

**Benefits application in case
of short time working compensation
(STWC) due to Coronavirus and Loss of
Earnings Insurance (LEI) for
independents**

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A company can claim STWC

1. If the reduction of working time reaches at least 10% of the total hours normally worked
2. If the persons concerned have an indeterminate contract
3. And the working hours can be checked

Beneficiaries

1. All employees who are contributing to the AHV (older age and survivor insurance) and who do not have yet reach the age of submission whose work has been partially or fully interrupted
2. For persons who determine the decisions taken by the employer, or who can significantly influence them, as a partner, a member of the management body or a holder of a financial holding in the firm, a flat rate compensation of CHF 3'320.00 is intended for a full time position.
3. For persons working in the business of their husband, spouse or registered partner, a flat rate compensation of CHF 3'320.00 is intended for a full-time position.

Claims may not be made for employees who ...

1. Are not in an ongoing employment relationship (i.e. terminated)
2. Are not affected by an ascertainable working stoppage or whose working hours are not sufficiently verifiable
3. Workers who do not accept a reduction in their work schedule.

Employer obligations

1. Pay on the usual payment day, 80% form of the loss of earnings to the affected workers
2. Pay the allowance during the waiting time, actually 0 day
3. Continue to fully pay all contributions to the social insurance scheduled by the legal or contractual requirement
4. Carry out a check of the working hours by the employees concerned by STWC in order to be able to report daily on the hours of work provided
5. Provide the unemployment office all necessary information allowing the calculation of the indemnity.

Procedure to be followed

1. **Filing of completed notice with replay to the questions of the separate sheet.**
 - a) Establishment of an organizational chart of the entity showing the various departments and the functions of the employees
 - b) Written confirmation of the employer proving that all employees concerned by STWC have agreed.

Answer the questions:

For canton of Vaud:

- a) 1 to 8 on the form
- b) 1 to 3 on the simplified complementary form in case of STWC (replacing the questions 9 to 12 of the form)

For cantons which have not carried out the second simplification:

- a) Number 1 à 8 of the form
- b) Number 9a (field of activity of the company)
- c) Number 10b (monthly turnover of the 2 last years),
- d) Number 11a (reasons)
- e) Number 11c (delayed orders)

The cantons mostly have a separate simplified form for supplementary questions.

A 3-day notice period is mandatory between the filling of the notice and the beginning of the STWC.

- Online form: <https://prestations.vd.ch/pub/100112/>
- Sent by mail for **Vaud**: Service de l'emploi, Instance juridique chômage, rue Marterey 5, 1014 Lausanne
- Sent by email for **Valais**: sict-rht-ac@admin.vs.ch
(Service de l'Industrie, du commerce et du travail, Affaires juridiques, Avenue du Midi 7, Case Postale 478, 1951 Sion)
- Sent by email for **Geneva**: rht@etat.ge.ch
- Sent by email for **Neuchâtel**: orct.surveillance@ne.ch
(Office des relations et des conditions de travail, secteur surveillance, rue du Parc 117, 2300 La Chaux-de-Fonds)
- Sent by mail for **Fribourg**: Service public de l'emploi – SPE, Section juridique, Boulevard de Pérolles 25, 1701 Fribourg
- Sent by mail for **Zurich**: Amt für Wirtschaft und Arbeit, Arbeitslosenversicherung, Kurzarbeit, Stampfenbachstrasse 32, 8090 Zürich

2. Claim for compensation

After obtaining favourable notice, request the indemnities by the unemployment office, by the end of every month, by filling the following forms:

- a) Claim for compensation in case of a reduction of the working hours
- b) Approval of the working hours' reduction
- c) Count of STWC
- d) Report regarding the lost hours due to economic reasons.

The unemployment office will pay 80% of the benefit as soon as possible upon application. The payment of the balance will be finalised with the final statement made by the unemployment offices in time which will necessarily be more extended.

In order to allow employers to pay wages to workers on the regular pay day, they can claim the

STWC benefit without having to advance it.

The employer does not return to the unemployment office a statement of the benefits paid to his workers and a certificate certifying that he continues to pay social insurance contributions.

For the Canton of Vaud, in case of non-response within 15 days, employers must contact the SDE, Instance juridique chômage: info.sde@vd.ch or 021.316.60.93.

The right for the employees to an indemnity disappears 3 months after the expiring of the statement period (even if the unemployment did not take any decision or the decision is disputed).

Territorial jurisdiction

The competent authority to process the separate notice is the canton administration in which the company or each activity sector is located. As a simplification, only the canton of Geneva allows to send all notices of the various activity sectors if the main seat of the company is located in Geneva. Anyway, it is necessary to present a separate notice for each activity sector.

Allowances for loss of earnings for employees (LEI):

Parents who have to stop working to care for their children can claim compensation. The same applies in the case of interruption of professional activity due to a quarantine ordered by a doctor. Allowances will be paid on the basis of the LEI scheme and in the form of per diem allowances. These correspond to 80% of the salary and are capped at CHF 196. - per day. The number of daily allowances is limited to 10 for persons in quarantine so far.

Allowance for loss of earning for independents:

Self-employed persons who suffer a loss of gain as a result of government measures to control coronavirus will be compensated when they are impacted in the following situations:

- a) They do not already receive indemnity or insurance benefit
- b) School closures (limited to 30 days of compensation)
- c) Quarantine ordered by a doctor (limited to 10 days of compensation)
- d) Closure of an institution managed independently but opened to the public

The allowances are paid in the form of daily allowances. These correspond to 80% of income and are capped at CHF 196. - per day. The examination of applications and the payment of the benefit will be carried out by the AVS compensation funds.

Other supports:

1. Cash advance is possible during the waiting time of the calculation of the indemnities.
2. Special arrangements for bond, support to the SME having cash troubles due to coronavirus.
3. Interim and interest-free deferral of social insurance contributions (AVS, AI, APG, AC).
4. Companies may defer payment deadlines for VAT and direct federal tax without interest (until 31.12.2020)..
5. Payment by the Confederation of all its suppliers without waiting for the expiration period.
6. Suspension of pursuits and bankruptcy processes up to and including 4 April 2020.

Links:

Notice Vaud:

<https://www.vd.ch/themes/economie/employeurs/indemnite-pour-reduction-de-lhoraire-de-travail-dans-le-cadre-de-lepidemie-de-coronavirus-2019-ncov/>

Notice Geneva:

<https://www.ge.ch/actualite/covid-19-votre-entreprise-subit-perde-travail-18-03-2020>

Notice Valais:

https://www.vs.ch/documents/211478/430447/F_KAE-Voranmeldung+COVID-19+d-f-i+definitiv.xlsx/9f5aacd5-2849-aba3-edfd-545762c8735d?t=1585054699071

Notice Fribourg:

<https://www.fr.ch/spe/travail-et-entreprises/chomage/reduction-dhoraire-de-travail-rht>

Notice Neuchâtel:

«Website under construction»

Notice Zurich:

<https://awa.zh.ch/internet/volkswirtschaftsdirektion/awa/de/arbeitslosenversicherung/kurzarbeit/KurzarbeitCoronavirus/formular-voranmeldung-kurzarbeit.html#a-content>

Notice for allowance by loss of earning due to Covid-19

http://www.treuhandsuisse.ch/fileadmin/files/Zentalsekretariat/Publikationen/Formular_318.758.vers.2_0-03-2020-Franzoesisch.pdf

Claim for compensation

<https://www.vd.ch/themes/economie/employeurs/indemnite-pour-reduction-de-lhoraire-de-travail-dans-le-cadre-de-lepidemie-de-coronavirus-2019-ncov/>