



***Report of the European Social Insurance  
Platform (ESIP)***

***January 2016***

**Career management, rehabilitation  
and early retirement  
in strenuous jobs (“Hard Jobs”)**

**About the *European Social Insurance Platform (ESIP)***

The European Social Insurance Platform (ESIP) represents over 40 national statutory social insurance organisations (covering approximately 240 million citizens) in 15 EU Member States and Switzerland, active in the field of health insurance, pensions, occupational disease and accident insurance, disability and rehabilitation, family benefits and unemployment insurance. The aims of ESIP and its members are to preserve high profile social security for Europe, to reinforce solidarity-based social insurance systems and to maintain European social protection quality. ESIP builds strategic alliances for developing common positions to influence the European debate and is a consultation forum for the European institutions and other multinational bodies active in the field of social security.

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## **About the project “Hard Jobs”**

Across all EU Member States current or recently adopted pension reforms lead into increasing retirement ages against the background of demographic change, longer life expectancy and skills shortage. Nevertheless, not every workplace fits into this projected longer working perspective.

The Pension Insurance Policy Committee (PENSION COM) of the ESIP therefore has worked since 2013 on a project called “Hard Jobs”. The aim of the project was to develop a definition and criteria for arduous and heavy work and to create an overview of national rules and specific measures for persons working in jobs dangerous to health and/or not feasible in advanced age, in particular with a view to early retirement.

In the framework of this investigation, a questionnaire was sent to several ESIP members from different countries (Austria, Belgium, Finland, France, Germany, Greece, Italy, Poland, Portugal and Spain) to receive information about legal definitions, where the rules are determined and who is responsible for the individual decisions.

A last relevant aspect for the project was the question of effective prevention measures as they are important to maintain workforce and to reduce expenditures of pension schemes by avoiding early retirement.

## **Main outcomes**

The detailed information of each participating ESIP member can be found in the annex. Although the national legislation and pension insurance systems of each country are quite different, similar trends could be found all over the EU.

### *Legal criteria*

In all participating countries there are legal regulations concerning early retirement in the context of hard work. However, it is important to distinguish between regulations in the various pension systems. In some countries, e.g. Belgium and Germany collective agreements for special occupational groups exist. With regard to finding a definition on what “hard jobs” are, physically demanding work – in case there are some targeted rules - is described similarly in all Member States. Definitions include shift work, environmental conditions (like dirt, dust, temperature and weather exposure), heavy weights, constrained postures as well as dangerous workplaces (e.g. medical staff, military, police, miners, fire fighters).

Also mentally demanding work is considered as strenuous, although it has been difficult to find more precise and detailed references. Cultural and geographical characteristics were also taken into account, e.g. including seafarers in several Member States or bullfighters in Spain.

### *Retirement*

All Member States determined rules regarding the first pillar. Exceptions could be found in Belgium (collective bargaining for demanding work in the private sector) and Germany (second pillar e.g. for pilots and air traffic controllers). There are substantial differences in the definition of legal and early retirement age, while an increase in both can be observed as a general trend.

Also the individual decision and the payment of benefits are mostly provided by the pension scheme.

### *Preventive Measures*

Looking at one of the most important questions – targeted preventive measures – it seems difficult to find precise answers. Prevention measures can range from preventive medical check-ups, ergonomic workplaces, consultation for career change and also include rehabilitation measures with regards to their preventive function. Almost every ESIP member who participates in the project states that it provides some kind of vocational rehabilitation.<sup>1</sup> (for more detailed information please see the ESIP publication: “Summary report of the peer review on vocational rehabilitation”). However, the focus generally is on different illnesses and individual health issues rather than dealing with special occupational groups.

### *Best Practice*

Overall interesting examples can be taken from the project: In Belgium, the employer has to do a risk assessment in case of shift work and night work to identify which activities imply particular risks and to develop individual solutions to reduce these risks. In France, the first twenty points accumulated in the personal “strenuous jobs prevention” career account have to be used for vocational training to engage in a new professional activity and cannot be used for early retirement. In Germany, measures for air traffic controllers are provided by the employer and preventive projects are implemented for nursing staff and shift workers.

In all cases, it would be important to focus more on targeted measures for a defined circle of heavy workers and to understand prevention in a broader sense, by including the early detection of hazardous conditions at workplaces, changes in the working environment, internal replacement and retraining.

### *Conclusion*

The project shows that in all participating Member States there are existing rules concerning heavy and strenuous work and the respective benefits like special early pensions are granted. Currently, there are only few targeted preventive measures for special occupational groups. The concrete implementation and realization vary to a large extent.

In some Member States, there are ongoing reforms concerning the statutory retirement age and the widening of the scope of prevention.

Please note that some of the information in the questionnaires may change due to these reforms.

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<sup>1</sup> For more information on vocational rehabilitation measures please see a previous peer review on activation measures where several social security institutions from European countries presented their systems and vocational rehabilitation measures  
(<http://esip.eu/files/ESIP%20peer%20review%20vocational%20rehabilitation%20summary%20report%20final.pdf>)

## ANNEX I

### Country: Austria

#### Which professions are concerned?

Different professions which involve heavy labour (Schwerarbeit)

#### What criteria are used as a basis?

According to the Schwerarbeitsverordnung from 09.03.2006 heavy labour (Schwerarbeit) is defined as activities under particularly stressful physically or mentally conditions which were performed

- in shift work or changing working hours if there are also night shifts in the extent of at least 6 hours between 10pm and 6am for at least 6 days in the calendar month,
- regularly under heat (e.g. at blast furnaces, foundries and glass melts),
- regularly under cold (in walk-in cold rooms, if the room temperature is lower than minus 21°C or if a constant change between such cold rooms and other work areas is required)
- under chemical or physical influences if this caused a loss of earning capacity of at least 10%
  - while using work equipment, machinery and vehicles which cause harmful vibration or
  - if regularly or at least 4 hours of the working time respirators or for 2 hours diving equipment must be worn or
  - in case of permanent harmful exposure to inhaled pollutants that can lead to occupational diseases,
- as heavy physical work, which is defined by a work related consumption of at least 2,000 kilocalories (8,374 kilojoules) for men and at least 1,400 kilocalories (5,862 kilojoules) for women in an eight-hour working period (list of 157 professions),
- in professional care of sick or disabled people with special treatment or care needs (e.g. in hospice or palliative care),
- despite of a reduced earning capacity of 80% (after disabled persons employment Act) if there was an entitlement to care allowance of at least level 3 after 30.06.1993.

#### Random number of eligible persons

Pension for heavy workers – Schwerarbeitspension (2014): 5,083

Early retirement due to long insurance with heavy physical work - “Schwerarbeiter-Hacklerregelung” (2014): 270

#### Where is the ruling determined (law, collective agreement, company regulation)?

Law (Schwerarbeitsverordnung from 09.03.2006, Allgemeines Pensionsgesetz - APG)

#### 1. or 2. Pillar?

1. Pillar

**Legal retirement age**

Men: 65 years, Women: 60 years

Progressive increase of age limit for women between 2024 and 2033 until the retirement age for men is reached.

**Earlier retirement or similar social benefit? How early?**

Pension for heavy workers (Schwerarbeitspension): From age 60 after at least 10 years of heavy work during the preceding 20 years and a total of 540 months of insurance.

Early retirement due to long insurance with heavy physical work ("Schwerarbeiter-Hacklerregelung"):

For women born between 01.01.1959 and 31.12.1963 from age 55 after at least 10 years of heavy work during the preceding 20 years and a total of 480 months of contributions.

For men born between 01.01.1954 and 31.12.1958 from age 60 after at least 10 years of heavy work during the preceding 20 years and a total of 540 months of contributions.

**Benefit deductions?**

For each year which the pension has been claimed prior to the regular pension age, the pension is reduced by

- 0.15% per month for "Schwerarbeitspension" and "Schwerarbeiter-Hacklerregelung" (maximum 9%)
- 0.35% per month for persons born before 01.01.1955 (maximum 13.8%).

**Additional periods or supplements for hard work to increase benefits?**

None

**Accumulation with earnings from work possible?**

In case a non-self-employed or self-employed activity is taken up before the legal retirement age with an income of over €415,72 per month (2016) the pension will be discontinued.

**Earlier/higher benefit financed by whom?**

Not known

**Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**

Pension scheme (calculated like an invalidity pension)

**Who makes the decision in the individual case?**

Pension schemes (Pensionsversicherungsanstalt - PVA, Sozialversicherungsanstalt der gewerblichen Wirtschaft - SVA, Sozialversicherungsanstalt der Bauern – SVB,

Versicherungsanstalt für Eisenbahnen und Bergbau – VAEB, Versicherungsanstalt des österreichischen Notariates)

**Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holydays)?**

There are no targeted preventive measures especially for heavy labour respectively by reason of heavy working.

**Who executes the preventive measures (only large companies, government)?**

There are no preventive measures to execute.

**Information is from:**

OECD 2009 - Should Pension Systems Recognise "Hazardous and Arduous Work":

[http://www.oecd-ilibrary.org/social-issues-migration-health/should-pension-systems-recognise-hazardous-and-arduous-work\\_221835736557](http://www.oecd-ilibrary.org/social-issues-migration-health/should-pension-systems-recognise-hazardous-and-arduous-work_221835736557)

OECD 2011 - LA PRISE EN COMPTE DE LA PÉNIBILITÉ DU TRAVAIL DANS LES SYSTÈMES DE RETRAITE DES PAYS DE L'OCDE:

<http://www.cor-retraites.fr/IMG/pdf/doc-1504.pdf>

<http://www.missoc.org/MISSOC/INFORMATIONBASE/COMPARATIVETABLES/MISSOCDATABASE/comparativeTableSearch.jsp>

<http://www.pensionsversicherung.at/portal27/portal/pvportal/content/contentWindow?contentid=10007.707666&action=2>

<http://www.pensionsversicherung.at/portal27/portal/pvportal/content/contentWindow?contentid=10007.707669&action=2>

## ANNEX II

### Country: Belgium

Arduous jobs are currently an important issue in the political discussion between government and social partners because of the raising up by law of pension conditions concerning age and career. It is already one of the topics Belgian the Pension Commission 2020-2040 dealt with when it addressed its messages to the minister of pensions in order to the ongoing pension reform which already take place since 2011.

Recently the Belgian government has created a National Pension Committee (with representatives of government and social partners). This committee must be operational from September 2015. The first goal for this committee will be to find a definition of what we can or must understand as an arduous job. This will be a difficult debate, especially in the public sector where there exists already since 1844 some special parameters for arduous, so-called active jobs (firemen, police, army, ...).

For the time being, one has to distinguish between three schemes:

- 1) The concept of arduous work in some branches of Social Security (without pensions) , developed by the social partners, and partly linked to the unemployment scheme. It concerns only the private sector.
- 2) The special pension regime for permanently appointed (not contracted) civil servants.
- 3) The general pension scheme of Social Security, administered by National Pensions Office (ONP/RVP). Public sector employees who are not appointed on a permanent basis (contract, temporary staff) are covered by the general scheme.

### Which professions are concerned?

- 1) No professions, but definition by tasks
- 2) The list containing the respective professions has been created by law of 21 July 1844 on "civil and religious pensions (The list has been several times updated ever since)

Among other: military, police, teachers and nurses (working in public facilities), postmen, customs officers, pilots (ground and sea), railway conductors and machinists (working with the Belgian Railway), professors in public universities, judges, etc.

“recueil”:

- Dutch: [http://pdos.fgov.be/pdos/pdf/professionals/dipen\\_recueil\\_total\\_201506.pdf](http://pdos.fgov.be/pdos/pdf/professionals/dipen_recueil_total_201506.pdf)
- French: [http://pdos.fgov.be/sdpsp/pdf/professionals/cdpen\\_recueil\\_total\\_201506.pdf](http://pdos.fgov.be/sdpsp/pdf/professionals/cdpen_recueil_total_201506.pdf)



3) For the general pension scheme of workers there are certain groups of employees subject to special rules in extinction: miners, sailors, professional journalists and members of the flight crew in civil aviation (belong to National Pensions Office).

### **What criteria are used as a basis?**

#### 1) demanding work:

In the context of collective bargaining, reference is sometimes made to arduousness and arduous tasks, and the concept of arduousness is at the root of a number of legal instruments on end-of-career-management. The official language is, though, the concept of “demanding work”. It is not defined in an abstract way, but split into several kinds/descriptions of specific working loads. More in detail, three criteria are building the basis:

- work in successive shifts, which means that the worker does not always work the same shift
- work in split shifts, with at least 11 hours between the start and the end of a working day, a period of at least 3 hours separates the periods of work, and at least 7 hours are worked
- working time arrangements involving night work (between 8.00 p.m. and 6.00 a.m.)

2) appointed civil servants: There are no abstract criteria so far, since belonging to a defined group of profession (which has to be quoted in the terms of the appointment) is the decisive criterion. However, there are some reform considerations that would focus more on the quality of the real work that has been executed. This might ask for more precise criteria.

No explicit criteria, but the underlying logic points among other at the following factors:

- working in security relevant sectors
- weather conditions
- late start of professional career due to long professional training. In this case however the preferential treatment does not aim to sustain an early exit, but to help reaching a full insurance career.

### **Random number of eligible persons**

#### **2) Source: PDOS**

Tantième	Number appointed civil servants	
12	8	0,00%
20	2.428	0,40%
25	15	0,00%
30	6.204	1,03%
40	139	0,02%

45	13	0,00%
48	7.377	1,23%
50	89.322	14,90%
55	261.626	43,63%
60	232.536	38,78%
	599.668	100,00%

### **Where is the ruling determined (law, collective agreement, company regulation)?**

1) demanding work: law and collective agreements

2) appointed civil servants: law

3) general scheme: law

### **1. or 2. Pillar?**

1) demanding work: collective bargaining (private sector)

2) appointed civil servants: 1. Pillar

3) general scheme (miners, sailors, professional journalists and members of the flight crew in civil aviation): 1. Pillar

### **Legal retirement age**

normal pensionable age is 65; from 2025 the retirement age will be increased from 65 to 66 years; from 2025 the retirement age will be increased from 66 to 67 years

### **Earlier retirement or similar social benefit? How early?**

1) demanding work: time credit systems and schemes for unemployment with a company-funded supplement

- time credit systems (part-time employment, which is combined with unemployment benefits): aim to help workers improve the balance between their working and personal lives and consists of a reduction in working time and a benefit to partially compensate the loss of salary; it is open on a part-time basis to workers aged 50 provided they do demanding work (for at least 5 years in the last 10 or at least 7 years in the last 15) for which there is a shortage of workers (e.g. nurses)

<b>Year</b>	<b>career interruption</b>	<b>time credit</b>	<b>special thematic leaves</b>
2000	<b>87.754</b>	<b>0</b>	<b>9.540</b>
2001	<b>100.934</b>	<b>0</b>	<b>11.060</b>
2002	<b>93.477</b>	<b>23.165</b>	<b>14.055</b>
2003	<b>79.904</b>	<b>54.455</b>	<b>22.225</b>
2004	<b>75.864</b>	<b>73.088</b>	<b>27.459</b>
2005	<b>74.311</b>	<b>89.016</b>	<b>31.522</b>
2006	<b>72.325</b>	<b>102.164</b>	<b>36.471</b>
2007	<b>71.781</b>	<b>111.668</b>	<b>39.870</b>
2008	<b>72.386</b>	<b>118.857</b>	<b>44.436</b>
2009	<b>72.249</b>	<b>127.746</b>	<b>52.434</b>
2010	<b>72.208</b>	<b>132.319</b>	<b>61.048</b>
2011	<b>72.482</b>	<b>135.786</b>	<b>63.021</b>
2012	<b>73.167</b>	<b>136.391</b>	<b>62.459</b>
2013	<b>69.826</b>	<b>132.728</b>	<b>66.974</b>
2014	<b>68.668</b>	<b>134.581</b>	<b>73.052</b>

- The half-time early retirement scheme expired on 01.01.2012. There are two categories of workers who may continue or start the system:
  - those who enjoy the benefits of the system as of 31.12.2011, it may not use to the end. In practice, this means, until the date on which they should start working full-time again, or until the end of the current employment contract;
  - those who do not yet enjoy the benefits of the system as of 31.12.2011, and those who have entered into an agreement in the mid-term early retirement with their employer prior to 20.11.2011, the system may continue to compete, and this has to be done before 01/04/2012.)
  
- collective early retirement - “prépension conventionnelle” (new since 2012: “system of unemployment with operational surcharge”) is a benefit of the employment office for unemployed workers with a supplementary compensation which is granted by the employer; doing demanding work for at least 5 years in the last 10 or at least 7 years in the last 15; beginning varies between the 58th and 60th year of life and ends with the age of 65 (recipients can not receive a retirement pension before age 65); taking up a gainful employment is allowed, but can decrease the entitlement

collective early retirement : Figures 2014 (source: <http://www.rva.be/nl/ii-de-gerechtigden-van-de-rva-zoom-op>)

scheme 60 y	13.848
scheme 58 y	29.839
scheme 58 y – arduous job – work in split shifts	51
scheme 58 y – arduous job – work in successive shifts	4
scheme 58 y – arduous job – night work	18
scheme 58 y – handicapped – PC 327	107
scheme 58 y – handicapped – others	22
scheme 58 y – serious medical problems	13
scheme 58 y – asbest risks	0
scheme 56 y + 33 y BV	7.189
scheme 55-56-57 y + 38 y BV	6.459
scheme 56 y + 40 y BV	9.588
collective dismissal, < 58 y or < 38 y BV	6.288
collective dismissal, 58 y of 38 y BV	4.864
no collective dismissal, < 58 y or < 38 y BV	585
no collective dismissal, 58 y or 38 y BV	370
BP, KB 1992	9.339
No specifications	18.523
cross border workers	26
<b>Total</b>	<b>107.132</b>

three criteria apply for both (time credit systems and schemes for unemployment with a company-funded supplement) :

- work in successive shifts, which means that the worker does not always work the same shift
- work in split shifts, with at least 11 hours between the start and the end of a working day, a period of at least 3 hours separates the periods of work, and at least 7 hours are worked
- working time arrangements involving night work (between 8.00 p.m. and 6.00 a.m.).

2) appointed civil servants and 3) general scheme:

Age limit		CONDITIONS FOR EARLY RETIREMENT GENERAL RULE			CONDITIONS FOR EARLY RETIREMENT LONG CARREER	
	AGE	MINIMUM CARREER	MINIMUM AGE	MINIMUM CARREER	MINIMUM AGE	MINIMUM CARREER
2013	65	5	60,5	38	60	40
2014	65	5	61	39	60	40
2015	65	5	61,5	40	60	41
2016	65	5	62	40	60 61	42 41
2017	65	5	62,5	41	60 61	43 42
2018	65	5	63	41	60 61	43 42
2019	65	5	63	42	60 61	44 43
2025	66	5	63	42	60 61	44 43
2030	67	5	63	42	60 61	44 43

The early retirement age is 60-63 for most employees who have completed a career of 40-43 years. Exceptions for long careers and difficult professions exist.

Limit retirement age for State employee is 65. For magistrates, between 67 and 70. For army staff between 45 and 62, according to rank and for certain train guards and drivers between 55 and 60.

## 2) appointed civil servants:

The early pension is calculated on the basis of reckonable services and periods and cannot be actuarially reduced. Since the number of years of service taken into account is often not sufficient to reach a full pension, the early pension is naturally lower than the pension obtained at age 65.

Pension is calculated:

$$\text{Pension} = S \times N \times T$$

S = annual average salary of the last 5 (or 10 years according to the age)

N = number of reckonable years of service (including notional years)

T(antieme) = value of pensionable year

The value (T) of the pensionable year is generally 1/60th of the pensionable salary. This percentage can be more favorable for certain professional categories:

1/55th for service completed in the education sector other than university (teachers in primary and secondary school)

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*real hard jobs:*

1/50th for active service (hard jobs) and for police staff and firemen, douane, army, ex postmen, sailor (navigator)

1/48th for railway conductors and mechanists (only in train)

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1/35th for years of service completed after the first 5 years (the first five years are taken into account at a rate of 1/30) by magistrates who retire because of physical incapacity or before the age limit (67 years, 70 years for the Supreme Court of appeal, the *Conseil d'Etat* and the Arbitration Court)

1/30th for university teachers, judges

1/25th for the first 15 years completed as a District Governor or Deputy-District Governor

1/20th for years of service as member of the Supervision Committee for police and intelligence services

1/12th for first 7 years as Province Governor and deputy Province Governor Service time taken into account

3) general scheme:

- seafarers and surface miners: at 60 years (born before 1957)
- underground miners: at 55 years, or at any age after at least 25 career years in case of normal and primary employment as underground miner;
- civil aviation flight crews: at 55 years or at any age after 34 years of normal and primary employment as a member of a cabin crew or after 30 years employment as member of a pilot crew
- professional journalists: not known

**Benefit deductions?**

-

**Additional periods or supplements for hard work to increase benefits?**

-

**Accumulation with earnings from work possible?**

1) demanding work: unemployment is a condition; taking up a gainful employment is allowed, but can decrease the entitlement

**Earlier/higher benefit financed by whom?**

1) demanding work: supplementary compensation is granted by the employer

2) appointed civil servants: Pension service for public sector (PDOS-SdPSP)

For State civil servants, there is no employers' contribution since pensions are financed by the State budget.

3) general scheme: pension scheme pays the benefit

**Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**

1) demanding work: benefits are paid by unemployment insurance (composed of unemployment benefits and an additional compensation granted under collective agreements by the employer)

2) appointed civil servants: Pension service for public sector (PDOS-SdPSP)

3) general scheme: NPO ("National Pensions Office") = LPA ("Landespensionsamt")

**Who makes the decision in the individual case?**

1) demanding work: employment office for unemployed workers (NEO: "National Employment Office")

2) appointed civil servants:

Pension entitlements are established by the PDOS which also calculates the amount of pensions.

3) general scheme: NPO ("National Pensions Office") = LPA ("Landespensionsamt")

**Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holidays)?**

The Belgian legislation defines hard work as the following:

- rotating shift work,
- night work,
- work in interrupted services.

The Belgian legislation on well-being of workers has developed specific rules concerning the two first categories of hard work (shift work and night work). These rules are laid down in Royal Decree of 16 July 2004 about certain aspects of night and shift work related to well-being of workers.

According to this Royal Decree, the employer must carry out a risk assessment regarding these workers in order to identify which night activities imply particular risks, or physical or mental tensions.

Specific attention must be paid regarding:

- the reduction of vigilance,
- tasks that require an increase in biologic activity.

Consequently, employers have the duty to identify and undertake the prevention measures that are needed to adequately control these risks. Among these measures, the workers must be subjected to appropriate health surveillance. The employer must also provide those workers with relevant and comprehensible information on the identified risks and the prevention measures taken.

On top of the Royal Decree of 16 July 2004, all workers (and not only shift workers and night workers) may directly ask for a spontaneous medical examination to the prevention counsellor-doctor in occupational medicine, for health-related complaints they think are work-related. When needed, the prevention counsellor-doctor in occupational medicine must propose to the employer appropriate prevention measures. For instance, he can recommend providing adapted work or other work for the worker.

This measure is laid down in Royal Decree of 28 May 2003 on the health surveillance of workers.

The legislation on welfare at work applies to all employers (including large companies, government,...). You can browse this legislation on our website: [www.employment.belgium.be](http://www.employment.belgium.be)  
> Homepage > The well-being of workers or  
<http://www.employment.belgium.be/defaultTab.aspx?id=556>

This web page contains the main parts of the Welfare at Work Code translated into English. If you wish to get the complete overview of the Code, you have to change the language setting from English to French or to Dutch.

#### **Information is from:**

OECD 2009 - Should Pension Systems Recognise "Hazardous and Arduous Work":  
[http://www.oecd-ilibrary.org/social-issues-migration-health/should-pension-systems-recognise-hazardous-and-arduous-work\\_221835736557](http://www.oecd-ilibrary.org/social-issues-migration-health/should-pension-systems-recognise-hazardous-and-arduous-work_221835736557)

OECD 2011 - LA PRISE EN COMPTE DE LA PÉNIBILITÉ DU TRAVAIL DANS LES SYSTÈMES DE RETRAITE DES PAYS DE L'OCDE:  
<http://www.cor-retraites.fr/IMG/pdf/doc-1504.pdf>



<http://www.onprvp.fgov.be/FR/profes/benefits/retirement/special/Pages/default.aspx>

"Besseres Verständnis der "schweren Berufe" in der europäischen Rentendebatte":

<http://www.etf-europe.org/files/extranet/-75/44212/Arduous%20work%20European%20Desk%20Research%20DE.pdf>

<http://www.lfa.be/de>

[http://www.sdpsp.fgov.be/pdoed/faq/faq\\_896.htm](http://www.sdpsp.fgov.be/pdoed/faq/faq_896.htm)

<https://www.socialsecurity.be/default.htm>

<http://www.pdos.fgov.be>

## ANNEX III

### Country: Finland

#### Which professions are concerned?

The Finnish pension reform that will be implemented in the beginning of 2017 will create a new pension type called “years-of-service pension” that allows retiring prior to the official retirement age. Years-of-service pension is not based on any profession, instead it is granted based on the type of work conducted during working career.

Years-of-service pension covers all major pension schemes (General, Public Sector, Self-Employed, Farmers and Sailors).

#### What criteria are used as a basis?

To be eligible for the years-of-service pension there is a condition of 38 years of work history in strenuous conditions. Both physically and mentally strenuous work will be taken into account.

Up to three (3) years of leaves from work due to unemployment, temporary dismissals, short sick leaves or parental leaves, maternity leaves and paternity leaves can be counted in in these 38 years.

In addition a slight deterioration of work capacity is required.

The **criteria** of strenuous work are (you have to fulfil one):

for physically strenuous work:

1. Work movements that require large muscle strength or that strain the muscles for a lengthy period of time
2. Heavy strain on the respiratory or the blood-vascular system
3. Stressing or difficult working positions
4. Repeated work movements that require strength or great speed, or work movements that involve using strength while clasping and rotating the hands at the same time

And for mentally strenuous work:

5. Interactive work that is particularly demanding and exceptionally mentally strenuous
6. Work tasks that require constant watching out or being particularly vigilant and in which the risk for occupational or other accidents or the threat of violence is high

In addition the following factors will be taken into account when evaluating the strenuous nature of the work:

- Exceptional physical features of the work

- The use of protection equipment which adds to the burden
- Shift work that includes repeated night work or that is otherwise strenuous
- Repeated long working shifts
- For the self-employed, being tied to farmed animals around the clock

### **Random number of eligible persons**

It has been used as an assumption in the estimations that approximately 2 000 years-of-service pensions will be granted each year.

In 2011 approx. 61 % of men and 47 % of women of the age of 62 that were not on pension fulfilled the requirement of at least 38 years of work history. No data exists on how many of them fulfilled the criterion of having conducted strenuous work.

### **Where is the ruling determined (law, collective agreement, company regulation)?**

Law

#### **1. or 2. Pillar?**

First pillar

#### **Legal retirement age**

Current old-age retirement age is flexible from 63 to 68.

With the pension reform of 2017 the earliest eligibility age will increase three months every year until it reaches 65 in 2027.

From 2027 on the retirement age will be linked to changes in life expectancy (with 2/3 of the increase in life expectancy going into the retirement age). Although the linking is subject to conditionality, and no adjustments will be made to the age limits if the labour years ratio (expected time spent in the labour force/life expectancy of an 18 year-old) remains on its target level.

The upper age limit of the old-age pension will rise along with the earliest eligibility age.

The retirement age for years-of-service pension will be 63 years until 2027. From then on it will follow increases in the old-age retirement age, staying always two years behind it.

#### **Earlier retirement or similar social benefit? How early?**

As described above, the years-of-service pension will make an earlier retirement possible.

#### **Benefit deductions?**

The pension benefit will correspond to the accrued pension rights of the insured person corrected with the life expectancy coefficient.

**Additional periods or supplements for hard work to increase benefits?**

No additional periods or supplements.

**Accumulation with earnings from work possible?**

Working whilst on pension is possible.

If a person who is on a years-of-service pension earns more than 746,57 euro per month (in 2015), pension will be left dormant because of work. Pension may be left dormant for at least 3 months and for no more than 2 years at a time.

**Earlier/higher benefit financed by whom?**

No special contribution for strenuous work.

Pension insurance contributions are paid by the employer and the employee. In the private sector state contributes to the financing of the schemes of farmers', self-employed workers' and sailors'.

**Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**

The benefit is paid by the pension insurance company where the person was last insured.

The years-of-service pension is considered as an early retirement benefit in the sense of the EC regulation 883/2004.

**Who makes the decision in the individual case?**

Pension insurance company.

**Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holydays)**

*Rehabilitation is always primary in comparison to long term disability benefits:* Rehabilitation possibilities must always be ascertained and possibilities for rehabilitation must be assessed when a person applies for Years-of-service pension.

*Occupational health care:* All employees in Finland have occupational health coverage. (Occupational Health Act). Employers have to arrange professional-level occupational health services for their employees in order to prevent work-related health risks. (Occupational health care can be purchased of private sector or municipal health care)

*Rehabilitation:* Medical, social, occupational rehabilitation. Medical rehabilitation organised in health care system, mainly by municipalities. Occupational rehabilitation: Pension providers, Social Insurance Institution of Finland (Kela), Accident and Traffic insurance.

**Who executes the preventive measures (only large companies, government)?**

Employees, Pension providers (pension insurance company), Social Insurance Institution of Finland.

**Information is from:**

ETK 2015. Pension Reform in 2017.

[http://www.etk.fi/en/service/pension\\_reform\\_in\\_2017/1504/pension\\_reform\\_in\\_2017](http://www.etk.fi/en/service/pension_reform_in_2017/1504/pension_reform_in_2017)

Tyoelake.fi <https://www.tyoelake.fi/en/Pages/Etusivu.aspx>

Occupational health care (Kela): <http://www.kela.fi/web/en/occupational-health-care>

Health and Rehabilitation (Kela):

[http://www.kela.fi/documents/10180/1978560/2015\\_Terveys\\_englanti2\\_netti.pdf/2d72bcc3-714f-463c-a6e1-df66b4fd1fc0](http://www.kela.fi/documents/10180/1978560/2015_Terveys_englanti2_netti.pdf/2d72bcc3-714f-463c-a6e1-df66b4fd1fc0)

Program for persons with partial work capacity (Ministry of Social Affairs and Health) :

[http://stm.fi/osatyokykyiset?p\\_p\\_id=56\\_INSTANCE\\_3GJ2TdoJVRDn&p\\_p\\_lifecycle=0&p\\_p\\_state=normal&p\\_p\\_mode=view&p\\_p\\_col\\_id=column-2&p\\_p\\_col\\_count=1&56\\_INSTANCE\\_3GJ2TdoJVRDn\\_languageId=en\\_US](http://stm.fi/osatyokykyiset?p_p_id=56_INSTANCE_3GJ2TdoJVRDn&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&p_p_col_id=column-2&p_p_col_count=1&56_INSTANCE_3GJ2TdoJVRDn_languageId=en_US)

## ANNEX IV

### Which professions are concerned?

#### General Scheme:

The French pension reform in 2014 creates the personal “strenuous jobs prevention” career account (compte personnel de prevention de la pénibilité).

For working periods from **1st January 2015**: All employees in the private sector and also public sector workers if employed on a private contract which were exposed to at least one factor of arduousness (among 4 factors defined by the Labour Code). A worker exposed to a risk above a certain limit, which has been specified by decrees, especially on 30 December 2015<sup>2</sup>, gains points on a special career account. The disposal will be extended to 6 other factors from 1<sup>st</sup> July 2016.

#### Civil Servants Scheme:

Military, Police, Firemen, Air traffic controller, Prison guards and Custom supervisors

### What criteria are used as a basis?

#### General Scheme:

10 factors of arduousness defined by the Labour Code:

- Physical constraints imposed by the nature of the work:
  - **1. Handling of heavy loads:** Lifting or carrying loads of 15kg or more, push or pull weight of 250kg. At least 600 hours per year. Handle more than 7.5tons of items per day for a period of 120 days per year.
  - **2. Painful positions:** Squatting, kneeling, arms over shoulders, torso twisted or torso flexed. At least 900 hours per year.
  - **3. Mechanical vibration** (e.g. transmitted by jackhammers or construction equipment): Mechanical vibration of 2.5 m/s<sup>2</sup> to the hands and arms or 0.5 m/s<sup>2</sup> for the whole body for a period of 450 hours per year.
- Exposure to aggressive environments:
  - **4. Hazardous chemicals, including dust and fumes:** Exposure to substances selected in view of their impact on health (carcinogenic, mutagenic and toxic for reproduction (CMR), Hazardous Chemicals (ACD)...).

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<sup>2</sup> [http://www.legifrance.gouv.fr/jo\\_pdf.do?id=JORFTEXT000031740873](http://www.legifrance.gouv.fr/jo_pdf.do?id=JORFTEXT000031740873)

- **5. Activities performed in a hyperbaric environment (including subsea):** 60 operations or work per year carried out at more than 1200 hPa.
- **6. Extreme temperatures:** Temperatures less than or equal to 5°C or greater than or equal to 30°C for a period of 900 hours per year.
- **7. Noise:** Exposure to 80dB (daily exposure) and 135dB (punctual exposure) for a period of 600 hours per year.
- Certain rhythms of work:
  - **8. Night work:** At least one hour of work between midnight and 5am. At least 120 days per year.
  - **9. Working in rotating shifts and atypical night work:** Alternating schedules involving night periods and schedules irregular and atypical at night. At least 50 days per year.
  - **10. Repetitive work (repetition of the same gesture at a constraint rate):** Cycle time of 1 min or less or cycle time of more than 1 min, which include 30 technical actions per minute on average. 900 hours per year.

Only number 5., 8. 9. and 10. entered into force of 1 January, 2015 – the rest on 1 January 2016.

The law does not recognise psychosocial risks as a factor contributing to arduousness.

Civil Servants Scheme:

“active” job - classified with a particular risk or exceptional exhaustion

**Random number of eligible persons**

General Scheme:

Not known

Civil Servants Scheme:

Not known

**Where is the ruling determined (law, collective agreement, company regulation)?**

General Scheme:

Law (10 factors of arduousness defined by Article D. 4121-5 code du travail)

Civil Servants Scheme:

Law

**1. or 2. Pillar?**

1. Pillar

additionally: collective instrument (an agreement or action plan to prevent arduousness)

All private-sector employers, regardless of their legal status, are required to draw up an agreement/action plan to prevent arduousness, as are public companies, public industrial and commercial bodies and public administrative bodies, for their staff employed under private-law

contracts. The companies must have at least 50 employees or belong to a group with at least 50 employees, and at least 50% of the employees must be exposed to one of the factors in arduousness as defined by law.

### **Legal retirement age**

2014/15 at the age of 61 and two month (born in 1953)

2015/16 at the age of 61 and seven month (born in 1954)

from 2017 at the age of 62 (born in 1955 and later)

### **Earlier retirement or similar social benefit? How early?**

#### General Scheme:

There are 3 ways to take advantage of the points on the special career account:

1. By financing a professional training program in order to engage a new activity (1 point = 25 vocational training hours; the first 20 points on the account are earmarked vocational training)
2. By reducing the activity to part time work (10 points = 3 months of part time work)
3. By early retirement (10 points = a quarter of insurance; from the age of 55 years; limit of 8 quarters = 2 years)

Up to 100 points: Acquisition of points depends on exposure periods to one or several professional risks above exposure level

For each trimester of exposure to one factor of arduousness one point is earned (up to 100 points maximum). Trimesters of exposure to several factors lead to two points. If persons are close to retirement age (59.5) by 1 January 2015 points will be doubled. Every 10 points can be converted into a trimester of insurance period for earlier retirement (up to 8 trimesters maximum, because the first 20 points acquired can only be used to finance vocational training to get access to a non-painful employment).

From age 55 on the employee can use the trimesters

- to postpone the legal retirement for up to two years or
- to qualify for a "long career" early retirement pension, as these trimesters are "deemed contributions".

#### Civil Servants Scheme:

Persons at "active" jobs classified with a particular risk or exceptional exhaustion if they performed 17 year of "active" work (or 15 years before the 01.07.2011):

2014/15 at the age of 56 and two month (born in 1958)

2015/16 at the age of 56 and seven month (born in 1959)

from 2017 at the age of 57 (born in 1960 and later)



**Benefit deductions?**General Scheme:

none

Civil Servants Scheme:

none

**Additional periods or supplements for hard work to increase benefits?**General Scheme:

When the points will be used for retirement purpose, they will increase the length of insurance taken into account in determining the retirement rate (165/166 Trimester required for maximum rate of 50% - "full rate").

Civil Servants Scheme:

- A bonus of 1/5 after five years of service  
The bonus is granted up to 5 years (one year for every five years of service) to members of specific occupational groups (military, police, firemen, air traffic controller, prison guards and custom supervisors).
- A bonus for campaigns in addition to the military service performed, particularly during the navigation on vessels of the Navy or in the context of external operations.
- An additional bonus for aerial service or submarine service for military

With the bonus the maximum percentage of the pension can be increased from 75% to 80% (in case of some members of the police, the prison service, customs and aviation the bonus of 1/5 counts only for the maximum rate of 75%).

**Accumulation with earnings from work possible?**General Scheme:

Pensions: Possible if pension is paid at the maximum rate of 50% - "full rate" or a certain income limit is not exceeded.

Part-time-work (for up to 8 trimester): The employee can also use the points acquired for 20% to 80% part-time work with a full-time remuneration from the employer.

Civil Servants Scheme:

not known

**Earlier/higher benefit financed by whom?**General Scheme:

Financed by the employer:

A basic contribution for every employer from 2017 on at a very low rate (0.01%) to ensure the financial account balance prevention hard work through interprofessional solidarity.

A specific contribution for employees concerned by strenuous situations payable from early 2016 for the year 2015 (0.1% in the first two years and 0.2% from 2017 - doubled for polyexposition).

Establishment of a Fund to manage contributions: management of the personal account, delegated to CNAV and its network of regional pension offices (Carsat) in the General Scheme on behalf of the State

Civil Servants Scheme:

not known

**Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**

General Scheme:

Retirement pension: retirement pension scheme (CNAV, Carsat...)

Full-time remuneration for part-time work: The employer, but each month compensation by CNAV.

Civil Servants Scheme:

The public sector pays the benefits (Direction régionale des finances publiques - Centre de Gestion des Retraite)

**Who makes the decision in the individual case?**

General Scheme:

The scoring will be done on the basis of statements by the employer. The retirement insurance (Cnav, Carsat ...) will manage the personal accounts of arduousness and inform workers about the points they have and the possible uses of these points.

Civil Servants Scheme:

The public sector (Direction régionale des finances publiques - Centre de Gestion des Retraite)

**Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holidays)?**

General Scheme:

The employee can also use the points acquired to finance vocational training to get access to a non-arduous employment (the first 20 points acquired can only be used for that). Each acquired point entitles to 25 hours of training.

Civil Servants Scheme:

not known

**Who executes the preventive measures (only large companies, government)?**

General Scheme:

The employer (in case of vocational training period during working hours, it is compulsory to be granted the agreement of the employer 60 days or 120 days before the vocational training period according to its estimated duration (more or less 6 months)

Civil Servants Scheme:

not known

**Information is from:**

<http://www.social-sante.gouv.fr/reforme-des-retraites,2780/ce-que-la-reforme-change-pour-vous,2959/pour-ceux-qui-ont-un-metier,17152.html>

<http://www.reforme.lassuranceretraite.fr/index.php/penibilite-handicap/item/61-penibilite.html>

<http://www.pensions.bercy.gouv.fr/vous-%C3%AAtes-actif/pr%C3%A9parer-ma-retraite/quand-pourrai-je-obtenir-une-pension>

<http://www.pensions.bercy.gouv.fr/vous-%C3%AAtes-actif/pr%C3%A9parer-ma-retraite/quels-sont-les-services-et-bonifications-qui-seront-pris-en-compte-dans-ma-pension>

"Besseres Verständnis der "schweren Berufe" in der europäischen Rentendebatte":

<http://www.etf-europe.org/files/extranet/-75/44212/Arduous%20work%20European%20Desk%20Research%20DE.pdf>

## ANNEX V

### Country: Germany

#### Introductory remarks<sup>3</sup>

1. The statutory pension system basically has no pension regulations concerning “hard work”. For historical reasons there are special pensions for **miners** and – due to the seafarer’s special fund (“Seemannskasse”) - **seafarers**.  
In general “hard work” entitles for certain inpatient medical rehabilitation services (§ 31 (1) Nr. 2 SGB VI).  
For all insured with an exceptionally long contribution history (45 years of contributions), it is possible to retire two years earlier without deductions.
2. The social security system for **civil servants** provides special early retirement pensions for certain narrow occupational areas.
3. In the private sector there are some collective agreements for certain sectors that allow early retirement by providing a temporary allowance (e.g. **pilots, air traffic controllers**) until reaching the legal retirement age.

#### Which professions are concerned?

In Germany there are different professions related to work activities implying physical and mental strain as e.g. in the construction sector, the metal working industry or the care sector). There is no unique definition of arduous work or a specific legal framework.

The following information focusses in particular on specific professions such as:

Miners, seafarers, firefighters, police force, military, pilots, air traffic controllers

#### What criteria are used as a basis?

1. *Miners*: permanent work underground and until 12/68 hewing  
*Seafarers*: service on board of German flagged seagoing ships (under certain conditions also on foreign flagged ships)
2. Civil servants: mostly occupational area
3. Private sector: depends on collective agreement

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<sup>3</sup> Information provided focuses on pension. References on insurance against work accidents is mainly restricted as far as prevention is concerned.

### Random number of eligible persons

1. *Miners* (at 31.12.2014): 32.212 pensions for longtime working underground, 14.921 miners' pensions (8.219 pensions for miners aged 50), 10.680 compensatory payments for miners
2. Civil servants: not known
3. Private sector: not known (Lufthansa: ca. 5000 active pilots)

### Where is the ruling determined (law, collective agreement, company regulation)?

1. *Miners/seafarers*: social law, Sozialgesetzbuch Sechstes Buch (SGB VI) (social code volume VI)
2. Civil servants: administrative law, e.g. Bundesbeamtengesetz (BBG), Soldatengesetz (SG), derived from Article 33 (5) GG (German Constitution)
3. Private sector: collective agreement

### 1<sup>st</sup> or 2<sup>nd</sup> Pillar?

1. *Miners*: 1<sup>st</sup> pillar (but increased benefits due to the historic dual function of the miner's pension - statutory retirement pension and occupational pension at the same time)  
*Seafarers*: 1<sup>st</sup> pillar
2. Civil servants: 1<sup>st</sup> pillar
3. Pilots and air traffic controllers: 2<sup>nd</sup> pillar

### Legal retirement age

The legal retirement age is increasing gradually up to the age of 67 by 2031.

The pension age will be increased by one month for persons born in the same year, for persons born in or after 1959 by two months. It will have reached 67 for those born in 1964 (2031).

2015/2016: 65 and 4 months (born in 1950)

2016/2017: 65 and 5 months (born in 1951)

### Earlier retirement or similar social benefit? How early?

1. *Miners*, if they performed 25 years of employment activity that involved working continuously underground:
  - Pension for miners aged 50 ("Rente für Bergleute"), if they no longer perform an employment/self-employed activity financially comparable to their previous mining employment activity (full-time job) – counts as invalidity pension – calculation based only on contributions paid as miner)

- Compensatory payment for miners (“Knappschaftsausgleichsleistung” – KAL) from age 55, if employment in the miners’ branch ended involuntarily (calculated like an invalidity pension, based only on contributions paid as miner and without supplementary periods (“Zurechnungszeit”))
- Old age pension for miners (based on all kinds of paid contributions) - increasing gradually from 60 up to the age of 62 for those born in 1964 (2026):  
2015/2016: 60 and 9 months (born in 1955)  
2016/2017: 65 and 10 months (born in 1956)

*Seafarers:* bridging allowance from age 56 until receiving an old age pension or reduced earning capacity pension.

## 2. Civil servants:

*firefighters* of the army and firefighters in the technical service with 22 years of service as firefighters: 60, increasing gradually for those born from 1952 on (up to the age of 62 for those born in 1964).

2015/2016: 60 and 9 months (born in 1955)

2016/2017: 60 and 10 months (born in 1956)

*police force:*

federal level: at the age of 60 and 9 months (2015) (increasing up to the age of 62)

regional level: different regulations depending on the federal state and service grade, between age 60 und 65

*military:*

- the general pensionable age is 62, for higher ranks it gradually increases up to 65 (in 2024)
- there are lower special age limits depending on rank, that can be granted as needed: for 2016 e.g:  
non-commissioned officers: 54 and 4 months (increasing to 55)  
colonels: 61 and 4 months (increasing to 62)  
officers of fighter jets: 41 (40 if unfit to fly fighter jets)

## 3. Private sector:

*Pilots:* transitional payments from age 55 (until the end of 2013 possible) up to age 63

*Air traffic controllers:* transitional payments from age 55 up to retirement age 70% of the last gross salary

## Benefit deductions?

1. Miners: old age pension for miners - none, pension for miners aged 50 und KAL deduction of 0.3% for each month of earlier benefit (2014 before age 63 und 8 months, 2015 before age 63 and 9 month), maximum of deduction 3.6%.
2. Civil servants: none, for military additionally a lump sum compensatory payment up to five monthly wages.
3. Private sector: depends on collective agreements (pilots and air traffic controllers: none)

### **Additional periods or supplements for hard work to increase benefits?**

1. *Miners*: 33.33% pension increase compared to the normal statutory pension scheme, pension for miners aged 50 and old age pensions: miner's supplementary benefit for more than six complete years of work continuously underground (6 to 10 years 0.125 earning points (EP) per year, 11 to 20 years 0.250 EP per year, from 21 years 0.375 EP per year).
2. Civil servants: uninterrupted periods of at least one year in countries where the civil servant was exposed to climatic influences harmful to health can be counted up to twice as years of service for the calculation of the benefit.
3. Private sector: not known resp. none (pilots and air traffic controllers)

### **Accumulation with earnings from work possible?**

1. *Miners*: Pension for miners aged 50: financially comparable employment/self-employed activity outside the miners' branch not allowed, for not comparable activities general income limits applicable; KAL: employment at a miners' company not allowed, for other employments income limit for a full pension (450 EUR) applicable, old age pension: general income limits applicable
2. Civil servants: possible up to a certain income limit
3. Private sector: not known

### **Earlier/higher benefit financed by whom?**

1. *Miners*: contributions paid by employer and employee, employer 2/3 additional contributions  
*Seafarers*: contributions paid by employer and employee, shares depend on contribution amount, 2016: in equal shares
2. Civil servants: tax-financed - since 1999 every adjustment of remunerations and pensions should be deducted by 0.2 % and paid to a pension reserve. This special fund is administered by the German Central Bank. From 2018 on pensions should be financed partly through the capital accrued. From 2020 on all pensions for civil servants at federal level recruited since 01.01.2007 should be financed by the fund.
3. Private sector:  
*Pilots*: employer, in future younger persons (employed by Lufthansa) could be obliged to also pay contributions (currently the collective agreement is terminated)  
*Air traffic controllers*: employer

### **Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**

1. *Miners*: Deutsche Rentenversicherung Knappschaft-Bahn-See (KBS) (statutory pension scheme) pays the benefit  
*Seafarers*: seafarer's special fund (integrated in the KBS)
2. Civil servants: the public employer (state) pays the benefit

3. Private sector: employer/occupational pension scheme

### **Who makes the decision in the individual case?**

1. *Miners*: KBS – pension insurance  
*Seafarers*: KBS
2. Civil servants: state as the employer
3. Private sector: mutual insurance fund (pilots and air traffic controllers)

### **Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holydays)?**

1. Statutory pension scheme: Medical services can be provided to secure the ability to work for insured persons who exercise an employment particularly dangerous to health (§ 31 (1) Nr. 2 Sozialgesetzbuch 6. Buch (SGB VI))

Benefits are possible for persons in particularly hazardous occupations not yet organically ill or whose organ pathological changes are still of no clinical significance, but where according to a doctor's statement first problems have occurred. For example:

- early signs of functional disturbances of the locomotor organs
- psychological impairments
- early signs of dysfunction of various organ systems
- disorders of the airways that are prone to chronicity

The earning capacity should therefore not be significantly jeopardized or impaired. Persons with manifest findings which require already extensive therapeutic treatment are not eligible, they get regular medical rehabilitation benefits.

Particularly hazardous occupations are those with

- particularly heavy physical loads,
- special mental stress,
- substantial mechanical stress in particular by vibration, pressure or awkward posture,
- permanent standing or sitting,
- considerable exposure to noise, heat, cold, moisture, dust, gases, vapours, temperature fluctuations or under unfavourable climatic conditions or in wet environments,
- particularly high continuous demands on concentration, reaction liking and responsibility,
- frequently changing work shifts in the alternation of day and night and to considerable demands on the individual adaptability,

if these activities under the aforementioned circumstances have been exercised for longer.

#### **Treatments**

- necessary medical treatment
- active movement therapy
- practise of relaxation techniques



- psychotherapeutically and physical therapy
- guidance to healthy behaviour, including measures to health education

Current pilot projects concerning nursing staff and shift workers are provided.

2. Civil servants: depending on offerings at the establishment (for all employees)
3. Private sector: *Air traffic controllers*: regular rehabilitation for recovery, to engage in sport and to learn effective relaxation methods
4. Statutory accident insurance scheme: Preventive measures may range from medical check-ups in the context of preventive occupational medical care for professions with high physical or mental strain, campaigns such as “Think of me. Love, your back.” targeting also heavy work conditions and early intervention tools for arduous jobs with opportunities for career change including consultation concepts. Rehabilitation in particular vocational reintegration has also preventive impact so that these are also preventive measures.

### **Who executes the preventive measures (only large companies, government)?**

1. Institutions of the German Pension Insurance.
2. As far as prevention measures in the context of work accidents and occupational diseases are concerned, the respective accident insurance carriers are responsible.
3. *Air traffic controllers*: employer

### **Information is from:**

OECD 2011 - LA PRISE EN COMPTE DE LA PÉNIBILITÉ DU TRAVAIL DANS LES SYSTÈMES DE RETRAITE DES PAYS DE L'OCDE:

<http://www.cor-retraites.fr/IMG/pdf/doc-1504.pdf>

[https://www.deutsche-  
rentenversicherung.de/cae/servlet/contentblob/232612/publicationFile/56511/miners\\_und\\_ihre\\_rente.pdf](https://www.deutsche-<br/>rentenversicherung.de/cae/servlet/contentblob/232612/publicationFile/56511/miners_und_ihre_rente.pdf)

[https://www.kbs.de/DE/20\\_firmenkunden/07\\_die\\_kn\\_rv/InhaltsNav.html](https://www.kbs.de/DE/20_firmenkunden/07_die_kn_rv/InhaltsNav.html)

[https://www.kbs.de/DE/14\\_seemannskasse/seemannsnode.html](https://www.kbs.de/DE/14_seemannskasse/seemannsnode.html)

<http://www.deutsche-flagge.de/en/social-insurance/seafarers-special-fund>

[http://www.deutsche-rentenversicherung-regional.de/Raa/Raa.do?f=SGB6\\_31R0](http://www.deutsche-rentenversicherung-regional.de/Raa/Raa.do?f=SGB6_31R0)

[http://www.bmi.bund.de/DE/Themen/Moderne-  
Verwaltung/Dienstrecht/Beamte/Versorgung/versorgung\\_node.html](http://www.bmi.bund.de/DE/Themen/Moderne-<br/>Verwaltung/Dienstrecht/Beamte/Versorgung/versorgung_node.html)

<http://www.deutsches-wehrrecht.de/Unterlagen/DNeuG%20-%20Altersgrenzentabelle.pdf>

[http://www.gesetze-im-internet.de/sg/\\_45.html](http://www.gesetze-im-internet.de/sg/_45.html)

[http://www.gesetze-im-internet.de/svg/\\_26.html](http://www.gesetze-im-internet.de/svg/_26.html)

<http://curia.europa.eu/juris/document/document.jsf?jsessionid=9ea7d2dc30db2c5b9a7cc729451a8933844cbe016bd0.e34KaxiLc3qMb40Rch0SaxuLbNz0?text=&docid=109381&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=5898563>

[http://www.boeckler.de/pdf/p\\_arbp\\_280.pdf](http://www.boeckler.de/pdf/p_arbp_280.pdf)

[http://www.focus.de/finanzen/karriere/arbeitsrecht/tid-23186/arbeitskampf-in-der-urlaubszeit-fluglotsen-wollen-am-donnerstag-streiken\\_aid\\_651859.html](http://www.focus.de/finanzen/karriere/arbeitsrecht/tid-23186/arbeitskampf-in-der-urlaubszeit-fluglotsen-wollen-am-donnerstag-streiken_aid_651859.html)

<http://www.dguv.de/iag/beratung/Demografischer-Wandel/index.jsp>

<http://publikationen.dguv.de/dguv/pdf/10002/iag-report-2015-02.pdf>

[http://www.deinruecken.de/dein\\_ruecken\\_kampagne/sondernavigation/presse\\_pressemitteilungen/pressemitteilungen/28\\_januar\\_2014/20140128\\_arbeitsmedizinische\\_vorsorge.jsp](http://www.deinruecken.de/dein_ruecken_kampagne/sondernavigation/presse_pressemitteilungen/pressemitteilungen/28_januar_2014/20140128_arbeitsmedizinische_vorsorge.jsp)

## ANNEX VI

### Country: Greece

#### Which professions are concerned?

List of activities considered unhealthy and painful - paid contributions in hazardous work (βαρέα και ανθυγιεινά επαγγέλματα, BAE) eg in mines, underwater activities or in the extraction and processing of asbestos:

- Dangerous professions: medical and paramedical staff, members of rescue teams and workers exposed to extremely dangerous situations such as military, police, firefighters, prison staff...
- "Dirty" jobs: a job is classified as unhealthy when its exercise involves an increased risk of occupational disease or worsening of the disease risk
- Heavy occupations: under Article 104 of the Insurance Regulation IKA ETAM (Idryma Kinonikon Asfaliseon) 4 categories according to the degree of severity and risk to the employee are considered as belonging to this category. Heavy occupations are those that require a load or stress psychophysical particularly intense and continuous, conditioned by factors that can not be prevented by appropriate measures. The arduous nature of work is recognized by the Greek Parliament and involves physical or psychological, intense and continuous effort, all in a work environment that affects the health of the worker.

#### What criteria are used as a basis?

7,500 insurance days must have been spent doing arduous and unhealthy work

#### Random number of eligible persons

10% of the employees

#### Where is the ruling determined (law, collective agreement, company regulation)?

law

#### 1. or 2. Pillar?

1. Pillar

#### Legal retirement age

65 years if 15 years of insurance (4,500 insurance days), 62 years if 40 years of insurance (12,000 insurance days)

**Earlier retirement or similar social benefit? How early?**

Only for persons insured before 01/01/1993

Full Pension from the age of 62 years and with 10,500 insurance days (of which 7,500 days must have been spent doing arduous and unhealthy work).

**Benefit deductions?**

Only for persons insured before 01/01/1993

Reduced Pension from the age of 60 years and 9 months (increasing by 6 months every year until the age of 62 is reached in 2016) and with 35 working years or 10,500 insurance days (of which 7,500 days must have been spend working under arduous or unhealthy conditions)

Reduction of 1/200 for each missing month until the age required for granting full pension.

**Additional periods or supplements for hard work to increase benefits?****Accumulation with earnings from work possible?****Earlier/higher benefit financed by whom?**

Additional 3% contribution for employees in hazardous work

**Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**

pension scheme

**Who makes the decision in the individual case?****Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holydays)?****Who executes the preventive measures (only large companies, government)?****Information is from:**

OECD 2011 - LA PRISE EN COMPTE DE LA PÉNIBILITÉ DU TRAVAIL DANS LES SYSTÈMES DE RETRAITE DES PAYS DE L'OCDE:

<http://www.cor-retraites.fr/IMG/pdf/doc-1504.pdf>

<http://www.oecd.org/els/public-pensions/PAG2013-profile-Greece.pdf>

<http://www.missoc.org/MISSOC/INFORMATIONBASE/COMPARATIVETABLES/MISSOCDATABASE/comparativeTableSearch.jsp>

## **ANNEX VII**

### **Country: Italy**

#### **Which professions are concerned?**

Employed and self-employed persons:

- workers engaged in particularly strenuous tasks (tunnelling, quarrying or mining); work in caissons with compressed air; work carried out by divers; work at high temperatures; processing of hollow glass; work carried out in confined spaces; asbestos removal work;
- night workers (shift workers who carry out their activities at night for at least 6 hours, including the interval between midnight and five in the morning, for a minimum of 78 days per year for those who meet the requirements in the period between 01.07.2008 to 30.06.2009 and not less than 64 days for those who meet the requirements from 01.07.2009, employees who perform their activity for at least 3 hours between midnight and five in the morning for the whole working year);
- workers involved in the so-called "chain line", engaged in a manufacturing process in series, with pace determined by measurement of working time, sequences of locations, constant repetition of the same life-cycle of component parts of a final product;
- drivers of heavy vehicles used for public transport services, collectively, with a minimum capacity of the vehicle than nine seats including the seat reserved for the driver.

#### **What criteria are used as a basis?**

Heavy work is defined as those that require a particular psychophysical stress, intense and continuous, conditioned by factors that can not be prevented by appropriate measures.

#### **Random number of eligible persons**

about 900,000 workers

#### **Where is the ruling determined (law, collective agreement, company regulation)?**

law (DECRETO Salvi - 19 MAGGIO 1999, Decreto legislativo 21 aprile 2011, n. 67)

#### **1. or 2. Pillar?**

1. Pillar

#### **Legal retirement age**

In 2014 and 2015:

- Male employees of the private sector, male self-employed and para-subordinate workers, male and female civil servants: 66 years and 3 months

- Female employees of the private sector: 63 years and 9 months
- Female self-employed and para-subordinate workers: 64 years and 9 months

The retirement age is being gradually increased according to the increase in life expectancy. As of January 2021, the retirement age cannot be lower than 67 (it will reach 69 and 9 months by the year 2050).

### **Earlier retirement or similar social benefit? How early?**

35 years of contributions and having done one or more of the “heavy work” activities for a period of at least seven years in the last ten years for pensions starting before 31.12.2017 (for half of the total working life for pensions starting from 01.01.2018):

Employees – from age 61 if the sum of age and years of contributions is 97

Self-employed - from age 62 if the sum of age and years of contributions is 98

### **Benefit deductions?**

none

### **Additional periods or supplements for hard work to increase benefits?**

Work with asbestos:

- For more than 10 years of work with asbestos 25% of the working period as additional period for the pension calculation (not for the entitlement).
- If 30 years of paid contributions - Fictional periods for the entitlement between cession of the work with asbestos and the retirement.

Civil servants: Additional periods for specific job-related services "maggiorazioni per servizio", i.e. for special services at danger-prone activities in the border area or at the police.

### **Accumulation with earnings from work possible?**

The applicant of an early retirement pension must cease paid employment in order to achieve the right to a pension. It is not necessary to cease the activity of self-employment.

### **Earlier/higher benefit financed by whom?**

Full responsibility of the State

### **Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**

Pension scheme – INPS

### **Who makes the decision in the individual case?**

Pension scheme – INPS

### **Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holydays)?**

not known

**Who executes the preventive measures (only large companies, government)?**

not known

**Information is from:**

OECD 2011 - LA PRISE EN COMPTE DE LA PÉNIBILITÉ DU TRAVAIL DANS LES SYSTÈMES DE RETRAITE DES PAYS DE L'OCDE:

<http://www.cor-retraites.fr/IMG/pdf/doc-1504.pdf>

<http://www.inps.it/portale/default.aspx?itemdir=5742>

<http://www.deutsche-rentenversicherung-regional.de/Raa/Raa.do?f=EWGV883-2004ART1BSTT-ITAR3.1.11>

<http://www.deutsche-rentenversicherung-regional.de/Raa/Raa.do?f=EWGV883-2004ART1BSTT-ITAR4.1.2.2>

<http://www.inps.it/portale/default.aspx?sID=;0;00;7661;7668;7663;&lastMenu=7663&iMenu=1&p4=2>

<http://www.inps.it/portale/default.aspx?sID=;0;00;7661;7663;7671;&lastMenu=7671&iMenu=1&iNodo=7671&p4=2>

<http://www.inps.it/portale/default.aspx?sID=;0;5614;4755;&lastMenu=4755&iMenu=1&iNodo=4755&p4=2&bi=22&link=Cumulo%20pensione%20e%20reddito%20da%20lavoro>

[https://www.cliclavoro.gov.it/Normative/D.M\\_19\\_maggio\\_1999.pdf](https://www.cliclavoro.gov.it/Normative/D.M_19_maggio_1999.pdf)

<http://www.dplmodena.it/Circolare%20Confindustria%2011%20maggio%202011%20su%20lavori%20usuranti%5B1%5D.pdf>



## ANNEX VIII

### Country: Poland

#### Which professions are concerned?

Two types of jobs performed in special conditions or in specific character can be basically distinguished in the Polish social insurance legislation, depending on the sources of law in which they are defined:

1. Art. 32(3) of the Act of 17 December 1998 on pensions from the Social Insurance Fund

for example the following jobs: of state control employees, customs administration employees, employees performing creative or artistic activity, journalists, teachers, uniformed services, fire protection employees

2. Regulation of the Council of Ministers of 7 February 1983 on the retirement age of employees working in special conditions or in specific character.

The Regulation contains two lists of types of jobs, whose performance is considered as employment in special conditions, including but not limited to the following jobs: in mining, in power industry, in steel and metal industry, in chemistry, in construction and in building materials industry, in forestry, timber and paper industry, in light industry, in transport and communication, in municipal economy, in agriculture and agricultural-and-food industry, in printing industry, in health care and social welfare, in glass-forming units.

This list of jobs performed in special conditions or in specific character applies only to employment performed to 31 December 2008.

3. Act of 19 December 2008 on old-age bridging pensions, under which the Act distinguishes:

- A list of 40 types of jobs performed in special conditions, e.g. jobs of sea fishermen, air cabin crew jobs, tannery work directly in treatment of wet leather, hard manual work in underground sewers)
- A list of 24 types of jobs performed in specific character - as such the Act considers jobs requiring special responsibility and special mental and physical abilities, where capabilities of proper performance of such jobs without jeopardizing public safety, including health or life of other people, decrease before reaching retirement age due to deterioration of such capabilities, e.g. traction driver jobs, emergency vehicle driver jobs

The lists of jobs performed in special conditions or in specific character are applicable to employment performed both on or before 31 December 2008 and from 01 January 2009.

### What criteria are used as a basis?

Professions of a specific character are professions that entail a certain degree of responsibility and require certain psychological and physical abilities; the probability that these professions are exercised correctly, without jeopardising public safety (including people's health and lives), decreases before the statutory retirement age because ageing causes psychological and physical capacities to deteriorate.

Professions with special conditions are professions linked to risk factors that are more likely to permanently damage health as a worker gets older. These professions are exercised under special conditions, in a working environment characterised by:

- forces of nature and/or environmental factors;
- technological processes:
  - o associated with temperatures below 0 °C or above 28°C ;
  - o associated with high atmospheric pressure;
  - o associated with excessive physical efforts and the high static load that comes from keeping the joints in certain positions for long periods, and requiring energy use exceeding 6,300 kJ for men and 4,200 kJ for women;
  - o requiring postures that entail keeping the joints in awkward positions due to the need to exercise a force exceeding 10 kg for men and 5 kg for women for 50% of the total working time.

The criteria for entitlement to benefits depend on the legal basis of the benefit. Taking into account such criteria - the following types of retirement benefits granted in respect of employment in special conditions or in specific character can be distinguished in the Polish legal system:

1. Old-age pension in lower retirement age for work in special conditions or in specific character
2. Bridging pension

#### Ad.1

Presently, these benefits can be acquired by two groups of people:

#### Group I

People born in the period after 31 December 1948 and before 01 January 1969, who fulfilled all of the following conditions:

- have not joined the Open Pension Fund or have applied for the transfer of resources collected on account in the Open Pension Fund, via the Social Insurance Institution, to the State budget incomes;
- on or before 31 December 2008: reached the required retirement age;
- have documented the period of performing work in special conditions, equal to 10 or 15 years depending on the occupation,
- have accumulated the required number of contributory and non-contributory periods (20 years for women or 25 years for men).

It should be noted that currently a possibility of acquiring the right to an old-age pension by people classified to this group applies only to employees performing specific artistic jobs, e.g. ballet dancers.

Group II

People born after 31 December 1948 who fulfil all of the following conditions:

- on or before 01 January 1999 demonstrated a period of employment in special conditions or in specific character required under the earlier legislation for entitlement to an old-age pension at the age lower than the general retirement age, equal to 10 or 15 years depending on the occupation;
- have demonstrated the required number of contributory and non-contributory periods (20 years for women or 25 years for men);
- have reached the required lower retirement age.

Beside the above-mentioned groups, it is possible to be granted a mining old-age pension after documenting an adequate period of performing mining work.

Teachers with at least 20 years of experience as a teacher have an opportunity to acquire the right to the old-age pension, regardless of age, or to acquire the teachers' compensation benefit in the reduced retirement age.

Ad. 2

The right to the bridging old-age pension will be acquired by a person who:

- 1) was born after 31 December 1948;
- 2) has completed a period of work in special conditions or in specific character of at least 15 years (in the case of the following jobs: mountain rescuers, divers, sea fishermen, jobs connected with asbestos processing - the required period is 10 years);
- 3) has reached the age of at least 55 years for women and at least 60 years for men (with some exceptions);
- 4) has completed the contributory and non-contributory period, defined in the Act on pensions from the Social Insurance Fund, equal to at least 20 years for women and at least 25 years for men;
- 5) before 1 January 1999 performed work in special conditions or in specific character, within the meaning of the Act on bridging old-age pensions or within the meaning of the Act on pensions from the Social Insurance Fund and of the above-mentioned Regulation;
- 6) after 31 December 2008 performed in special conditions or in specific character, within the meaning of the Act on bridging old-age pensions;
- 7) his or her employment relationship was terminated.

The bridging old-age pension may be also acquired by a person who after 31 December 2008 did not perform any job in special conditions mentioned in the lists of jobs specified in the Act on bridging old-age pension if:

- 1) as at 1 January 2009 he or she had a period of work performed in special conditions or in specific character (regardless of its duration), listed in the new lists of jobs;
- 2) before 1 January 1999 performed jobs in special conditions or in specific character listed in the earlier or the new lists of jobs;
- 3) has completed the contributory and non-contributory period of at least 20 years for women and 25 years for men;
- 4) has reached the age for the bridging old-age pension;

5) has terminated his or her employment relationship(s).

### **Random number of eligible persons**

In Dec 2014 in ZUS were 312,9 thousand people are insured as a person working in hard jobs.

In 2014 monthly at average 10,7 thousand people were entitled to special old-age pension due to work in hard jobs.

### **Where is the ruling determined (law, collective agreement, company regulation)?**

1. The Act of 17 December 1998 on pensions from the Social Insurance Fund (Journal of Laws of 2013 pos. 1440 as amended) and the Regulation of the Council of Ministers of 7 February 1983 on the retirement age of employees working in special conditions or in specific character (Journal of Laws No. 8 of 1983 pos. 43) 2, the Act of 19 December 2008 on bridging pensions (Journal of Laws No. 237 of 2008, pos. 1656 as amended)

#### **1. or 2. Pillar?**

1. Pillar

#### **Legal retirement age**

Old-age Pension:

Women: 60 years, Men: 65 years

Since January 2013 the retirement age gradually increases by one month per three months for every age cohort, until it reaches 67 for both men and women. The first persons concerned by this increase are those born in 1953 (women) and 1949 (men).

#### **Earlier retirement or similar social benefit? How early?**

1. In the case of the benefits established under the provisions of the Act on pensions from the Social Insurance Fund and the Council of Ministers Regulation on the retirement age of employees working in special conditions or in specific character - the reduced retirement age varies depending on the type of job performed in the course of their career:
  - a) 55 years for women and 60 years for men - in the case of performing most of jobs in special conditions;
  - b) 50 years for women and 55 years for men - in the case of some jobs connected e.g. with processing of asbestos, cadmium, sea fishermen jobs, miners work in opencast mines and in carbon mechanical processing, mountain rescuer jobs;
  - c) 40 years for women and 45 years for men - in the case of some employees performing creative or artistic activity, e.g. a dancer, an acrobat.

2. In the case of bridging pensions granted under the Act on bridging pensions, the lower retirement age for groups of employees who have performed jobs specified in this Act also varies depending on the type of job performed:

- a) 55 years for women and 60 years for men - in the case of performing most of jobs in special conditions;
- b) 50 years for women and 55 years for men - in the case of performing such jobs as on aircraft in the air, mountain rescuers, traction vehicle drivers, jobs connected with processing of asbestos, divers, sea fishermen

### **Benefit deductions?**

An old-age pension at an earlier age in respect of work in special conditions or specific character, or the bridging old-age pension is reduced in the event of achieving revenue in excess of 70% of the average monthly wage/salary for the preceding calendar quarter (published by the Central Statistical Office), but not more than 130% of that amount; the pension is reduced by the amount of excess, however not more than the applicable maximum amount of the reduction.

### **Additional periods or supplements for hard work to increase benefits?**

A compensation is available to people who have documented at least 15-year period of employment in special conditions and have not acquired the right to the old-age pension at the lower retirement age or the bridging old-age pension.

The compensation is granted after the pension claim has been filed, after reaching the general retirement age. It is calculated on an individual basis, separately for each beneficiary according to a specific formula. Its award results in increasing the old-age pension amount.

### **Accumulation with earnings from work possible?**

Before the legal retirement age possible only if the average monthly income equals:

- not more than 70% of average monthly wage / salary – the benefit is paid in full amount,
- from 70% to 130% of average monthly wage / salary – the benefit is reduced by the amount the received income exceeds 70% of average monthly earning, but not more than by an amount of maximum reduction for the particular type of benefit,
- more than 130% of average monthly wage / salary – the benefit is suspended.

### **Earlier/higher benefit financed by whom?**

Old-age pensions granted at an earlier age in respect of work in special conditions or in specific character on the basis of the Act on pensions from the Social Insurance Fund are financed with resources from the Old-Age Pension Fund - separated under the Social Insurance Fund. The Social Insurance Fund is the special purpose public fund, established for implementation of tasks in the field of social insurance.

Bridging old-age pensions are financed from the Bridging Pension Fund, which is the special purpose public fund established to finance the mentioned benefits.

**Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**

Benefits are paid by the Social Insurance Institution - a state organizational unit with a legal personality.

**Who makes the decision in the individual case?**

Decisions on benefits are made and the benefits are paid, as a rule, by the Branch of the Social Insurance Institution competent for the place of residence of the beneficiary.

Proceedings on granting benefits are initiated at the request of the person concerned. In order to take into consideration periods of work performed in special conditions or in specific character, completed by 31 December 2008, the applicant should submit relevant work certificate issued by the employer.

Periods of work in special conditions or in specific character - completed after 01 January 2009 are taken into consideration based on an application by the employer (registered in the IT system).

**Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holidays)?**

The Social Insurance Institution conducts activities in the field of pension prevention, including prevention of incapacity for work and accident prevention measures aimed to prevent accidents at work and occupational diseases.

The mentioned activities are also addressed to persons performing work in special conditions or in specific character.

Under the pension prevention, the Social Insurance Institution:

- 1) refers for rehabilitation to rehabilitation centres the insured persons at risk of complete or partial incapacity for work and recipients of periodic pension for incapacity for work,
- 2) carries out or commissions tests and analyses of the causes of incapacity for work,
- 3) carries out other preventive measures, for example disseminates information materials (brochures, leaflets, posters) concerning, among others, availability of medical rehabilitation conducted by the Social Insurance Institution, subsidizes seminars, symposia and conferences on the pension prevention issues.

The rehabilitation programme within the framework of disability pension prevention is targeted at persons:

- insured, being at risk of complete or partial incapacity to work,
- entitled to sickness allowance or rehabilitation benefit after cessation of their right to sickness or accident insurance,
- receiving periodic disability pensions if there is a good prognosis as to restoration of their earning capacity after rehabilitation.

The referral to a rehabilitation centre is based on a decision on the need for medical rehabilitation issued by ZUS evaluating doctor.

ZUS refers to medical rehabilitation in the in-patient and out-patient system in the following groups of diseases:

- in the in-patient system:
  - motor system diseases,
  - cardio-vascular system diseases,
  - respiratory system diseases,
  - psychosomatic diseases,
  - oncological diseases - after the mammary gland surgery,
  - vocal organ diseases,
- in the out-patient system:
  - motor system diseases,
  - cardio-vascular system diseases, including telemedically monitored diseases.

The full cost of rehabilitation, including in particular costs of treatment, accommodation and board, is covered by ZUS. ZUS also refunds the cost of travel to the rehabilitation centre from the place of residence and back - up to the price of a ticket by cheapest means of public transport.

Under the pension prevention, the Social Insurance Institution:

- 1) co-finances activities carried out by contribution payers aimed to maintain earning capacity throughout the period of professional activity:
  - advisory projects aimed to improve occupational health and safety management, including in particular occupational risk assessment, introduction of safe work procedures, as well as planning and monitoring of preventive measures in the field of occupational health and safety,
  - investment projects relating primarily to technical safety (development, modification and improvement of the technical condition of machinery, equipment, as well as protective systems and measures),
  - investment and advisory projects, combining functions of the aforementioned projects.
- 2) commissions analytical materials concerning causes and effects of accidents at work, especially fatal, serious and collective accidents, and occupational diseases,
- 3) disseminates knowledge of hazards causing accidents at work and occupational diseases and methods of their prevention, inter alia through training organisation, dissemination of information materials in the field of accident prevention in the form of brochures, leaflets, posters, participation in health and information campaigns,
- 4) commissions scientific and research works aimed to eliminate and reduce causes of accidents at work and occupational diseases.

### **Who executes the preventive measures (only large companies, government)?**

The Social Insurance Institution - tasks related to pension and accident prevention - funded by the Social Insurance Fund

**Information is from:**

OECD 2009 - Should Pension Systems Recognise "Hazardous and Arduous Work":

[http://www.oecd-ilibrary.org/social-issues-migration-health/should-pension-systems-recognise-hazardous-and-arduous-work\\_221835736557](http://www.oecd-ilibrary.org/social-issues-migration-health/should-pension-systems-recognise-hazardous-and-arduous-work_221835736557)

OECD 2011 - LA PRISE EN COMPTE DE LA PÉNIBILITÉ DU TRAVAIL DANS LES SYSTÈMES DE RETRAITE DES PAYS DE L'OCDE:

<http://www.cor-retraites.fr/IMG/pdf/doc-1504.pdf>

<http://www.zus.pl/>

"Besseres Verständnis der "schweren Berufe" in der europäischen Rentendebatte":

<http://www.etf-europe.org/files/extranet/-75/44212/Arduous%20work%20European%20Desk%20Research%20DE.pdf>

[http://www.zus.pl/files/Sozialversicherung\\_in\\_Polen\\_2014.pdf](http://www.zus.pl/files/Sozialversicherung_in_Polen_2014.pdf)



## ANNEX IX

### Country: Portugal

#### Which professions are concerned?

##### General Scheme:

Miners, Seafarers in fisheries, maritime workers of merchant navy, costal navigation and costal fishery, pilots, air traffic controllers, professional classical and contemporary dancers, embroiderers from Madeira Island, employees covered by international agreements in the autonomous region of the Azores, workers in mining of the closed National Uranium Company (ENU), workers of the national port

##### Civil Servant Scheme:

Military, policemen, firefighters

#### What criteria are used as a basis?

General Scheme: heavy or unhealthy work (only for professions legally foreseen)

Civil Servant Scheme: not known

#### Random number of eligible persons

##### General Scheme:

Special pension regulations of the General Scheme apply to very few employees!

1. 2009 only 2 employers offered retirement from age 45 for structural reasons

Civil Servant Scheme: not known (active employees in civil servant scheme 2013 = 509.869)

#### Where is the ruling determined (law, collective agreement, company regulation)?

##### General Scheme:

1. Decreto-Lei n. 195/95 of 28.07.95
2. Decreto n. 40/86 of 12.09.86  
Decreto n. 2/98 of 04.02.98  
Decreto n. 129/2001 of 27.02.2001
3. Portaria do Ministério dos Assuntos Sociais of 18.12.1975  
Portaria n.º804/77 of 31.12.1977  
Decreto n.º129/2001 of 27.02.2001
4. not known
5. Decreto-Lei n.º155/2009 of 09.07.2009  
Declaração de Rectificação n.º 64/2009 of 01.09.2009
6. Decreto-Lei n. 482/99 vom 09.11.1999  
Despacho Conjunto no.º704/2000 of 09.06.2000.

7. Decreto Legislativo Regional n.º12/93/M of 23.07.1993  
Lei n.º14/98 of 20.03.1998  
Decreto-Lei n.º55/99 of 26.02.1999
8. Lei n.º32/96 of 16.08.1996  
Decreto Legislativo Regional n.º9/97/A of 03.07.1997
9. Decreto-Lei n.º28/2005 of 10.02.2005  
Lei n.º10/2010 of 14.06.2010
10. Decreto-Lei n.º483/99 of 09.11.1999

Civil Servant Scheme: law

### **1. or 2. Pillar?**

#### 1. Pillar

#### **Legal retirement age**

2013 – age 65

2014 + 2015 – age 66

#### **Earlier retirement or similar social benefit? How early?**

General Scheme:

1. Miners who have worked underground with 15 years of contributions  
The legal retirement age is reduced by 1 year for every 2 years of work underground, but not earlier than age 50 or age 45 in case of structural reasons
2. Seafarers aged 55 if they have worked 30 years as fishermen at sea (150 days-at-sea are 1 year). If they have worked at least 15 years as fishermen the legal retirement age is reduced by applying a coefficient of 0.33 by the number of years of service in fisheries.  
Seafarers aged 50 with physical exhaustion if they have worked 40 years as fishermen at sea (273 days-at-sea are 1 year)
3. Maritime workers of merchant navy, costal navigation and costal fishery aged 55 with 15 years of contributions and 15 years at sea (273 days-at-sea are 1 year).
4. before 2011: Pilots aged 60, because worldwide it was not allowed to fly after age 60 (in the meantime increased to age 65).
5. Air traffic controllers aged 57 with 22 years of contributions
6. Professional classical and contemporary dancers with 10 years of contributions from full-time employment as professional dancer  
at age 55 or  
at age 45 if they have a total of 20 years registered contributions
7. Embroiderers from Madeira Island aged 60 with 15 years of contributions as embroiderer
8. Employees covered by international agreements in the autonomous region of the Azores aged 45 with 15 years of contributions to the General Scheme and 10 years of service for a foreign military employer (application required within 90 days after termination of the employment contract)
9. Workers aged 55 with 15 years of contributions who have worked for at least 4 years for the National Uranium Company (ENU) before its dissolution

10. Workers of the national port aged 55 which have been 45 years old and had 15 years of contributions in the port sector on 31.12.1999

Civil Servant Scheme:

Military, policemen, firefighters between 55 and 60 depending on the category

### **Benefit deductions?**

General Scheme:

1. regular pension without deductions
2. regular pension without deductions
3. regular pension without deductions
4. regular pension without deductions
5. regular pension without deductions
6. from age 55 regular pension without deductions, from age 45 deduction of 0.5% per month for the time before age 55
7. regular pension without deductions
8. pension calculation only from 10 years registered income
9. regular pension without deductions
10. regular pension without deductions

Civil Servant Scheme: none

### **Additional periods or supplements for hard work to increase benefits?**

General Scheme:

Miners having worked underground and workers of the Ex National Uranium Company (ENU) – earlier pension and pension increase

The pension is increased by 2.2% for every 2 years of work underground (up to 92% of the reference wage)

Civil Servant Scheme:

Extra service periods - if the member has worked in a job or situation that entitles him to have the time of service increased (multiplied by 25% or 50%, for instance: military service on fighting areas, firefighting). In order to have those periods taken into account, the member will have to demand it and to pay the corresponding contributions.

### **Accumulation with earnings from work possible?**

General Scheme:

1. Employment underground not allowed
2. Employment aboard fishing vessels as seafarers not allowed
3. Employment at merchant navy at sea not allowed
4. not known
5. Employment at air traffic control industry and for 3 years after retirement at the same employer not allowed

6. Employment as classical and contemporary dancer not allowed
7. Employment at embroidery industry not allowed
8. Employment in the service of foreign military employers not allowed
9. Employment in mining sector not allowed
10. Employment in port sector until legal retirement age not allowed

Civil Servant Scheme: not known

### **Earlier/higher benefit financed by whom?**

General Scheme:

1. Earlier benefit financed by employer and employee - additional expenses in case of retirement at 45 for structural reasons financed by employer only
2. not known
3. not known
4. not known
5. Additional expenses financed by employer and social security
6. not known
7. not known
8. not known
9. Financed by employer only
10. not known

Civil Servant Scheme:

Extra service periods - The scheme member has to pay contributions (contribution rate of 8% for each month taken into account) in order to have the extra service counted.

### **Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**

General Scheme:

Centro Nacional de Pensões – CNP, pension insurance pays the benefit

Civil Servant Scheme:

Caixa Geral de Aposentações – CGA, pension insurance pays the benefit

### **Who makes the decision in the individual case?**

General Scheme:

Centro Nacional de Pensões – CNP, pension insurance

Civil Servant Scheme:

Caixa Geral de Aposentações – CGA, pension insurance

### **Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holydays)?**

not known

**Who executes the preventive measures (only large companies, government)?**

not known

**Information is from:**

OECD 2009 - Should Pension Systems Recognise "Hazardous and Arduous Work":

[http://www.oecd-ilibrary.org/social-issues-migration-health/should-pension-systems-recognise-hazardous-and-arduous-work\\_221835736557](http://www.oecd-ilibrary.org/social-issues-migration-health/should-pension-systems-recognise-hazardous-and-arduous-work_221835736557)

OECD 2011 - LA PRISE EN COMPTE DE LA PÉNIBILITÉ DU TRAVAIL DANS LES SYSTÈMES DE RETRAITE DES PAYS DE L'OCDE:

<http://www.cor-retraites.fr/IMG/pdf/doc-1504.pdf>

<http://translate.google.de/translate?hl=de&sl=pt&tl=en&u=http%3A%2F%2Fwww4.seg-social.pt%2Fpensao-de-velhice%23>

[http://www.cga.pt/aposentacao\\_en.asp](http://www.cga.pt/aposentacao_en.asp)

<http://portal.versorgungskammer.de/portal/pls/portal/docs/1/3749123.PDF>

## ANNEX X

**Country: Spain**

### Which professions are concerned?

General Regime: Workers Included in the Mining Statute (not included in the Special Scheme for Coal Mining), Technical Flight Personnel, Railway Workers, Artists (singers, dancers and trapeze artists), Bullfighting Professionals, Firemen in the service of the civil service and public organisations, Members of the Basque Police Force

Special Scheme for Coal Mining, Special Scheme for Sea Workers

Civil Servants Scheme: Military, Police and Firemen in the service of the civil service and public organisations

### What criteria are used as a basis?

General Regime: activity is arduous, toxic, dangerous or unhealthy and involve high mortality or morbidity rates

Special Scheme for Coal Mining: hazard and toxicity of the activity

Special Scheme for Sea Workers: severity, the demanding conditions, distance, etc. of work at sea

Civil Servants Scheme: not known

### Random number of eligible persons

not known

### Where is the ruling determined (law, collective agreement, company regulation)?

law

### 1. or 2. Pillar?

1. Pillar

### Legal retirement age

Year	Periods contributed	Age requirement
2014	35 years and 6 months or over	65 years
	Less than 35 years and 6 months	65 years and 2 months
2015	35 years and 9 months or over	65 years
	Less than 35 years and 9 months	65 years and 3 months
...	...	...

<b>from 2027</b>	38 years and 6 months or over	65 years
	Less than 38 years and 6 months	67 years

### **Earlier retirement or similar social benefit? How early?**

#### General Regime:

Retirement age reduction (but not at an age below 52 years):

1. **Workers Included in the Mining Statute (not included in the Special Scheme for Coal Mining):**  
The legal retirement age will be reduced by applying a reduction coefficient of 0.05 or 0.5 to the time actually worked in mining in categories or specialist areas where there are circumstances of difficulty, toxicity, hazardousness or poor health under the terms and conditions set forth in the scale approved for this purpose.
2. **Technical Flight Personnel:**  
The legal retirement age will be reduced by applying a reduction coefficient of 0.40 to the time actually worked as pilot and co-pilot and by applying a reduction coefficient of 0.30 to the time actually worked as aircraft mechanic, aerial photography operator navigator, technological means operator, aerial photographer and aerial camera operator.
3. **Railway Workers:**  
The legal retirement age will be reduced by applying a reduction coefficient of 0.15 or 0.10 to the time actually worked in groups or professional activities that are especially hazardous or arduous.
4. **Artists (singers, dancers and trapeze artists):**  
60 years
5. **Bullfighting Professionals:**  
55 years for matadors, mounted bullfighters and apprentice bullfighters with 150 fights and banderilleros, picadors and comedic bullfighters with 200 fights  
60 years for puntilleros, bullfighting assistants and their aides with 250 fights
6. **Firemen in the service of the civil service and public organisations:**  
The legal retirement age will be reduced by applying a reduction coefficient of 0.20 to the time actually worked as a firefighter, but not earlier than 60 or 59 if he/she can accredit 35 or more years of effective contributions while working as a firefighter.  
The age reduction is applicable even if the right to claim a pension is generated under a different Scheme from the General Regime.
7. **Members of the Basque Police Force (Ertzaintza) or as members of groups included therein:**  
The legal retirement age will be reduced by applying a reduction coefficient of 0.20 to the time actually worked at the Basque Police Force, but not earlier than 60 or 59 if he/she can accredit 35 or more years of effective work and contributions as part of the Basque Police Force.

Special Scheme for Coal Mining: Legal retirement age will go down by a period equivalent to the result of applying the corresponding coefficient to the period of time the individual has worked in

each category and professional speciality in coal mining, in accordance with a scale of between 0.50 and 0.05, based on the hazard and toxicity of the activity undertaken.

Special Scheme for Sea Workers: The legal retirement age will be reduced (but not at an age below 55 years) by applying a reduction coefficient between 0.1 and 0.4 depending on the type and the nature of the work to the time actually worked.

Civil Servants Scheme: Age 65 reduced by the time worked as firefighter multiplied by a coefficient of 0.2 – not earlier than 60 or 59 if 35 years of contributions

### **Benefit deductions?**

General Regime: generally none

For singers, dancers and trapeze artists there is a 8% deduction, to the percentage of the pension, for each year remaining to the legal retirement age if they have not worked in the occupation for at least 8 years during the 21 years prior to retirement.

For bullfighting assistants and their aides there is a 8% deduction, to the percentage of the pension, for each year remaining to the legal retirement age.

Special Scheme for Coal Mining: none

Special Scheme for Sea Workers: Reduction of 7% for each year remaining till the age of 65, when there are more than 38 years of certified contributions or due to contract termination for reasons other than free will 6,5% or 6%.

Civil Servants Scheme: not known

### **Additional periods or supplements for hard work to increase benefits?**

No, but the period of time by which the retirement age is reduced is considered to be contributory only for the purpose of determining the percentage applicable to the base pension (not applicable to bullfighters and artists).

Civil Servants Scheme: not known

### **Accumulation with earnings from work possible?**

Receiving a retirement pension before legal retirement age is incompatible with carrying out any form of work.

### **Earlier/higher benefit financed by whom?**

General Regime and Special Schemes for Coal Mining and for Sea Workers: employee and employer

Civil Servants Scheme: state budget, additional contributions (like in the case of firemen)

### **Who pays the benefit (pension scheme, invalidity scheme, employer, state, other)?**



General Regime and Special Scheme for Coal Mining: INSS, pension scheme pays the benefit

Special Scheme for Sea Workers: ISM, pension scheme pays the benefit

Civil Servants Scheme: different Institutions of the public sector pay the benefits

**Who makes the decision in the individual case?**

General Regime and Special Scheme for Coal Mining: INSS, pension scheme

Special Scheme for Sea Workers: ISM, pension scheme

Civil Servants Scheme: different Institutions of the public sector

**Are there any targeted preventive measures (Rehabilitation, Job management, longer breaks, holydays)?**

not known

**Who executes the preventive measures (only large companies, government)?**

not known

**Information is from:**

EAPSPI questionnaire

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[http://www.seg-social.es/Internet\\_6/Trabajadores/PrestacionesPension10935/Jubilacion/RegimenGeneral/Jubilacionanticipad28464/index.htm](http://www.seg-social.es/Internet_6/Trabajadores/PrestacionesPension10935/Jubilacion/RegimenGeneral/Jubilacionanticipad28464/index.htm)

[http://www.seg-social.es/Internet\\_6/Trabajadores/PrestacionesPension10935/Jubilacion/RegimenesEspeciales/index.htm](http://www.seg-social.es/Internet_6/Trabajadores/PrestacionesPension10935/Jubilacion/RegimenesEspeciales/index.htm)

[http://www.seg-social.es/Internet\\_1/Normativa/103685](http://www.seg-social.es/Internet_1/Normativa/103685)