Benefits for accidents at work and occupational diseases are paid by the local Health Insurance Fund (in the case of Metropolitan France) or the General Social Security Fund (in the case of the Overseas Departments).

Definitions
Employees or categories treated as such are covered for occupational risks. Such coverage is also provided to certain categories of the population, including students of technical schools, apprentices and vocational trainees.

Accident at work covers any accident "resulting from work or occurring during work". It also includes accidents occurring during the journey to or from work, or between the workplace and the place where the individual usually has their meals.

Occupational diseases: the law classifies the occupational diseases itemized on a special list (98 charts) in the same category as accidents at work because they are work-related.

Procedure
Any accident at work must be reported to the employer within 24 hours. The employer must report the accident to the employee's local Health Insurance Fund within 48 hours and give the employee a special form ("feuille d'accident") which the employee then gives to their doctor. (The employee is thus exempted from any upfront medical costs.)

Compensation
A temporary period of (total or partial) disablement starts immediately after the injury or diagnosis of the disease and ends with the worker's recovery or effective healing of the injury. Payment of accident-at-work and occupational-disease benefits is not contingent on registration with the social security system or periods of contributions.

A - TEMPORARY DISABILITY BENEFITS

1 – Benefits in kind
The conditions governing the payment of benefits in kind for accidents at work are the same as those for in-kind sickness benefits, with the exception that all benefits are covered by the Fund at a rate of 100%. In the case of a hospital stay, there is no daily fee to be paid, nor the €18 flat-rate charge for extensive procedures.

The victim is also exempted from payment of any upfront costs. Practitioners, allied health professionals and health care institutions are paid directly by the relevant Fund (direct settlement system).

2 - Cash benefits
Daily benefits
The injured worker is entitled to their full wage for the day of the accident, which is paid by the employer. Thereafter, the worker is paid a daily allowance amounting to 60% of the daily wage taken as 1/30.42 of the wage for the calendar month preceding the leave (maximum daily payment: €193.23). From the 29th day of leave, payments are increased to 80% of the daily wage (maximum: €257.65) and there is no requirement for the employee to have a dependent child as in the case of health insurance.

The amount of the daily benefit may not exceed 79% of the daily gross reference wage (a flat 21% contribution rate is applied).

Temporary incapacity benefits
If an accident-at-work victim is deemed by the workplace physician as incapable of performing the work for which they were employed, the employer has one month in which to propose an alternative position or, failing that, must dismiss the employee on the grounds of incapacity.

In the period during which the employee is drawing neither a salary nor daily sickness benefits, they may be entitled to temporary incapacity benefits. These are payable at the same rate as the sickness benefits paid while the employee was on sick leave prior to their incapacity being established. If the employee is drawing a disability pension due to the injury sustained at work, the temporary incapacity benefits are deducted from the average monthly amount of the disability pension. Temporary incapacity benefits are payable for a maximum period of one month.
B – PERMANENT DISABILITY BENEFITS: PENSIONS

1 – Pension for the injured person

The amount of the pension paid depends on two criteria:

- the degree of disablement of the worker,
- their salary before the accident.

a) Permanent disability rating

The local Health Insurance Fund determines the worker’s actual level of disability on the basis of an expert evaluation and the worker’s general health status, age, physical and mental abilities and professional skills. For this purpose, an official table is used.

The level obtained is then adjusted by dividing the portion below 50% by two and increasing the portion above 50% by half.

For an actual disability rating of 70%, for example, the adjustment applied will be as follows:

\[(50\% /2) + (20 \times 1.5) = 25 + 30 = 55\]. The applicable rating is thus 55%.

b) Remuneration

The minimum annual salary (‘S’) used to calculate the disability pension for a disability rating of 10% or above, has been set at €18,263.54.

For annual earnings up to twice the salary ‘S’ (18,263.54 x 2 = 36,527.08), the total salary of the injured worker is taken into account. For the portion of the worker's annual earnings higher than two times ‘S’ (€36,527.08) but lower than eight times ‘S’ (€146,108.32), one third of the salary is taken into account. The calculation does not factor in any earnings above this last level.

c) Attendance

When the injured person has a permanent disability rating of at least 80% and is unable to perform activities of daily living, they qualify for a supplementary benefit in addition to their permanent disability pension.

As from April 1, 2013, the attendance increase that was added on to the accident-at-work pension has been replaced by the supplementary attendance benefit. The amount of this benefit is based on the recipient’s need for assistance: this is determined by the medical department of the health fund paying the pension based on an evaluation chart with ten tasks that the victim cannot complete alone.

The three fixed rates are as follows:

- 551.55 euros when the victim cannot complete 3 or 4 tasks on the chart alone
- 1,103.08 euros when the victim cannot complete 5 or 6 tasks on the chart alone
- 1,654.63 when the victim cannot complete at least 7 tasks on the chart alone, or when the victim has neurological difficulties that make him/her a danger to him/herself or to others.

2 – Pensions payable to survivors

When an accident at work or occupational disease results in the death of the employee, some of the employee’s dependants may be entitled to a survivor’s pension. Such dependants include:

- A spouse, partner or person with whom the deceased has entered into a civil union (PACS). Such persons may be entitled to a pension amounting to 40% of the deceased person’s wage. If the spouse is over 55 years of age or has a disability rating of at least 50%, they are entitled to a pension supplement equal to 20% of the deceased worker’s wage.
- Dependent children or descendants under 20 years of age. The amount of the pension is equal to 25% of the deceased’s annual salary for each of the first two children, and 20% for each additional child. When the child is fully orphaned, the pension is equal to 30% of the deceased’s annual salary.
- If the deceased person has neither partner nor child, any ascendants who were eligible for a maintenance allowance. If the deceased did have a spouse or children, the ascendants will have had to have been dependants of the deceased to receive a survivor’s pension. In this case the pension is generally 10% of the deceased’s annual salary and the combined total of pensions paid to ascendants may not exceed 30%.

The amount of pensions paid to all survivors combined may not exceed 85% of the annual salary on which they were determined (where applicable, the amount of each pension is lowered proportionally.

For more information, visit the accidents at work.

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