

## Congo (Brazzaville)

Exchange rate: US\$1.00 = 538.82 CFA francs.

### Old Age, Disability, and Survivors

#### Regulatory Framework

**First law:** 1962.

**Current laws:** 2011 (social security) and 2012 (pensions and occupational risks).

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

#### Coverage

Public-, semi-public and private-sector employees, including apprentices, members of cooperatives and temporary employees.

Voluntary coverage is available for self-employed persons.

#### Source of Funds

**Insured person:** 4% of covered earnings.

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

The legal monthly minimum wage is 50,400 CFA francs.

The maximum monthly earnings used to calculate contributions are 1,200,000 CFA francs.

**Self-employed person:** 12% of income.

**Employer:** 8% of covered payroll.

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

The legal monthly minimum wage is 50,400 CFA francs.

The maximum monthly earnings used to calculate contributions are 1,200,000 CFA francs.

**Government:** Provides an annual subsidy if needed.

#### Qualifying Conditions

**Old-age pension:** Age 57 with at least 264 months of contributions for blue-collar workers; age 60 with at least 300 months of contributions for white-collar workers; and age 65 with at least 360 months of contributions for senior executives.

The insured can make one payment at the normal retirement age to cover certain contribution gaps.

Employment must cease.

Early pension: Age 52 with at least 264 months of contributions for blue-collar workers; age 55 with at least 300 months of contributions for white-collar workers;

age 60 with at least 360 months of contributions for senior executives.

Partial pension: Paid if the insured is retired from paid employment and does not meet the contribution requirements for the old-age pension but has at least 60 months of contributions.

The pension is payable abroad only under reciprocal agreement.

**Old-age settlement:** Paid at the pensionable age with more than 12 months and less than 60 months of contributions.

**Disability pension:** Must be younger than the pensionable age, be assessed with a permanent loss of work capacity and have an earning capacity of less than 66.7% of the full-time salary for a worker in a similar position; must be registered with the National Social Security Fund when the disability began, and have at least six months of contributions in the year before the disability began.

**Survivor pension:** The deceased received or was entitled to receive an old-age or disability pension at the time of death but had at least 60 months of contributions.

Eligible survivors include a widow(er) who was married to the deceased for at least one year, and all dependent children younger than age 16 (age 17 if an apprentice, age 20 if a student or disabled).

**Survivor settlement:** The deceased was insured for 12 months and was not entitled to receive an old-age or disability pension at the time of death.

Eligible survivors include a widow(er) who was married to the deceased for at least one year, and all dependent children younger than age 16 (age 17 if an apprentice, age 20 if a student or disabled).

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

#### Old-Age Benefits

**Old-age pension:** 44% of the insured's average monthly earnings in the best 36 months of the last 10 years is paid for blue-collar workers; 50% for white-collar workers; and 60% for senior executives.

An additional 2% of the insured's average monthly earnings is paid for each 12-month period of contributions exceeding the minimum contribution period required for a pension; 1% with at least six months but less than 12 months of additional contributions.

The maximum old-age pension is 80% of the insured's average monthly earnings.

Partial pension: 2% of the insured's average monthly earnings in the best 36 months of the last 10 years is paid for each 12-month period of contributions.

Benefits are paid quarterly.

Benefit adjustment: Benefits are adjusted according to changes in the cost of living.

**Old-age settlement:** A lump sum of one month of the insured's average monthly earnings in the best three or five years of the last 10 years for each 12-month period of contributions is paid.

### Permanent Disability Benefits

**Disability pension:** The disability pension is calculated in the same way as the old-age pension. The insured is credited with a six-month contribution period for each year from the date the disability began up to the normal pensionable age, up to 80% of the insured's average monthly earnings.

When the insured reaches the normal retirement age, the disability pension is replaced by an old-age pension.

Benefits are paid quarterly.

Benefit adjustment: Benefits are adjusted according to changes in the cost of living.

### Survivor Benefits

**Spouse's pension:** 15% 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, the benefit is split equally.

**Orphan's pension:** 35% of the old-age or disability pension the deceased received or was entitled to receive is paid to an orphan. If there is more than one orphan, the benefit is split equally.

All survivor benefits combined must not exceed 50% of the old-age or disability pension the deceased received or was entitled to receive.

Benefits are paid quarterly.

Benefit adjustment: Benefits are adjusted according to changes in the cost of living.

**Survivor settlement:** A lump sum is paid based on the years of contribution, average insured earnings and socio-professional category (blue-collar workers, white-collar workers, or senior executives). Spouse's settlement is 30% of the lump sum. Orphan's settlement is 70%.

### Administrative Organization

Ministry of Labor, Employment, and Social Security provides supervision.

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

### Sickness and Maternity

#### Regulatory Framework

**First law:** 1956.

**Current laws:** 1975 (labor code) and 2011 (social security).

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

**Note:** Recently two laws were passed that have not been implemented because government regulations have not been finalized. The 2012 law introduces non-contributory allowances for both maternity benefits and family allowances. The 2014 law establishes universal health insurance.

#### Coverage

Private-sector employees and civil service contractors.

Exclusions: Self-employed persons.

Voluntary coverage is not available.

#### Source of Funds

##### Insured person

*Cash sickness and maternity benefits (employer liability):* None.

*Cash maternity benefits (social insurance):* See Family Allowances.

##### Self-employed person

*Cash sickness and maternity benefits (employer liability):* Not applicable.

*Cash maternity benefits (social insurance):* Not applicable.

##### Employer

*Cash sickness and maternity benefits (employer liability):* The total cost.

*Cash maternity benefits (social insurance):* See Family Allowances.

##### Government

*Cash sickness and maternity benefits (employer liability):* None.

*Cash maternity benefits (social insurance):* None.

#### Qualifying Conditions

**Cash sickness benefits (employer liability):** No minimum qualifying period. The sickness must be assessed by a registered doctor.

**Cash maternity benefits (social insurance and employer liability):** Must have been employed for at least six consecutive months with at least 20 days or 133 hours of work a month. The insured must reside and work in Congo.

#### Sickness and Maternity Benefits

**Cash sickness benefit (employer liability):** 100% of the insured's earnings is paid for up to six months. The maximum time period is determined by collective agreements.

**Cash maternity benefit (social insurance and employer liability):** 100% of the insured's daily covered earnings (50% paid by the employer and 50% by the National Social Security Fund) is paid for 15 consecutive weeks, including at least nine weeks after the date of childbirth; the payment may be extended for three weeks if there are complications arising from pregnancy or childbirth.

Daily covered earnings are based on earnings in the month before the maternity leave begins.

Benefits are paid monthly.

### **Workers' Medical Benefits**

The 1975 labor code requires employers to provide certain medical services.

### **Dependents' Medical Benefits**

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

### **Administrative Organization**

Ministry of Labor, Employment, and Social Security provides supervision.

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

## **Work Injury**

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### **Regulatory Framework**

**First law:** 1962.

**Current laws:** 2011 (social security) and 2012 (pensions and occupational risks).

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

### **Coverage**

Public-, semi-public and private-sector employees, including apprentices, members of cooperatives and temporary employees.

Voluntary coverage is available for self-employed persons.

### **Source of Funds**

**Insured person:** None.

**Self-employed person:** 2.25% of income.

**Employer:** 2.25% of covered payroll.

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

The legal monthly minimum wage is 50,400 CFA francs.

The maximum monthly earnings used to calculate contributions are 600,000 CFA francs.

**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**

100% of the insured's daily covered earnings in the month before the disability began is paid for up to the first 29 days; 66.7% from 30 to 90 days; and 33.3% from 91 days until assessed with a permanent disability or able to return to work.

### **Permanent Disability Benefits**

**Permanent disability benefit:** The benefit is the insured's average earnings in the 30 days before the disability began multiplied by 0.5 for each degree of assessed disability from 1% to 50% plus the insured's average earnings multiplied by 1.5 for each degree of assessed disability greater than 50%.

For an assessed disability of less than 50%, a lump sum is paid, for 50% to 75%, the pension is paid quarterly; for greater than 75%, the pension may be paid monthly at the insured's request.

### **Workers' Medical Benefits**

Medical facilities under contract with, and paid by, the National Social Security Fund provide medical benefits directly to the patients. Medical benefits include general and specialist care, surgery, hospitalization, occupational rehabilitation, medicine, prostheses, and travel expenses.

### **Survivor Benefits**

**Spouse's pension:** 15% of the permanent disability pension the deceased received or was entitled to receive is paid to the widow(er). If there is more than one widow, the benefit is split equally.

**Orphan's pension:** 35% of the permanent disability pension the deceased received or was entitled to receive is split equally among eligible orphans. The pension must at least equal the family allowances.

The sum of all survivor benefits awarded cannot exceed 50% of the permanent disability pension the deceased received or was entitled to receive.

Benefits are paid quarterly.

**Benefit adjustment:** Benefits are adjusted according to changes in the cost of living.

**Funeral grant:** The cost of the funeral is paid, up to a maximum.

### **Administrative Organization**

Ministry of Labor, Employment, and Social Security provides supervision.

National Social Security Fund, managed by a tripartite board and a Director General, administers the program

## Family Allowances

### Regulatory Framework

**First law:** 1956.

**Current law:** 1986 (social security).

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

**Note:** A 2012 law that introduces non-contributory allowances for both maternity benefits and family allowances has not yet been implemented because government regulations have not been finalized.

### Coverage

Private-sector employees and civil service contractors.

Exclusions: Self-employed persons.

Voluntary coverage is not available.

### Source of Funds

**Insured person:** None.

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

**Employer:** 10.03% of covered payroll.

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

The legal monthly minimum wage is 50,400 CFA francs.

The maximum monthly earnings used to calculate contributions are 600,000 CFA francs.

The employer's contributions also finance sickness and maternity benefits.

**Government:** None.

## Qualifying Conditions

**Family allowances:** The child must be younger than age 16 (age 17 if an apprentice, age 20 if a student or disabled). The insured must have at least six consecutive months of employment with at least 20 days or 133 hours of work a month; or be the widow of an insured person or an old-age or disability pensioner.

**Prenatal allowance:** The expectant mother must undergo periodic prenatal medical examinations.

**Birth grant:** Paid for the first three births from the first marriage.

## Family Allowance Benefits

**Family allowances:** 2,000 CFA francs a month is paid for each child.

The benefit is paid quarterly.

**Prenatal allowance:** 2,000 CFA francs a month is paid for each month of pregnancy, up to nine months. The benefit is paid in two parts: 8,000 CFA francs after the second prenatal examination and 10,000 CFA francs after the third.

**Birth grant:** A lump sum of 1,800 CFA francs is paid for each of the first three births.

Mothers and children also receive some health and welfare services.

## Administrative Organization

Ministry of Labor, Employment, and Social Security provides supervision.

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