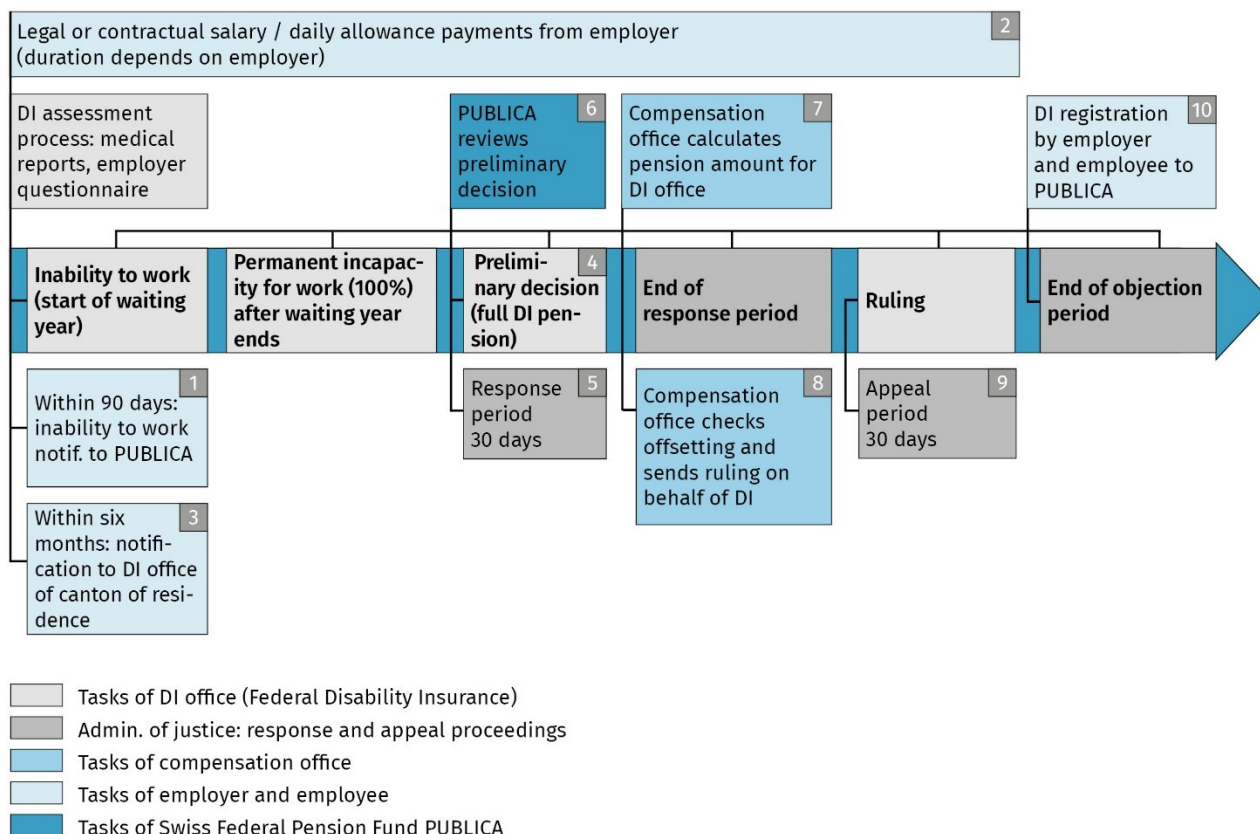


## Timeline of a disability claim

(information for employers)

When an employee becomes disabled, the first and second pillars interact. Decisions made by the disability insurance directly influence the benefits paid by PUBLICA.

This fact sheet sets out the process in ten steps – from initial notification to potential pension.



### 1) When and how must you notify PUBLICA of inability to work?

Please inform PUBLICA of any partial or total inability to work<sup>1</sup> after no less than 60 days (for affiliated organisations: 30 days), and no more than 90 days. Changes during the course of the inability to work must also be reported.

This can be done via the employer portal or using the [inability to work notification](#) form.

### 2) What are the arrangements for continued salary payment or daily allowance insurance?

The employer's obligation to continue paying a salary to an employee who is unable to work is governed by the law or contract. These stipulate whether the employee continues to receive a salary or daily allowance insurance applies.

<sup>1</sup> A person is unable to work if they become fully or partially incapable of continuing their existing profession on account of physical, mental or psychological impairment of their health. Inability to work is normally certified by a doctor.

**3) How and when should the disability insurance registration take place?**

Registration with the disability insurance should take place no more than six months after an extended or repeated inability to work begins. This can be done by the insured person themselves, their legal representative or a third party acting on their behalf contacting the disability insurance (DI) office in the insured person's canton of residence.

You can find more information at [ahv-iv.ch](http://ahv-iv.ch) → Contacts > DI offices

**4) What is the preliminary DI decision?**

Once it has received the registration, the DI office assesses whether the insured person is entitled to a pension. For this to be the case, they must have been, on average, at least 40% unable to work for a year and remain at least 40% disabled thereafter.

The DI office sets out the result of this assessment in a preliminary decision. PUBLICA normally receives a copy from the DI office.<sup>2</sup>

**5) What is the purpose of the 30-day response period on the preliminary decision?**

The insured person and all those involved have 30 days to react to the preliminary decision. The procedure is free of charge. If no objections are received, the DI issues a ruling. If a response is made, this must be taken into account in the DI's reasoning.

**6) What aspects of the preliminary DI decision does PUBLICA review?**

If the preliminary DI decision has an impact on a potential requirement for PUBLICA to pay benefits, PUBLICA reviews carefully whether it complies with the legal requirements. In particular, it examines whether the beginning of the waiting period has been calculated correctly, the degree of disability is explicable, and the insured person has met the requirement for them to minimise the loss incurred – in other words, whether they have cooperated with reasonable medical or occupational reintegration measures.

PUBLICA can only conduct an in-depth review if the insured person collaborates actively with the disability insurance and submits the required documents in full. If PUBLICA identifies discrepancies or ambiguities, it can object to the preliminary decision.

**7) Who calculates the disability insurance pension?**

The compensation office calculates the pension entitlement on behalf of the DI office, and arranges for it to be paid out.

**8) What is an application for offsetting?**

If offsettable claims by third parties (employer, unemployment and daily allowance insurance) remain unsettled, the compensation office will organise these payments on their behalf. The compensation office sends the ruling to the insured person and the offices involved on behalf of the DI office.

**9) What does the 30-day appeal period mean?**

An appeal against rulings of the DI office and compensation office can be filed with the cantonal social insurance court within 30 days.

A charge is made for the proceedings. If no appeal is submitted, the ruling becomes legally binding.

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<sup>2</sup> A person is disabled if they are expected to be wholly or partially incapable of working permanently or for an extended period. Incapacity for work is the whole or partial loss of options for gainful employment for health reasons following reasonable treatment and reintegration.

**10) What is the procedure for registering for disability benefits at PUBLICA?**

This is done by the employer via the employer portal.

As soon as a disability insurance pension decision is available, the employer submits the registration via the [portal for employers](#) using the [disability benefit registration for employers form](#). A statement of the date on which the continued salary payment ends will initially suffice as advance notification.

**The following information must be provided in the portal:**

- Duration and end of continued salary payment
- Amount of child allowances
- (Partial) continuing employment

Information on the duration and end of continued salary payment, the amount of child allowances and any (partial) continuing employment is particularly important. You can find the corresponding form in the employer portal or at [publica.ch](#).

In parallel with this, the insured person completes and signs the [disability benefit registration for employees form](#) and submits it to PUBLICA, together with all the required documents. It is important to ensure that all documents are available in full before doing so. This form is also available in the employer portal or directly on the PUBLICA website.

To ensure that any overcompensation can be calculated correctly, it is important to provide PUBLICA with precise details regarding continued employment – for example if the person concerned is partially disabled – including the salary, child allowances and the employment percentage. Imprecise information can lead to incorrect pension calculations, and therefore to overpayment or underpayment of benefits.

This also applies to people 70% disabled or more who are no longer insured by an occupational pension scheme but still continue to do a small amount of work.

**Who is entitled to disability benefits from PUBLICA?**

An entitlement only arises if:

- a legally binding DI ruling granting a pension is available, and
- the insured person was insured with PUBLICA at the start of the inability to work that led to the disability.

The pension is paid at the earliest once the continuing salary payment ends and by the 10th of each month at the latest.

Please note that processing a registration for disability benefits will take some time.

**Questions?**

Our specialists will be happy to help you. Call them on +41 58 485 23 95 or e-mail [iv@publica.ch](mailto:iv@publica.ch).