public holidays is determined by Art. 55 OPers-EPF and Art. 19 and 20a LTr.

<sup>3</sup> In the event of compensation for a deficit of working hours during the weekend as part of the flexible working schedule, these hours are not considered equivalent to extra hours or overtime and are paid at the normal rate. Only working hours that are completed according to orders or are planned are paid at a special rate at the weekend.

#### **Article 9 Regular work**

<sup>1</sup> Regular overtime completed on Saturdays, Sundays and public holidays must form the subject of regulations specific to each service and submitted to Human Resources for approval.

<sup>2</sup> Schedules are drawn up sufficiently in advance to enable employees to take the necessary organisational measures.

<sup>3</sup> Only essential requirements can justify work regularly carried out during weekends and public holidays (e.g. animal facility, security and fire services, etc.).

<sup>4</sup> In collaboration with Human Resources, the necessary authorisations must be requested from the competent authorities and issued before work is regularly carried out on Sundays and public holidays.

<sup>5</sup> The specific arrangements of standby services are reserved.

### **Section 4 Night work and Telework**

#### **Article 10 Night work**

As a general rule, apart from emergency services or exceptional cases of absolute emergency, no night work is carried out at EPFL. Night work that is completed voluntarily and not as a result of orders given within the framework of the flexible working schedule does not fall within the scope of these rules and regulations and is a matter of personal choice on the part of the employee without any special conditions applying.

#### **Article 11 Telework (Art. 54 par. 2bis OPers-EPF)**

Telework may be carried out insofar as the nature of the activities allows it and subject to special authorisation from the line manager. Telework is governed by the regulations applicable to telework (LEX 4.1.8 and the annex thereto).

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## **Section 5    Absence management**

### **Article 12    Generalities** (Art. 54a OPers-EPF, Art. 25 Ordonnance sur le corps professoral des EPF)

<sup>1</sup> Within the framework of its personnel policy, EPFL does its utmost to achieve coherent and efficient absence management.

<sup>2</sup> Any absence by an employee must be documented (Art. 54a OPers-EPF).

<sup>3</sup> The head of the teaching and research unit to which the professor belongs is informed concerning any absence longer than one week during the course of any given semester. The professor must ensure continuity of teaching in the event of planned absences.

<sup>4</sup> The monitoring of absence management is the responsibility of the units.

### **Article 13    Types of absences**

<sup>1</sup> The types of absence for employees are specifically the following:

- a) leave described under Art. 52 OPers-EPF;
- b) public holidays that depend on local practices at the location where the professional activity is exercised (Art. 50 OPers-EPF);
- c) training, professional travel and conferences;
- d) absences for holidays (Art. 51 OPers-EPF), illness or accident, pregnancy, maternity, paternity, adoption and caring for a child who is seriously ill (Art. 36 et seq and 37 et seq OPers-EPF) ;
- e) military service, civil defence service and civilian service (Art. 38 OPers-EPF).

<sup>2</sup> The types of absence for professors are specifically the following:

- a) leave described under Art. 52 OPers-EPF (Art. 23a par.1 Ordonnance sur le corps professoral des EPF);
- b) public holidays that depend on local practices at the location where the professional activity is exercised (Art. 50 OPers-EPF) ;
- c) professional travel and conferences (Art. 25 par. 2 Ordonnance sur le corps professoral des EPF) ;
- d) research leave (Art. 23 Ordonnance sur le corps professoral des EPF) ;
- e) absences for holidays (Art. 23a Ordonnance sur le corps professoral des EPF), illness or accident, pregnancy, paternity, adoption and caring for a child who is seriously ill (Art. 25, 27 et seq Ordonnance sur le corps professoral des EPF)
- f) military service, civil defence service and civilian service (Art. 28 Ordonnance sur le corps professoral des EPF).

### **Article 14    Unpaid leave**

<sup>1</sup> The conditions relating to unpaid leave for employees are laid down under Article 52a OPers-EPF.

<sup>2</sup> A request for unpaid leave may only be granted after the holiday entitlement has been used up. The special provisions applicable to doctoral assistants are reserved.

<sup>3</sup> Unpaid leave taken by professors is governed by Art. 24 Ordonnance sur le corps professoral des EPF.

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**Article 15 Public holidays** (*Art. 50 OPers-EPF*)

Public holidays are days that are ordinarily official holidays at the place of work and are determined by the respective canton.

**Article 16 Training, professional travel, conferences** (*Art. 54 par. 3 OPers-EPF*)

<sup>1</sup> Training activities, whether professional, academic, or linguistic, at the request of the line manager or not, form the subject of monitoring within the framework of absence management. Reporting provides precise figures concerning the overall number of days devoted to training, professional travel and conferences.

<sup>2</sup> Professional travel in Switzerland is considered as working time. For travel abroad, the actual working time must be agreed on with the line manager.

<sup>3</sup> The agreement of the line manager is however necessary before employees may participate in training, professional travel or conferences.

<sup>4</sup> The Directive on work-related travel and the reimbursement of expenses (LEX 5.6.1) applies to all staff.

**Article 17 Holidays** (*Art. 51 and 63 OPers-EPF, Art. 23a Ordonnance sur le corps professoral des EPF*)

<sup>1</sup> Holidays are planned at the beginning of the year, in agreement with the line manager and taking into account the requests of employees and the requirements of the unit concerned.

<sup>2</sup> Staff members are entitled to 5 weeks' holiday per year (or 6 weeks for staff members of less than 20 and over 50 years of age). Five weeks' holiday correspond to 25 days and 6 weeks to 30 days per calendar year.

<sup>3</sup> If employment starts or ends during the year, the entitlement to holiday is calculated proportionally.

<sup>4</sup> The holiday entitlement of employees arises on 1 January and must be taken during the calendar year in which it arises, including at least two consecutive weeks at least once each year.

<sup>5</sup> Employees' requests for holiday must be approved in advance by the line manager. If a residual holiday balance remains at the end of the year, employees are invited to schedule holidays with the agreement of their respective line manager by 30 April of the following year.

<sup>6</sup> If it is not possible to use up a holiday balance, the line manager agrees with the employee on a plan for using up the holiday balance. As a last resort, the line manager may stipulate holiday periods unilaterally, subject to prior notice of three months for the holiday balance of the current year, or one month for the holiday balance of previous years.

<sup>7</sup> The holiday entitlement of professors must be taken during the calendar year in which it arises. If this is not possible due to overriding operational reasons or due to illness or accident, the professor reports his or her holiday balance to Human Resources via the absence management software, and takes it the following year.

<sup>8</sup> Any outstanding holiday must be taken within a period of 5 years (first in first out principle).

<sup>9</sup> The conditions concerning loyalty bonuses awarded in the form of paid holiday are stipulated under Art. 45 OPers-EPF.

<sup>10</sup> All holiday must be taken prior to termination of the employment relationship, insofar as compatible with the requirements of the unit and subject to approval by the line manager. If this

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does not occur, and exclusively at this point in time, it shall be remunerated by the unit and the cost shall be charged to the unit.

<sup>11</sup> Apprentices whose employment contract is governed by the Federal Act on Vocational and Professional Education and Training (RS 412.10) may be subject to special regulations.

### **Article 18 Calculation of holiday entitlement for part-time staff members**

<sup>1</sup> The “weeks” of holiday are calculated according to the corresponding scale of activity. For example, a person working on a 50% basis is entitled to 5 (or 6) weeks’ holiday at 50% i.e. 50% of 25 (or 30) days = 12.5 (or 15) days per year.

<sup>2</sup> In case of doubt, a calculation in days, or hours, must be made.

### **Article 19 Pregnancy and maternity** (*Art. 37 OPers-EPF, Art. 6 par. 2 LPers, art. 27 Ordonnance sur le corps professoral des EPF*)

<sup>1</sup> Pregnant employees and professors may be exonerated from their obligation to work one month at the earliest before the anticipated date of the birth of their child. For other cases, a medical certificate is required.

<sup>2</sup> The conditions concerning maternity leave are stipulated under Art. 37 OPers-EPF and under Art. 27 Ordonnance sur le corps professoral des EPF. The maximum allowance is 4 months.

<sup>3</sup> An employee who has just given birth is obliged to take a minimum of 2 months’ leave. The remaining 2 months may be taken in the form of a contractually agreed reduction in working hours over a longer period. If the father of the child also works at EPFL, the remaining 2 months may be shared between the parents.

### **Article 20 Illness and accidents** (*Art. 36 et seq OPers-EPF, art. 25 et 26 Ordonnance sur le corps professoral des EPF*)

<sup>1</sup> Employees must report any absence to their line manager and the absence must be logged in the absence management system. If the absence lasts for more than three consecutive working days, a medical certificate must be registered in the absence management system from the 4<sup>th</sup> day of absence.

<sup>2</sup> Any absence by a professor that lasts for more than one week during the semester must be reported to the head of the teaching and research unit concerned.

<sup>3</sup> Extended absences due to illness or accident (exceeding 30 days) are managed in accordance with the absence management process, which stipulates the assistance and support that is to be provided to the staff members concerned. This process also specifies legal and administrative aspects in accordance with the OPers-EPF and the Ordonnance sur le corps professoral des EPF.

<sup>4</sup> Updated and regular medical certificates are required. Medical appointments must whenever possible be made outside of working hours. The confidence principle applies.

<sup>5</sup> In the event of incapacity for work due to illness or accident, after the probationary period has elapsed, staff members are entitled to maintain their salary for a maximum of 365 days during the first two years of service and of 730 days from the third year of service. They receive the full amount of their gross salary for a period of twelve months, and thereafter 90% of this amount.

<sup>6</sup> The staff members concerned are obliged to cooperate on any measure aimed at enabling them to return to work and to make themselves available for any examinations organised by Invalidity Insurance, the occupational physician and / or the advising physician.

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<sup>7</sup> Entitlement to salary may be reduced for the reasons provided for under the legislation and case law concerning sickness insurance and accident insurance.

**Article 21 Military service, civil defence service, civilian service** (*Art. 38 OPers-EPF and Art. 25 par. 2 Ordonnance sur le corps professoral des EPF*)

<sup>1</sup> Absences due to military and other similar services must be documented within the framework of absence management.

<sup>2</sup> The specific regulations concerning single-term service and promotion services apply. However, EPFL requires advance notification from employees before the final decision is made.

**Section 6 Third-party regulations**

**Article 22 Financing by third-party funds**

Participants in projects financed by third-party funds or international research programmes are obliged to conform to the specific regulations laid down by the various funding bodies.

**Section 7 Data protection and retention** (*Art. 59 and 60 OPers-EPF*)

**Article 23 Protection of personal data**

<sup>1</sup> The data used for statistics is rendered anonymous. No element allowing a staff member to be identified will be processed for the compiling of statistics.

<sup>2</sup> The system used for working time and absence management must guarantee the security of personal data.

<sup>3</sup> The documents generated, signed and stored by the head of unit – monthly tables and/or individual reporting – must be stored confidentially. The specific regulations laid down by funding sources are reserved.

<sup>4</sup> The heads of units and Human Resource Managers ensure that the provisions made under the Federal Act of 19 June 1992 on Data Protection (LPD, RS 235.1) and the Ordinance of 14 June 1993 to the Federal Act on Data Protection (OLPD, RS 235.11) and Art. 59 ff. OPers-EPF regarding data protection and the legislation adopted by the CEPF are adhered to.

**Article 24 Data retention**

The documents referred to under Article 4 are signed and stored confidentially for a period of 10 years.

**Section 8 Final provision**

**Article 25 Entry into force**

The present rules and regulations, which entered into force on 1<sup>st</sup> January 2013, were revised on 12<sup>th</sup> March 2018 (version 1.2) and on 15<sup>th</sup> February 2023 (version 1.3).

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