



HELLENIC REPUBLIC

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MINISTRY OF LABOUR AND SOCIAL RELATIONS

DIRECTORATE FOR INTERNATIONAL RELATIONS

DEPARTMENT FOR EUROPEAN UNION AFFAIRS

AND BILATERAL RELATIONS

SUBJECT: Recommendation on Access to Social Protection – Submission of a Plan

Within the implementation framework of Council Recommendation on Access to Social Protection for workers and self-employed citizens, Member States are recommended to submit a plan on the measures to be taken at national level concerning the following social protection branches, in so far as they are provided in the member states: a) unemployment benefits, b) sickness benefits and healthcare, c) maternity and paternity benefits, d) invalidity benefits, e) old age and survivors' benefits , f) benefits relating to accidents at work and occupational diseases. As regards issues falling within the remit of the General Directorate for Social Security, we would like to inform you of the following:

A. Current legislative framework

According to the current legislation, workers and the self-employed are compulsorily insured with the Electronic National Social Security Fund (e-E.F.K.A.) and pay the provided contributions for old age, survivors, disability and accident at work, occupational hazards and heavy and arduous work, where it is provided for. They are also insured with the e-E.F.K.A for supplementary pension, lump sum benefits, sickness benefits in cash (maternity and sickness allowances) and unemployment benefits for certain insured persons (with the former ETAP-MME) and benefits from the bodies-organisations on behalf of which the EFKA receives contributions (i.e. the E.O.P.Y.Y. for medical and pharmaceutical benefits in kind and the O.A.E.d. for unemployment benefits).

Supplementary insurance has the same characteristics as main insurance and provides additional coverage for old age, disability and survivors. Supplementary insurance is compulsory for all salaried workers, irrespective of their working relationship (open-ended or fixed term contract, full-or part-time employment, etc). As regards the self-employed and freelance professionals, supplementary insurance is compulsory for certain categories (for example, engineers and lawyers) and optional for all the others.

The lump sum benefit is an extension of workers' pension protection and supplements the pension amount of the retired person in order to compensate part of his lost income. This benefit is paid to all salaried public sector employees (civil servants, employees of Public Bodies Corporate, Bank employees, employees of former Public Utility Undertakings etc.), a small percentage of private sector salaried employees (employees working in hotels, pharmacies, retail shops, metal workers, etc.) and certain categories of freelance professionals (healthcare professionals, lawyers, mechanics, public work contractors, notaries, bailiffs). Furthermore, as of 1-1-2021 optional insurance is also possible.

B. Challenges

- Self-employed: Within the Recommendation's framework certain categories of self-employed persons are not covered for sickness benefits. These are the self-employed who are insured with the former Self-employed Pension Fund (TSAY) (doctors, dentists, pharmacists, veterinarians etc.), the former Engineers and Contractors Pension Fund (TSEMEDE) (engineers, foremen etc.), the former Traders Insurance Fund (OAEE) (traders, craftsmen etc.) and farmers insured with the former Farmers Insurance Fund (OGA).

We have to note that in accordance with the current legislation on the former OAEE (article 19 of Ministerial Decision No. 35/1385/1-9-1999 (B'1814)) insured persons are granted sickness benefits in the event of temporary incapacity for work due to an accident that occurred during or as a result of their work. Sickness benefits are paid for maximum four (4) months, on condition that the accident is considered as occupational and the healthcare committee certifies that the worker is incapable for work for more than thirty (30) days.

Moreover, according to the current legislation on Healthcare Section of the former Unified Freelance Professionals Fund/ Engineers and Contractors Pension Fund (ETAA/TSEMEDE) (article 21, para.4 of Ministerial Decision No. 409/2874/1973, O.G. B,975), the self-employed shall receive a rehabilitation benefit which may be up to double the maximum pension amount, in order to treat specific diseases.

- Students who take on an internship prior to graduation, in accordance with their curricula, are insured only against an occupational accident and for sickness provisions in kind.
- In the context of data collection in order to update the monitoring framework of the Council Recommendation, SPC-ISG collected and forwarded figures in order to estimate the size of the above mentioned categories that are not covered. More specifically, non-salaried persons insured with the e-EFKA are not covered for sickness benefit, whose number amounts to 1.334.164 persons, according to data kept by the e-EFKA Information System on 29/4/2021, as presented in the table below:

BODY	NUMBER OF ACTIVE INSURED PERSONS
former OAEE	764.930
former ETAA-TSAY	50.285
former ETAA-TSMEDE	49.480
former OGA	469.469
TOTAL OF ACTIVE INSURED PERSONS	1.334.164

The number of insured persons with the former IKA-ETAM who pay 1% contributions during their internship amounted in February 2021 to 5.853 persons who shall receive sickness benefits only in the event of an accident at work.

- Moreover, unemployment benefit is not granted to farmers insured with the former OGA the number of whom amounts to 469.569 persons. (We have to note that the Ministry of Rural Development and Food is taking measures for the protection of farmers)

C. Lessons learned from the covid-19 crisis

By virtue of article 487 of Law 4781/2021(A, 31) the social security entitlement for provisions in kind is renewed from 1.3.2021 till 28.2.2022, by way of derogation from article 41(8) of Law 4387/2016 (A' 85), for all persons insured with the e-EFKA, who qualified for the entitlement on 28.2.2021, together with the indirectly insured members of their families».

More specifically, the social security entitlement for provisions in kind of all insured persons, salaried or non-salaried, together with the indirectly insured members of their families, is renewed for one year, without meeting the time requirements set out in article 41, para.8 of Law 4387/2016, on condition

that these people qualified for the entitlement on 28.02.2021, i.e., they qualified for social security entitlement from 01.03.2020 or later, due to specific regulations or extensions in 2020 and irrespective of any debt owed.

D. Objectives and policy measures to be taken

- The sickness benefit for the self-employed will be examined with regard to the Insurance and Benefits Regulation of the e-EFKA. The provisions of Article 32 of Law 4387/2016 stipulate that the conditions for granting by the e-EFKA the sickness benefits in cash, the type, the extent, the amount, the beneficiaries as well as the procedure for granting the cash benefits of bodies, sectors, branches and accounts integrated in the e-EFKA continue to apply as they did at the entry into force of Law 4387/2016. They will be regulated by adoption of the e-EFKA Insurance and Benefits Regulation, which, according to Article 49 of Law 4670/2020 (A'43) is adopted under presidential decree following the opinion of the EFKA Board of Directors within two years from the entry into force of Law 4670/2020. (In the context of the e-EFKA unified Regulation of Sickness Benefits, a working group has been set up with the task of drafting a proposals conclusion for the cash benefits, the conditions, the scope of coverage, the amount of benefits, the range of beneficiaries etc.).
- The internship of students mainly falls within the competence of the Ministry of Education and Religious Affairs as it concerns students and not workers. Therefore, the legal framework with regard to their insurance for social security benefits is amended at the initiative of the Ministry of Education and Religious Affairs.
- The National Action Plan for the Rights of Persons with Disabilities provides a clear, coherent and systematic framework of actions mainly for the period 2020-2023, including six Pillars and thirty Objectives that compose a single horizontal strategic planning for disability. Specifically, the preparation of a Unified Regulation of Benefits for Main Pension and retirement allowances, granted by the e-EFKA to persons with disabilities and chronic diseases is included in Pillar II "Protection of the Rights of Persons with Disabilities" and Objective 15 "Adequate Standard of Living and Social Protection". This action tackles the phenomenon of fragmented legislation by consolidating the procedures for the granting of main pension and retirement allowances irrespectively of the disabled persons' insurance body integrated into the e-EFKA. Thus, the equal treatment of insured persons is guaranteed, simplifying legislation and establishing uniform rules and procedures.

E. Reconciliation of work and family/ private life

In addition to the above, we would like to refer to actions relating to the reconciliation of work and family/ private life, including maternity benefits and equivalent paternity benefits, as well as to the gender pay and pension gap narrowing. After all, maternity and old-age benefits fall within the scope of the Recommendation. These are actions that have been implemented in the period 2019-2020, but also initiatives included in the new Action Plan for Gender Equality 2021-2025 which is at a final planning phase.

Completion of works

Project PEGASUS - Addressing the gender pension gap in Greece.

The General Secretariat for Demography and Family Policy and Gender Equality is the coordinator-body of the project and the National Center of Social Research and the Research Centre for Gender Equality its partners. The Project's objectives are the development of effective policy proposals on addressing the gender pension gap, the relevant awareness raising and information of women and men as regards the impact of various career choices on their pension, the emergence of this phenomenon as a matter of political priority and the active involvement of the competent organizations and bodies. For these purposes, the following shall be implemented: research activities analyzing the main gap determinants, the mapping and assessment of the existing good practices, workshops for exchanging good practice and consultation among competent bodies, the development of a digital "pension calculator" and a raise-awareness campaign on the gender pension gap.

Relevant website: <http://sintaxi.isotita.gr/>.

Ongoing actions

The SHARE Project – *Promoting work-life balance in companies and a better sharing of care between men and women* is implemented by the partnership of the General Secretariat for Demography and Family Policy and Gender Equality (coordinator), the Center for Research on Equality (KETHI) and the Organization for the Professional Empowerment of women-Women OnTop and it is co-financed by the REC Program of the European Commission.

It lasts for two years (3 February 2020 - 2 February 2022).

It aims to contribute in tackling traditional and stereotypical gender family roles and promoting work-life balance. SHARE was designed taking into account the national priority, set by Law 4604/2019 “On the promotion of substantive gender equality” where Article 21 provides that “the General Secretariat for Gender Equality rewards public and private sector companies, -distinguished for the implementation of equal treatment and equal opportunities policies for working women and men-, with a “Gender Equality Label”. The Project takes into consideration the European Commission Strategic Engagement for gender equality (2016-2019) and specifically the initiative on work-life balance. The Project envisages the development of a Methodology (via consultation) and the implementation of a six-month duration Program that will lead to the awarding of a pilot Gender Equality Label for companies that will be interested in participating. The consultation was successfully conducted in three workshops in October 2020 and its results were used to draft the award methodology for the project implementation. The interested companies training and the pilot application of the label will follow. The pilot procedure that will be implemented within 2021 will contribute to the feedback of this methodology (criteria, specifications) and to the acquisition of a further know-how which will be the basis for the Ministerial Decision proposal by the General Secretariat for Demography and Family Policy and Gender Equality, in implementation of the legal provision on Gender Equality Label (Article 21 of the Law on Substantive Gender Equality).

In parallel with the pilot Gender Equality Label, the Project gives prominence to the father’s role as a key one in the child’s upbringing and development in order to encourage him to take on equally the task of childcare but also the care of the elderly and vulnerable family members.

New actions of the under preparation National Action Plan for Gender Equality 2021-2025

- *“Neighbourhood Nannies” Program*

The General Secretariat for Demography and Family Policy and Gender Equality of the Ministry of Labour and Social Affairs in collaboration with the Special Secretariat for the Management of European Regional Development Fund (ERDF), Cohesion Fund and European Social Fund Programs of the Ministry of Development and Investments announced on 28-7-2020 the start of planning and implementation of the “Neighbourhood Nannies” Program, co-financed by the European Social Fund, within the framework of the National strategic Reference Framework 2014-2020. The “Neighbourhood Nannies” Program falls within the action line for the reconciliation of work and family/ private life, which is one of the main objectives of the European Strategy on equality for the years to come. It will be implemented, at a pilot

level initially, at the beginning of 2021 aiming at its universal implementation within the new programming period 2021-2027.

This program mainly concerns the care of infants aged six months to 4 years and provides for the financial support of working parents mostly, of single parents, foster parents and in general the family horizontally, for the childcare either within the family home, or in the home of a childcare worker.

The program's implementation method will emerge after a technical study of good practices adaptation to the Greek data, taking into account the needs, deficiencies and dynamics of the parties concerned at local level, in order to ensure the quality of the provided services and the safety of infants.

- *Directive (EU) 2019/1158 on work-life balance for parents and carers*

The directive transposition process into national law has already begun. The directive introduces paternity leave, parental leave, carers' leave, father's leave of absence for the upbringing of the child as well as remuneration of the working father while on leave. The status of leaves related to maternity, paternity and child upbringing is undoubtedly an important parameter in the field of reconciliation of work and family/ private life, included in the political priorities of the Ministry of Labour and Social Affairs.

- At the same time, in the field of reconciliation of work and family/ private life, the new action plan for Gender Equality, which is under phase of completion and covers the period 2021-2025, includes initiatives relating to the employers training for granting of maternity, paternity, parental and carers' leaves, as well as flexible working arrangements for care responsibilities, information campaign for paternity leave, incentives and business training for the adoption of reconciliation measures via the design and implementation of a relevant Gender Equality Label.

Head of the Directorate

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