

## Belgium

Exchange rate: US\$1.00 equals 0.68 euros (€).

### Old Age, Disability, and Survivors

#### Regulatory Framework

**First laws:** 1900 (old-age) and 1944 (disability).

**Current laws:** 1967 (old-age and survivors), 1994, and 2001 (guaranteed income).

**Type of program:** Social insurance system.

#### Coverage

Employed persons; special provisions for miners and seamen.

Special systems for self-employed persons and civil servants.

#### Source of Funds

**Insured person:** 7.5% of reference earnings. Pensioners and pre-pensioners contribute from 0.5% to 2.0% of the pension or pre-pension. (The pre-pension is paid under Unemployment to insured persons aged 58 or older with at least 25 years of employment.)

Reference earnings are equal to 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

The insured's contributions finance old-age and survivor pensions. Disability pensions and funeral grants are financed under Sickness and Maternity.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Self-employed person:** Not applicable.

**Employer:** 8.86% of reference earnings.

Reference earnings are equal to 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

The employer's contributions finance old-age and survivor pensions. Disability pensions and funeral grants are financed under Sickness and Maternity.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84%

of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Government:** Annual subsidies.

#### Qualifying Conditions

**Old-age pension:** Age 65 with at least 45 years of coverage for men or age 64 with at least 44 years of coverage for women (age 65 with 45 years of coverage in 2009).

Partial pension: Paid for an incomplete qualifying period.

Early pension: Age 60 with at least 35 years of coverage (men and women).

**Special old-age pension (means-tested):** Paid to the divorced husband or wife of a retired person.

Means test: The income and individual pension of the divorced husband or wife is taken into consideration.

**Guaranteed income for the elderly (means-tested):** Paid to low-income elderly persons aged 64 or older (age 65 or older in 2009).

Means test: Monthly income must not exceed €1,000 for a single person; €625 if cohabiting (family allowances, alimony, and certain other benefits are not included).

**Disability pension:** Paid for the loss of 2/3 of earning capacity in the usual occupation for at least 12 months. The insured must have been covered during the two quarters before the quarter in which the disability began, have completed 120 days of actual or credited work (or 400 hours for part-time workers), and met the legal requirements for a regular worker during the last 30 days before the disability began.

**Survivor pension:** Paid to a widow(er) aged 45 or older (any age if disabled or caring for a child) who was married to the deceased for at least 1 year; conditions are waived if a child was born during the marriage or if the death was the result of an accident.

**Funeral grant:** Paid on the insured's death.

#### Old-Age Benefits

**Old-age pension:** The full pension is equal to 60% of average lifetime earnings (75% for a married couple). Past earnings are adjusted to reflect wage and price changes.

For each year of the insured's career, adjusted earnings for benefit calculation purposes are subject to a ceiling (€44,994.88).

For each year of the insured's career, the adjusted earnings for benefit calculation purposes must not be less than €18,389.19.

The minimum annual pension is €11,032.28 for a single person with a full career record; €13,786.01 a year for a married couple. For workers with at least 2/3 of a full career record under the salaried workers' scheme, a proportionately reduced minimum pension is awarded.

Partial pension: A reduced pension is paid according to the number of years of coverage less than that required for a full career record.

Vacation allowance: €535.99 is paid annually in May for a single person; €670.00 for a couple.

**Special old-age pension (means-tested):** The pension is equal to half the former spouse's pension based on 75% of average lifetime earnings, minus any pension income earned by the divorced person in his or her own right.

Means test: Income must not exceed €1,000 a month for a single person; €625 a month if cohabiting (family allowances, alimony, and certain other benefits are not included).

**Guaranteed income for the elderly (means-tested):** €827.62 a year is paid for a single person; €551.75 a year if cohabiting.

Means test: Income must not exceed €1,000 a month for a single person; €625 a month if cohabiting (family allowances, alimony, and certain other benefits are not included).

Benefit adjustment: Benefits are adjusted periodically for changes in the retail price index.

### **Permanent Disability Benefits**

**Disability pension:** The benefit is equal to 65% of reference earnings if the insured has dependents; 40% if the insured cohabits but has no dependents; 53% if the insured lives alone. The pension is paid after 1 year of incapacity.

Reference earnings are equal to the salary the insured would have received at the date the disability began.

The maximum daily earnings for benefit calculation purposes are €111.75 if the disability began before January 1, 2005; €113.98 if the disability began between January 1, 2005, and December 31, 2006; €115.12 if the disability began on or after January 1, 2007.

The minimum daily pension for a regular worker is €45.07 if the insured has dependents; €31.23 if the insured cohabits but has no dependents; €36.07 if the insured lives alone. If the insured does not meet the legal requirements for a regular worker, the minimum daily pension is €26.83 with no dependents; €35.77 with dependents.

If the disability began between April 1, 2004, and December 31, 2004, the maximum daily pension is €59.23 if the insured lives alone; €44.70 if the insured cohabits; €72.64 if the insured has dependents. If the disability began between January 1, 2005 and December 31, 2006, the maximum daily pension is €60.41 if the insured lives alone; €45.59 if the insured cohabits; €74.09 if the insured has dependents. If the disability began on or after January 1, 2007, the maximum daily pension is €61.02 if the insured lives alone; €46.05 if the insured cohabits; €74.83 if the insured has dependents.

Benefit adjustment: Benefits are adjusted periodically for changes in the health index. Some benefits may be adjusted independently of this index.

### **Survivor Benefits**

**Survivor pension:** The widow(er) receives 80% of the pension paid or payable to the deceased.

The minimum annual pension is €10,858.82 if the deceased was insured with a full career record. For survivors of insured persons with at least 2/3 of the full career record, a proportionately reduced minimum pension is awarded.

The survivor pension plus the widow(er)'s own pension entitlement must not exceed 110% of the value of his or her own pension entitlement.

A noneligible widow(er) receives a survivor pension for a limited period of 12 months.

The pension ceases on remarriage.

Vacation allowance: €535.99 is paid annually in May.

**Funeral grant:** A lump sum of €148.74 is paid.

Benefit adjustment: Benefits are adjusted periodically for changes in the retail price index (except for the funeral grant).

### **Administrative Organization**

Social Security Federal Public Service (<http://www.socialsecurity.fgov.be>) provides general supervision.

National Social Security Office (<http://www.onss.be/en/home.html>) collects and administers contributions.

National Pensions Office administers old-age and survivor pensions and is responsible for the financial management of the program.

National Sickness and Invalidity Insurance Institute (<http://www.inami.fgov.be>) administers disability pensions.

### **Sickness and Maternity**

#### **Regulatory Framework**

**First law:** 1894 (mutual benefit societies).

**Current law:** 1994 (mandatory health insurance and benefits).

**Type of program:** Social insurance system.

#### **Coverage**

Employed persons who are members of a mutual benefit society or an auxiliary sickness and disability insurance fund.

Pensioners and other social security beneficiaries are covered for medical benefits.

Voluntary coverage is possible.

Special systems for self-employed persons (cash benefits) and seamen.

### Source of Funds

**Insured person:** 3.55% of reference earnings (medical benefits) and 1.15% of reference earnings (cash benefits and disability pensions). Pensioners contribute 3.55% of the old-age or survivor pension (low-income pensioners are exempt from contributions).

Reference earnings are equal to 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Self-employed person:** 3.55% of reference earnings (medical benefits) and 1.15% of reference earnings (cash benefits and disability pensions).

Reference earnings are equal to 100% of the self-employed person's gross earnings for white-collar workers and 108% of the self-employed person's gross earnings for blue-collar workers.

**Employer:** 3.8% of reference earnings (medical benefits), 2.2% of reference earnings (cash benefits and disability pensions), and 0.15% of reference earnings (maternity benefits).

Reference earnings are equal to 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Government:** Subsidy for the management of the social security system; proceeds from a surcharge on automobile insurance and on hospitalization insurance premiums; a tax on the profit made on certain prescribed medicines.

### Qualifying Conditions

**Sickness and maternity cash benefits:** The insured must have been covered during the two quarters before the quarter in which the sickness or maternity leave period started, have completed 120 days of actual or credited work (400 hours for part-time workers), and met the legal requirements for a regular worker during the last 30 days before the incapacity began.

**Medical benefits:** There is no minimum qualifying period (6 months of contributions are required in certain special cases).

### Sickness and Maternity Benefits

**Cash sickness benefit:** The benefit is equal to 60% of the insured's earnings, subject to a ceiling. After the 31st day of incapacity, the entitlement is 55%; 60% if there are dependents or if the insured is the sole breadwinner. Benefits are normally not paid if the employer provides a guaranteed salary.

The maximum daily earnings for benefit calculation purposes are €115.12 as of January 1, 2007.

**Cash maternity benefit:** During the first 30 days, the maternity benefit for employees is equal to 82% of total earnings; for the unemployed or other eligible persons, 79.5% of earnings (subject to a ceiling). The benefit for all eligible persons from the 31st day is equal to 75% of daily earnings (subject to a ceiling).

The benefit is paid for a maximum of 15 weeks (19 weeks in the case of multiple births), including a maximum of 6 weeks (8 weeks in the case of multiple births) before the expected date of childbirth (of which at least 1 week is compulsory) and a minimum of 9 weeks after childbirth.

When earnings are subject to a ceiling, the maximum daily earnings for benefit calculation purposes are €115.12 (January 2007).

### Workers' Medical Benefits

**Medical benefits:** The benefits provided include general and specialist care, surgery, hospitalization, medicines, laboratory services, maternity care, dental care, nursing, rehabilitation, transportation, and appliances.

The insured makes copayments that vary according to the insured's income and status.

There is no limit to duration.

### Dependents' Medical Benefits

The benefits provided include general and specialist care, surgery, hospitalization, medicines, laboratory services, maternity care, dental care, nursing, rehabilitation, transportation, and appliances.

The insured makes copayments that vary according to the insured's income and status.

There is no limit to duration.

### Administrative Organization

Social Security Public Federal Service (<http://www.socialsecurity.fgov.be>) provides general supervision.

National Social Security Office (<http://www.onss.be/en/home.html>) collects contributions.

National Sickness and Invalidity Insurance Institute (<http://www.inami.fgov.be>) coordinates the program together with various management committees for cash and medical benefits.

Local agencies, including about 65 approved mutual benefit societies represented by five national unions and a separate fund for railway employees, pay benefits. District offices of the public auxiliary fund pay benefits for persons not belonging to a mutual society.

## Work Injury

### Regulatory Framework

**First laws:** 1903 (work accidents) and 1927 (occupational diseases).

**Current laws:** 1970 (occupational diseases) and 1971 (work accidents).

**Type of program:** Social insurance system.

### Coverage

Employed persons, including casual labor.

Exclusions: Self-employed persons.

Special system for public-sector employees.

### Source of Funds

**Insured person:** None.

**Self-employed person:** Not applicable.

### Employer

**Work injury:** 0.3% of reference earnings, plus an insurance premium that varies according to the assessed degree of risk.

**Occupational disease:** 1% of reference earnings, plus 0.01% for asbestos-related illnesses.

Reference earnings are equal to 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Government:** None.

### Qualifying Conditions

**Work injury benefits:** There is no minimum qualifying period. Accidents that occur while commuting to and from work are covered.

### Temporary Disability Benefits

90% of the insured's reference earnings are paid until recovery or certification of permanent disability.

Daily reference earnings are equal to 1/365 of the full-year earnings for the year before the accident or the cessation of work because of an occupational disease. If the assessed disability is the result of an occupational disease, the temporary disability benefit is not paid unless the disability lasts at least 15 days.

The minimum full-year earnings for benefit calculation purposes are €5,717.93.

The maximum full-year earnings for benefit calculation purposes are €35,099.83.

**Benefit adjustment:** Benefits are adjusted periodically for changes in the retail price index.

### Permanent Disability Benefits

**Permanent disability pension:** If the insured is assessed as totally disabled, the pension is equal to 100% of the insured's reference earnings.

Reference earnings are equal to total earnings in the year before the accident or the cessation of work because of an occupational disease.

The minimum full-year earnings for benefit calculation purposes are €5,717.93.

The maximum full-year earnings for benefit calculation purposes are €35,099.83.

**Constant-attendance supplement:** The supplement varies according to the assessed degree of need for assistance, up to a maximum of 12 times the average monthly guaranteed income for a full-time worker. The supplement ceases on the 91st day of hospitalization.

**Partial disability:** A percentage of reference earnings is paid according to the assessed degree of permanent disability, except where the assessed degree of disability is less than 10% (the percentage paid is reduced by half for an assessed disability of between zero and 5% and by a quarter if between 6% and 10%).

The benefit is payable abroad.

**Benefit adjustment:** Benefits are adjusted periodically for changes in the retail price index (except benefits paid for an assessed degree of disability of less than 16%).

### Workers' Medical Benefits

Benefits include medical treatment, surgery, dental treatment, hospitalization, medicines, appliances, and transportation. Full reimbursement of costs is made according to the schedule in law.

## Survivor Benefits

**Survivor pension:** The pension for a widow(er) is equal to 30% of the deceased's covered earnings.

The pension does not cease on remarriage.

The pension is not paid to a surviving partner who was not married to the deceased.

The minimum full-year earnings for benefit calculation purposes are €5,717.93.

The maximum full-year earnings for benefit calculation purposes are €35,099.83.

**Orphan's pension:** Each orphan younger than age 18 (aged 18 or older if entitled to family allowances) receives 15% of the deceased's covered earnings (20% for a full orphan).

All orphans' pensions combined must not exceed 45% of the deceased's covered earnings; 60% for full orphans.

**Other eligible survivors (in the absence of orphans):** A pension is payable to parents, grandchildren, and brothers or sisters younger than age 18.

All survivor benefits combined must not exceed 75% of the deceased's covered earnings.

Benefits are payable abroad.

**Benefit adjustment:** Benefits are adjusted periodically for changes in the retail price index.

**Funeral grant:** A lump sum is paid equal to 30 days' earnings; the minimum grant is equal to the sickness benefit. Transportation costs, including administrative costs and the cost of transporting the body to the place of burial (including abroad), are also provided.

## Administrative Organization

Social Security Federal Public Service (<http://www.socialsecurity.fgov.be>) provides general supervision.

**Work injury:** Work Injury Fund (<http://www.socialsecurity.fgov.be/faofat>), a public social security institution administered jointly by employers and workers, administers the program and controls the benefits paid by private companies.

**Occupational disease:** Occupational Diseases Fund, a public social security institution administered jointly by employers and employees, is responsible for the compensation of injured workers.

## Unemployment

---

### Regulatory Framework

**First law:** 1920.

**Current laws:** 1944 (social security) and 1991 (unemployment regulation).

**Type of program:** Social insurance system.

## Coverage

Employed persons.

Coverage is also possible for first-time jobseekers, stage performers, certain teachers, home workers, disabled workers, professional athletes, and students receiving a scholarship who pay contributions.

## Source of Funds

**Insured person:** 0.87% of reference earnings.

Reference earnings are equal to 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Self-employed person:** Not applicable.

**Employer:** 1.46% of reference earnings. In certain cases, an additional 1.6% of reference earnings is paid by employers with more than 10 employees.

Reference earnings are equal to 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Government:** Covers any deficit.

## Qualifying Conditions

**Unemployment benefit:** If younger than age 36, the insured must have at least 312 days of covered employment or deemed employment in the 18 months before the date of the claim for benefits; if between ages 36 and 50, 468 days in the 27 months before the date of the claim for benefits; if older than age 50, 624 days in the 36 months before the date of the claim for benefits. The insured must register at an unemployment office and be capable of and available for work. Unemployment must be involuntary; otherwise, the insured is disqualified for 4 to 52 weeks or loses eligibility for benefits.

**Job search benefit:** The insured must be younger than age 30, does not meet the employment qualifying condition for the unemployment benefit, and must register at an unemployment office and be capable of and available for work. Benefits are paid after a waiting period.

**Prepension supplement:** Aged 60 or older with at least 30 years (men) or 26 years (women) of employment.

**Aged unemployed person's supplement:** The insured must be aged 50 or older with at least 20 years of employment, be unemployed for at least 12 months, and not be entitled to the prepension supplement.

### Unemployment Benefits

**Unemployment benefit:** The benefit is calculated based on mean daily earnings. The mean daily earnings are based on the last monthly earnings, up to a maximum of €1,869.09.

If the insured is older than age 21 and has not worked in the last 6 months before applying for benefits, the benefit is based on flat-rate monthly earnings of €1,335.78.

The benefit depends on the insured's family status and the period of unemployment. If the insured is cohabiting or has dependents (a spouse, partner, or another person with no individual income or for whom alimony is paid), the benefit is equal to 60% of earnings for the entire period of unemployment. For a single person living alone, 60% of earnings is paid for the first year; thereafter, 53%. If the insured is cohabiting with a person who has income, 58% of earnings is paid for the first year; 40% for a second period (the minimum duration of the second period is 3 months, and the total duration depends on the person's professional career record); thereafter, a flat-rate monthly benefit of €429.78 is paid.

**Job search benefit:** The benefit depends on the insured's age and family status. For a single person younger than age 18 living alone, €268.06 is paid; if between ages 18 and 20, €421.46; if aged 21 or older, €697.84. If the insured is cohabiting or has dependents (a spouse, partner, or another person with no individual income or for whom alimony is paid), €943.80 is paid regardless of age. For an insured person younger than age 18 cohabiting with persons with an income, €229.84 is paid; otherwise, €366.60.

**Prepension supplement:** 50% of the difference between the monthly benefit (calculated as 60% of last gross earnings) and net earnings (gross earnings up to a ceiling of €3,391.61, reduced by social contributions and certain other deductions) is paid. The supplement may be paid until the insured reaches retirement age.

**Aged unemployed person's supplement:** A monthly supplement set according to age and family status. Single persons aged 55 or older are guaranteed 60% of their last earnings.

**Benefit adjustment:** Benefits are adjusted periodically for changes in the retail price index.

### Administrative Organization

Employment, Labor, and Social Dialogue Federal Public Service (<http://www.emploi.belgique.be>) provides general supervision.

National Social Security Office (<http://www.onss.be/en/home.html>) collects contributions.

National Employment Office (<http://www.onem.be>) adjudicates claims, supervises the paying agencies, and oversees employment policies through 30 regional offices.

Public payment offices, or trade unions for their own members, pay benefits at the local level.

### Family Allowances

#### Regulatory Framework

**First law:** 1930.

**Current laws:** 1939 (salaried workers), 1965 (civil servants), 1971 (guaranteed family allowances), and 1976 (self-employed persons).

**Type of program:** Social insurance and social assistance (guaranteed family allowances) system.

#### Coverage

Children of salaried workers (including active, unemployed, retired, disabled, or deceased workers).

Children not covered under any statutory system are eligible to receive guaranteed family allowances, subject to an income test.

Special systems for civil servants and self-employed persons.

#### Source of Funds

**Insured person:** None.

**Self-employed person:** Not applicable.

**Employer:** 7% of reference earnings.

Reference earnings are equal to 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Government:** None.

#### Qualifying Conditions

**Family allowances:** Awarded without conditions until the last day of August of the calendar year in which the child reaches age 18 (age 21 if disabled or no limit for a disabled person who was aged 21 or older before July 1, 1987; age 25 if a student, an apprentice, or a jobseeker registered for less than 270 days).

Eligible children are the insured's children, the children of the insured's partner, dependent brothers and sisters, and any other children in the insured's household.

### **Family Allowance Benefits**

**Basic family allowance:** €80.17 a month is paid for the first child; €148.34 for the second child; €221.47 for the third and each subsequent child. Each orphan receives €307.97 a month.

Social supplement: €20.40 a month is paid per child (except orphans) for single-parent families (with income below €1,774.98); €40.81 a month is paid for the first child of a pensioner or a person unemployed for longer than 6 months, and €87.81 is paid for the first child of a disabled worker; €25.30 for the second child of a pensioner, a person unemployed for longer than 6 months, or a disabled worker; €4.44 for the third and each subsequent child of a pensioner, a person unemployed for longer than 6 months, or a disabled worker.

#### **Age supplement (children born before January 1, 1991):**

For a healthy first child born between January 1, 1985, and December 31, 1990, the monthly supplement is €27.85 if the child is younger than age 18; otherwise, €29.91. For a healthy first child born between January 1, 1981, and December 31, 1984, the monthly supplement is €44.62. For other children or any sick child, the monthly supplement is €27.85 if aged between 6 and 11; €42.56 if aged between 12 and 18; otherwise, €54.11.

#### **Age supplement (children born after December 31,**

**1990):** For a healthy first child, the monthly supplement is €13.97 if between ages 6 and 12; €21.27 if older than age 12 but younger than age 18; €24.51 if aged 18 or older. For other children or for any sick child, the monthly supplement is €27.85 if between ages 6 and 12; €42.56 if older than age 12 but younger than age 18; €54.11 if aged 18 or older.

**Sick or disabled child supplement (old system):** For a disabled child born before December 31, 1992, with an assessed degree of disability of at least 66%, the monthly supplement varies between €360.66 and €422.03. The child's degree of disability is calculated according to a schedule of 0 to 9 points.

**Sick or disabled child supplement (new system implemented May 1, 2003):** For a disabled child born after December 31, 1992, supplements are awarded according to the impact of the illness on the physical and mental capacity of the child, the activity and participative capacity of the child, and the implications for the child's next of kin. The monthly supplement varies between €70.30 and €468.68.

**Birth grant:** €1,086.11 is paid for the first birth (or per child for multiple births); €817.17 for the second and each subsequent birth.

**Adoption allowance:** €1,086.11 is paid for each child adopted.

**Annual supplement:** €72.83 for each child between ages 12 and 17.

Benefit adjustment: Benefits are adjusted periodically for wage and price changes and other economic factors.

### **Administrative Organization**

Social Security Public Federal Service (<http://www.socialsecurity.fgov.be>) provides general supervision.

National Social Security Office (<http://www.onss.be/en/home.html>) collects and administers contributions.

Family allowances are paid by about 26 approved private occupational, regional, and specialist funds and by two public organizations.

National Family Allowances Office (<http://www.onafts.fgov.be>) supervises private funds and administers allowances to families not covered by a private fund.