

## São Tomé and Príncipe

Exchange rate: US\$1.00 = 20,941 dobras.

### Old Age, Disability, and Survivors

#### Regulatory Framework

**First law:** 1979 (social security).

**Current laws:** 1990 (social security), 2004 (social protection), and 2014 (compulsory social security).

**Type of program:** Social insurance system.

Note: The 2014 law on compulsory social security increased contribution rates and extended the social insurance program's coverage to self-employed persons. These provisions have not been implemented and are not included below.

#### Coverage

Employed persons, including civil servants and military personnel; and household workers.

Exclusions: Self-employed persons.

#### Source of Funds

**Insured person:** 4% of monthly earnings.

There are no minimum or maximum earnings used to calculate contributions.

The insured person's contributions also finance cash sickness and maternity benefits, and work injury benefits.

**Self-employed person:** Not applicable.

**Employer:** 6% of monthly payroll.

There are no minimum or maximum earnings used to calculate contributions.

The employer's contributions also finance cash sickness and maternity benefits, and work injury benefits.

**Government:** Provides subsidies as needed; contributes as an employer.

#### Qualifying Conditions

**Old-age pension (Pensão de Velhice):** Age 62 with at least 180 months of contributions and enrolled in the program for at least 240 months.

Early pension (women only): Age 57 with at least 180 months of contributions and enrolled in the program for at least 240 months.

Employment may continue.

Deferred pension: The pension may be deferred.

**Disability pension (Pensão de Invalidez):** Must be younger than age 62, have at least a 66% assessed loss of work capacity and a 50% loss of earning capacity, and have at least 60 months of contributions before the disability began.

A disability committee assesses the loss of work capacity.

Constant-attendance allowance: Paid if the insured requires the constant attendance of others to perform daily functions.

The disability pension ceases at the normal retirement age and is replaced by an old-age pension of the same value, including the value of any constant-attendance allowance.

**Survivor pension (Pensão de Sobrevivência):** The deceased received or was entitled to receive an old-age or disability pension at the time of death.

Eligible survivors include a widow(er); a separated spouse entitled to alimony; orphans up to age 19 (age 22 if a student in a technical school; age 25 if a university student; no limit if disabled), and certain other dependent family members who were living with the deceased at the time of death.

The widow(er)'s pension ceases upon remarriage.

**Funeral grant (Subsídio de Funeral):** The deceased had at least 12 months of contributions or was a pensioner.

#### Old-Age Benefits

**Old-age pension (Pensão de Velhice):** 2.5% of the insured's average monthly earnings in the highest 10 years of earnings in the last 15 calendar years is paid for each year of contributions.

The minimum monthly old-age pension is 40% of the legal monthly minimum wage for civil servants.

The legal monthly minimum wage for civil servants is 1,100,000 dobras.

The maximum monthly old-age pension is 80% of the insured's average monthly earnings in the highest 10 years of earnings in the last 15 calendar years.

Early pension (women only): Calculated in the same way as the old-age pension.

Deferred pension: The pension is increased by 2% for each year of deferral after the normal retirement age.

Benefit adjustment: Benefits are adjusted based on changes in the consumer price index or other macroeconomic indicators.

#### Permanent Disability Benefits

**Disability pension (Pensão de Invalidez):** 2.5% of the insured's average monthly earnings in the highest 10 years of earnings in the last 15 calendar years is paid for each year of contributions.

The minimum monthly disability pension is 40% of the legal monthly minimum wage for civil servants.

The legal monthly minimum wage for civil servants is 1,100,000 dobras.

Constant-attendance allowance: 20% of the disability pension is paid.

Benefit adjustment: Benefits are adjusted based on changes in the consumer price index or other macroeconomic indicators.

### Survivor Benefits

#### Survivor pension (Pensão de Sobrevivência)

*Spouse's pension:* 50% of the old-age or disability pension the deceased received or was entitled to receive is paid to the widow(er).

A divorced or separated spouse receiving alimony receives a pension equal to the amount of the alimony but not exceeding 25% of the old-age or disability pension the deceased received or was entitled to receive.

*Orphan's pension:* 30% of the old-age or disability pension the deceased received or was entitled to receive is paid for each eligible orphan.

*Dependent relative's pension:* 20% of the old-age or disability pension the deceased received or was entitled to receive is paid to each dependent relative if there are no eligible orphans.

The maximum combined survivor pension is 100% of the old-age or disability pension the deceased received or was entitled to receive.

**Funeral grant (Subsídio de Funeral):** A lump sum of up to two times the legal monthly minimum wage for civil servants is paid to cover the cost of the funeral.

The legal monthly minimum wage for civil servants is 1,100,000 dobras.

### Administrative Organization

Ministry of Labor, Solidarity, Family, and Professional Training provides general supervision.

National Institute of Social Security (<http://seg-social-stp.net/>) collects contributions and administers the programs.

### Sickness and Maternity

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#### Regulatory Framework

**First law:** 1979 (social security).

**Current laws:** 1990 (social security), 2004 (social protection), 2014 (compulsory social security), and 2019 (labor law).

**Type of program:** Social insurance system.

Note: The 2014 law on compulsory social security extended the social insurance program's coverage to self-employed

persons. This provision has not been implemented and is not included below.

### Coverage

Employed persons, including civil servants and military personnel, and household workers.

Exclusions: Self-employed persons.

### Source of Funds

**Insured person:** See source of funds under Old Age, Disability, and Survivors.

**Self-employed person:** Not applicable.

**Employer:** See source of funds under Old Age, Disability, and Survivors.

**Government:** Provides subsidies as needed; contributes as an employer.

### Qualifying Conditions

**Cash sickness benefit (Subsídio de Doença):** Must have at least 180 days of contributions immediately before the incapacity began.

The cash sickness benefit may be paid for bereavement.

A disability committee assesses the incapacity for work.

**Special leave (Subsídio por Doença de Filho Menor):** Paid to a parent to care for a sick child younger than age 4 (any age if disabled). The insured must have at least 180 days of contributions immediately before the special leave began.

**Cash maternity, paternity, and child care benefits (Subsídio de Maternidade e Parentalidade):** Paid to the mother, father, or other family member who is providing care for a newborn child. The insured must have at least 180 days of contributions before the expected date of childbirth.

### Sickness and Maternity Benefits

**Sickness benefit (Subsídio de Doença):** 75% of the insured's average daily earnings in the last six months is paid after a three-day waiting period for up to 360 days. The insured must resume work for more than 90 consecutive days to receive another sickness benefit for up to 360 days.

**Special leave (Subsídio por Doença de Filho Menor):** 75% of the insured's average daily earnings in the last six months is paid for 90 days. There is a 360 day waiting period for receiving another special leave benefit for the same child.

**Maternity, paternity, and child care benefit (Subsídio de Maternidade e Parentalidade):** 100% of the insured's average daily earnings in the last six months is paid for

98 days; 15 additional days are paid for each child in case of multiple births.

### **Workers' Medical Benefits**

The public health program provides medical care.

### **Dependents' Medical Benefits**

Benefits for dependents are the same as those for the insured.

### **Administrative Organization**

Ministry of Labor, Solidarity, Family, and Professional Training provides general supervision.

National Institute of Social Security (<http://seg-social-stp.net/>) administers the programs.

## **Work Injury**

### **Regulatory Framework**

**First law:** 1979 (social security).

**Current laws:** 1990 (social security), 2004 (social protection), and 2014 (compulsory social security).

**Type of program:** Social insurance system.

### **Coverage**

Employed persons, including civil servants and military personnel, and household workers.

Exclusions: Self-employed persons.

### **Source of Funds**

**Insured person:** See source of funds under Old Age, Disability, and Survivors.

**Self-employed person:** Not applicable.

**Employer:** See source of funds under Old Age, Disability, and Survivors.

**Government:** See source of funds under Old Age, Disability, and Survivors.

### **Qualifying Conditions**

Must be assessed with a work injury or occupational disease. There is no minimum qualifying period. Accidents that occur while commuting to and from work are covered.

### **Temporary Disability Benefits**

100% of the insured's average daily earnings in the six months before the disability began is paid for the first 30 days; 90% from the 31st day to the 360th day; 75% from the 361st day up to the 24th month.

## **Permanent Disability Benefits**

**Permanent disability pension (Pensão de Invalidez):** For an assessed loss of work capacity of at least 66.7%, 50% of the insured's average monthly earnings in the highest 10 years of earnings in the last 15 calendar years plus 2% for each year of contributions exceeding 25 years is paid.

The minimum monthly permanent disability pension is 40% of the legal monthly minimum wage for civil servants.

The legal monthly minimum wage for civil servants is 1,100,000 dobras.

### **Workers' Medical Benefits**

No statutory benefits are provided.

The public health program provides medical care.

## **Survivor Benefits**

### **Survivor pension**

**Spouse's pension:** 50% of the permanent disability pension the deceased received or was entitled to receive is paid to the widow(er).

The spouse's pension ceases upon remarriage.

**Orphan's pension:** 30% of the permanent disability pension the deceased received or was entitled to receive is paid for each orphan.

**Dependent relative's pension:** 20% of the permanent disability pension the deceased received or was entitled to receive is paid to each dependent relative if there are no orphans.

The maximum combined survivor pension is 100% of the permanent disability pension the deceased received or was entitled to receive.

**Funeral grant:** See Old Age, Disability, and Survivors.

### **Administrative Organization**

Ministry of Labor, Solidarity, Family, and Professional Training provides general supervision.

National Institute of Social Security (<http://seg-social-stp.net/>) collects contributions and administers the program.

## **Unemployment**

### **Regulatory Framework**

The 2019 labor code regulates severance pay for the termination of a work contract on economic grounds or without a fair justification from the employer. For the unfair dismissal of a fixed-term employee, the severance pay is the salary the employee would have received until the regular end of the contract. Employees on a permanent contract dismissed for reasons deemed unfair by a tribunal can choose to be reinstated to their previous position with full reimbursement of lost earnings, or receive severance pay without

reinstatement. The payment amount in this case and for dismissal on economic grounds is a lump sum of 100% of the employee's last monthly earnings multiplied by the number of years of continuous employment. The minimum payment amount is three times the employee's last monthly earnings.