

## Belgium

Exchange rate: US\$1.00 equals 0.70 euros (€).

### Old Age, Disability, and Survivors

#### Regulatory Framework

**First laws:** 1900 (old-age) and 1944 (disability).

**Current laws:** 1967 (old-age and survivors), 1994, and 2001 (guaranteed income).

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

#### Coverage

Employed persons; special provisions for miners and seamen.

Special systems for self-employed persons and civil servants.

#### Source of Funds

**Insured person:** 7.5% of reference earnings. Pensioners and prepensioners contribute from 0.5% to 2.0% of the pension or prepension. (The prepension is paid under Unemployment to insured persons aged 60 or older with at least 30 years (men) or 26 years (women) of employment.)

Reference earnings are 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

The insured's contributions finance old-age and survivor pensions. Disability pensions and funeral grants are financed under Sickness and Maternity.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

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

**Employer:** 8.86% of reference earnings.

Reference earnings are 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

The employer's contributions finance old-age and survivor pensions. Disability pensions and funeral grants are financed under Sickness and Maternity.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84%

of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Government:** Annual subsidies.

#### Qualifying Conditions

**Old-age pension:** Age 65 with at least 45 years of coverage (men and women).

Partial pension: Paid for an incomplete qualifying period.

Early pension: Age 60 with at least 35 years of coverage (men and women).

Vacation allowance: Paid annually to pensioners.

**Special old-age pension (means-tested):** Paid at age 60 to the divorced husband or wife of a retired person.

Means test: The income and individual pension of the divorced husband or wife is taken into consideration.

Guaranteed income for the elderly (means-tested): Paid to low-income elderly persons aged 65 or older.

Means test: Monthly income must not exceed €1,000 for a single person; €625 if cohabiting (family allowances, alimony, and certain other benefits are not included).

**Disability pension:** Paid for the loss of 66.7% of earning capacity in the usual occupation for at least 12 months. The insured must have been covered during the two quarters before the quarter in which the disability began, have completed 120 days of actual or credited work (or 400 hours for part-time workers), and met the legal requirements for a regular worker during the last 30 days before the disability began.

**Survivor pension:** Paid to a widow(er) aged 45 or older (any age if disabled or caring for a child) who was married to the deceased for at least 1 year; conditions are waived if a child was born during the marriage or if the death was the result of an accident.

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

**Funeral grant:** Paid on the insured's death.

#### Old-Age Benefits

**Old-age pension:** The full pension is 60% of average lifetime earnings (75% for a married couple). Past earnings are adjusted to reflect wage and price changes.

For each year of the insured's career, the minimum adjusted earnings used to calculate benefits are €19,131.53.

For each year of the insured's career, the maximum adjusted earnings used to calculate benefits are €46,895.18.

The minimum annual pension is €12,058.41 for a single person with a full contribution record; €15,068.27 a year for a married couple. For workers with at least 66.7% of a full contribution record under the salaried workers' scheme, a proportionately reduced minimum pension is awarded.

Partial pension: A reduced pension is paid according to the number of years of coverage less than what is required for a full career record.

Early pension: Calculated in the same way as the old-age pension.

Vacation allowance: €568.80 is paid annually in May for a single person; €711.01 for a couple.

**Special old-age pension (means-tested):** The pension is half the former spouse's pension based on 75% of average lifetime earnings minus any pension income earned by the divorced person in his or her own right.

Means test: Income must not exceed €1,000 a month for a single person; €625 a month if cohabiting (family allowances, alimony, and certain other benefits are not included).

**Guaranteed income for the elderly (means-tested):** €892.99 a year is paid for a single person; €595.33 a year if cohabiting.

Means test: Income must not exceed €1,000 a month for a single person; €625 a month if cohabiting (family allowances, alimony, and certain other benefits are not included).

Benefit adjustment: Benefits are adjusted periodically according to changes in the retail price index.

### **Permanent Disability Benefits**

**Disability pension:** The benefit is 65% of reference earnings if the insured has dependents; 40% if the insured cohabits but has no dependents; 55% if the insured lives alone. The pension is paid after 1 year of incapacity.

Reference earnings are the salary the insured would have received on the date the disability began.

The maximum daily earnings used to calculate benefits are €113.98 if the disability began before January 1, 2005; €116.26 if the disability began between January 1, 2005, and December 31, 2006; €117.42 if the disability began between January 1, 2007, and December 31, 2008; €118.36 if the disability began on or after January 1, 2009.

The minimum daily pension for a regular worker is €48.30 if the insured has dependents; €33.14 if the insured cohabits but has no dependents; €38.65 if the insured lives alone. If the insured does not meet the legal requirements for a regular worker, the minimum daily pension is €27.91 with no dependents; €37.22 with dependents.

The maximum daily pension depends on the date the disability began.

### **Survivor Benefits**

**Survivor pension:** The widow(er) receives 80% of the pension the deceased received or would have been entitled to receive.

The minimum annual pension is €11,868.82 if the deceased was insured with a full contribution record. For survivors of insured persons with at least 66.7% of the full contribution

record, a proportionately reduced minimum pension is awarded.

The survivor pension plus the widow(er)'s own pension entitlement must not exceed 110% of the value of his or her own pension entitlement.

A noneligible widow(er) receives a survivor pension for a limited period of 12 months.

Vacation allowance: €568.80 is paid annually in May.

**Funeral grant:** A lump sum of €148.74 is paid.

Benefit adjustment: Benefits are adjusted periodically according to changes in the retail price index (except for the funeral grant).

### **Administrative Organization**

Social Security Federal Public Service (<http://www.socialsecurity.fgov.be>) provides general supervision.

National Social Security Office (<http://www.onss.be>) collects and administers contributions.

National Pensions Office (<http://www.onprvp.fgov.be>) administers old-age and survivor pensions and is responsible for the financial management of the program.

National Sickness and Invalidity Insurance Institute (<http://www.inami.fgov.be>) administers disability benefits.

### **Sickness and Maternity**

#### **Regulatory Framework**

**First law:** 1894 (mutual benefit societies).

**Current law:** 1994 (mandatory health insurance and benefits).

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

#### **Coverage**

Employed persons who are members of a mutual benefit society or an auxiliary sickness and disability insurance fund.

Pensioners and other social security beneficiaries are covered for medical benefits.

Voluntary coverage is possible.

Special systems for self-employed persons and seamen.

#### **Source of Funds**

**Insured person:** 3.55% of reference earnings (medical benefits) and 1.15% of reference earnings (cash benefits and disability pensions). Pensioners contribute 3.55% of the old-age or survivor pension (low-income pensioners are exempt from contributions).

Reference earnings are 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

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If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

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

**Employer:** 3.8% of reference earnings (medical benefits), 2.2% of reference earnings (cash benefits and disability pensions), and 0.15% of reference earnings (maternity benefits).

Reference earnings are 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Government:** Subsidy for the management of the social security system; proceeds from a surcharge on automobile insurance and on hospitalization insurance premiums; a tax on the profit made on certain prescribed medicines; and other taxes.

### Qualifying Conditions

**Sickness and maternity cash benefits:** The insured must have been covered during the two quarters before the quarter in which the sickness or maternity leave period started, have completed 120 days of actual or credited work (400 hours for part-time workers), and met the legal requirements for a regular worker during the last 30 days before the incapacity began.

**Medical benefits:** There is no minimum qualifying period (6 months of contributions are required in certain special cases).

### Sickness and Maternity Benefits

**Cash sickness benefit:** The benefit is 60% of the insured's earnings. After the 31st day of incapacity, the entitlement is 55%; 60% if there are dependents or if the insured is the sole breadwinner. Benefits are normally not paid if the employer provides a guaranteed salary.

The maximum daily earnings used to calculate benefits are €118.36 (January 2009).

**Cash maternity benefit:** During the first 30 days, the maternity benefit for employees is 82% of total earnings; for the unemployed or other eligible persons, 79.5% of earnings (up to a maximum). The benefit for all eligible persons from the 31st day is 75% of daily earnings (up to a maximum).

The benefit is paid for up to 15 weeks (19 weeks in the case of multiple births), including up to 6 weeks (8 weeks in the case of multiple births) before the expected date of childbirth (of which at least 1 week is compulsory) and at least 9 weeks after childbirth.

When earnings are subject to a maximum, the maximum daily earnings used to calculate benefits are €118.36 (January 2009).

### Workers' Medical Benefits

The benefits provided include general and specialist care, surgery, hospitalization, medicine, laboratory services, maternity care, dental care, nursing, rehabilitation, transportation, and appliances.

The insured makes copayments that vary according to the insured's income and status.

There is no limit to duration.

### Dependents' Medical Benefits

The benefits provided include general and specialist care, surgery, hospitalization, medicine, laboratory services, maternity care, dental care, nursing, rehabilitation, transportation, and appliances.

The insured makes copayments that vary according to the insured's income and status.

There is no limit to duration.

### Administrative Organization

Social Security Public Federal Service (<http://www.socialsecurity.fgov.be>) provides general supervision.

National Social Security Office (<http://www.onss.be>) collects contributions.

National Sickness and Invalidity Insurance Institute (<http://www.inami.fgov.be>) coordinates the program together with various management committees for cash and medical benefits.

Local agencies, including about 65 approved mutual benefit societies represented by five national unions and a separate fund for railway employees, pay benefits. District offices of the public auxiliary fund pay benefits for persons not belonging to a mutual society.

### Work Injury

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#### Regulatory Framework

**First laws:** 1903 (work accidents) and 1927 (occupational diseases).

**Current laws:** 1970 (occupational diseases) and 1971 (work accidents).

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

## Coverage

Employed persons, including casual labor.

Exclusions: Self-employed persons.

Special system for public-sector employees.

## Source of Funds

**Insured person:** None.

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

## Employer

**Work injury:** 0.32% of reference earnings plus an insurance premium that varies according to the assessed degree of risk.

**Occupational disease:** 1% of reference earnings plus 0.01% for asbestos-related illnesses.

Reference earnings are 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**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

90% of the insured's reference earnings are paid until recovery or certification of permanent disability.

Daily reference earnings are 1/365 of the full-year earnings for the year before the accident or the cessation of work because of an occupational disease. For a temporary disability benefit for an occupational disease, the disability must last at least 15 days.

The minimum full-year earnings used to calculate benefits are €5,948.76.

The maximum full-year earnings used to calculate benefits are €36,809.73.

Benefit adjustment: Benefits are adjusted periodically according to changes in the retail price index.

## Permanent Disability Benefits

**Permanent disability pension:** If the insured is assessed with a total disability, the pension is 100% of the insured's reference earnings.

Reference earnings are total earnings in the year before the accident or the cessation of work because of an occupational disease.

The minimum full-year earnings used to calculate benefits are €5,948.76.

The maximum full-year earnings used to calculate benefits are €36,809.73.

Constant-attendance supplement: The supplement varies according to the assessed degree of need for assistance, up to 12 times the average monthly guaranteed income for a full-time worker. The supplement ceases on the 91st day of hospitalization.

Partial disability: A percentage of reference earnings is paid according to the assessed degree of permanent disability, except where the assessed degree of disability is less than 10% (the percentage paid is reduced by half for an assessed disability of less than 5% and by a quarter if between 5% and 10%).

The benefit is payable abroad.

Benefit adjustment: Benefits are adjusted periodically according to changes in the retail price index (except benefits paid for an assessed degree of disability of less than 16%).

## Workers' Medical Benefits

Benefits include medical treatment, surgery, dental treatment, hospitalization, medicine, appliances, and transportation. Reimbursements are made according to a schedule in law.

## Survivor Benefits

**Survivor pension:** A widow(er)'s pension is 30% of the deceased's covered earnings.

The pension does not cease on remarriage.

The minimum full-year earnings used to calculate benefits are €5,948.76.

The maximum full-year earnings used to calculate benefits are €36,809.73.

**Orphan's pension:** Each orphan younger than age 18 (aged 18 or older if entitled to family allowances) receives 15% of the deceased's covered earnings (20% for a full orphan).

All orphans' pensions combined must not exceed 45% of the deceased's covered earnings; 60% for full orphans.

**Other eligible survivors (in the absence of orphans):** A pension is paid to parents, grandchildren, and brothers or sisters younger than age 18.

All survivor benefits combined must not exceed 75% of the deceased's covered earnings.

Benefits are payable abroad.

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**Benefit adjustment:** Benefits are adjusted periodically according to changes in the retail price index.

**Funeral grant:** A lump sum of 30 days of earnings is paid; the minimum grant is the sickness benefit. Transportation costs, including administrative costs and the cost of transporting the body to the place of burial (including abroad), are also provided.

### **Administrative Organization**

Social Security Federal Public Service (<http://www.socialsecurity.fgov.be>) provides general supervision.

**Work injury:** Work Injury Fund (<http://www.faofat.fgov.be>), a public social security institution administered jointly by employers and workers, administers the program and controls the benefits paid by private companies.

**Occupational disease:** Occupational Diseases Fund (<http://www.fmp.fgov.be>), a public social security institution administered jointly by employers and employees, is responsible for the compensation of injured workers.

### **Unemployment**

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#### **Regulatory Framework**

**First law:** 1920.

**Current laws:** 1944 (social security) and 1991 (unemployment regulation).

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

#### **Coverage**

Employed persons.

Coverage is also possible for first-time job seekers, stage performers, certain teachers, home workers, workers with disabilities, professional athletes, and students receiving a scholarship.

Exclusions: Self-employed persons.

#### **Source of Funds**

**Insured person:** 0.87% of reference earnings.

Reference earnings are 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

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

**Employer:** 1.46% of reference earnings. In certain cases, an additional 1.6% of reference earnings is paid by employers with more than 10 employees.

Reference earnings are 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Government:** Covers any deficit.

#### **Qualifying Conditions**

**Unemployment benefit:** If younger than age 36, the insured must have at least 312 days of covered employment or deemed employment in the 18 months before the date of the claim for benefits; if aged 36 to 50, 468 days in 27 months; if older than age 50, 624 days in 36 months. The insured must register at an unemployment office and be capable of and available for work. Unemployment must be involuntary; otherwise, the insured is disqualified for 4 to 52 weeks or loses eligibility for benefits.

**Job search benefit:** The insured must be younger than age 30, must not meet the employment qualifying condition for the unemployment benefit, and must register at an unemployment office and be capable of and available for work. Benefits are paid after a waiting period.

**Prepension supplement:** Aged 60 or older with at least 30 years (men) or 26 years (women) of employment.

**Aged unemployed person's supplement:** The insured must be aged 50 or older with at least 20 years of employment, be unemployed for at least 12 months, and not be entitled to the prepension supplement.

#### **Unemployment Benefits**

**Unemployment benefit:** The benefit is calculated on average daily earnings. The average daily earnings are based on the last monthly earnings, up to €2,206.46 for the first 6 months of benefit; €2,056.46 for the next 6 months; €1,921.71 after the first 12 months.

If the insured is older than age 21 and has not worked in the last 6 months before applying for benefits, the benefit is based on flat-rate monthly earnings of €1,387.49.

The benefit depends on the insured's family status and the period of unemployment. If the insured is cohabiting or has dependents (a spouse, partner, or another person with no individual income or for whom alimony is paid), the benefit is 60% of earnings for the entire period of unemployment. For a single person living alone, 60% of earnings is paid for the first year; thereafter, 53.8%. If the insured is cohabiting with a person who has income, 60% of earnings is paid for

the first year; 40% for a second period (the minimum duration of the second period is 3 months, and the total duration depends on the person's professional career record); thereafter, a flat-rate monthly benefit of €447.20 is paid.

**Job search benefit:** The benefit depends on the insured's age and family status. For a single person younger than age 18 living alone, €278.98 is paid; if aged 18 to 20, €438.36; if aged 21 or older, €726.18. If the insured is cohabiting or has dependents (a spouse, partner, or another person with no individual income or for whom alimony is paid), €981.76 is paid regardless of age. For an insured person younger than age 18 cohabiting with persons with an income, €239.20 is paid; otherwise, €381.68.

**Prepension supplement:** 50% of the difference between the monthly benefit (calculated as 60% of last gross earnings) and net earnings (gross earnings up to €3,476.03, reduced by social contributions and certain other deductions) is paid. The supplement may be paid until the insured reaches retirement age.

**Aged unemployed person's supplement:** A monthly supplement is paid according to age (50 or older) and family status. Single persons aged 55 or older are guaranteed 60% of their last earnings.

Benefit adjustment: Benefits are adjusted periodically according to changes in the retail price index.

### Administrative Organization

Employment, Labor, and Social Dialogue Federal Public Service (<http://www.emploi.belgique.be>) provides general supervision.

National Social Security Office (<http://www.onss.be>) collects contributions.

National Employment Office (<http://www.onem.be>) adjudicates claims, supervises the paying agencies, and oversees employment policies through 30 regional offices.

Public payment offices, or trade unions for their own members, pay benefits at the local level.

### Family Allowances

#### Regulatory Framework

**First law:** 1930.

**Current laws:** 1939 (salaried workers), 1965 (civil servants), 1971 (guaranteed family allowances), and 1976 (self-employed persons).

**Type of program:** Social insurance and social assistance (guaranteed family allowances) system.

#### Coverage

Children of salaried workers (including active, unemployed, retired, disabled, or deceased workers).

Children not covered under any statutory system are eligible to receive guaranteed family allowances, subject to an income test.

Special systems for civil servants and self-employed persons.

### Source of Funds

**Insured person:** None.

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

**Employer:** 7% of reference earnings.

Reference earnings are 100% of the insured's gross earnings for white-collar workers and 108% of the insured's gross earnings for blue-collar workers.

If the insured person and employer are affiliated with all branches of social security, a global contribution is paid to the National Social Security Office and split according to each branch's needs. The global contribution rate is 37.84% of reference earnings (13.07% is paid by the employee and 24.77% by the employer).

**Government:** Certain subsidies.

### Qualifying Conditions

**Family allowances:** Paid without conditions until the last day of August of the calendar year in which the child reaches age 18 (age 21 if disabled or no limit for a disabled person who was aged 21 or older before July 1, 1987; age 25 if a student, an apprentice, or a job seeker registered for less than 270 days and not receiving earnings or social benefits of more than €480.47).

Eligible children are the insured's children, the children of the insured's partner, adopted children under certain conditions, dependent brothers and sisters, and any other children in the insured's household.

### Family Allowance Benefits

**Basic family allowance:** €83.40 a month is paid for the first child; €154.33 for the second child; €230.42 for the third and each subsequent child. Each orphan receives €320.40 a month.

**Social supplement:** €42.46 a month is paid for the first child of a pensioner, a single parent, or a person unemployed for longer than 6 months, and €91.35 is paid for the first child of a worker with a disability; €26.32 for the second child of a pensioner, a single parent, a person unemployed for longer than 6 months, or a worker with a disability; €4.62 for the third and each subsequent child of a pensioner, a person unemployed for longer than 6 months, or a worker with a disability (the third child in a single-parent family receives €21.62 a month under certain conditions).

**Age supplement (children born before January 1, 1991):** For a healthy first child not entitled to a social supplement and born from January 1, 1985, to December 31, 1990, the

monthly supplement is €31.12; otherwise, €29.91. For a healthy first child born from January 1, 1981, to December 31, 1984, the monthly supplement is €46.42. For other children or any sick child, the monthly supplement is €28.98 if aged 6 to 11; €44.27 if aged 12 to 18; otherwise, €56.29.

**Age supplement (children born after December 31, 1990):** For a healthy first child not entitled to social supplement, the monthly supplement is €14.53 if aged 6 and 11; €22.12 if aged 12 to 18; €25.50 if aged 18 or older. For other children or for any sick child, the monthly supplement is €28.98 if aged 6 to 11; €44.27 if aged 12 to 18; €56.29 if aged 18 or older.

**Sick or disabled child supplement (old system):** For a child with a disability born before December 31, 1992, with an assessed degree of disability of at least 66%, the monthly supplement varies between €375.22 and €439.07. The child's degree of disability is calculated according to a schedule of 0 to 9 points.

**Sick or disabled child supplement (new system implemented May 1, 2003):** For a child with a disability born after December 31, 1992, supplements are awarded according to the impact of the illness on the physical and mental capacity of the child, the activity and participative capacity of the child, and the implications for the child's next of kin. The monthly supplement varies between €73.14 and €487.60.

**Birth grant:** €1,129.95 is paid for the first birth (or per child for multiple births); €850.15 for the second and each subsequent birth.

**Adoption allowance:** €1,129.95 is paid for each child adopted.

Benefit adjustment: Benefits are adjusted periodically for wage and price changes and other economic factors.

### **Administrative Organization**

Social Security Public Federal Service (<http://www.socialsecurity.fgov.be>) provides general supervision.

National Social Security Office (<http://www.onss.be>) collects and administers contributions.

Family allowances are paid by about 15 approved private occupational, regional, and specialist funds and by two public organizations.

National Family Allowances Office (<http://www.onafts.fgov.be>) supervises private funds and administers allowances to families not covered by a private fund.