

Internships and first jobs: definitions and applicable working conditions

Maison Internationale des Associations

29 March 2022

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Internships and first jobs: definitions and applicable working conditions

- I. Definitions of internships vs first jobs
- II. Particularities of internship contracts
- III. Applicable salary levels for first jobs
- IV. Labour market monitoring and oversight of internships

Introduction

"Precarious generation"?

Survey of university graduates from 1991-2005, Federal statistical office, 2007:

- 6 % to 8 % trainees among university graduates 1 year after the end of studies (without law graduates)

Difficulties in finding a job:

- 61,4 % of people who completed an internship
- 39,5 % of people who did not complete an internship

Permanent position 5 years after the end of studies:

- 56,4 % of people who completed an internship
- 89,5 % of people who did not complete an internship

I. Definitions

I. Definitions

According to a press release issued on 16 September 2016, internships 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.

I. Definitions

- *"Internship situations that do not meet the aforementioned criteria are considered first jobs. The CSME's competent subcommittee, in which unions and employers' organisations are represented, can however examine particular situations."*

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

I. 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."

Geneva hospitality school

Internships in real conditions compulsory in order to validate the degree. Classes and practical experience modules of 10 to 18 months. Salaries defined by the CCT.

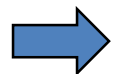
<https://www.ge.ch/document/13828/annexe/18>

UNIGE Primary education training

Internships included in the primary education training curriculum, articulation between theoretical knowledge and practical experiences.

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

I. Internships undertaken during a degree

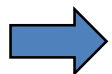
1. Internships that are compulsory for access to a degree programme:

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)

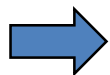
Admission requires professional experience of a minimum of 40 weeks, of which at least 20 should be specific to the wider social-care sector. The relevant part of the professional experience must be validated by the school.



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).



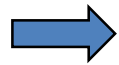
OFPC Certification

I. Orientation internships between two degrees

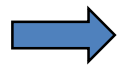
- For instance, after acquiring a bachelor's degree, the student does an internship in order to choose a field for his master's degree.
- The Career centre (formerly UNI-Emploi) oversees the 'extra-curricular' internships approved by the CMA in March 2017:
 - For students with a bachelor's degree, or students who have little formal coursework and time for an internship
 - Tripartite agreement: Career centre, 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.

I. Employability internships

2. Workforce or social reintegration internships:



Federal or cantonal legal framework
E.g. : LACI, AI, aide sociale, Hospice Général, etc.



Internship contract countersigned by a recognized social-care entity.



I. Employability internships

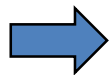
- Training internship for the unemployed: duration 3 months maximum.
 - Intended for people who encounter difficulty finding a job because of lack of professional practice
 - Aimed primarily at unqualified people

Document : tripartite internship contract signed by the insured, the company and the ORP

- 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

Document : an agreement of objectives is concluded between the personnel advisor, the company and the intern. An activity programme must be established.



Certification by the OCE

I. 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



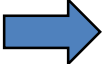
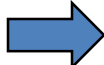
➔ **Validation by the Office for orientation, vocational and continuing education (OFPC)**

<https://www.ge.ch/informer-metiers-formations/decouvrir-metier-grace-stage>

I. Internships according to the Memento of Instructions of the State of Geneva OPE

The internship is a period of varying length completed in a professional environment by students as part of their school or higher education course (university, HES), as an extension of classes or during theoretical courses.

It can be:

- required by the school (compulsory for the obtention of the diploma);
 Tripartite agreement
- undertaken at the initiative of the candidate with a view to discovery and professional orientation.
 OFPC certification

I. 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



I. 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 2'660.- CHF/month
- The internship should not last more than 4 months



I. Conclusion

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

I. 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

I. Quizz



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%

I. Quizz

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

I. Quizz

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? L'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

Stage - Technicien audiovisuel (h/f)

- **Vos responsabilités :**

- Assistance au vol drone
- Opérateur de prises de vues aériennes (drone)
- Capture d'images (photo et vidéos)
- Montage vidéo
- Traitement des photos et vidéos 360°
- Retouche photo
- Entretien du matériel
- Diverses tâches administratives

- **Votre profil :**

- Etudiant ou **jeune diplômé motivé**
- Autonome et organisé
- Compétences et intérêt pour l'audiovisuel
- Connaissance du marché local
- Maîtrise du français et de l'anglais (B2), l'allemand est un atout
- Suisse ou Permis C/B/G
- Permis de conduire

- **Notre offre :**

- Temps de travail : **100%**
(**possibilité de travailler parfois le week-end**)
- Durée du stage : **6 mois**
- Entrée en fonction : ASAP
- Dédommagement : **450.- CHF brut**
- Type d'emploi : Temps plein
- Langue(s) exigée(s) : Français, anglais

<https://emplois.indeed.ch>

II. Particularities of an internship contract

II. Particularities of an internship contract

- 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)
- The Internship contract must be a **fixed-term contract**
- Salary is subject to AVS and other social insurances.
- In certain collective work conventions (CCT), internship conditions are mentioned (e.g. engineers, hospitality)

II. 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



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 ██████████ programme. From year ██████████
(hereafter the "Student")

III. Applicable salaries for first jobs

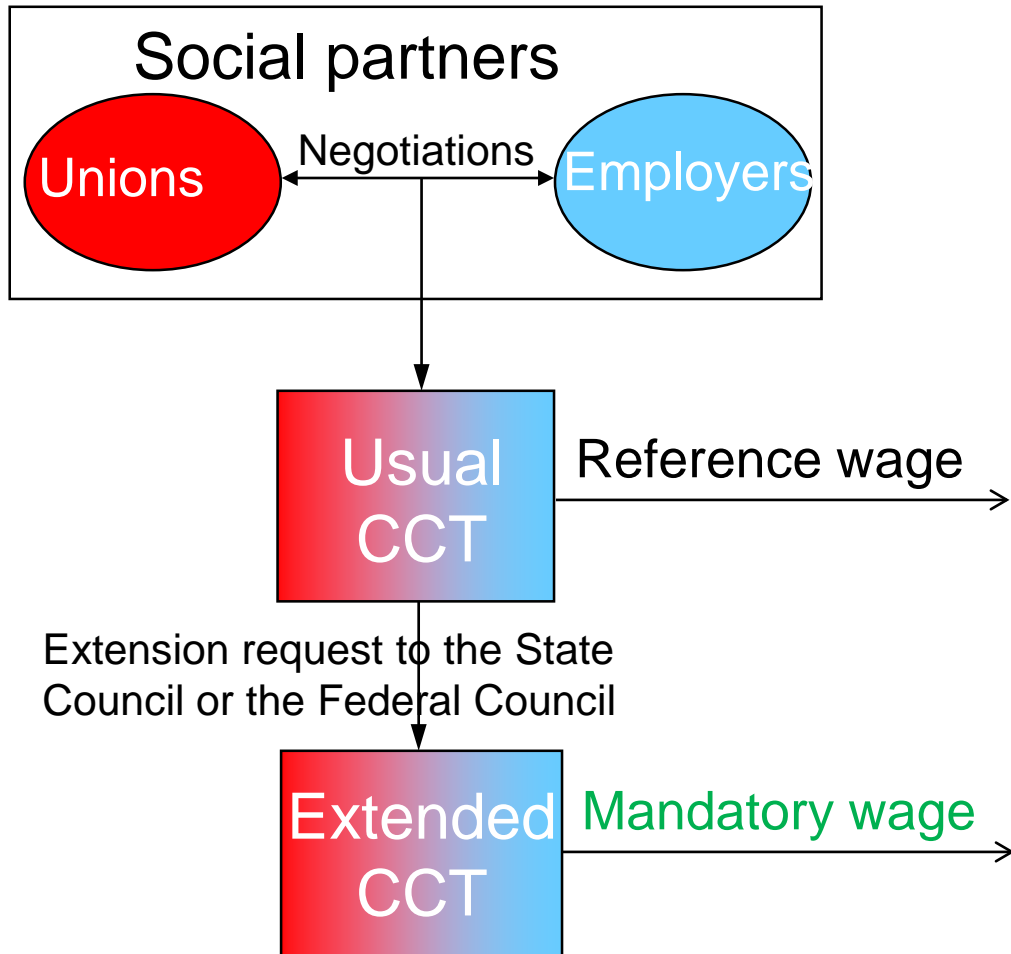
III. Salaries in practice



Salary references for "first" time employees:

- **Mandatory minimum** wage in sectors with:
Extended collective work conventions (30), collective work conventions with compulsory salaries (6), in use by Ocirt (29)
- **Reference** wage in sectors with:
Usual collective work conventions (49), CTT provision (4), salary calculator, in use by Ocirt

III. Sectors with a CCT



E.g.: Transports, architect, EMS, early childhood, etc.

E.g.: Buildings (GO,SO,MBG), parcs and gardens, cleaning, sécurité, bodywork, engineers, etc.

<https://www.ge.ch/conventions-collectives-travail-cct/cct-secteurs-applicables-geneve>

III. Applicable working conditions

"Summer jobs"

No specific salaries for "summer jobs", but implicit rule: young people under 18 receive pay according to their age.
E.g.: **16 years old, 16 CHF/hour**

Exception:

Watchmaking sector: specific salaries for summer jobs for young workers are indicated in the collective work convention.

<https://www.ge.ch/document/13823/annexe/0>



III. Standard fixed-term work contracts (CTTs)

There are **10 CTT** in the State of Geneva, including:

6 CTT with compulsory salaries:

- Home economics, Esthetics, Transport of things for third parties, Stand fitters, Mechatronics and Retail trade

4 "usual" CTT with reference wage:

- Agriculture, Floriculture, Au pair majors, Au pair minors

<https://www.ge.ch/contrats-types-travail-ctt/ctt-vigueur-geneve>

III. "Usages" by Ocirt

Documents issued, in particular, within the framework of the award of public contracts.

Companies that become signatories must **respect wages and working conditions.**



USAGES

Boulangerie-pâtisserie-confiserie

(UBPC 2019)

Ce document reflète les conditions de travail et prestations sociales en usage dans le secteur; il annule et remplace les documents précédents.

L'employeur doit remettre une copie du document à tous les employés concernés.

Les documents usages sont publiés sur le site Internet de l'office

<http://www.ge.ch>

Les dispositions légales et réglementaires citées dans le document peuvent être consultées sur le site genevois du Service de la législation

<http://www.ge.ch/legislation>

Les arrêtés d'extension ainsi que les dispositions étendues cités dans le document peuvent être consultés sur le site Internet du Secrétariat d'Etat à l'économie

<https://www.seco.admin.ch/seco/fr/home.html>

III. Sectors without compulsory standards

Salary calculator



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

<https://www.entsendung.admin.ch/Calculateur-de-salaires/home>

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

Salary calculator

- "Real", not negotiated salaries
- Transparency (it indicates what is being taken into account)
- Large sampling (75'000 entries for GE)
- Individualised standard salaries, therefore no minimum reference value as in a CTT or CCT
- Impossible to create a profile for some professions due to lack of data
- Equation for each of the 36 branches selected

Minimum wage of 23 CHF/hour

- Cantonal vote of 27 September 2020: people accept a minimum wage of 23 CHF/hour
- Amendment of the LIRT Law on Inspection and Labour Relations
- Art. 39 k 4 "*Salary is understood to mean the determining salary within the meaning of the legislation on old-age and survivors' insurance, excluding any allowances paid for vacation days and public holidays.*"

Minimum wage of 23 CHF/hour - General consequences

- Entry into force on November 1, 2020
- Indexation on January 1, 2021 at 23.14 CHF/hour and 23.27 in 2022
- The minimum wages provided for in usages, CCTs or CTTs lower than this gross amount can no longer be applied. (*art 39 L Lirt*)
- Control: Ocirt and IPE, otherwise approach to Prud'hommes
- Penalty of up to 30'000 CHF for non-compliance with the minimum wage
- No exceptions for professional integration internships, nor for summer jobs

Minimum wage of 23 CHF/hour - Consequences for internships

- Entry into force of the modification of the RIRT of April 23, which incorporates the criteria of the CSME:

Art. 56E Interns

¹ The internship contracts within the meaning of article 39J, letter b, of the law are the following internships:

- a) orientation internships between 2 programmes; or
- b) professional or social reintegration internships, under the oversight of the federal or cantonal level authorities; or
- c) professional or social reintegration internships, organised by municipalities, subject to the unanimous approval of the supervisory board; or
- d) internships taking place as part of a degree requirement; or
- e) internships validated by an academic entity.

- The minimum wage does therefore not change anything for internships, but brings first jobs to 23 francs minimum

Minimum wage of 23 CHF/hour - Consequences for summer jobs

- Entry into force of the modification of the RIRT of April 23, which incorporates the criteria of the CSME:

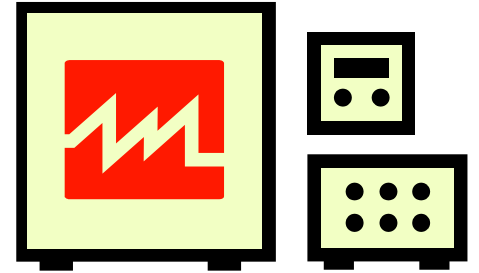
Art. 56E Interns

² In the sectors covered by a branch collective work convention, the exception provided for in article 39J, letter b of the law applies to the occasional professional activities of students over the age of 18 under the following cumulative conditions

- a) the student is registered with an academic entity;
 - b) the occasional professional activity is carried out during the vacation period of the academic entity;
 - c) the occasional professional activity does not exceed 60 continuous days per calendar year;
 - d) the salary for the occasional professional activity is fixed by the competent joint commission.
- The regulation reintroduces summer jobs but in a restrictive way

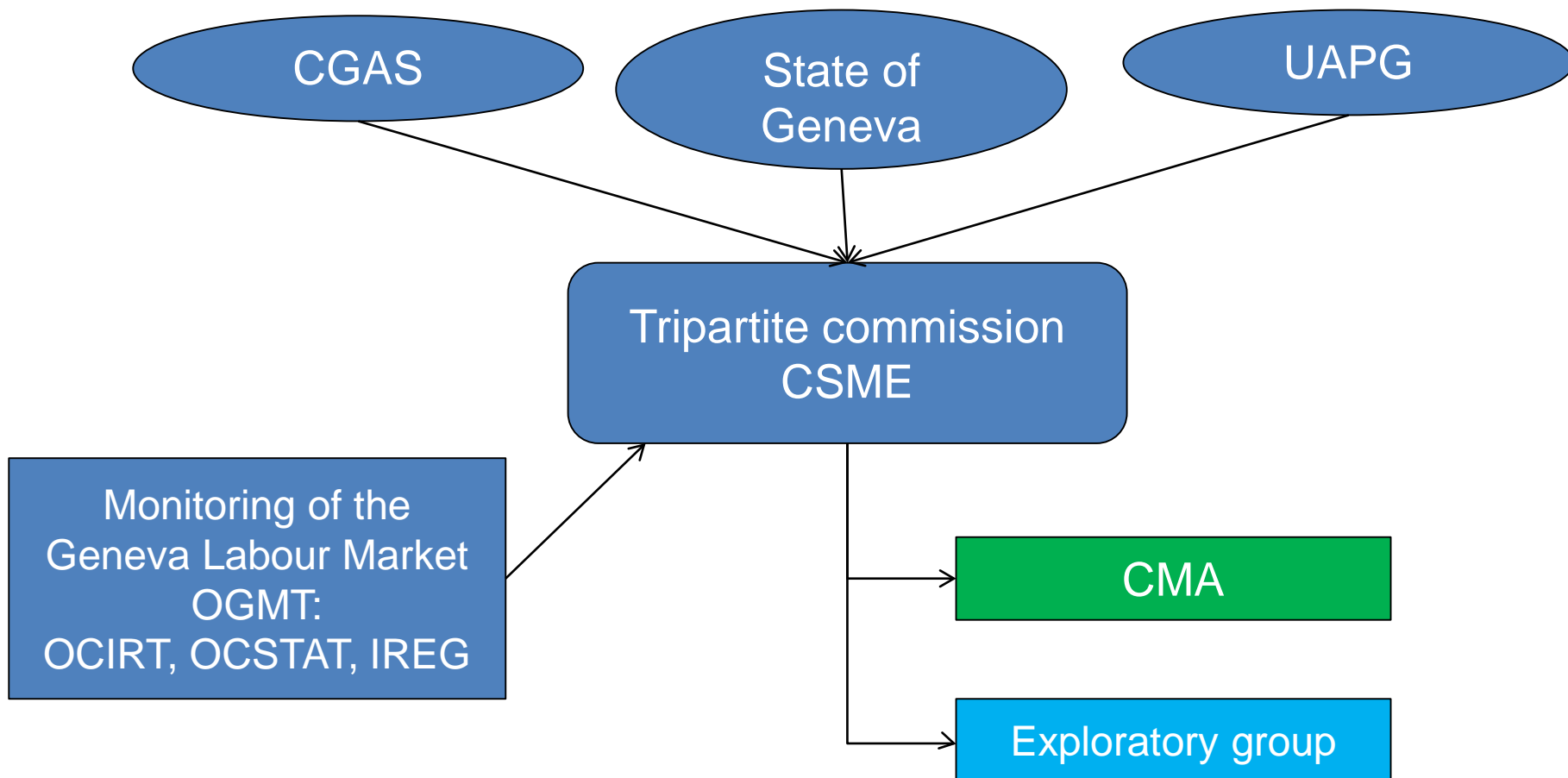
IV. Labour market monitoring and oversight of internships

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 AFPM

Organisation chart of the Geneva system



Exploratory group

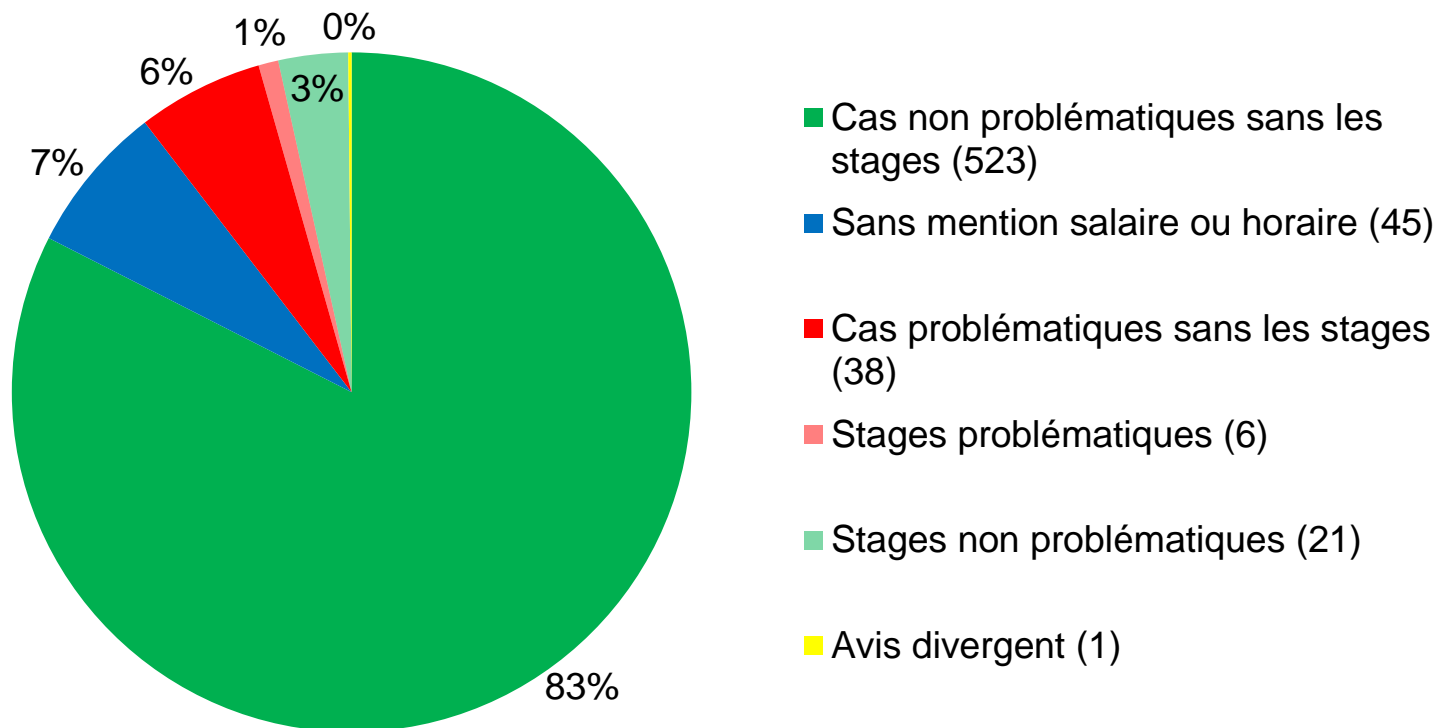
- Composition: 1 representative of UAPG, 1 of CGAS and 1 of Ocirt
- Examines, since 2004, **3 times a year** (March, May, November) the application forms for cross-border or residence permits
- Establishes the statistical evolution of permit applications deemed problematic in terms of salary or hours
- Issues a press release
- Monitoring of internships reinforced since 2013

Exploratory group

Internship observation

Permit applications March 2020: 634

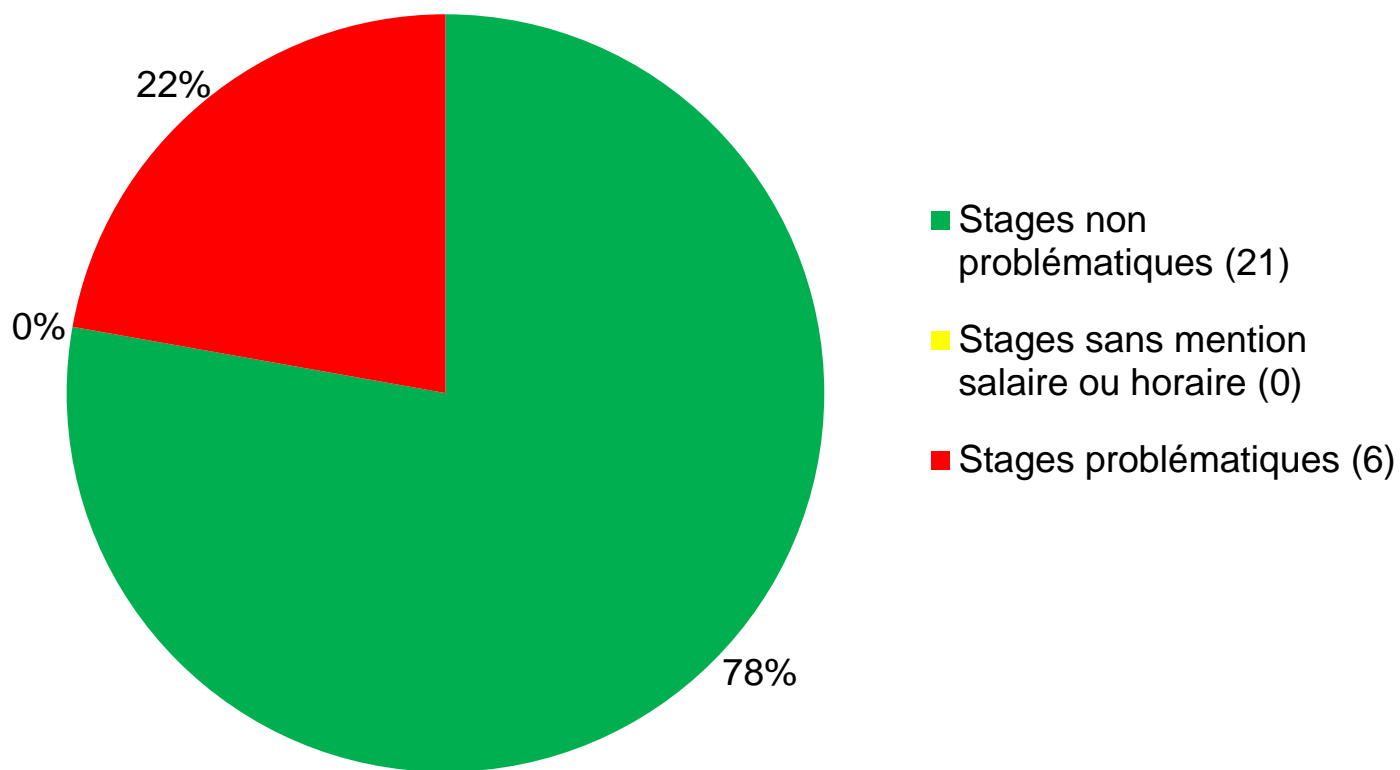
Number of internships: 27 (4.3%)



Exploratory group

Internship monitoring

**Internships for March 2020, 27 forms
including 6 deemed problematic**

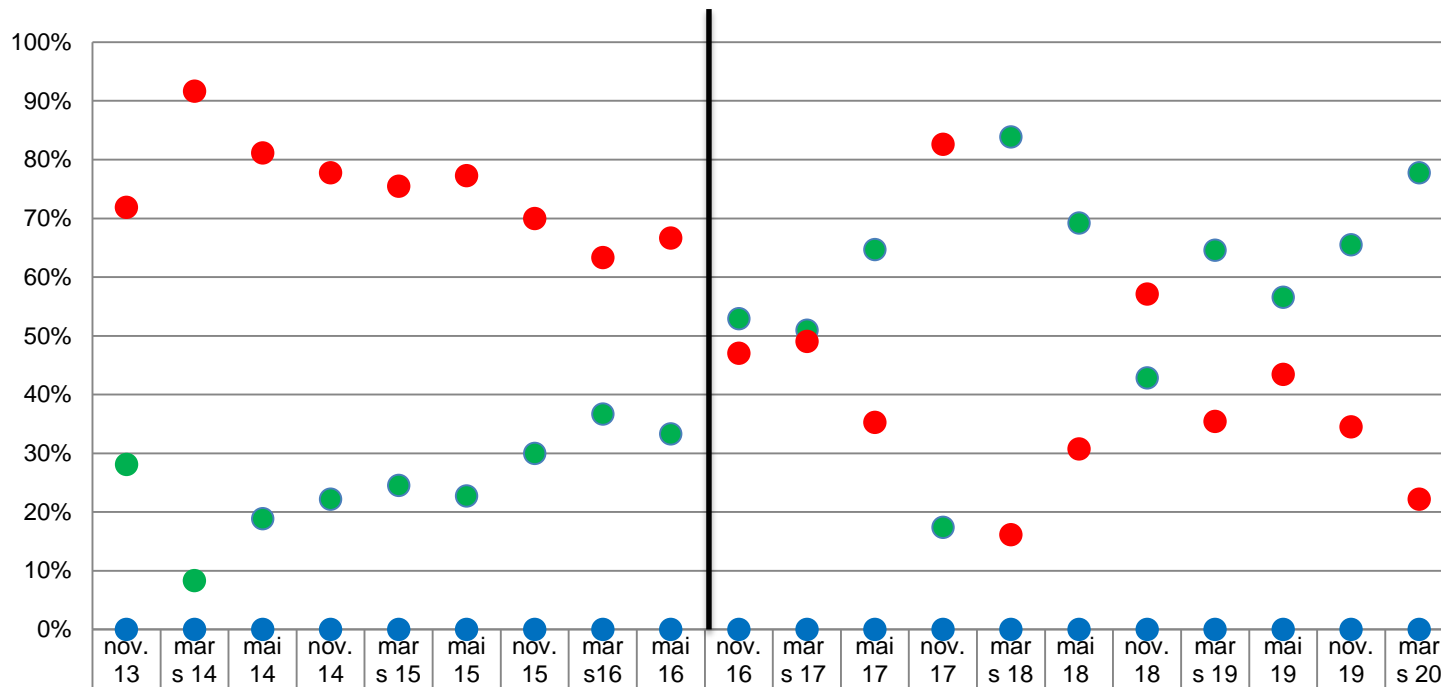


Exploratory group

Internship monitoring

CSME press release of 16 September 2016

Stagiaires



● Cas non problématiques	28%	8%	19%	22%	25%	23%	30%	37%	33%	53%	51%	65%	17%	84%	69%	43%	65%	57%	66%	78%
● Sans mention salaire ou horaire	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
● Cas problématiques	72%	92%	81%	78%	75%	77%	70%	63%	67%	47%	49%	35%	83%	16%	31%	57%	35%	43%	34%	22%
Total des observations	32	48	53	27	53	22	30	30	27	17	53	17	23	31	13	14	48	76	29	27

1. Reinforced monitoring of internships

- OCP forms, worker complaints, Ocirt visits, etc.
- Case by case analysis
- Request for documents and details from the employer
- The check makes it possible to determine whether the internship is:
 - A recognized internship: classification of the file
 - A "first" job: **conciliation** with the employer in terms of salary

2. Conciliation process

Underpaid first job

Search for an agreement with the employer
(mandatory salary CCT, CTT, standard salary or salary calculator)

Successful conciliation

Case closed

Unsuccessful conciliation

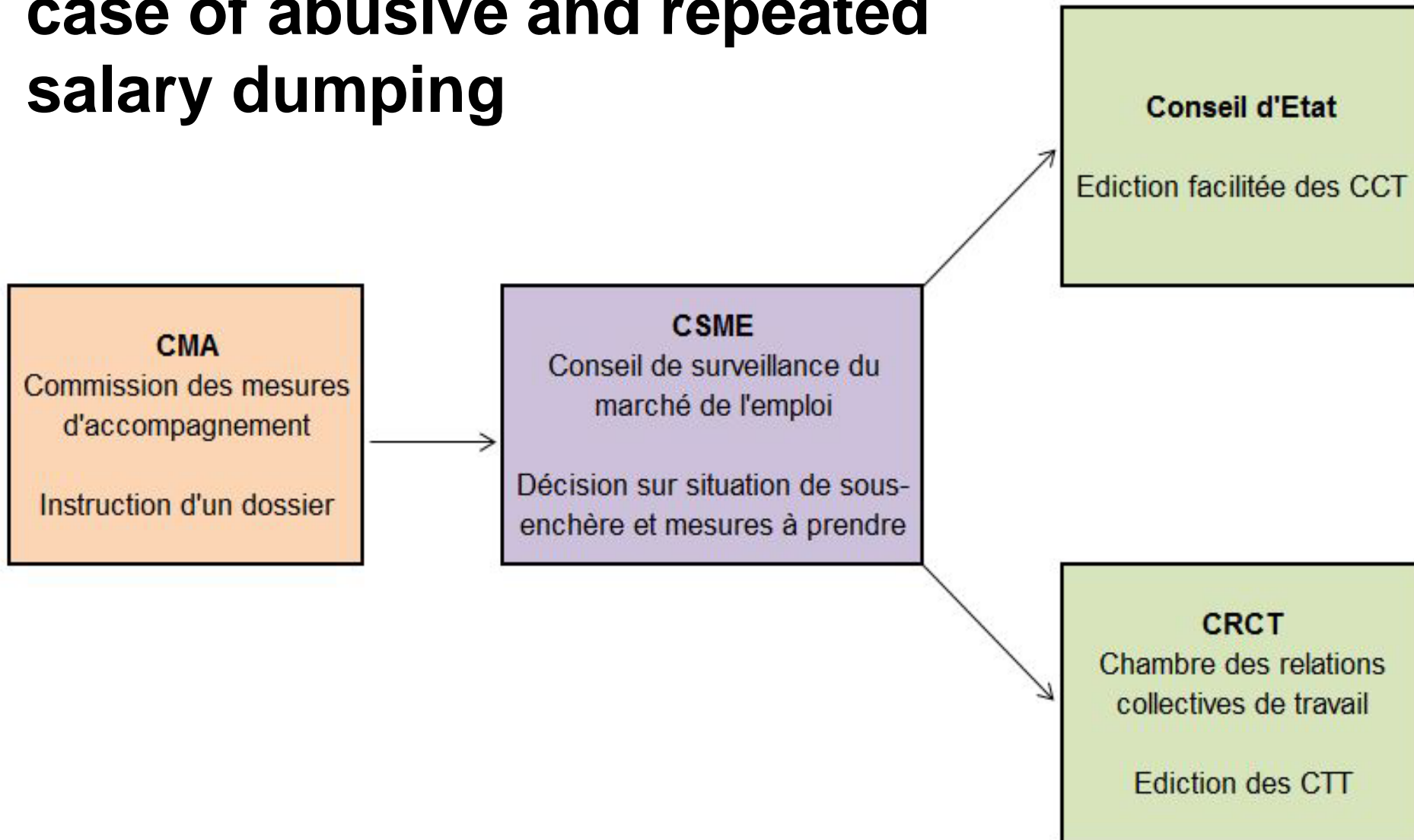
File sent to CMA :
convocation of the company,
classification of the file,
request for prolonged
observation



Commission of accompanying measures (CMA)

- Composed of representatives of UAPG, CGAS and Ocirt
- Investigates complaints and questions sent by the CSME
- **Auditions and seeks an agreement with companies in situation of wage dumping**
- Analyses problematic sectors
- Reinforced monitoring of internships
- Reflects and proposes new observation tools (golden rule, alert thresholds)

Facilitated CCT enactment process / CTT in case of abusive and repeated salary dumping



Oversight competency: OCIRT, IPE and joint commissions



<i>First job in a company</i>	Oversight competency	Salary
Signatory to a mandatory collective work convention (CCT)	Joint commission	Mandatory minimum wage
Active in a sector with an extended collective work convention	Joint commission	Mandatory minimum wage
Signatory of the standards in use	Ocirt	Mandatory minimum wage
Active in a sector with mandatory collective work convention	Ocirt, IPE	Mandatory minimum wage
Other sector	Ocirt, IPE	Reference wage (salary calculator)

Cases handled by Ocirt

- Engineering office, signatory of the standards in use, 2 unrecognized 3 months internships paid 2'000.- et 1'500.- CHF/month, total to be made up: 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, 28 years old intern with a master's degree, working full-time, paid 2'000.- CHF/month, unrecognized internship, salary raised to 5'000.- CHF/month

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.

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Thank you for your attention