

## Leaflet on improving the reconciliation of employment and care of relatives

The work carried out by family members as carers is very important for society. They take on a considerable part of the care and support of ill and dependant persons. However, it can be difficult to reconcile employment and care of relatives.

### What is changing?

The new Swiss Federal Act on Improving the Reconciliation of Employment and Care of Relatives (Bundesgesetz über die Verbesserung der Vereinbarkeit von Erwerbstätigkeit und Angehörigenbetreuung) will be put into effect in two stages. In the first stage, which came into effect on 1 January 2021, the continued payment of wages in cases of short-term absences was regulated and the AHV care credits extended. Entitlement to the supplement for intensive care service and the IV helplessness allowance for children was also adjusted. In the second stage, the paid 14-week leave for caring for children who are seriously ill or injured will be introduced with effect from **1 July 2021**.

## Short-term work absences for care of relatives – in effect since 1 January 2021

### Short-term absences

Employees who care for family members or partners who are ill or have had an accident have a right to paid leave. The leave amounts to **no more than three days** per event up to a **maximum of ten days per year**.

### AHV care credits<sup>1</sup>

So that more dependant persons can live independently at home, the AHV care credits are being extended. Family members as carers now receive this credit even if the dependant person receives a moderate helplessness allowance. Partners are also entitled to receive it provided the couple has been **living in the same household for at least five years**.

### Supplement for intensive care service and the IV helplessness allowance

Furthermore, the supplement for intensive care and the IV helplessness allowance for children were adjusted to the effect that the entitlement is no longer lost during a child's stay in hospital. If the stay in hospital lasts for longer than one month, the supplement is paid further provided the parents are required to be present in the hospital.

## Care leave from 1 July 2021

With effect from 1 July 2021, the new Act grants working parents in addition **leave of 14 weeks** for caring for a seriously ill or injured child. The leave compensated via the Income Compensation Scheme (EO)

<sup>1</sup> Care credits constitute supplements to the AHV pensionable income. They are intended to lead to a higher pension if someone cares for relatives. Care credits do not constitute direct monetary payments.

can be taken in one go or on a daily basis **within 18 months**. In the event that both parents work, each parent is entitled to a **maximum of seven weeks**.

The care allowance is organised as a **daily allowance** and amounts to **80%** of average earned income achieved before the start of entitlement. Like the maternity allowance, the daily allowance is limited to a maximum of CHF 196 per day. The remaining 20% is paid by the employer.

### Which requirements and general conditions have to be considered?

Parents of a minor child with a **severe health impairment** due to illness or an accident and on account of which the parents have to interrupt their employment are entitled to the allowance.

A child is regarded as having a severe health impairment if the following cumulative requirements are met:

- Drastic change in their physical or psychological condition
- The course of this change is difficult to predict; remaining or increasing impairment, or death, is to be anticipated.
- There is an increased need for care by the parents
- At least one parent has to interrupt their employment to care for the child

Entitlement to care leave also requires the following:

- There is a parent-child relationship;
- The parents are employed;
- Employment is interrupted to care for the child.

There is **no entitlement** to a care allowance if the child was born with a severe impairment. In these cases, there is an entitlement to a maternity allowance. There may be an entitlement to a care allowance after the maternity allowance if the requirements for this mentioned above are met.

### What also needs to be considered?

As long as there is an entitlement to care leave, the employer may not end the employment relationship (after the end of the probationary period). This **protection against dismissal** applies for a maximum of six months from the date on which the qualifying period starts or the first time the daily allowance is paid out. Furthermore, the employer is not entitled to shorten the employee's holidays on account of care leave.

### Have any questions?

Do you have any questions that we have not answered in the article? Your Verlingue team will of course be happy to assist you.

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