

Salary calculation in the event of bankruptcy

Example: bankruptcy proceedings initiated on 12 March 2010

Partial salary calculation (e.g. 1 -12 March 2010)

Gross monthly salary ÷ actual no. of calendar days for the month applicable × no. of days accrued

(e.g. CHF 5'000 ÷ 31 = 161.30 × 12 days = CHF 1'935.60)

13th month salary entitlement

Gross monthly salary ÷ 12 months × no. of months accrued

(e.g. CHF 5'000 ÷ 12 months = 416.65 × 2 months = CHF 833.30)

Salary for a fraction of a month (e.g. 1 -12 March 2010): amount owed per month ÷ no. of days per month × days accrued (e.g. CHF 416.65 ÷ 31 days = 13.44 × 12 days = CHF 161.30)

Annual leave entitlement

Annual leave specified in work contract or in Swiss Code of Obligations (e.g. 20 days)

Annual leave accrual factor: annual leave ÷ months (e.g. 20 days annual leave ÷ 12 months = 1,67 days per month)

Days accrued per month: gross monthly salary ÷ no. of working days × annual leave accrual factor

(e.g. CHF 5'000 ÷ 22 days = 227.27 × 1.67 = CHF 379.55)*

Partial leave accrual factor for fraction of a month (e.g. 1 - 12 March 2010):

Annual leave accrual factor ÷ no. of working days × no. of days worked

(e.g. 1,67 ÷ 22 days = 0,0759 × 12 days = 0,9)*

Amount owed for fraction of a month: gross monthly salary ÷ no. of working days × partial leave accrual factor

(e.g. CHF 5'000 ÷ 22 days = 227.25 × 0,9 = CHF 204.55)*

* Average number of working days per month = 21.7 days, rounded to 22 days