

THE EUROPEAN VOLUNTEER CENTRE
The Voice for Volunteering in Europe



CENTRE EUROPEEN DU VOLONTARIAT
Le Porte-Parole du Volontariat en Europe

AVSO Association of
*Voluntary Service
Organisations*

COUNTRY REPORT ON THE LEGAL STATUS OF VOLUNTEERS IN SWITZERLAND

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GENERAL DEFINITIONS OF VOLUNTEERISM

VOLUNTEERISM: refers to all forms of voluntary activity, whether formal or informal, full-time or part-time, at home or abroad. It is undertaken at a person's own free will, choice and motivation, and is without concern for financial gain. It benefits the individual volunteer, communities and society as a whole. It is also a vehicle for individuals and associations to address human, social or environmental needs and concerns. Formal voluntary activities add value, but do not replace professional, paid employees.

VOLUNTEERING: can occur informally (for example neighbourly "helping-out") or within the structures of a non-profit organisation. It is often (but not always) of a part-time nature. It may occur over one day or many years in a range of different fields. It is good practice to ensure that formal volunteers are covered by appropriate accident, health-care and third party liability insurance, that they receive appropriate training and management, as well as the reimbursement of all out-of-pocket expenses.

FULL-TIME VOLUNTARY SERVICE: refers to specific, full-time project-based voluntary activities that are carried out on a continuous basis for a limited period of time. Voluntary-service activities may occur at home and abroad. It is good practice to ensure voluntary service volunteers are afforded appropriate social protection, such as accident, health-care and third party liability insurance. Volunteers should also receive appropriate training and management, reimbursement of out-of-pocket expenses as well as appropriate accommodation and subsistence allowances as agreed between the volunteer and the non-profit organisation.

Background to the Project

This is one of a series of 'country-reports' produced by the Association of Voluntary Service Organisations (AVSO) and the European Volunteer Centre (CEV). They aim to provide comprehensive and practical information on volunteers and the law in a number of current and future European Union Member States.

Each country report explores, in a standardised format, some of the key questions that face volunteers and volunteer-involving organisations in relation to their legal positions.

Important: the information contained in each country report is subject to the resources and quality of information available. It is also subject to frequent change.

If you wish to comment on any of the country reports, or contribute to their annual updates, CEV and AVSO would be delighted to hear from you.

ACKNOWLEDGEMENTS

This country-report has been produced by AVSO volunteer Jacob Beutler and edited by AVSO Coordinator, Vessela Karloukovska. We would like to thank them and also the valuable contribution and comments of Stefan Spahr of the Forum Benevoleat.ch, Switzerland.

1. Concept of Voluntary Work in Switzerland

The volunteer concept in Switzerland describes voluntary work as an unpaid, non-profit engagement in culture, environment, sports, and politics or social and church-based areas. This work can be performed within the framework of an organisation or an institution, but also as informal spontaneous work like taking care of children or helping elderly people. Other possible areas of such work are:

- Administrative work in organisations or associations;
- Involvement in protecting the environment, youth projects, helping sick people, elderly or disabled persons;
- Supporting migrants in everyday life;

In Switzerland there is no official difference between long-term and short-term voluntary service although both forms are practiced in the country.

2. Volunteerism and the Law

In the last ten years there have been numerous governmental drafts to support voluntary work in Switzerland but in almost every canton, the efforts have not gone beyond the discussion stage. Therefore there is no legislation concerning voluntary work or volunteerism for the whole Switzerland so far.

There is however one exception:

(Art. 329e OR (Obligationenrecht SR 220)) Jugendurlaub – Law on Youth Vacation:

The Law on Youth Vacation allows the employee to take one working week off every year in order to perform an unpaid directing, supervising or advising activity in a cultural or social organisation as well as the necessary further training. One would have to be less than 30 years old.

It has been problematic making this law known to the public and to employees. For that reason it has not been widely applied and used.

3. Reimbursement of Expenses

The lack of a legal status of volunteers in general also affects the issue of taxation and reimbursement by the state. Despite of the fact that there is no legal scaffolding, it is still common among some organisations to create tax vouchers that are even accepted by some municipalities. Other than that every person is treated in the same way insofar as taxation is concerned whether a volunteer or not.

This means that travel expenses, food, etc. must be fully covered by the organisation without any support from the state.

4. Recognition, Facilitation

Switzerland has established the so-called “Schweizerischer Sozialzeitausweis” (Social Time Credential). This is a special official document for volunteers and honorary post working people where they can collect certificates from the people they helped, and show skills and responsibility papers. These credentials were set up to evaluate and appreciate voluntary work and to create a parallel to the certification papers one can get through a paid job. (See: www.sozialzeitausweis.ch (only in German language))

Other than that there is no recognition or facilitation like volunteer ids, university advantages such as credits, etc.

5. Welfare Protection of Volunteers

Concerning the welfare protection of volunteers all responsibility lies with the organisations. There is no support by the state, so the organisation must cover all the costs of liability insurance, accident insurance and health care etc.

The state does not provide any social protection for the volunteers from the state.

6. Volunteering Abroad

There is no information available on this topic.

7. Foreign Volunteers in Switzerland

Visa regulations:

Only people from EU/EFTA countries that stay less than three months in Switzerland are free from visa regulations. In all other cases, people from outside Switzerland need a certain permission to enter the country. To see the different categories for which EU/EFTA and other nationals have to apply for, visit the homepage of the Swiss Federal Agency for Migration (<http://www.bfm.admin.ch/index.php?id=626&L=3>).

8. Governmental Action for Promotion – From the Past to the Future

A report on the situation of voluntary work in Switzerland (Bericht zur Freiwilligenarbeit in der Schweiz, 2004 Bundesamt für Statistik) was created with governmental support in 2004. Within this framework a lot of different ideas, drafts and recommendations were made to support voluntary work. At the moment a group of parliamentarians is exploring how to take this information and to integrate these recommendations into the political issues or a possible Swiss law on voluntary work at national level.

The report contains the following topics:

- Implementation of established drafts for laws:
 - Youth Vacation;
 - Specific money of the government (federation);

- New presentation of Laws:
 - Sozialzeitausweis (Social Time Credential);
 - Legal standards for voluntary work;
 - Improved inclusion of the jobless and the paupers;

- Better cooperation between the government and NGOs:
 - Volunteerism as continuing education;
 - Integration of foreigners through voluntary work;
 - Taking forum freiwilligenarbeit.ch into account;
 - Involving NGOs to support voluntary work;

- Creation of new projects:
 - Federal Commission on voluntary work;
 - Administrative competence for volunteerism in the federation;
 - Switzerland to join the YOUTH-Programme of the EU;
 - Research and long-term studies of voluntary work;
 - Swiss Voluntary Social Year;
 - NGO support for projects of the federation;
 - Educational credits and certifications for volunteers;

9. Final Remarks, Overview and Recommendations

At the time of the creation of this report Switzerland had no legal status for volunteers at all. But as there is an intensive discussion within the government and the NGOs, regulations and laws on volunteerism are expected and changes in this sector will occur soon. The 2004 report on the situation of voluntary work (Bericht zur Freiwilligenarbeit in der Schweiz, 2004 Bundesamt für Statistik) shows the potential and possibilities that volunteerism offers, and contains a lot of recommendations and advice that might help to alter the situation for volunteers in Switzerland.

10. Contacts

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For more information visit:

<http://www.sozialzeitausweis.ch> (Social Time Credential)

<http://www.bfs.admin.ch/bfs/portal/en/index.html> (Report on the situation of voluntary work)

11. Further Information, Copyright, CEV and AVSO Contact

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