



INTERNATIONAL LABOUR OFFICE  
(GENEVA, SWITZERLAND)

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SWITZERLAND

ORDERS: EMPLOYMENT OF WOMEN AND YOUNG PERSONS

A) *Vollzugsverordnung zum Bundesgesetz über die Beschäftigung der jugendlichen und weiblichen Personen in den Gewerben. Vom 15. Juni 1923. (Eidgenössische Gesetzsammlung, No. 17, vom 4. Juli 1923, S. 236.)*  
*Ordonnance du 15 juin 1923 concernant l'exécution de la loi fédérale sur l'emploi des jeunes gens et des femmes dans les arts et métiers. (Recueil des lois fédérales, No. 17, 4 juillet 1923, p. 244.)*

**Administrative Order respecting the application of the Federal Act relating to the employment of young persons and women in industry. Dated 15th June, 1923.**

1. The Federal Act of 31st March, 1922<sup>1</sup>, relating to the employment of women and young persons in industry, shall come into operation on 1st October, 1923.

2. The Federal Department of National Economy, Industrial Division (Abteilung für Industrie und Gewerbe), shall be responsible for the supreme supervision of the administration of the Act on behalf of the Federation.

The final decisions of the cantonal judicial and administrative authorities in cases of contravention (section 14 of the Act) shall be sent to the said Division.

3. For the purposes of section 1, no. (1), of the Act, the term "industrial undertaking" shall include in particular the following undertakings:—

- (a) mines, quarries and other works for the extraction of minerals from the earth;
- (b) industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, or adapted for sale, broken up or demolished, or in which materials are transformed, including shipbuilding, and the generation, transformation and transmission of electricity and motive power of any kind;
- (c) the construction, reconstruction, maintenance, repair, alteration or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation,

<sup>1</sup> Legislative Series, 1922 (Switz.).

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electrical undertaking, gas works, waterworks or other constructional works, as well as the preparation for or laying foundations of any such work or structure.

4. The following shall not come under the Act:—

(a) agriculture.

Agriculture shall include:—

- (1) forestry, gardening, peat extraction, pisciculture and fishing, together with all special branches of agriculture such as the keeping and breeding of cattle, poultry-breeding, bee-keeping, and fruit, vine, vegetable, berry, beet and tobacco growing;
- (2) cheese-making undertakings, rural corn mills (Kundenmühlen), and also subsidiary undertakings connected with agricultural undertakings, such as dairies, fruit and wine presses, distilleries, vegetable and fruit drying undertakings;
- (3) agricultural undertakings (including the classes of undertakings enumerated under nos. (1) and (2)) which are carried on as subsidiary undertakings in connection with an undertaking covered by the Act;

(b) commerce;

(c) hotels, restaurants and inns.

If any doubt arises as to whether particular groups of undertakings are covered by the Act or not, the decision shall lie with the Federal Council. Its decision shall be final.

5. The Industrial Division shall decide whether a particular undertaking is covered by the Act or not.

A request for a decision of the said Division may be made by the cantonal government, and also by any person or representative of persons who may be concerned in the application or non-application of the Act to the undertaking in question.

Before the decision is taken, the occupier of the undertaking shall be heard through the medium of the cantonal government, and a report on the case shall be submitted by the latter.

The decision shall be communicated in writing to the cantonal government and to the persons concerned. Within ten days of the receipt of the decision an appeal against it may be made to the Federal Council. The appeal shall have suspensory effect.

6. The prohibition of night work may be suspended in the cases mentioned in section 4 of the Act, subject to an order of the competent authority.

The following shall be competent authorities:—

- (a) for suspension for not more than ten nights, the district authority, or in default thereof the local authority;
- (b) for suspension for more than ten nights, the cantonal government.

If, owing to an emergency, an order of the competent authority cannot be procured in due time, the said authority shall be notified not later than the following day.

7. The prohibition of night work for women shall not be restricted in pursuance of section 5 of the Act without a permit from the cantonal government.

8. The cantons shall submit a report on the administration of the Act every two years, the first report being submitted at the end of 1925. The Federal Department of National Economy shall issue the necessary instructions concerning the manner in which the report shall be drawn up.

9. This Order shall come into operation on 1st October, 1923.

B) *Verordnung betreffend die Beschäftigung jugendlicher Personen bei den Transportanstalten. Vom 5. Juli 1923. (Eidgenössische Gesetzsammlung No. 18, vom 11. Juli 1923, S. 251.)*

*Ordonnance du 5 juillet 1923 concernant l'emploi de jeunes gens dans les entreprises de transport. (Recueil des lois fédérales, No. 18, 11 juillet 1923, p. 260.)*

**Order relating to the employment of young persons in transport undertakings. Dated 5th July, 1923.**

1. This Order shall apply to the following undertakings:—

(a) the Swiss Federal Railways;

(b) railways and navigation undertakings carried on under a concession from the Federation;

(c) sleeping and restaurant car undertakings.

For the purpose of this Order the term "railway" shall include motor car undertakings, railless traction undertakings, lifts and overhead cable railways worked under a concession from the Federation.

2. Children who have not attained the age of 14 years shall not be employed by way of trade in the undertakings covered by this Order.

3. Persons who have not attained the age of 18 years shall not be employed at night in the undertakings covered by this Order.

"Night" shall mean a period of not less than eleven consecutive hours including the period from 10 p.m. to 5 a.m.

4. The prohibition of night work under the preceding section may be suspended for persons of not less than sixteen and not more than eighteen years of age in the event of an interruption of work due to *force majeure* which could not be foreseen and does not recur periodically. The inspection authorities shall be notified of such conditions by the occupier as soon as possible.

The Federal Council may authorise further exemptions in the public interest.

5. The Postal and Railway Department shall issue the necessary instructions for the due administration of this Order.

This Order shall come into operation on 1st October, 1923, and all existing regulations contrary to the provisions thereof shall stand repealed on the same date.

