



Press release

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PostCom issues ordinance on minimum standards for working conditions in the postal services sector

In the largely liberated postal services market, PostCom has specified minimum standards for working conditions that are to enter into force on 1 January 2019. These minimum standards will protect employees against wage dumping who do not benefit from protection afforded by a collective employment agreement. They also have to facilitate market access for new service providers. The involved social partners may also negotiate other conditions.

The minimum standards stipulate a minimum gross hourly wage of 18.27 Swiss francs. The contractually agreed working time is limited to 44 hours per week. The regulations apply to all employees in the postal services sector who are not covered by a collective employment agreement.

This move only concerns a relatively low number of employees in the postal services sector, because the social partners have already concluded various collective employment agreements. The regulations of PostCom will also apply to temporary and part-time employees. The aim is to ensure that the desired competition in the postal services sector does not evolve to the detriment of the salaries and working conditions of particularly vulnerable employees such as unskilled workers and job entrants. At the same time, the standards are intended to facilitate market access for new providers, as well as ensure fair competition.

They are to apply upon commencement of an employment relationship, as well as to providers of postal services who are subject to the standard or simplified registration requirement (Articles 3 and 8, Postal Services Ordinance). The latter include subcontractors who generate more than 50 percent of their annual turnover from postal services (Article 5, Postal Services Ordinance). The business model chosen by a provider of postal services

does not have any influence on the minimum standards and cannot be cited as justification for failure to comply with them.

The minimum standards are to enter into effect on 1 January 2019. PostCom is to review them in accordance with Article 61, paragraphs 1 and 2 of the Postal Services Ordinance, and will adapt them for the first time on 1 January 2023.

Wide-ranging dataset

With the issue of these minimum standards, PostCom is fulfilling a legal mandate within the scope of its supervisory duties. Before it defined the new standards, PostCom compiled a comprehensive dataset via a scientific study conducted by two specialists: Roman Graf and Professor Dr. Yves Flückiger (University of Geneva). Based on the salaries and number of working hours per week observed and recorded on the market, this study provided PostCom with important reference data and findings. In particular it revealed that the now specified minimum hourly wage is close to or higher than the minimum wages that were already negotiated in collective employment agreements. The bandwidth of the hourly wages negotiated between the social partners ranges from 17.50 to 18.31 Swiss francs, through to a maximum of 25.00 Swiss francs.

Comprehensive incorporation of the social partners

In summer 2018, PostCom submitted the draft of the Ordinance for a public consultation procedure involving all interest groups. It had previously included the social partners right from the start and in every phase of the study. PostCom also formed a group of experts comprising representatives from both the employee and the employer side in order to closely examine a variety of issues, for example whether the minimum wage should be differentiated by market segment (type of activity, etc.). The group of experts was unable to agree on the categories according to which differentiation by segment should be effected, and this option was therefore abandoned.

In line with its official supervisory powers, PostCom will monitor compliance on the part of postal service providers with the new minimum standards.

Further information, documentation:

<https://www.postcom.admin.ch/postmaerkte/mindeststandards/>

Information about PostCom (www.postcom.admin.ch)

PostCom is an independent supervisory body and is only associated with the Federal Department of the Environment, Transport, Energy, and Communications (DETEC) at the administrative level. It supervises the Swiss postal services market, ensures that universal service is of high quality and assures fair competition. It also monitors developments in the postal services market and associated sectors in order to secure diverse and cost-effective postal services over the long term for both the economy and the population in all regions of the country. PostCom comprises seven members who are elected by the Federal Council, and is supported by a Technical Secretariat.

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