IMPRESSUM

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We would like to thank ETHZ for allowing us to draw inspiration from their Compliance Guide.

For reasons of user-friendliness, the wording of this Compliance Guide does not always correspond precisely to the legal wording of the respective acts and ordinances. Only the provisions set out in the original acts and ordinances and in EPFL's internal rules and regulations are legally binding and enforceable. You will find these enactments on the Polylex website and in the Classified Compilation of Federal Law (RS).

This Compliance Guide will be updated on an annual basis. The online version provides links for direct access to the documents and websites referred to. Thank you for sending your suggestions and proposals to this e-mail address: compliance@epfl.ch
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Dear Colleagues,

This Compliance Guide sets out the main rules, practices and values governing EPFL. It serves as a reference for all members of the EPFL community, enabling them to carry out their work with confidence, fully aware of our school’s guiding principles, how to apply them and whom to contact with questions. This Guide was developed by around 60 staff members with the support of department heads, deans and senior management. They worked together to come up with a simple, useful and practical source of information for all staff members – professors, secretaries, PhD candidates, lab technicians, IT specialists and even the President. Although the Compliance Guide was developed primarily for staff members, it is also naturally relevant to students.

EPFL’s strength is rooted in its extraordinary diversity, which is apparent in our wide-ranging fields of study, research projects, nationalities and staff positions. The figures say it all: more than 10,000 students and 5,700 staff members, 5 schools, 2 colleges, 28 institutes, 354 laboratories and 5 outposts. Now just imagine all the professional, personal, scientific and ethical questions that may arise as a result. We can only work together if we have a shared knowledge base and follow the same procedures. We also rely on shared values such as respect, research integrity and the efficient use of the resources provided to us to do our work. For all these reasons, the Compliance Guide is crucial to our cohesiveness and our ability to accomplish the EPFL’s missions in a shared spirit.

Martin Vetterli
EPFL President
In the framework of its Development Plan for 2017-2020, EPFL has set itself the mission, in the field of Human Resources (HR), to constantly improve the skills and performance of all staff members in education, research and services, in order to keep up with a rapidly evolving competitive international academic environment.

In compliance with the legal framework, EPFL must provide first class services as an employer, respecting diversity in all its forms and promoting women’s careers, work-family balance, equal opportunities and access to sport.

The HR policy is decentralised, allowing close cooperation with the Schools and Colleges, the network of Outposts and Central Services.

Employment Contracts
Employment at EPFL is subject to a written employment contract with a job description, signed by both parties. Any extension, change or termination of the contract must also be made in writing. The HR Department is in charge of implementing the wage policy based on the New Salary System (NSS) as well as fixed salaries (for PhD and postgraduate assistants).

In principle, employment contracts are for an indefinite duration and may, conversely, be for a limited period (Art. 19 of the Personnel Ordinance for the ETH Domain OPers-EPF and Art. 17b of the FIT Act). Fixed-term contracts may be renewed more than once for:
- assistant professors for a maximum period of eight years;
- assistants, senior assistants and other employees carrying out a similar function for a maximum period of six years; if an assistant is promoted to a senior assistant position, the years spent working as an assistant are not taken into account;
- employees hired to work on teaching and research projects as well as persons hired to work on third party-funded projects, for a maximum period of nine years;
- all other employees for a maximum period of five years.

Any request pertaining to an employment contract must be sent to the HR Manager of the relevant School or Vice Presidency.

The ETH Board appoints professors, PATT, associate professors and full professors. They are hired under either public or private law.

Specificities of Tenure Track Assistant Professors (PATT) (LEX 4.2.1)
Assistant professors are appointed for four years. Their contract is renewable once for a further four years. The contract of a female PATT who welcomes a new child may be extended for maximum one year.

Specificities of Doctoral Assistants (LEX 4.4.1)
Doctoral assistants are hired for a fixed term of one year, renewable for a total period of six years. The annual assessment of thesis work is decisive in updating and renewing the contract. Doctoral assistants enrolled at EPFL receive a fixed remuneration, with annual increments which may vary, particularly in light of budgetary constraints.

Specificities of Scientific Staff (LEX 4.4.2)
Scientific employees are commonly called “post-docs”. Upon hiring, if they have completed their PhD at EPFL, they shall have spent a minimum of two years of their professional or academic career outside EPFL. The Head of Unit is competent to hire a scientific employee under a fixed-term contract, subject to agreement by the School HR Manager. The School Dean’s approval is required to hire scientific staff under open-ended contracts.

Specificities of Foreign Nationals
The employment of foreign nationals may be subject to the approval of the cantonal and federal authorities based on the person’s nationality. The HR Department takes care of the necessary paperwork.
Employing Relatives or Partners

Employees who are married to each other or live as a couple may be hired provided that neither is an immediate superior or subordinate to the other. The same applies to first- and second-degree blood relatives and first-degree relatives by marriage.

Staff Training

The Staff Training Service (STS) is available to develop customised training for individuals and teams in addition to the standard training programme, or to develop training courses in line with the specific needs of units. An e-Learning programme is available at all times.

Gifts or Benefits

Article 21, para. 3 of the Federal Act on employees of the Confederation LPers and Article 56b OPers-EPF specify that in the framework of their professional duties, employees shall not accept from third parties, be it for themselves or for their close circle, any gifts or other benefits beyond modest customary tokens of politeness, which may lead to relations of dependency.

RESPONSIBILITIES

Heads of Unit draw up and update the job description of each employee. They organise an individual annual interview with each staff member. Objectives and an individualised training programme are set on this occasion or upon a second interview.

Heads of Unit are responsible for the annual validation of outstanding vacation, overtime in the absence management system. They are also responsible for the smooth development (atmosphere and respect) of their group.

FURTHER INFORMATION

Equal Opportunities Office, internet link
HELP network, internet link
New Salary System (NSS), internet link
Absence management system, internet link

LEGAL BASIS

LEX 4.1.0.1 “Loi sur le personnel de la Confédération”, internet link
LEX 4.1.0.4 "Ordonnance sur le personnel du domaine des Ecoles polytechniques fédérales", internet link
LEX 4.1.4 "Rules and Regulations concerning Working Time Management (RGT)", link (PDF)
LEX 4.2.0.1 “ETH Professorial Ordinance", link (PDF)
LEX 4.2.1 “Rules and Regulations Concerning EPFL Tenure-Track Assistant Professors", link (PDF)
LEX 4.4.1 “Directive on Terms of Employment of EPFL Assistants", link (PDF)
LEX 4.4.2 “Directive on Terms of Employment of EPFL Scientific Staff", link (PDF)
LEX 4.4.1 “Directive concerning the management of conflicts of interest", link (PDF)

ADVICE FOR DAY-TO-DAY BUSINESS

For Heads of Unit: please make sure that each staff member has an annual interview.
In case of conflict, HR should be promptly informed.
In case of any threat to site security or a person’s safety, immediately call DSPS (115).
Systematically apply a policy of equal opportunities in the selection of candidates.
Promptly notify HR of any subsidiary activities (see chapter on “Subsidiary Activities”).
Plan your training and make use of the wide supply of online training (e-learning).
For future employees from countries outside Europe, allow at least 3 months between recruitment and entry into service due to the delays inherent in obtaining valid official documents.

CONTACT

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EXTERNAL OR SUBSIDIARY ACTIVITIES

BASIC PRINCIPLES

Interactions between EPFL professors and other staff members with industry, the economy and other institutions are often beneficial for both teaching and research. The EPFL encourages such interactions provided that they do not interfere with EPFL staff members’ activity, service or commitment to the institution.

The wording “external activity” designates any activity engaged in by an employee outside his/her work relationship with the EPFL, whether remunerated or not. This may involve an activity carried out on the employee’s own behalf, on behalf of a private company or public institution, or a public office.

Any external activity by employees must be compatible with all the obligations arising from their employment contract: time devoted to their work, EPFL’s reputation, EPFL’s interests, loyalty and primary commitment to EPFL, etc.

Employees exercising an external activity must do their utmost to avoid any actions that may prove detrimental to the EPFL.

Use of the EPFL’s Name

Employees exercising an external activity must ensure that the latter does not appear as being carried out on behalf of the EPFL or in its name. The use of signs, texts or images which may give the impression that EPFL is directly involved in this external activity should be avoided (e.g. EPFL letterhead, logo or photographs, invoices bearing the EPFL letterhead, the incorporation of pages from the EPFL website into another site other than via a simple hypertext link). The opening of bank accounts in the name of the EPFL is prohibited.

Use of EPFL Resources

Employees must be granted an authorisation to use EPFL resources free of charge in connection with exercising an external activity, including:
- secretarial work;
- the personal computer placed at their disposal by EPFL as provided for in the Directive concerning employee use of IT resources;
- the telephone.

The use of laboratory resources requires a contract between EPFL and the third party for whom the external activity is performed or between the EPFL and the employee in the case of external activity not carried out for a third party. The Technology Transfer Office (TTO) has the authority to draw up this contract.

Interests of the EPFL

The interests of the EPFL must be protected. This protection especially entails preventing research work carried out within the EPFL from being used and divulged in the framework of an external activity.

Furthermore, a private mandate must never prevent the EPFL from using, protecting and/or transferring the results of its research.

Financial Holdings

Employees must notify the President or the relevant Dean/Director/VP of any financial holdings in companies, should any potential conflict of interest exist.

Founding of New Companies (Start-Ups)

Employees who participate in the founding and development of a company must inform the President or the relevant Dean/Director/VP. In addition, they are obliged to sign a personal undertaking issued by the TTO.

1 “Employee” shall be taken to mean anyone with an employment contract with EPFL or the ETH Board.
Assessing the Risk of Conflicts of Interest

All employees must evaluate their external activities and report these immediately should they potentially entail a conflict of interest (or the perception of a conflict of interest by the public and/or other employees). Professors must apply to the President for authorisation to exercise an external activity. Other staff members must apply for authorisation to exercise such activity to the School Dean or College Director or, in the case of central administration staff, to the Vice President(s) to whom they report. Such applications must in all cases include the preliminary opinion of the immediate superior. Employees must be granted an authorisation to exercise any external activity whenever:
- conflict with the interests of EPFL may arise;
- interference with the fulfilment of duties for EPFL may arise;
- the reputation of EPFL could be endangered;
- the employee requires the use of EPFL infrastructure;
- the employee wishes to join a board of directors;
- the employee intends to establish/develop a start-up.

Professors employed full-time are entitled to 20% of this to exercise external activities. If the time spent on subsidiary activities represents more than one working day per week, the professor must apply to the EPFL President for authorisation. Sitting on a board of directors or being part of a company’s management is subject, in all cases, to authorisation by the EPFL President. All subsidiary activities such as expert valuations, consulting etc. must be reported to the TTO (form to be signed by the principal) and the President. Professors must complete an annual form disclosing their subsidiary activities.

Professors wishing to simultaneously teach in several institutions (double professorship) must submit a request to the EPFL Direction, which forwards this to the ETH Board.

PROCEDURE TO REPORT A CONFLICT OF INTEREST

Before exercising any external activity, whether remunerated or not, employees evaluate the risk of conflicts of interest entailed by said activity. In case of doubt they should ask their immediate superior for advice.

If a potential conflict of interest exists, professors must apply to President for authorisation to exercise an external activity. Other staff members must apply for authorisation to exercise such activity to the School Dean or College Director or, in the case of central administration staff, to the Vice President(s) to whom they report. Such applications must in all cases include the preliminary opinion of the immediate superior.

The application should mention:
- the nature and extent of use of EPFL or research institute infrastructure;
- an estimation of the time required for the activity;
- a description of the type of activity;
- the preliminary opinion of the superior;
- if applicable, the (estimated) amount of remuneration to be received for this activity;
- if applicable, the undertaking in accordance with article 8, paragraph 3 of the Directive concerning the management of conflicts of interest.

Such authorisation may only be granted insofar as the activity fulfils the criteria defined in the Directive concerning the management of conflicts of interest.

The authorisations granted are entered in a central register.
EXTERNAL OR SUBSIDIARY ACTIVITIES (CONTINUED)

Members of the EPFL Direction
The EPFL President and Vice Presidents are entitled to 10% of a full-time workload to perform subsidiary activities. Any share of income from subsidiary activities exceeding 30% of the EPFL compensation must be handed to the employer. Any subsidiary activities must be authorised by the ETH Board.

RESPONSIBILITIES

Measures to be adopted in Case of Conflict of Interest - Mediation
Any immediate superior who identifies or suspects the existence of a conflict of interest must endeavour to settle the matter directly with the employee, supported by the Dean/Director/VP acting as mediator. If a professor is involved, the Dean attempts to settle the matter, supported by the President acting as mediator.

Measures to be adopted in Case of Conflict of Interest - Intervention by the General Counsel or President
If no agreement can be reached to settle the matter, the mediator submits the dossier to the General Counsel, or to the President in the case of a professor, to enable them to take, or arrange for, any measures considered necessary to regularise the situation.

The employee is notified by the mediator that the dossier is being submitted to the General Counsel or President for settlement.

LEGAL BASIS

LEX 4.2.0.1 “Ordonnance du Conseil des EPF sur le corps professoral des écoles polytechniques fédérales”, internet link
LEX 4.1.0.4 “Ordonnance sur le personnel du domaine des Écoles polytechniques fédérales” (Arts 53 and 56), internet link
LEX 4.1.1 “Directive concerning the management of conflicts of interest”, link (PDF)
“Ordonnance sur la rémunération et sur d’autres conditions contractuelles convenues avec les cadres du plus haut niveau hiérarchique et les membres des organes dirigeants des entreprises et des établissements de la Confédération”, internet link

FURTHER INFORMATION

TTO website on start-ups, internet link
CONTACT

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SAFETY, PREVENTION AND HEALTH

BASIC PRINCIPLES
EPFL promotes an exemplary occupational safety and security culture based on honesty and social responsibility. Beyond compliance with regulatory security, prevention and health requirements, this commitment also implies a responsible approach to risk and respect for others.

At EPFL, the experts of the Safety, Prevention and Health Domain (DSPS) advise all EPFL members on matters related to safety, security, prevention and health protection and provide support in enforcing the necessary measures. The DSPS regularly holds courses and workshops to train the EPFL community in these areas.

The DSPS Delegate is the guarantor of EPFL’s overall security concept. Additional responsibilities in this field (fire safety, security, biosafety, etc.) are assigned to various specialists in the DSPS team. The Delegate has the authority to prohibit access to the campus and to take legal action.

The DSPS represents EPFL in discussions related to safety, security and hazard prevention with the relevant authorities (police, fire brigade, cantonal and federal offices, etc.), in close cooperation with the EPFL General Counsel.

RESPONSIBILITIES
All staff members, and particularly heads of unit (professors, section directors, senior scientists, heads of central services or workshop managers) must be aware of and comply with the legal provisions applicable to their work activity in terms of safety, prevention and health. All staff members must observe the recommendations and directives issued by EPFL in order to avoid occupational accidents and workplace health hazards. Heads of unit ensure that their staff are trained and that the specified measures on occupational safety and health are enforced.

LEGAL BASIS
LEX 1.1.1 “Ordinance on the organisation of the EPFL”, link (PDF)
LEX 1.5.1 “Directive concerning occupational health and safety (DSST)”, link (PDF)
“Ordonnance 3 relative à la loi sur le travail”, internet link
“Ordonnance 4 relative à la loi sur le travail”, internet link

FURTHER INFORMATION
DSPS homepage, internet link
Training available from DSPS, internet link
ADVICE FOR DAY-TO-DAY BUSINESS

Define the particular dangers within your area of responsibility and make sure you know the legal provisions that apply in the areas of occupational safety and health.

Appoint a safety delegate (COSEC) in each research group. Also specify a delegate for radiation protection or biosafety if your research covers these areas.

Clarify with the DSPS whether any authorisation is required for your group’s activities.

Take advantage of the basic or specialist training provided by the DSPS in the fields of occupational safety and health.

Be aware of and apply the appropriate waste disposal procedures, particularly in the fields of chemistry and biology.

Adopt appropriate behaviour in an emergency:
- record the emergency number 115 or +41 21 693 3000 (on your mobile phone)
- locate the security features on your premises (evacuation plan, emergency exits, eye wash, shower, ...)
- be aware of the evacuation instructions on the DSPS website and ensure that your staff are also familiar with these.

Do not leave valuables unattended and carefully lock windows and doors when leaving to reduce the risk of theft.

Lock your computer when you leave your workstation. Keep your Camipro card with you at all times.

Look up the DSPS website for advice on occupational health (e.g. workstation ergonomics).

Heed the information in the HELP and Point Santé leaflets (in particular regarding how to get advice and support by calling 222).

In case of threat or violence, please look up the Safety, Prevention and Health website for the procedure to be followed.

CONTACT

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IT SECURITY AND DATA PROTECTION

BASIC PRINCIPLES

Risks related to IT security at EPFL are increasing due to growing IT needs, number of interconnections and system complexity.

The security of the EPFL information system - namely its availability, integrity, confidentiality and traceability - ensures the continuation of EPFL activities and protects the institution’s reputation.

EPFL owns the product of the administrative work of its staff members.

RESPONSIBILITIES

Each person’s behaviour has a significant impact on protecting the information system. EPFL is responsible for ensuring that its employees, students, guests and service providers have reliable and efficient IT resources available in relation to their needs. EPFL is required to provide appropriate training to its staff for use of these IT resources.

In exchange, all users should:
- take all necessary measures to protect the information system put at their disposal;
- immediately notify the Vice Presidency for Information Systems of any breach of information system security and refrain from disclosing this to unauthorised third parties;
- use the resources at their disposal strictly to carry out the tasks entrusted to them under their contractual relationship with EPFL;
- protect any information which they remove from the scope of the EPFL information system (USB flash drive, smartphone, etc.) or which they access from outside EPFL (via VPN, smartphone, etc.).

Heads of unit are in charge of ensuring that their staff members are aware of these directives and enforce them.

All professors are required to inform their students of obligations in respect of third party rights (copyright, royalties, licences, etc.) for software, works of authorship, etc.

See also chapters “Research Data Management” and “Data Protection”.

LEGAL BASIS

LEX 1.0.1 “Federal Act on the Federal Institutes of Technology” (Arts 36a and 36b), internet link

LEX 4.1.0.1 “Loi sur le personnel de la Confédération” (Art. 22), internet link

LEX 4.1.0.4 “Ordonnance sur le personnel du domaine des Ecoles polytechniques fédérales” (Art. 57), internet link

LEX 6.5.1 “Information System Security Policy (PSSI)”, link (PDF)

LEX 6.1.4 “Directive on the Use of EPFL Electronic Infrastructure”, link (PDF)

“Federal Act on Data Protection”, internet link

“Ordinance to the Federal Act on Data Protection”, internet link

FURTHER INFORMATION

About Information Systems, including IT security, internet link

How to be prepared for cyber attacks, link (PDF)

Awareness-raising film about IT security, internet link

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ADVICE FOR DAY-TO-DAY BUSINESS

Refer to the leaflet on “How to be prepared for cyber attacks” published by the Vice Presidency for Information Systems together with an awareness-raising film. In case of doubt, contact 1234 before attempting to solve the problem.

Data Storage

A laptop’s hard drive (C:) is not suitable for data storage. Ensure that data are regularly backed up so that they may be retrieved in case of equipment failure, deliberate alteration or human error. This data backup is guaranteed for data stored centrally by the Vice Presidency for Information Systems based on the subscribed service level (system of «Common[unit]» drive). Check regularly that old data can be retrieved and keep apprised of the terms/specifications for backups (frequency of backups, period during which the data can be recovered, how to retrieve saved data).

Confidential data stored on removable storage media (USB drives, hard drives, etc.) must be encrypted (Windows has a tool called «Bitlocker» to do this). The encryption key must be safely stored, but accessible to employees and their unit to avoid losing access to data. If encryption is not possible, please keep data storage devices under lock and key.

External Data Storage

It is strictly forbidden to store or process sensitive research data and confidential administrative data in a cloud. The Data Protection Act and the notion of professional secrecy constitute the legal basis governing this issue.

On 4 April 2016, EPFL validated the following cloud services for non-sensitive data: (listed on this link):

- SWITCHdrive / Google Apps / ServiceNow / iLab / Doodle / CrossKnowledge.

EPFL recommends using SharePoint for legally protected documents.

Use of Mobile Devices

Mobile devices (phones, notebooks, tablets, USB drives) can be tapped or lost and are therefore not appropriate for storing classified data. Any mobile device containing or giving access to EPFL data, which is taken off the EPFL premises, must be protected with a password. In the case of notebooks, it is advisable to encrypt the whole hard drive. Disk encryption is mandatory for the laptops of Central Services employees. All other staff members must follow the guidelines issued by their School.

Authentication and Passwords

Protect all accounts with secure passwords. A strong password:
- comprises at least 10 characters;
- contains neither the user name nor that of EPFL;
- does not contain a complete word;
- is completely different from previous user passwords;
- includes uppercase and lowercase letters, numbers and special characters (£, !, /, etc.).

EPFL staff logins must not be released and the related password should never be disclosed on the phone, by e-mail or on any website outside EPFL. The EPFL password should not be used for other websites. It should be stored in encrypted form.

Users are responsible for any actions committed with their digital identity, and are personally liable for any damage to the EPFL or to third parties.
FINANCE

BASIC PRINCIPLES

Management
All financial resources provided to EPFL become the property of EPFL irrespective of their origin.

Heads of unit manage and control the resources entrusted to them in accordance with the EPFL Financial Regulations. They are accountable for responsible use of such financial resources.

Heads of unit must carry out monthly and biannual controls of the funds for which they are responsible (Arts 72 and 73 of the EPFL Financial Regulations). They may delegate some of these controls to a deputy but remain responsible for use of such resources.

Heads of unit are in charge of checking, on a yearly basis, that the inventory of assets related to their unit is accurate and up-to-date.

Signatory Rights - Purchases and Expenses
All expense claims must be approved by the immediate superior in accordance with the EPFL Financial Regulations and Directives concerning professional travel and the reimbursement of expenses (see chapter on “Travel & Expenses”).

Signatory rights are based on the spending authorities defined in the Financial Regulations. The following thresholds must be observed for all financial obligations towards third parties (purchases):
- up to CHF 5,000: individual signature by a person authorised to commit the cost centre.
- CHF 5,001 to 50,000: joint signature by two persons authorised to commit the cost centre.
- CHF 50,001 to 100,000: joint signature by the fund manager responsible for the transaction and the Level 3 cost centre manager (or person delegated equivalent authority to that of the Level 3 cost centre manager).
- CHF 100,001 to 500,000: joint signature by the fund manager responsible for the transaction and the Level 2 cost centre manager (or person delegated equivalent authority to that of the Level 2 cost centre manager).
- over CHF 500,000: joint signature by two members of the EPFL Direction.

Signatory Rights – Income-Generating Contracts
Sponsorship or patronage contracts as from CHF 50,000 must be signed by two members of the EPFL Direction.

Research and service contracts with companies or other for-profit entities are signed by:
- the head of the unit concerned if the amount is under CHF 50,000
- the head of unit and the head of the TTO if the amount is CHF 50,000 or over.

Grant, research and service contracts with funding bodies or other non-profit entities are jointly signed by the head of unit or Principal Investigator (first) and then by the Head of the Research Office (REO).

Technology transfer contracts and licensing agreements are signed by the head of TTO and the head of the unit concerned. See chapter on “Technology Transfer”.

RESPONSIBILITIES
The duties, powers and responsibilities for the management and control of financial resources are specified in Chapters 2 and 10 of the Financial Regulations.

2. The concept of levels is related to the EPFL financial structure, as explained in Art. 3 of the Financial Regulations.
LEGAL BASIS
LEX 5.1.1 “EPFL Financial Regulations”, link (PDF)
LEX 5.1.0.2 “Ordonnance du Conseil des EPF sur la comptabilité du domaine des EPF”, internet link
LEX 1.10.1 “Directive on Sponsorship and Patronage at EPFL”, link (PDF)
LEX 3.4.1 “EPFL Directive on Grants, Research Contracts and Technology Transfer (DSCRTT)”, link (PDF)

ADVICE FOR DAY-TO-DAY BUSINESS
Look up the Accounting website and the Financial Regulations.
Delegate the administrative management and daily checks to a unit administrator. However, cost centre heads remain fully responsible for the proper use of financial resources.
Use the SESAME (Infocentre) portal to see and process the financial data of your unit’s funds.
Get help from the Accounting: for instance, it provides support to researchers for the production of financial reports on research projects.
Heads of unit must:
- carry out a monthly control of the entirety and accuracy of accounting entries, and of the status of contracts.
- validate, sign and archive the list of the balances of all the funds of their unit twice yearly.

CONTACT
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FURTHER INFORMATION
Your contact person within the Accounting, internet link
Accounting website, internet link
SESAME portal, internet link
TRAVEL & EXPENSES

BASIC PRINCIPLES

Any travel abroad is subject to prior authorisation (travel budget) by the head of unit.

EPFL has an official travel agency in charge of organising business trips: CWT.

Requests for plane tickets should be placed with this agency.

Expense claims must include proof of payment and be signed by the immediate superior.

RESPONSIBILITIES

Heads of unit are required to ensure that their employees are aware of the existence and content of the Directives concerning professional travel and the reimbursement of expenses, and that they comply with this.

Heads of unit managers ensure the responsible use of resources and lack of personal gain.

LEGAL BASIS

LEX 5.6.1 “Directives concerning professional travel and the reimbursement of expenses”, link (PDF)

LEX 5.1.1 “EPFL Financial Regulations” (Art. 48), link (PDF)

LEX 5.4.1 “Directive on the use of credit cards”, link (PDF)

FURTHER INFORMATION

Travel website, internet link
Information on car sharing, car pooling and sustainable development initiatives, internet link
Travel planner, internet link
TicketShop for business travel, internet link
Booking.com, internet link
CWT Travel Agency, internet link
Videoconferencing, internet link
ADVICE FOR DAY-TO-DAY BUSINESS

Refer to the information provided on the travel website http://voyages.epfl.ch

A travel budget is required for all trips abroad and serves to:
- set a spending cap for the trip in question;
- give the traveller (who often lacks signatory authority) the right to incur the planned expenses.

Air travel: all employees travel in economy class. Heads of unit may authorise a higher category (e.g. for intercontinental flights or for health reasons). Use the CWT travel agency to purchase plane tickets. The online booking tool SESAME-booking may also be used for simple routes (point-to-point flights).

Train: Domestic and international train tickets should be purchased from the online CFF Business Ticket-Shop (to order or print tickets). Call the Businesstravel Service Center (tel. 0848 111 456) in case of problems. Ordering through these channels entitles to a 10% discount.

Staff members with an employment contract of one year or over (and employed on a basis of at least 50%) are entitled to a CFF Half-Fare travelcard.

Cars: Europcar is EPFL’s preferred supplier of rental cars. Also consider the car sharing solutions offered by Mobility or ElectricEasy. Consult the travel planner to evaluate travel options and mitigate the environmental impact of business travel.

Accommodation for guests: EPFL provides the hotel, info booking tool (see link under Further Information) to book hotels at discount prices. Whenever possible, use the facilities available on campus.

For entertainment expenses both internal (business meals with EPFL colleagues) and external (business meals with third parties), systematically indicate the purpose of the meeting, the number of participants and their names.

Consider videoconferencing to reduce travel.

Ensure that expense claims are duly completed, signed and include all necessary receipts. Heads of unit must ensure that expenses incurred by the members of their unit comply with applicable directives and correspond to their usefulness to the unit.

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FUNDRAISING

BASIC PRINCIPLES

The principle of scientific freedom is rooted in the Swiss Constitution and is non-negotiable.

The source of funds must not give rise to any doubt, and patronage and sponsorship activities must be free of any religious or political connotations.

Contacts established between EPFL and donors must be free of any conflict of interest and not be exploited for personal gain.

Donors’ interests are taken into account in all negotiations as well as throughout performance of the contract. However, donors do not have the right to veto the appointment of a professor when financing a chair. Nevertheless, they do have the right to refuse to associate their name with a candidate. In that case, the EPFL waives the contract and hires the professor without financial support from the donor.

The approval of the EPFL Direction is required for any fundraising of over CHF 50,000 prior to making contact with a potential donor.

Contract proposals are reviewed and approved by the School Dean or College Director concerned, the Vice President for Human Resources and Operations and the General Counsel. Patronage and sponsorship contracts from CHF 50,000 must be signed by two members of the EPFL Direction.

RESPONSIBILITIES

The EPFL Direction defines the EPFL fundraising strategy. It is in charge of strategic stewardship with the donors and supervises contract performance.

As the immediate superiors of fundraising beneficiaries, the Deans are in charge of monitoring performance of contracts relating to their School or College.

The holder of a sponsored chair or project must fulfil all contractual obligations and inform to donors through annual reports.
LEGAL BASIS

LEX 1.10.1 “Directive on Sponsorship and Patronage at EPFL”, link (PDF)

“Loi fédérale sur le principe de la transparence dans l’administration (Loi sur la transparence, LTrans)”, link (PDF)

LEX 7.1.0.2 “Directive sur la gestion de l’immobilier dans le Domaine des écoles polytechniques fédérales”, link (PDF)

“Directive relative au traitement des dons et parrainages concernant les immeubles du domaine des EPF”, link (PDF)

FURTHER INFORMATION

Donations, internet link

ADVICE FOR DAY-TO-DAY BUSINESS

Check with the EPFL Direction prior to making contact with a potential donor for any fundraising of over CHF 50,000.

Keep relationships with donors and potential donors strictly professional and refrain from exploiting these relationships for private purposes.

During negotiations, inform the donor that the contract is subject to the federal law on transparency in administration (“Loi fédérale sur le principe de la transparence dans l’administration”).

Refuse any compensation based on a commission or a percentage of the funds raised.

Refuse any external reward for obtaining a donation or information likely to lead to a donation.

CONTACT

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**BASIC PRINCIPLES**

The Strategic Purchasing Office (DABS) advises and supports EPFL units for the procurement of goods and services. All employees must comply with applicable procurement laws and ordinances as well as EPFL directives in this field.

Purchases must be made according to the following principles:
- compliance with laws, ordinances and directives;
- observance of the rules of ethics;
- actual need;
- drawing up specifications (mandatory for all purchases from CHF 50,000);
- use of preferred suppliers (lists of suppliers by category are available from DABS);
- negotiation to obtain goods and services on the best terms;
- transparency in the selection of suppliers;
- equal treatment of suppliers;
- observance of sustainable development principles;
- registration of all orders in the EPFL purchasing portal.

**Purchasing Procedures and Thresholds**

For orders over CHF 50,000 (excluding VAT), three tenders must be obtained on the basis of the specifications drawn up by the unit concerned.

For orders over the threshold value according to the LMP/OMP public procurement legislation (2016: CHF 230,000 excluding tax), a public call for tenders must be issued as defined in the LMP/OMP. The DABS assists employees and checks that these procedures are implemented. Model specifications and contracts are available on the DABS website.

**Ethics**

All staff members involved in a procurement process are bound by strict rules of ethics. If an especially close relationship between an employee and a provider may give rise to a conflict of interest (or to the perception that a conflict of interest may exist), the employee is required to recuse him/herself. Especially close relationships include, for example, close current or former personal business ties with natural or legal persons (e.g. secondary employment, shareholding, employment relationships), partnership (marriage, de facto marriage), blood relationship or relationship by marriage, and economic or other dependency.

Staff members involved in procurement projects, as well as the staff of the Purchasing Offices, must comply in particular with the following principles:
- immediately notify, in writing, their superior and the DABS if a tender is received from a provider with which they have an especially close relationship;
- act exclusively in the interests of EPFL when evaluating tenders;
- treat all information, documents and results connected with a procurement project in confidence before, during and after the tender process. These data must not be disclosed to unauthorised third parties under any circumstances;
- avoid any contact with potential suppliers before or during the procurement project which could jeopardise equal treatment of all tenderers.

**RESPONSIBILITIES**

The tasks, powers and responsibilities regarding the procurement process at EPFL are defined in the Directives concerning purchases and inventory. According to these, the DABS is responsible for procurement and for supervision of the competent purchasing offices. The DABS website references processes and preferred suppliers by purchase category.

The heads of EPFL units are required to know the procurement principles and the rules on conflict of interest and recusal and to put these into practice in their area of responsibility.

All EPFL staff members are required to observe the above principles when initiating any purchase.
LEGAL BASIS

LEX 5.8.0.2 “Loi fédérale du 16 décembre 1994 sur les marchés publics (LMP)”, internet link
LEX 5.8.0.3 “Ordonnance du 11 décembre 1995 sur les marchés publics (OMP)”, internet link
LEX 4.1.0.1 “Loi sur le personnel de la Confédération”, internet link

FURTHER INFORMATION

DABS website, internet link
Polylex page about procurement, internet link

CONTACT

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Procurement and Purchasing
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ADVICE FOR DAY-TO-DAY BUSINESS

Article 21, para. 3 of the Federal Act on employees of the Confederation LPers and Article 56b OPers-EPF specify that in the framework of their professional duties, employees shall not accept from third parties, be it for themselves or for their close circle, any gifts or other benefits beyond modest customary tokens of politeness, which may lead to relations of dependency.

As a person involved in an ongoing procurement process, you must turn down all gifts, invitations or favours offered to you by existing or potential providers, regardless of the amount, and immediately notify your superior and the DABS.

Contact the DABS Purchasing Office at an early stage in the requirements planning/procurement process to benefit from advice and the best possible terms. Involve the Research Office in the procurement of scientific equipment.

For public calls for tenders:
- allow at least six months between drafting the specifications and signing the order;
- define the specifications on the basis of your own minimum technical requirements rather than the manufacturer’s product specifications;
- wherever possible (and regardless of the amount), always try to obtain several tenders and negotiate terms for all purchases, including services and business expenses.

Use the central purchasing portal for all orders and purchases. By doing so, you ensure compliance with spending authority provisions, archiving of the purchase documents and correct processing of your order.

Purchases in the framework of research projects are subject to the EPFL rules on procurement and, where applicable, to applicable rules on public procurement. Where prototypes or new types of services are being developed with an industrial partner, purchases must likewise be approved by DABS so as to ensure compliance with applicable rules on procurement.

Only the Real Estate and Infrastructures Department (DII) is authorised to enter into lease agreements (see chapter on “Real Estate & Infrastructure”).
Education is a priority mission of the EPFL. Our institution develops the technical, scientific, professional and social skills enabling our students to become responsible engineers, architects and scientists.

**Course Design and Delivery**

The Sections develop curricula that match the disciplinary and interdisciplinary qualification profile required by future employers. The various forms of teaching (lectures, exercises, labs, projects ...) build upon previous learning and prepare students for the rest of their curriculum.

For each curriculum and each course, the learning outcomes are clearly set out, transparent, ambitious and binding. Course content must match the learning outcomes stated at the start of the course.

The credits carried by each course reflect the average workload required for a student. One ECTS credit corresponds to a total of 30 hours of work.

Whatever the course format, the organiser is responsible for ensuring the safety of participants. Laboratory sessions, practicals and excursions / field trips must be supervised so as to reduce the risk of accidents. The Safety, Prevention and Health Domain (DSPS) offers specific assistance (see “Safety, Prevention and Health”).

**Performance Assessment**

Examinations serve to check that students have reached the learning outcomes. They cover the content of the course and its prerequisites. They are developed with education in mind, continuously renewed and methodologically reliable. They guarantee observance of the following principles:

- grading conditions are the same for all students in a course;
- all students may view a copy of their own marked and graded exams (or the original under supervision);
- written and oral examination protocols, reports and student copies are safely stored in a place that is inaccessible to unauthorised persons and archived in accordance with legal requirements.

**Fraud and Plagiarism**

- The authors of written work guarantee its originality and are required to quote their sources according to the rules. Lecturers also take care to mention all sources used in their course materials. They check the correct citation of sources by their students and may at any time request a declaration of originality from the authors;
- lecturers immediately notify the Section Director concerned and the Vice President for Education of any suspected breach of the disciplinary regulations. Any such breach is punishable by EPFL.

**Teaching Evaluation & Quality Assurance**

Courses delivered by EPFL are regularly evaluated by the students. Moreover, the Sections and their training offers are regularly subject to quality assessment by peers. Lecturers produce a teaching portfolio containing various sources of evaluation, including by their students.

**RESPONSIBILITIES**

Lecturers’ primary obligation is to fulfil their teaching duties and responsibilities.

Section Directors, with the support of the Teaching Commissions, are responsible for the relevance of the educational curriculum, assessment of its quality and compliance with study regulations.
LEGAL BASIS

LEX 2.1.0.1 “Ordonnance sur l’admission à l’EPFL”, internet link
LEX 2.11.0.1 “Formation Bachelor-Master”, internet link
LEX 2.6.0.1 “Ordonnance sur le contrôle des études à l’EPFL”, internet link
LEX 2.4.0.1 “Ordonnance sur le doctorat”, internet link
LEX 2.7.0.1 “Ordonnance sur la formation continue”, internet link http://www.admin.ch/ch/f/rs/c414_134_2.html
LEX 1.3.3 “Directive concerning the citing and referencing of sources”, link (PDF)
LEX 2.4.0.2 “Disciplinary rules and regulations”, internet link
LEX 2.5.1 “Directive concerning the evaluation and recognition of teaching at the EPFL”, internet link

ADVICE FOR DAY-TO-DAY BUSINESS

Admission
No assurances of admission should ever be given before the official decision, regardless of the study level (Bachelor, Master, PhD or Continuing Education).
Lecturers asked to provide a letter of reference ensure that it covers only those elements which they have verified and give the reference to the final recipient. Lecturers who refuse to provide such a letter should inform the student accordingly.

Examination Sheets
At the end of written examinations, all students must submit all examination sheets in an orderly fashion. Invigilators ensure this and check that the documents are properly transmitted. Students may no longer submit examination sheets once they have left the room for good, whatever their motive.

Notifying Results
The grades for session exams are systematically and exclusively notified to the students by the Registrar’s Office (SAC). Any informal communication of results (e.g. after an oral exam or project defence) is prohibited.

Personal Student Data
Student data must not be passed on to third parties. Documents containing names or registration numbers should not be publicly accessible. Any digital storage must imperatively be password-protected and academic storage applications should be preferred (see chapter on “IT Security and Data Protection”).

CONTACT
Educational Affairs
EPFL AA-DAF
Phone 021 693 43 45
services.etudiants@epfl.ch

FURTHER INFORMATION

The Polylex website is a collection of all legal documents, internet link
For Lecturers: all relevant information can be found on the Teaching Portal, internet link
and on the homepage of the Teaching Support Centre, internet link
For Students: for any additional information please refer to the Student Services desk, internet link
RESEARCH FUNDING

BASIC PRINCIPLES

EPFL funding is made up of about 30% of external funds. These are essential to ensure the financing of research and sustainability of the institution.

Central Services, in particular the Research Office (ReO) and Technology Transfer Office (TTO), accompany, encourage and support employees in identifying third-party funding. These services report to the Vice Presidency for Research.

Funding by Public Institutions or Non-Profit Organisations

The ReO acts as a transmission belt between research and funding by public institutions and non-profit organisations such as foundations. It supports researchers looking for funding opportunities and assists them in drawing up funding applications and research agreements.

Funding and Collaboration with Industry and Business

The TTO advises researchers on all matters relating to collaborations with industry and business. The TTO negotiates and approves research and service contracts with industrial partners. For TTO activities related to the exploitation of research results, see the chapter on "Technology Transfer".

Responsibilities

Recording Research Projects in GrantsDB

Any research project and contract subject to an application for funding from a public institution or non-profit organisation must be recorded in the EPFL GrantsDB database.

Contract Validation

Research and scientific service contracts are subject to the approval of the Vice Presidency for Research according to applicable directives.

Contract Content

When negotiating contract terms, you must ensure that:
- the research results can be published by the EPFL (within a reasonable time),
- the allocation of rights on research results is appropriate and compatible with other existing contracts,
- EPFL’s liability is appropriately limited.

Ethical aspects and issues related to dual-use (civilian and military) technologies should also be reviewed (see chapters on "Research Involving Human Beings", «Animal Experimentation» and «Export Laws»). In addition, the provision of services must be offered on terms that do not affect free competition.

When persons not employed by EPFL (e.g. students or guest researchers) participate, under EPFL’s responsibility, in a project or services performed under a contract which foresees obligations regarding rights on the results and/or confidentiality, such participants must sign an agreement with EPFL to enable the latter to fulfil these obligations. The TTO and ReO provide templates.

Overhead Rates

The ReO, respectively TTO, set the overhead rate according to EPFL directives (or, for public institutions, according to the donor’s regulations), regardless of the contract amount.

Double Signature

Research contracts must be jointly signed by the head of unit concerned and an authorised representative of the Vice Presidency for Research.

After Signing a Contract

Once the contract is signed by all parties, the head of unit is responsible for ensuring that all obligations specified in the contract are met (performance of research or services, confidentiality, publication procedures, granting rights, licensing, billing, reporting, etc.).
LEGAL BASIS

LEX 3.4.1 “EPFL Directive on Grants, Research Contracts and Technology Transfer (DSCRTT)”, link (PDF)
LEX 5.1.1 “EPFL Financial Regulations”, link (PDF)

FURTHER INFORMATION

Research Office website, internet link
TTO website, internet link
GrantsDB database, internet link
TTO templates of agreements, internet link

ADVICE FOR DAY-TO-DAY BUSINESS

TTO
- Inform your contact person at TTO at the earliest possible stage to negotiate a contract with a company. If you do not have a contact person, you may contact the Head of TTO.
- Contracts with companies are negotiated in the vast majority of cases. This means that the conclusion of such an agreement requires discussion and several exchanges between the parties. The TTO publishes contract templates on its website to facilitate this process.

ReO
- Please send your questions to the Research Office by emailing research.office@epfl.ch. You will receive an acknowledgment within 24 hours enabling you to get in touch directly with the right specialist in relation to your needs.
- Check that ethical issues, as well as any doubts related to dual-use technologies, are clarified and all necessary permits are obtained in due course.

CONTACT

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Caroline Vandevyver
Head of ReO
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RESEARCH DATA MANAGEMENT

BASIC PRINCIPLES

Research data are essential components of any research project. In order to ensure the visibility, integrity and reproducibility of research, EPFL highlights the importance of sound management of data throughout their life cycle (including archiving).

Funding sources increasingly require the establishment of a Data Management Plan (DMP) as a condition for funding projects. Such a plan aims to ensure proper data management and long-term backup. In particular, this is one of the European Commission’s requirements in the framework of the Horizon 2020 programme.

Some publishers also require that data related to scientific publications be made available.

EPFL offers its researchers a support service in developing DMPs. This is provided by the EPFL Library in collaboration with the Research Office and Vice Presidency for Information Systems. EPFL researchers thus have appropriate support to meet the demands of funding sources and publishers, while ensuring protection of their research results.

RESPONSIBILITIES

All EPFL employees are responsible for the proper management of their own research data.

Heads of unit have overall responsibility for the proper management of research data relating to any project in their unit.

See also chapters “IT Security and Data Protection” and “Data Protection”.

LEGAL BASIS

LEX 3.3.2 “Directive concerning research integrity and good scientific practice”, link (PDF)

FURTHER INFORMATION

Guidelines on Open Access to Scientific Publications and Research Data in Horizon 2020, link (PDF)

H2020 and research data – new requirements from 2017 onwards, internet link

Information about Data Management Plans in the framework of H2020 on the Research Office website, internet link

Information about research data on the EPFL Library website, internet link
ADVICE FOR DAY-TO-DAY BUSINESS

Think in terms of data life cycle (create, process, analyse, preserve, give access and re-use data).

Add a brief section at the proposal submission stage, to outline the main aspects of your data management policy (standards, access strategies, curation, preservation) for your research project. This will help you to anticipate and take into account data management costs and to develop the Data Management Plan (DMP).

The DMP is a document developed at the start of a research project that helps researchers in planning their data management. It describes what data will be produced, and how each type of data will be organised, classified, shared, preserved, anonymised, and archived. It also defines who will be responsible for DMP implementation and establishes procedures in terms of budget and intellectual property. Refer to the chapter on “IT Security and Data Protection” for further information regarding computer data handling.

CONTACT

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RESEARCH ETHICS

BASIC PRINCIPLES

Of all the qualities required in science, honesty is foremost. Scientific integrity is not only dictated by ethics, it also contributes to the EPFL’s reputation as an institution. EPFL therefore attaches great importance to its employees implementing best practice in their research. Any misconduct in this area is severely sanctioned.

Research integrity implies that:
- all EPFL researchers carefully archive their data (see chapter on «Research Data Management»). They must be able to prove the veracity of their results and share them with other researchers for at least ten years following publication;
- no research data or result may be fabricated, altered, selected or presented in a misleading manner;
- no one may appropriate the creation or intellectual property of others or use these inappropriately. The authors and appropriate references should be stated in any scientific paper. Plagiarism and fraud in any form, whether in teaching or research, will not be tolerated at EPFL and have serious consequences for offenders;
- the list of authors of a scientific paper must include all the authors - and only these - who have made an essential contribution to the subject of the communication. Authors of convenience or motivated by a management consideration are not admitted;
- experiments (clinical or non-clinical) involving human beings, animals, or the collection of data relating to specific human individuals, and research with military or potentially violent applications, are regulated. Such experiments must be approved before being initiated (see chapters on «Research Involving Human Beings» and «Animal Experimentation»);
- research project managers actively steer and supervise researchers and ensure that they observe the above principles;
- research supervisors must display exemplary conduct in terms of integrity and be aware of relevant directives and best practice.

RESPONSIBILITIES

All EPFL researchers are responsible for their own conduct and compliance with directives and best practice in terms of integrity. However, as part of their leadership duties, project and research group leaders, and especially professors, bear the final responsibility.

LEGAL BASIS

LEX 1.8.1 “Whistleblowing”, link (PDF)
LEX 3.3.2 “Directive concerning research integrity and good scientific practice”, link (PDF)
LEX 3.3.3 “Suspected scientific misconduct”, link (PDF)

FURTHER INFORMATION

Information about research ethics, internet link
Information about plagiarism, internet link
Swiss Academies of Arts and Sciences: “Integrity in Scientific Research – Principles and Procedures”, internet link
European Science Foundation and ALLEA (All European Academies) “The European Code of Conduct for Research Integrity” and other documents, internet link
ADVICE FOR DAY-TO-DAY BUSINESS

It is recommended to decide on authorship before starting to draw up a manuscript based on each person’s contributions.

To be considered as an author, a researcher must have made an essential contribution to the design, carrying out, interpretation or drawing up of the research work and must have approved the final version of the manuscript. (LEX 3.3.2).

Other persons who have contributed to the study, but only partially fulfill the above criteria, must be recognised in the acknowledgements, but are not designated as authors.

For questions relating to best scientific practice or to report a possible breach thereof, you may contact, in confidence, the President of the Research Commission or the Ombudsman appointed by the EPFL, who stand at the disposal of all members of the institution (see “Contact” and the chapter on “Help & Support: Scientific Misconduct”).
The Federal Act on Research involving Human Beings (Human Research Act, HRA) entered into force in early 2014 with three Ordinances: Ordinance on Human Research with the Exception of Clinical Trials (Human Research Ordinance, HRO), Ordinance on Clinical Trials in Human Research (Clinical Trials Ordinance, ClinO), Ordinance on Organisational Aspects of the Human Research Act (HRA Organisation Ordinance, OrgO-HRA). Legislation on research involving humans intends to protect every human being and ensure respectful treatment of personal data related to health.

The Human Research Act governs research involving:
- living or deceased persons,
- in vivo human embryos and foetuses,
- human biological material (i.e. bodily substances derived from living persons),
- collection of health-related personal data (but also research concerning the structure and function of the human body and studies on human diseases in the field of the humanities and social science).

In the framework of the HRA, when such research is conducted in order to gain a better understanding of human diseases or the structure and function of the human body, it must be authorised in advance by the relevant cantonal ethics committee on human research. Research conducted on anonymised biological material or data collected anonymously or irreversibly anonymised with the donor’s general consent is not subject to such authorisation.

Outside the scope of the HRA, the EPFL Human Research Ethics Committee (HREC) has authority to approve or refuse any project for non-invasive human research on ethical grounds. The HREC steps in whenever institutional approval of an EPFL project is required, including in order to obtain external funding.

Trial subjects must be informed and state their consent to the use of the data or material. In addition, researchers must comply with regulations concerning data protection, the publication of results and insurance cover.

Heads of unit are responsible for compliance with laws and internal regulations governing ethics and research involving human beings.
LEGAL BASIS

“Federal Act on Research involving Human Beings (Human Research Act, HRA)”, internet link

“Ordinance on Human Research with the Exception of Clinical Trials (Human Research Ordinance, HRO)”, internet link

“Ordinance on Clinical Trials in Human Research (Clinical Trials Ordinance, ClinO)”, internet link

“Ordinance on Organisational Aspects of the Human Research Act (HRA Organisation Ordinance, OrgO-HRA)”, internet link

LEX 3.3.2 “Directive concerning research integrity and good scientific practice”, link (PDF)

“Federal Act on Data Protection”, internet link

“Ordinance to the Federal Act on Data Protection”, internet link

FURTHER INFORMATION

“Research with human subjects - A manual for practitioners (2nd edition, revised 2015)”, link (PDF)

Commission cantonale d’éthique de la recherche sur l’être humain CER-VD (Vaud, Fribourg, Neuchâtel, Valais), internet link

Commission cantonale d’éthique de la recherche CCER (Genève), internet link

EPFL Human Research Ethics Committee (HREC), internet link

ADVICE FOR DAY-TO-DAY BUSINESS

Look up the booklet “Research with human subjects - A manual for practitioners” which answers many questions regarding the legal or ethical compliance of a proposed project.

Allow enough time in your research plan to obtain approval from a cantonal ethics committee or the EPFL Human Research Ethics Committee (HREC): the processing time for an application for approval is at least three to four weeks.

Make sure that any biological material or personal data purchased from institutional or commercial suppliers have been collected in compliance with statutory regulations under Swiss law and EPFL directives in force.

For suppliers abroad, contractually ensure that local laws comply with Swiss law and EPFL directives.

CONTACT

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ANIMAL EXPERIMENTATION

BASIC PRINCIPLES

Animal experimentation is practiced in numerous research projects to validate *in vivo* (via an experiment performed on a living organism) hypotheses whose aim is to better understand human or animal diseases in relation to basic life processes, or in connection with environmental issues, where it is often ethically and legally impossible to test these assumptions directly on human beings. The *in vivo* approach is also used to validate experimental results obtained *in silico* (using computer simulation) and/or *in vitro* (without using a living organism).

A responsible and ethical treatment of animals is a pre-requisite for this type of experiment. The EPFL Direction is committed to enforcing compliance with all currently applicable Swiss laws in its research groups. EPFL also promotes the most innovative approaches to ensure a responsible and respectful treatment of animals. To this end the EPFL supports the document issued on 17 January 2013 by the Rectors’ Conference of Swiss Universities regarding animal testing «Principes de la Conférence des Recteurs des Universités Suisses concernant l’expérimentation animale».

The Animal Welfare Act (“Loi fédérale sur la protection des animaux”) specifies what is deemed to be an animal experiment. In short, this includes:
- *in vivo* verification of a scientific hypothesis;
- testing the effectiveness of a substance on an animal;
- use of live animals for teaching or training purposes or obtaining cells, organs or bodily fluids.

The Animal Welfare Act is the basis of the legal framework for animal experimentation in Switzerland. Particular importance is attached to the indispensability of experiments conducted, all of which must be duly justified. Several ordinances – the Animal Welfare Ordinance (OPAn) and the Ordinance for the Use of Laboratory Animals (OExAn) in particular - define the rules for its practical implementation. These ordinances also provide the legal framework governing use of genetically modified animals.

Specific roles and obligations for the protection of animals are assigned to the various stakeholders in the field of animal experimentation. The role of Resource Manager (Directeur de l’Expérimentation Animale) is assigned to a professor or to the Dean of the School of Life Sciences. Other functions defined by law, such as those of experimenter and study director, play a major role in the research groups. All persons conducting or leading animal experiments must have completed compulsory initial training (module 1 for experimenters and module 2 for supervisors). For EPFL researchers, this training, accredited by the Cantonal Veterinary Office, is provided by the Lemanic Animal Facility Network (Resal). Qualification equivalence may be granted to persons having gained experience abroad. Additionally, experimenters and study director must regularly attend further education courses (4 days over 4 years).

Any experiment with animals is subject to authorisation by the Cantonal Veterinary Office. The experiment application is submitted to the authorities via the electronic animal experiment administration system ETV (e-tierversuche). The application should detail the purpose of the experiment, all experimental procedures to be followed, the number of animals used and the constraints (severity) to which the animal will be subjected according to the principles of the 3Rs (Replacement - Reduction - Refinement). From an ethical point of view, the application must specify the indispensability of the proposed experiments and allow a weighing of interests between the expected knowledge gained through the experiment and the severity of the stress experienced by the animals.

At the end of each calendar year and upon expiry of the authorisation, the authorisation holder is required to submit a progress report to the Cantonal Veterinary Office via ETV, detailing all the experiments and the number of animals used over the past year.
RESPONSIBILITIES

The responsibilities of the various stakeholders in animal experimentation are defined in the OPAn Ordinance. In particular, responsibility for the implementation of directives, laws and ordinances on animal protection lies with any person who carries out (experimenter) or oversees (supervisor) an experiment.

Overall responsibility for animal testing at EPFL lies with the Resource Manager (Directeur de l’Expérimentation Animale).

LEGAL BASIS

"Loi fédérale sur la protection des animaux", internet link
"Ordonnance sur la protection des animaux", internet link
"Ordonnance de l’OSAV concernant la détention des animaux d’expérience, la production d’animaux génétiquement modifiés et les méthodes utilisées dans l’expérimentation animale", internet link

FURTHER INFORMATION

Principes de la Conférence des Recteurs des Universités Suisses concernant l’expérimentation animale, link (PDF)
Federal Food Safety and Veterinary Office FSVO website regarding Animal experiments, internet link
Website of the Lemanic Animal Facility Network which organises basic training and continuing education, internet link
"e-tierversuche" tool, internet link

ADVICE FOR DAY-TO-DAY BUSINESS

Obtaining an authorisation for your research may take several months. It is therefore highly advisable to submit your application as early as possible.

The experiment authorisation is valid for maximum three years. Once the Cantonal Veterinary Office has given its approval, the Federal Veterinary Office has a 30-day deadline to appeal before experiments can begin.

Any changes which have to be made to planned experiments must be approved in advance by the Cantonal Veterinary Office.

All experimenters and study directors have to undergo compulsory training before the start of any experiment. It is therefore advisable to register for courses as soon as possible.

Information may be obtained from the EPFL Center of PhenoGenomics (CPG), located on the Lausanne campus, whose mission is to provide research groups with the necessary logistical, veterinary and legal support to conduct animal experimentation.

Any contact with the media regarding animal testing must imperatively go through Mediacom.

CONTACT

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xavier.warot@epfl.ch

Isabelle Desbaillets and Eleonora Simeoni
In charge of legal affairs related to animal testing
Phone 021 693 18 29 / 021 693 72 39
animallicences@epfl.ch
Switzerland is a party to several international agreements aiming to control the export, import or transit of goods that could be used to produce or distribute weapons of mass destruction, military equipment and dual-use goods.

In Switzerland, control of these categories of goods is governed by two laws: the Goods Control Act (GCA) of 13 December 1996 and the Federal Act on War Material (WMA) of 13 December 1996.

The WMA governs the manufacture and transfer (import, export and transit) of war material as well as its brokerage and trade. The following are deemed to be war material: weapons, munitions and military explosives, as well as equipment that has been specifically conceived or modified for use in combat or for the conduct of combat.

As for the GCA, it mainly governs the export of dual-use goods, i.e. commodities, but also knowledge, including technologies (information for the development, manufacture or use of goods that is neither generally accessible nor serves the purposes of pure scientific research) and software that may be used both for civilian and military purposes. These goods are listed in Appendices 1 and 2 of the related Ordinance (“Ordonnance sur le contrôle des biens - OCB”).

The OCB stipulates in particular that:
- the export of dual-purpose goods, components, software, technologies and information is subject to authorisation by the Swiss State Secretariat for Economic Affairs (SECO);
- the export of goods, components, software, technologies and information that are known to be or could be intended for the development, production or use of nuclear, biological or chemical weapons (weapons of mass destruction/WMD) or vector systems (rockets, missiles, drones etc.) intended for the use of such weapons must be previously declared to the SECO.

Criminal sanctions are foreseen against persons failing to comply with these obligations.

**Consequences for EPFL Lecturers, Researchers and Staff Members**

Within the framework of their activities for EPFL, professors, researchers or other employees may be led to transmit outside of Switzerland (export) information, research results, demonstrators, prototypes or software that are liable to fall foul of this legislation. This may involve transmission occurring e.g. as part of research or service contracts (contracts with industrial companies, public institutions or non-profit organisations) or technology transfer contracts (licences on patents or software, transfer of inventions or patents etc.). One should also be aware that the transmission of information in the context of informal contacts on a non-contractual basis (discussions, exchange, etc.) may also fall under this legislation.

**CONTACT**

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Françoise Chardonnens  
Senior legal counsel  
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RESPONSIBILITIES
Heads of unit and project leaders are responsible for compliance with laws and internal regulations on export control.

LEGAL BASIS
“Federal Act on the Control of Dual-Use Goods and of Specific Military Goods”, internet link
“Ordonnance sur l’exportation, l’importation et le transit des biens utilisables à des fins civils et militaires et des biens militaires spécifiques” (Ordonnance sur le contrôle des biens, OCB), internet link
“Federal Act on War Material” (WMA), internet link

FURTHER INFORMATION
State Secretariat for Economic Affairs (SECO) website, internet link
More information in French, internet link
Sanctions and embargoes enforced by Switzerland, internet link
Définition des termes - Liste des biens nucléaires et à double usage (Annexes 1 et 2 de l’OCB), internet link
Listes des pays (Annexe 4 de l’OCB), internet link

ADVICE FOR DAY-TO-DAY BUSINESS
EPFL holds a general export licence authorising transfers of dual-purpose goods to certain countries (listed in Appendix 4 of the OCB); however, this general licence does not cover:
- nuclear goods and technologies
- certain biological substances
- goods and technologies that are known to be or could be intended for the development, production or use of nuclear, biological or chemical weapons (weapons of mass destruction/WMD) or vector systems (rockets, missiles, drones etc.) intended for the use of such weapons.

Therefore, prior to any (formal or informal) transmission to a company, person or institution outside Switzerland of any information, research results, demonstrators, prototypes etc. that do not fall within the public domain, you should check whether the elements to be transmitted are subject to an authorisation (see the lists of goods and OCB appendices on the SECO website) or to a declaration to SECO.

If in doubt, or if the EPFL general export licence does not apply, you must imperatively contact the TTO (for contracts with industrial partners) or the Research Office (for contracts with public institutions or non-profit organisations) prior to any export.

Also note that some foreign laws on export control, including US laws, differ from Swiss laws in that they prohibit not only export to certain countries but also access to certain technologies, software and information for persons of certain nationalities. You should therefore be especially cautious in the framework of international collaborations, including with US companies or research institutes, and ensure in advance that the foreign legislation on export control is observed.
TECHNOLOGY TRANSFER

BASIC PRINCIPLES

The transfer of research results to the economy and society is one of the three missions of EPFL.

The Technology Transfer Office (TTO) manages the intellectual property created by EPFL employees as well as licences with industry and start-ups; the TTO is also in charge of drawing up collaboration agreements with industry.

The TTO advises EPFL researchers on all aspects related to assessment of their research results, their protection (patents, copyrights, designs, etc.) and opportunities to transfer these to existing companies or start-ups. The main objective is to allow promising results to be developed so that the public may benefit through the marketing of new products.

Inventions, software and other research results generated by EPFL employees belong to EPFL. Researchers therefore need to notify the TTO of their inventions and other results with potential for commercial development. They must participate in the various stages of transfer in cooperation with the TTO (drafting any patent and procedure for obtaining this, development of prototypes, promotional activities for the invention, etc.). Patents are filed by the TTO on behalf of EPFL, but the inventors are listed as such on patents.

One of the major channels for technology transfer is the creation of start-ups. EPFL therefore encourages the creation of such companies through various initiatives. Interactions with these start-ups remain subject to the same rules as EPFL’s relationships with other companies. Whenever a start-up needs to use EPFL inventions, intellectual property rights or services, a contract must be concluded.

RESPONSIBILITIES

All contracts (or agreements) granting rights to inventions, patents, software or other intellectual property generated at EPFL must be negotiated and signed jointly by the TTO. These contracts must safeguard the interests of EPFL and, in particular, allow continued use of the relevant inventions for teaching and research purposes, limit the liability of the EPFL and provide appropriate compensation.

The head of the unit concerned is responsible for carrying out the scientific tasks outlined in technology transfer contracts, in particular the transfer of knowledge and expertise. The TTO is responsible for the management of these contracts, in particular the receipt and distribution of revenue, in accordance with the law and EPFL directives.
LEGAL BASIS

LEX 3.4.1 “EPFL Directive on Grants, Research Contracts and Technology Transfer (DSCRTT)”, link (PDF)
LEX 3.4.0.1 “Ordonnance sur les biens immatériels et les participations dans le domaine des EPF”, internet link
LEX 4.1.1 “Directive concerning the management of conflicts of interest”, link (PDF)

ADVICE FOR DAY-TO-DAY BUSINESS

Employees who establish (or work for) a start-up must report this activity to their superior, to the TTO and to Human Resources and sign a personal commitment.

Employees wishing to serve on the board of directors of a company should apply for permission from EPFL.

All contracts (or agreements) granting rights to third parties on inventions, patents, software or other intellectual property generated at EPFL must be negotiated and signed jointly by the TTO.

Researchers must notify the TTO of their inventions and results with potential for commercial development.

CONTACT

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As a signatory to the Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities, EPFL invites researchers to disseminate the results of their work according to this publication model.

Researchers remain free to choose the journals in which they wish to disseminate the results of their research.

Open Access is synonymous with free access, wide and free of charge in the furtherance of scientific knowledge, without financial (subscriptions) or legal barriers (dissemination rights). Simply put, anyone who surfs the Internet may download the publication.

The different types of Open Access are:
- Green Open Access: free for readers and authors alike. It consists in depositing the latest version without layout and formatting by the publisher (postprint) of an article published in a traditional journal into an open archive (such as e.g. Infoscience at EPFL). The publisher’s policy may restrict this practice, for instance with an embargo period.
- Gold Open Access: free for readers, generally fee-paying for authors. It consists in publishing in a journal whose entire content is freely accessible, in its final and formatted version, to anyone on Internet. The authors finance the journal by way of publication fees (Article Processing Charge - APC) which vary according to the journal.

EPFL asks its authors to deposit, as soon as this is allowed by the publishers, the full text of their publications in the EPFL institutional repository named Infoscience (Green Open Access).

The EPFL encourages publication in Gold Open Access and provides support to authors. In particular, a partial coverage of APCs may be provided under certain conditions.
RESPONSIBILITIES

EPFL actively supports wide dissemination of research findings generated by its researchers and accompanies them throughout the publishing process. The EPFL Library is the reference for all matters related to scientific publication.

LEGAL BASIS

LEX 3.3.2 “Directive concerning research integrity and good scientific practice”, link (PDF)

FURTHER INFORMATION

Information about Open Access on the EPFL Library website, internet link
“Infoscience” database, internet link
Website about the Berlin Declaration, internet link
Guidelines on Open Access to Scientific Publications and Research Data in Horizon 2020, link (PDF)
Website about publishers’ self-archiving policies - Sherpa/RoMEO website, internet link

ADVICE FOR DAY-TO-DAY BUSINESS

For articles published in Gold OA, the pdf of the publisher’s version must be filed in Infoscience.

The postprint version (peer-reviewed manuscript without publisher’s final layout) of articles published under the traditional model must be archived in Infoscience. Only a minority of publishers do not allow the deposit of postprints.

In case of doubt about the right of self-archiving in a repository or the type of version, feel free to contact the EPFL Library.

CONTACT

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COMMUNICATIONS

BASIC PRINCIPLES
As a university mainly funded by the Swiss Confederation, EPFL must earn the trust and approval of society and the political arena. It is therefore essential that EPFL communications are credible, understandable and transparent.

The Mediacom division is responsible for internal and external EPFL communications and events. Mediacom issues information to the EPFL community, the public, the media and the political and business worlds on the services, concerns and values of the university. It also ensures that the EPFL’s corporate identity is professional and consistent.

EPFL employees who communicate to the public act on behalf of the university and, in doing so, contribute to shaping its image. All EPFL employees are required to maintain professional and official confidentiality and should carefully consider the impact which their public addresses may have on the EPFL and the Confederation. Issues which may endanger the reputation of EPFL are dealt with exclusively by the EPFL Direction and not the units. Such topics must therefore be reported to the EPFL Direction as soon as they arise to enable Mediacom to perform any necessary investigation and communication.

RESPONSIBILITIES
Any extensive communication project, including events, must be coordinated with Mediacom at an early stage.

LEGAL BASIS
LEX 8.3.1 “Règlement sur l’organisation d’une manifestation”, link (PDF)
LEX 8.3.4 “Dispositions concernant l’utilisation du logo EPFL dans le cadre des activités et manifestations associatives”, link (PDF)

FURTHER INFORMATION
Mediacom website, internet link
Information about the EPFL corporate identity & logo, internet link
ADVICE FOR DAY-TO-DAY BUSINESS

EPFL employees may contact Mediacom to organise an event or for advice in a communication process, regardless of the proposed communication channel. Consistent use of the corporate identity will ensure recognisability and continuity in all internal and external communication materials, thereby strengthening EPFL as a brand.

You must imperatively use the digital templates with the EPFL corporate design as well as the PowerPoint presentation templates provided on the Mediacom website. All EPFL units must use the EPFL logo, always keeping together the acronym and the name of the institution. This is the only official logo. EPFL units are not authorised to create logos and should contact Mediacom in case of specific needs. Any use of the name or logo of a private company or non-academic partner in association with the EPFL logo or name is prohibited unless explicitly approved by Mediacom.

Any public statement on behalf of EPFL should be restricted to the framework of the speaker’s function, institutional role or specialist expertise.

Should you wish to approach the media, please contact the Mediacom team in advance.

If you are contacted directly by journalists:
- ascertain the type of media and context of the enquiry as precisely as possible;
- no-one is required to provide information immediately; if in doubt, do not make any spontaneous statements on the telephone;
- inform the Mediacom team, who will provide advice;
- everyone is entitled to personality rights and right of personal portrayal. When interviewed, you are entitled to ask to review reporters’ quotes and see any picture of yourself for approval before publication.

CONTACT

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BASIC PRINCIPLES

Real estate and infrastructure are the responsibility of the Real Estate and Infrastructures Department (DII). It seeks to maintain the use value through construction projects and maintenance to meet the specific needs of the members of the EPFL community.

The DII is also responsible for all facility management services (caretaking, cleaning, printing and photocopying, telephone reception, audio-visual).

Outdoor facilities are also managed by the DII - road and park maintenance, parking management.

RESPONSIBILITIES

The DII is the only unit authorised to perform any works related to EPFL infrastructure.

Work Orders
Any necessary infrastructure alterations to meet the needs of users should be requested through the «work order» web portal. These requests are reviewed and, if approved by the DII, the works are ordered and monitored by authorised project managers.

Removals & Furniture
Requests for removals or furniture are likewise processed via a «work order». Only the DII is entitled to purchase furniture, based on a standard model catalogue. Specific requests will be considered and accepted only in exceptional and fully justified cases.

Scientific Equipment
Services related to scientific equipment are under the responsibility and at the cost of the Schools and units concerned. Connections to central infrastructure, however, are the DII’s responsibility and subject to a work order.

Assembling and dismantling, packing and removing these facilities, are the responsibility of the Schools. The DII only acts as a coordinator whenever such interventions are related to the layout of premises under its responsibility. When moving, EPFL employees are responsible for vacating and cleaning the premises before handing them over. If applicable, any costs incurred will be charged to those responsible.

Deadlines
It is the responsibility of EPFL members to make their requests at an early stage so that the services may be provided in due course. Calls for tenders and ordering procedures may take 8 to 10 weeks before delivery (and longer with certain suppliers during holiday periods).

Allocation of Premises & Leases
The DII is responsible for the only official EPFL database of premises and facilities. Any parallel database is prohibited.

The allocation and provision of premises are governed by DII, which is the only department authorised to enter into leases on behalf of EPFL.
FURTHER INFORMATION

The web page of the Real Estate and Infrastructures Department (DII) provides information about services, placing work orders and the necessary contacts for any repairs, internet link

Work orders, internet link

Repairs, technical breakdowns:
e-mail: pcc@epfl.ch
Phone: 34000

LEGAL BASIS

LEX 7.1.0.1 “Ordonnance concernant la gestion de l’immobilier et la logistique de la Confédération”, internet link

LEX 7.1.0.2 “Directive concernant la gestion immobilière du domaine des EPF”, link (PDF)

LEX 7.1.0.3 “Cofinancement des constructions”, link (PDF)

LEX 7.1.2 “Manuel Immobilier EPFL DII”, link (PDF)

LEX 7.3.1 “Téléphonie mobile”, link (PDF)

LEX 7.5.1 “Stationnement”, internet link

ADVICE FOR DAY-TO-DAY BUSINESS

DII project leaders are available to advise EPFL members on issues regarding buildings or facilities and technical issues. A request via a work order form is the best way of directing and providing an optimal response to your needs.

CONTACT

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The Swiss Federal Act on Data Protection (FADP, RS 235.1) entered into force on 19th June 1992 and is currently under revision. The Swiss Federal Council published a preliminary draft of a revised Swiss Federal Act on Data Protection on 26th September 2016 and a Message on 15th September 2017. At European Union (EU) level, the General Data Protection Regulation (RGPD) will enter into force on 25th May 2018 and is directly applicable to Switzerland (Art. 3).

The right to data protection is a fundamental right guaranteed by the Constitution (RS 101, Art. 13) and the Federal Act on Data Protection (Art. 1).

The General Data Protection Regulation is intended to protect data related to an identified or an identifiable person against any misuse by a third party. The Swiss Federal Act on Data Protection defines personal data as «all information relating to an identified or identifiable person». A person is «identified» or «identifiable» if the information permits the identification of the person concerned. A person can be identifiable even if data are stored in an anonymous format (e.g. under a code number), but separate information allows a link to be established between the code and the identity of the person.

Data protection is based on 6 principles:
- Lawfulness, fairness and transparency;
- Purpose limitation;
- Data minimisation;
- Accuracy;
- Storage limitation;
- Integrity and confidentiality.

At the time of collection, the data subject must be informed in particular of the data collection, the purposes of processing, the categories of recipients, the data sharing and the existence of his/her rights.

Only the minimum amount of personal data must be processed.

Accuracy refers to data quality. Personal data that are inaccurate should be cancelled or rectified without undue delay.

Data retention shall be limited to what is strictly necessary to achieve the purpose of processing.

Integrity and confidentiality refers to data security. EPFL implements adequate technical and organisational measures that are appropriate to the risks involved, such as pseudonymisation and data minimisation. This applies to any devices and any kind of application or website.

If personal data are transferred outside of the EU, certain safeguards must be put in place prior to the transfer (for example, EU standard contractual clauses, recipient registration to the US-Privacy Shield between Switzerland and the USA, or an EU Commission adequacy decision from the recipient State).

Embedding data privacy features into the design of projects is a new obligation (Privacy-by-Design). By default, only personal data which are necessary for each specific purpose of processing shall be processed. This obligation applies to the amount of personal data collected, to the extent of their processing, the period of their storage and their accessibility.

Key actions to take when collecting personal data include:
- Informing data subjects about the data processing and its intended purpose;
- Informing data subjects about whether the data will be disclosed to third parties and whether a transfer outside of Switzerland is planned;
- Receiving the consent of the data subject or verifying the legal basis required for data processing.
With the ratification of the Clarifying Lawful Overseas Use of Data Act (CLOUD Act), using cloud systems owned by a US company may result in a lack of control over the data. Before uploading a document to the cloud, reference to the risk-based classification of EPFL must be made and technical measures such as encryption, anonymisation and hash function promoted. If the cloud solution envisaged is a SaaS, it must be ensured that data processors and sub-processors may access the system to manage it, run updates, fix bugs and provide support for users, without having access to clear (unencrypted) data. Individual use of an unauthorised cloud service engages the sole responsibility of the user and not that of EPFL.

Before launching a new technology or a new project, a Data Protection Impact Assessment (DPIA) must be carried out where data processing is likely to result in a high risk to the rights and freedoms of natural persons. Please contact the Data Protection Officer for any information related to DPIA or consult the following website to conduct the DPIA online: www.cnil.fr/en/open-source-pia-software-helps-carry-out-data-protection-impact-assessment (open source software).

See also chapters “IT security and Data Protection” and “Research Data Management”.

LEGAL BASIS
Federal Act on Data Protection (R.S 235.1), link (PDF)
Ordinance to the Federal Act on Data Protection (r.s 235.11), internet link
Revised Federal Act of Data Protection, link (PDF)
Message of the Revised Act on Data Protection, link (PDF)
General Data Protection Regulation, internet link
Federal Act on the Federal Institutes of Technology (R.S 414.110, Art. 2), internet link
Ordonnance sur le personnel du domaine des écoles polytechniques fédérales (R.S 172.220.113), internet link
Federal Act on the Promotion of Research and Innovation (R.S 420.1, Art. 1), internet link

FURTHER INFORMATION
Federal Data Protection and Information Commissioner (Bern), internet link
Article 29 Working Party of European Commission, internet link

ADVICE FOR DAY-TO-DAY BUSINESS
The questions to consider are the following:
1. Do I need to collect personal or sensitive data? If yes: Which personal data are strictly necessary to reach my goals? Can I reach the same goals with aggregated or anonymised data?
2. Which legal basis makes the processing lawful? Alternatively, did I receive the consent of the person concerned? Warning: express consent required for sensitive data.
3. Did I inform the persons concerned of exactly what their data is being used for and, if the processing is based on consent, of their right to withdraw consent at any time?
4. Which technical and organisational measures are in place to secure the data?
5. Do I know the notification procedure in the event of a data breach within 72 hours?
6. Do I know the rights of the data subjects?
7. Who has access to the personal data that are processed (data sharing, data processor involvement, cookies)? Is there a written agreement?
8. How are the data to be stored? Do I use an American cloud storage system? What is the risk-based classification of the stored data?
9. Is a data protection impact assessment required in this case?
10. What is the retention period?

CONTACT
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1 See on DPO website (under construction)
BASIC PRINCIPLES

Introduction
EPFL takes all allegations of sexual and psychological harassment concerning its employees and students very seriously. Everyone has the right to work in peace, in an environment in which they feel protected and respected. Each individual is also responsible for maintaining such an environment for others and is invited to report any situation of harassment of which they become aware.

Sexual harassment
The Federal Act on Gender Equality (Art. 4 GEA) expressly defines sexual harassment as “discriminatory” behaviour, that is to say, “any harassing behaviour of a sexual nature or other behaviour related to the person’s sex that adversely affects the dignity of women or men in the workplace. Such behaviour includes in particular threats, the promise of advantages, the use of coercion and the exertion of pressure in order to obtain favours of a sexual nature”.

As such, sexual harassment refers to all comments or actions of a sexual nature unwanted by the person to whom they are directed, whether they should occur in the working context or during related situations (for example, during celebrations, conferences or events). This includes electronic exchanges and telephone calls, whether carried out in a private or professional context.

Sexual harassment can occur independently of hierarchical relationships: it may come from an immediate superior, subordinates, work colleagues, students or any other person with whom an individual may be required to work or collaborate.

Inappropriate attitudes of a sexual nature are to be taken very seriously from their first occurrence. Sexual harassment may be expressed through spoken words, gestures, acts, or in writing and can come in a range of forms.

Psychological harassment or mobbing
According to the State Secretariat for Economic Affairs (SECO), specialists consider the following criteria in the definition of psychological harassment:

- Vexatious acts, hostile communications or a refusal to communicate, in a direct or indirect manner;
- Repeated, systematic hostile acts, spread over an extended period;
- Acts which come from colleagues or immediate superiors;
- Acts which are considered hostile by the person/persons targeted;
- Acts which are intended to damage the reputation of the person/persons targeted, or to exclude or isolate them;
- Acts which are intended to harm the health of the person/persons concerned;
- The person/persons targeted find themselves in a position of fragility or even inferiority as a result of the acts suffered.

Psychological harassment is thus defined by direct or indirect hostile behaviour, of a frequent and repetitive nature, which takes place within the workplace context and which is intended to attack or demean a person, and to isolate or exclude them.

It refers to a combination of events which, when considered individually may appear harmless, but which through their repetition have a destructive effect on the targeted person.

It is important to highlight that the aspect which characterises a situation of sexual harassment is not the intention of the acting person, but rather the way the person concerned perceives, receives, or feels about this behaviour. As such, even if an individual is neither aware nor deliberately attempting to inconvenience another person through their inappropriate sexual language or attitudes, sexual harassment may still occur.

Consequences of sexual or psychological harassment in the workplace

These behaviours constitute an attack on personal integrity and can have serious consequences for the health of the person(s) concerned, their social relationships and their professional performance and career.

This can also have a negative impact on the general workplace atmosphere in the department concerned and on the peace of mind of others working there.

Broadly speaking, everybody suffers from such situations, which hinder the proper completion of missions or projects and which harm the image and reputation of EPFL.

RESPONSIBILITIES

We are all concerned by harassment. Every person who is aware of a situation which appears to them to constitute harassment is asked to report this situation and to ensure that it stops. There are a number of prejudices which also need to be overcome, as they facilitate the commission of acts of both sexual and psychological harassment. For example, they may target certain groups of people according to their physical characteristics or their supposed origins.

Sanctions and protection against reprisals

EPFL applies a zero-tolerance policy to situations of harassment, regardless of the status or position of the person accused of committing the acts.

Such claims may also lead to an administrative and/or disciplinary enquiry. If they should be confirmed, sanctions may lead to dismissal or exclusion.

EPFL will protect all persons having reported, in good faith, acts perceived as harassment. No form of reprisals brought against them will be tolerated.

ADVICE FOR DAY-TO-DAY BUSINESS

If you are the victim of harassment, you must speak out as soon as possible and ask for help.

If you are aware of a situation of harassment concerning another person, you are asked to report it.

Silence does not solve anything. On the contrary, it enables the alleged harasser to continue to act with impunity.

It is of course always possible to begin by talking to those around you, your doctor, your family, your friends, or to any other trusted person.
LEGAL BASIS

“Federal Constitution of the Swiss Confederation (Art.8; RS 101)”, internet link

“Federal Act on Gender Equality”, internet link

LEX 4.1.0.1 “Federal Act on Employees of the Confederation (Art. 2)”, internet link to French text

LEX 1.0.2 “Ordonnance sur le domaine des Ecoles polytechniques fédérales, (Art. 9; RS 172.220.113)”, internet link

LEX 1.8.1 “Directive concerning Whistleblowing at EPFL”, link (PDF)

LEX 1.8.0.1 “Directives du Conseil des EPF sur le traitement des signalements faits par des personnes relevant du Domaine des EPF et concernant des comportements juridiquement ou éthiquement incorrects (Directives concernant l’instance d’alerte du Conseil des EPF)”, link (PDF)

EPFL “Code of Honour”, link (PDF)

“Swiss Civil Code (RS 210)” internet link and “Swiss Criminal Code (RS 311.0)” internet link

FURTHER INFORMATION

You will find useful information on the most appropriate course of action in the “Reporting Suspected Misconduct” section of Chapter “Help and Support” of the present guide.

SECO has drawn up a non-exhaustive list of forms of psychological harassment, which is available on its website. It has also published several articles on this subject.

SECO website, internet link

“Mobbing et autres formes de harcèlement” Brochure (in French), internet link
CONTACT

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EPFL Ombudsperson
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ETH Board Ombuds Office
Res Nyffenegger
Lawyer
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nyffenegger@mgnrecht.ch
Internet link
HELP & SUPPORT

BASIC PRINCIPLES

Introduction
Respect is a core value of life on the EPFL campus. Inappropriate behaviour will not be tolerated. It is everyone’s responsibility to foster a culture of respect and tolerance through their attitude.

Reporting Suspected Misconduct
Any EPFL employee or student is entitled to report instances of alleged legally or ethically incorrect behaviour that he/she has become aware of in the context of his/her activity at EPFL by contacting the relevant bodies, if possible in the following order:

If you are an employee:
1. Immediate superior;
2. Head of Human Resources;
3. EPFL Ombudsperson.

If you are a PhD student:
1. Thesis supervisor / mentor;
2. Programme director;
3. Deputy to the Vice-President for Education for the Doctoral school;
4. Head of Human Resources;
5. EPFL Ombudsperson.

If you are a student:
1. Student Affairs service;
2. EPFL Ombudsperson.

It is important to note that cases of scientific misconduct are to be reported to the EPFL Scientific Ombudsperson (see section entitled “Scientific Misconduct” below).

Reports
Reports should ideally be signed. EPFL encourages employees and students to refrain from submitting anonymous reports. EPFL will always protect any employee or student who reports an infringement or misconduct in good faith.

Upon receipt of a report of suspected misconduct, the relevant authority examines its admissibility:
- if the report does not fall under the framework of the authority initially contacted, it is transferred to the most suitable competent authority for handling;
- if the report is deemed admissible, the authority deals with its contents and may take any necessary measure.

Person of Trust
EPFL provides the services of a person of trust, free of charge, to any employee (including PhD students) who may feel the need to resort to these, in strict confidence and anonymity.

Without replacing a lawyer or doctor, this person of trust will listen to, advise and, if necessary, direct to the right people anyone experiencing a problem in the workplace, such as personal (demotivation, anxiety, burnout, work overload, sense of isolation or exclusion, etc.) or relational difficulties (communication problems, lack of understanding, tensions, disagreements, conflicts, harassment, mobbing, etc.).

The person of trust may also offer mediation to resolve a situation involving one or more other persons.

Scientific Misconduct
The term scientific misconduct is used to define the act of intentionally deceiving a recipient, the public or the scientific community, during the utilization, dissemination and publication of ideas, concepts, theories, methods or experimental data. There is no exclusive or exhaustive description of all the acts that may be carried out for this purpose.
Any individual or legal entity may submit a report concerning scientific misconduct on the part of a member, or group of members, of the EPFL community. The report, together with a statement of the grounds on which it is based, should be sent to the EPFL Scientific Ombudsperson. The whole procedure will be carried out in such a way as to guarantee confidentiality insofar as all the documents concerned remain under the control of EPFL.

Upon receipt of a report, the EPFL Scientific Ombudsperson examines its admissibility:
- if the report is considered inadmissible, they inform the author to this effect, detailing the grounds for their decision and the possible appeal procedures;
- if the report is considered admissible, they forward the matter to the Chair of the Research Commission and the General Counsel for expert appraisal;
- if the Research Commission Chairperson is implicated, the matter is forwarded directly to the EPFL President.

Obligation to Report Criminal Offences
Staff members are under an obligation to report to the prosecuting authorities, their superiors, or the Federal Audit Office, any criminal offence of which they become aware or which has been brought to their notice in the performance of their duties.

LEGAL BASIS
LEX 1.8.1 “Whistleblowing”, link (PDF)
LEX 3.3.3 “Suspected scientific misconduct”, link (PDF)
LEX 4.1.0.1 “Loi sur le personnel de la Confédération” (Art. 22), internet link
LEX 1.8.0.1 “Directives du Conseil des EPF sur le traitement des signalements faits par des personnes relevant du Domaine des EPF et concernant des comportements juridiquement ou éthiquement incorrects (Directives concernant l’instance d’alerte du Conseil des EPF)”, link (PDF)

FURTHER INFORMATION
For a more complete list of actions considered as scientific misconduct, please refer to the guidelines published by the Swiss Academies of Arts and Sciences: “Integrity in scientific research: Principles and procedures” (ISBN: 978-3-905870-06-0, 2008).

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ADVICE FOR DAY-TO-DAY BUSINESS
If in doubt regarding which body is considered the relevant authority, you may contact the General Counsel who will guide you through the process.

In case of any security problem, threat or assault, please call 115.

See the chapter on “Safety, Prevention and Health” for further information.