

To be completed by Chèque service
 N° Contrat : **C**
 Date de Réception :
 Validé le :

MANDATE TERMINATION FORM

EMPLOYER'S INFORMATION :

Employer's number: **R**

Mrs/Ms Mr

Surname : First name :

Address :

ZIP Code : City : Phone :

Email : Cell :

EMPLOYEE'S INFORMATION :

Employee's number : **E**

Mrs/Ms Mr

Surname : First name:

Address :

ZIP Code: City : Cell/Phone :

Email : Date of birth (dd/mm/yy) :

TERMINATION OF EMPLOYMENT,

Who terminated (employer **OR** employee) ? :

Termination notice date : / /
Format dd/mm/yyyy

Contract end date : / /
Format dd/mm/yyyy

By signing this form, the employer certifies:

- that all data are conform with reality,
- that the termination complies to the legal requirements according to the CTT of the domestic economy J1 50.03,
- that he has read the present document in its entirety (page 1 to 6),
- that he has given to the employee the document: "IMPORTANT INFORMATION FOR THE EMPLOYEE".

or

- that he/she would like to terminate the mandate with Chèque service at : / /
 without ending the work contract with the his/her employee. Check here
(without the check, the termination of the mandate will be understood as coupled with the termination of the work relation)

Date : Employer's signature :

Date : Employee's signature:

Termination of employment - Mandatory steps

1. The notice period between the notice of the termination and the end of the contract must be respected

Depending on the type of contract and the length of service, termination of an employment contract is subject to certain regulations. There are several points to bear in mind when terminating a working contract according to the law.

2. Notice of termination cannot take place during a protection period

The law establishes protection periods during which the employer may not terminate the employment contract. If the dismissal is announced to the employee during one of these periods, the dismissal will be void.

3. The remaining vacation should be compensated

All vacations must be settled in kind or paid by the end of the contract.

4. Next step with Chèque Service

The mandate with Chèque Service is closed when all salaries have been declared and all charges have been settled. Once these two conditions have been met, the employee's salary certificate will be sent to the employer.

5. Your duties as an employer

On page 5, you will find information about your obligations as an employer when the contract comes to an end.

6. The document "IMPORTANT INFORMATION FOR THE EMPLOYEE" must be given to the employee

This document is intended to inform your employee of the consequences of the end of the contract, particularly about accident insurance and loss of earnings insurance.

If you have any questions, Chèque Service is available by phone on:
022 301 73 16 Monday to Friday, 9 am to 12 pm,

OR

by email : information@chequeservice.ch

Information about the mandate termination form and the end of the contract

This form is meant to terminate Chèque Service's mandate between the employer and Chèque Service which has been made to manage salary declarations to social and public partners. The mandate between Chèque Service and the employer does not necessarily imply termination of the employment contract with the employee concerned. However, if the termination of the management mandate implies the end of the contractual relationship between the employer and the employee, the following points should be taken into consideration.

The following information does not constitute a legal opinion, nor does it replace legal advice or the law in force.

1. The notice period between the notice of the termination and the end of the contract must be respected

Fixed-term contract

It terminates automatically on the specified end date. It is therefore not possible to terminate this contract before the agreed date, except in exceptional cases.

Permanent contract

- Termination during the trial period:

During the trial period, either of the parties can terminate the work contract within a notice period of 7 days.

According to the household work regulation, the first month of employment is considered as trial period which can be extended (only in writing) up to a maximum of 3 months.

- Termination after the trial period

The notice period are identical for the employer as well as for the employee:

- During the first year : 1 month notice for the end of the month
- Between the second and the ninth year : 2 months notice for the end of the month
- From the tenth year onwards: 3 months notice for the end of the month

Please kindly note that if the employee resigns, it is possible to reduce the notice period at the employee's request and only on employer's agreement.

The employer can releasing the employee from his/her obligation to work during the notice period, but has to keep with the salary payment despite the release from work.

2. Notice of termination cannot take place during a protection period

There is no such protection period during the trial period

After the trial period, it is illegal to lay off an employee during the protection period as following :

In the event of pregnancy and during the sixteen weeks following the childbirth

In case of sick leave or accident, it is necessary to respect a protection period subject to years of service:

- During the first year -> 30 days,
- Between the second and the fifth year -> 90 days,
- From the sixth year onwards -> 180 days

Any dismissal announced during one of these periods is null and void. The employer must announce the dismissal after the protection period to be valid.

Please kindly note that if the dismissal was announced before a protection period, it remains valid. The notice period is then suspended during the protection period and starts again at the end of this period.

3. The remaining vacation should be compensated

When you drew up your contract with your employee, you choose between these three options:

- hourly wage contract with vacation indemnity included in the salary :

Paid vacation is included within every worked hour. All vacation must be taken as a time off before the end of the contract.

- hourly wage contract without vacation indemnity included in the salary:

The balance of vacation (4 or 5 weeks depending on the contract) must be taken or paid pro rata to the months worked, at the end of the contract. Salary is due during the employee's vacation.

- contract with fixed monthly salary base:

The balance of vacation (4 or 5 weeks depending on the contract) must be taken or paid pro rata to the months worked, at the end of the contract. Salary is due during the employee's vacation.

4. Next step with Chèque Service:

In order to finalize your mandate with Cheque Service, it is essential to declare all salaries paid by the contract end.

Chèque service will send you a final invoice in the event of a negative balance.

Once all salaries have been declared and all the charges paid, Cheque service will provide you your employee's salary certificate, which you must forward to her/him.

In the event of a positive balance:

- either this balance remains on your account and will be applied to another work contract declaration
- or
- the collaboration with Chèque service ends and we will reimburse your credit.

5. Your duties as an employer:

Salary certificate

Chèque service provides you your employee's salary certificate, and a copy is also available on the online platform. This document certifies the remuneration received by your employee during a calendar year and is mainly applicable for tax purposes.

Work certificate

If your employee requests a work certificate, you are obliged to provide it.

This document, which is neutral and in line with the reality, must describe the nature of work, the duration of the employment, as well as the quality of the work and the employee's behavior.

Information duties

Whether the termination is due to resignation or dismissal, the employer is obliged to inform the employee of the consequences of the end of contract on the various social insurance schemes.

We therefore recommend you to provide your employee the following document.

IMPORTANT INFORMATION FOR THE EMPLOYEE

Please read the consequences and insurance options following the end of your contract.

1. Unemployment

If you are legally resident in Switzerland and have a work permit, you are probably entitled to unemployment benefits.

You must contact Chèque service after registering with the Office Cantonal de l'Emploi (OCE). Chèque service will provide you all the necessary documents (employer's certificate and/or intermediate earnings) in order to finalize your registration at the unemployment office.

Please note that as soon as you become aware of the end of your employment relationship, you are obliged to start searching for a job.

For further information: <https://www.ge.ch/inscrire-au-chomage>

2. Family allowance

If you receive child benefit, you must inform OCAS about the end of your contract, and of any changes in your personal and/or professional situation.

For further information: <https://www.ocas.ch/af>

3. Non-occupational accident insurance - SUVA

You are concerned only if:

- your working contract included at least 8 hours per week
- you do not have or will not have within 31 days following the end of your contract, another work contract of at least 8 hours
- you will not be registering for unemployment.

Upon termination of your contract, your non-occupational accident insurance coverage remains in force for 31 days.

Within this 31-day period, you can extend the non-occupational accident insurance for a maximum of 6 months directly with the SUVA.

For further information: <https://www.suva.ch>

Otherwise, you are responsible to reactivate a non-occupational accident insurance coverage with your health insurance.

4. Insurance for loss of income due to illness – Helsana

This is not compulsory insurance. To check whether you are insured, please consult your pay slips, or contact Chèque Service. The coverage for loss of income due to illness expires when the employment contract ends.

However, you have the right to request an extension of this insurance (which will become an individual insurance) within 3 months, with the same benefits and without a health check. In this case, you pay the premiums yourself.

If you are receiving daily allowance from Helsana at the end of your contract, you will continue to receive them for up to 730 days (total). All correspondence will be made directly with the insurance company.

For further information: <https://www.helsana.ch>

5. Pension Plan– Bâloise

Only certain contracts are subjected to the LPP (2nd Pillar) according to specific criteria, to check whether you are insured, please consult your payslips or contact Chèque Service.

Insurances related to the LPP end 1 month after the end of the employment contract.

Bâloise will contact you directly, so please inform Chèque service of any change of address, phone number and email.

Savings have been built up and must be transferred to the new employer's pension plan or to a vested benefits account after termination of employment.

For further information: <https://www.chèqueservice.ch>

6. Retirement

You can start your AVS pension from the month following your 64th birthday (if you are a woman) or your 65th birthday (if you are a man).

In order to receive your retirement pension the month concerned, we advise you to submit your pension application to OCAS three or four months before your retire. This process must be done by yourself or by your legal representative.

For further information: <https://www.ocas.ch/avs>

7. Permanent departure from Switzerland

Not all social insurances are governed by the same terms. The procedure differs depending on your nationality and country of destination. It may be possible to withdraw part of your contributions as a lump sum (AVS/LPP).

To ensure that you receive your benefits without difficulty, make sure you have taken all the necessary steps with the various social insurances and authorities.

For further information: <https://www.bsv.admin.ch/bsv/fr/home>