

***Convention No. 102
Social Security
(Minimum Standards)
Convention, 1952***

11 MARCH 2016
KIEV, UKRAINE

***SOCIAL SECURITY (MINIMUM
STANDARDS) CONVENTION, 1952***

***Medical Care
(Part II)***

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**Convention
No. 102**

Medical Care (Part II)

Contingency:

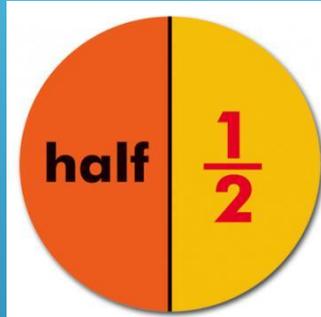
Social Risk covered



- 1) Any **morbid condition (=sickness)**,
whatever its cause,
and
 - 2) **pregnancy and
confinement and their
consequences.**
- (≠sickness)**

Minimum number of prescribed classes of persons covered

OPTIONS:



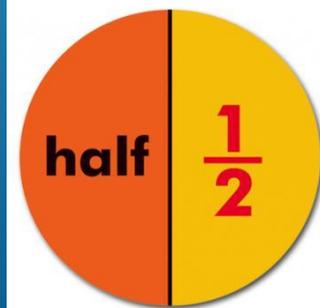
➤ **50% of all employees**, and also their wives and children;

OR



➤ **economically active Population** constituting not less than **20% of all residents**, and also their wives and children;

OR



➤ **50% of all residents.**

Medical Care (Part II)

Types of medical care:

- Preventive care;
- Curative care
- General practitioner care, including **home visits**;
- Specialist care in hospitals or **outside**;
- The **essential** pharmaceutical supplies;
- Hospitalization **where necessary**;
- Prenatal, confinement and postnatal care either by medical practitioners or by **qualified** midwives, and hospitalization where necessary.



Convention No. 102 *Medical Care (Part II)*

Entitlement conditions:



- Possibility of setting a **qualifying period** as may be considered necessary to preclude abuse (from 1 to 3 months)

Medical Care (Part II)

Minimum duration of medical care



- Minimum of **26 weeks** in **each case** of sickness
- **Duration** of medical care is to be prolonged as long as beneficiary is entitled to **sickness benefit** and in case of diseases recognized as entailing **prolonged care**

Sickness Benefit

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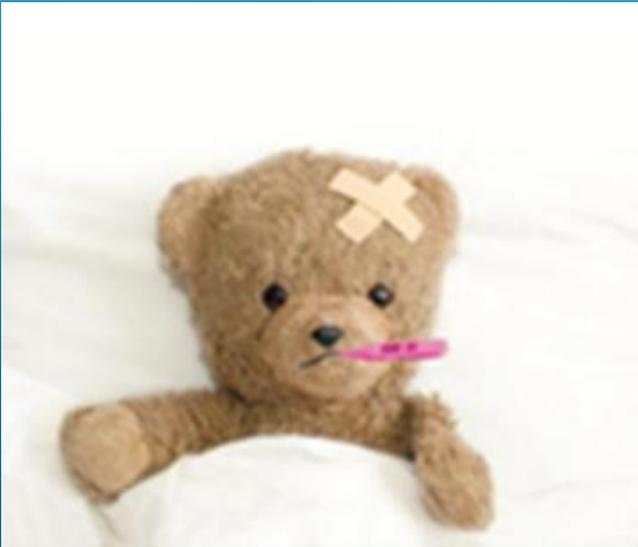
(Part III)

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*Convention
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Sickness Benefit (Part III)

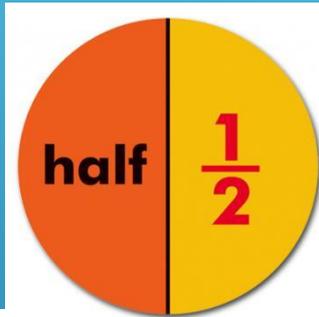
Contingency:
risk covered



- **Incapacity for work** resulting from a **morbid condition** and involving **suspension of earnings**.

Sickness Benefit (Part III)

Minimum number of persons covered:



- Classes of **employees**, not less than **50% of all employees**;

OR



- Classes of **economically active population**, not less than **20% of all residents**;

OR



- **All residents** whose means during the contingency do not exceed prescribed limits.

Sickness Benefit (Part III)

Minimum level of periodical payments:

- Earnings-related benefit: at least **45%** of former earnings;
- Flat-rate benefit: at least **45%** of wage of unskilled worker ;
- Means-tested benefit: Means and benefit together must amount to at least **45%** of wage of unskilled worker.



Sickness Benefit (Part III)

Maximum qualifying period:



- Possibility of setting a **Qualifying period** as may be considered necessary to preclude **abuse**.

Sickness Benefit (Part III)

Minimum duration of benefit:

- Minimum of **26 weeks** in **each case** of sickness.
- Possibility of setting a **waiting period** of the first three days.



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Maternity Benefit

(Part VIII)



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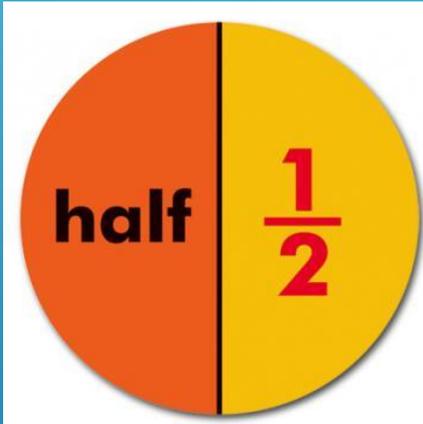
Maternity Benefit (Part VIII)

**Contingency:
Risk covered**



- **Pregnancy and confinement and their consequences, and resulting suspension of earnings.**

Minimum number of covered women:



➤ All **women** in prescribed classes of **employees**, not less than **50% of all employees**,

+

➤ for maternity medical benefit also the **wives of men in these classes**;

OR



➤ All **women** in prescribed classes of **economically active** population, not less than **20% of all residents**,

+

➤ for maternity medical benefit also the **wives of men in these classes**

Types and minimum amounts of maternity benefits:



Medical care benefits:

- pre-natal, confinement and post-natal care, +
- hospitalisation, **where necessary.**

Cash Benefits:

- **Earnings-related benefit:** at least **45%** of former earnings; **or**
- **Flat-rate benefit:** at least **45%** of wage of unskilled worker ;



Maternity Benefit (Part VIII)

Entitlement conditions:



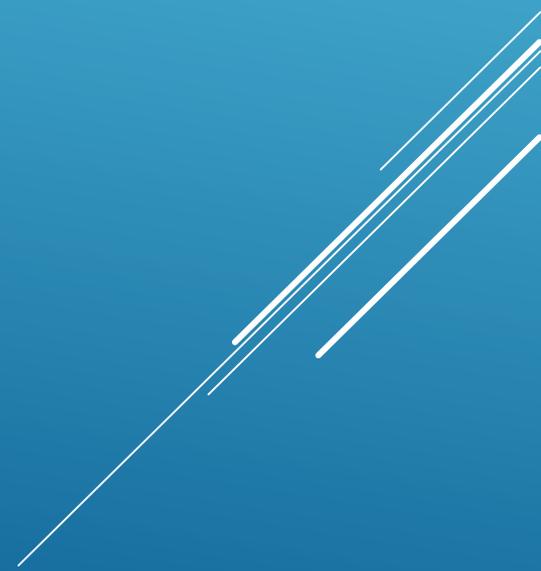
- Possibility of setting a **qualifying period** as may be considered necessary to preclude **abuse**. (up to 1 year)

Minimum duration of maternity benefits:



- **Medical care** has to be granted **throughout** the period of pregnancy, confinement and their consequences;
- **Maternity cash benefit** has to be granted for a minimum of **12 weeks** in case of suspension of earnings.

**SOCIAL SECURITY (MINIMUM
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Unemployment Benefit
(Part IV)



Unemployment Benefit (Part IV)

Contingency: risk covered



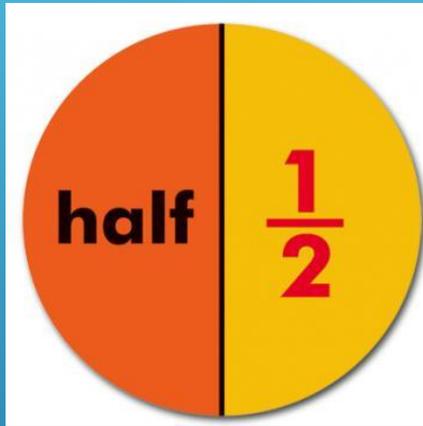
Inability to obtain **suitable employment** by a person protected who is:



capable of work and available for work



Minimum number of persons covered:



- Classes of **employees**, not less than **50% of all employees**;

OR



- **All residents** whose means during the contingency do not exceed prescribed limits.

Unemployment Benefit (Part IV)

Minimum amount of periodical payment:

- Earnings-related benefit: at least **45%** of former earnings;
- Flat-rate benefit: at least **45%** of wage of unskilled worker ;
- Means-tested benefit: the sum of other means of the family of the beneficiary and his unemployment pension together must amount to at least **45%** of wage of unskilled worker.



Unemployment Benefit (Part IV)

Entitlement conditions:



- Possibility of setting a **qualifying period** as may be considered necessary to preclude **abuse** (typically 1 year).
- Possibility of setting a **waiting period** of maximum **7 days**.

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Unemployment Benefit (Part IV)

Minimum duration of periodical payments:



- For employees - **13 weeks** within a period of 12 months.
- For residents – 26 weeks within a period of 12 months.

**SOCIAL SECURITY (MINIMUM
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**Employment Injury
Benefit**

(Part VI)



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Employment Injury Benefit (Part VI)

Contingency: risk covered

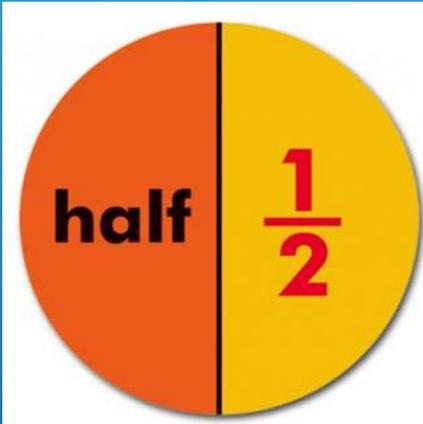
➤ **Work-related to accident or prescribed disease resulting in:**

- Morbid condition;
- Temporary incapacity for work involving suspension of earnings;
- Permanent total or partial loss of earning capacity or corresponding loss of faculty;
- Loss of support suffered by the widow or child as result of the death of the breadwinner.



Employment Injury Benefit (Part VI)

Minimum number of classes of employees covered:



- 50% of all employees.

Medical care

➤ In case of morbid condition:

- **general practitioner and specialist** in-patient care and out-patient care, including domiciliary visiting;
- **dental** care;
- **nursing care** at home or in hospital or other medical institutions;
- **maintenance in hospitals**, convalescent homes, sanatoria or other medical institutions;
- **dental, pharmaceutical and other medical or surgical supplies**, including prosthetic appliances, kept in repair, and eyeglasses; and
- the care furnished by members of such **other professions** as may at any time be legally recognised as allied to the medical profession, under the supervision of a medical or dental practitioner.



Employment Injury Benefit (Part VI)

Minimum level of periodical payments:

➤ In case of incapacity for work or invalidity:

- Earnings-related benefit: at least **50%** of former earnings;
- Flat-rate benefit: at least **50%** of wage of unskilled worker.

➤ In case of death of the breadwinner

- At least **40%** of former earnings or of wage of unskilled worker.

+ *Regular adjustment of pensions of pensions in
➤ payment to the cost of living (inflation)*

+ *Possibility of conversion in lump sum
under certain circumstances*



Employment Injury Benefit *(Part VI)*

Entitlement conditions:

- Prohibition to prescribe qualifying period.
- In case of a widow, the right to benefit may be made conditional on her being incapable of self-support.



In case of **temporary incapacity:**

- Possibility of establishing waiting period of maximum three days.

Employment Injury Benefit (Part VI)

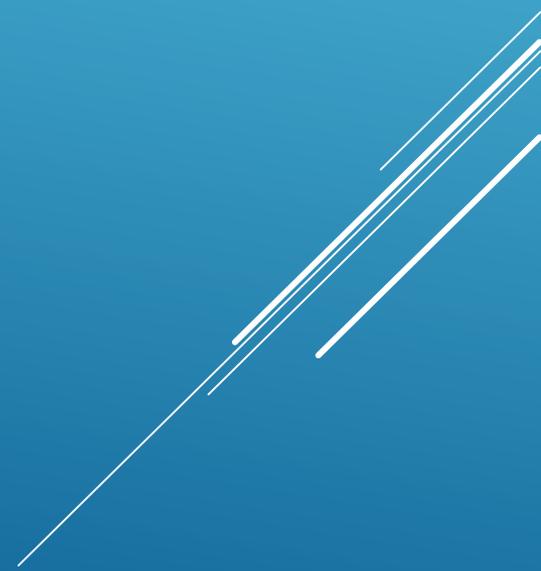
Minimum duration of benefits:

Benefit has to be granted throughout the contingency until full;



- Restoration of the capacity to work;
- During the whole period of invalidity;
- During the whole period when the widow is incapable of self-support;
- Until the child reaches school-leaving age or the age of 15 years

Old – Age Benefit (Part V) SOCIAL SECURITY (MINIMUM STANDARDS) CONVENTION, 1952



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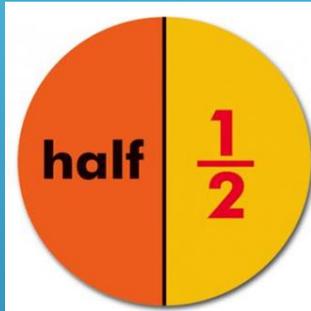
Old – Age Benefit (Part V)

Contingency: risk covered

- **Survival** beyond age of 65 or such higher age with due regard to working ability of elderly persons.



Minimum number of persons covered:



- Classes of **employees**, not less than **50% of all employees**;

or



- Classes of **economically active population**, not less than **20% of all residents**;

or



- **All residents** whose means during the contingency do not exceed prescribed limits.

Old – Age Benefit (Part V)

Minimum amount of periodical payments:

Earnings-related benefit: at least **40%** of former earnings;

Flat-rate benefit: at least **40%** of wage of unskilled worker;

Means-tested benefit: the sum of other means of the family of the beneficiary and his old-age pension together must amount to at least 40% of wage of unskilled worker.



+ Regular adjustment of pensions in payment to the cost of living (inflation)

Old – Age Benefit (Part V)



- The minimum replacement rate must be provided **after 30 years of contributions or employment**;
- **A reduced pension** has to be paid **after 15 years of contributions or employment**.
- Benefit has to be paid **until death**.
- **Benefit may be suspended** if pensioner is engaged in gainful activity or has earnings above prescribed amount.



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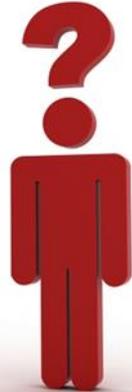
Invalidity Benefit

(Part IX)



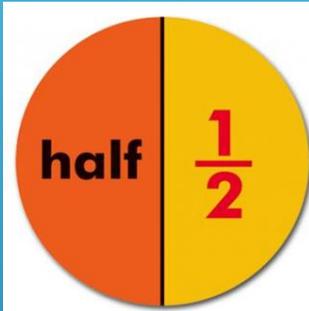
Invalidity Benefit (Part IX)

Contingency: risk covered



Permanent inability to engage
in any gainful activity = 100% invalidity

Minimum number of persons covered:



- Classes of **employees**, not less than **50% of all employees**;

or



- Classes of **economically active population**, not less than **20% of all residents**;

or



- **All residents** whose means during the contingency do not exceed prescribed limits.

Invalidity Benefit (Part IX)

Minimum level of periodical payments:



Earnings-related benefit: at least **40%** of former earnings;

Flat-rate benefit: at least **40%** of the nationally determined wage of unskilled worker;

Means-tested benefit: the sum of other means of the family of the beneficiary and his invalidity pension together must amount to at least **40%** of wage of unskilled worker.

**+ Regular adjustment of pensions in
Payment to the cost of living
(inflation)**

Invalidity Benefit *(Part IX)*

Maximum qualifying period:

➤ Guaranteed benefit rate shall be paid **after 15 years of contributions or employment or 10 years of residence;**

➤ **Reduced pension** shall be paid **after 5 years of contributions or employment.**



Invalidity Benefit (Part IX)

Minimum duration of
periodical payment:



- Benefit shall be **paid throughout invalidity** or until old-age pension becomes payable.

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*Survivors' Benefit
(Part X)*



Survivors' Benefit (Part X)

Contingency: risk covered

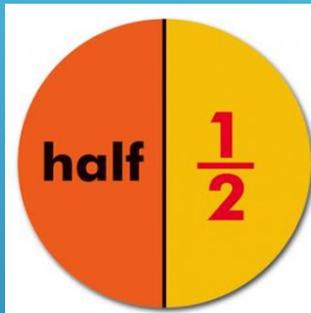
- **Loss of support** suffered by the widow or child as the result of the death of the breadwinner;



Entitlement conditions:

- in case of a *widow*, the benefit may be made **conditional on her incapability of self-support**.
 - *Child*: until school-leaving age or the age of 15 years
- **Benefit may be suspended or reduced** if beneficiary is engaged in prescribed gainful activity or has earnings above prescribed amount.

Minimum number of protected
wives and children of breadwinners in:



- Classes of **employees**, not less than **50% of all employees**;

or



- Classes of **economically active population**, not less than **20% of all residents**;

or



- **All residents** whose means during the contingency do not exceed prescribed limits.

Survivors' Benefit (Part IX)

Minimum level of periodical payments:



Earnings-related benefit: at least **40%** of former earnings;

Flat-rate benefit: at least **40%** of the nationally determined wage of unskilled worker;

Means-tested benefit: the sum of other means of the family of the beneficiary and his invalidity pension together must amount to at least **40%** of wage of unskilled worker.

+ Regular adjustment of pensions in Payment to the cost of living (inflation)

Survivors' Benefit (Part X)

Qualifying period



- **Guaranteed benefit rate shall be paid after 15 years of contributions or employment or 10 years of residence;**
- **Reduced pension shall be paid after 5 years of contributions or employment.**
- For childless widows, a minimum duration of marriage may be required.