



Are you self-employed?

Tips for clarifying your self-employment status

It isn't always obvious who qualifies as self-employed.

Are you planning to become self-employed in your chosen profession? Do you assign tasks to contractors? In either case, it is important to be able to recognise the characteristics of self-employment.

Please note: this brochure provides a general overview. All individual evaluations of employment status are based exclusively on the legal provisions.

Your local Suva agency will be happy to provide further assistance if you have any questions: please call +41 (0) 58 411 12 12.

As a self-employed person



You are classed as being self-employed if you conduct professional activities in your own name and on your own account. You are liable for your own economic and entrepreneurial risk and operate independently from any external corporate structure.

Individuals with self-employed status are not insured against the consequences of accidents and occupational diseases under compulsory accident insurance. Suva's insurance for entrepreneurs allows you to protect yourself against the consequences of accidents, whether they occur at work or during your downtime (see page 8).

Suva clarifies your professional status

Suva is responsible for clarifying your professional status if your area of professional activity falls within the scope of Suva's insurance services (Art. 66 of the Accident Insurance Act – AIA, text available in German at: https://www.fedlex.admin.ch/eli/cc/1982/1676_1676_1676/de). Please contact your local Suva agency on +41 (0)58 411 12 12.

As an employer



Not every potential employee who appears to be self-employed actually has self-employed status.

Please therefore remember to ask your employees to provide written confirmation of their self-employed status. Doing so will enable you to avoid unwelcome additional claims for Suva premiums and contributions for old age and survivors' insurance (OASI), disability insurance (IV), loss of earnings compensation (EO) and unemployment insurance (ALV).

Self-employed and employed status: a comparison



Characteristic – ‘Direct orders’

Self-employed

- Regularly carry out orders in their own name and on their own account for various customers chosen by themselves
- Evidence can include order forms, advertising, brochures, quotes and invoices

Employed

- Carry out orders on behalf of an employer
- Customers and partners chosen by the employer
- Tasks assigned by a single employer



Characteristic – ‘Corporate structure’

Self-employed

- Place of work with equipment commonly used in the relevant industry
- Considerable self-owned, leased or rented operating resources such as tools, machines, commercial vehicles, etc. are available
- The materials to be processed are purchased on the employee's/contractor's account
- Generally have a number of teams of their own deployed at multiple workplaces at the same time

Employed

- Work assignments are carried out on the employer's work premises
- The employer owns the resources required to complete the task
- The employer provides the materials that require processing
- Employees/contractors do not employ staff; they lease their services out



Characteristic – ‘Liability and economic risk’

Self-employed

- Liable for damages and all legal consequences thereof
- Take out their own business liability insurance, accident insurance and possibly car insurance for utility vehicles

Employed

- Not liable towards customers for any potential damages caused during work activities
- Covered against accidents through compulsory accident insurance; also entitled to receive pay during illness or military service, to have expenses reimbursed separately and to be granted paid annual leave

- Fully liable for their own economic risk
- Financial losses may encompass private assets in addition to company assets

- No entrepreneurial risk
 - Workforce provided
 - No capital investment
 - No substantial investments
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Characteristic – ‘Work organisation’

Self-employed

- Largely free to set the time, scope and place of work
- Not integrated into an external work organisation
- Not in a subordinate role and not usually accountable to a manager
- No non-competition clause

Employed

- Employer sets the time and place of work and organises the employed person’s work for the assignment
 - Integrated into the employer’s work organisation but may have considerable creative freedom in some cases
 - Is accountable to the employer in terms of work, time management and use of resources
 - Non-competition clause applies; prohibited from taking on work for other employers in the same industry
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What is important for the individual evaluation?

If the person whose employment status is being clarified engages in more than one professional activity at the same time, each source of income has to be evaluated individually to check whether it originates from an employed or self-employed type of professional activity. The evaluation is based primarily on financial considerations rather than aspects of civil law.

However, these financial factors can be many and varied, meaning that each evaluation has to take all of the associated considerations into account. Given that many characteristics are common to both employment statuses, the decision is based on the predominant characteristics.

‘Self-leasing’ or ‘hiring out one’s own services’ do not constitute self-employment.

Characteristic – ‘Public presence’

Self-employed

- Companies operate under their own name and have their own business address, bank account, company logo and entry in the commercial register
- Conduct marketing and publicity campaigns in their own name and at their own expense
- Member of a professional/trade association

Employed

- Use employer’s company name and business address
- Conduct marketing and publicity campaigns in the name and at the expense of the employer
- Not associated with a professional/trade association

If it is ascertained that a particular source of income is earned as the result of a professional activity associated with the ‘employed’ status, then the person in question is covered against accidents under compulsory accident insurance.

This statutory insurance cover cannot be replaced by individual agreements (cooperation agreement, entry in the commercial register, VAT number, etc.) or circumvented by taking out a different insurance policy.

Are you self-employed?



Clarify your own employment status

Would you like to have your employment status checked? Please contact your compensation office. If your area of professional activity falls under the scope of Suva's insurance services, the compensation office will forward your application to the relevant Suva agency for Suva to determine your employment status.

What are the consequences of being classed as self-employed?

If you meet the conditions for self-employed status, your compulsory accident insurance cover will cease to apply. Switching employment statuses also has an impact on your OASI pension, workplace pension and unemployment insurance. Get informed – seeking advice is always worthwhile.

Suva's insurance for entrepreneurs

Suva's insurance for entrepreneurs combines prevention, insurance and rehabilitation to provide you with tried-and-trusted accident insurance. You can also co-insure any family members who work for your company (see page 8). For more information about Suva's insurance for entrepreneurs, please visit www.suva.ch/fuv.

Are you an employer?



Avoid insurance gaps

Before assigning an order, find out whether your chosen contractor has self-employed status in the context of the activity in question. Your premium, contribution and settlement obligations depend on it. Only individuals with employed status are covered against accidents through compulsory accident insurance, and you have pay deductions from their wages.

The Suva model The four pillars



Suva is more than just insurance; it combines prevention, insurance and rehabilitation.



Suva returns its profits to its insurees in the form of lower premiums.



Suva is managed by social partners. The Suva Council is made up of a well-balanced combination of employers', employees' and federal representatives that provides for broad-based, sustainable solutions.



Suva supports itself; it does not receive any public funding.

Suva's insurance for entrepreneurs

As a self-employed person, you do a lot for your customers on a daily basis. An accident or occupational disease can cause considerable losses. Suva's insurance for entrepreneurs protects you against the consequences of accidents, whether they occur at work and during your downtime.

Our benefits for you:

- fixed premiums for the duration of the contract
- efficient claims handling with no red tape
- direct assumption of treatment costs
- proactive and comprehensive care thanks to professional case management

For further information, please visit www.suva.ch/fuv or call us on +41 (0)58 411 12 12.

