

Media release

**Insurance situation on cessation of wage and pension payments –  
Information from the provisional administrator of Swissair Group to employees and those  
taking early retirement**

Küsnacht, Zurich, 25 October 2001. The provisional administrator of Swissair Group, Mr Karl Wüthrich, an attorney at the law firm Wenger Plattner, has written to employees and those taking early retirement, enclosing a note about the insurance situation on cessation of wage and pension payments:

**Non-payment of employee salaries: possibilities under employment law**

If the salary to which you are entitled is no longer paid, you have the following option:

Under the Swiss Federal Code of Obligations, Article 337a, if the employer becomes insolvent, the employee may terminate the employment without notice if his or her claims arising from the employment are not secured in reasonable time. An employer is considered insolvent not only when opening bankruptcy proceedings, but also when filing a petition for a debt-restructuring moratorium. If you do not receive your salary, you can send your employer a registered letter setting a period of about one week in which your salary must be secured. If it is not secured by the stated deadline, you may terminate your employment without notice. You can also claim your unpaid salary in full from your former employer. In employment law, such termination of employment does not constitute unemployment through your own fault. Hence you need not fear being penalised by the Unemployment Insurance Fund. We also advise you to contact your employee organisation.

**Unemployment insurance**

• **Termination of employment with notice**

If your employment has been terminated or if you have terminated it yourself as described above, you should immediately contact the Jobs Market Centre set up by the Business and Labour Office in co-operation with Swissair at Zurich Kloten Airport (Butzenbühlstrasse 19, tel. 01 812 20 30). You should not wait for the end of your employment before doing this. The Centre will also give you the form for confirmation of your place of residence. In order to draw unemployment benefit, you must be able to demonstrate that you have made efforts to find employment during the period of notice. If you are made redundant during the period of notice and do not receive your wages, you have the option of drawing unemployment benefit.

- **Persons taking early retirement under welfare plan arrangements**

According to the competent authorities, persons who have taken early retirement and are not receiving pension payments from their employer under the welfare plan agreements should also register with the Jobs Market Centre at Zurich Kloten Airport (Butzenbühlstrasse 19, tel. 01 812 20 30). It is currently being clarified with the Secretariat of State for Business whether these pensioners can be paid reduced unemployment insurance benefits.

### **Pension Fund**

Most people who have taken early retirement under the welfare plan agreements now meet the individual welfare institutions' standard terms of early retirement. People who have retired early should therefore refer to their personnel department or welfare institution. The welfare institutions are separate legal persons, independent of the employers, with the legal form of a foundation. Your claims against the welfare institutions under the regulations are therefore unaffected either by the provisional debt-restructuring moratorium or by any bankruptcy of your employer.

### **Social security**

If the cessation of payment of your wages leaves you in serious financial difficulties, despite any social insurance benefits, and you are no longer able to pay your living expenses, we advise you contact the social security authority for your place of residence. It will already have sufficient information about the current problems.

### **Contacts**

- Swissair Jobs Market, Butzenbühlstrasse 19, P.O. Box, 8058 Zurich Airport, tel. 01 812 20 30;
- Secretariat of the Swiss Association of Public Service Personnel, Aviation Section Lindenstrasse 11, 8152 Glattbrugg, tel. 01 810 69 87;
- Kapers – Association of Cabin Crew of SAir-Group, Dorfstrasse 29a, 8302 Kloten/ZH, tel. 01 814 20 63;
- Aeropers - Association of Swissair Cockpit Crew, Ewiges Wegli 10, 8302 Kloten/ZH, tel. 01 816 90 70;
- Secretariat of State for Business (seco), General Information, 3000 Berne, tel. 031 322 29 20.

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### **For further information**

- Website of the provisional administrator: [www.sachwalter-swissair.ch](http://www.sachwalter-swissair.ch)
- Filippo T. Beck, Wenger Plattner, telephone 01 914 27 70, fax 01 914 27 88