Regulation for coronavirus emergency operations

Employment contracts, start dates and recruitment

On the basis of Art. 11c of the ETH Zurich Organisational Ordinance, the Vice President for Personnel Development and Leadership (interim) hereby issues the following regulation:

31 March 2020

1. Visa, permits, entry, start date

The federal authorities (Swiss consulates) will not issue visas until 15.06.2020. The Zurich Migration Office will not accept applications before 15.06.2020. This applies to future employees and students from EU/EFTA and non-EU/EFTA countries who are not already resident in Switzerland and in possession of a valid permit. Applications generally take four to six weeks to process. From 15.06.2020, waiting times are expected to extend to between eight and 12 weeks.

For entry, start date, permits and visas, this means:

- **CH/valid residence permit**: Future employees from Switzerland, or who are resident in Switzerland and in possession of a valid permit, do not require an additional permit. An employment contract can be issued and a start date (currently working from home) can be set. An employment contract (on the basis of working from home and limited training) may be issued from entry date 01.07.2020.

- **EU/EFTA**: Future employees and students from EU/EFTA states will not be able to enter Switzerland until further notice due to the entry restrictions and will therefore not be able to register for a residence or work permit. Entry from EU/EFTA states will only be possible once the entry restrictions are lifted. Entry into Switzerland is not currently permitted. Employment contracts and start dates are expected to be issued at the earliest from entry date 01.07.2020 or later.

- **Non-EU/EFTA countries**: Entry from non-EU/EFTA countries is only possible following issuance of a permit (entry application). This is expected to be possible eight to 12 weeks after 15.06.2020, and at the earliest in the period from late August to early September 2020. Entry into Switzerland is not currently permitted. Employment contracts and start dates are expected to be at the earliest issued from entry date 01.10.2020.

2. Already signed employment contracts starting on or after 01.04.2020, commitments already made and new employment contracts

Already signed employment contracts or commitments for employment contracts from 01.04.2020 are postponed due to the current situation as of entry date 01.07.2020 (EU/EFTA) or entry date 01.10.2020 (non-EU/EFTA).

Employment contracts are only legally binding if the person concerned is in possession of a valid work and/or residence permit. Due to the current situation (restrictions on entry and issuance of residence permits and visas), in most cases a legally binding start date cannot be assigned. Consequently, cancellation of the

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1 This regulation does not apply to employment contracts for professors. Any questions regarding employment contracts for professors can be addressed to the Office for Faculty Affairs.
2 RSETHZ 201.021
employment contract or postponement of the start date may be legally necessary and also possible. Following consultation with HR (personnel managers), supervisors inform the person concerned.

Anyone already in Switzerland may work from home. Work (at home) outside Switzerland is problematic in terms of social security and tax law, and is therefore either or not desirable at all. Exceptions may be made only with due cause and following consultation with HR (and approval by the head of HR). In exceptional cases, payments can be made abroad. Registration for Swiss health insurance requires a residence permit. Employees concerned must ensure that they are covered by health insurance in their country of residence.

HR will only issue new employment contracts at the earliest after 19.04.2020 (date of the extraordinary situation communicated by the Federal Council so far). Following consultation with HR (personnel managers), supervisors confirm by email a postponement of an employment contract or entry date to the person concerned.

### 3. Ongoing recruitment, job offers and issuance of employment contracts

Current job postings and job offers may be possible, bearing in mind the uncertainties, restrictions and deadlines mentioned above.

- **CH/valid residence permit:** An employment contract can be issued and a start date (currently working from home) can be set. An employment contract (on the basis of working from home and limited training) may be issued from entry date 01.07.2020.

- **EU/EFTA:** Employment contracts and start dates are expected to be issued at the earliest from entry date 01.07.2020. Entry from EU/EFTA states will be possible from 15.06.2020 at the earliest.

- **Non-EU/EFTA countries:** Employment contracts and start dates are expected to be issued at the earliest from entry date 01.10.2020. At the moment, written confirmations to a successful candidate can only be sent by email, the employment contract is only issued when there is reliable clarity about the date of entry. Applications can be made for entry date 01.09.2020. However, it is expected that the entry date will be postponed to 01.10.2020, depending on the processing time and approval of applications by the authorities.

HR will issue new employment contracts (including for entry dates 01.07.2020 or 01.10.2020 and later) after 19.04.2020 (date of the extraordinary situation communicated by the Federal Council so far) at the earliest. Following consultation with HR (personnel managers), supervisors confirm job offers by email to the person concerned. Exceptions can be made only with due cause and following consultation with HR (and approval by the head of HR).

### 4. Extension of employment contracts

Existing procedures for extending employment contracts remain unchanged. Extensions can be made in compliance with the applicable regulations (residence or work permit, employment, maximum permissible duration).

The HR officers can help with further information and any questions.

This regulation remains in force until 31.10.2020. This may be subject to change due to decisions by the authorities.