

## Benin

Exchange rate: US\$1.00 = 503.30 CFA francs.

### Old Age, Disability, and Survivors

#### Regulatory Framework

**First law:** 1970.

**Current law:** 2003 (social security).

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

#### Coverage

Employed persons; certain managers of companies.

Voluntary coverage for persons previously insured for at least six consecutive months.

Exclusions: Self-employed persons, agricultural workers, cooperative members, informal-sector workers, apprentices, interns, and students at technical schools.

Special system for civil servants.

#### Source of Funds

**Insured person:** 3.6% of gross earnings. Voluntarily insured persons contribute 10% of the last gross salary earned while in compulsory insured employment.

The minimum monthly earnings used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

The insured's portion of contributions may be refunded when a foreign worker permanently leaves the national territory or if the insured continues to work in covered employment from age 60 to 65. After age 65, work in covered employment may continue but contributions are not refunded.

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

**Employer:** 6.4% of gross payroll.

The minimum monthly earnings used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

Employers with 20 or more employees pay contributions monthly; employers with one to 19 employees pay quarterly.

**Government:** None.

#### Qualifying Conditions

**Old-age pension:** Age 60 with at least 180 months of coverage. Employment must cease.

Early pension: Age 55 with at least 180 months of coverage. Employment must cease.

A month of coverage corresponds to any month in which the insured works at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

The old-age pension is suspended if the pensioner begins new covered employment.

The pension is payable abroad only under reciprocal agreement.

**Old-age settlement:** Paid at age 60 if the insured does not meet the qualifying conditions for the old-age pension but has at least 12 months of coverage.

**Disability pension:** The insured must be assessed with at least a 66.7% loss of earning capacity and have at least 60 months of coverage, including at least six months in the 12 months before the disability began (the coverage condition is waived if the disability is the result of an accident).

A month of coverage corresponds to any month in which the insured works at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

Constant-attendance supplement: Paid if the insured requires the constant attendance of others to perform daily functions.

The pension is payable abroad only under reciprocal agreement.

**Survivor pension:** The deceased was a pensioner, met the qualifying conditions for a pension, or had at least 180 months of coverage.

A month of coverage corresponds to any month in which the insured works at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

The widow(er)'s pension ceases on remarriage.

The pension is payable abroad only under reciprocal agreement.

**Survivor settlement:** The deceased did not meet the qualifying conditions for an old-age or disability pension and had less than 180 months of coverage.

Eligible survivors include a widow (disabled or dependent widower) who was married to the deceased at least a year before the insured's death; a widow who is pregnant by or who had a child with the deceased; and a dependent child younger than age 19 (age 22 if an apprentice, a student, or disabled).

#### Old-Age Benefits

**Old-age pension:** 30% of the insured's average monthly earnings in the first 15 years of coverage is paid. The pension is increased by 2% of average monthly earnings for

each 12-month period of coverage exceeding 180 months, up to 80% of the insured's earnings (wage increases above 10% a year during the last 10 years are not counted).

Early pension: The pension is reduced by 5% for each year the pension is awarded before the insured reaches age 60; at age 60, the normal pension is paid.

Average monthly earnings are 1/60 of the earnings used to calculate contributions in the last five years of coverage.

The minimum pension is 60% of the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

The Council of Ministers periodically sets the maximum pension by decree.

**Old-age settlement:** A lump sum of the insured's average monthly earnings in the last 10 years multiplied by the number of 12-month periods of coverage is paid.

Benefit adjustment: Benefits are adjusted according to changes in the cost of living, depending on the financial resources of the system.

### **Permanent Disability Benefits**

**Disability pension:** 30% of the insured's average monthly earnings in the first 15 years of coverage is paid. The pension is increased by 2% of average monthly earnings for each 12-month period of coverage exceeding 180 months, up to 80% of the insured's earnings (wage increases above 10% a year during the last 10 years are not counted). For each year the pension is awarded before the insured reaches age 60, the insured is credited with a six-month coverage period.

Average monthly earnings are 1/60 of the earnings used to calculate contributions in the last five years of coverage.

The minimum pension is 60% of the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

The Council of Ministers periodically sets the maximum pension by decree.

Constant-attendance supplement: 40% of the pension is paid.

The disability pension ceases at age 60 and is replaced by an old-age pension of the same value.

The insured may receive two or more pensions. The total amount received is 100% of the higher pension plus 50% of the other pension(s).

Benefit adjustment: Benefits are adjusted according to changes in the cost of living, depending on the financial resources of the system.

### **Survivor Benefits**

**Survivor pension:** 40% of the pension the deceased received or would have been entitled to receive is paid to

the widow(er). If there is more than one widow, the pension is split equally. A widower may receive a pension for his first deceased spouse only.

Remarriage settlement: A lump sum of six months of pension is paid.

**Orphan's pension:** 20% of the deceased's pension is paid for one orphan; 40% for two or more orphans; 30% for a full orphan who is an only child. The amount paid may be recalculated if the number of eligible orphans changes.

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

An eligible survivor may also receive survivor benefits under the work injury program. The total amount received is 100% of the work injury survivor pension plus the portion of the nonwork injury survivor pension that exceeds this amount.

**Survivor settlement:** Eligible survivors receive one month of the pension the deceased would have been entitled to with at least 180 months of coverage for each six-month period of coverage. The settlement is split equally among the eligible spouse and orphans. If there is no eligible spouse or orphan, the settlement is paid to the deceased's parents.

Benefit adjustment: Benefits are adjusted according to changes in the cost of living, depending on the financial resources of the system.

### **Administrative Organization**

Ministry of Labor and Public Administration provides general supervision.

National Social Security Fund, managed by a tripartite board and a director, administers the program.

### **Sickness and Maternity**

#### **Regulatory Framework**

**First law:** 1952.

**Current laws:** 1998 (labor code) and 2003 (social security).

**Type of program:** Social insurance system. Maternity benefits only.

#### **Coverage**

Employed women; certain managers of companies.

Exclusions: Self-employed persons, agricultural workers, cooperative members, informal-sector workers, apprentices, interns, and students at technical schools.

Special system for civil servants.

#### **Source of Funds**

**Insured person:** None.

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

**Employer:** 0.2% of gross payroll.

The minimum monthly earnings used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

Employers with 20 or more employees pay contributions monthly; employers with one to 19 employees pay quarterly.

**Government:** None.

### **Qualifying Conditions**

**Cash sickness benefits:** No statutory benefits are provided.

**Cash maternity benefits:** The insured must have at least six months of coverage.

A month of coverage corresponds to any month in which the insured works at least 18 days or 120 hours in covered employment, including periods for which cash maternity or work injury benefits are paid.

Benefits are payable abroad only under reciprocal agreement.

### **Sickness and Maternity Benefits**

**Sickness benefit:** No statutory benefits are provided. (The 1998 labor code requires employers to provide paid sick leave.)

**Maternity benefit:** The benefit is 100% of the insured's earnings at the time the maternity leave starts (the employer pays half). The benefit is paid for six weeks before and eight weeks after the expected date of childbirth; may be extended up to four weeks if there are complications arising from childbirth.

### **Workers' Medical Benefits**

No statutory benefits are provided. (The 1998 labor code requires employers to pay 60% of the cost of health and medical services for employees.)

### **Dependents' Medical Benefits**

No statutory benefits are provided. (The 1998 labor code requires employers to pay 60% of the cost of health and medical services for employees' dependents. Eligible dependents are the spouse and dependent children.)

Some maternity, child health, and welfare services are provided under Family Allowances.

### **Administrative Organization**

Ministry of Labor and Public Administration provides general supervision.

National Social Security Fund, managed by a tripartite board and a director, administers the program.

## **Work Injury**

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### **Regulatory Framework**

**First law:** 1959.

**Current law:** 2003 (social security).

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

### **Coverage**

Employed persons, managers of companies (under certain conditions), apprentices, interns, students at technical schools, cooperative members, nonsalaried managers of cooperatives and their assistants, local authority employees, and some civil servants.

Exclusions: Self-employed persons, agricultural workers, and informal-sector workers.

### **Source of Funds**

**Insured person:** None.

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

**Employer:** 1% to 4% of gross payroll, according to the assessed risk.

The minimum monthly earnings used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

Employers with 20 or more employees pay contributions monthly; employers with one to 19 employees pay 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**

66.7% of the insured's average daily earnings in the month before the disability began is paid from the day after the disability began, up to 12 months; thereafter, the benefit paid is based on the insured's yearly earnings in the year before the disability began, up to 10 times the legal minimum wage multiplied by 1.4, according to the assessed degree of disability. The benefit is paid until full recovery or certification of permanent disability.

The minimum monthly earnings used to calculate benefits are the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

An approved doctor assesses the disability.

### **Permanent Disability Benefits**

If the insured has a total disability, the pension is 100% of the insured's annual earnings in the year before the disability began, up to three times the legal minimum wage, plus 50% of the portion of earnings between this limit and 10 times the legal minimum wage.

Partial disability: For an assessed degree of disability of at least 20%, the pension is the insured's annual earnings in the year before the disability began multiplied by 0.5 times the assessed degree of disability for the portion of disability between 1% and 50% and by 1.5 times the assessed degree of disability for the portion greater than 50%.

The minimum monthly earnings used to calculate the pension are the legal monthly minimum wage multiplied by 1.4.

The legal monthly minimum wage is 31,625 CFA francs.

Constant-attendance supplement: If the insured requires the constant attendance of others to perform daily functions, 40% of earnings are paid.

Pensions are paid monthly if the assessed degree of disability is 75% or more; otherwise, pensions are paid monthly or quarterly.

An approved doctor assesses the disability.

The insured may receive two or more pensions. The total amount received is 100% of the higher pension plus 50% of the other pension(s).

**Disability allowance:** For an assessed degree of disability of less than 20%, a lump sum of five years of pension is paid, according to the assessed degree of disability.

An approved doctor assesses the disability.

Benefit adjustment: Benefits are adjusted according to changes in the cost of living, depending on the financial resources of the system.

### **Workers' Medical Benefits**

Benefits include medical and surgical care, hospitalization, medicine, appliances, prostheses, rehabilitation, and transportation.

### **Survivor Benefits**

**Survivor pension:** 30% of the deceased's earnings used to calculate the permanent disability pension is paid to a spouse who married the deceased before the disability began; up to 20% to a divorced spouse who received alimony. If there is more than one widow, the pension is split equally.

The pension ceases on remarriage and a lump sum is paid.

Remarriage settlement: A lump sum of six months of pension is paid.

**Orphan's pension:** 15% of the deceased's earnings used to calculate the permanent disability pension is paid to each of the first two orphans and 10% to each additional orphan.

Eligible orphans are dependent children younger than age 22. An orphan receiving the pension may not receive family allowances.

**Dependent parent's and grandparent's pension:** 10% of the deceased's earnings used to calculate the permanent disability pension is paid to each dependent parent and grandparent.

All survivor benefits combined must not exceed 85% of the permanent disability pension the deceased received or would have been entitled to receive.

An eligible survivor may also receive survivor benefits under the old-age, disability, and survivors program. The total amount received is 100% of the work injury survivor pension plus the portion of the nonwork injury survivor pension that exceeds this amount.

**Funeral grant:** Funeral costs are reimbursed up to five times the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

Benefit adjustment: Benefits are adjusted for changes in the cost of living, depending on the financial resources of the system.

### **Administrative Organization**

Ministry of Labor and Public Administration provides general supervision.

National Social Security Fund, managed by a tripartite board and a director, administers the program.

### **Family Allowances**

#### **Regulatory Framework**

**First law:** 1955.

**Current law:** 2003 (social security).

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

#### **Coverage**

Employed persons, certain company managers, local authority employees, and some civil servants.

Exclusions: Self-employed persons, agricultural workers, cooperative members, informal-sector workers, apprentices, interns, and students at technical schools.

Special system for civil servants.

#### **Source of Funds**

**Insured person:** None.

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

## Benin

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**Employer:** 8.8% of gross payroll.

The minimum monthly earnings used to calculate contributions are the legal monthly minimum wage.

The legal monthly minimum wage is 31,625 CFA francs.

Employers with 20 or more employees pay contributions monthly; employers with one to 19 employees pay quarterly.

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

### **Qualifying Conditions**

**Family allowances:** The child must be younger than age 22. The parent must have worked at least 18 days or 120 hours during the month, including periods for which cash maternity or work injury benefits are paid.

The child must not receive an orphan's pension.

If one of the parents receives family allowances from the special system for civil servants, only the higher benefit is paid.

**Prenatal allowance:** The pregnant woman (insured or wife of the insured) must undergo prescribed medical examinations.

Benefits are payable abroad only under reciprocal agreement.

### **Family Allowance Benefits**

**Family allowances:** 2,000 CFA francs a month is paid for each child from the first day of the month of birth.

**Prenatal allowance:** 500 CFA francs a month is paid for nine months.

Some maternity, child health, and welfare services are also provided.

**Benefit adjustment:** Benefits are adjusted according to changes in the cost of living, depending on the financial resources of the system.

### **Administrative Organization**

Ministry of Labor and Public Administration provides general supervision.

National Social Security Fund, managed by a tripartite board and a director, administers the program.