

## Tunisia

Exchange rate: US\$1.00 equals 1.29 dinars.

### Old Age, Disability, and Survivors

#### Regulatory Framework

**First law:** 1960.

**Current laws:** 1960 (nonagricultural workers), implemented in 1974; 1981 (agricultural workers); 1985 (civil servants); 1989 (commercial agriculture); 1995 (self-employed persons); 2002 (low-income earners); and 2002 (artists and intellectuals).

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

#### Coverage

Private-sector employees and certain categories of fishermen.

Voluntary coverage for Tunisian workers employed abroad who are not covered by the host country or by a reciprocal agreement.

Exclusions: Convicted persons working in prison workshops.

Special systems for civil servants, members of parliament, armed forces personnel, agricultural workers, farmers, self-employed persons, certain categories of fishermen, domestic workers, some categories of low-income earners, artists, and intellectuals.

#### Source of Funds

**Insured person:** 7.74% of gross earnings (excluding certain in-kind payments or reimbursements).

Contributions are paid quarterly.

The insured person's contributions finance all old-age, disability, and survivors benefits except the death grant and death allowance, which are financed under Sickness and Maternity, below.

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

**Employer:** 7.76% of gross payroll (excluding certain in-kind payments or reimbursements).

Contributions are paid quarterly.

The employer's contributions finance all old-age, disability, and survivors benefits except the death grant and death allowance, which are financed under Sickness and Maternity, below.

**Government:** None; the government subsidizes contributions to enhance economic activity in deprived areas and to

encourage the employment of young graduates, the disabled, and other categories of worker.

Government contributions finance all old-age, disability, and survivors benefits except the death grant and death allowance, which are financed under Sickness and Maternity, below.

#### Qualifying Conditions

**Old-age pension:** Age 60 with at least 120 months of contributions (age 50 with at least 180 months of contributions if the insured is prematurely aged because of arduous work, involuntarily unemployed for 6 months, or the mother of three or more children). Retirement from insured employment is necessary.

**Early pension:** Paid from age 50 with at least 360 months of contributions.

**Partial pension:** The insured must have between 60 and 119 months of contributions at retirement. The full pension is proportionately reduced.

If the insured has fewer than 60 months of contributions at retirement, the value of the insured's share of contributions is refunded.

**Disability pension:** The insured must be assessed with a permanent loss of at least 2/3 of earning capacity and have at least 60 months of contributions. Employment must cease.

A medical commission assesses the degree of disability annually, until the insured is age 55.

**Survivor pension:** The insured was a pensioner at the time of death or had at least 60 months of contributions.

Eligible survivors are the widow(er) and children younger than age 16 (age 21 if a student, age 25 if a student without a scholarship, no limit if disabled or for an unmarried daughter without income).

**Death grant:** The insured had at least 50 days of employment in the last two quarters or 80 days in the last four quarters before death. The employment qualifying condition is waived if the death was the result of an accident.

**Death allowance:** Paid to the insured for the death of a spouse or dependent child. The insured must have had at least 50 days of employment in the last two quarters or 80 days of employment in the last four quarters.

#### Old-Age Benefits

**Old-age pension:** The pension is equal to 40% of the insured's average earnings in the last 10 years before retirement, plus 0.5% for each 3-month period of contributions exceeding 120 months, up to a maximum of 80% of average earnings.

The average earnings for benefit calculation purposes must not exceed six times the legal monthly minimum wage. Periods of contributions with declared earnings of less than

2/3 of the legal minimum wage are not taken into account in the benefit calculation.

The minimum pension is equal to 2/3 of the legal monthly minimum wage.

The maximum pension is equal to 80% of average earnings, up to a ceiling of six times the legal monthly minimum wage.

The legal monthly minimum wage is 222.40 dinars, based on a working month of 200 hours.

Early pension: The pension is reduced by 0.5% for each quarter that the pension is taken before age 60.

Partial pension: A reduced pension is paid in proportion to the insured's number of quarters of contributions.

The minimum partial pension is equal to 50% of the legal monthly minimum wage.

If the insured has fewer than 60 months of contributions at retirement, a lump sum is paid equal to the value of the insured's contributions.

Benefit adjustment: Benefits are indexed to changes in the legal minimum wage. (The last adjustment was made in July 2006.) The legal minimum wage is adjusted by government decree, after consultation with labor unions and employers' representatives, according to changes in the cost of living.

### **Permanent Disability Benefits**

**Disability pension:** The pension is equal to 50% of the insured's average earnings in the last 10 years before the disability began, plus 0.5% for each 3-month period of contributions exceeding 180 months, up to a maximum of 80% of average earnings.

The average earnings for benefit calculation purposes must not exceed six times the legal monthly minimum wage. Periods of contributions with declared earnings of less than 2/3 of the legal minimum wage are not taken into account in the benefit calculation.

The minimum pension is equal to 2/3 of the legal monthly minimum wage.

The maximum pension is equal to 80% of average earnings, up to a ceiling of six times the legal monthly minimum wage.

The legal monthly minimum wage is 222.40 dinars, based on a working month of 200 hours.

Constant-attendance supplement: Equal to 20% of the disability pension.

Benefit adjustment: Benefits are indexed to changes in the legal minimum wage. (The last adjustment was made in July 2006.) The legal minimum wage is adjusted by government decree, after consultation with labor unions and employers' representatives, according to changes in the cost of living.

### **Survivor Benefits**

**Survivor pension:** 75% of the deceased's pension is paid to a widow(er) without a dependent child; 70% with one dependent child; or 50% with two or more dependent children.

The pension ceases if the surviving spouse remarries before age 55.

**Orphan's pension:** 30% of the deceased's pension is paid for one orphan or 50% for two or more orphans; 30% for one full orphan, 60% for two full orphans, 90% for three full orphans, or 100% for four or more full orphans.

All survivor benefits combined must not exceed 100% of the deceased's pension.

Benefit adjustment: Benefits are indexed to changes in the legal minimum wage. (The last adjustment was made in July 2006.) The legal minimum wage is adjusted by government decree, after consultation with labor unions and employers' representatives, according to changes in the cost of living.

**Death grant:** A lump sum is paid equal to 12 times the deceased's monthly average earnings in the last 3 or 5 years (whichever is higher), plus one times the monthly average earnings for each year of contributions, up to a maximum of 18 months' earnings. The death grant is reduced by 50% for the death of a pensioner; the calculated amount is reduced to 40%, 30%, 20%, or 10% if the death occurs at age 70, age 75, age 80, or age 85, respectively. The average monthly earnings must not be more than six times the legal monthly minimum wage.

The minimum death grant is equal to the legal annual minimum wage (2,668.80 dinars).

The maximum death grant is equal to 18 months' earnings.

Dependent child's supplement: A lump sum equal to 10% of the death grant is paid for each dependent child.

**Death allowance:** A lump sum equal to between 10 and 90 days of the insured's sickness benefit is paid for the death of a dependent spouse or child. The daily sickness benefit is equal to 2/3 of the insured's average daily earnings, up to a ceiling of twice the daily minimum wage.

### **Administrative Organization**

Ministry of Social Affairs, Solidarity, and Tunisians Abroad provides general supervision.

National Social Security Fund (<http://www.cnss.nat.tn>) administers the program through regional offices.

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### **Sickness and Maternity**

#### **Regulatory Framework**

**First and current laws:** 1960 and 2004.

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

## Coverage

**Cash and medical benefits:** Private-sector employees and certain categories of fishermen.

Special systems for civil servants, members of parliament, armed forces personnel, agricultural workers, farmers, and certain categories of fishermen.

**Medical benefits only:** Self-employed persons, pensioners, students, trainees, domestic workers, and some other categories of low-income earners.

Voluntary coverage for medical benefits for Tunisian workers employed abroad who are not covered by the host country or by a reciprocal agreement.

## Source of Funds

**Insured person:** 1.74% of gross earnings.

Contributions are paid quarterly.

The insured person's contributions finance all sickness and maternity benefits except parental leave, which is financed under Family Allowances, below. The insured person's contributions also finance the death grant and death allowance provided under Old Age, Disability, and Survivors, above.

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

**Employer:** 4.51% of gross payroll.

Contributions are paid quarterly.

The employer's contributions finance all sickness and maternity benefits except parental leave, which is financed under Family Allowances, below. The employer's contributions also finance the death grant and death allowance provided under Old Age, Disability, and Survivors, above.

**Government:** None.

## Qualifying Conditions

**Cash sickness and medical benefits:** The insured must have at least 50 days of insured employment in the last two calendar quarters or 80 days of insured employment in the last four quarters. Long-term sickness (for a period greater than 180 days) must be certified by the medical commission.

Medical benefits are provided to the insured and the insured's spouse and dependent minor children (without limit if disabled), dependent parents, and nonmarried daughters without income.

**Cash maternity benefits:** The insured must have at least 80 days of insured employment in the last four quarters.

**Parental leave:** Paid within the first 7 days after childbirth.

## Sickness and Maternity Benefits

**Sickness benefit:** The benefit is equal to 2/3 of the average daily wage, up to a ceiling of twice the legal minimum daily

wage. The benefit is paid after a 5-day waiting period for a maximum of 180 days. Benefits are paid every 2 weeks.

The average daily wage for benefit calculation purposes is based on the highest earnings received by the insured during one quarter among the last four quarters before the incapacity began.

The legal daily minimum wage is 7.41 dinars.

There is no waiting period or limit to duration for hospitalization, recognized long-term illnesses, or for an incapacity that is the result of a non-work-related accident. The benefit is reduced by 50% from the first day of the fourth year of sickness.

**Maternity benefit:** The benefit is equal to 2/3 of the average daily wage, up to a ceiling of twice the legal minimum daily wage. The benefit is paid for 30 days; may be extended in the event of complications arising from pregnancy or childbirth for a further 15 days. Benefits are paid monthly.

The average daily wage for benefit calculation purposes is based on the highest earnings received by the insured in one quarter among the last four quarters before the claim to benefits.

**Parental leave:** The benefit is equal to the average daily wage, calculated on the basis of the insured's earnings received in the last quarter. The benefit is paid for 1 day.

## Workers' Medical Benefits

Medical services are provided directly to insured patients by government hospitals and health establishments under contract with the National Social Security Fund and the Health Department. Ambulatory services are provided in clinics operated by the fund. Some specialized services are provided by private health establishments under conventions and protocols. Benefits include medical care, hospitalization, surgery, specialist care, laboratory services, kidney dialysis, appliances, spa treatment, and medicines.

Cost sharing is based on the fee schedule set by law. The insured pays 20% of fees for general medical services in primary medical centers (25% if delivered in local hospitals); 30% for specialist services in regional or university hospitals; 20% for X-rays, internal examination, and surgery, up to a limit of 30 dinars; a lump sum equal to 1 day's hospital fees is paid by the insured for hospitalization.

## Dependents' Medical Benefits

Medical services are provided directly to insured patients by government hospitals and health establishments under contract with the National Social Security Fund and the Health Department. Ambulatory services are provided in clinics operated by the fund. Some specialized services are provided by private health establishments under conventions and protocols. Benefits include medical care, hospitalization, surgery, specialist care, laboratory services, kidney dialysis, appliances, spa treatment, and medicines.

Cost sharing is based on the fee schedule set by law. The insured pays 20% of fees for general medical services in primary medical centers (25% if delivered in local hospitals); 30% for specialist services in regional or university hospitals; 20% for X-rays, internal examination, and surgery, up to a limit of 30 dinars; a lump sum equal to 1 day's hospital fees is paid by the insured for hospitalization.

### **Administrative Organization**

Ministry of Social Affairs, Solidarity, and Tunisians Abroad provides general supervision.

National Sickness Insurance Fund administers the program through regional offices.

### **Work Injury**

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#### **Regulatory Framework**

**First law:** 1921.

**Current law:** 1994, with 1995 amendment.

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

#### **Coverage**

All salaried employees, including occasional, temporary, or domestic workers; members of cooperatives; fisherman; apprentices; students; and convicted persons working in prison workshops.

Voluntary coverage for self-employed persons, artists, and intellectuals.

#### **Source of Funds**

**Insured person:** None.

**Self-employed person:** Voluntary contributions only.

**Employer:** From 0.4% to 4.0% of gross payroll, depending on the assessed degree of risk. (The contribution rate may be reduced, depending on the employer's reported accident rate.)

Contributions are paid quarterly.

**Government:** None; contributes as an employer.

#### **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**

The benefit is equal to 2/3 of the highest average daily wage received by the insured in one quarter among the last four quarters before the one in which the disability began. The benefit is paid after a 3-day waiting period (after 1 day if hospitalized) until full recovery or certification of permanent disability.

The average daily wage for benefit calculation purposes must not be lower than the legal daily minimum wage. The legal daily minimum wage is 7.41 dinars.

#### **Permanent Disability Benefits**

**Permanent disability pension:** The monthly pension is equal to the insured's annual earnings multiplied by 0.5 times the assessed degree of disability for the portion of disability between 15% and 50% and by 1.5 times the assessed degree of disability for the portion greater than 50%.

The annual earnings for benefit calculation purposes are equal to four times the highest quarterly salary received by the insured in one quarter among the last four quarters before the one in which the disability began. The annual earnings for benefit calculation purposes must not exceed six times the legal annual minimum wage. The legal annual minimum wage is 2,668.80 dinars.

The minimum pension is equal to the legal monthly minimum wage. The legal monthly minimum wage is 222.40 dinars, based on a working month of 200 hours.

**Constant-attendance supplement:** Equal to 25% of the annual earnings used for benefit calculation purposes.

The permanent disability pension can be paid as a lump sum after a 5-year period if the assessed degree of disability is 35% or less. On receiving the lump sum, entitlement to the pension ceases. The lump sum is calculated according to the schedule in law.

For an assessed disability of between 5% and 15%, a lump sum is paid equal to 150% of the annual earnings used for benefit calculation purposes multiplied by the assessed degree of disability.

If the insured is entitled to the old-age pension or the non-work-related disability pension and the work injury permanent disability pension, all benefits combined must not exceed the value of the annual earnings used for the calculation of the higher of the pensions.

**Benefit adjustment:** Benefits are adjusted by decree according to changes in wages.

#### **Workers' Medical Benefits**

All necessary medical and surgical care, hospitalization, medicines, and appliances are provided, according to the schedule in law.

#### **Survivor Benefits**

**Survivor pension:** 50% of the annual earnings used to calculate the deceased's permanent disability pension is paid to a widow(er) without children; 40% if the surviving spouse has one or more children.

The pension ceases on remarriage.

**Orphan's pension:** 20% of the annual earnings used to calculate the deceased's permanent disability pension is

paid for one orphan, 30% for two, or 40% for three or more orphans; and 50% for one full orphan, 60% for two, 70% for three, or 80% for four or more full orphans.

Orphans must be younger than age 16 (age 21 if a secondary or professional school student, age 25 if a university student, no limit if disabled or for an unmarried daughter without income).

**Other eligible survivors (in the absence of the above):** 20% of the annual earnings used to calculate the deceased's permanent disability pension is paid for each dependent parent, grandparent, and grandchild, up to a maximum of 50% of the annual earnings.

The annual earnings for benefit calculation purposes are equal to four times the highest quarterly salary received by the deceased in one quarter among the last four quarters before the one in which the disability began. The annual earnings for benefit calculation purposes must not exceed six times the legal annual minimum wage. The legal annual minimum wage is 2,668.80 dinars.

All survivor benefits combined must not exceed 80% of the deceased's earnings.

Benefit adjustment: Benefits are adjusted by decree according to changes in wages.

**Funeral grant:** One month's earnings is paid to the deceased's eligible survivors. The maximum grant is equal to the legal monthly minimum wage. The legal monthly minimum wage is 222.40 dinars, based on a working month of 200 hours.

### **Administrative Organization**

Ministry of Social Affairs, Solidarity, and Tunisians Abroad provides general supervision.

National Sickness Insurance Fund administers the program through regional offices.

## **Unemployment**

### **Regulatory Framework**

**First law:** 1982.

**Current law:** 1996 (workers' social protection), implemented in 1997, with 2002 amendment.

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

### **Coverage**

All nonagricultural salaried employees.

Exclusions: Self-employed persons, agricultural workers, and domestic workers.

### **Source of Funds**

**Insured person:** None.

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

**Employer:** None.

**Government:** None.

The cost of all benefits is financed by the National Social Security Fund according to available reserves.

### **Qualifying Conditions**

**Unemployment benefits:** The insured must have paid at least 12 quarters of contributions to the National Social Security Fund and must be involuntarily unemployed, ineligible for an old-age pension or a disability pension, and registered at an employment office.

### **Unemployment Benefits**

The benefit is equal to 1 month's salary, up to the legal monthly minimum wage. The benefit is paid for up to 6 months.

The legal monthly minimum wage is 222.40 dinars, based on a working month of 200 hours.

Unemployed persons can also receive family allowances and supplements and have access to medical benefits for up to a year beginning from the first day after the end of the quarter in which employment ceased.

### **Administrative Organization**

Ministry of Social Affairs, Solidarity, and Tunisians Abroad provides general supervision.

National Social Security Fund (<http://www.cnss.nat.tn>) administers the program through regional offices.

## **Family Allowances**

### **Regulatory Framework**

**First law:** 1944.

**Current laws:** 1960, 1980 (family supplement), and 1994 (nursery school fees).

**Type of program:** Employment-related system.

### **Coverage**

Private-sector employees, including occasional and temporary workers; fishermen; members of agricultural cooperatives; employees of farms employing 30 or more workers; students younger than age 28; and trainees of any age.

Exclusions: Self-employed persons, domestic workers, and employees of farms employing less than 30 workers.

Special system for civil servants and armed forces personnel.

### **Source of Funds**

**Insured person:** 0.89% of gross earnings.

Contributions are paid quarterly.

The insured person's contributions also finance parental leave provided under Sickness and Maternity, above.

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

**Employer:** 2.21% of gross payroll.

Contributions are paid quarterly.

The employer's contributions also finance parental leave provided under Sickness and Maternity, above.

**Government:** None.

### **Qualifying Conditions**

**Family allowances:** The child must be younger than age 16 (age 18 if an apprentice, age 21 if a student or the insured's daughter providing care for her brothers and sisters, no limit if disabled). Allowances are paid for a maximum of three children.

**Family supplements:** Paid to families with a nonworking spouse. The children must be eligible for family allowances.

**Nursery school fees (means-tested):** Paid to working mothers with monthly earnings of less than 2.5 times the

legal minimum wage based on a working week of 48 hours. The child must be between 2 months and 36 months of age and be eligible to receive family allowances.

The legal monthly minimum wage is 218.19 dinars, based on a working week of 48 hours.

### **Family Allowance Benefits**

**Family allowances:** 18% of the insured's earnings is paid for the first child, 16% for the second, and 14% for the third. The allowances are paid quarterly.

The maximum earnings for benefit calculation purposes are 122 dinars a quarter.

**Family supplements:** 9.37 dinars a quarter is paid for the first child, 18.75 dinars a quarter for two children, and 23.47 dinars a quarter for three children.

**Nursery school fees (means-tested):** 15 dinars a month is paid for a maximum of 11 months for each eligible child.

### **Administrative Organization**

Ministry of Social Affairs, Solidarity, and Tunisians Abroad provides general supervision.

National Social Security Fund (<http://www.cnss.nat.tn>) administers the program through regional offices.