

Tunisia

Exchange rate: US\$1.00 equals 1.21 dinars.

Old Age, Disability, and Survivors

Regulatory Framework

First law: 1960.

Current laws: 1960 (nonagricultural workers), implemented in 1974; 1981 (agricultural workers); 1985 (civil servants); 1989 (commercial agriculture); 1995 (self-employed); 2002 (low-income earners); and 2002 (artists and intellectuals).

Type of program: Social insurance system.

Coverage

Private-sector employees and certain categories of fishermen.

Voluntary coverage for Tunisian workers employed abroad who are not covered by the host country or by a reciprocal agreement.

Exclusions: Convicted persons working in prison workshops.

Special systems for civil servants, members of parliament, armed forces personnel, agricultural workers, farmers, the self-employed, fishermen, domestic workers, some categories of low-income earners, artists, and intellectuals.

Source of Funds

Insured person: 7.74% of gross earnings (excluding certain in-kind payments or reimbursements).

The employee contributions are paid quarterly.

Self-employed person: Not applicable (covered by a special system).

Employer: 7.76% of gross payroll (excluding certain in-kind payments or reimbursements).

The employer contributions are paid quarterly.

Government: None; the government subsidizes contributions to enhance economic activity in deprived areas and to encourage the employment of young graduates, the handicapped, and other categories of worker.

All of the above contributions finance all old-age, disability, and survivors benefits except the death grant and death allowance, which are financed under Sickness and Maternity, below.

Qualifying Conditions

Old-age pension: Age 60 with 120 months of contributions (age 50 with at least 180 months of contributions if the insured is prematurely aged because of arduous work, involuntarily unemployed for 6 months, or the mother of three children). Retirement from insured employment is necessary.

Early pension: From age 50 with at least 360 months of contributions.

Partial pension: For an insured person with between 60 and 119 months of contributions, the pension is proportionately reduced.

If the insured has fewer than 60 months of contributions at retirement, the value of the insured's share of contributions is refunded.

Disability pension: The permanent loss of at least 2/3 of earning capacity, with at least 60 months of contributions. Employment must cease.

A medical commission assesses the degree of disability annually, until the insured is age 55.

Survivor pension: The insured was a pensioner at the time of death or had at least 60 months of contributions.

Eligible survivors are the widow(er) and children younger than age 16 (age 21 if a student, age 25 if a student without a scholarship, no limit if disabled or for an unmarried daughter without income).

Death grant: The insured had 50 days of employment during the last two quarters or 80 days during the last four quarters before death. The employment condition is waived if the death was the result of an accident.

Death allowance: Payable to the insured for the death of a spouse or dependent child. The insured must have had 50 days of employment during the last two quarters or 80 days during the last four quarters.

Old-Age Benefits

Old-age pension: The pension is equal to 40% of average earnings in the last 10 years before retirement, plus 0.5% for every 3-month period of contributions beyond 120 months, up to a maximum of 80% of average earnings.

The average earnings for benefit calculation purposes must not exceed six times the legal monthly minimum wage. Periods of contributions with a declared salary of less than 2/3 of the legal minimum wage are not taken into account in the benefit calculation.

The minimum pension is 2/3 of the legal monthly minimum wage.

The maximum pension is 80% of average earnings, up to a ceiling of six times the legal monthly minimum wage.

The legal monthly minimum wage is 209.80 dinars.

Early pension: The old-age pension is reduced by 0.5% for each quarter that the pension is taken before age 60.

Partial pension: The pension is paid in proportion to the number of quarters of contributions.

The minimum partial pension is 50% of the legal monthly minimum wage.

Benefit adjustment: Benefits are indexed to changes in the legal minimum wage. (The last adjustment was made in July 2004.) The legal minimum wage is adjusted by government

decree, after consultation with labor unions and employers' representatives, according to changes in the cost of living.

Permanent Disability Benefits

Disability pension: The pension is equal to 50% of average earnings in the last 10 years before the onset of disability, plus 0.5% for every 3-month period of contributions beyond 180 months up to a maximum of 80% of average earnings.

The average earnings for benefit calculation purposes must not exceed six times the legal monthly minimum wage. Periods of contributions with a declared salary of less than 2/3 of the legal minimum wage are not taken into account in the benefit calculation.

The minimum pension is 2/3 of the legal monthly minimum wage.

The maximum pension is 80% of average earnings, up to a ceiling of six times the legal monthly minimum wage.

The legal monthly minimum wage is 209.80 dinars.

Constant-attendance supplement: Equal to 20% of the disability pension.

Benefit adjustment: Benefits are indexed to changes in the legal minimum wage. (The last adjustment was made in July 2004.) The legal minimum wage is adjusted by government decree, after consultation with labor unions and employers' representatives, according to changes in the cost of living.

Survivor Benefits

Survivor pension: 75% of the deceased's pension is paid to a widow(er) without a dependent child; 70%, with one dependent child; or 50%, with two or more dependent children.

The pension ceases if the surviving spouse remarries before age 55.

Orphan's pension: 30% of the deceased's pension for one orphan or 50% for two or more orphans; 30% for one full orphan, 60% for two full orphans, 90% for three full orphans, or 100% for four or more full orphans.

The total survivor pension must not exceed 100% of the deceased's pension.

Benefit adjustment: Benefits are indexed to changes in the legal minimum wage. (The last adjustment was made in July 2004.) The legal minimum wage is adjusted by government decree, after consultation with labor unions and employers' representatives, according to changes in the cost of living.

Death grant: A lump sum equal to 12 times the monthly average earnings in the last 3 or 5 years (whichever is higher), plus one times the monthly average earnings for each year of contributions, up to a maximum of 18 month's earnings. The death grant is reduced by 50% for the death of a pensioner; the calculated amount is reduced to 40%, 30%, 20%, or 10% if the death occurs at age 70, age 75, age 80, or age 85, respectively. The average monthly salary must not be more than six times the legal monthly minimum wage.

The minimum death grant must be no less than the legal annual minimum wage (2,517.60 dinars).

The maximum death grant is 18 months' earnings.

Dependent children supplement: A sum equal to 10% of the death grant is paid for each dependent child.

Death allowance: A lump sum equal to between 10 and 90 days of the insured's sickness benefit is paid for the death of a dependent spouse or child. The daily sickness benefit is equal to 2/3 of the insured's average daily earnings, up to a ceiling of twice the daily minimum wage.

Administrative Organization

Ministry of Social Affairs, Solidarity, and Tunisians Working Abroad provides general supervision.

National Social Security Fund (<http://www.cnss.nat.tn>) administers the program through regional offices.

Sickness and Maternity

Regulatory Framework

First and current law: 1960.

Type of program: Social insurance system.

Coverage

Cash and medical benefits: Private-sector employees and certain categories of fishermen.

Special systems for civil servants, members of parliament, armed forces personnel, agricultural workers, farmers, and fishermen.

Medical benefits only: The self-employed, pensioners, students, trainees, domestic workers, and some other categories of low-income earners.

Voluntary coverage for medical benefits for Tunisian workers employed abroad who are not covered by the host country or by a reciprocal agreement.

Source of Funds

Insured person: 1.74% of gross earnings.

The employee contributions are paid quarterly.

Self-employed person: Not applicable (covered by a special system).

Employer: 4.51% of gross payroll.

The employer contributions are paid quarterly.

Government: None.

All of the above contributions finance all sickness and maternity benefits except parental leave, which is financed under Family Allowances, below. The above contributions also finance the death grant and death allowance provided under Old Age, Disability, and Survivors, above.

Qualifying Conditions

Cash sickness and medical benefits: Fifty days of insured employment during the last two calendar quarters or 80 days during the last four quarters. Long-term sickness (over 180 days) must be certified by the medical commission.

Medical benefits are provided to the insured and the insured's spouse and dependent minor children (without limit if disabled), dependent parents, and nonmarried daughters without income.

Cash maternity benefits: Eighty days of insured employment during the last four quarters.

Parental leave: Paid within the first 7 days after childbirth.

Sickness and Maternity Benefits

Sickness benefit: The benefit is 2/3 of average daily earnings, up to a ceiling of twice the legal minimum daily wage. The benefit is payable after a 5-day waiting period for a maximum of 180 days. Benefits are paid every 2 weeks.

Average daily earnings are based on the highest salary received by the insured during one quarter among the last four quarters before the onset of sickness.

The legal daily minimum wage is 6.99 dinars.

There is no waiting period or limit to duration for hospitalization, recognized long-term illnesses, or nonwork-related accidents. The benefit is reduced by 50% from the first day of the fourth year of sickness.

Maternity benefit: The benefit is 2/3 of average daily earnings, up to a ceiling of twice the legal minimum daily wage. The benefit is payable for 30 days; may be extended for a further 15 days. Benefits are paid monthly.

Average daily earnings are based on the highest salary received by the insured during one quarter among the last four quarters before the claim to benefits.

Parental leave: One daily salary, calculated on the basis of salaries received during the last quarter.

Workers' Medical Benefits

Medical services are provided directly to insured patients by government hospitals and health establishments under contract with the National Social Security Fund and the Health Department. Ambulatory services are provided in clinics operated by the fund. Some specialized services are provided by private health establishments under conventions and protocols. Benefits include medical care, hospitalization, surgery, specialist care, laboratory services, kidney dialysis, appliances, spa treatment, and medicines.

Cost sharing is based on the fee schedule set by law. The insured pays 20% of fees for general medical services in primary medical centers (25% if delivered in local hospitals); 30% for specialist services in regional or university hospitals; 20% for X-rays, internal examination, and surgery, up to a limit of 30 dinars; a lump sum equal to one day's hospital fees is paid by the insured for hospitalization.

Dependents' Medical Benefits

Medical services are provided directly to insured patients by government hospitals and health establishments under contract with the National Social Security Fund and the Health Department. Ambulatory services are provided in clinics operated by the fund. Some specialized services are provided by private health establishments under conventions and protocols. Benefits include medical care, hospitalization, surgery, specialist care, laboratory services, kidney dialysis, appliances, spa treatment, and medicines.

Cost sharing is based on the fee schedule set by law. The insured pays 20% of fees for general medical services in primary medical centers (25% if delivered in local hospitals); 30% for specialist services in regional or university hospitals; 20% for X-rays, internal examination, and surgery, up to a limit of 30 dinars; a lump sum equal to one day's hospital fees is paid by the insured for hospitalization.

Administrative Organization

Ministry of Social Affairs, Solidarity, and Tunisians Working Abroad provides general supervision.

National Social Security Fund (<http://www.cnss.nat.tn>) administers the program through regional offices.

Work Injury

Regulatory Framework

First law: 1921.

Current law: 1994, with 1995 amendment.

Type of program: Social insurance system.

Coverage

All salaried employees, including occasional, temporary, or domestic workers; members of cooperatives; fisherman; apprentices; students; and convicted persons working in prison workshops.

Voluntary coverage for the self-employed, artists, and intellectuals.

Source of Funds

Insured person: None.

Self-employed person: Voluntary contributions only.

Employer: From 0.4% to 4.0% of gross payroll, depending on the assessed degree of risk. (The contribution rate may be reduced, depending on the reported accident rate.)

The employer contributions are paid 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

The benefit is 2/3 of the highest average daily earnings received by the insured during one quarter among the last four quarters before the one in which the disability began. The benefit is payable after a 3-day waiting period (only one day in case of hospitalization) until full recovery or certification of permanent disability.

The average daily earnings for benefit calculation purposes must not be lower than the legal daily minimum wage.

Permanent Disability Benefits

Permanent disability pension: The monthly pension is equal to the reference annual earnings multiplied by 0.5 times the assessed degree of disability for the portion of disability between 15% and 50% and by 1.5 for the portion above 50%.

The reference annual earnings are equal to four times the highest quarterly salary received by the insured during one quarter among the last four quarters before the one in which the disability began. The reference annual earnings must not exceed six times the legal annual minimum wage. The legal annual minimum wage is 2,517.60 dinars.

The minimum pension is equal to the legal minimum wage.

Constant-attendance supplement: 25% of the reference annual earnings.

The permanent disability pension can be paid as a lump sum after a 5-year period if the assessed degree of disability is 35% or less. On payment of the lump sum, entitlement to the pension ceases. The lump sum is calculated according to the schedule set by law.

For an assessed disability of between 5% and 15%, a lump sum equal to 150% of the reference annual earnings multiplied by the assessed degree of disability is paid.

If the insured is entitled to the old-age pension or the nonwork disability pension and the work injury permanent disability pension, the combined amount must not exceed the reference annual earnings used for the calculation of the highest of the pensions.

Benefit adjustment: Benefits are adjusted by decree according to the growth in wages.

Workers' Medical Benefits

All necessary medical and surgical care, hospitalization, medicines, and appliances according to the schedule in law.

Survivor Benefits

Survivor pension: 50% of the reference annual earnings used to calculate the deceased's permanent disability pension or old-age pension (if the deceased was a pensioner) is paid to a widow(er) without children; 40% if the surviving spouse has one or more children.

The pension ceases on remarriage.

Orphan's pension: 20% of the reference annual earnings used to calculate the deceased's permanent disability pension or old-age pension (if the deceased was a pensioner) is paid for one orphan, 30% for two, or 40% for three or more orphans; 50% for one full orphan, 60% for two, 70% for three, or 80% for four or more full orphans.

Orphans must be younger than age 16 (age 21 if a secondary or professional school student, age 25 if a university student, no limit if disabled or for an unmarried daughter without income).

Other eligible survivors (in the absence of the above): 20% of the reference annual earnings used to calculate the deceased's permanent disability pension or old-age pension (if the deceased was a pensioner) is paid for each dependent parent, grandparent, and grandchild, up to a maximum of 50% of the reference annual earnings.

The reference annual earnings are equal to four times the highest quarterly salary received by the insured during one quarter among the last four quarters before the one in which the disability began. The reference annual earnings must not exceed six times the legal annual minimum wage. The legal annual minimum wage is 2,517.60 dinars.

The total survivor pension must not exceed 80% of the deceased's earnings or pension (if the deceased was a pensioner).

Benefit adjustment: Benefits are adjusted by decree according to the growth in wages.

Funeral grant: One month's earnings are payable to the deceased's eligible survivors. The maximum grant is equal to the legal minimum wage for 200 hours of work (209.80 dinars).

Administrative Organization

Ministry of Social Affairs, Solidarity, and Tunisians Working Abroad provides general supervision.

National Social Security Fund (<http://www.cnss.nat.tn>) administers the program through regional offices.

Unemployment

Regulatory Framework

First law: 1982.

Current law: 1996 (workers' social protection), implemented in 1997, with 2002 amendment.

Type of program: Social assistance system.

Coverage

All nonagricultural salaried employees.

Exclusions: The self-employed, agricultural workers, and domestic workers.

Source of Funds

Insured person: None.

Self-employed person: Not applicable.

Employer: None.

Government: None.

The cost of all benefits is financed by the National Social Security Fund according to available reserves.

Qualifying Conditions

Unemployment benefits: The insured must have paid 12 quarters of contributions to the National Social Security Fund and must be involuntarily unemployed, ineligible for an old-age pension or a disability pension, and be registered at an employment office.

Unemployment Benefits

The benefit is equal to 1 month's salary, up to the legal monthly minimum wage. The benefit is payable for 6 months.

The legal monthly minimum wage is 209.80 dinars.

Unemployed persons can also receive family allowances and supplements and have access to medical benefits for a year beginning from the first day after the end of the quarter in which employment ceased.

Administrative Organization

Ministry of Social Affairs, Solidarity, and Tunisians Working Abroad provides general supervision.

National Social Security Fund (<http://www.cnss.nat.tn>) administers the program through regional offices.

Family Allowances

Regulatory Framework

First law: 1944.

Current laws: 1960, 1980 (family supplement), and 1994 (nursery school fees).

Type of program: Employment-related system.

Coverage

Private-sector employees, including occasional and temporary workers; fishermen; members of agricultural cooperatives; employees of farms employing 30 or more workers; students younger than age 28; and trainees of any age.

Exclusions: The self-employed, domestic workers, and employees of farms employing less than 30 workers.

Special system for civil servants and armed forces personnel.

Source of Funds

Insured person: 0.89% of gross earnings.

The insured's contributions are paid quarterly.

Self-employed person: Not applicable.

Employer: 2.21% of gross payroll.

The employer contributions are paid quarterly.

Government: None.

All of the above contributions also finance parental leave provided under Sickness and Maternity, above.

Qualifying Conditions

Family allowances: The child must be younger than age 16 (age 18 if an apprentice, age 21 if a student or the insured's daughter providing care for her brothers and sisters, no limit if disabled). Allowances are paid for a maximum of three children.

Family supplements: Payable to families with a nonworking spouse. The children must be eligible for family allowances.

Nursery school fees (means-tested): Awarded to working mothers with monthly income of less than 2.5 times the legal minimum wage, based on a working week of 48 hours. The child must be between 2 months and 36 months of age and be eligible to receive family allowances.

The legal monthly minimum wage for a working week of 48 hours is 218.19 dinars.

Family Allowance Benefits

Family allowances: 18% of the insured's earnings is paid for the first child, 16% for the second, and 14% for the third. The allowances are paid quarterly.

The maximum earnings for benefit purposes are 122 dinars a quarter.

Family supplements: 9.37 dinars a quarter for the first child, 18.75 dinars a quarter for two children, and 23.47 dinars a quarter for three children.

Nursery school fees (means-tested): 15 dinars a month for a period of 11 months for each eligible child.

Administrative Organization

Ministry of Social Affairs, Solidarity, and Tunisians Working Abroad provides general supervision.

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