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Cross-Border HR Compliance: The 2026–2027 Readiness Series

A1 Certificates and cross-border telework

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A1 CERTIFICATES AND CROSS-BORDER TELEWORK

In 2026, cross-border work becomes a data-driven compliance topic. For Swiss-based employers, remote work, business travel, payroll reporting, social security documentation and individual tax status now need to be managed through one integrated control framework.

Introduction

Social security is a topic that is often overlooked in cross-border projects. HR teams should manage social security contribution compliance as closely as they manage tax exposure. The applicable social security system determines where contributions are paid, which certificates may be required and how an employee's cross-border activity should be documented.

For French-resident employees working for Swiss employers, remote work, business travel and regional roles may all give rise to employee social security matters. The issue is not only whether the employee is below or above a certain percentage threshold. The employer also needs to understand what type of activity the employee performs and which documentation supports the position.

In this article, we will examine the triggers for social security affiliation and what documents are needed to be filed with which competent authority in order to ensure compliance.-

This article explains the role of the A1 certificate, the importance of the 25% and 49.9% thresholds, the difference between standard telework and frequent traveler cases, and the practical controls employers should build into their HR compliance calendar.

Why social security is different from tax

In an international context, tax and social security responsibilities are related in practice because they both are determined by an employee's place of work. However, the analysis for each liability varies and can lead to different conclusions.

A tax framework may allow a particular level of telework while a social security framework may require separate documentation or lead to a different threshold analysis.

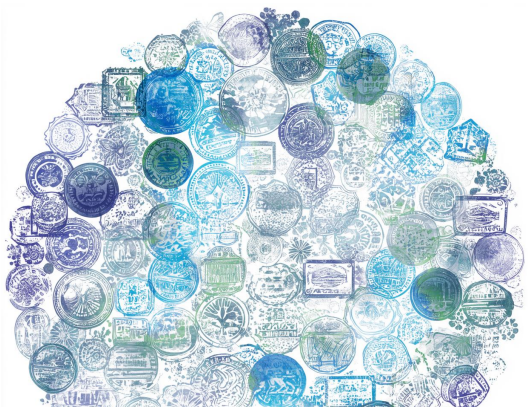
This distinction is important because organisations often communicate cross-border rules to employees as if there were one single percentage. In reality, the same employee may be below the tax threshold but require social security documentation or may be acceptable under one framework but problematic under another.

A single safe-harbor percentage may have the advantage of being easy to understand and administer, however, employers would be well advised to put in place a policy that takes into account the various tax, social security,
payroll reporting requirements and their related consequences when determining allowable days of remote work.

What the A1 certificate does in practice

The A1 certificate is a document proving affiliation in a European country's social security system. It is not just an administrative formality. It is also a legal requirement and supports the position that the employee should remain covered by only one European social security system while working across borders.

In practice, the A1 certificate can be relevant when an employee works remotely across borders, travels for business, or works habitually in more than one country. It may also be requested in the context of inspections, audits or internal compliance reviews.



Situation	Typical employer question	Practical action
Telework below 25%	Is the position documented even if no telework A1 is required?	Retain the applicable legislation analysis and supporting evidence
Telework between 25% and 49.9%	Is the multilateral framework available and is the A1 process in place?	Obtain and monitor the relevant certificate where conditions are met
Telework at or above 50%	Can Swiss social security still be maintained?	Escalate for a separate technical review
Changing work pattern	Has the employee's activity changed since the certificate was issued?	Review the certificate and update the file where needed

The employer should not only ask whether an A1 certificate exists. They should ask whether the A1 matches the employee's real working pattern. If the certificate was issued on the assumption of stable remote work but the employee later becomes a frequent business traveler, the original analysis may need to be revisited.

The 25% and 49.9% thresholds

The 25% threshold is a critical reference point for cross-border telework because it marks the level at which the social security analysis becomes operationally central. Employers should identify employees approaching that level and ensure that the applicable legislation position is reviewed and documented.

The 49.9% ceiling is equally important because it marks the upper boundary of the multilateral remote work framework. However, at or even below that threshold, employers should not automatically assume that social security affiliation remains unchanged. A separate analysis may be required, and the potential consequences can be significant for employer contributions and employee coverage.

Business travel and business travelers

Business travel adds another layer of complexity. A short business trip may appear as innocuous, but it can lead to a documentation requirement if the employee works temporarily in another EU or EFTA state.

Employers should determine whether the employee should carry evidence of applicable social security coverage during their business trips.

Frequent travelers require particular attention. A sales employee, consultant, regional manager or field role may require working across several countries. This is different from a stable office-based employee who works from home. The analysis may move from a remote framework to a multi-state worker analysis.

This distinction matters because the wrong classification can lead to the wrong process. Employers should classify employees by their actual working pattern, not by job title or by the existence of a remote work policy.

Example: 20% remote work and recurring business travel

Consider a French-resident employee working remotely from France one day per week, representing approximately 20% of their total working time. On paper, this may appear to be a low-risk, remote work case. However, the fact that the same employee also travels regularly to clients in France and other EU countries adds an important criterion to the assessment of proper social security affiliation.

The employer should not stop the analysis at the 20% remote work figure. They should ask whether the travel is occasional or habitual, whether the employee is active in several countries on a regular basis, and whether the documentation supports the overall mobility pattern.

This is the type of case where HR, mobility and payroll teams need a shared review process. The remote work percentage tells only part of the story.

What employers should implement

Employers should maintain a social security review calendar for cross-border employees. The review should be triggered: at onboarding; when remote work arrangements are approved; when the employee changes role; when business travel increases; and before annual renewal or review of certificates.

The review should map employees into categories based on remote work percentages: standard remote work, employees below 25% of remote work, employees between 25% and 49.9%, employees at or above 50%, business travelers, frequent business travelers and employees with regional roles.

The output should be documented. A defensible file should show the employee's work pattern, the basis for the applicable legislation conclusion, the certificate or determination obtained where relevant, and the date on which the position should be reviewed again.

Next week's publication: Remote work, business travel and the five-threshold model — turning cross-border complexity into governance.

CONTACTS

Our Support

Deloitte's cross-border employment, payroll, tax and social security specialists can help employers design and implement an end-to-end compliance approach for French-resident frontaliers and other cross-border employee populations. This includes workforce mapping, threshold analysis, workday tracking, A1 certificate support, payroll reporting readiness, business travel controls, equity documentation and year-end reconciliation.

If you would like to discuss this topic, please reach out to our key contacts below.

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