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Media relations  
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## **Press Release**

regarding judgment A-7843/2016 of 3 December 2018

### **Sexual harassment: FAC supports SBB's decision**

**The Federal Administrative Court (FAC) supports a decision of the Swiss Federal Railways SBB in a case of sexual harassment. The court supports a settlement in the amount of a median wage, but denies other claims for further compensation, especially bullying.**

In November 2016, the SBB took a decision on a claim by an employee who had complained about sexual harassment by her superiors and colleagues. The SBB acknowledged that its employee had been harassed by way of sexist remarks and jokes from certain colleagues at work and awarded her a settlement in the form of a Swiss median wage (CHF 6'597).

#### **Sexual harassment confirmed, compensation and bullying denied**

In its ruling, the FAC fully confirms the SBB's decision on sexual harassment and supports the awarding of a median wage as a settlement. It therefore rejects the claim for compensation of four median wages.

Furthermore, the court – like the SBB before it – considers neither the conditions for additional compensation of CHF 7'500 nor the existence of a case of bullying to be fulfilled. It therefore rejects the complaint on these points.

Finally, the FAC partially approves the claiming of indemnity for legal representation in proceedings before the SBB. However, it is considerably reducing the fees.

The decision can be appealed before the Swiss Federal Court within the restrictions of Art. 83 and Art. 85 of the Swiss Federal Supreme Court Act of 17 June 2005.

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**About the Federal Administrative Court**

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 357 employees (307.65 FTE) and its 76 judges (68.2 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal authorities. In specific matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 7,500 judgments every year.