

An employee's entitlement to a daily allowance in the event of accident or illness

Mr Galley, an engineer, employee and father, would like to know about his rights if he were to lose his income due to an accident or illness.

Jean-Marc Hofer, federally certified expert in private insurance, specialised in corporate clients at ASSIDU SA, replies:

In the event of an accident, the Federal Accident Insurance Act (UVG) stipulates a daily occupational disability allowance of 80% of your salary from the third day (maximum annual insured salary for 2016 is CHF 148 200).

The right to a daily allowance ends on the day when the insured party starts work again or when the allowance is replaced by disability benefits or in the event of death.

It is also worth checking with the HR department or in the employment contract to see whether there are any complementary policies which could provide the following associated types of cover (this list is not exhaustive):

- Cover against a shortfall in UVG benefits to offset any reductions in the daily allowance due to gross negligence, hazardous activities or extraordinary hazards. The UVG can reduce or even withhold the daily allowance if the employee is guilty of gross negligence.
- An increase in the daily allowance of 10% of the salary, possibly extended to the first two days.
- Cover for salaries in excess of the UVG maximum referred to above.

In the event of illness:

Without insurance cover from the employer: Art. 324a §1 of the Code of Obligations stipulates that the employer has to pay the salary for a limited duration if the employee has been in employment or in an employment relationship for more than three months.

With insurance from the employer: in most cases there is an insurance contract providing a daily sickness allowance for employees for the first two years covering 80% or 90% of the AHV salary.

If there is a collective labour agreement, it must be respected as must the insurance cover provided by the employer for eligible employees.

Independently of the current situation, it is also possible for the employee to compensate for any gaps in cover through their private insurer or health insurer.