

Equality

This fact sheet provides you with an overview of the topic of equality in the workplace. In a condensed form, you will learn how equality is defined, what the Gender Equality Act contains, and how to proceed in the event of any kind of discrimination based on gender, gender identity and sexual orientation.



Definition of equality

Achieving genuine equal opportunities

Equality means that all people – regardless of gender, gender identity or sexual orientation – have the same rights and opportunities in all areas of life. It encompasses equality not only between women and men, but also between lesbian, gay, bisexual, trans and intersex (LGBTI+) persons. The aim of promoting equality is to reduce existing inequalities and discrimination and to create genuine equal opportunities.

Despite various statutory safeguards relating to discrimination based on gender, gender identity and/or sexual orientation, discrimination still takes place in everyday life.

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The law regulates equality in working life

One of the objectives of the current Vocational and Professional Education and Training Act (in force since 1 January 2004) is “genuine equality between women and men” (Art. 3c of the VPETA). Gender equality has been enshrined in the Federal Constitution since 1981 and the Gender Equality Act (GEA) has been in force since 1 July 1996. The Gender Equality Act applies to all areas of working life, including vocational education and training.

What this means in detail:

- The GEA prohibits discrimination in the world of work on the basis of gender. This prohibition is binding for the entire duration of the employment relationship, i.e. for the time the job is advertised up until the notice of termination is served or the termination of the employment contract.
- Women and men must be treated equally in the organisation of working conditions (the prerequisites under which work is to be carried out).
- Women and men receive the same pay for the same work or work of equal value.
- Women and men must be protected from sexual and sexist harassment in the workplace (see “Sexual Harassment” leaflet).
- Women and men must be treated equally in the allocation of tasks, in education and training and when it comes to promotions.
- Women and men may not be dismissed if they complain about existing discrimination in accordance with the GEA.

The Gender Equality Act also applies to discrimination based on gender identity, even if the wording of the law only refers to women and men. However, the Gender Equality Act does not apply to discrimination based on sexual orientation. General employment law provisions on the protection of privacy (e.g. Art. 328 of the Swiss Code of Obligations) can be used here. In general, apprentices are subject to increased duties of care and protection in terms of employment law.

If your company has guidelines on equality, find out more about these and implement them in your work as a VET trainer. Encourage an atmosphere at work that is free of discrimination and harassment within the scope of your duties and competences.

Equality pays off

A working environment free of discrimination helps employees feel better. They are motivated, do a good job and are committed to their company. There are fewer staff absences and redundancies, and know-how stays in the company for longer. In addition, a company benefits from a positive image if everyone is treated in a respectful and appreciative manner.

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What can you do as a VET trainer in specific cases?

If you see or hear about a learner that is suffering discrimination in any way in your company on the basis of their gender, gender identity or sexual orientation, please consider the following actions:

- Try and talk to the person affected and take what they say seriously.
- Protect the learner who is being discriminated against until you are absolutely sure what actually happened.
- Talk to them about what should be done.
- Don't make any decisions without consulting the learner, you could harm them!
- Handle the incident confidentially, discreetly and with tact. This protects the privacy of the individuals involved.
- The supervisor can also be informed with the consent of the person concerned.
- If your company has a mission statement regarding respect in the workplace, check what steps you should take.
- If you have any questions or are unsure about how to proceed, please ask a specialist for help (addresses can be found at the end of this fact sheet).

Important notice:

Be aware of the hierarchy and power gap between learners and trainers. Create a relationship based on trust so that learners really do turn to you when they have a problem. Your own attitudes, outlooks and values regarding gender, gender identity and sexual orientation also play an important role. You should therefore pay attention to your language as well as your demeanour in the company and when dealing with learners. Set a good example and actively promote respectful and non-discriminatory interaction within the team.

If you are also the supervisor of the learners assigned to you in your company, please note the following: In the event of rumours, suspicions or reports of sexual or sexist harassment, you are obliged to take immediate action in accordance with the Gender Equality Act. In such cases, you can no longer guarantee the anonymity of the person concerned. The first thing you have to do is to provide immediate protection and support for the person concerned and to clarify the allegations, and possibly impose sanctions and communicate with the team.

It may be useful to define a separate trusted person or alternative point of contact to whom learners can turn in the event of discrimination based on gender, gender identity or sexual orientation. Even outside of vocational education and training, such a person or point of contact can be of great value to the entire workforce.

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Legal basis

VPETA Art. 3c, Vocational and Professional Education and Training Act (Federal Act of 13 December 2002 on Vocational and Professional Education and Training, SR 412.10)

GEA, Gender Equality Act (Federal Act of 24 March 1995 on Gender Equality, SR 151.1)

FC (Federal Constitution of the Swiss Confederation of 18 April 1999, SR 101)

(Laws can be accessed with SR numbers at: → fedlex.admin.ch)

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Important links

→ vocationaleducation.ch/addresses

List of cantonal VET offices. Point of contact for initial information and referral to specialist units.

→ vocationaleducation.ch/glossary

All important VET terms are described in short and informative texts.

→ ebg.admin.ch/en

Homepage of the Federal Office for Gender Equality, with links and references.

→ equality.ch

Swiss Conference of Cantonal Gender Equality Officers: Access to cantonal or local Offices for Gender Equality, which offer information and, in some cases, advice.

→ gleichstellungsgesetz.ch

Databases of mediation cases and court decisions in accordance with the Gender Equality Act

→ los.ch

Lesbian organisation Switzerland: national umbrella organisation for lesbians, bisexual and queer women in Switzerland

→ pinkcross.ch

National umbrella organisation of gay and bisexual men in Switzerland

→ tgns.ch

Transgender Network Switzerland: Switzerland-wide organisation of and for trans people



Further literature

→ gleichstellungsgesetz.ch

Deutschschweizer Fachstellen für Gleichstellung, Laure Jaton, Christine Sattiva Spring, Das Bundesgesetz über die Gleichstellung von Frau und Mann: An information brochure on rights and procedures in the event of discrimination in working life, 2019

→ sg.ch

Canton of St. Gallen, Office for Social Affairs, Beware of stereotypes: Effectively counteracting gender stereotypes in the workplace, 2023

→ bern.ch

Shelley Berlowitz, Marianne Kauer, Nesa Zimmermann, Was gilt? LGBTI – meine Rechte, Law Clinic of the University of Geneva, Office for Gender Equality of the City of Bern, Office for Gender Equality of the City of Zurich, 2022

Gender equality – prepared in collaboration with the Education Working Group of the Swiss Conference of Gender Equality Delegates → equality.ch

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→ vocationaleducation.ch/factsheets

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