

# ► Employment injury insurance for workers in the platform economy

平台经济从业人员职业伤害保险

## Some inputs for discussion

## 待讨论要点

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# Summary 摘要

- Generic principles for Universal EII coverage  
职业伤害险全覆盖的一般性原则
- Looking at the wide picture 思考宏观前景
- Mandatory and voluntary coverage of EII for platform/flexible workers  
平台/灵活就业人员强制和自愿参加职业伤害险
- Specific fund for platform/flexible workers : example and discussion
- 平台/灵活就业人员专属基金：实例和讨论
- Qualification for benefits for flexible workers 灵活就业人员待遇资格认证
- Administration of the scheme 对计划的经办管理
- Issues that still need clarification 仍需厘清的问题

# Generic principles for universal EI coverage

## 职业伤害险全覆盖的一般性原则



鼓励：

强制参保  
大规模风险分摊  
高水平的待遇和服务，方便获得  
利用数字技术简化经办流程  
高度透明，高度责任与信任  
统一/协调的制度  
一体化的政策框架  
结合缴费与税收筹资，创造充足的财务空间  
广泛且涉及全面的社会对话

不鼓励：

自愿参保  
小规模风险分摊  
低水平的待遇和服务，不易获得  
经办流程复杂且冗长  
透明度、问责与信任度水平较低  
制度碎片化  
政策分离/不相连  
筹资框架不充分  
无社会对话



Shahra Razavi  
Director Social  
Protection  
Department ILO  
Geneva  
ILO日内瓦总部社会  
保障司司长

更多信息详见：ILO关于扩大非正规经济从业人员社会保障的政策资源包  
(<http://informaleconomy.social-protection.org>)

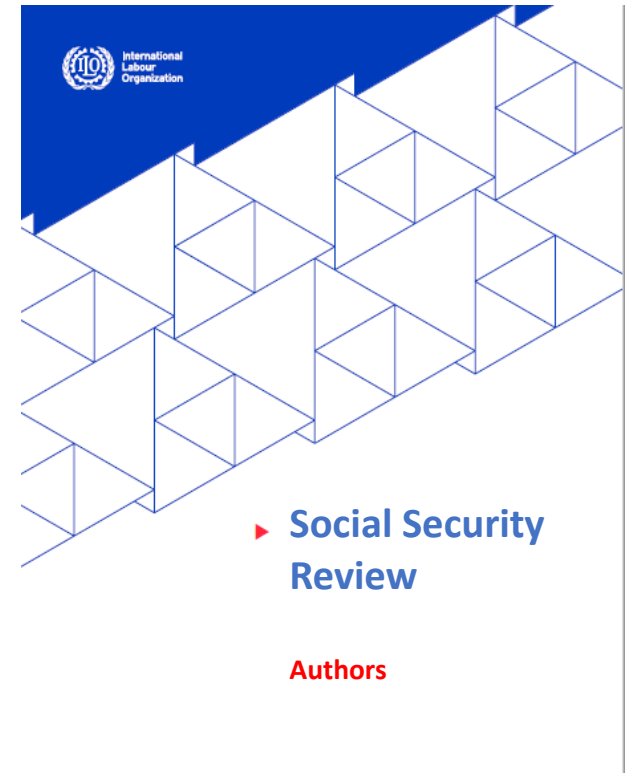


# Universal EII coverage : considering the wide picture

## 职业伤害险全覆盖：考虑宏观前景

- Universality has several dimensions: extent, accessibility, affordability, adequacy of benefits.  
全民性包含多项维度：覆盖程度、可及性、可负担性以及待遇充足性
- What is the situation of EII coverage of all workers in regard to those criteria?  
根据这些标准，对所有工人的职业伤害险覆盖现状是什么？
- Will the reform improve the situation for the new covered workers?  
改革能否改善新覆盖工人的现状？
- But also are there likely to be negative incentives for the situation of other workers? Opportunities to consider improvements for all workers?  
是否会对其他工人的现状造成负面激励？改善所有工人现状的机遇？
- New workers should not be excluded from other protective legislation when creating their scheme: OSH, prevention and environmental protection, rehabilitation.

为新纳入覆盖的工人制定计划时不应将其排除在其他保护性法规之外，包括：职业安全健康、预防 and 环境保护、康复治疗等。





# Mandatory, voluntary EI cover... and both 强制、自愿参加职业伤害险...二者兼具

In Europe, 57% of countries provide protection in case of employment injury to self-employed workers. 36% of countries provide mandatory coverage and 21% provide voluntary coverage to self-employed.

在欧洲，57%的国家为自雇工作者提供职业伤害保护。其中，36%的国家要求强制参保，21%的国家选择自愿参保。

In Australia, Japan, all Canadian provinces provide voluntary coverage for self employed.

澳大利亚、日本和加拿大所有省份的自雇人员自愿参保。

In some cases, both mandatory and voluntary coverage coexist: 某些情况下，强制与自愿覆盖并存：

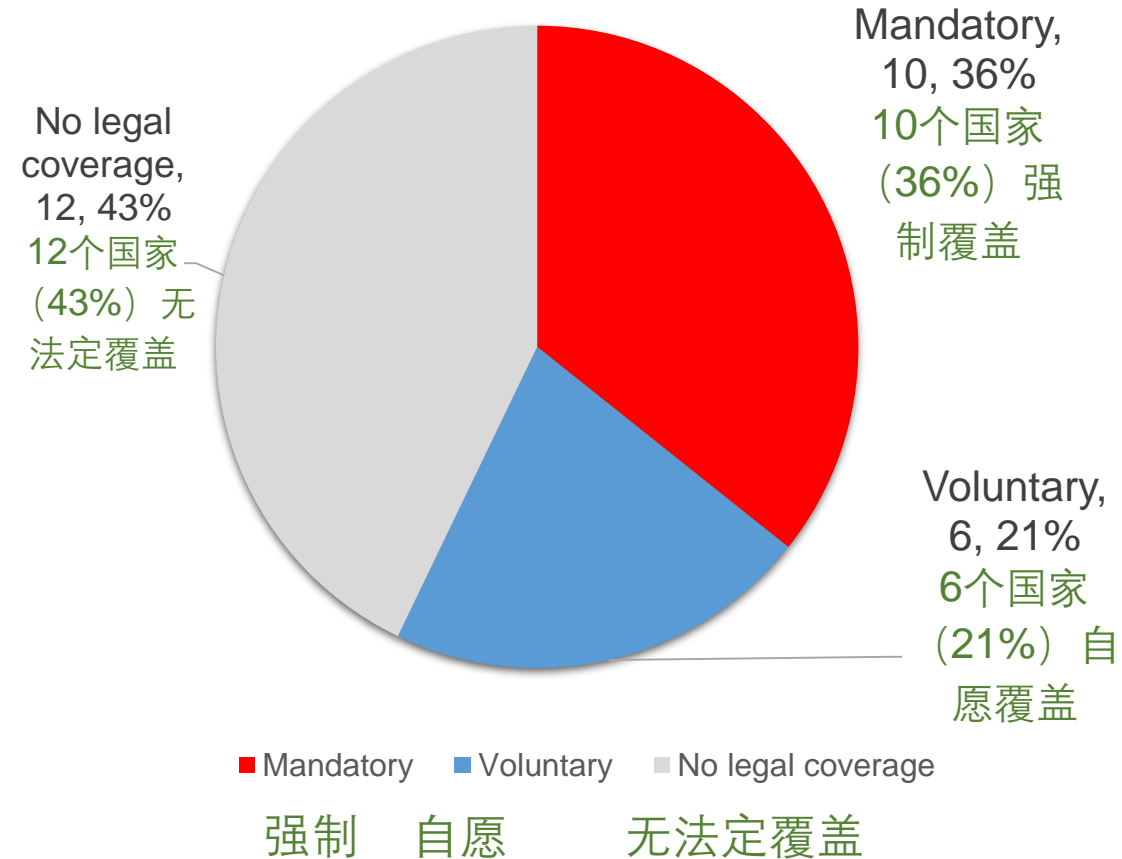
- Swedish Social Insurance Agency (sv. *Försäkringskassan*) provides basic cover. Additional insurance through Arbetskade-försäkring TFA.

瑞典社会保障局提供基本覆盖，TFA（工伤保险）提供额外保险。

- PERKESO (Malaysia) mandatory for passenger transportation sector (are taxi, e-hailing, and bus drivers) and voluntary for other sectors. PERKESO（马来西亚）规定客运部门（出租车、网约车、公交司机）强制参保，其他部门自愿参保。

EI legal coverage in Europe, # of countries, 2020

欧洲国家职业伤害险法定覆盖情况，2020



# A specific fund for platform workers?

## An Example 为平台从业人员建立专项基金？

### France: 以法国为例

- Régime Social des Indépendants (RSI) manages the social security scheme for micro-entrepreneurs, traders, and artisans and self-employed people.  
自雇人员社保计划（RSI）负责管理微型企业、商人、工匠以及自雇人员的社会保险计划。
- Ongoing reform (stalled) to integrate RSI into universal social security scheme, essentially due to
- 当前将RSI并入全民社保计划的改革遭遇停滞，主要因为：
  - increased mobility of workers between different status/categories and  
不同身份/类别的工人流动性增加
  - the existence of more and more grey areas that made the existing scheme more difficult to understand  
日益增多的灰色地带导致现行计划更难理解。
  - Became complex to manage 管理更加复杂



# Different approaches in practice

## 实践中的不同方法

Why countries implement dedicated schemes? (France) 国家为什么实施针对性计划？（法国）	Why other countries have not (Sweden, Portugal, Spain, Italy...) 为什么其他国家未实施（瑞典、葡萄牙、西班牙、意大利...）
No experience or insufficient information on the risk profile of the new target population 对新受众的风险状况缺乏经验或信息不足	High administrative costs (some functions end up being shared like collection of contributions and others) 高昂的行政管理成本（最终分摊部分职能，例如对缴费和其他费用的征收）
Collective agreements at different benefit rates and contributions from the fund for employees 不同待遇水平的集体协议，以及从雇员基金中抽取的缴费	If rules are more generous and not more costly, it can create disincentive for platforms to contribute as employers on the basis of employee coverage 如果规则的适用范围更加广泛而成本未有增加，则会对平台造成负面激励，阻碍其作为雇主为参保雇员缴费。

Important: alignment of policies + a plan to converge  
保持政策与计划覆盖一致至关重要



# Qualification for benefits: when the platform workers' scheme takes over the employer liability obligations

## 平台从业人员专项计划接替雇主责任义务情况下的待遇资格认证

### An Example 例如

- CNESST, Quebec, Canada:

加拿大魁北克省劳动卫生与安全委员会 (CNESST) :

- For employees, employers are required compensate directly their workers for the first 14 days of injury.  
雇主需在自雇员发生工伤起的14天内向其直接支付赔偿
  - In the case of self-employed CNESST pays the benefits from the first day
  - 对于自雇人员, CNESST将自其发生工伤的首日起支付待遇。
- CNESST reimburses the employer late and the differences in such conditions are not during prolonged periods.
  - 然而, 如雇员发生工伤, CNESST会在之后对雇主予以赔偿, 但这类情况出现的差异不会长期存在。





# Administration of the scheme 计划经办管理

- Employer normally does many administrative procedures. In case, social security needs to dealing with single individuals the administrative costs for social security increases.

通常，雇主需完成多项经办流程。如果社保需要对应到个人，则社保经办成本将增加。

- Power of digital technologies to simplify administration acts

数字技术在简化经办流程中的作用

- COMWELL in South Korea reports that all documentation can be handled online: “Almost all of the documents can be filed online and monthly insurance premiums can be paid online. So a person who can access the online system”

韩国COMWELL在报告中指出，所有证明文件均可实现线上办理：“只要能访问线上系统，几乎所有的文件都可以线上提交，也可以在线缴纳每月保费。”



# Example of France 法国实例

Art. 7342-2 of the Labour Code: 根据《劳动法》第7342条2：  
Where a platform worker opts for occupational injury insurance, the contributions are to be paid by the platform  
如平台从业人员选择参加职业伤害保险，则平台将为其支付缴费。



Digital platform  
数字平台

(by 31 January) 截至1月31日

Sends details of the **income and activities** and draw workers' attention to **social security contribution responsibilities**.  
发送从业人员的**收入和活动**明细，吸引他们关注**社保缴费**责任

Worker 从业人员

If they have received more than €5,268 in 2019 or who have made more than 20 transactions at during the previous year  
如果**2019年**从业人员从平台获取的收入高于**5,258欧元**，或在过去一年中完成**20笔**以上的交易



**1** Sends all of this information electronically to the tax authorities  
向**税务机关**发送所有此类信息的电子文件

**5** Pays contributions to URSAFF together with regular employees  
与正规雇员一同向**社会保险和家庭补助金征收联合会 (URSAFF)** 支付缴费

**4** Workers decide if they want voluntary coverage  
从业人员决定是否**自愿参保**

**6**

May register voluntarily to social security online and claim benefits  
可在线上**自愿办理参保登记**和待遇申领



The Tax Administration  
税务机关

transmits these details to the social security organisations.  
向**社保机构**传输**这些**明细

**2**

Social Security  
URSAFF + RSI  
URSAFF + RSI提供**社会保障**



# Issues that still need clarification:

## 仍需明确的问题：



Design 设计

### -Scope of risks 风险范围

Should commuting accidents be covered? COMWELL in Korea: Transportation business owners, taxi drivers, and delivery service drivers may be excluded from EII scheme and benefits when it comes to a commuting accident if they have their own garage for business vehicles at their home.

上下班途中发生的事故是否应纳入覆盖？韩国COMWELL规定：如果运输企业主、出租车司机和配送骑手在家中为用于工作的车辆配备了个人车库，则其在上下班途中发生事故的情况不会被纳入职业伤害保险计划和待遇覆盖范围。

### -Income contribution basis 缴费工资基数

-Verification of **actual income** earned versus presumptive may be important to avoid underreporting but also to avoid receiving higher benefits than necessary

核查获得的**实际工资**与假定工资有助于避免不充分报告，同时避免领取的待遇超出必需金额。

-Same brackets as in pensions? (**same income basis would be desirable to streamline administrative processes**)

与养老金水平相同？（**设置相同的工资基数是精简经办流程的理想选择**）

-PERKESO is exploring potentially changing contribution collections from income declaration to **collections from transacted tasks** (micro-work). See pay for transaction schemes (ILO, Meituan).

PERKESO 正在研究将缴费的征收来源从收入申报转变为**交易任务**（微型工作），详见交易支付计划（ILO，美团）

Issues that still need clarification:

仍需明确的问题：

**-Contributions: 缴费**

-Scheme is expensive but should **be affordable if it is voluntary**

-尽管计划设定的缴费金额高昂，但如果自愿参加应当在负担范围内。

Administration 经办

**Enrollment 登记**

Keep it voluntary but make it automatic 自愿参保，但自动完成登记办理。

**Contributions 缴费**

Consider **behavioural insights** for contributions: Kenya. E-processes (debit or credit card or a mobile wallet): every time the individual spends, a small percentage is automatically credited to that individual's account at any time.

思考缴费行为洞察：肯尼亚. 电子流程（借记卡或信用卡或移动钱包）：个人每产生一笔支出，其中一小部分随时自动计入个人账户。

**Strategies to identify injuries** as work related or not: **定义伤害**是否与工作有关的**策略**

Example. Quebec: simple declaration and explanation, presumption of work related injury

例如魁北克省：提供简单的声明和解释，进行工伤推定

# Concluding issues 结论

Study comprehensively EII legislation and review policy applicable to different work categories to ensure equitable treatment of all workers. Avoid fragmented reforms and seize opportunities for systemic reforms.

综合研究职业伤害险立法并对适用于多种就业类型的政策进行审议，以确保对所有工人予以公平对待。避免碎片化改革并抓住系统化改革的机遇。

Consider EII designs that minimize discrepancies between specific scheme and broader framework and potential negative incentives that a more generous scheme could introduce to existing workers.

思考对职业伤害险的设计，最大程度地减小特定计划与一般制度框架之间的差异；考虑更慷慨的计划可能会对现有从业人员造成的负面激励。

Establish plan that anticipates convergence between the two schemes in the future and establishes objectives to progressive include different groups of platform workers with considering their different characteristics.

建立可实现未来两种计划进行合并的方案；设立目标，思考不同平台从业群体的特征并将其逐渐纳入覆盖。

Cost the new scheme by way of actuarial analysis.

通过精算分析计算新计划的成本费用。


Analyse not only the benefits but also the risks of PPP administration and ensure there is a good strategy to minimize and control those risks

分析待遇和3P（政府和社会资本合作）管理的风险，确保采取有效策略以最大程度地降低并控制风险。



# Canada: online registration and claim for personal cover

## 加拿大：线上登记与个人参保申请



Working conditions

+

Prevention and safety

+

Procedures and forms


+

Pay equity

Contact us

Français

Mon Espace



I had an accident or illness at work

Have you been injured while carrying out your tasks or have you developed an occupational disease at work? We can answer your questions to help you recover and return to work safely.

After your accident or occupational disease

—

Get started right away

- [What should I do if I have an accident at work?](#)
- [What should I do if I have an occupational disease?](#)
- [Once I have filed my Worker's claim form, what happens next?](#)
- [Am I eligible for compensation or reimbursements?](#)
- [What happens if I have a work accident outside Québec?](#)

While you are off work


+

When you return to work

+

Complaints and recourses

+

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# Collaboration with private providers in services extension.

## Case 1 PEMSEKO, Malaysia uses Social Protection Agents

### 与私营保险机构合作，扩大服务范围

### 案例1：PEMSEKO,马来西亚使用社保代理处

Industry apex institutions such as regulators or workers associations are identified as Social Protection agents to promote the self-employed social security scheme.

马来西亚将监管机构或工人协会等行业领先机构作为社保代理处，从而促进自雇人员社会保障计划。

With each registration, the corporate agents can earn 5% of the contribution as an incentive to continue extending coverage.

每完成一次参保登记，公司代理可从中获得5%的缴费奖励，以此继续推动扩大覆盖面



### SELF-EMPLOYMENT SOCIAL SECURITY SCHEME

#### BACKGROUND

The Self-Employment Social Security Scheme was introduced to provide protection for individuals who are self-employed under the provisions of the Self-Employment Social Security Act 2017.

In the beginning, this scheme is compulsory for the self-employed in the **Passenger Transportation Sector** which are taxi, e-hailing and bus drivers under the provisions of the Self-Employment Social Security Act 2017, which took effect on 1 June 2017.

Effective from 1 January 2020, the scheme is extended to 19 other sectors as follows:

- Good and Food Transport
- Agriculture
- Livestock
- Forestry
- Fisheries
- Food
- Manufacturing
- Construction
- Hawkers
- Accommodation Premises
- Online Business
- Information Technology
- Data processing
- Agents
- Professional Services
- Support Services
- Household Services
- Arts
- Beauty and Healthcare

The coverage for self-employed individual contributing to the scheme starts from the date and time the contribution is paid and recognised on the contribution payment receipt.

#### PROTECTION OF SELF-EMPLOYMENT SOCIAL SECURITY SCHEME

This Scheme provides protection for self-employed insured persons against self-employment injury including occupational diseases and accidents during work-related activities.

“Self-employment injury” means personal injury to self-employed insured person caused by an accident or an occupational disease arising out of and in the course of his or her self-employment activity including while travelling for the purpose of his or her self-employment activity.

Occupational disease is a disease caused by or arising out of any occupation specified in the Fifth Schedule of the Employees’ Social Security Act 1969.

This Scheme provides cash benefits to the self-employed and their beneficiaries besides providing medical care, physical rehabilitation and vocational training.

#### SCHEDULE OF CONTRIBUTION

The contribution is based on options of insurable earnings:

Plan	Selected Insured Monthly Earnings	Contribution Payment Per Month	Contribution Payment Per Year
1	RM1,050	RM13.10	RM157.20
2	RM1,550	RM19.40	RM232.80
3	RM2,950	RM36.90	RM442.80
4	RM3,950	RM49.40	RM592.80

#### ELIGIBILITY

- Malaysian citizen / permanent resident without age limit
- Individuals who work for themselves to earn a living

#### DOCUMENTS NEEDED

- Photocopy of Identity Card (IC)
- Copy of PSV Card / E-hailing Profile / Permit / Licence / Certificate or Letter of Confirmation from the relevant association or agency subject to the type of sector.

#### PAYMENT OF CONTRIBUTION

- Contribution can be paid on a monthly or yearly basis
- Cash payment can be made at all SOCSO offices
- Online payment can be made via <https://matrix.perkeso.gov.my> (on-screen instructions are available by clicking the ‘Help’ button)



### Protecting you and your family...



For more information, please visit or contact us online  
[www.perkeso.gov.my](http://www.perkeso.gov.my) | 1 300 22 8000  
<https://matrix.perkeso.gov.my>

# Collaboration with private providers in services extension 2

## Case of South Korea Insurance Business Agency services

### 与私营保险机构合作，扩大服务范围 2 —— 韩国保险业务代理服务

- An organisation authorised by COMWELL to perform certain administrative acts. A certified public labour attorney and a tax accountant are allowed to perform the role of Insurance Business Agencies (IBAs)

由COMWELL授权的一所机构负责特定的经办业务，一名获得认证的公共劳工律师和一名税务会计师承担保险业务代理人（IBAs）的角色

- The scope of business IBAs: 保险业务代理人的业务范围包括：
  - A report on the registration, termination and change of insurance relationships 关于参保登记、保险关系终止与变更的报告
  - A report on the insured income and premium 关于保险收入和保费的报告
  - A report on employment information 就业信息报告
  - Business concerning the management of eligibility for insured workers 有关参保工人申请资格管理的业务
  - A report on employment information 就业信息报告
    - Any other business concerning insurance that business owners must report to a local labour office or COMWEL

任何其他涉及企业主必须向当地劳工办事处或COMWEL报告的保险业务

- There are as many as 5,000 IBAs nationwide and in particular, they provide the services above business with less than 30 workers for free.

韩国全国共有 5000名保险业务代理人，他们尤其为不足30人的企业免费提供上述服务





## Private sector administration of fund. 私营部门基金管理

### Risks 风险

Manage administrators' expectations to cross sell other products without harming clients

达到经办人员交叉销售其他产品的预期，同时不对客户造成利益损伤

Individual data privacy and protection 个人数据隐私与保护

Disruptions in service delivery due to not accumulating experience, professionalism and institutional memory with changing providers

由于服务商不断变更，经验积累、专业素养及机构存储信息都欠缺，服务交付因此中断。

How can this affect peoples' trust and reputation for them to contribute

这将如何影响人们对缴费的信任和个人信誉？

How to ensure continued reach out to most vulnerable (problems of cream skimming appear where commercial entities do not want those clients who induce too many costs).

如何确保最弱势群体持续参保（当商业保险机构想要舍弃投入成本过高的客户时就会引发吸脂效应的问题）

Problems of local monopolies, lack of competition because not many suppliers may bid

参加竞标的供应商过少导致地方垄断，缺乏竞争

Contracting must be based on elements of trust and quality not only price.

合同签订必须基于对价格、信托和质量三项要素的考虑