

## 6.02 Maternity benefit



# Maternity benefit

Position as of 1<sup>st</sup> January 2023



## The facts at a glance

Working mothers are entitled to maternity benefit for the first 14 weeks following the birth of a child. To compensate for their loss of income, they receive 80 % of their previous average earnings, subject to a maximum of 220 francs per day.

Mothers continue to be entitled to the benefit if the child has to remain in hospital for longer than 14 days directly after the birth. The period of entitlement is extended by the number of days spent in hospital but by no more than 56 days.

This leaflet provides working mothers and their employers with information on maternity benefit (MB).

## Entitlement

### 1 When am I entitled to maternity benefit?

You are entitled to maternity benefit if at the time when your child is born you are

- employed or
- self-employed; or
- working in the business of your husband, family or cohabiting partner and receive a cash salary; or
- unemployed and either already receive a daily unemployment allowance or have paid contributions for a sufficiently long period of time within the meaning of the unemployment act; or
- unable to work owing to sickness, injury or disability and because of this are receiving daily benefits from a social or private insurer, provided that these daily benefits are calculated on the basis of a previous salary; or
- in a valid employment relationship, but are not receiving any continued payment of wages or daily benefits because your entitlement has been exhausted.

If you were employed in the Canton of Geneva prior to the birth, you may be entitled to supplementary canton-al benefits. Information can be obtained from the cantonal office of social insurance in Geneva: [www.ocas.ch](http://www.ocas.ch)

For more information on the protection of employees during maternity, please refer to the relevant leaflet of the State Secretariat for Economic Affairs SECO: [www.seco.admin.ch](http://www.seco.admin.ch).

## **2 What are the eligibility requirements for maternity benefit?**

You will be eligible for maternity benefit if you were

- covered by mandatory insurance within the meaning of the OASI act during the nine-month period immediately preceding the birth of your child. If your child was born prematurely, this period is reduced to:
  - six months in the case of children born before the seventh month of pregnancy;
  - seven months in the case of children born before the eighth month of pregnancy;
  - eight months in the case of children born before the ninth month of pregnancy, and
- gainfully employed for at least five months during this period.

Periods of insurance and employment in an EU or EFTA member state are counted.

## **3 When does entitlement begin and end?**

Entitlement to maternity benefit begins on the date of the child's birth and ends after a maximum of 14 weeks or 98 days. If during this time you return to work on a full-time or part-time basis or die, your entitlement will end early.

## **4 Am I entitled to an extension of the maternity benefit if my child has to stay in hospital for a longer period?**

You continue to be entitled to the benefit if your child has to remain in hospital for more than 14 days directly after the birth. The period of entitlement is extended by the number of days spent in hospital but by no more than 56 days. You are entitled to this extension if you return to employment after the end of maternity leave. To claim the extension, you must specify on the application form the length of the hospital stay, present a medical certificate and submit the requisite evidence of your returning to employment. You are likewise entitled if you are in receipt of unemployment benefits, have not used up all your daily allowances by the time of the birth and a reference period is still open at the time of the birth.

## 5 How much is maternity benefit?

Maternity benefit is paid as a daily allowance and amounts to 80 % of your average earnings prior to the birth, subject to a maximum of 220 francs per day.

Caution: taking unpaid leave before giving birth could adversely affect the amount of maternity benefit you are entitled to.

The maximum daily benefit is reached when your monthly income comes to 8 250 francs ( $8\,250 \text{ francs} \times 0.8 \div 30 \text{ days} = 220 \text{ francs/day}$ ), or, if you are self-employed, when your annual income comes to 99 000 francs ( $99\,000 \text{ francs} \times 0.8 \div 360 \text{ days} = 220 \text{ francs/day}$ ).

## 6 What if I am entitled to benefits from other social insurance schemes at the same time as maternity benefit?

If, when your child is born, you are entitled to daily allowances under the social insurance legislation of:

- unemployment insurance;
- disability insurance;
- accident insurance;
- military insurance, or to
- compensation payments for persons performing military or civilian service,

maternity benefit will take precedence over these benefits and will come to at least the same amount as the daily allowance you were receiving previously.

## Claiming maternity benefit

### 7 How can I claim the maternity benefit?

The following can claim maternity benefit from the OASI compensation office responsible for their case:

- you as the mother
  - through your employer if you are an employee;
  - directly from the compensation office if you are self-employed, unemployed or unable to work;
- your employer
  - if you fail to claim through your employer (see above) and your employer pays you a salary during the period of your entitlement;
- your dependants
  - If you fail to meet your maintenance or support obligations.

If at the time when your child is born you are employed, unemployed or unable to work, your current or most recent employer will certify

- the duration of your employment;
- your relevant salary for the purposes of calculating your maternity benefit, and
- the salary paid by your employer during the period in which you are receiving the daily allowance.

You can access the *application form 318.750* at [www.ahv-iv.ch](http://www.ahv-iv.ch).

### 8 When does entitlement to the maternity benefit end?

You can claim maternity benefit up to five years after the end of your 14-week maternity leave. Entitlement ends 98 days after it begins. After that, your entitlement will be forfeited and you will have no further claims. Entitlement will end early if the mother returns to work or dies during this 98-day period.

## Payment of maternity benefit

### 9 Do I have to pay OASI, DI and IC contributions on my maternity benefit?

Yes. Maternity benefit paid directly in place of your salary also counts as income. You will therefore be required to pay OASI, DI and IC contributions on this benefit. If you are an employee, contributions to unemployment insurance will also be deducted from your benefit. Like any other income, the amount of maternity benefit paid to you directly will be recorded in the OASI individual account kept by the compensation offices for every insured person. This will allow it to be taken into account when calculating future pensions. You can obtain further information on compulsory contributions from the compensation offices.

### 10 How is maternity benefit paid?

If your employer continues to pay your salary for the duration of your entitlement, the compensation office will pay the maternity benefit to your employer.

In the event of any dispute with your employer, or under special circumstances, you may request direct payment of your maternity benefit by the compensation office. Special circumstances would apply, for example, if your employer were insolvent or in default or if you have another job and your employer has not been informed of facts relating to this (amount of salary, self-employment, etc.). In all other cases, the compensation office will pay maternity benefit directly to you or to the entitled recipient.

You may ask for the benefit to be paid to your dependants entitled to maintenance or support. Maternity benefit is paid in arrears at the end of the month. If it amounts to less than 200 francs per month, it will be paid at the end of your maternity leave. Maternity benefit can also be paid to you abroad, if you move abroad after the birth of your child.

## Insurance cover

### 11 Do I have accident insurance cover during maternity leave?

If you receive maternity benefit as an employee, you will continue to be covered by mandatory accident insurance while you are on maternity leave. In principle, you will be exempt from premium payments during this period.

If while you are on maternity leave your employer pays you a salary which amounts to more than the maternity benefit, he or she will be required to pay AIA premiums on the difference between maternity benefit and your salary payments (up to the current maximum insured earnings of 148 200 francs).

If you are unemployed, you will continue to be insured against accidents while on maternity leave. You do not need to cancel the suspension with your health insurance because of this. However, a precondition for this is that there should not be any gap between receiving daily unemployment benefit and maternity benefit.

### 12 Am I still insured under my occupational pension scheme while on maternity leave?

As an employee in a valid employment relationship, you will continue to enjoy the same level of cover under your occupational pension scheme while you are on maternity leave. Your previous coordinated salary, on which contributions are levied, will therefore remain valid. However, as an employee you can request a reduction in your coordinated salary.

If you have any questions about the amount of your occupational pension contributions, please contact your pension scheme.

## Sample maternity benefit calculations

### 13 Employee

#### Monthly earnings of less than CHF 8 250

Monthly earnings prior to giving birth	CHF	5 250.00
Benefit calculation:		
CHF 5 250 ÷ 30 days	CHF	175.00
Benefit amounting to 80% of CHF 175	CHF	140.00
Benefit of CHF 140 per day for a maximum of 98 days	CHF	13 720.00

### 14 Employee

#### Monthly earnings of more than CHF 8 250

Monthly earnings prior to giving birth	CHF	8 430.00
Benefit calculation:		
CHF 8 430 ÷ 30 days	CHF	281.00
Benefit amounting to 80% of CHF 281	CHF	224.80
Reduced to maximum benefit	CHF	220.00
Maximum benefit of CHF 220 per day for a maximum of 98 days	CHF	21 560.00



## 15 Self-employed

### Annual earnings of less than CHF 99 000

Annual earnings prior to giving birth	CHF	27 000.00
Benefit calculation:		
CHF 27 000 ÷ 360 days	CHF	75.00
Benefit amounting to 80% of CHF 75	CHF	60.00
Benefit of CHF 60 per day for a maximum of 98 days	CHF	5 880.00

## 16 Self-employed

### Annual earnings of more than CHF 99 000

Monthly earnings prior to giving birth	CHF	102 600.00
Benefit calculation:		
CHF 102 600 ÷ 360 days	CHF	285.00
Benefit amounting to 80% of CHF 285	CHF	228.00
Reduced to maximum benefit	CHF	220.00
Maximum benefit of CHF 220 per day for a maximum of 98 days	CHF	21 560.00

## Enquiries and further information



This leaflet merely provides an overview. Individual cases can only be assessed conclusively on the basis of the relevant legislation. The compensation offices and their branches will be pleased to answer any enquiries. A list of all compensation offices can be found at [www.ahv-iv.ch](http://www.ahv-iv.ch).

Published by the OASI/DI Information Centre in cooperation with the Federal Social Insurance Office (FSIO).

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6.02-23/01-E