

DOMESTIC EMPLOYEES, KNOW YOUR RIGHTS

The SIT informs and defends me – I'm joining the union to fight for better rights and against exploitation



Sit
syndicat

interprofessionnel
de travailleuses et
travailleurs

Consultations

SIT trade union, 16 rue des Chaudronniers.

Whether you are already a member or not, whether you have legal status or you are undocumented, the SIT welcomes you and guarantees the confidentiality of your case. You are free to ask any questions. We will inform you about your rights and how to best protect them. Note that in case the SIT would need to defend you, you have to enlist as a member.

Domestic economy (1st floor)

Tuesdays and Thursdays - from 2 to 5pm
Wednesdays - from 9 am to 12 nn.

Undocumented persons (4th floor)

Mondays (by phone) - from 3 to 5pm;
Call 022 818 03 00;
Wednesdays (in-person) - from 2 to 5pm

Unemployment benefits

Monday to Friday (by phone) -
from 9 am to 12 nn - Call: 022 818 03 33
Monday to Friday (in-person) -
from 9 am to 1 pm;
Address: rue de Montbrillant 38.



Consultations



Enlist as a member

Note: This schedule could change at times. Please consult the SIT website or call the reception 022 818 03 00 to make sure the consultations are open on the day you plan to come.

You are working for a family (private household)

You are a baby-sitter or a child minder, a housekeeper, a nanny, a cook, a servant, a driver, a horticulturist, a person who does the ironing, a caregiver to old, sick or handicapped people—whether you have legal status or are undocumented—always remember that you have rights.

Working conditions*

(See general information and more details in our website: www.sit-syndicat.ch)

Employment contract

A contract can be an oral or a written agreement. The minimum conditions are regulated in the contrat-type de travail (CTT). The CTT is enacted by the State and defines what rules should be applied and respected in a certain sector or profession.

Work duration

A 100 % work rate is equivalent to 45 hours per week.

Your work diary is an excellent proof in case of any dispute or legal action.

**Write down your hours per day--everyday!
One diary per employer.**

Gross salary rate per hour in Geneva

Without experience: CHF 24,32
With 4 years + experience: CHF 24,58
With certification: CHF 24,84

Monthly salary: CHF 4 742,40
or with 4 years + experience CHF 4 793,10

Night work

This refers to work rendered between 8pm and 7am. The salary for night work varies depending on the activity:

- a) You were requested to sleep overnight in your employer's house: 60 % of the minimum net salary
- b) You were requested to wake up and work once during the night: 80 % of the minimum net salary
- c) You were requested to wake up and work several times or stay awake during the night: 125 % of the minimum net salary

Live-In

As a live-in employee, your employer may retain up to CHF990.- maximum of your monthly salary.

Food and lodging in CHF

	Morning	Noon	Evening	Lodging
Month	105.-	300.-	240.-	345.-
Day	3.50	10.-	8.-	11.50

Overtime work

If you are requested to work more hours than what is written in the contract, the extra hours should be paid as overtime work:

- a) by taking time/day off for the same number of extra hours worked
- b) by increasing the hourly salary by 25 %

Work on Sundays or holidays

Increase of 50 % (could be taken as time/day off or salary increase).

Justified absences

In addition to the holidays, the employer is obligated to agree for the employee to have leave days (without salary deductions) in cases of marriage, birth or death in the family.

There are 9 holidays in the canton of Geneva

January 1, Good Friday, Easter Monday, Ascension, Pentecost Monday, August 1, Jeûne genevois (September), December 25 and 31

If you are paid on a monthly basis, you do not go to work during these holidays and you will receive your usual salary. In case you were requested to work by your employer, the hours worked should be compensated.

If you are paid on hourly basis, and you were requested to work, your salary should be increased by 50%.

Rest time

Break

- ♦ 30 minutes for lunch or dinner
- ♦ 15 minutes for half-day work

The breaks are not paid and should be taken as such.

Days off

One day and half per week. In principle, it should be one full Sunday. At the minimum, 2 Sundays per month.

Vacation

If you are paid on a monthly basis, you should receive your salary as usual. If your lodging and/or your food is provided, you should receive an indemnity of compensation in kind.

The right to a vacation per year

- ♦ 4 weeks - if you are aged between 20 and 50 years old;
- ♦ 5 weeks - after 20 years of service ;
- ♦ 5 weeks - from 50 year of age and 5 years of service with the same employer.

In case the employer is absent or away travelling, you still have the right to your salary. The times you are on vacation or travelling with your employer should not be deducted

from your vacation days except if agreed on previously in writing between you and your employer.

If you work part-time, you have the right to a financial indemnity paid as an hourly salary:

- ♦ 8,33 % of the gross salary for 4 weeks of vacation
- ♦ 10,64 % for 5 weeks of vacation

End of contract

Notice of termination of employment

During the trial period	During the 1 st year	From 2 nd to 9 th year	From 10 years
7 days	1 month	2 months	3 months

This notice also applies in case of death of the employer.

A dismissal effective immediately is not valid except with a just cause or reason:

You should challenge this in writing, offer your services and come to any of the SIT consultations.

Protection against dismissal

The employer cannot dismiss you if you have a medical certificate for a period of:

- ♦ 30 days during the 1st year of employment;
- ♦ 90 days from 2nd and 5th year;
- ♦ 180 days from the 6th year;
- ♦ during pregnancy and within the 16 weeks after giving birth

If you were dismissed during any of these protection periods, then the dismissal is not valid.

Taxes

Taxes withheld from the source applies to holders of permits L, B, G, N, etc.

Insurances

Social insurances

The employer should declare the gross salaries, retain your counterpart and pay the social charges (AVS, LPP, unemployment and maternity insurances).

CHEQUE SERVICE is a trustee who can declare the salaries for an employer.

Accident insurance

The employer should have you insured to cover risks of professional accidents. If you work more than 8 hours per week with the same employer, you should also be ensured for non-professional accidents. The insurance company will take charge of the medical costs. It will also pay for incapacity to work with an indemnity corresponding to 80 % of the gross salary for a maximum of 720 days.

Lost of earnings insurance

(Payment of salary in case of sickness)

You are insured for loss of earnings in case of sickness. The coverage is 80 % of the salary for 720 days during a period of 900 days. The premium are paid equally: (you pay for 50% and 50% by your employer).

Echelle de Berne

If the employer waives to take an insurance in writing and the work relationship is more than 3 months or had been concluded for more than 3 months, the employer should pay 100 % but only for a limited period which varies depending on the years of service :

- ◆ 3 weeks during the 1st year
- ◆ 1 month, from 1 year
- ◆ 2 months, from 2 years
- ◆ 3 months, from 5 years
- ◆ 4 mois, from 10 years, and so on...

Sickness insurance

The sickness insurance concerns the medical costs or hospitalization and medicines. It is mandatory in Switzerland and you have to contract it yourself with an insurance company. The sickness insurance is expensive but you can apply for a subsidy to pay the premium if you are a tax payer.

Certain insurance companies tends to refuse coverage for undocumented persons but they are not authorized to do that.

Maternity insurance

A paid maternity leave of 16 weeks after giving birth is paid 80 % of the gross salary/month on the average, if declared with the AVS for 9 months before giving birth.

RESIDENCE PERMIT

For more than 20 years, SIT is advocating for and demanding the collective regularization of undocumented persons. The procedure is very complicated. SIT will support you and will only start the process with your full agreement and consent.

On the subject of work, you have exactly the same rights as your Swiss colleagues or persons with residence permits or have official autorisation to work.

SAY NO TO SEXUAL AND PSYCHOLOGICAL HARASSMENT

The law prohibits acts which puts your physical and mental health in danger and your employer has the obligation to protect your personality.

If you are a victim/survivor of sexual and/or psychological harassment, come and speak to us during the consultations for your sector.