COVID-19: New rules for high-risk employees and compensation for parents and quarantined employees

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On 21 March 2020, the Federal Council amended the COVID-19 Ordinance 2 of 13 March 2020 anew. On 24 March 2020, the Swiss social security authorities published new compensation rules for parents and quarantined employees.

This briefing summarizes the new law.

High-risk employees

As a general rule, the employer has to enable all high-risk employees to work remotely.

Should working remotely not be possible, high-risk employees have to render their services at their usual work place and the employer has to implement all necessary measures regarding hygiene and social distancing.

Only if the employer is unable to implement all necessary measures regarding hygiene and social distancing, will the employer have to put the high-risk employee on leave with continued salary payment.

COVID-19-related absences – parents and quarantined employees

The Swiss Old Age Insurance (substitute payments – Erwerbsersatzentschädigung) grants special compensation for coronavirus-related absences if remote working is not possible:

1) Parents who have to interrupt their employment because the third-party care of their children under the age of 12 is no longer guaranteed (e.g. closure of nursery, kindergarten, school, or because the usual caretaker (e.g. grandparents over 65 years of age) is no longer available). There is no entitlement during the school holidays, unless the planned caretaker solution will not be available (grandparents).

2) Employees on quarantine.

The compensation amounts to 80% of the salary, max. CHF 196 per day.

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Employers who continue to pay the salary of such employees are entitled to compensation. The employer will have to file the respective application, and the Swiss social security authority then pays it to the employer.

Key takeaways:

1. **High-risk employees have to work remotely.**
2. **High-risk employees who are unable to work remotely have to render their services at their usual place of work, provided the employer implements all necessary measures regarding hygiene and social distancing.**
3. **Employers paying salaries to parents taking care of their children and quarantined employees are entitled to special compensation from the Swiss Old Age Insurance.**

No legal or tax advice

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