

Compulsory accident insurance (UVG/LAA).

# Legal basis and supplementary coverage /



# Compulsory accident insurance (UVG/LAA)

Compulsory accident insurance pursuant to the UVG/LAA provides both employees and employers with coverage against the financial consequences of occupational and non-occupational accidents and occupational illnesses. This insurance is based on the Swiss Federal Law on Accident Insurance (UVG/LAA) and its ordinances.

## Who is insured?

The insurance is mandatory for all employees, including individuals working from home, interns, volunteers, and apprentices. The UVG/LAA has special provisions for the policyholder's family members working in the same company, agricultural workers, and employees transferred abroad, and other cases that are listed separately.

By means of special agreements, self-employed individuals can voluntarily take out insurance for themselves and their family members who are not subject to compulsory coverage.

## What events are insured?

Occupational and non-occupational accidents; occupational illnesses are treated the same as occupational accidents.

	Covered against occupational and non-occupational accidents	Covered only against occupational accidents
Who is insured against which events?	All employees who on average work at least eight hours a week for the same employer are covered.	Employees who work an average of less than eight hours a week for the same employer are covered.
When does coverage commence?	On the day on which the employee began or should have begun work. If no starting date was agreed, coverage begins the first time the employee sets out for work.	Coverage starts whenever a person leaves for work.
When does coverage end?	Thirty days after the date on which entitlement to half the salary ends.	When the insured arrives back from work at his/her place of residence.
What must be done when coverage ends?	<ul style="list-style-type: none"> <li>■ Coverage can be extended by mutual agreement.</li> <li>■ The health insurer must be informed (if accident coverage under KVG/LAMal was suspended).</li> </ul>	



## Benefits under the UVG/LAA

### Medical treatment

- Purposeful and cost-effective treatment
- The cost of treatment by:
  - Physicians and dentists, as well as of any medication, examinations, and analyses they prescribe
  - Treatment in the general ward of a hospital

Please note that the amounts covered for medical treatment and for costs incurred abroad are limited.

### Daily benefits

The amount of daily benefits is determined by the degree to which an insured person is unfit for work. If the person is fully unfit for work, 80% of the pensionable earnings is covered. Entitlement to daily benefits starts on the third day after the accident and ends when the person is again fully fit for work, or when a disability pension falls due or the insured person dies. A deduction for the cost of meals and accommodation will be applied to persons staying in a hospital who do not have any dependants.

### Disability pension

For full disability, the pension is 80% of pensionable earnings; for partial disability, the pension is prorated. Together with the AHV/AVS and/or IV/AI benefits (supplementary pensions), total coverage may not exceed 90% of an insured person's pensionable earnings.

### Survivors' pensions

Survivors' pensions are tiered as follows:

- 40% for widows/widowers
- 15% for each half-orphan
- 25% for each orphan
- Max. 70% as the total for multiple survivors
- Max. 90% of the pensionable earnings with cumulated AHV/AVS and IV/AI pensions (supplementary pensions).

The insurance includes cost-of-living adjustments on the pensions. These are based on the national consumer price index and are implemented whenever the AHV/AVS-IV/AI pensions are adjusted.

### Allowance for physical or mental impairment

Insured persons who sustain permanent and considerable physical or mental impairment from an accident are entitled to an allowance for physical or mental impairment payable in the form of a lump sum.

### Care allowance for persons unable to look after themselves

An insured person can claim a care allowance if, because of a disability, he or she needs permanent assistance or personal supervision to carry out basic everyday tasks.

### Pensionable earnings/limit

Daily benefits and pensions are calculated on the basis of pensionable earnings up to CHF 126,000 per person a year, or CHF 346 per person a day (on January 1, 2008).



## Provisions under the UVG/LAA

### Procedure in case of an accident

A person who has had an accident or a member of his/her family must report the accident to the employer without delay. The employer, in turn, must report the accident to the insurer immediately. Under the law, failing to do so may lead to a reduction or a refusal of benefits. Furthermore, the insured person must, at the cost of the insurer, undergo any medical examinations that have been ordered.

### Applicable procedure

Under the UVG/LAA, the social insurance's codes of practice apply. The insurer must take all ex officio facts into account and issue dispositions about important decisions.

### Reduction or refusal of coverage

- **Intentional acts:**  
In this case, there is no entitlement to benefits, except for funeral expenses.
- **Gross negligence:**  
Under the non-occupational accident insurance, daily benefits are reduced during the first two years after an accident. Benefits to survivors who have caused the death of an insured person through gross negligence will be reduced or refused in particularly serious cases.
- **Crimes/misdemeanors:**  
Benefits to insured persons who sustained injuries while committing a crime or misdemeanor will be reduced or refused in particularly serious cases.
- **Extraordinary risks:**  
All insurance benefits are refused for accidents that happen while rendering military service abroad, participating in acts of war or acts of terror, or taking part in gang-related crime. Cash benefits will be reduced by at least 50% for accidents resulting from fights, brawls, or strong provocations, or from participating in unrests.
- **Acts of daring:**  
Benefits will be reduced by 50% or refused in particularly serious cases. Benefits are not reduced for action intended to rescue individuals, even if this involves an act of daring.

### Who pays the premium for the compulsory accident insurance?

The employer owes the premium to the insurer. It is also responsible for the premium for occupational accidents and occupational illnesses. As a rule, employees pay the premiums for non-occupational accidents; however, they may negotiate more favorable arrangements.

# Supplementary accident insurance /

Coverage provided by the statutory accident insurance (UVG/LAA) has clearly defined limits. For this reason, AXA Winterthur offers its clients supplementary insurance solutions that are geared to their specific needs.

## Who can take out insurance?

All employees of a company who are insured under the UVG/LAA. Self-employed persons and any family members who are not subject to mandatory accident insurance can take out coverage as well.

## Insured earnings

Daily benefits as well as disability and survivors' pensions are calculated on the basis of insured earnings. Under the UVG/LAA, these include gross salaries up to the UVG/LAA maximum. As of January 1, 2008, this maximum is CHF 126,000 a year, or CHF 346 a day.

Salary components that exceed the UVG/LAA maximum (known as salary surplus) are therefore not covered under the UVG/LAA insurance. This means that persons earning higher salaries, as shown in example B in the table below, have an additional need for coverage. The example can be applied analogously to disability and survivors' pensions. Companies can therefore take out supplementary accident insurance from AXA Winterthur for salary components that are not covered under the compulsory accident insurance.

## Medical treatment

AXA Winterthur covers the costs of medical treatment as part of the supplementary accident insurance:

- Additional costs of hospitalization in a private or semi-private ward.
- Statutory deductions for meals and accommodation in the case of the hospitalization of a person without dependants.
- Any costs not covered under the UVG/LAA incurred abroad.

## Daily benefits

The supplementary accident insurance includes the following options for daily benefits:

- Daily benefits for the first and second day that are not insurable under the UVG/LAA.
- The difference of 10% or 20% of the full UVG/LAA salary, because the basic UVG/LAA compulsory accident insurance covers only 80% of the salary.
- Daily benefits for the surplus salary; the employer's obligation to continue paying the salary also applies to salaries that exceed the UVG/LAA maximum. There are a number of options for the waiting periods and the scope of coverage.

## Benefits in the case of temporary total incapacity for work

AHV/AVS salary	A	B
Annual AHV/AVS salary	CHF 77,500	CHF 155,000
AHV/AVS salary per day	CHF 212	CHF 425
Daily benefits under UVG/LAA (80% of max. CHF 346)	CHF 170	CHF 277
<b>UVG/LAA benefits as % of salary</b>	<b>80%</b>	<b>65%</b>
<b>Appropriate supplement</b>	<b>10%*</b>	<b>25%*</b>

\* In the event of incapacity for work, daily benefits are exempted from social insurance contributions. Therefore, 90% of the salary is sufficient.



### **Disability and death benefits**

AXA Winterthur insures the following disability and death benefits under the supplementary accident insurance:

- Inflation-adjusted disability and survivors' pensions on surplus salaries. This type of pension is intended as a long-term provision.
- Bridging capital in the event of disability or death. This benefit will cover any extraordinary costs due to sudden changes or to prevent sudden financing gaps. With regard to the death lump sum, insured persons can appoint a natural person as their beneficiary in their will, provided they have no spouse or children who are entitled to UVG/LAA benefits. Furthermore, the Federal Law on the Registration of Partnerships for Same-Sex Couples does not distinguish between registered partners and spouses.

### **Coverage for benefit exclusions and reductions under the UVG/LAA**

AXA Winterthur's supplementary insurance benefits are paid in full even if the claimant caused the accident through gross negligence. On the other hand, anyone who engages in acts of daring or assumes extraordinary risks must take a benefits reduction into account. Under the compulsory accident insurance, benefits are reduced in the case of grossly negligent acts. Under a special additional component, AXA Winterthur will assume any reductions or refusals mentioned above – provided that the cause of the accident is not related to alcohol or drugs.

### **Bridging costs**

AXA Winterthur also offers companies the possibility to insure the increased costs associated with the loss of a key person. The company is thus protected against the costs it may face in connection with expensive replacement staff, drops in orders, reorganization and restructuring measures, etc.

More reasons for taking out supplementary accident insurance:

- Optimal alignment with the UVG/LAA insurance.
- Harmonizing insurance benefits by employee categories involving groups or individuals.
- Combination discounts if the company already has its daily benefits insurance and/or occupational benefits insurance with AXA Winterthur as well.
- Participation in a bonus system (depending on the size of the premium).

# Our services /

AXA Winterthur is known for its high-level of expertise and many years of experience when it comes to accident insurance in Switzerland. In addition, you can benefit from the valuable service options available for your company.

## **Online claims reports**

You can access AXA Winterthur's main administration portal directly via the internet and call up your claims reports as well.

## **Online salary notification**

If your company uses a payroll administration system that has been certified by swissdec, you can forward your salary notifications online at the beginning of the year conveniently, securely and quickly. Authorized individuals can view, change or release their data at any time.

## **Accident statistics**

As one of our clients with a compulsory insurance, you will receive our accident statistics annually. You can thus benefit from our comprehensive analysis of the accidents reported to AXA Winterthur during the business year. The report clearly identifies the areas in your company where most accidents happen.

## **Health management within companies**

The success of any company is related to the health and motivation of its workforce. The goal of company health management is to improve employees' motivation and health, reduce absences, and avoid disability.

## **Absence management**

AXA Winterthur will advise you on how to adopt a comprehensive approach for managing absences. This also involves using an efficient system for handling data and raising the awareness of managers.

## **Case management**

We will work closely with your company's HR managers and provide active support and advice to employees who are incapacitated or injured.

Questions on pensions and insurance require individual attention.  
Therefore, a personal consultation is always the best way of finding the ideal solution.

AXA offers you financial protection.

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