

Internships and first jobs: definitions and applicable working conditions

1. Labour market monitoring and oversight of internships
2. Definitions of internships vs first jobs
3. Particularities of internship contracts
4. Work Permits
5. Applicable salary levels for first jobs

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1. Labour market monitoring and oversight of internships

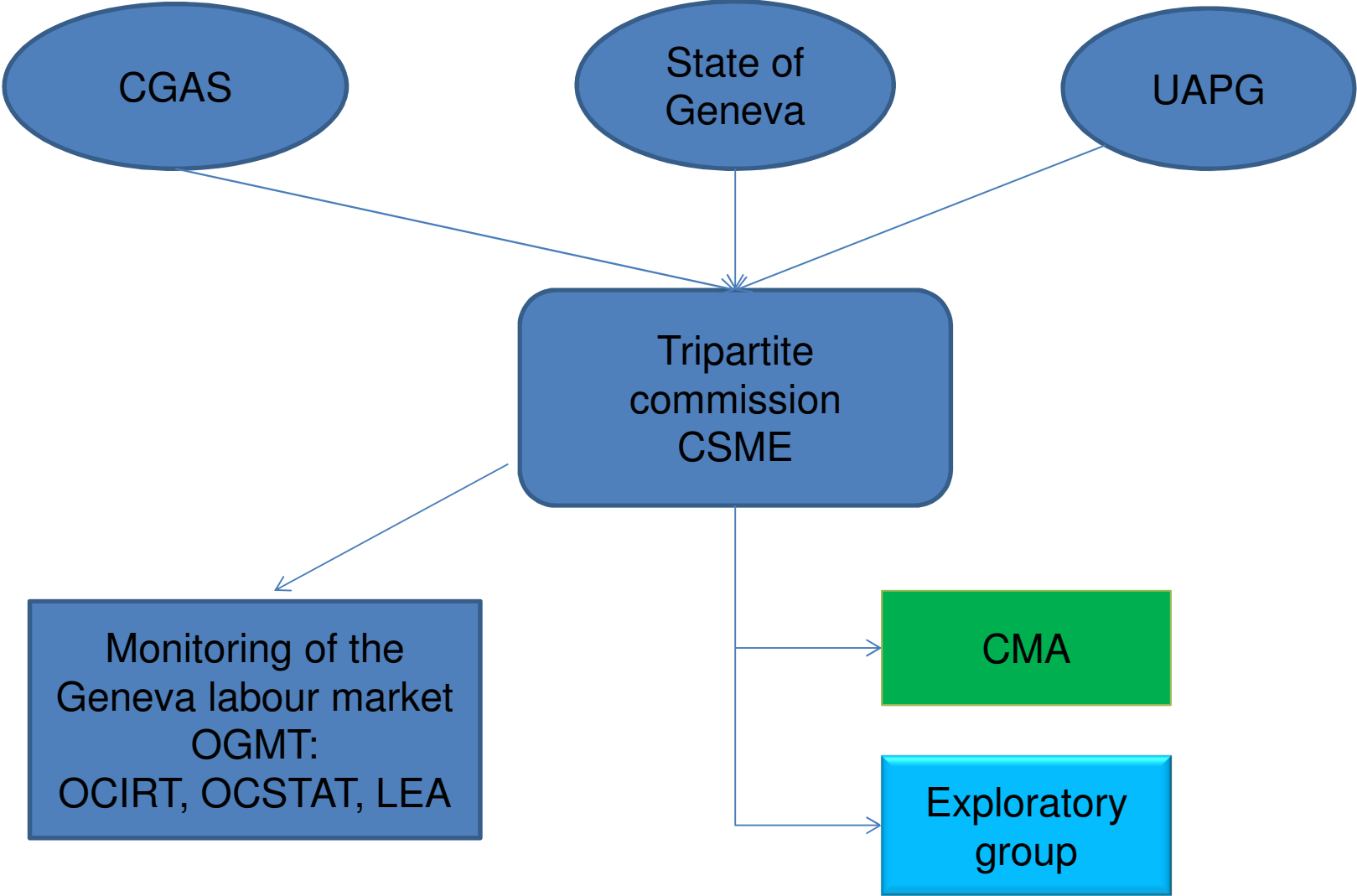
1. What is monitoring?

- Following the evolution of the Geneva labour market
- From the point of view of salaries, social benefits and working conditions
- As part of the accompanying measures of the AFMP LCP (Agreement on the Free Movement of Persons EU/CH)



Fight against salary dumping

1. Organisation chart of the Geneva system



1. Internship oversight

- Monitoring of internships reinforced since 2013
- In-company inspections by OCIRT
- Arbitration by the Commission for accompanying measures (CMA)

2. Definitions of internship vs first job

2. Definitions

According to a press release issued on 16 September 2016, internship that fit the following criteria are considered by CSME as *unproblematic*:

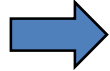
1. Optional or compulsory internships that take place as part of a degree requirement.
2. After graduation, orientation internships for the purpose of starting another programme, provided that the utility of the internship is attested by the training institute that runs the other programme.
3. Professional or social reintegration internships that fall under a federal or cantonal legal authority.

2. Definitions

- In order to be considered an internship, a work contract must be validated by a third party.
- **Internships that do not fulfill the above criteria will be considered as first jobs.**

2. Definitions

- *The CSME's competent subcommittee, in which unions and employers' organisations are represented, can examine particular situations.*

 Policy around the definition of internships evolves and is refined in the light of CSME's analysis of particular situations.

2. Examples of internships undertaken during a degree

EPFL architects

Compulsory 12 month internship as part of the architecture syllabus at EPFL. Its validation is a condition acceding to a master's degree. Students who decide not to continue at EPFL at the end of their BA do not have to do an internship.

Haute école de gestion Genève (HEG)

Students enrolled in business administration are not obliged to do an internship, but it is highly recommended for full time students. Internships can take place between mid-June and mid-September.

Students enrolled in information studies must do an internship. A student can choose his/her internship to take place in Switzerland or abroad, depending on his/her interests.

Journalism

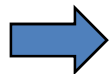
An agreement between the social partners defines, among other things, an interns' remuneration requirements, holidays and working hours, as well as the length of the internship (usually 2 years) and the number of interns (25%) compared to the number of employees of the company. The MA Program in Journalism and Communication at the Academy of Journalism and Media (Unine) includes two 8-week corporate internships with media partners.

Lawyer

In order to get his license, a legal intern must undergo a thorough training course at the Law School (ECAV) for a semester and he/she will have to complete an 18 month internship (art. 31 LPAv).

Maturité spécialisée after an ECG diploma

The "maturité spécialisée" lasts one year. It is intended for students who have obtained the ECG certificate in the chosen option. It consists of professional internships, theoretical courses and practical workshops.



Tripartite written agreement between trainee, school and employer

2. Examples of internships that are compulsory for access to a degree programme

Early childhood ESEDE (higher education for childhood educators)

The 3 year full time training programme is intended for adults who have already turned 18, who have a secondary level education, and who have professional experience of at least 800 hours in the field of early childhood.

HETS social work (Geneva higher education for social work)

Admission requires professional experience of a minimum of 40 weeks, of which at least 20 should be specific to the wider social-care sector. The relevant part of the professional experience must be validated by the school.

Requirements for admission

Pre-qualification internship

Preparatory and pre-qualification measures intended for students who have already attended middle school (cycle d'orientation). It must allow them access to vocational training. It lasts from a minimum of one month to a maximum of 10 months. The company hosting such an intern must have a training authorisation issued by the OFPC (Office for orientation, vocational and continuing education).

OFPC Certification

2. Orientation internships between two degrees

- After acquiring a bachelor's degree, the student does an internship in order to choose a field for his master's degree. Provided that the usefulness of the internship is confirmed by the Academic institute that runs the master's programme.
- The UNI-Emploi project, 'extra-curricular' internships approved by the CMA in March 2017:
 - For students with a bachelor's degree, or students who have little formal coursework or little time for an internship
 - Tripartite agreement: Uni-emploi, student, employer
 - Binding requirements: duration of 6 months maximum, work time between 50% and 100%, registered student, must clarify the student's professional project, clear link between the internship and the student's professional project, social security affiliation, etc.
 - Non-binding requirements: salary, etc.

2. Employability internships

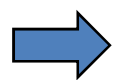
Workforce or social reintegration internships:

- ➔ Federal or cantonal legal framework
E.g.: LACI, AI, social care, Hospice Général, etc.
- ➔ Internship contract countersigned by a recognized social-care entity.



2. Employability internships

- Professional internship for the unemployed : duration 6 months maximum.
 - Intended for people who encounter difficulty finding a job because they have been out of work.
 - E.g. : Syni, administrative department of the office of subsidized temporary employment (ETSL) of the Service du travail of the City of Lausanne. Under a mandate from the State Secretariat for Economic Affairs (SECO), it allows unemployed professionals to take part in training and formative missions in the area of international cooperation through the Federal Temporary Employment Program (PETF).



Certification by the Regional placement office (ORP)

2. Orientation internships

- Professional orientation internships : from 1 to 5 days on the job to ascertain interest for a profession
 - **For middle school students or students who have already completed their compulsory education**
 - **For young people or adults out of school**

Documents needed: - registration form
 - internship report

 **Validation by the Office for orientation, vocational and continuing education (OFPC)**

[http://ge.ch/formation/information-orientation/informer-sur-metiers-formations](http://ge.ch/formation/information-orientation/informer-sur-metiers-<u>formations</u>)

2. Criteria that are not relevant in defining an internship contract

- Insufficient language skills
- Lack of professional experience
- Foreign diploma:
 - recognition of European diplomas (e.g.: architect = Bologna Process)
- Short term contract



First professional experiences after graduation or
in activities that do not require specific training

= jobs

In order for a work contract to be considered an internship,
it must necessarily be validated by a third party.

Quizz

Stagiaires MP 3+1

DF / Service de l'apprentissage

Taux d'activité

100 %



Délai d'inscription : 31.03.2015 **Entrée en fonction** : 24.08.2015



Stage d'une année, pour les élèves en classe maturité professionnelle de l'école de commerce, au sein de l'Etat de Genève.

Formation

Etre en situation de promotion à la fin de l'année scolaire 2014-2015.

Connaissances spécifiques

Un intérêt particulier pour l'administration publique.

Observation

Inscription : envoi d'un dossier de candidature (électronique) avec lettre de motivation, CV, derniers résultats scolaires, une copie d'une pièce d'identité (recto-verso) et/ou permis de séjour ainsi que la mention d'une adresse électronique.

Seuls les dossiers complets seront pris en considération.

Copiez-Collez ce lien dans votre navigateur, pour accéder au complément d'information relatif aux postulations faites par voie électronique :

http://etat.geneve.ch/sadconsult/map/AideDrhWeb/prerequis_mentions_legales_drh_web.htm

Lieu de travail

Canton de Genève

Adresser votre offre à

Service de l'apprentissage
au moyen du lien ci-dessous

Postulez par voie électronique depuis le site des places vacantes de l'Etat (cliquez ici)

Annonce parue le : 09.03.2015



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Département fédéral de la défense,
de la protection de la population et
des sports DDPS

**Office fédéral de topographie
swisstopo**
Seftigenstrasse 264
3084 Wabern

Vous nous faciliteriez la tâche en
faisant acte de candidature d'ici au
15 avril 2015 sur le site
www.stelle.admin.ch.

Si vous avez des questions
concernant cette annonce,
Monsieur Ambrogio Foletti,
Spécialiste SIG / gestionnaire de
données, au numéro de téléphone
058 469 01 11 est à votre
disposition.

Ref. Code: 24552

L'Office fédéral de topographie swisstopo est le centre de géoinformation de la Confédération. Il est responsable de la mensuration nationale et coordonne les activités de la Confédération en matière de géodonnées et géoservices. swisstopo fournit ses partenaires et clients en géodonnées actuelles et de haute qualité sur toute la Suisse. Ses produits peuvent être livrés sous différentes formes: cartes nationales numérisées ou imprimées, modèles en 3D ou services Web. L'Office est également l'autorité compétente de la Confédération pour ce qui concerne la géologie et la haute surveillance de la mensuration officielle.

Vous avez de l'intérêt pour les applications web cartographique, les géoservices et les technologies internet modernes? Vous appréciez les technologies Open Source? Vous voulez vous perfectionner dans la gestion des données géographiques? Vous aimez évoluer dans un environnement innovant? Vous voulez découvrir le cloud computing? Si oui, alors cette annonce est sûrement pour vous!

Pour vous permettre de faire vos premières expériences professionnelles avec des outils de travail modernes, le domaine COSIG Processus «IFDG Infrastructure Web» propose pour le 1er juillet 2015 ou une date à convenir un poste de

Stagiaire Web Mapping geo.admin.ch (à pourvoir pour une année)

Vous participez au développement et à la maintenance de l'Infrastructure Fédérale de Données Géographiques (IFDG) et au développement de www.geo.admin.ch.

La préférence sera donné à un(e) ingénieur(e) EPF ou HES diplômé(e) en informatique, en géomatique ou en géographie. Vous avez déjà des connaissances et de l'intérêt pour le développement informatique et les banques de données. Vous voulez étendre et approfondir vos connaissances dans le domaine de la géoinformatique et du web mapping. Vous avez des connaissances actives d'une deuxième langue officielle ainsi que l'anglais. Les candidatures provenant de personnes appartenant à la communauté italophone seront particulièrement appréciées. **Vous avez passé votre examen final depuis moins d'un an à compter de la date de début de votre stage.**

Ce que vous y gagnez:

Une activité exigeante, variée et indépendante vous attend au sein d'une équipe motivée; ce qui vous permet de faire valoir vos connaissances et de les approfondir. Un poste de travail moderne, des conditions d'engagement progressistes ainsi qu'un horaire de travail mobile accroissent encore l'attrait de cet emploi.

Lieu de travail: Wabern

Taux d'occupation: 80 - 100%

Urgent! Centre hôtelier et conférence à Genève cherche

Un(e) stagiaire en réception à 80%

Dès **février** et pour 6 mois

Profil souhaité : maturité ou CFC, motivé et polyvalent, parfaite maîtrise Fr./Angl., permis valable ou européen.

Adressez CV + lettre de motivation à :

gmail.com

FOCUS ON SUCCESS, EXPLOIT YOUR PERSONAL STRENGTHS TO THE MAXIMUM AND YOUR POTENTIAL IS UNLIMITED.

Stagiaire juriste (f/h) – Genève

Vous êtes à la recherche d'une première expérience professionnelle au sein d'un environnement qui vous offre des possibilités de carrière propres à une société internationale de premier rang? _ emploi plus de 50 conseillers juridiques hautement qualifiés qui disposent de connaissances pratiques approfondies en matière de droit des affaires. Nos équipes interdisciplinaires mettent leurs compétences professionnelles orientées solutions et objectifs au service de clients exigeants. Afin de renforcer son équipe à Genève est à la recherche pour une durée limitée de deux ans d'un(e) Stagiaire juriste.

Ce poste s'adresse à des personnes intéressées par une première expérience en matière de droit des affaires, désireuses par la suite d'effectuer en principe un stage d'avocat.

Vos responsabilités:

- Rédaction de divers actes juridiques et avis de droit en matière de droit des sociétés
- Soutien aux autres membres de l'équipe dans les recherches juridiques
- Collaboration à des mandats dans les domaines du droit des contrats, ainsi que dans le secteur M&A et restructuration d'entreprise
- Activité de conseil pour notre clientèle nationale et internationale, notamment en matière de droit du travail et de demandes de permis
- Collaboration active dans le cadre de mandats pluridisciplinaires avec les autres lignes de service

Votre profil:

- Master en droit d'une université suisse éventuellement complété par une formation post grade dans un pays anglo-saxon et/ou en droit des affaires (MBL)
- Parfaite maîtrise du français et de l'anglais, l'allemand étant un atout
- Orienté(e) sur la qualité des services, sens de l'initiative, très bonne gestion des priorités et des délais, esprit d'équipe

CAGI : Job offers, Internship and Volunteer

www.cagi.ch/fr/service-ong/bourse-d-emploi-ong

3. Particularities of an internship contract

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- The Internship contract must be a **fixed-term contract**
- It must be **tripartite**
- The intern is an employee 'like any other employee' in the company
- An internship contract is not different from a work contract
- The contract has to respect the different legal rules that apply to work relations (CO, LTr, LEtr, etc)
- Salary is subject to AVS and other social insurances.
- In certain collective work conventions (CCT), internship conditions are mentioned (e.g. engineers, hospitality)

3. Particularities of an internship contract

An internship contract must mention the following items:

- Objectives in terms of training
- Duration of the contract
- Weekly working hours
- A personal reference
- Names of the parties to the contract
- The salary



3. Exemple: Architect internship contract

The present tripartite agreement is concluded between:

The company:

(name and address of the company)

Represented by

(name and title of the person)

(hereafter the 'Company')

AND

The Federal Institute of Technology in Lausanne, 1015 Lausanne (EPFL)

Represented by

(surname, first name)

(hereafter the 'representative' of EPFL)

AND

The student:

(surname, first name)

(address)

Enrolled to the _____ program. From year

(hereafter the 'Student')

4. Work permits

4. Types of work permits

- Foreign students that hold Student B Permit may take up part-time work (for up to 15 hours a week in term time and full-time during holidays), or an internship if it is part of the degree (OCPM check).
- Foreign students that are studying abroad have to request a work permit before starting an internship in Geneva (OCIRT check).

4. Interns from third countries (non EU/EFTA)



Criteria for granting work permits to third-country trainees:

- The internship is an integral part of the university curriculum
- Minimum remuneration of CHF 2,600/month (can be partly in-kind)
- The internship should not last more than 4 months (= no quota)
- Exceptionally, longer internship can be accepted if it is required by the master's degree that is being undertaken, and that it is of interest for international Geneva.
- No extension or transformation of work permit allowed

5. Applicable salaries for first jobs

5. Salaries in practice



Salary references for 'first' time employees:

- Mandatory minimum wage in sectors with:
Extended collective work conventions (23), collective work conventions with compulsory salaries (5), in use by OCIRT (24)
- Reference wage in sectors with:
Usual collective work conventions (49), CTT provision (4), in use by OCIRT

Applicable working conditions for 'summer jobs'

No specific salaries for 'summer jobs'.

In practice, it is accepted that young people under 18 receive pay according to their age (e.g.: 16 years old: 16 CHF/hour)



Sectors without compulsory standards

Salary calculator



- Data from the Swiss Earnings Survey (ESS) have enabled the creation of a **salary calculator**:

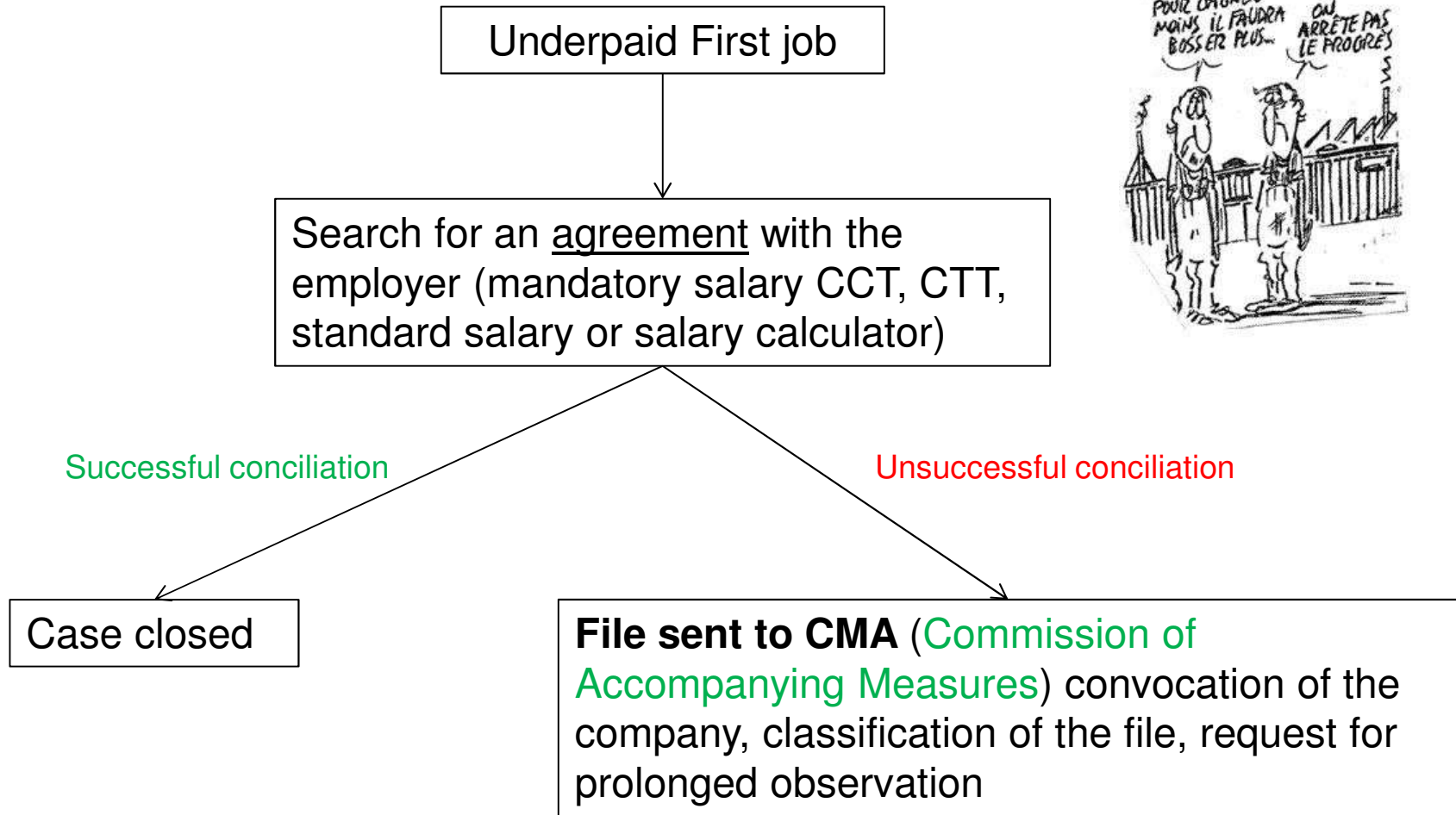
<http://ge.ch/ogmt/calculateur-de-salaire-en-ligne>

It establishes a **customized salary profile** according to the criteria provided by the user.

5. Salary calculator

- 'Real', not negotiated salaries
- **Individualised** standard salaries
- No minimum general reference salary as in a CCT or a CTT
- Transparency (it indicates what is being taken into account)
- Impossible to create a profile for some professions due to lack of data

5. Conciliation process



- **If the conciliation process fails, minimum wages may be fixed by:**
 - extension of the minimum wage provisions specified in the collective work convention (CCT)
 - the introduction of standard fixed-term work contracts (CTTs) imposing mandatory minimum wages

5. Examples of cases handled by OCIRT

- Engineering office, signatory of the standards in use, 2 unrecognized 3 month internships paid at 2'000 and 1'500 CHF/month: total to be made up : about 20'000 CHF
- Architects office, signatory of the standards in use. Polish intern with a master's degree, unrecognized internship at 2'000 CHF/month: total to be made up : 4'500 CHF.
- IT company, signatory of the standards in use, intern with a master's degree paid 2'000 CHF/month, unrecognized internship: salary raised to 5'000 CHF/month
- Local NGO active in the field of sustainable development, interns supervised by other interns, unrecognized internships: summoned to the CMA

5. Examples of cases handled by OCIRT

- Accountancy firm, signatory of undefined standards in use, intern repeats university semester, internship not included in university curriculum, conciliation non-resolved: case forwarded to CMA
- International NGO, regularly hires students enrolled in university course or recent graduates as interns, pays them 1'000 CHF/month. Following the conciliation, the NGO commits to hire student interns only.
- An IT company would like a certification. A 'fake' intern for 6 months paid 2'000 CHF. The salary is raised to 5'000 CHF/month.

Cantonal Office of Labour Inspection and Labour Relations (OCIRT)

www.ge.ch/ocirt

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Case postale 64 – 1211 Genève 8
Tél. 022 388 29 29 – Fax 022 546 97 25

Thank you for your attention