

## Benin

Exchange rate: US\$1.00 = 568.65 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 covered by the labor code, including private-sector and certain public-sector employees.

Voluntary coverage for persons with at least six consecutive months of previous coverage.

Exclusions: Self-employed persons, agricultural workers, cooperative members, apprentices, interns, and students in technical schools. (Mutual funds provide voluntary coverage for old-age benefits to self-employed persons, agricultural workers, cooperative members, and informal-sector workers.)

Special system for civil servants.

#### Source of Funds

**Insured person:** 3.6% of gross monthly covered earnings; 10% of the last gross salary earned while in mandatorily covered employment for the voluntarily insured.

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

The legal monthly minimum wage is 40,000 CFA francs.

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

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

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

The legal monthly minimum wage is 40,000 CFA francs.

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

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

#### Qualifying Conditions

**Old-age pension (Pension de vieillesse):** Age 60 with at least 180 months of coverage.

Early pension (Pension anticipée): Age 55 with at least 180 months of coverage.

A month of coverage is any month in which the insured works at least 18 days or 120 hours in covered employment, and includes periods for which cash maternity or work injury benefits are received.

Employment must cease.

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

The old-age pension is payable abroad under reciprocal agreement.

**Old-age settlement (Allocation de vieillesse):** Age 60 with at least 12 months but less than 180 months of coverage.

A month of coverage is any month in which the insured works at least 18 days or 120 hours in covered employment, and includes periods for which cash maternity or work injury benefits are received.

**Disability pension (Pension d'invalidité):** Must have at least a 66.7% assessed loss of earning capacity and at least 60 months of coverage, including at least six months in the 12 months before the disability began (the coverage requirement is waived if the disability is the result of an accident).

A month of coverage is any month in which the insured works at least 18 days or 120 hours in covered employment, and includes periods for which cash maternity or work injury benefits are received.

Constant-attendance allowance (Assistance d'une tierce personne): Paid if the insured requires the constant attendance of others to perform daily functions.

The disability pension ceases at the normal retirement age and is replaced by an old-age pension of the same amount.

The disability pension is payable abroad under reciprocal agreement.

**Survivor pension (Pension de survivant):** The deceased received or was entitled to receive an old-age or disability pension, or had at least 180 months of coverage.

A month of coverage is any month in which the insured works at least 18 days or 120 hours in covered employment, and includes periods for which cash maternity or work injury benefits are received.

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

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

Remarriage settlement: Paid to the widow(er) upon remarriage.

The survivor pension is payable abroad under reciprocal agreement.

**Survivor settlement (Allocation de survivant):** The deceased was not entitled to receive an old-age or disability pension and had less than 180 months of coverage.

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

### Old-Age Benefits

**Old-age pension (Pension de vieillesse):** The pension is 30% of the insured's average monthly earnings in the first 15 years of coverage plus 2% of average monthly earnings for every 12 months of coverage exceeding 180 months.

Average monthly earnings are 1.66% of the total earnings used to calculate contributions in the last five years of coverage.

The employee's contributions may be refunded to foreign workers who permanently leave the country and workers who continue working from age 60 to 65 (only for contributions made while aged 60 to 65).

**Early pension (Pension anticipée):** The pension is reduced by 5% for each year it is claimed before the normal retirement age; starting at the normal retirement age, the full pension is paid.

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

The legal monthly minimum wage is 40,000 CFA francs.

The maximum monthly old-age pension is 80% of the insured's average monthly earnings in the first 15 years of coverage, up to a maximum set by the Council of Ministers.

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

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

### Permanent Disability Benefits

**Disability pension (Pension d'invalidité):** The pension is 30% of the insured's average monthly earnings in the first 15 years of coverage plus 2% of average monthly earnings for every 12 months of coverage exceeding 180 months. The insured is credited with six months of coverage for each year from the age the claim is made to the normal retirement age.

Average monthly earnings are 1.66% of the total earnings used to calculate contributions in the last five years of coverage.

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

The legal monthly minimum wage is 40,000 CFA francs.

The maximum monthly disability pension is 80% of the insured's average monthly earnings in the first 15 years of coverage, up to a maximum set by the Council of Ministers.

**Constant-attendance allowance (Assistance d'une tierce personne):** 40% of the disability pension is paid.

The maximum constant-attendance allowance is three times the legal monthly minimum wage.

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

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

### Survivor Benefits

#### Survivor pension (Pension de survivant)

**Spouse's pension:** 40% of the old-age or disability pension the deceased received or was entitled to receive is paid to the widow(er). If there is more than one widow(er), 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 the spouse's pension is paid.

**Orphan's pension:** 20% of the old-age or disability pension the deceased received or was entitled to receive is paid for one eligible 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.

The maximum combined survivor pension is 80% of the old-age or disability pension the deceased received or was entitled to receive.

An eligible survivor may also receive survivor benefits under the work injury program at the same time. 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.

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

**Survivor settlement (Allocation de survivant):** A lump sum of one month of the old-age or disability pension the deceased would have received with 180 months of coverage is paid for every six months of coverage. If there is more than one eligible survivor, the settlement is split equally. If there is no eligible widow(er) or orphan, the settlement is paid to the deceased's parents.

## Administrative Organization

Ministry of Labor and Public Administration (<http://www.travail.gouv.bj/>) provides general supervision.

National Social Security Fund (<http://www.cnssbenin.org/>), managed by a tripartite board and a director, administers the programs, and collects contributions.

## Sickness and Maternity

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### Regulatory Framework

**First law:** 1952.

**Current laws:** 1998 (labor code), 2003 (social security), and 2015 (universal health coverage).

**Type of program:** Social insurance (cash maternity benefit) and employer-liability (cash sickness and medical benefits) system.

Note: An act creating a social insurance health system providing a minimum package of health services was passed in 2015 but has not yet been implemented.

### Coverage

**Social insurance:** Employed persons covered by the labor code, including private-sector and certain public-sector employees.

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

Special system for civil servants.

**Employer liability:** Employed persons, including private-sector and certain public-sector employees, and apprentices.

Exclusions: Self-employed persons and civil servants.

Special system for seamen.

### Source of Funds

#### Insured person

*Social insurance:* None.

*Employer liability:* None.

#### Self-employed person

*Social insurance:* Not applicable.

*Employer liability:* Not applicable.

#### Employer

*Social insurance:* 0.2% of gross monthly covered payroll.

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

The legal monthly minimum wage is 40,000 CFA francs.

Employers with at least 20 employees pay contributions monthly; employers with one to 19 employees pay quarterly.

*Employer liability:* The total cost.

#### Government

*Social insurance:* None; contributes as an employer.

*Employer liability:* None; contributes as an employer.

### Qualifying Conditions

**Cash sickness benefit (Congé de maladie, employer liability):** Must have at least five years of continuous employment.

**Cash maternity benefit (Congé de maternité, social insurance):** Must have at least six months of coverage.

A month of coverage is any month in which the insured works at least 18 days or 120 hours in covered employment, and includes periods for which cash maternity or work injury benefits are received.

The cash maternity benefit is payable abroad under reciprocal agreement.

**Prenatal allowance (social insurance):** See Family Allowances.

**Medical benefit (employer liability):** There is no minimum qualifying period.

Eligible dependents include the spouse and dependent children.

### Sickness and Maternity Benefits

**Sickness benefit (Congé de maladie, employer liability):** 100% of the employee's last earnings is paid for up to six months.

**Maternity benefit (Congé de maternité, social insurance):** 100% of the insured mother's last earnings is paid for six weeks before and eight weeks after the expected date of childbirth (the employer pays 50% of the cost); may be extended for up to four weeks if there are complications arising from childbirth.

**Prenatal allowance (social insurance):** See Family Allowances.

### Workers' Medical Benefits

**Medical benefits (employer liability):** 60% of the cost of health and medical services for employees is paid.

### Dependents' Medical Benefits

**Medical benefits (employer liability):** Benefits for dependents are the same as those for the worker.

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

## Administrative Organization

Ministry of Labor and Public Administration (<http://www.travail.gouv.bj/>) provides general supervision.

National Social Security Fund (<http://www.cnssbenin.org/>), managed by a tripartite board and a director, administers the cash maternity benefit and collects contributions.

## Work Injury

### Regulatory Framework

**First law:** 1959.

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

**Type of program:** Social insurance and employer-liability system.

### Coverage

**Social insurance:** Employed persons covered by the labor code, including private-sector and certain public-sector employees; apprentices; interns; students in technical schools; and cooperative members.

Exclusions: Self-employed persons and agricultural workers. (Mutual funds provide voluntary coverage for work-injury benefits to self-employed persons and agricultural workers.)

**Employer liability:** Employed persons, including private-sector and certain public-sector employees, and apprentices.

Exclusions: Self-employed persons and civil servants.

Special system for seamen.

### Source of Funds

#### Insured person

**Social insurance:** None.

**Employer liability:** None.

#### Self-employed person

**Social insurance:** Not applicable.

**Employer liability:** Not applicable.

#### Employer

**Social insurance:** 1% to 4% of gross monthly covered payroll, depending on the assessed risk.

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

The legal monthly minimum wage is 40,000 CFA francs.

Employers with at least 20 employees pay contributions monthly; employers with one to 19 employees pay quarterly.

**Employer liability:** The total cost.

### Government

**Social insurance:** None; contributes as an employer for certain public-sector employees.

**Employer liability:** None; contributes as an employer for certain public-sector employees.

### Qualifying Conditions

Must be assessed with a work injury or occupational disease. There is no minimum qualifying period. Accidents that occur while commuting to and from work are covered.

### Temporary Disability Benefits

**Temporary disability benefit (Indemnité journalière, social insurance):** 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, for up to 12 months; thereafter, the benefit is based on the insured's annual earnings in the year before the disability began, up to 10 times the legal monthly minimum wage multiplied by 1.4, and 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 40,000 CFA francs.

An approved doctor assesses the degree of disability.

**Temporary disability benefit (Congé de maladie, employer liability):** 33.3% of the employee's average daily earnings in the month before the disability began is paid from the day after the disability began for up to 12 months; thereafter, the benefit is based on the employee's annual earnings in the year before the disability began, up to 10 times the legal monthly minimum wage multiplied by 1.4, and 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 40,000 CFA francs.

An approved doctor assesses the degree of disability.

### Permanent Disability Benefits

**Permanent disability pension (Rente d'incapacité permanente, social insurance):** For an assessed degree of disability of at least 20%, the disability pension is the insured's annual covered earnings in the year before the disability began multiplied by 0.5% for each assessed degree of disability from 1% to 50% and by 1.5% for each assessed degree of disability exceeding 50%.

The minimum monthly earnings used to calculate benefits are the legal monthly minimum wage multiplied by 1.4. If the insured's earnings are between 1.4 and three times the legal monthly minimum wage, the total annual earnings are used to calculate benefits. If the insured's earnings are greater than three times the legal monthly minimum wage, the annual earnings used to calculate the pension are three times the legal monthly minimum wage plus 50% of the difference between the insured's earnings and three times the legal monthly minimum wage. The maximum monthly earnings used to calculate benefits are the legal monthly minimum wage multiplied by 6.5.

The legal monthly minimum wage is 40,000 CFA francs.

Constant-attendance allowance (*Assistance d'une tierce personne*): 40% of the permanent disability pension is paid if the insured requires the constant attendance of others to perform daily functions.

An approved doctor assesses the degree of disability.

Schedule of payments: The permanent disability pension is paid monthly if the assessed degree of disability is at least 75%; otherwise, the pension is paid monthly or quarterly.

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

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

**Disability allowance (*Allocation d'incapacité à versement unique, social insurance*):** For an assessed degree of disability of less than 20%, a lump sum of five years of the permanent disability pension is paid.

An approved doctor assesses the degree of disability.

Benefit adjustment: Benefits are adjusted based on 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 (*Rente de survivant, social insurance*)**

*Spouse's pension (*Rente de conjoint survivant*):* 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(er), the pension is split equally.

The spouse's pension ceases upon remarriage.

Remarriage settlement: A lump sum of six months of the spouse's pension is paid to the widow(er) upon remarriage.

*Orphan's pension (*Rente d'orphelin*):* 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 include dependent children younger than age 22.

An orphan's pension may not be combined with family allowances.

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

The maximum combined survivor pension is 85% of the permanent disability pension the deceased received or was 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 (*Frais funéraires, social insurance*):** The costs of the funeral, up to five times the legal monthly minimum wage, is paid.

The legal monthly minimum wage is 40,000 CFA francs.

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

### **Administrative Organization**

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### **Unemployment**

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#### **Regulatory Framework**

A 2005 collective agreement requires private-sector and quasipublic-sector employers to provide severance pay to dismissed employees with at least one year of service who did not commit any serious misconduct. The payment amount is a percentage of the employee's monthly salary for each year of service based on the length of service: In the case of individual dismissal, 30% a year is paid for one to five years of service, 35% a year for six to 10 years, or 50% a year for more than 10 years of service; in the case of collective dismissal, 35% a year is paid for one to five years of service, 40% a year for six to 10 years, or 45% a year for more than 10 years of service.

## Family Allowances

### Regulatory Framework

**First law:** 1955 (family allowances).

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

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

### Coverage

Employed persons covered by the labor code, including private-sector and certain public-sector employees.

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

Special system for civil servants.

### Source of Funds

**Insured person:** None.

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

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

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

The legal monthly minimum wage is 40,000 CFA francs.

Employers with at least 20 employees pay contributions monthly; employers with one to 19 employees pay quarterly.

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

### Qualifying Conditions

**Family allowance (Allocation familiale):** Paid for children younger than age 22 who do not receive an orphan's pension. The parent must have worked at least 18 days or 120 hours in the last month. Periods for which cash maternity or work injury benefits are received count toward the work requirement.

The family allowance is payable abroad under reciprocal agreement.

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

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

The prenatal allowance is payable abroad under reciprocal agreement.

### Family Allowance Benefits

**Family allowance (Allocation familiale):**

2,500 CFA francs a month is paid for each eligible child from the first day of the month of birth, for up to six children.

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

**Prenatal allowance (Allocation prénatale):**

500 CFA francs a month is paid for nine months for each pregnancy.

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

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

### Administrative Organization

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