Schellenberg Wittmer



Michael Hess, LL.M.

Counsel, Certified Specialist SBA Labour Law

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Recognitions
- Chambers and Partners Europe: Employment since 2024
- The Legal 500: Next Generation Partner in Employment since 2025
- Lexology Index: Recommended in Labour, Employment & Benefits since 2024

Languages
German, English

Selected Publications
- Global Legal Insights – Employment & Labour Law 2026 – Switzerland
- Employment & Labour Law 2022 – the Switzerland Chapter
- Trade Secrets 2020
- Die Verdachtskündigung
- Neues zur Arbeitszeiterfassung

Michael Hess, a Certified Specialist SBA Labour Law, co-heads the Employment Practice Group in Zurich. He has a strong expertise in advising domestic and foreign clients in all employment related matters. He has vast experience in advising on employment agreements, individual and collective dismissals, business transfers, international employee transfers, remuneration and bonus schemes, non-compete covenants, recruiting and staff leasing compliance, and social security matters. Also, he has ample experience in conducting internal investigations.
Michael is experienced in resolving disputes and negotiating settlement agreements. He regularly represents parties in court proceedings, frequently defending employers, but also enforcing confidentiality and non-compete undertakings.

Expertise
- Employment
- Corporate & Commercial
- Dispute Resolution
- International Mobility & Investment Migration
- Administrative Law and Public Procurement
- Internal Corporate Investigations

Experience
- Day-to-day counselling in Swiss employment matters
- Defending an employer against golden parachute claims asserted by members of the former management in the aftermath of an acquisition and change of control
- Defending an employer against claims asserted on the bases of gender discrimination and retaliatory dismissal
- Enforcing confidentiality undertakings
- Supporting employers in social security audits and defence against claims for additional contributions
- Supporting employers in audits on their use of the short-time indemnity (furlough) scheme (in particular during the Covid pandemic) and representing them with respect to claw-back claims
- Supporting and representing a service provider in obtaining licenses required to provide recruiting and staff leasing services on the Swiss market
- Internal investigations into suspected wrongdoing by employees, such as a violation of policies, creation of slush funds or abuse of company funds
- Representation of an employer in criminal proceedings against a former employee who embezzled company funds

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Career

2018	Counsel at Schellenberg Wittmer
2010	Senior Associate at Schellenberg Wittmer
2005	Associate in a St. Gallen law firm
2002	Trainee Clerk with a district court in the Canton of St.Gallen

Education

2017	Certificate of Advanced Studies UZH in Labor and Employment Law, University of Zurich
2010	LL.M. in International Business Law, London School of Economics and Political Science
2005	Bar Admission in Switzerland
2002	lic. iur. HSG, University of St. Gallen