

Switzerland⁵³⁹

Isabel Valarino (Education Research Unit of the Canton of Geneva - SRED) and **Rahel Aina Nedi** (University of Zurich)

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N.B. Switzerland is a federal state.

For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the [members](#) page on the Leave Network website.

Note on federal, cantonal, and communal government: Switzerland is a federal state with three political levels: the communes, the cantons, and the Confederation. In principle, family policy follows the principles of federalism and subsidiarity: the Confederation cedes responsibility for many areas of family policy to the cantons and the communes, insofar as they are able to perform these tasks, and retains an ancillary and enabling role. The Swiss Constitution defines the areas of responsibility of the Confederation. Pursuant to article 116 of the Swiss Constitution, in fulfilling its tasks, the Confederation shall take due account of the needs of the family and may legislate on family allowances; this article also provides the legal basis for maternity insurance.

Family policy may be organised very differently from one canton to another. Various cantons have also set up special family commissions. In their respective areas of responsibility (e.g., schools, childcare), many cantons and communes also implement family policy measures. Many non-governmental organisations are, in part, subsidised by the state and carry out specific tasks related to family policy. The division of responsibilities among political levels and the number of actors involved is, therefore, complex. For instance, each political level intervenes in early childhood education and care: for example, though most childcare services stem from the market, they are regulated and partially subsidised by the communes and/or the cantons. Finally, the federal level is also involved through a temporary programme, which subsidises new childcare initiatives and the creation of additional places for pre-school children.

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The Swiss political system is a direct democracy: through referendums and initiatives, citizens may challenge any law passed by parliament and propose amendments to the federal constitution. In the case of an amendment proposed to the federal Constitution, a referendum is mandatory.

Note on Leave policies in private law vs. public law: the information provided in this report refers, unless explicitly stated, to the rules applicable for persons working under private law contracts. Leave policies in the public sector of the Confederation, the cantons, and the communes may vary considerably.

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*Congé et allocation de maternité*) (responsibility of the Federal Department of Home Affairs, namely the Federal Social Insurance Office)

Length of leave (before and after birth)

- Fourteen weeks, starting on the day of delivery.⁵⁴⁰
- It is obligatory to take 8 weeks leave.
- Between the weeks 9 and 16 after birth, women covered by the Employment Act cannot be compelled to return to work. However, only 14 weeks are covered for payment by the statutory Maternity leave insurance.
- Employed women can be exempt from work before birth for medical and health reasons and, in this case, salary payment continues for a limited period, provided the employment relationship has lasted for or was concluded no longer than 3 months prior.

Payment and funding

- Eighty per cent of earnings up to an upper limit of CHF220 [€225.39]⁵⁴¹ per day. The highest income thus covered at 80 per cent are monthly salaries of CHF8,250 [€8,452]; the annual income upper limit for employed and self-employed workers is CHF99,000 [€101,424].
- Payments are taxed. The maternity compensation (as any other form of parental compensation for childcare) is subject to the ordinary tax regime and not tax exempt. The period spent on Maternity leave counts for the establishment of pension credits.

⁵⁴⁰ In country notes prior to 2017, the length of statutory leave reported was 16 weeks. The right not to return to work up to 16 weeks after giving birth is guaranteed by the Employment Act. However, the Employment Act does not apply to all companies and all workers (it excludes, for instance, home workers and public administrations). As of 2017, we therefore report 14 weeks of statutory Maternity leave.

⁵⁴¹ Conversion of currency undertaken for 16 July 2024, using: <https://data.ecb.europa.eu/currency-converter>.

- Funded by the Loss of Earnings Compensation fund, which also provides benefits for people carrying out military service, civil defence, or civil service. It is financed by equal contributions from employees and employers, each paying 0.25 per cent of earnings (0.5 per cent of earnings in total).

Flexibility in use

- In principle, there is no flexibility in leave and compensation: the claim for compensation starts on the day of the delivery.
- However, if the new-born child needs to stay for at least 2 weeks in the hospital and a medical certificate has been presented, maternity allowances can be prolonged for the corresponding time, but by 56 days at most.

Eligibility (e.g., related to employment or family circumstances)

- Eligible for maternity compensation are: employed women, whether employed under a fixed-term or open-ended contract; self-employed workers; women working in their husbands' or partners' businesses (or that of a family member) and who are paid a salary; and women who are on unemployment, sickness, accident, or invalidity benefits or allowances are also entitled to maternity compensation.
- For maternity compensation, women must have in principle (shorter periods apply in case of early birth) a record of nine months of contribution to Old Age and Survivors Insurance; and must have worked for a minimum of five months, during the nine months preceding the birth. The insurance and employment periods completed in a member state of the EU, of the EFTA, or in the United Kingdom will be considered.
- If the maternity compensation criteria are not met, a mother may make a claim against her employer for the continued payment of her salary, based on Article 324a of the Swiss Code of Obligations.⁵⁴² Moreover, certain cantons provide for specific maternity benefits for mothers who do not meet the federal eligibility criteria.
- Only biological mothers are eligible.
- Eligibility does not require citizenship or permanent residency. A permission to work will however be a prerequisite, since only employed or self-employed women are entitled to maternity compensation.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the mother

- The leave is currently only available to birth mothers.⁵⁴³
- Maternity allowances can be prolonged up to 56 additional days if the new-born is hospitalised for at least 2 weeks after birth.

⁵⁴²Bundesgesetz betreffend die Ergänzung des Schweizerischen Zivilgesetzbuches (Fünfter Teil: Obligationenrecht, SR 220 [Federal Action on the Amendment of the Swiss Civil Code (Part Five: the Code of Obligations)]).

⁵⁴³ A draft act is under preparation in order to enable fathers to benefit from maternity allowances in the event the mother dies after giving birth to a child.

Regional, local and sectorial differences in leave policy

- The cantons may complement the basic statutory Maternity leave and payment, e.g., in the canton of Geneva, all working mothers are granted 16 weeks of Maternity leave, paid at 80 per cent of earnings. A cantonal Loss of Earnings Compensation fund pays for the 2 additional weeks, which are not covered by federal dispositions.
- The Confederation, cantonal public employers and communes are not subject to the basic legislation, but to specific regulations of their own. However, these regulations generally provide more generous maternity benefits for their employees.

Additional note (e.g., if leave payments are often supplemented by collective agreements, employer exclusions or rights to postpone)

- Maternity leaves are often supplemented by collective agreements, which can grant full wage replacement and/or extended lengths of leave (approximately 2 additional weeks, i.e., 16 weeks of paid Maternity leave). Companies, which often take out private supplementary insurance for such cases, cover these expenses.

b. Paternity leave (*Congé et allocation de paternité*) (responsibility of the Federal Department of Home Affairs, namely the Federal Social Insurance Office)

Length of leave (before and after birth)

- Two weeks

Payment and funding

- As for Maternity leave.

Flexibility in use

- Paternity leave cannot start until the baby is born and must be taken within 6 months of the baby's birth.
- The leave can be taken in one continuous period or on a daily basis.

Eligibility (e.g., related to employment or family circumstances)

- Employed workers are entitled to Paternity leave if they are legally the father of the child, no minimum employment relationship is required.
- For payment during Paternity leave, fathers must, in principle, also have a record of 9 months of contribution to Old Age and Survivors Insurance and must have worked for a minimum of 5 months, during the nine months preceding the birth.
- Eligibility does not require citizenship or permanent residency. A permission to work will however be a prerequisite, since only employed or self-employed men are entitled to paternity compensation.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the father

- None

Additional note (e.g., if leave payments are often supplemented by collective agreements, employer exclusions or rights to postpone)

- Pre-existing Paternity Leave allowances granted through collective labour agreements or work contracts may supplement the newly introduced federal Paternity Leave.

c. Parental leave

No statutory entitlement. There is some indication that a minority of companies in the private sector grant their employees unpaid Parental leaves.⁵⁴⁴ Many cantonal public employers also grant unpaid Parental leaves – ranging from a few days up to 24 months – but in a few cases with gendered eligibility criteria (leaves exclusively or predominantly addressed to female civil servants)⁵⁴⁵.

d. Childcare leave or career breaks

No statutory entitlement. The years spent out of the labour market to care for children under 16 years of age are credited for old-age pension to the parent who was the main carer during this time (it is split between parents, if both were equally responsible). The amount corresponds to 3 times the amount of the minimum annual retirement pension. It increases the average annual income from which the retirement pension is calculated (up to an upper limit) when individuals reach retirement age. This Parenting Credit system, is regulated in the Federal Act on Old Age and Survivor's Insurance and in the Ordination to the Federal Old Age and Survivor's Insurance.

e. Other types of leave and flexible working

Adoption leave and pay

- Working parents who are adopting a child below the age of 4 years are entitled to two weeks of adoption leave.
- Adoption leave is to be taken within the 1st year following the child's arrival. It can be taken by one parent or the right to paid leave can be shared

⁵⁴⁴ Swiss Federal Council (FN **Error! Bookmark not defined.**), 14.

⁵⁴⁵ Swiss Federal Council (FN **Error! Bookmark not defined.**), 15 f. ; Fuchs, G. (2008) *Prestations en cas de maternité et initiatives parlementaires sur les congés et prestations offerts aux parents (notamment congé paternité, congé parental et congé d'adoption): rapport sur la situation actuelle dans l'administration fédérale, les cantons et quelques municipalités [Maternity allowances and parliamentary initiatives about Parental leaves and benefits (Paternity leave, Parental leave and adoption leave): report on the current situation at the federal administration, the cantons and several municipalities]*. Available at: <http://www.equality.ch/f/publications.htm>, 14 ff.

- between the parents, however, the maximum length remains two weeks, sharing does not prolong the right to paid adoption leave
- Payment as for Maternity leave.
- Some cantons⁵⁴⁶ have implemented gender-neutral adoption allowances for all working parents, available to only one of the adoptive parents. The cantons of Vaud and Geneva entitle adoptive parents to 14 and 16 weeks of pay, respectively, at 80 per cent of the salary. Such cantonal allowances are provided only if one of the parents interrupts their employment.
- In the public sector, at present, about half of the cantons offer their employees paid adoption leave between 2 days and 16 weeks in length.⁵⁴⁷

Time off for the care of dependents

- Employees are entitled to paid leave for the time necessary to care for a family member, domestic partner or partner with a medical condition. However, the leave cannot exceed 3 days per occurrence and 10 days per year. The upper limit of 10 days does not apply for the care of a child with health impairment.
- Parents of seriously-ill children are eligible to a 14 week paid Care leave (financed through the Loss of earnings compensation act, as for Maternity and Paternity Leaves). The leave can be shared between parents and should be taken within an 18 months time-frame, in one or several periods/days.
- Payment is the same as for Maternity leave.

Specific provision for (breast)feeding

- During the child's 1st year, the time taken by mothers to breastfeed or express milk during a working day counts as working time. Salary payment is mandatory within the following limits: for a working day of up to 4 hours, 30 minutes minimum; for a working day over 4 hours, 60 minutes minimum; and for a working day over 7 hours, 90 minutes minimum.⁵⁴⁸

Flexible working

- There is no statutory entitlement to reduced or flexible working hours for employed parents. However, the Employment Act states that the employer should consider the employee's 'family responsibilities' when fixing work and rest hours. Family responsibilities are defined as the education of children up to 15 years of age and the charge of other family members in need of care.
- Some collective labour agreements specifically include the right to reduced working hours for parents and there is some indication that a significant proportion of companies allow flexible working hours.⁵⁴⁹

⁵⁴⁶ More information can be found in the corresponding cantonal laws. The following page contains a link to all cantonal online legislation catalogues: <http://www.lexfind.ch>.

⁵⁴⁷ For more information, see: Pärli (Fn 6), S. 953.

⁵⁴⁸ Art. 60 Verordnung 1 zum Arbeitsgesetz (ArGV 1) [Ordination 1 to the Employment Act], SR 822.111.

⁵⁴⁹ See Bühler, S. (2004) *Bébés et employeurs - Comment réconcilier travail et vie de famille. Version abrégée de l'étude comparative de l'OCDE portant sur la Nouvelle-Zélande, le Portugal et la Suisse: aspects suisses* (Vol. 1f). [Babies and Bosses – Reconciling Work

- The Confederation grants its employees the right to reduce their working time by 20 per cent, however the lowest part-time work allowed is at 60 per cent.⁵⁵⁰

2. Relationship between leave policy and early childhood education and care policy

The maximum period of paid post-natal leave is just over 3½ months, all paid at a high rate, with the possibility in some cases of an additional two weeks of unpaid leave. In the majority of Swiss cantons (17 out of 26), statutory provision for two years of Early Childhood Education and Care (ECEC) is available, with the implementation of an inter-cantonal agreement for the harmonisation of education systems (HarmoS). In these cantons, compulsory schooling now starts when children reach 4 years of age, while in the rest of the country it starts between 5 and 7 years of age.⁵⁵¹ There is a gap, therefore, of more than three years between the end of well-paid leave and any entitlement to ECEC.

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' in the [cross-country tables](#) at the front of the review.

3. Changes in policy since April 2023 (including proposals currently under discussion)

In the past years there have been many proposals and debates in Swiss Parliament to reform leave policies, resulting in several leave policy reforms over the past years (see last years' country notes). Proposals currently debated focus on improving Maternity Leave and Paternity Leave. Regarding Parental Leave, there have been several proposals which have been rejected in Parliament in the recent years, and to this day there remain only few proposals to be treated.⁵⁵²

Proposals concerning Maternity leave

Maternity leave benefits for mothers of children who must stay in hospital for at least 2 weeks directly after birth was improved as of 1 July 2021. The payment of

and Family Life. Summary version of the OECD comparative study on New Zealand, Portugal and Switzerland: Swiss aspects (Vol. 1f)]. Berne: Secrétariat d'Etat à l'économie.

⁵⁵⁰ Art. 60a of the Bundespersonalverordnung (BPV) [Federal Personnel Ordination (FPO), SR 172.220.111.3.

⁵⁵¹ With HarmoS, pre-primary or elementary programmes are included in obligatory schooling. See EDK. (2019). *Bilan 2019. Harmonisation des éléments visés par l'art. 62, al. 4, Cst. dans le domaine de la scolarité obligatoire*. Bern: Swiss Conference of Cantonal Ministers of Education; http://edudoc.ch/record/204716/files/Bilanz-Bericht_II_f.pdf

⁵⁵² While this section focuses on proposals at the federal level, it should be noted that in the last few years, several proposals and votes in favor of a Parental Leave at the cantonal level have been discussed or are currently under discussion (e.g., in Bern, Geneva, Vaud, Ticino, Neuchâtel, Zürich). There are however legal obstacles that prevent the implementation of Parental Leave at the cantonal level: the right to take time off for a Parental Leave is not guaranteed for employees in the private sector.

maternity allowances are prolonged by the length of hospitalisation of the child (up to a maximum of 56 days) if a new-born is hospitalized for at least 2 weeks. Between January 2022 and February 2023, interventions were submitted (by the Canton of Vaud and by the Committee for Social Security and Health of the Council of States) proposing to extend this law to the event of mothers' own hospitalisation for a long period. This proposal is in the hands of the Federal Council, which is working on a project of law amendment of the LECA.

In May 2019 two Motions were submitted aiming to allow the full coverage of medical expenses due to pregnancy. Currently, pregnant women have to contribute to these expenses until the 13th week of pregnancy. The Federal Council supported these Motions and they were adopted by a majority in the National Council in September 2019 and by the Council of States in November 2020. A concrete law amendment is yet to be proposed by the Federal Council. Another Proposal submitted by a Green MP in March 2023, currently still pending, asks that the deadline for the full coverage of medical expenses related to pregnancy and birth be extended from eight weeks to one year after birth.

More recently, between April 2022 and February 2024, several interventions (canton of Vaud, canton of Ticino, Committee for Social Security and Health of the Council of States) aimed to better protect women in case of miscarriages, non-progressive pregnancies, ectopic pregnancies and post-partum depression. In May and September 2023, both Chambers of Parliament refused to fully cover medical treatments in these situations (women have to participate financially to these costs). However, in September 2023, the Council of States accepted the proposal to examine the introduction of a Maternity Leave in the case of in case of miscarriage, including when it happens before the 23rd week of pregnancy (currently Maternity Leave is only granted after the 23rd week of pregnancy).

In 2019 and 2022, Motions submitted by Socialist MPs asked to increase the maximum daily allowances during Maternity leave. The LECA regulates allowances in case of military or civil service and, since 2005, in case of maternity, and since 2021, in case of paternity. Yet, the maximum amount of allowances differs in case of military and civil service (it increased from CHF 245 [€251] to CHF275 [€281.73] per day as of 1 January 2023) and in case of maternity (and paternity) (it increased from CHF196 [€200.80] to CHF220 [€225.39] per day as of 1 January 2023). The Motion considers this difference to be discriminatory and asks that the same compensation conditions be applied to women on Maternity leave as to people performing their military or civil service duties. The Federal Council recommended to reject this Motion, considering the increase of social expenditure it would represent. The latest Motion was accepted by the Council of States in December 2022 and by the National Council in May 2023 and is now in the hands of the Federal Council.

Several proposals (submitted by MPs and Cantons) aim to enable female MPs to participate to parliamentary sessions while being on Maternity leave. Currently the law bans women's activity during the 8 weeks after birth and Maternity allowances are interrupted upon women's return to work between the 8th and 14th week. These interventions have found a majority and a consultation proposing the amendment of the Law has ended in November 2022. In May 2023, the Federal Council recommended to accept the project of law amendment, which entitles female deputies (at the Federal, Cantonal and Communal levels) to attend Councils or Committees during their Maternity leave without losing their entitlements, provided no replacement system exists.

In July 2023 a Motion submitted by the Committee for Social Security and Health of the National Council proposed to prolong Maternity Leave (and possibly Paternity Leave too) in case of multiple pregnancy, following ILO recommendations. While this proposal was accepted by the National Council in September 2023, the Council of States rejected it in December 2023.

Proposals concerning Paternity leave

Following the implementation of Paternity Leave on 1 January 2021, several proposals to improve it have been submitted. In June 2021, March 2022 and September 2022 three Motions (two by Green MPs and one by a Socialist MP) asked for Paternity Leave to be granted to fathers in case of the death of the baby, in the same way as Maternity Leave is granted to mothers in this event (i.e., as of the 23rd week of pregnancy). This proposal was accepted by the National Council (June 2023) and by the Council of State with a slight modification (March 2024). The law amendment has yet to be implemented.

In June 2021 a Green MP asked that fathers be granted job protection during their Paternity leave, as is the case for mothers on Maternity Leave. This proposal was rejected by the National Council in May 2023.

Proposals concerning Parental leave

In 2021 a cantonal parliamentary intervention (Canton of Jura) asking that cantons are enabled to implement Parental Leave or to extend Paternity Leave on a cantonal level if they wish to was rejected in Parliament. In January 2024, a similar cantonal parliamentary intervention was submitted, this time by the Canton of Geneva. In the Canton of Geneva, the principle of a cantonal Parental leave was accepted by the electorate in June 2023 (24 paid weeks in total, including the current Maternity and Paternity leaves) but has yet to be implemented in a new Law. The issue is that cantons can decide to finance a Parental *insurance* at the cantonal level, but the legal right for employees in the private sector to take a Parental *leave* is currently not guaranteed, as the right to take leave is legislated at the federal level.

Finally, a Postulate was submitted in June 2021 by the Committee for Social Security and Health of the National Council asking that a cost-benefit analysis be mandated on different Parental Leave models (including models implemented abroad, e.g., Iceland, Sweden and Germany). The Postulate was accepted in September 2021 by 110 votes against 67 (and 3 abstentions). The results of this analysis have yet to be published.

4. Uptake of leave

a. Maternity leave

Approximately 70 per cent of women giving birth meet the eligibility criteria for maternity allowances and benefit from them⁵⁵³. Recipients use the maximum available days (98 days on average in 2022).⁵⁵⁴ The number of recipients has been increasing since Maternity leave was introduced, probably because of an increase both in births and female employment. In 2013, 62,126 mothers benefited from allowances, 67,551 in 2017, and 73,806 in 2021. In 2022, the number of recipients reduced, with 69,003 women benefiting.⁵⁵⁵ Maternity benefit expenditure therefore decreased by 5 per cent between 2021 and 2022, to a total of CHF899 million [€921.01 million] spent in 2022.

In 2022, the average amount of the daily indemnities granted to mothers was CHF133 [€136.26] per day, well below the ceiling of CHF220 [€225.39]. According to Sottas and Millioud, in 2006, 80 per cent of leave recipients were married, 15 per cent were single, and five per cent were divorced. The majority of recipients were employees (83 per cent); 14 per cent were self-employed; and three per cent were inactive (eligible because they previously received unemployment, health, or disability benefits). According to register data, in 2022 the mean age of maternity benefit recipients was 33 years and 64 per cent of recipients were Swiss nationals and 36 per cent were foreigners.

Employed women tend to take a longer Maternity leave than the legal minimum of 14 paid weeks following childbirth. A survey conducted in 2012 with 335 employed women who had had a child in the last 5 years, revealed that over 60 per cent of them had taken leave that exceeded 14 weeks. But, for only half of them, this additional leave was paid by the employer, while for 37 per cent of the sample, this leave was unpaid.⁵⁵⁶

⁵⁵³ Sottas, G. and Millioud, P. (2008) 'Allocations pour pertes de gain en cas de maternité - premier aperçu'. [Loss of earning compensation allowances for maternity – first overview] *Sécurité sociale*, vol. 5: 304-307.

⁵⁵⁴ In order to provide a complete picture, the average number of leave days are not calculated based on a calendar year; the calculation takes into account the number of days used up to two years following the year of birth of the child. Data for the most recent year are based on an estimation.

⁵⁵⁵ In recent years, the Swiss Statistical Office changed several times its way of counting recipients for loss of earnings compensation allowances. The figures reported in previous country notes to 2024 edition are therefore different. The figures reported here correspond to the number of Maternity leave recipients for births that occurred a given calendar year (residing in Switzerland or abroad). All data is available at this link:

https://www.pxweb.bfs.admin.ch/pxweb/fr/px-x-1304070000_102/px-x-1304070000_102/px-x-1304070000_102.px

⁵⁵⁶ Aeppli, D. C. (2012) *Wirkungsanalyse. Mutterschaftentschädigung* [Analysis of effects. Maternity benefits]. 95. Available at: https://www.bsv.admin.ch/dam/bsv/fr/dokumente/eo/studien/wirkungsanalyse_mutterschaftentschaedigung.pdf.download.pdf/analyse_des_effetsdelassurance-materniteenallemand.pdf

b. Paternity leave

Paternity Leave entitlement was first introduced in 1 January 2021. In 2021, 67,216 fathers received Paternity benefits and in 2022 they were 62,771.⁵⁵⁷ The mean number of days taken by recipients in 2022 is 14 days (as in 2021). This corresponds to the maximum length available. Leave can be taken within the child's first six months, in one block or individual days. First results suggest that fathers make use of this flexibility: 36 per cent of fathers whose children were born during the first trimester of 2021 took their leave in piecemeal ways, either in weeks or days.⁵⁵⁸

Regarding Paternity leave recipients' characteristics, available data indicate that their mean age at uptake was 35 years old and that 58 per cent were Swiss nationals while the rest (32 per cent) were foreigners.

As regards expenditures, the average amount of the daily indemnities granted to fathers was CHF170 [€174.16] per day, corresponding to a total expenditure of CHF148 million [€151.62 million] in 2022.

First analyses suggest that about 70 per cent of fathers who had a child in the first trimester of 2021 were granted benefits.⁵⁵⁹ In order to be entitled to leave benefits, fathers should be employed or self-employed and have acknowledged the child. Further research will be needed in order to analyse precisely the proportion of fathers who would have been entitled to Paternity leave but did not take it, as well as the reasons fathers may forego their rights.

c. Parental leave and parental benefit

No statutory entitlement.

⁵⁵⁷<https://www.bsv.admin.ch/bsv/fr/home/assurances-sociales/eo-msv/statistik.html#accordion1712068845809>

⁵⁵⁸ <https://soziale-sicherheit-chss.ch/fr/la-majorite-des-peres-profitent-du-conge-de-paternite/>

⁵⁵⁹ <https://soziale-sicherheit-chss.ch/fr/la-majorite-des-peres-profitent-du-conge-de-paternite/>