



4.1. Regulation on SEV Occupational Legal Protection

Article 1 – Principles

1.1 The SEV guarantees its members occupational legal protection:

- for civil and criminal disputes related to their professional or trade union activity;
- for road accidents while they are travelling to work;
- For off-duty incidents arising from the employment relationship of the member;
- In the event of disputes regarding claims to the pension funds, the OASI/DI, the supplementary benefits and the helplessness compensation;
- In matters relating to reduced fares for staff (FVP).

1.2 Occupational legal protection is provided for cases that arise during the term of membership of the SEV.

Article 2 – Services

2.1 The occupational legal protection covers:

- legal advice;
- the intervention of a trade union secretary;
- the assignment of a legal counsel.

Article 3 – Additional services

3.1 Legal protection may also be granted to the legal successors of a deceased member in the event of disputes arising from the member's employment, retirement or membership.

3.2 In exceptional cases, occupational legal protection may also be granted if the requirements of this regulation are not met.

3.3 The Executive Board shall decide on the granting of occupational legal protection in accordance with section 3.2.

Article 4 – Limitations

4.1 The following are usually excluded from occupational legal protection:

- events that took place prior to membership of the SEV or only registered after a cancelled membership;
- disputes between SEV members;
- incidents that the member has caused intentionally or due to gross negligence.

Article 5 – Damage claims

5.1 The incident must be reported to the SEV Central Secretariat within 10 days. After this period, the right to occupational legal protection generally no longer exists.

5.2 The incident can also be reported to the executive board, which immediately forwards the notification to the SEV's Central Secretariat.

5.3 The report must be truthful and must be made using the form "Application for occupational legal protection".

5.4 If the report is made directly to the SEV's Central Secretariat, the member must advise whether their section's steering committee may be informed about the legal protection case. If there is no such indication, the section's steering board is not advised.

Article 6 – Processing of claims

6.1 The SEV decides whether and in what form the occupational right of protection is granted.

6.2 The SEV shall take all measures necessary to protect the interests of the member. If necessary, they shall appoint legal counsel. In exceptional cases, suggestions from the member may be taken into account.

6.3 The Central Secretariat can reject legal protection provisions that it sees as futile.

Article 7 – Cooperation with trusted lawyers

7.1 The SEV maintains a network of trusted

lawyers which are considered when allocating legal counsel.

7.2 The trusted lawyers keep the SEV informed about the course of the proceedings.

7.3 For judicial or out-of-court settlements as well as for any referral to the next higher authority, the consent of the SEV is required.

7.4 The SEV issues cost credits and sets cost ceilings.

7.5 Once the procedure has been completed, the most important process files must be transferred to the SEV.

7.6 The member entitles the SEV to any legal or lawyers' fees. They are to be offset against any cost advances, interim or final statements made.

Article 8 – Cooperation with the member

8.1 Collaborating with the respective contact person at SEV is mandatory for the member.

8.2 The member shall inform the SEV or the legal agent in good time about any significant events related to the legal case and shall forward all such information, documents and evidence.

8.3 The member may request information on the state of the proceedings or access to files from the SEV's Central Secretariat or from their legal counsel.

Article 9 – Cost allocation

9.1 The SEV decides on the scope of the cost coverage. It usually covers:

- the cost of the Central Secretariat;
- the legal fees;
- the costs of proceedings and court proceedings.

9.2 The SEV pays a maximum of CHF 20,000 per case. Exceptions must be approved by the Executive Board.

9.3 The member entitled to the legal protection pays the judicial and disciplinary fines.

Article 10 – Reimbursement

10.1 As a rule, the member must reimburse the services taken over by the SEV if, within two years of the settlement of the case:

- they leave the SEV;
- they are excluded from the SEV.

10.2 The costs incurred by the SEV's Central Secretariat are excluded from the reimbursement obligation.

Article 11 – Withdrawal of occupational protection

11.1 If the behaviour of the member requiring legal protection makes it impossible or more difficult to process the case, or if they seriously violate the regulations, the SEV can resign from the mandate or end the cost approval for legal assistance.

Article 12 – Right of appeal

12.1 The member may file an appeal with the SEV's Central Steering Committee within 10 days of receipt of the notification against a decision made by the SEV's Central Secretariat. This decision is final.

Article 13 – Data Protection

13.1 Data protection is ensured on the basis of SEV's general data protection statement.

Article 14 – Final provisions

14.1 This regulation was approved by the SEV Board on 9 June 2023. It shall enter into force on 1 September 2023 and replaces the Regulations on the Regulation on SEV Occupational Legal Protection dated 18 March 2022.

Bern, 9 June 2023

The Conference President:
The Conference Secretary:

Danilo Tonina
Christina Jäggi



Application for the protection of occupational rights

All questions are to be answered truthfully.
All relevant documents are to be attached to the application.

Personal details

Surname, first name

Address.....

Postcode, City.....

Personal phone number.....

Work phone number Date of birth.....

Mobile number Employer

Email address Department.....

Postal account Place of work

Bank details Occupation

Legal case

Type of incident

Date of incident.....

In which canton did the incident occur?

Application filed on

I am aware of the regulations on SEV occupational legal protection. With my signature, I confirm that I accept the conditions under the regulations on SEV occupational legal protection.

Signature of the applicant

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Description of the incident

Copies of all relevant documents are to be attached to the application.

Send request and power of attorney (next page) to:

SEV Central Secretariat for
Occupational Legal Protection
Steinerstrasse 35
3000 Bern 6

Tel. 031 357 57 57
Fax 031 357 57 58
info@sev-online.ch



This power of attorney must be signed and sent with the legal protection application.

Declaration of power of attorney

Mr/Mrs.....

(Name and first name in block letters)

hereby grants to the Union of Transport Workers SEV for

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a general power of attorney.

This general power of attorney includes in particular: Inspection of all files, filing of requests for arbitration, filing of legal proceedings, out-of-court representation, representation before all legal entities, administrative authorities and arbitration courts, conclusion of legal agreements and arbitration agreements, taking legal action, conclusion of settlements, representation in criminal matters, in particular the filing and withdrawal of criminal proceedings and criminal applications.

This declaration of power of attorney releases the social insurance, authorities and other administrative units, which are required to maintain official and professional secrecy in accordance with articles 320 and 321 of the Swiss Criminal Code, from this obligation and expressly releases the treating physicians, the Health & Medical Service or the respective medical officer of the company from confidentiality obligations.

This power of attorney expires on termination of the mandate.

Subject to deviating provisions, this power of attorney does not expire with the grantor's death, their being declared missing, their loss of capacity to act or their bankruptcy.

The Union of Transport Workers SEV is entitled to destroy all files after the expiration of ten years since the matter was dealt with without prior enquiry.

Place and date:

Signature of the party giving the power of attorney:

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