International Handbook on Diversity Management at Work

Country Perspectives on Diversity and Equal Treatment

Edited by

Alain Klarsfeld

*Employment Research Group, Toulouse Business School, ESC Toulouse,
France*

Edward Elgar

Cheltenham, UK • Northampton, MA, USA

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13 Diversity made in Switzerland: traditional and new plurality meets the business case¹

Julia Nentwich, Chris Steyaert and Brigitte Liebig

Introduction

Switzerland is an amazingly diverse country. With only 7.2 million inhabitants, it has four official languages, two major religions and 26 cantons as sovereign legal and administrative entities. A federalist and democratic nation based on strong liberal values, Switzerland cherishes its myths about its rural origin as it also plays important global roles. The conception of the nation as 'unity in plurality' is at the heart of its national myth and forms an important discourse that establishes Switzerland as a special case² (Imhof, 2007, p. 36). It is in this sense – as a unitary and homogeneous national context – that Switzerland does not exist, but rather constantly has to be constructed.³

Despite Switzerland's long tradition of dealing with diversity, the public debate on diversity in the work context began only recently. The idea of managing diversity is very new to Swiss companies, even though workplaces are very strongly gender-segregated, both horizontally and vertically, and the Swiss economy depends heavily on immigration. A recent study showed that 68 per cent of Switzerland's top 500 companies do not measure aspects of diversity and that 80 per cent do not educate their managers on how to deal with diversity issues. Overall, the study concludes that diversity in Switzerland is undervalued as a business driver (Filler et al., 2006).

Generally speaking, two different approaches to diversity issues are used in Switzerland. First, the narration of the nation as 'unity in plurality' evokes concepts of difference, privileging cultural diversity as a traditional value within the national context of Switzerland. Second, Switzerland as a national context faces a range of modern challenges: it must deal with the diversity of globalized economies, along with issues like expatriation, immigration, emancipation and anti-discrimination.

This paradox⁴ in the conception of diversity in Switzerland will guide us as we discuss the entry and establishment of diversity practices in Swiss corporate and organizational life. First, we sketch in general the recent entry of diversity management into Switzerland, and show how the historical and local context of a specific 'diverse' Switzerland is aligned with the global idea of diversity management as it travelled from the USA. In the second section, we outline the diversity of the Swiss labour market and work life in general with regard to those dimensions that are considered the most significant: gender and culture. Also here we note a tension between the historical, locally anchored variation and the new relationships that are being established as a consequence of globalization, immigration and (female) emancipation. In the third section, we sketch the legal dimensions of diversity management, again moving between the specifically Swiss legal context and the broader (mostly European) legislative changes. And finally, we review some recent research projects in order to shed some light on the extent to which Switzerland forms a special case.

Travelling concepts: diversity management as a growing field of practice

Only recently has the 'global idea' (Czarniawska and Sevón, 2005) of diversity management entered into Swiss discussions. The concept of diversity management travelled to Switzerland from the USA via multinationals and Germany, where it became more important in the 1990s (Aretz, 2006). In Switzerland, most companies started to introduce diversity management initiatives only between 2000 and 2006 (Benz, 2008; Filler et al., 2006, p. 2).⁵ In many cases, the more fashionable concept of diversity management replaced locally grown equal opportunity initiatives, which have a longer tradition. Thus, diversity management is seen as a 'timely and modern way of dealing with equal opportunities' (Benz, 2008, p. 55). However, while initiatives with regard to gender equality have a legal context in the federal act on gender equality, this is not directly the case with diversity management. Yet the transition from equal opportunities to diversity management also entails a shift from the logic of fairness and equal treatment to economic rationales. Today, equal opportunities are associated with legal issues, anti-discrimination and fairness, while diversity management is mainly associated with the business case (Benz, 2008).

In November 2005, the *Neue Zürcher Zeitung*⁶ published a special supplement on diversity, featuring several articles on diversity management in Switzerland. This was the first time the topic was prominently discussed in the Swiss print media, but it was neither an important marketing argument nor a business topic. Companies tend to ignore issues of diversity; being obliged to mention them in an annual report in order to testify good governance practices would be considered 'bizarre from a Swiss point of view' (Gygi, 2005). One-third of the Swiss company websites investigated by Point and Singh (2003) did not mention diversity or equal opportunity statements on their web pages; although the researchers found enthusiasm for this practice in the UK, it was not reflected in the communication strategies of Swiss companies. Nor did most Swiss companies specify the meaning of diversity or specific dimensions on their web pages (Point and Singh 2003, p. 755). Overall, diversity seems to be undervalued as a business topic and Swiss companies need to focus on it more strongly in the coming years (Filler et al., 2006).⁷

This rather late integration of diversity issues into Swiss workplaces can be explained by several factors.⁸ First, the 'management of diversity' is a US concept rooted in anti-discrimination policies (Bendl, 2004, p. 56ff.) and therefore unfamiliar in the Swiss legal context. Second, diversity as a management concept is often seen as a fashionable concept of the global economy, but is not judged important for everyday life in Switzerland, which is strongly based on small- and medium-sized enterprises (SMEs). Here, the main issues are family-friendliness or work-life balance (Ostendorp, 2007; Ostendorp and Nentwich, 2005), and the topic of diversity attracts less attention. Third, knowledge about the concept is quite limited: 'diversity' is primarily equated with race and gender; the strong connection between 'diversity' and 'race', which is central in the US context (Nkomo, 1992), is not seen as very salient in Switzerland. Similarly, people often overlook the problems associated with the strong breadwinner culture in Swiss working life, and the clear gender division that accompanies it.

Diversity management among Swiss employers

Filler et al. (2006) conducted the first study providing an overall picture of diversity management, and taking a closer look at Switzerland's top 500 companies.⁹ They found that

only a small percentage of today's market leaders invest in the management of diversity. The majority of respondents said that what is being done with respect to diversity issues in their own organization is about right, and satisfies customer needs. But this optimistic opinion actually rests on a lack of facts: only 43 per cent of all companies systematically gathered and monitored basic data about the diversity of their workforce and diversity practices. Quite often, companies do not see the need to collect information on diversity-related practices such as hiring, promotion and development. Even more uncertainty exists around the returns on investment that might accrue from diversity management. Even today, many corporations neither know the basic preconditions for developing a 'multicultural organization' (Cox, 1993) nor measure the effects of investments in this area (Liebig, 2010b).

As of 2005, 30 per cent of the 'top 500' respondents had developed a clearly stated diversity policy – but the majority (71 per cent) of these firms are international companies, headquartered outside Switzerland. The investment in diversity clearly pays off: the percentage of foreigners and women at the CEO level is markedly higher in corporations that specifically invest in diversity practices (cf. Filler et al., 2006, p. 15). Overall, the key focus of their diversity management effort is on gender (81 per cent), followed by ethnicity (78 per cent) and age (70 per cent), and then by religion (43 per cent) and other dimensions (46 per cent) such as sexual orientation, educational background, race, professional experience, disabilities, regional language and leadership styles. On average, diversity employers in Switzerland are companies with headquarters outside Switzerland; they are either small (fewer than 250 employees) or large companies (more than 10 000 employees) and more often in the financial service or high-tech sectors. These companies provide good and comprehensive documentation and information on diversity, they seriously invest in diversity and implement human resource policies that are open, for example, to hire or promote diversity candidates (Filler et al., 2006, p. 19).

Although 31 per cent of the top 500 explicitly mention diversity in their business strategy, the authors of the survey evaluate the implementation of diversity policies as rather minimal (Filler et al., 2006, p. 19). Overall, they say, activities to support diversity are rather fragmented; that is, while many companies consider diversity as part of their hiring strategy, they do not incorporate it into their promotion procedures. Furthermore, these efforts seem to be segmented and focus mainly on women and culture; they do not focus on diversity or on other diversity categories as an overall philosophy. However, the strongest limitation on diversity management is illustrated by the fact that only 11 per cent of these companies employ a dedicated diversity manager; of those managers, few are doing that work full time or are members of the executive team (see Figure 13.1).

Establishing the position of a diversity manager counts as the most effective path to organizational change (Kalev et al., 2006). According to Filler et al., 20 per cent of the responding companies do invest in education on managing and dealing with diversity, but this is, as mentioned, not supported by appointing a diversity manager. The few diversity managers in place in Swiss companies are responsible for the development, rollout, evaluation and communication of all diversity-related initiatives, including strategy development, career development, recruiting and administration. The diversity managers of large (multi)national companies with more than 10 000 employees all participate in a network called 'roundtable diversity',¹⁰ at which they discuss and exchange

Source: Filler et al. (2006).

Figure 13.1 *Implementation of diversity policy (companies with diversity policy; more than one answer possible)*

best practices. Some of these are very visible in Switzerland's public discourse in the media and very well known for their commitment to diversity.

Obstacles to overcome

What are the obstacles that hinder the implementation of diversity in Swiss organizations? One is the lack of resources, which results in a low level of institutionalization: case studies on diversity management in Swiss SMEs and multinationals demonstrate how resource levels are related to the size of organizations (Liebig, 2010b). In SMEs, human resource managers are often delegated the task of institutionalizing and maintaining diversity efforts, which then depend heavily on their personal commitment; meanwhile, larger companies can more often invest in structural measurements and changes.

More important is the challenge of implementing diversity into the everyday practices of organizations. 'Synergy is not for free' (Brodbeck, 1999); as a case study on the cost-effectiveness of gender and diversity management in Swiss firms shows (Liebig, 2010a), cooperation in heterogeneous groups both enriches and challenges every member of a team. But this is only one of the reasons why structural measures are not sufficient to implement diversity in a sustainable way. SMEs and multinationals must develop institutional strategies to implement diversity cultures through everyday action and care (Liebig, 2010a). Proactive efforts to stimulate diversity involve a strong commitment on all levels of management; encouragement from the executive team and full support from the board of directors are only the start. Such efforts require the full understanding, confidence and participation of all employees. Quite often it is a lack of communication and

understanding that keeps diversity policies from being accepted widely. In particular, measures set up to support selected groups of employees (e.g. women) suffer from being delegitimized and even ignored in the organization (see also Ostendorp, 2006). Liebig (2000) saw this happening with gender diversity measures; this dynamic then nourishes cultural reinterpretations and distortions of diversity practices, which can produce uncontrollable and counterproductive results.

Another important precondition for implementing diversity management is a functioning system to support gender equality. Stereotypical male concepts of leadership and professionalism in Swiss society and general anxieties related to cultural diversity and cultural change are at the core of traditional values, which have created obstacles to change (Filler et al., 2006). In addition to the lack of flexible working hours, especially in top management positions, day care and the Swiss schooling system are not supportive of working parents, especially working mothers. Public schooling still relies on traditional work arrangements between parents; more precisely, it is based on the idea of one parent being at home at midday preparing the meal (Bühler, 2004). This rigid situation has led to the development of private childcare services and day schools that are too expensive to be widely available. Two more disincentives for mothers to work are the high costs of childcare and the tax system that privileges breadwinners (cf. Bütler, 2007).

Filler et al. (2006) found that only 20 per cent of market leaders offer part-time work or the option of working from home at the senior executive level, and only a small number of top managers participate in programmes such as job-sharing (2 per cent) or work-based childcare programmes (8 per cent). On the whole, diversity measures in these companies primarily aim at individual change and development, but do not engage in cultural or structural change. 'Individual choice' is also the primary explanation given for the small numbers of women in leadership positions; respondents state plainly that women do not want to be in these positions and deliberately choose to engage in different activities (Filler et al., 2006; Osterloh and Littmann-Wernli, 2000).

Diversity dimensions

The literature on diversity indicates that gender, culture and more recently age (cf. Cranach et al., 2004; State Secretariat for Economic Affairs, 2005) are the most important diversity dimensions (Filler et al., 2006; Steyaert et al., 2011). This is true not only in Switzerland, but also in other European countries. Analysing the corporate web pages of the top 241 companies by market value in eight European countries, Point and Singh (2003) found that 48 per cent mentioned gender or sex, 45 per cent culture, 37 per cent race and ethnicity, 31 per cent age, 29 per cent nationality and country of origin, and 28 per cent disability. To sketch the situation in Switzerland, we shall discuss in greater detail the main dimensions of diversity, namely culture and gender.

Cultural diversity

As mentioned previously, the narrative of 'unity in plurality' plays a crucial role in the way Switzerland has invented itself as a nation. Switzerland is not built around a notion of ethnic nationalism, but instead sees itself as a volatile nation cherishing its plurality of languages and ethnicities and integrating them into a Swiss culture (Imhof, 2007). Its ethnic and cultural backgrounds are diverse and mostly related to language. Switzerland consists of four major cultural regions. The largest is the German-speaking part of

Switzerland with the major cities of Zürich, Basel, Lucerne and St Gallen making up 63.7 per cent of all Swiss inhabitants. Second largest is the francophone western region including Geneva, Lausanne and Neuchâtel (20.4 per cent). The cities of Fribourg and Berne are bilingual with both a French-speaking and a German-speaking population. Third, Ticino is an Italian-speaking region with Lugano and Locarno as its main cities (6.5 per cent). Finally, the Romansh spoken in the canton of Grisons is Switzerland's fourth official language at 0.5 per cent (Swiss Federal Statistical Office, 2009c).

Switzerland has also experienced immense migration during the past decades. In 2007, 26 per cent of the working population did not hold a Swiss passport, which is quite a high proportion compared to other European countries (Swiss Federal Statistical Office, 2009b). In 2004, 25 per cent of all migrants came from former Yugoslavian countries, followed by Italy, Portugal, Germany, Spain, Turkey, France and Austria (Bergmann and Mottier, 2004, p. 79). Compared to Swiss workers, foreign-born employees are on average younger, and more likely to be male and working full time. Migrants from Northern and Western Europe are more often in the health and educational sectors; they are working in academia or occupy top management positions. In contrast, migrants from Southern and Eastern European countries are more frequently found working in industry, the trades and construction (Swiss Federal Statistical Office, 2006). Overall, a higher proportion of the migrant population is affected by unemployment, mainly because of the more severe recession in the sectors of the labour market where they are usually active. In addition to the major wage gap between Swiss and non-Swiss workers, there is considerable variation among migrant workers depending on their work permits. Migrants with long-term permits earn significantly higher wages than those with short-term permits (Swiss Federal Statistical Office, 2006).

In terms of language plurality, this means that many more than the four official languages are spoken in Swiss workplaces. In addition to the official languages, 9 per cent of workers speak another language, including Serbian, Croatian, Albanian and Portuguese. As we shall see later, among the languages used in the work context, English also plays a major role (Jaworski and Piller, 2008; Steyaert et al., 2011). Furthermore, diglossia is an important aspect of the German-speaking region; most people use so-called Swiss-German in everyday speech contexts and high or standard German in written and more formal spoken contexts (Jaworski and Piller, 2008).

Although foreign workers and language diversity present important practical issues in everyday Swiss working life, they are not major issues in Swiss companies. While migration is an issue of law and order mainly in public places, neighbourhoods and immigration politics (cf. Ostendorp and Nentwich, 2009), language diversity is addressed under the label of early childhood education. Paradoxically, this enormous diversity of cultures and languages in Swiss working life is neither discussed nor managed in enterprises but is only addressed in two very small areas: expatriates and the cultural diversity of (top) management teams.

Looking at the comparably high numbers of non-Swiss on Switzerland's boards, the topic of non-Swiss expatriates emerges as an important one for diversity management in Switzerland. As Filler et al. (2006) show in the case of market leaders, 72 per cent of firms do employ non-Swiss nationals on their executive teams. Remarkably, the number of non-Swiss nationals increases with the size of the company (see Table 13.1), with the highest numbers in high-tech industry. Ruigrok and Greve (2008) looked at the diversity

Table 13.1 Ethnic and gender diversity of the executive board based on company size

Number of employees	Foreigners (%)	Women (%)	Total replies
Up to 250	34.0	16.6	7
251 to 500	18.4	5.0	17
500 to 1000	23.4	8.6	29
1001 to 5000	24.5	7.1	37
5001 to 10 000	29.8	6.9	17
More than 10 000	27.3	5.4	15

Source: Filler et al. (2006, p. 9).

of top management teams in large European non-financial firms in Denmark, Finland, the Netherlands, Norway, Sweden, Switzerland and the UK; they found similar percentages of foreigners in the top management teams (24 per cent in 2005, 21 per cent in 2000). Switzerland seems to be right in the middle of a group of Swiss, Dutch and Finnish firms that show a similar trend, gradually increasing their percentage of foreign executives.

However, the percentage of women in top management is consistently lower than that of non-Swiss nationals (see Table 13.1). In the next section we take a closer look at gender relations in Switzerland.

Gender diversity

In addition to language, cultural and regional diversity, gender is considered a crucial category of diversity in Switzerland. This is, of course, mainly due to the historical success of the women's movement (Lenzin, 2000; Schnegg and Stalder, 1984). The first women's movement focused on the issue of political participation: only in 1971 were women granted the right to vote (and also to run for office) on the level of the Swiss confederation. Following this milestone, the women's movement, still operating in the tradition of liberal feminism (cf. Nentwich, 2006a), turned its focus towards the practicalities of everyday gender relations in society, family and working life. This focus on the necessity of hands-on and everyday work to achieve change – based on a strong discourse of pragmatism – resulted in the development of a very rich variety of tools and guidelines. Many of them are published by the federal office of equality (www.topbox.ch), covering topics such as sexual harassment (Ducret, 2003), family friendliness (Fachstelle UND, 2000; State Secretariat for Economic Affairs, 2007), personnel selection and development (Baitsch and Steiner, 2004; Fried et al., 2000), assessment of key competences (Kadishi, 2001), job-sharing in leadership positions (Kuark, 2003), part-time work (Baillod et al., 2002), pay equity (Arioli et al., 2007) and gender equality controlling (Müller and Sander, 2005).

Although this list of guidelines may seem impressive, it is not sufficient to counteract overnight the large gender gap in Swiss working life. This prompted a writer for the *Neue Zürcher Zeitung* (Jacquemart, 2006) to comment upon a recent study of the International Labour Organization that 'it might really take another 962 years until gender equality is achieved'. While it might indeed take a considerable effort, as this headline suggests, gender relations are slowly beginning to change. For instance, while the rate of male participation in the labour force fell from 91.1 per cent in 1991 to 88 per cent in 2008, that of

women increased constantly over the last decades from 68.2 per cent in 1991 to 76.6 per cent in 2008 (Swiss Federal Statistical Office, 2008b). Yet this increase must be put into perspective, when we consider how much of female employment is part time. As 57 per cent of women and only 12 per cent of men are working part time, part-time work is still considered to be for women and especially for mothers (Nentwich, 2004; Swiss Federal Statistical Office, 2008a, p. 12).

Furthermore, other major gender differences in Swiss working life seem hard to overcome (compare also Folini, 2007). First, differences in the educational levels of women and men are still considerable, although they have decreased over the last decades. Women have caught up on their level of university education and in 2007 they made up almost 50 per cent of all university graduates (Swiss Federal Statistical Office, 2008b, p. 7). On the other hand, occupational choice is still fundamentally segregated by gender and has resisted change over the last 20 years. While young men still prefer engineering, young women favour the humanities, social sciences and teaching (Swiss Federal Statistical Office, 2008b, p. 9). Second, an important wage gap persists (Flückiger and Ramirez, 2000; Sousa-Poza, 2002, 2003; Strub et al., 2008). The wages of men are 19.1 per cent higher than those of women, although the percentage has decreased slightly, from 23.8 per cent in 1994 (Swiss Federal Statistical Office, 2008a, p. 22).

Third, in Switzerland the roles of mother and father are perceived as fundamentally different (Nentwich, 2008). Even though the father's parental role and the mother's employment role have changed tremendously, the mother's primary responsibility is still the children's emotional well-being, while the father's is the family's financial well-being (Strub et al., 2005). The father's involvement is often limited to activities such as playing, bathing and soothing the child, rather than doing everyday tasks like meal preparation or housework (Strub, 2003; Willemsen, 2001).

This phenomenon also shows up in labour market statistics and career outcomes. For instance, the age of the youngest child is a strong predictor of the employment rate of mothers, and the labour force participation rate of women between ages 25 and 40 is significantly lower than that for men in the same age group and for younger and older women (Swiss Federal Statistical Office, 2008a, p. 11). Mothers with children under age seven are significantly less often engaged in employed work than mothers of older children (*ibid.*, p. 14). Although family arrangements are changing slowly, the main changes can be found within the traditional bourgeois family: women are no longer working as housewives, but are taking part-time jobs (see Table 13.2).

To illustrate the persistence of gender inequality, we might turn to the situation of women in leadership positions. Although this figure has increased from 40 000 in 1997 to 80 000 in 2007 (Swiss Federal Statistical Office, 2008b), this is still an exception in corporate Switzerland, especially in the upper echelons. Davoine (2005) shows that out of 700 managers in the largest SPI companies,¹¹ only 3 per cent are female. While the 2008 WEF *Gender Gap Report* states that 30 per cent of legislators, senior officials and managers are women (Hausmann et al., 2008), in executive management there were only seven women compared to 230 men, and women made up only 12 per cent of the corporate boards of the 26 SMI companies (Actares, 2008).¹² And of these 26 companies, only one had a female CEO in 2006: Heliane Canepa of Nobel Biocare. And only one of the SMI companies, the Swatch Group, featured more than one woman on its executive management team and corporate board (Jacquemart, 2006).

Table 13.2 Changes in family arrangements: division of labour in families with children under 7 years

Arrangement	Woman	Man	In %, 1990	In %, 2000
Traditional–bourgeois	Not in paid employment	Full-time employment	59.8	37.3
Modern–bourgeois	Part-time employment	Full-time employment	23.2	36.5
Egalitarian–career oriented	Full-time employment	Full-time employment	10.7	12.1
Egalitarian–family oriented	Part-time employment	Part-time employment	1.5	3.5
Other combinations			4.8	10.7
			100%	100%

Source: Swiss Federal Statistical Office (2009a).

Ruigrok et al. (2007, p. 551) state that ‘only 3 per cent of all directors on the boards of Swiss companies listed on the stock exchange in 2003 were women’, compared to 11 per cent in the governing bodies of European companies in general (McKinsey and Company, 2007, p. 5). At the same time they report that non-Swiss nationals accounted for a total of 22.1 per cent of the board directors. Interestingly, 13 of the 50 female directors were also foreigners (Ruigrok et al. 2007, p. 555). Furthermore, ‘women directors are more likely to have lower educational levels’, and to come from outside the company and be affiliated with the founding family. As the authors point out, these findings differ significantly from findings in the USA, where women are more likely to be highly educated and to come from within the company.

Also, researchers have found that, as in other countries (Wajcman, 1998), the few women in leadership positions often do not have children (Folini, 2007). In 2008, only 24.8 per cent of the women in leadership positions had children, and only 41 per cent were married; in comparison, 80.2 per cent of the men were fathers and 90.3 per cent were married (Künzle, 2009). However, the female ratio in executive management did increase from 19 per cent in 1991 to 30.8 per cent in 2005 (Jacquemart, 2006). This is mainly due to women’s progress in small and medium-sized businesses. While Swiss top 500 companies with fewer than 250 employees had 16.6 per cent women on their executive boards, companies with 500–1000 employees had only 8.6 per cent and companies with more than 10 000 employees only 5.4 per cent (Filler et al., 2006).

Legal context(s)

While equal opportunity initiatives have been strongly supported by the Swiss Federal Act for Gender Equality, this is much less the case in regard to diversity management in general. Here, Switzerland’s legal situation is not very clear or well defined; therefore it plays only a minor role in the implementation of diversity management in Swiss companies. Interviews with several diversity managers (Benz, 2008) confirmed the findings of Filler et al. (2006): anti-discrimination laws in other countries and the Swiss Federal Act

for Gender Equality have served as major legal drivers towards diversity management. Otherwise, however, the rationales for diversity management are to be found primarily in business-related arguments: demography, innovation and customer orientation. However, there is also evidence that companies in the private sector are actually not aware of the legal requirements in place at an international level. For instance, in a New York court case, the Swiss pharmaceutical company Novartis was accused of systematic discrimination (Aiolfi, 2005).

In order to understand the legal situation it is important to acknowledge Switzerland's position as a special case within the European context (Epiney and Waldmann, 2004). Although it is located at the very heart of Europe, it might be the only European country that is not directly affected by the legislation of the European Union. Though it is not a member of the European Union, Switzerland closely follows the changes in European legislation, adopting some for domestic use and rejecting others. It adopts some laws through bilateral negotiations and others through plebiscite; many legislative changes are adopted by popular vote. For instance, the recently accepted EU directives for equal treatment on the basis of gender, race, sexual orientation, age and disability, which have resulted in anti-discrimination laws, are not effective in Switzerland. However, in bilateral agreements Switzerland agreed to the free movement of persons between member states; thus it is obliged to recognize professional qualifications, grant immigrants the right to buy property, and coordinate social security systems (cf. Amstutz and Müller, 2008, pp. 362–3).

Although Switzerland has not yet implemented a general anti-discrimination law and is not obliged to follow recent legislative developments in the European Union, Swiss federal legislation does provide some basis for the practice of diversity management in the public and, to a lesser extent, the private sector. An important passage in the Swiss Constitution guarantees the equality of all human beings before the law and outlaws discrimination. Also playing important roles are international human right conventions and several passages in the employment law.¹³ And, to enforce this legislation in the private sector, an initiative was recently introduced in parliament supporting the idea of a 'diversity charter'.¹⁴ This is a voluntary agreement by companies to ban any kind of discrimination in the workplace.

This strategy of voluntary agreements is quite typical of what could be called a 'Swiss way' of managing diversity. Drawing on liberal discourses of free will and choice, voluntary actions are generally preferred to normative, legal and mandatory consequences. In a similar vein, although the federal Constitution includes quotas to ensure that cultural regions and languages are appropriately represented in the Swiss Federal Council, they generate strong debate, for instance over gender diversity (Arioli, 1998). In the following paragraphs, we sketch out the various legal contexts of diversity management in Switzerland (see also Hausammann, 2008).

International and European conventions on human rights

Switzerland has signed several important international conventions, including the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR); the United Nations Covenants I and II on Economic, Social and Cultural Rights (Covenant I) and Civil and Political rights (Covenant II); the International Convention on the Elimination of All Forms of Racial Discrimination (CERD); and

the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). All these require state parties to take suitable measures against all forms of discrimination. Also, they all have a programmatic character, which gives them a certain relevance in the economic sector, but they are not directly applicable to the situation of diversity management in companies except where those situations are governed by law.

The federal Constitution

Diversity is an important notion in the preamble of Switzerland's federal Constitution, which emphasizes the importance of Switzerland's historically developed cultural diversity, with its four languages and culturally specific regions. Specifically, the Swiss Constitution sets out the official languages,¹⁵ guarantees cultural diversity¹⁶ and defines the composition of the Swiss Federal Council (Bundesrat), and the appropriate representation of cultural regions and languages.¹⁷ It takes diversity as a given and calls for tolerance, consideration and respect. However, these articles are not actionable and are mostly important as mission statements.

Article 8, Paragraph 1 of the Constitution tackles the general equality of all human beings before the law, and the paragraphs that follow lay out non-discrimination rules for several categories of diversity (Kälin 1999). Paragraph 2 states that 'No one may be discriminated against, in particular on grounds of origin, race, gender, age, language, social position, way of life, religious, ideological, or political convictions, or because of a physical, mental or psychological disability.' Gender equality is approached in Paragraph 3: 'Men and women shall have equal rights. The law shall ensure their equality, both in law and in practice, most particularly in the family, in education, and in the workplace. Men and women shall have the right to equal pay for work of equal value.' While the general non-discrimination rule requires activity from the legislature, the right to equal pay is directly applicable to the private sector (Epiney and Waldmann, 2004, p. 493).

Following the constitutional article on non-discrimination, several laws have been passed that apply to specific diversity categories (Hausammann, 2008). However, their level of detail and scope is very heterogeneous.

The Federal Act on Gender Equality (GEA) This act constitutes the legal framework for gender equality in work contexts (Freivogel, 1996; Kaufmann and Steiger-Sackmann, 2009). It prohibits any form of direct or indirect discrimination in the work context, which is applicable 'in particular to hiring, allocation of duties, setting of working conditions, pay, basic and advanced training, promotion and dismissal' (GEA, Art. 3.2). Also prohibited are sexual harassment and discrimination in the case of female employees, or on the basis of marital status, family situation or pregnancy.

The Federal Act on Gender Equality was established in 1996¹⁸ and resulted in several structural measurements in Swiss companies. For instance, counselling services have been set up to respond to issues of sexual harassment and bullying, and human resource policies and practices have been analysed for potential discrimination and changed when necessary. Because the GEA reduces the burden of proof on a claimant,¹⁹ companies are focusing more on non-discrimination and gender equality (Benz, 2008). Furthermore, this Act has both preventive and protective functions. In particular, Article 3.3 explicitly states that positive discrimination resulting from appropriate measures that aim at achieving true equality are not to be regarded as discriminatory. However, this has not

been interpreted as a reasonable ground for the introduction of quotas. Furthermore, Articles 14 and 15 establish the basis for funding advice centres and for the Federal Office of Gender Equality to develop and implement specific measures in public or private institutions; this has resulted in a great variety of tools and measures becoming available free of charge (www.topbox.ch).

The Federal Act on Equal Rights for People with Disabilities (EPDA) This Act, adopted in 2004, mandates improved conditions for the integration of people with disabilities. However, its primary focus is to ensure that those individuals have free access to public buildings, transport, services and education. As employment relations are only affected in the public sector on the federal level, this law has fairly marginal importance at the cantonal level and for the private sector.

Language diversity Language diversity is, as already mentioned, at the heart of the federal Constitution (Art. 70). It stipulates that the federal confederation will operate in four official languages (German, French, Italian and Romansh), and all official documents are published in German, French and Italian. Although Romansh is an official language, its use is only compulsory when communicating with persons speaking Romansh. Again, this law is applicable for the public but not for the private sector.

Employment law: protection of the employee's personality and maternity leave

A third possible legal foundation for diversity management practices is the employment law. This law mandates the protection of personal integrity, particularly bodily, mental and sexual integrity, and protects the individual's social, personal and professional reputation.²⁰ The concept of protecting the integrity of the personality also covers discrimination on account of race, religion, ethnicity, sexuality and disabilities. However, the freedom of contract in employment relations is seen as having a higher claim than this law; therefore, under this law a case of arbitrary wage differences might not be a case of discrimination unless the employee's integrity of personality was severely disregarded or damaged. The protection of personal integrity obliges employers to proactively manage conflicts and to generally create a non-discriminatory work environment. It also protects employees against discriminatory dismissals.

While the employment law included maternity leave, which protects women during the first eight weeks after they give birth, it did not mandate that wages continue for that period.²¹ Only since 2005 has the maternity leave benefit been in place, covering 80 per cent of the mother's salary for 14 weeks. There is no enforced parental leave for fathers, although the idea has been thoroughly debated and some companies have implemented it voluntarily.

Researching diversity management

In the sections above we have indicated that although Switzerland has a long tradition of dealing with diversity, the global concept of diversity management has been fairly slow to arrive in Switzerland's businesses and seems to be given more attention by multinational companies than by small and medium-sized enterprises (SMEs). In all domains of diversity, from culture to gender, and in both managerial and legal practices, a crucial tension exists: Switzerland is traditionally constructed around a discourse that it is a

'special case', but, like any other country, it is constantly influenced by global tendencies that could threaten and transform that uniqueness. By focusing on diversity management within Switzerland and writing a chapter to make this national case, we seem to have already done something that is typical of the research on diversity management: we have reified dimensions of diversity (in this case, nationality) and considered them as essential features of people, groups and even countries.

Instead of taking these reified categories for granted and assuming that there is something like a Swiss case of diversity, we have underlined that diversity studies have to enquire how diversity is 'made in Switzerland', which is itself an effect of a complex translation process between global and local conditions. Thus we must actually engage with reflexive and critical approaches for establishing studies of diversity management (with a national context). For instance, the paradox is that there is probably no country like Switzerland – notice our own narrative strategy here – that simultaneously draws upon its own invented myth of tradition and tries to recognize itself as a global player. In our view this paradox forms an intriguing starting point for studies in the field of diversity management; the aim of such studies is to understand how diversity management is practised by drawing upon global ideas, discourses of nation-making and more local narratives.

However, the research on diversity management has only recently gained momentum (in rhythm with the managerial practice of diversity) and seems to be following a line of development similar to that in other European countries where more normative and atheoretical research is complemented by more critical, conceptually based research (Lorbiecki and Jack, 2000). Rather than review this research and literature overall, we shall discuss a few theoretically grounded studies on how diversity management is practised; these can shed some light on how diversity management is translated into the Swiss work context.

With regard to the fashionable character of diversity management and the fact that many companies mostly engage in a kind of 'distant cheerleading' (Dick and Cassell, 2002), Prasad and Mills (1997, p.8) clearly documented how diversity management is presented as a showcase; based on a discourse of 'success', workplace diversity is given 'enormously positive publicity . . . by highlighting its more striking accomplishments and attractive features'. Because of this emphasis on the success story, more critical studies have questioned whether diversity practices, by definition, bring differences along with them. These critical studies, based on discourse theory, look into more historical changes of discourses on diversity (Prasad, 2001; Runté and Mills, 2006) as well as the organizational contexts in which discourses are negotiated (Kirby and Harter, 2001; Tomlinson and Egan, 2002; Zanoni and Janssens, 2007). Such discursive and practice-based studies follow a similar line of critical and reflexive studies as currently observed in HRM studies in general (Janssens and Steyaert, 2009).

A first example of such a study in the Swiss context is that by Ostendorp (2006). The emphasis is on how *in vivo* diversity management is formed and practised through a complex negotiating process where several different discourses can be observed in action as people make sense of various diversity initiatives (Ostendorp and Steyaert, 2009). The study documents how the discourses of diversity management practised in Swiss companies are not simply mirroring the global concept, but are translated into local practices. From this perspective, diversity management is not as homogeneous as the

simple categorization into either a 'business' or an 'equity' orientation might suggest. Rather, both normative-ethical and economic motives are treated as valid rationales for an investment in workforce diversity (Ryser, 2010).

For instance, Ostendorp (2006, 2009) and Ostendorp and Steyaert (2009) have conducted elaborate analyses of interviews with organizers of and participants in diversity management programmes in Swiss companies and have demonstrated that practices overlap and vary widely. For instance, when talking about diversity, a very broad range of initiatives and interventions has been subsumed under the label of diversity management and neighbouring fields. They range from issues such as different language groups, gender and disabilities to work-life balance, healthcare and corporate volunteering (Ostendorp and Steyaert, 2009). Analysing how these different initiatives and objectives are negotiated, Ostendorp and Steyaert differentiate four different interpretative repertoires of diversity management, all constructing a specific understanding of differences: differences as taboo, as need, as dispute and as *sine qua non*. In fact, the objectives of these initiatives also vary considerably (Nentwich, 2006a; Ostendorp and Nentwich, 2005). The authors conclude that the current use of such repertoires impedes the process of inscribing differences into the overall organization, rather than facilitating it. Furthermore, they suggest, the way diversity management travels as a global idea is strongly affected by the political negotiation through which the standard image of the ideal worker can be challenged and other images can be infused into a more hybrid organization.

A second study (Steyaert et al., 2008) considers how the multilingual situation is practised in Swiss organizations, especially as English gains influence as the global business language. This study forms part of a national research programme of the Swiss National Science Foundation, investigating how Switzerland should consider its linguistic policy for the future, based on research concerning the language education of youngsters and adults, and the legal, political, economic and social conditions in which language practices must be considered. As a multilingual country, Switzerland performs what can be called a linguistic peace-making, maintaining a balance, both legally and socially, between the linguistic rights of different groups.

While it is quite a balancing act to consider this multilingualism, globalization and immigration challenge the current solutions and practices in many ways. Illustrative of this tension is a manifesto for a lived, linguistic diversity in Switzerland, promoted by a group of for-profit and non-profit organizations as well as by prominent figures from politics, culture and business.²² Although the group wanted to safeguard language diversity in general and promote linguistic competence in a wide range of languages, the media pointed out an underlying concern with the threat that emanates from 'the English wave' and the increasing weight of English as *lingua franca*.²³ There was talk of 'a lobby for language diversity'²⁴ that was erecting 'a barrier' and would 'enter the battlefield' ('eine Kampfansage') against the English trend²⁵ and 'chase English' ('chasse à l'Anglais').²⁶

At the same time, the texts did not directly confront English, as the group sees that language diversity is a factor in Switzerland's economic success, which would hardly be imaginable without English competence, especially for the business lobby. The manifesto thus provoked a mixture of discourses on language diversity that contained instrumental referents ('competitive advantage', 'key to success'), as well as cultural ('it is about our identity') and 'political' ('confederal peace') argumentations (Janssens et al., 2004). In the analysis, Steyaert et al. (2008) suggest that multilingualism is performed as participants

Summary table for Switzerland

Existence of anti-discrimination legislation	Yes
Criteria covered by anti-discrimination legislation	Official languages, gender, disability
Criteria for which the reporting of quantitative data and their communication to a public administration are compulsory	n.a.
Criteria covered by 'affirmative' or 'positive' action legislation other than unemployment- or income-based	Official languages, gender
Existence of a discourse or debate about 'non-discrimination' or 'equality'	Yes
Existence of a discourse or debate about 'diversity'	Yes
Year or period when the 'discrimination' concept started to disseminate in management literature in the country	Mid-1980s for women in management and equal opportunity initiatives
Year or period when the diversity concept started to disseminate in management literature in the country	Around year 2000 in German-language journals and 2003/4 in the French literature
Who pushed the 'diversity' agenda?	Multinationals and US-based companies, NGOs and the women's movement, individual diversity managers, federal legislation on gender equality and anti-discrimination, gender and diversity scholars, Federal Office for Gender Equality
Existence of a professional association representing diversity professionals and year of creation	No
Existence of a professional association representing diversity scholars and year of creation	Network of researchers in Gender and Diversity Management Studies in Austria, Germany and Switzerland, 2006. Annual conference: www.genderportal.unisg.ch

negotiate over which languages can be spoken based on several sometimes incompatible rules of conduct. As a consequence, English cannot be seen as taking over the linguistic landscape of a company, but has to be situated within the whole range of alternatives a multilingual organization imagines it can draw upon to combine various languages.

Based on these examples of studies in the Swiss context, we suggest the following conclusion: the academic field seems to take a certain critical and reflexive approach to the global idea of diversity management and calls for more studies that contextualize their research process and that focus on the problems around the attempts to have diversity initiatives bring about change in everyday life. This orients research to questions of power, agency and participation, which are well summarized by Özbilgin and Tatli (2008, p. 390): 'Can diversity managers engender the organizational change which they envision?' We think that research conducted with regard to these questions might make a considerable impact on the ways in which practitioners and professionals imagine that diversity issues can be managed. By understanding how diversity is made and negotiated

in the Swiss context, both practitioners and researchers need to become sensitive to issues of change and change agency as they can be observed in tensions between the normal and the different, the local and the global, the known and the other. This would imply that researchers and practitioners alike consider diversity management to be a reflexive practice that can indeed transform organizations and the society in which they are embedded into more inclusive, social arenas.

Notes

1. We would like to thank Margot Benz for providing the solid background on the legal aspects discussed in this chapter and the interviews with diversity managers in her master's thesis; Professor Regula Kägi-Diener and Dr Kathrin Arioli for providing crucial feedback on the legal aspects; our colleagues Dr Anja Ostendorp and Claudine Gaibrois for several discussions on the chapter; and, last but not least, Dr Helen Snively for her language editing.
2. The term 'special case' translates as *Sonderfall* in German-speaking Switzerland, as *insula elvetica* in Ticino and as the Franco-German hybrid *Le Sonderfall* in the French-speaking part (Eberle, 2007, p. 7). The notion of Switzerland as a special case is based on the system of consociational democracy, the tradition that the Swiss confederation had a rural genesis, and the associated semantics of threat and resistance defied by a joint battle (Eberle, 2007, p. 7; Imhof, 2007).
3. The expression 'Switzerland doesn't exist' goes back to a piece of art by Ben Vautier, displayed at the world exhibition in Seville in 1992. Black hand-written letters on a white ground proclaim that 'la Suisse n'existe pas'. The expression plays with the notion of Switzerland as a volatile nation and a special case.
4. The Swiss novelist Thomas Hürlimann (2002) described this clash of logics, spaces and rhythms as Swiss schizophrenia.
5. Nentwich (2006b) investigated the importance of diversity management in Swiss universities. She points out that gender equality developed as an important topic in the 1990s and that other dimensions of diversity are yet to be discovered.
6. The *Neue Zürcher Zeitung* is a leading intellectual paper in the German-speaking part of Switzerland.
7. Similar results can be found in the Adecco study (2008) on the 'demographic fitness' of European companies. Switzerland, with 172 points, was situated near one end of a scale ranging from 100 to 400 points, but the variance of findings among countries is very small here. Nevertheless, the authors conclude that Swiss companies are rather badly prepared for the demographic change expected in the coming decades. At the same time, conditions in the Swiss labour market are very favourable for employees, so the Swiss will face the fewest difficulties in filling vacancies compared with other countries.
8. See also Nentwich (2006b, pp. 151–2).
9. The survey focused on companies listed as the 'Top 500' in Switzerland in the Swiss *Handelszeitung* (2004); 118 companies responded, yielding a response rate of 25 per cent. The questionnaire focused on the current mindset towards diversity within the executive levels in these organizations and the diversity practices in place. The study concentrated on two diversity dimensions: gender and nationality.
10. <http://www.diversity-ch.ch/traegerschaft.html>.
11. The Swiss Performance Index is Switzerland's most closely followed performance index.
12. This is the Swiss stock market index, the most important in Switzerland. According to the Ethos study, 8 per cent of board directors were females in these 26 SMI firms in 2005 (Biedermann et al., 2005).
13. See <http://www.eda.admin.ch/eda/en/home.html>, the homepage of the Swiss Federal Department of Foreign Affairs for details on the internationally relevant legal situation and the legal texts and <http://www.humanrights.ch> for details on the legal texts relevant to diversity management.
14. www.diversity-charta.ch.
15. Art. 4 and Art. 70, para. 3.
16. Art. 69, para. 3.
17. Art. 175, para. 4.
18. All legal cases conducted in German that lead to a sentence are published; commentary is available on the website www.gleichstellungsgesetz.ch.
19. Article 6 of the Gender Equality Act reads: 'In relation to the allocation of duties, setting of working conditions, pay, basic and advanced training, promotion and dismissal, discrimination is presumed if the person concerned can substantiate the same by *prima facie* evidence.'
20. Article 328, Swiss Code of Obligations (*Obligationenrecht*).
21. See Hauser (2004) for a historical perspective on the development of maternity leave insurance in both Switzerland and Germany.

22. These documents can be consulted on www.chstiftung.ch in three languages but not in English.
23. The term comes from Arabic 'lisan-al-farang', an intermediary language that speakers of Arabic use to communicate with travellers from Europe (House, 2003, p. 557).
24. Quote from the *Neue Zürcher Zeitung*, a leading intellectual paper in the German-speaking part of Switzerland, 5 May 2006.
25. Quotes from the general edition of a regional paper, *Sankt Galler Tagblatt*, 5 May 2006.
26. Quote from the *Journal du Jura*, a regional French-language paper, 5 May 2006.

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