

## **BENEFIT**

### **The Entitlement to Employment Injury**

All workers of the enterprises/establishments, registered in NSSF, are entitled to enjoy the benefits of employment injury when the workers suffering from the employment injury.

Employment injury consists of work injury, commuting accident, and occupational diseases. Health facilities, poly clinics, or general practitioners are recognized by the National Social Security Fund.

The benefits of employment injury comprising:

### **Provision of Emergency Services**

In the event of workplace accident, employer shall provide the nearest emergency services and then send the victim to the health facility or poly clinic recognized by NSSF. The expense of emergency service and sending the victim to the health facility or poly clinic above is borne by NSSF. In case of commuting accident, the victim or employer can claim the reimbursement for the expense of emergency service from NSSF.

### **Provision of Medical Care and Treatment**

Medical care and treatment for the workers suffer from the employment injury in the health facility or poly clinic recognized by NSSF.

Workers suffering from the work injury are entitled to get medical care and treatment or confinement in the health facilities or poly clinics recognized by NSSF based on the agreement between NSSF and health facilities or poly clinics concerned.

### **Provision of the Temporary Disability Benefits**

A period of in-patient or treatment of occupational diseases in the health facilities or poly clinic, medical convalescent, and temporary disability. The workers suffering from the employment injury are entitled to receive the benefits from NSSF as follows:

- Daily allowance is granted by calculating from the second day following the date of accident.
- Caretaker allowance of the victim in a period of in-patient in the health facilities or poly clinics.

The first day wage of the working suspension of victim shall be borne by the employers.

Daily allowance for temporary disability equals 70% of daily average wage. Caretaker allowance in the health facilities or poly-clinics equals 50% of daily allowance of the victim.

Daily allowance for temporary disability shall be granted to the victim until recovery.

### **Provision of the Permanent Disability Benefits**

The workers suffering from the work injury results in permanent disability incurred less than 20% are entitled to enjoy the disability allowance. This allowance shall only be granted to the victim by calculating as the following formula:

$$LS = DAW \times DD \times 20\% \text{ APV}$$

– LS: Lump Sum

- DAW: Daily Average Wage
- DD: Degree of Disability
- APV: Actuarial Present Value

The workers suffering from the work injury results in the disability incurred at least equally to 20% are entitled to enjoy the permanent disability pension. This pension shall be calculated the following formula:

$$P = DAW \times (DD - 1/5DD)$$

- P: Disability Pension

Permanent disability pension shall always be regarded as the temporariness. NSSF shall reorganize to investigate the medical check-up and earning capacity no later than a period of 1 year. The victim enjoying pension shall be compulsory to have the medical check-up regulated by NSSF.

### **Funeral Allowance**

In the event that the work injury results in death, the survivor who organize the funeral shall be granted 4,000,000 (four million) Riel for the funeral allowance. This allowance shall be provided to the survivor of the victim for holding the funeral.

### **Survivors' Benefit**

The Survivor of the victim suffering from the work injury, as set forth in Article 34 of Sub-decree No. 16 SD/E, dated March 02, 2007 concerning the Establishment of the National Social Security Fund, is entitled to have the survivors' benefit.

Survivors' benefit is pension that is granted to the beneficiary of victim as the following rate:

a. In the case that beneficiary has spouse, children, parents, or ageing persons

- Spouse =  $3/5 \times 63\%$  DAW
- Pension for children =  $2/5 \times 63\%$  DAW
- Pension for parents or ageing persons = 7% DAW

b. In the case that beneficiary has spouse and children

- Spouse =  $3/5 \times 70\%$  DAW
- Pension for children =  $2/5 \times 70\%$  DAW

c. In the case that beneficiary has only parents or ageing persons

- Pension for parents or ageing persons = 28% DAW

d. In the case of beneficiary has children, parents, or ageing persons

- Pension for children = 28% DAW
- Pension for parents or ageing persons = 28% DAW

e. In the case that beneficiary has spouse, parents, or ageing persons

- Spouse = 28% DAW
- Pension for parents or ageing persons = 28% DAW

The beneficiary as a spouse of the victim has to have legal marriage certificate. The entitlement of pension for the beneficiary, as a spouse, shall be expired as long as the spouse engages in the new marriage. In case of remarriage, the spouse concerned shall inform NSSF no later than a qualified period of 30 days following the date of the registration of legal marriage certificate. If the spouses concerned fails to notify their own legal marriage certificate, they shall be fined as set forth in Article 38 of the Law on the Social Security Schemes for Persons Defined by the Provisions of the Labour Law.

The beneficiary as children shall have conditions as set forth in B of Article 34 of Sub-decree No. 16 SD/E, dated March 02, 2007.

The entitlement of pension of beneficiary shall be abolished when the beneficiary passes away.

**Rehabilitation Services**

The workers suffering from the work injury results in the permanent disability are entitled to have prosthesis limp / tools in compliance with the doctor or medical practitioner recognized by NSSF.

The workers suffering from the work injury results in the permanent disability are entitled to get the rehabilitation services in compliance with the partly regulated conditions in Prakas of Ministry of Labour and Vocational Training.

**TABLE OF DEGREE OF DISABILITY**

PART I LIST OF COMPLETELY PERMANENT DISABILITY		
No.	Description of Injury	Percentage
1	Loss of both hands or amputation at higher sites	100
2	Loss of a hand and a foot	100
3	Double amputation through leg or thigh, or amputation through leg or thigh on one side and loss of other foot	100
4	Loss of sight to such an extent as to render the claimant unable to perform any work for which eyesight is essential	100
5	Very severe facial disfigurement	100
6	Absolute deafness	100
PART II LIST OF PARTLY PERMANENT DISABILITY		
Amputation-upper limbs (either arm) cases		
1	Amputation through shoulder joint	90
2	Amputation below shoulder with stump less than 8” from tip of acromion	80
3	Amputation from 8” from tip of acromion to less than 4Vi” below tip of olecranon	70

4	Loss of a hand or of the thumb and four fingers of one hand or amputation from 4 1/2" below tip of olecranon	60
5	Loss of thumb	30
6	Loss of thumb and its metacarpal bone	40
7	Loss of four fingers of one hand	50
8	Loss of three fingers of one hand	30
9	Loss of two fingers of one hand	20
10	Loss of terminal phalanx of thumb	20
Amputation –Lower Limbs Cases		
11	Amputation of both feet resulting in end-bearing stumps	90
12	Amputation through both feet proximal to the metatarsal-phalangeal joint	80
13	Loss of all toes of both feet through the metatarsal-phalangeal joints	40
14	Loss of all toes of both feet proximal to the proximal inter-phalange joint	30
15	Loss of all toes of both feet distal to the proximal inter-phalangeal joint	20
16	Amputation at hip	90
17	Amputation below hip with stump not exceeding 5" in length measured from tip of great trochanter	80
18	Amputation below hip with stump exceeding 5" in length measured from tip of great trochanter but not beyond middle thigh	70
19	Amputation below middle thigh to 3/2 below knee	60
20	Amputation below knee with stump exceeding 3 1/2" but not exceeding 5"	50
21	Amputation below knees with stump exceeding 5"	40
22	Amputation of one foot resulting in end-bearing	30
23	Amputation through one foot proximal to the meta torso phalangeal joint	30
24	Loss of all toes of one foot through the meta torso phalangeal joint	20
25	Loss of one eye, without complications, the other being normal	40
26	Loss of vision of one-eye without complications or disfigurement of eye-ball, the other being normal	30
27	Permanent total loss of hearing in one ear loss of	20
A. Fingers of right or left hand		
28	Whole	14
29	Two phalanges	11
30	One phalanx	9

31	Guillotine amputation of tip without loss of bone	5
Middle Finger		
32	Whole	12
33	Two phalanges	9
34	One phalanx	7
35	Guillotine amputation of tip without loss of bone	4
Ring or Little Finger		
36	Whole	7
37	Two phalanges	6
38	One phalanx	5
39	Guillotine amputation of tip without loss of bone	2
B. Toes of right or left foot		
Great toe		
40	Through metatarsal-phalangeal joint	14
41	Part, with some loss of bone	3
Any other toe		
42	Through metatarsal-phalangeal joint	3
43	Part, with some loss of bone	1
Two toes of one foot, excluding great toe		
44	Through metatarsal- phalangeal joint	5
45	Part, with some loss of bone	2
Three toes of one foot, excluding great toe		
46	Through metatarsal-phalangeal joint	6
47	Through metatarsal-phalangeal joint	3
Four toes of one foot, excluding great toe		
48	Through metatarsal-phalangeal joint	9
49	Through metatarsal-phalangeal joint	3

(Note: Completely permanent disability of using any parts of body according to this table shall be regarded as the proportional value equal to loss of those parts of body.)