



# **ESPN Thematic Report on Retirement regimes for workers in arduous or hazardous jobs**

## **Czech Republic**

**2016**

Robert Jahoda, Ivan Malý, Tomáš Sirovátka  
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*Contact:* Emanuela TASSA

*E-mail:* [Emanuela.TASSA@ec.europa.eu](mailto:Emanuela.TASSA@ec.europa.eu)

*European Commission  
B-1049 Brussels*

**European Social Policy Network (ESPN)**

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workers in arduous or  
hazardous jobs**

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## Summary/Highlights

In the Czech Republic, there is currently no specific group of workers defined as workers in arduous or hazardous jobs (WAHJ), who thereby enjoy special privileges in the pension system or special status in relation to active labour market policy tools. There is not even any serious policy debate on this issue in Czech society, although some specific discussions have taken place in Parliament, as well as in Expert Commissions. However, we are far from being in a position where separate pension rules for WAHJ or eligible workers are clearly defined. There are several factors that underlie the absence of a profound discussion of this issue in the Czech Republic, and here we would like to name two of them. We believe that the negative balance of the first pillar of the Czech pension system is one such. The second factor could be the fairly good state of the Czech labour market, with low unemployment alongside a rising employment rate and an increased retirement age.

Up until 1993, there was a history of preferential pension rules for miners – a relic of the communist times. Though there had been a big drop in the number of people employed in the mining industry, in 2009 the government again approved specific early retirement rules for deep-mine workers who fulfilled certain criteria. With the biggest coal-mining company in the North-Moravian region about to go bankrupt, in 2015 the government decided to ease the original criteria. A proposal on this is currently before Parliament. But this is the only category of WAHJ currently being debated; and moreover it is in the context of a decline in mining activity. If approved, the new measure will apply to fewer than 4,000 workers, who would thus be able to bring forward their retirement age by 10 years. A special method for calculating their pensions also guarantees them quite a generous income. Since it is possible to combine old-age pension with economic activity in the Czech Republic, some pensioners from the WAHJ category, health permitting, can be expected to continue their economic activity and further improve their income.

There are other measures that target end-of-career workers in the Czech Republic, including the following (to name a few): if unemployed, an older worker (50+ or 55+ years) is eligible to claim unemployment benefits for longer; there is a standard early retirement provision; and there is the possibility to choose a pre-retirement pension from the third pillar of the pension system, without having the pension from the first pillar reduced.

Despite the fact that there is no specific group called WAHJ in the Czech Republic, a few general recommendations applicable in this area can be made:

- 1) The government should clearly argue the conditions under which a select group of miners can use a specific early retirement possibility. In particular, changes to the retirement age arising from parliamentary debate should be subject not only to a budgetary impact analysis, but also to a more detailed discussion of the need for such changes and of their impact on equal treatment of different groups of workers in the pension system.
- 2) Though the situation in the labour market is currently favourable, the government should regularly evaluate the impact of prolonging the retirement age on employment in selected professions, and should prepare a variety of tools to keep end-of-career employees in the labour market.
- 3) The government could create pressure for the greater involvement of employees and employers in the voluntary third pillar of the pension system.
- 4) Discussion of a definition of WAHJ should involve the question of whether we can use the classification of jobs in the Act on Protection of Public Health, or whether we should apply other criteria. Moreover, the government should open up the question of financing preferential schemes for WAHJ. This particularly concerns the issue of mandatory financial participation of employers in the first and third pension pillars.

## 1 Overall description of the policy mix targeted at workers in arduous or hazardous jobs

In the Czech Republic, there is currently no specific group of workers defined as workers in arduous or hazardous jobs (WAHJ), who thereby enjoy special privileges in the pension system or special status in relation to active labour market policy tools. This has generally been the case over the past 20 years, with the exception of the small group of miners who work underground in deep mines. There is now no policy debate on this issue in Czech society, either in terms of a need to define such categories of workers or in terms of discussing the form of support in the pension system or in the labour market. Nevertheless, it can be said that some specific discussions about WAHJ have taken place in Parliament, as well as in Expert Commissions. In this chapter, we will describe the situation in the labour market and the pension system. In our opinion, the situation reflects the lack of a coordinated policy approach to WAHJ in the Czech Republic. We will then also describe the situation of underground miners, as the only distinct WAHJ category, and the discussions surrounding this topic. We will conclude with various measures that focus on end-of-career workers, such as preferential unemployment benefits and pre-retirement pension.

We believe that the lack of discussion about WAHJ is largely due to the long-standing negative fiscal balance of pension provision, as well as the favourable situation in the labour market of the Czech Republic. The Czech pension system has been under constant reform since 1996. The most important fiscal reform has been the raising of the statutory pensionable age (in this report referred to as the statutory retirement age – SRA), from the 1996 baseline of 60 years for men and 53–57 years for women (according to the number of children raised). The baseline age rises by 2 months (for men) and 4 months (for women) each year. The increase in the retirement age rarely sparks more serious debate on the need to take account of workers' health or the life expectancy of WAHJ. In part, this is because of the long-standing adverse balance – which persists, despite the on-going reforms – in the first pillar of the Czech pension system, which plays a very dominant role in pension provision. Moreover, further deterioration is in prospect. A second reason is the increasing life expectancy (see Table 1), which serves to justify the need to raise the SRA.

**Table 1: Life expectancy and healthy life years in the Czech Republic**

	2005	2010	2012	2013	2014
Life expectancy at 65 (males)	14.4	15.5	15.7	15.7	16.1
Life expectancy at 65 (females)	17.7	19.0	19.2	19.3	19.8
Healthy life years at 65 (males)	6.6	8.5	8.3	8.5	8.5
Healthy life years at 65 (females)	7.0	8.8	8.9	8.9	9.3

Source: Eurostat.

The raising of the SRA has had no adverse impact on the labour market. In 2015, the SRA was 62 years 10 months for men and 60 years for women with two children. One long-term consequence of the rising SRA age is that the employment rates of pre-retirement age workers have changed (see Table 2). While the employment rates in the 55–59 age group have reached the level of Western European countries, similar growth can only be expected in the coming years for the 60–64 age bracket, in line with the increasing SRA.

**Table 2: Employment rates by sex, age and year in selected countries (%)**

	from 55 to 59 years				from 60 to 64 years			
	males		females		males		females	
	2000 Q4	2015 Q4	2000 Q4	2015 Q4	2000 Q4	2015 Q4	2000 Q4	2015 Q4
Czech Republic	71.7	84.4	30.5	73.1	22.3	48.2	11.2	22.8
Germany	67.2	83.0	48.4	74.0	28.4	60.0	13.4	48.0
Sweden	79.5	85.3	76.2	80.8	53.3	68.9	45.6	64.0
Slovakia	58.1	74.5	14.1	67.1	9.1	31.6	3.8	16.1

Source: Eurostat.

Higher employment rates for workers in higher age groups have also been made possible by a favourable situation on the demand side of the labour market. This can be demonstrated by the steadily low unemployment rate in the Czech Republic. In Q4 2015, the unemployment rate was only 4.5%, which ranked the Czech Republic among those countries in the EU with the lowest levels of unemployment. Also the rate of 4.6% in the 55–59 age group makes the Czech Republic one of the countries with the lowest unemployment. Despite a major increase in employment in the 60–64 age group, the unemployment rate in this age group is only 3.0%. The unemployment rates for men and women in the age groups considered in this report do not really differ. Although they cannot entirely explain the lack of debate on WAHJ in the Czech Republic, the financial state of the pay-as-you-go pillar of the pension system and the situation in the labour market are two factors that may indicate why the issue has not so far been particularly emphasised in the country.

When it comes to the lack of a distinct category of WAHJ in the Czech Republic, the only exception to this are miners working underground in deep mines. Prior to 1993, there was a special provision for this category of workers – a relic of the preferential position they enjoyed during communist times. After 1996, representatives of the miners' union expressed their concern that raising the retirement age would hit miners hard. They argued that miners had shorter lives – about six years shorter on average – than the rest of the population. Following these discussions, and also as a reaction – to the then economic crisis, the government approved a new regulation (363/2009 Coll.), reducing the retirement age for miners by five years (if they fulfilled certain criteria) and setting a preferential pension formula (even for already retired miners who fulfilled the criteria). It should be said that total employment in the mining industry was 124,600 employees in 1993, but only 52,200 in 2009 and less than 30,000 at the beginning of 2016 (CZSO, 2015a; CZSO, 2016a). With the biggest coal-mining company OKD (the only producer of hard coal in the Czech Republic, with mines in the Ostrava-Karviná coal district) about to go bankrupt, in 2015 the government decided to ease the original criteria governing eligibility for early retirement. A proposal for this measure is currently before Parliament (Parliamentary Document No. 654). If approved, the measure will apply to approximately 3,690 miners. According to Minister of Labour and Social Affairs Michaela Marksová (MLSA, 2015), 'the measures have to help people in areas where we expect a gradual reduction in coal mining'.

During discussions in the Chamber of Deputies of the Parliament (April 2016) it was decided that retirement should be allowed two years earlier than originally proposed (i.e. a full seven years before the SRA). The law was signed by the Czech Prime Minister beginning of July 2016 and will be effective from 1 October 2016.

A general labour market provision that focuses on end-of-career workers is unemployment benefit. Normally, it is provided for the first five months of unemployment; however, if the unemployed person is aged 50 or over, benefits are provided for eight months – and this figure rises to 11 months for those aged 55 and over.



Another general labour market measure available from 2013 is pre-retirement benefit within the third pillar of the pension system. In 2011, it was still assumed (Tripartita, 2011) that the pre-retirement pension scheme should be linked solely to hazardous and arduous jobs. It was to be based on the classification of jobs set out in Act No. 258/2000 Coll., On Protection of Public Health.<sup>1</sup> The Act defines 13 risk factors that determine four categories<sup>2</sup> of jobs. These group workers according to the number and nature of the on-the-job risks that they face. The version originally discussed assumed that pre-retirement eligibility would be limited to classes III and IV (approx. 60,000 employees) and that the employer would be required to participate financially in the third pillar. However, the government departed from this version during 2012, and submitted a different version to Parliament where there were no restrictions in relation to the on-the-job risks and where employers' engagement was strictly voluntary (Tripartita, 2012). This version was finally approved by Parliament.

In 2015 and 2016, the issues of preferential treatment for workers in hazardous and arduous jobs and of possibilities for greater employer engagement in funding these policies were taken up by an Expert Committee on Pension Reform (Pension Committee, 2016). However, consensus has not yet been reached, and nor has any agenda for serious discussion been set.

## 2 Pension rules for workers in arduous or hazardous jobs

As of May 2016, there was no WAHJ category with separate pension rules in the Czech Republic. As was mentioned above, the Czech Parliament is in the middle of the legislative procedure concerning separate pension rules for deep-mine workers who fulfil certain conditions. We discuss this legislative proposal later, but first we describe the general rules of early retirement, applicable to every end-of-career employee. We also look at pre-retirement benefits provided under the third pillar of the Czech pension system (voluntary pension insurance).

The system provides a possibility for people to opt for early retirement. If they do so, there is a financial penalty, the amount of which depends on how early the retirement is taken. According to the MLSA (2014), retiring one year before the SRA reduces the pension by about 4–6%, depending on the personal calculation basis and the length of the insurance period. Individuals whose SRA is below 63 years can retire up to three years before their SRA. Given the increasing SRA, individuals with an SRA of 63 years or over can retire five years prior to reaching their SRA, on condition that they are at least 60 when they retire. Table 3 describes the system of financial penalties in the event of early retirement. The penalty is applied only to the individual percentage-based component of the pension (approximately 80% of total pension). The penalty can reach 27.9% of this component in the case of individuals who retire five years before their SRA.

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<sup>1</sup> The Act regulates the rights and duties of persons in the areas of environmental and working conditions and preventing the emergence and spread of infectious diseases. The area of care about working conditions includes occupational health, particularly the obligation of employers to categorise jobs and identify risky jobs that carry the risk of occupational disease or other work-related illness. The regulation is based on the Labour Code and the European Union directives in the area of occupational health.

<sup>2</sup> For details, see MLSA (2007: 6). In brief: the first category of work has no negative impact on health; and the second involves work that only in exceptional circumstances would have a negative impact on health. The third category covers work during which hygiene limits are exceeded, and also work that meets other criteria for assigning it to this third category (such as work requiring the use of personal protective equipment; or work that is often associated with occupational disease or with a statistically significant increased frequency of disease that, according to the current level of knowledge, might be assumed to be work related. The fourth category is work that presents a high risk to health that cannot be avoided, even through the use of available and usable protective equipment.

**Table 3: Early retirement penalty to pension, according to time of retirement (days before SRA)**

Retirement time (days before SRA)	Penalty for each period from 1 to 90 days
1st–360th day	0.9%
361st–720th day	1.2%
721st–	1.5%

Source: §36 of the Act on Pension Insurance.

In 2009, the Czech government passed a new regulation (363/2009 Coll.), lowering the retirement age of selected miners by five years. The government was authorised to prepare this regulation under the Act on Pension Insurance. There were two eligibility criteria for entitlement to early retirement: (1) the miner must have been employed before 1993, and (2) he must have worked at least 3,300 shifts before the end of 2008 (this corresponds to approximately 15 years of continuous employment). In 2015, the government decided that the measure on early retirement should apply to all deep-mine workers who had completed the minimum number of shifts, irrespective of the date when they fulfilled that condition or when they started their career. The Bill is currently being considered in the Czech Parliament, where the governing party's MPs have suggested extending miners' early retirement to seven years prior to their SRA. The move from five to seven years prior to SRA would enlarge the original group of miners (current or previously employed) who are eligible for the preferential rules by about 500 in 2017. While the impact on the number of eligible miners is fairly marginal, there has been no assessment of how the proposal affects the equal treatment of different groups of employees in the pension system. We are not aware of any current study that would justify the preferential rules for miners in terms of the direct effect of mining on miners' health. Given this situation, it is difficult for the authors of this report to judge whether the retirement age of affected miners should be decreased by five years, or even by seven years. Additionally, miners may take advantage of the standard early retirement rules described above, which would reduce their retirement age by up to 10 years below the SRA. Moreover, the explanatory report to the Bill quantifies the financial impact of the measure by assuming that miners will take full advantage of the above-mentioned standard early retirement rules.

The retirement pension of a miner who meets the criteria is calculated on the basis of separate pension rules. Broadly, the pension is computed taking into account the conditions in force on 31 December 1995, when the ceiling amount applicable to deep-mine workers was 5,100 Czech Koruna (CZK) (approx. EUR 190) in 1995 prices. Standard coefficients are then used to recalculate the pension level for the year in which the pension is claimed. The pension calculation would only be based on the standard pension rules if the pension calculated on the basis of the standard pension rules exceeds the level of pension based on the separate pension rules.

Miners' early retirement pensions will be financed from the same public pay-as-you-go pension scheme as current pensions. At the same time, no additional revenue has been earmarked to finance these special pension rights. The overall budgetary costs are expected to be rather low, with the cumulative present value of future cost for 2016–2055 expected to be only 0.11% of GDP in 2015 (see Parliamentary Document No. 654: 19). Despite these low costs – a result of the small number of entitled miners – the preferential pension rules will worsen the budgetary position of the Czech pension system. This could have an impact on discussions of pension indexation in the coming years and could harm standard pensioners.

Since 1 January 2013, it has been possible, under the third pillar, to claim pre-retirement benefits between two (the minimum) and five (the maximum) years before the statutory retirement age. The pre-retirement benefit allows savings accumulated under the third pillar to be drawn down, provided the benefit represents at least 30% of the average

wage. Payment of the pre-retirement benefit under the third pillar does not reduce the pension paid under the first pillar (unlike the standard early retirement benefit). However, in the years during which someone receives the pre-retirement benefit, no pension rights for the first pillar pension scheme are earned. Personal savings in the third pillar are supported by a state contribution, and the government also provides generous tax incentives for participants and their employers (OECD, 2013: 173). At the end of 2015, the tax incentives to savings for both the employer and the participant were even broadened. As was described in the previous section, the original idea of pre-retirement benefit from the third pillar was to target the WAHJ category and offer these workers the possibility of early retirement, without curtailing their standard pension rights. Vidovičová et al. (2015) have shown that the possibility of opting for the pre-retirement benefit is affected by the length of the savings period in the third pillar and by whether the employer is involved in savings.

### 3 Retirement patterns and retirement income of workers in arduous or hazardous jobs

In 2012 and 2013, only a few individuals retired more than 360 days before the SRA. In 2014, some 24.0% of all old-age pensioners were receiving a reduced old-age pension due to early retirement (CSSA, 2015: 81). An on-going review of degrees of disability has meant that the Czech Republic has seen a decline in the number of full disability pensions in recent years. The number of partial disability pensions has stagnated. Since there is currently no statistical information on the retirement patterns and retirement incomes of workers in arduous or hazardous jobs, we present data from the legislative proposal on the early retirement scheme for selected employees in deep-mine companies (Table 4).

**Table 4: Comparison of retirement incomes of selected pensioners or employees in 2014 (monthly, in CZK and EUR)**

	Pension / income		N of pensioners / employees
	CZK	EUR	
<b>WAHJ – miners (pension for 2015)</b>	<b>15,674</b>	<b>580.50</b>	<b>3,690</b>
Old-age pension (men)	12,259	454.00	808,862
90th percentile of old-age pension (men and women)	14,034	519.80	
Newly granted old-age pension in 2014 (men)	12,601	466.70	47,452
Of which early retirement pension in 2014 – men	11,211	415.20	15,735
Net income (after taxes) of male employee with wage at the level of the 1st quartile of the national wage distribution	14,825	549.10	
Net average income (after taxes) of 'plant and machine operators, and assemblers' in the 'mining and quarrying' sector	22,794	844.20	13,400
At-risk-of-poverty (60) threshold for household with two adults (SILC 2015)	15,330	567.80	

Note: the net employment income calculations are prepared for childless individuals.

Source: Parliamentary Document No. 654; CZSO (2015b); CSSA (2015); CZSO (2016b).

It follows from Table 4 that the income outcomes for those who fall under the Act now under discussion will be more favourable than for other pensioners. Considering the calculation formula, the minimum and maximum pension levels will be identical for most of them. The lowest pension (and the median pension at the same time), as calculated under the separate pension rules, corresponds to CZK 15,674 (EUR 580.50) for 2015. Under the standard pension rules, that level of pension is only available to people with career-long earnings of at least 175% of the average wage throughout their career. Only about 8% of newly awarded pensions granted under the standard pension rules in 2014 exceeded the lowest pension of a miner, as calculated on the basis of the separate pension rules.

At the same time, the lowest pension of a miner would be 25% higher than the average old-age pension in 2014. Pension distribution statistics show that the monthly pension of CZK 15,674 (EUR 580.50) falls within the highest 1% of old-age pensions (of male pensioners) in the Czech Republic. From the point of view of the retirement pensions system, the old-age pension of miners in the group of WAHJ will be among the best that the Czech pension system can offer. This pension will even be 5% higher than the net income from employment of a man with gross income corresponding to the first quartile of the wage distribution. It is, then, no surprise to find that this pension is also higher than the income-poverty threshold for a two-adult household.

Application of the separate pension rules for miners will mean that if the miner opts for early retirement based on the standard pension rules and retires 10 years before the SRA, this decision will have virtually no impact on his pension amount. Even in this case, the minimum old-age pension granted to the miner in the category of WAHJ would be CZK 15,674 (EUR 580.50). In light of the above, it can be expected that the separate pension rules will encourage miners to retire 10 years before they reach the SRA. In 2016, they will have the opportunity to take early retirement from the age of 54. Since it is possible to combine old-age pension with economic activity in the Czech Republic, some pensioners from the category of WAHJ, health permitting, can be expected to continue their economic activity and further improve their income.

All other employees have the opportunity to follow the early retirement pattern based on the standard rules, or make use of the pre-pension benefit possibility. That said, it must be noted that the early retirement option implies a permanently reduced old-age pension, calculated according to the rules presented in Table 3. Pre-retirement can be taken no later than two years before the SRA. Available statistics indicate that if an employee wants to leave employment, he/she usually makes use of the early retirement scheme. In 2014, a third of new pensions granted to male beneficiaries fell within the early retirement scheme. Over 80% of these pensions were taken within two years of the SRA and less than 3% were taken more than three years prior to the SRA (CSSA, 2015: 49).

If a worker retires more than two years before the SRA, it is more convenient to choose the pre-retirement scheme, as it has fewer negative consequences for the pension amount. However, this depends on the level of savings being sufficient to allow for the payment of a third-pillar pre-retirement pension at the level of at least 30% of the average wage. Given this – and the fairly good situation of the labour market – this scheme has not been used much: only 274 individuals had received the pre-retirement benefit by Q4 2013 and only 1,125 by Q4 2015 (APF CR, 2016).

According to the 2014 life tables for Czech men (CZSO, 2015c), approximately 4.3% of 60-year-old men will not live to 63 (the SRA), and 18.8% will not live to 70. The average life expectancy of a 60-year-old man was 19.6 years. If at least some of these 18.8% of men could make a rough estimate of their own life expectancy, then the early retirement pension variant is a perfectly rational choice for them, even if they decide to continue their economic activities. As regards a more detailed analysis of the extent to which people take account of their health when they consider early retirement, no data are currently available.

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