

Kenya

Exchange rate: US\$1.00 = 86.10 shillings.

Old Age, Disability, and Survivors

Regulatory Framework

First and current law: 1965 (social security fund).

Type of program: Provident fund system.

Coverage

Employed persons, self-employed persons, and certain workers in the informal sector, including farmers.

Voluntary coverage is available.

Exclusions: Certain casual workers.

Special system for public-sector employees.

Source of Funds

Insured person: 5% of monthly earnings. The voluntarily insured pay at least 100 shillings a month.

The maximum earnings used to calculate mandatory contributions are 4,000 shillings.

There are no maximum earnings used to calculate voluntary contributions.

Self-employed person: 5% of monthly earnings.

Employer: 5% of monthly payroll.

Government: None.

Qualifying Conditions

Old-age benefit: Age 60 and retired from insured employment.

Drawdown payment: The benefit is paid if the fund member has contributed for at least three years and leaves insured employment or emigrates permanently.

Disability benefit: The fund member must be assessed with a total incapacity for performing any work.

The insured's doctor, a National Social Security Fund doctor, and the Director of Medical Services in the Ministry of Health assess the disability.

Survivor benefit: Paid if the fund member dies before retirement.

Eligible survivors include the spouse and orphans; if there is no surviving spouse or child, the benefit is paid to other dependent relatives.

Funeral grant: The fund member must have contributed for at least three months. The grant is paid to a dependent named by the deceased.

Old-Age Benefits

Old-age benefit: A lump sum of the total employee and employer contributions plus interest is paid.

Drawdown payment: The maximum lump sum is the total employee and 50% of the employer contributions plus interest.

Permanent Disability Benefits

Disability benefit: A lump sum of the total employee and employer contributions plus interest is paid.

Survivor Benefits

Survivor benefit: A lump sum of the total employee and employer contributions plus interest is paid.

Funeral grant: 2,500 shillings is paid.

Administrative Organization

Ministry of Labour (<http://www.labour.go.ke>) provides general supervision through a board of trustees.

National Social Security Fund (<http://www.nssf.or.ke>) administers the program.

Sickness and Maternity

Regulatory Framework

First law: 1966 (hospital insurance).

Current law: 1998 (hospital insurance).

Type of program: Social insurance system. Medical benefits only.

Coverage

Employed and self-employed persons earning at least 1,000 shillings a month, including public-sector employees.

Voluntary coverage for persons earning less than 1,000 shillings a month.

Special system for civil servants.

Source of Funds

Insured person: From 30 shillings to 320 shillings a month. The voluntarily insured pay a flat rate of 160 shillings a month.

Self-employed person: From 30 shillings to 320 shillings a month. The voluntarily insured pay a flat rate of 160 shillings a month.

Employer: None.

Government: None.

Qualifying Conditions

Maternity benefits: Must give at least seven days written notice of intention to take maternity leave on a specific date and to return to work thereafter.

Cash sickness benefits: Must have had at least two consecutive months of service with an employer. The employee must provide an appropriate medical certificate

Issued by a registered medical practitioner.

Medical benefits: There is no qualifying period; the voluntarily insured must have at least 60 days of coverage for medical benefits and at least six months of coverage for maternity care.

Sickness and Maternity Benefits

Maternity benefits: The Employment Act (2007) entitles employees to three months of maternity leave with full pay. Male employees are entitled to two weeks of paternity leave with full pay.

Cash sickness benefits: Seven days full pay; thereafter seven days with half pay, for each twelve consecutive months of service.

Accredited government and certain private and faith-based hospitals provide comprehensive maternity care to members of the National Hospital Insurance Fund (NHIF) and their dependents.

Workers' Medical Benefits

No cost for care provided in government hospitals for certain illnesses, including tuberculosis, sexually transmitted diseases, and AIDS.

The maximum duration of benefits is 180 days a year; may be extended for exceptional hardship.

No cost for inpatient treatment in government hospitals for employed persons who contribute to the NHIF.

Cost sharing: Inpatient hospital and medical treatment for insured persons and their dependents is reimbursed up to 432,000 shillings a year, according to a schedule in law. The amount varies according to three categories of hospitals accredited by the NHIF. Government hospitals provide free comprehensive inpatient care. Certain private and faith-based hospitals may charge a co-payment of up to 15,000 shillings for treatment requiring surgery. All other private hospitals may charge unlimited co-payments.

Medical services provided abroad are reimbursed at 1,750 shillings a day.

Dependents' Medical Benefits

Medical benefits for dependents are the same as for the insured.

Administrative Organization

Ministry of Health (<http://www.health.go.ke>) provides general supervision through a board of directors.

National Hospital Insurance Fund (<http://www.nhif.or.ke/healthinsurance>) administers the program.

Work Injury

Regulatory Framework

First law: 1946.

Current laws: 1974 (workmen's compensation), 2007 (work injury), and 2007 (employment).

Type of program: Employer-liability system, normally involving insurance with a private carrier.

Coverage

Public- and private-sector employees.

Exclusions: Professional employees earning more than 4,000 shillings a month, self-employed persons, casual workers, and family labor.

Source of Funds

Insured person: None.

Self-employed person: Not applicable.

Employer: The total cost is financed through the direct provision of benefits or insurance premiums.

Government: None; the cost of benefits for government employees.

Qualifying Conditions

Work injury benefits: There is no minimum qualifying period.

Temporary Disability Benefits

50% of the insured's earnings, up to 540 shillings, is paid after a three-day waiting period; if the incapacity lasts for more than three days, the benefit is paid retroactively.

The maximum total temporary disability benefit is 240,000 shillings.

The insured's doctor, a National Social Security Fund doctor, and the Director of Medical Services in the Ministry of Health assess the disability.

Benefit adjustment: Benefits are adjusted periodically by the Minister of Labor.

Permanent Disability Benefits

Permanent disability benefit: A lump sum of 60 months of the insured's earnings is paid for a permanent partial disability, up to 240,000 shillings.

The insured's doctor, a National Social Security Fund doctor, and the Director of Medical Services in the Ministry of Health assess the disability.

Benefit adjustment: Benefits are adjusted periodically by the Minister of Labor.

Survivor Benefits

Survivor benefit: A lump sum of 60 months of the deceased's earnings is paid to survivors who were fully dependent on the deceased; if there are no fully dependent survivors, a reduced benefit is paid to survivors who were partially dependent.

The minimum benefit is 35,000 shillings.

The maximum benefit is 240,000 shillings.

Funeral grant: A lump sum of the cost of the funeral is paid to dependents; the employer pays 2,000 shillings if there are no dependents.

Benefit adjustment: Benefits are adjusted periodically by the Minister of Labor.

Administrative Organization

Ministry of Labour and Human Resource Development (<http://www.labour.go.ke>) enforces the law, approves settlements, and pays benefits.

Employers insure against liability with private insurance companies.