

Be aware. **And prepared.**

INFORMATION FOR PARENTS

LEGAL ASPECTS OF EMPLOYING A BABYSITTER IN SWITZERLAND

Are you interested in employing a regular babysitter for your child? Here is the most important information parents should know.

Role of the Babysitter

The work of a babysitter falls under the category of "employees in a household". This includes all positions of child care and household help in a private household, including nannie, babysitters, au-pairs, household help, cleaning help, etc.

Work permit

There is no clear legal regulation from which age minors are allowed to work as babysitters. The only thing that is clear is that adolescents between 13 and 15 years of age may only work light jobs for a maximum of 9 hours per week and half of their holidays for full day jobs. Adolescents older than 15 years may work longer. Strictly speaking, employing an adolescent for work in a private household does not fall under this protection act. However, it is recommended to employ no babysitters younger than 13 years, unless an adult is present at the time to supervise the babysitter.

Social insurance contributions

Parents employing babysitters, must pay social insurance contributions (AHV) once the babysitter is older than 17 years and register the babysitter with the AHV-Ausgleichskasse, no matter how small the payment is. This obligation includes holiday employment. Half of the social contributions may be deducted from the babysitter payment.

Accident insurance

Parents employing a babysitter for their child/children, are employers. This means, that you must take out an accident insurance for babysitter older than 17 years:

- for babysitters working less than 8 works per week: accident insurance against occupational accidents (Berufsunfall), which includes accidents on the way to work (babysitting); the premium is payable by you.
- for babysitters working eight hours or more per week: against occupational and non-occupational accidents; you may deduct the premium for the insurance from the babysitter's salary.

Many insurance companies offer affordable and impersonal insurance policies for all employees of private households (household help, gardener, babysitter, etc). An accident insurance covers all accidents that can happen to a babysitter while taking care of your children.

If you only employ a babysitter who is a minor occasionally, it is recommend to clarify whether the adolescent's private health insurance covers accidents. It is then unnecessary to take out a private accident insurance.

Liability of the babysitter

Legally, being employed as a babysitter makes the babysitter liable to meticulously implement the responsibilities conveyed to him. In case of harm or damage, the babysitter has to pay for the damage, if he/she cannot prove, that the damage occurred through no fault of his/her own. For minor adolescents the question is, whether they can be held responsible. This is the case for minor adolescents with the approval of the parents or legal guardian. In this case, the parents of the babysitter can be held responsible for damage where applicable.

A person is liable for damages if he/she unlawfully causes harm or damage, intentionally or negligently. This includes a babysitter doing something not permitted and he/she has to take responsibility, even as a minor, if he/she is judicious.

Therefore, generally babysitters or their parents are responsible to take out a third-party or liability insurance. Enquire with your babysitter or with the parents about this. Should your own children do harm or damage while being babysat, you as parents are held responsible if the babysitter has acted responsibly. In case of damage, check with your third-party or liability insurance who has to cover any damages.

More information

- Work permits (Arbeitsgesetz): www.admin.ch/ch/d/sr/8/822.11.de.pdf
- Social insurance contribution (Sozialversicherungsbeiträge): www.ahv-iv.info/andere/00134/00139/index.html?lang=de
- Accident insurance (Unfallversicherung): www.ahv-iv.info/andere/00134/00139/index.html?lang=de

All documents in German.

The above information is translated from information provided by the Swiss Red Cross.

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