



► Guidance Note

1 May 2025

Establishing an Employment Injury Scheme in Bangladesh¹

The EIS Pilot in a nutshell

- The EIS Pilot is a unique initiative that enables the authorities of Bangladesh and the social partners to test a system of social insurance for work-related injuries in the Ready-Made Garment (RMG) sector. It provides practical experience with administering social protection and is intended to serve as a solid foundation for establishing a national Employment Injury Scheme (EIS) by June 2027.

1. Introduction

This Guidance note provides national stakeholders in Bangladesh with key elements for institutionalizing an Employment Injury Scheme (EIS) based on the experience and insights gained through the EIS Pilot. It outlines essential principles, governance structures, operational considerations, and next steps required for transitioning from an employers' liability system to a sustainable, nationally funded, wage-based social insurance scheme for work-related injuries.

The Guidance note pursues the long-term vision of providing comprehensive social insurance coverage for workers against work-related accidents and occupational diseases, ensuring their medical care, financial compensation, rehabilitation, and prevention of such accidents and diseases, with a gradual extension approach for the entire formal workforce of Bangladesh.

The note first outlines the foundational concepts (paras. 2 to 5), then examines operational and governance elements essential for implementation (paras. 6 to 8), and finally highlights strategies for ensuring efficiency, sustainability, and long-term impact (paras. 9-11).

2. General objective of the institutionalization of the Employment Injury Scheme

The institutionalization of the EIS in Bangladesh is intended to transition from a system of protection against accidents at work based on employers' liability to a social insurance scheme, which applies the no-fault principle – ensuring workers are compensated regardless of who is to blame – and spreads the costs of work-related injury across employers in the same sector. Furthermore, institutionalization aims to transform the EIS Pilot's approach to social insurance into a lasting result fully integrated into the national framework. Establishing a national EIS is also part of the Bangladesh National Social Security Strategy (2015) and the action plan for its implementation through a National Social Insurance Scheme that should include social insurance for employment Injury, sickness, maternity and unemployment Insurance.

However, the EIS institutionalization should go further than the Pilot, which is only its first step and currently focuses on covering the compensation gap for death and permanent disability resulting from workplace

¹ This Guidance Note does not address the export processing zones of Bangladesh covered by a specific Labour Act: the Bangladesh EPZ Labour Act, 2019.

accidents. The EIS institutionalization should confirm several essential principles underlying a social insurance scheme. An important feature of the scheme is that it results from a trade-off between employers and workers. Employers collectively finance employment injury insurance against the risk of work-related injury, and in return, they are free from individual compensation responsibilities and lengthy court cases. Instead of suing their employers, workers can access predictable, timely, fair and sufficient compensation and medical care without the hurdles of a court case. Bangladesh is currently exploring a no-fault approach under the EIS Pilot to ensure the best possible protection against work-related accidents.

Institutionalizing the national EIS would require substantial revisions to specific provisions of the Labour Act, which currently relies on a contentious model where court intervention is central to securing protection. Alongside the revised Labour Act, a dedicated law (see Annex 3) should be developed to address all aspects of the EIS comprehensively. The gradual application of the specific law on EIS should be guided by clearly defined criteria to ensure the scheme's financial sustainability. These criteria should emerge from a process of social dialogue and may be based on factors such as the sectors or types of factories to which the scheme should be applied first, geographic location, or the types of benefits to be prioritized in the initial phase. Over time, this legal framework would progressively replace the current provisions of the Labour Act, paving the way for the establishment of a fully national social insurance scheme.

The institutionalization of the EIS is expected to generate efficiency gains through the centralization and professionalization of relevant services, leading to time and cost savings.

3. EIS Framing

The EIS Pilot has demonstrated the need for clear definitions to ensure effective protection. For example, the concepts of covered persons, accidents, commuting accidents, occupational injuries, insured earnings, occupational diseases, and disability/impairment should be clearly defined. Fortunately, the Pilot has developed a solid practice on these issues, enabling the scheme to identify any adjustments or additions that need to be made for a national EIS framework to meet the needs and specificities of the country.

The notion of beneficiaries (dependent family members), as defined in the Bangladesh Labour Act (S. 2§30), should be studied in depth to ensure that the coverage of identified beneficiaries is in line with international labour

standards, reflects the Bangladesh standard family and dependency status, and is financially sustainable for the national EIS.

4. Coverage

The EIS Pilot has shown that it is feasible to effectively cover 100 % of workers contributing to exported Ready Made Garments (RMG), despite the legal and operational challenges. It is essential to build on this good practice if the national EIS is to cover all workers in Bangladesh's formal sectors of activity. For instance, the national EIS should include, as the Pilot does, all workers, regardless of employment status, with no qualifying period. This inclusive approach promoted by the EIS Pilot would ensure that all workers enjoy protection from day one, and is a good practice to inspire the national EIS.

The effective application of the national EIS to other sectors should be made gradually, ensuring that a sectoral risk analysis accompanies the coverage, a financial study of its cost and the necessary adjustments required to the governance structure. For some time, the insurance system proposed by the national EIS and that provided in the Labour Act, based on employers' liability, should coexist. One essential task of the EIS institution should be to develop a plan for the gradual effective coverage of all sectors and establish a date by which only the national EIS should exist. This includes prioritizing the sectors of activities close to the textile sector (e.g. leather and footwear, and tanneries) or where the prevalence of accidents is high (e.g. shipbreaking), considering the national experiences and needs of Bangladesh. Countries facing similar challenges have adopted different approaches, ranging from well-defined extension plans with clear timelines (for example, South Korea or Cambodia) to a political decision to implement a uniform contribution rate for all sectors from the outset (for example, Tanzania).

From a practical standpoint, the effective coverage of the national EIS hinges on the compulsory registration of the employers and workers it covers. The Labour Management Information System (LIMS) is already working towards this objective to register workers. The registration of employers with the EIS institution should be mandated within a specific timeframe, either at the scheme's commencement or at the start of business operations.

5. Benefits

The benefits provided by the national EIS are to improve the health and well-being of injured workers and enable them to return to work or financially support themselves or their dependent family members. This aligns with

Bangladesh's broader goals of enhancing workers' welfare and productivity. In a no-fault system, the entitlement to benefits is a right of the injured workers or their families, even in case of employers' default. As a result, there is no longer any question of going to court to assert the right to compensation, as the national EIS should make an objective determination based on predetermined and known factors. The Pilot's experience bears witness to the power of this approach. It has enabled the rapid and efficient payment of benefits to injured workers or their families during its operation. The benefits can only be suspended in very specific cases that the national EIS should specify at the outset, such as the absence of the beneficiary from the territory, the fact that the person receives another social insurance benefit or a fraudulent claim.

The Pilot covers long-term income replacement benefits in case of permanent disability or death, while short-term benefits continue to be provided by the employers directly: access to medical care (in-kind) and temporary incapacity income replacement benefits for a maximum of 12 months (in-cash). Therefore, these benefits are already well mastered at the national level, and their pension format and level based on the workers' previous earnings are well understood. Under the national EIS, both short-term and long-term benefits should be ensured by the same institution. The EIS Pilot period has provided valuable information on the cost of short-term benefits in the event of accidents at work. It is possible that significant economies of scale could be achieved if responsibility for all benefits fell to a single EIS institution. For instance, an EIS institution can ensure the development and maintenance of a medical network, providing rapid access to the necessary healthcare services and qualified personnel in the field of occupational injuries.

The Pilot's experience has effectively contained the cost of long-term benefits and confirmed the positive impact of the many preventive measures taken at the enterprise level over the last decade. Therefore, there should be no surprises in this respect within the national EIS.

It is important to carry out a detailed examination of the other amounts (benefits) currently paid out in the event of a work-related injury in light of the provisions of the Labour Act and other relevant laws in force. Some of these, such as compensation for funeral expenses, fully complement the system of benefits detailed above. Others linked to employers' liability (S. 150–151 of the Labour Act) or paid by the Central Fund, the Labour Welfare Foundation, the Group Insurance, or entities such as the Road Traffic Authority should be carefully reviewed to avoid duplication, alongside support

schemes administered by the Ministry of Social Welfare, Ministry of Health, Ministry of Women and Children Affairs, and sector-specific funds.

6. Administration

The EIS institution's structure and organization need to be thoroughly assessed to fulfil its mission of delivering service sustainably. This organization may depend on several factors reflecting cultural, historical, and political characteristics. The Pilot includes two essential components of a typical organization in charge of administering an employment injury scheme.

The first component is the tripartite governing structure. As detailed in the constitutive documents of the EIS Pilot, its governance board is responsible, amongst other things, for the Pilot's strategic planning, its financial statements, and its policies relative to financing, compensation and prevention. The Pilot's financial governance documents specify that it is guided by acknowledged international standards of good governance and that the Pilot's key focus is to ensure transparency and accountability. These good practices should serve as the basis for building the governance of the EIS institution. Furthermore, the Pilot demonstrates the importance of having members of the governance, including its chair, who meet fit and proper standards. Based on their professional background, experience, etc., they must be able to contribute to the work of the EIS institution and cover all relevant areas of expertise and experience.

The governance of the Pilot is currently made up of the Secretary of Labour, who acts as Chairman, high-level representatives of the Ministry of Labour and Employment, and representatives of national workers' and employers' organizations acting at the national level and sectoral level. Within the framework of the national institution, the ministry under whose authority the institution would operate should be specified. The addition of representatives from other ministries or national institutions that could contribute to the effectiveness of the system, such as the Ministry of Finance, Cabinet Division, Ministry of Planning, Ministry of Social Welfare or Ministry of Health, should also be considered. Attention should be brought to a flexible governance structure that allows the inclusion of representatives from all the sectors covered (reflecting the system's extension), with the possibility of periodically reviewing the composition of the governance while recognizing the prevalent weight of the textile sector in the Bangladeshi formal economy.

The second component is the administration staff headed by a chief executive officer. This is the component that makes the system work on a day-to-day basis. Given the

limited scope of the Pilot, it is restricted to a chief (special advisor), a coordinator, and six officers covering administration and finance, verification, documentation, correspondence, and management information system (MIS). A national EIS institution typically includes planning, supervision and financial management divisions at the head office and an operations division with its services rolled out in regional offices (See Annex 2). The former divisions would be tasked with general administration services (legal, financial, investment, human resources, internal audit, and IT responsibilities). At the same time, the latter would address the coverage of employers and workers (registration, collection of contribution, public information, compliance, prevention) and the claims processing (cash benefits, health services, rehabilitation support, complaints, and appeal). National experience reveals that the size of EIS administration is usually significant, and its costs revolve around 10 per cent of the benefits costs. Several factors affect the level of administration costs, including the number of branch offices and the administration's hands-on operational capacities.

The third component that should be part of an EIS institution is an independent review authority in charge of reviewing appeals relating to the decision made by the administration staff. This is further developed below.

7. Claims and appeals

The workers or their dependents must be able to submit a claim within a set timeframe to receive compensation in a timely manner. On this issue, the Pilot has already provided many lessons:

1. Accidents giving rise to compensation must be duly reported to the institution responsible. At the national level, therefore, there should be a multiplicity of possible sources, including the employer, the workers, the dependents, or any other reliable sources. As shown by the EIS Pilot practice, the factory owners play a crucial role in this regard.
2. It is essential that the documentation required to submit a claim is specified in advance by the institution through precise regulations adopted by the tripartite governance. This should professionalize the process as much as possible and ensure the greatest possible fairness. The entire process must be monitored by the institution's staff so that any questions or problems are resolved efficiently.
3. Precise deadlines should be set for each stage of the procedure.
4. The whole process should be digitized with a performant management information system (MIS).

As with the Pilot, the national EIS institution should review and decide on claims within a specified timeframe to ensure prompt resolution and support for injured workers and their dependents.

To be complete, the EIS national institution needs to introduce an additional step – the right of workers and their dependent family members to appeal decisions to an independent review authority. This step is crucial to ensure fairness and accountability in the decision process. The nature of this independent review authority – which could be an external body, commission, board, or tribunal – needs to be decided. It should handle appeals and review disputes regarding claims and decisions made by the EIS institution. These independent review authorities often comprise legal and medical professionals, as well as representatives from workers' and employers' organizations, further ensuring a fair and balanced process. These review authorities are provided for in the legal framework of the EIS national institution.

8. Funding and financial management

As is the case for the Pilot, a dedicated fund should be established for the collection of contributions, payment of benefits and administrative costs. The tripartite governance board should manage this fund guided by internationally recognized financial principles, particularly the standards set out by the International Social Security Association (ISSA). The fund should also be subject to annual audits and actuarial valuations. The good practice developed by the Pilot in this regard should inspire the national EIS. It is of the utmost importance that all stakeholders must be continuously assured that the fund is managed appropriately: Funds shall be used responsibly and in full accordance with the scheme's mandate.

Because of its permanent nature, the national EIS scheme should be required to carry out additional tasks compared to the Pilot (due to its temporary nature and model of funding). Firstly, the governance should develop an investment policy to ensure the long-term sustainability of the scheme. A specific sub-committee of the governance is usually set up to create this policy and ensure its implementation. In this regard, the governance should decide on the funding policy of the scheme. For instance, one of the most common funding approaches is the pay-as-you-go (PAYG) method, which is typically used for short-term benefits such as temporary incapacity benefits, medical care, and rehabilitation. Under this method, benefits are financed using the current year's accident contributions. In

contrast, the terminal funding method is usually applied to the periodic payments of permanent disability benefits for injured workers and survivors' benefits for dependents of workers who have died due to a work-related injury. This method is referred to as full funding because it involves accumulating a reserve equal to the total value of accrued benefits.

Secondly, in a national EIS, the funding comes from employers' contributions. This flows from the employers' obligation to ensure a safe and healthy working environment. Sometimes, the government pays a small part of the costs, for example, to cover a part of administrative expenses at the start of the programme or to cover the expenses of inspection services. Under the Pilot, a great deal of effort is being made to specify the cost of protection in the RMG, and it seems reasonable to confirm that it should be well below 1 per cent of employers' payroll. As the scheme is national and aspires to cover all formal sectors of activity in Bangladesh, a mechanism for calculating the value of the wage-based contribution paid by employers for other sectors of activity and thus enabling the scheme to be extended gradually should be provided. Indeed, in many systems, the contribution paid may vary depending on the level of risks that a specific industry represents or on the risk of each employer assessed through past experiences (industry or experience rating schemes).

Finally, an additional consideration for national stakeholders in their cost and funding exercise should be a careful examination of the coverage of commuting accidents. The Pilot has demonstrated that these accidents can be effectively covered. However, it has also shown that their incidence and costs are more than four times higher than workplace accidents. Unlike factory-related accidents, which occur in a controlled environment, commuting accidents often involve a larger number of individuals and external risk factors. To ensure financial sustainability while maintaining coverage for these accidents, stakeholders should implement effective road safety policies and explore diverse funding sources. These could include the establishment of a specific social insurance fund for road traffic accidents, public-private partnerships, or dedicated road safety levies, among others. Incorporating such financing mechanisms would enable better risk pooling amongst ALL road users and ensure that the national EIS remains financially viable without placing an excessive burden solely on employers. Once again, the experience of peers who have adopted various models to cover commuting accidents can prove invaluable.

9. Prevention and continuity of care

An effective employment injury scheme adopts a holistic approach, linking the functions of prevention (reducing the number of workplace accidents and diseases), medical care and rehabilitation (ensuring that individuals affected by employment injury can return to work, if possible), and compensation (where affected workers are unable to return to work). This is in line with the present-day social security approach, which is not merely curative (only providing compensation) but also preventive and re-integrative.

Under the Pilot, the links between protection against accidents at work, on the one hand, and their prevention or health and safety at work, on the other, have become unquestionable. Efforts over the past 10+ years to prevent factory accidents have significantly reduced both their frequency and severity, as shown by the reliable data collected under the EIS Pilot. In addition, the Pilot demonstrates that a good occupational medicine system can enable effective rehabilitation and return-to-work programmes to be put in place, drastically reducing the costs associated with work-related accidents in the long term.

Admittedly, much remains to be done to make this prevention and protection connection effective in Bangladesh and to ensure that all the relevant existing and future institutions work together to set up a coherent system of occupational medicine in Bangladesh. This should involve examining and updating the Schedules to the Labour Act relating to degrees of invalidity and occupational diseases, ensuring they are up to best practices. At the same time, the current efforts to train health professionals in occupational medicine should be welcomed. It should be wise to invest in identifying health services and their reinforcement needs to offer an effective nationwide network that can promptly intervene at all required levels to support the prevention, diagnosis, and treatment of work-related injuries and diseases.

To further strengthen this approach, national stakeholders should leverage the establishment of the national EIS as an opportunity to create Occupational Safety and Health (OSH) committees at the sectoral level. These committees should serve as dedicated platforms where experts in prevention, protection, and rehabilitation can collaborate to develop and implement coherent and holistic strategies for workplace safety and injury management. A structured and inclusive dialogue within these committees should enhance coordination among key stakeholders and contribute to greater policy

coherence and effectiveness. Additionally, Bangladesh can draw on the expertise and experience of peer institutions to strengthen its national framework. Examples of offer such as the one proposed by K-COMWEL from South Korea, or the International Social Security Association (ISSA) Technical Commission on Insurance against Employment Accidents and Occupational Diseases provide valuable knowledge-sharing opportunities. Engaging with peers and international bodies should allow Bangladesh to adopt global best practices, refine its approach, and align with internationally recognized standards in OSH – an essential complement to the national EIS.

10. Offenses and penalties

Like any other system, the national EIS must specify the behaviours likely to jeopardize its effectiveness and, consequently, provide for effective penalties to be applied. Clearly, an employer who fails to ensure that his company or workers are properly registered or who fails to pay his contribution to the system could cause serious damage to the system. The EIS scheme should ensure effective compliance mechanisms. Similarly, an individual who makes fraudulent claims should be severely penalized to deter such behaviour.

11. Transitional period

The transition from the system currently prevailing in Bangladesh to that envisaged under the national EIS should be gradual, thanks to sustained and constructive social dialogue between the authorities and the social partners. It is, therefore, clear that the introduction of EIS should provide for a transitional period during which the two systems would exist, i.e. the employers' liability regime included in the Labour Act and the new social insurance scheme. As previously mentioned, a key priority of EIS governance should be the development and implementation of a phased plan for its gradual application—extending coverage over time and refining its design to ensure that, once fully implemented, it provides comprehensive protection for all formal workers.

Finally, it would be important to ensure that the other branches of social security under development in Bangladesh benefit from all the advances made by this “pioneer scheme” by creating the necessary bridges to ensure full complementarity in fulfilling their respective mandates. To ensure the success of this transition, it will be essential to focus on building solid institutional foundations, prepare for long-term financial sustainability, and put in place a reliable and transparent reporting system.

► Annex 1

Next steps – Points to be discussed

Legislative Framework

- Identify Labour Act provisions to be amended and replaced by EIS law
- Develop a plan for gradual effective application of EIS
- Establish a date when only EIS will apply
- Establish a mandatory system of employers' registration to EIS

Administration / Institution

- Decide what should be the EIS institution and its mandate (short and/or long-term benefits)
- Decide on the institution's architecture

Governance

- Decide on the board's members' profiles
- Decide on the review authority
- Elaborate an investment strategy

Coverage and Benefits

- Decide on definition of beneficiaries (dependent family members) in line with socioeconomic realities of Bangladesh and international standards
- Decide what the fund should cover (work related accidents and/or road traffic accidents), occupational diseases, medical care, rehabilitation and its funding policy

Prevention and continuity of care

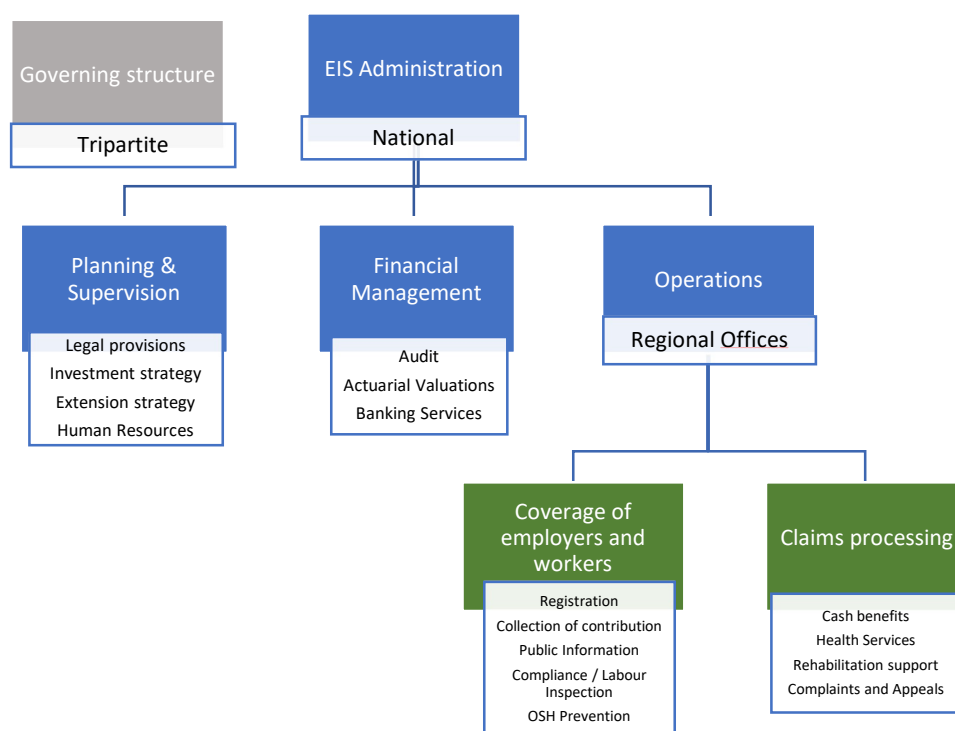
- Allocate responsibilities of OSH inspection between the EIS Institution and DIFE (task division)
- Develop network of approved medical doctors to assess occupational diseases and degree of permanent disability

Funding and financial management

- Eliminate duplication in allowances (identify existing fiscal space)
- Develop a mechanism for calculating the value of wage-based contribution (per sector)
- Decide on compliance strategy and mechanisms
- Elaborate an investment strategy

► Annex 2

EIS Administration (a proposal)



► Annex 3

Draft legislative table of content

General provisions

- Title and commencement date.
- Definitions:
 - Work-related injury;
 - Worker and employer;
 - Beneficiaries/dependents;
 - Fund;
 - Occupational disease;
 - Disability/Impairment;
 - Occupational disease;
 - Etc.

Coverage

- Scope of coverage:
 - All workers (full-time, part-time, temporary, etc... no qualifying period required);
 - Self-employed (opting in).
- Compulsory registration:
 - All employers must register to the institution within a given date of the commencement of the scheme or at the start of business operation.
- Contribution rates:
 - Contribution rate may vary by industry risk levels. The contribution rate must cover administration costs, annual payments of short-term benefits in a year and the present value of future periodic payments of permanent disability and survivors' benefits newly awarded in a year.
- Contribution rate shall be periodically reviewed and adjusted to ensure the financial sustainability of the fund and the equitable distribution of costs across sectors.

Benefits

- Right-based and clear definitions for compensation (entitlement)
- Medical and allied services benefits:
 - Ensure proper treatment of light injuries and more severe ones requiring care over a limited period of time;
 - Hospitalization, emergency treatment and surgery, general practitioner care, prescribed medical supplies, occupational medicine services, etc.
- Temporary disability benefits:
 - Percentage of the insured person's previous average earnings, payable during the period of temporary incapacity (1 year).
- Permanent disability benefits:
 - Percentage of the insured person's previous average earnings based on degree of disability specified in revised Schedule 1 of Labour Act.
- Dependents' benefits:
 - Compensation to dependents in case of the insured person's death due to an employment injury or occupational disease, including funeral expenses and periodic payments to surviving dependents based on the insured person's previous average earning and age of the surviving dependents;
 - For spouse, survivors' benefits are paid for life (but can be made conditional on a means test) or until remarriage. Benefits to children are usually paid until they reach majority, working age or school-leaving age.
- Rehabilitation benefits.

- Modes of payment:
 - Periodic payment for temporary and permanent disability and survivors' benefits;
 - Indexation: adjustments of long-term benefits in line with the cost-of-living increase (real benefit value against inflation);
 - Lump sum in certain specific cases.
- Benefits' suspension.

Prevention and continuity of care (linked with revised Labour Act)

- Prevention Programs:
 - The institution shall develop and implement programs aimed at preventing workplace accident and occupational diseases.
- Employers responsibilities:
 - Employers must comply with safety regulations and participate in mandatory training and prevention programs.
- Workplace inspection:
 - The institution shall conduct regular inspections to ensure compliance with safety standards and identify potential hazards (link with DIFE).
- Safety training and education:
 - Safety training and education programs for employers and workers to promote a culture of workplace safety shall be provided (link with DIFE).
- Data collection and analysis:
 - The institution shall collect and analyse data on workplace injuries and diseases to identify trends and develop targeted prevention strategies.
- Occupational Medicine capacity:
 - The institution shall establish and maintain a network of occupational medicine specialists to support the prevention, diagnosis, and treatment of work-related injuries and diseases;
 - Role of occupational medicine: occupational medicine specialists shall be involved in workplace assessments, health surveillance and advising on workplace health and safety measures (link with DIFE);
 - Proper disability assessment tools used.
- Classification of occupational diseases according to revised Schedule 3 of the Labour Act.
- Percentage of permanent disability/impairment according to revised Schedule 1 of the Labour Act.

Administration

- Establishment of the Institution:
 - Independent body responsible for the administration of the scheme;
 - Under the responsibility of Ministry of XXX.
- Board of governance:
 - Tripartite;
 - *Flexibility in governance structure*: the board shall include representatives from various sectors and shall be periodically reviewed and adjusted to ensure that all sectors, especially those newly included in the scheme, are appropriately represented.
 - Powers and duties (some to be delegated to executive directors):
- Administer the scheme;
- Plan and supervise, including strategy and policy framing, financial operations and human resources;
- Operations:
 - Collect contributions and manage the fund;
 - Process and adjudicate claims for benefits;
 - Promote workplace safety and preventive measures.
- Develop and implement strategies for the gradual extension of coverage.
- Establish and maintain occupational medicine capacity.
- Responsible to maintain DMS and MIS.

Claims and appeals

- Claims Procedure:
 - Insured persons or their dependents must file a claim with the institution within a given delay following the injury or diagnosis of an occupational disease;
 - Clear processes required to be in place (reviewed by board of trustees);
 - Clear documentation requirements (reviewed by board of trustees).
- Adjudication of claims:
 - Institution shall review and decide on claims within **XXX** from the date of filing.
- Appeals:
 - Right of appeal to independent body required.

Funding and financial management

- Establishment of the Fund:
 - A dedicated fund to be established for the collection of contributions and payment of benefits.
- Financial management:
 - Shall be managed by board of governance in accordance with internationally recognised financial principles and standards and subject to annual audits.
- Investment of funds:
 - The institution may invest the Fund's assets in approved investment policy to ensure the long-term sustainability of the scheme.

Offenses and penalties

- Non-compliance by employers:
 - Fail to register, contribute or comply with provisions.
- Fraudulent claims:
 - Penalties.

Other provisions

- Regulations:
 - Government may issue regulations for effective implementation
- Transitional provisions:
 - Necessary provisions for the transition from the previous system to the new scheme, ensuring no loss of rights to workers and their dependents.
- Extension of coverage:
 - The Institution shall develop and implement a phased plan for extending coverage, ensuring comprehensive protection for all workers.

SCHEDULE 1: Contribution rates by industry

SCHEDULE 2: Benefits Calculation formulae

SCHEDULE 3: Percentage of disability/impairment (if not included in revised Labour Act)

SCHEDULE 4: Occupational diseases (if not included in revised Labour Act)

SCHEDULE 5: Extension plan

► Annex 4

C121 – Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)

Preamble

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-eighth Session on 17 June 1964, and

Having decided upon the adoption of certain proposals with regard to benefits in the case of industrial accidents and occupational diseases, which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this eighth day of July of the year one thousand nine hundred and sixty-four the following Convention, which may be cited as the Employment Injury Benefits Convention, 1964:

Article 1

1. In this Convention--

- (a) the term **legislation** includes any social security rules as well as laws and regulations;
- (b) the term **prescribed** means determined by or in virtue of national legislation;
- (c) the term **industrial undertaking** includes all undertakings in the following branches of economic activity: mining and quarrying; manufacturing; construction; electricity, gas, water and sanitary services; and transport, storage and communication;
- (d) the term **dependent** refers to a state of dependency which is presumed to exist in prescribed cases;
- (e) the term **dependent child** covers--
 - (i) a child under school-leaving age or under 15 years of age, whichever is the higher, and
 - (ii) a child under a prescribed age higher than that specified in subclause (i) and who is an apprentice or student or has a chronic illness or infirmity disabling him for any gainful activity, on conditions laid down by national legislation: Provided that this requirement shall be deemed to be met where national legislation defines the term so as to cover any child under an age appreciably higher than that specified in subclause (i).

Article 2

1. A Member whose economic and medical facilities are insufficiently developed may avail itself by a declaration accompanying its ratification of the temporary exceptions provided for in the following Articles: Article 5, Article 9, paragraph 3, clause (b), Article 12, Article 15, paragraph 2, and Article 18, paragraph 3. Any such declaration shall state the reason for such exceptions.

2. Each Member which has made a declaration under paragraph 1 of this Article shall include in its report upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation a statement in respect of each exception of which it avails itself--

- (a) that its reason for doing so subsists; or
- (b) that it renounces its right to avail itself of the exception in question as from a stated date.

Article 3

1. Any Member which ratifies this Convention may, by a declaration accompanying its ratification, exclude from the application of the Convention--

- (a) seafarers, including seafishermen,
- (b) public servants,

where these categories are protected by special schemes which provide in the aggregate benefits at least equivalent to those required by this Convention.

2. Where a declaration under paragraph 1 of this Article is in force, the Member may exclude the persons belonging to the category or categories excluded from the application of the Convention from the number of employees when calculating the percentage of employees in compliance with paragraph 2, clause (d), of Article 4, and with Article 5.

3. Any Member which has made a declaration under paragraph 1 of this Article may subsequently notify the Director-General of the International Labour Office that it accepts the obligations of this Convention in respect of a category or categories excluded at the time of its ratification.

Article 4

1. National legislation concerning employment injury benefits shall protect all employees, including apprentices, in the public and private sectors, including co-operatives, and, in respect of the death of the breadwinner, prescribed categories of beneficiaries.

2. Any Member may make such exceptions as it deems necessary in respect of--

- (a) persons whose employment is of a casual nature and who are employed otherwise than for the purpose of the employer's trade or business;
- (b) out-workers;
- (c) members of the employer's family living in his house, in respect of their work for him;
- (d) other categories of employees, which shall not exceed in number 10 per cent. of all employees other than those excluded under clauses (a) to (c).

Article 5

Where a declaration provided for in Article 2 is in force, the application of national legislation concerning employment injury benefits may be limited to prescribed categories of employees, which shall total in number not less than 75 per cent. of all employees in industrial undertakings, and, in respect of the death of the breadwinner, prescribed categories of beneficiaries.

Article 6

The contingencies covered shall include the following where due to an employment injury:

- (a) a morbid condition;
- (b) incapacity for work resulting from such a condition and involving suspension of earnings, as defined by national legislation;
- (c) total loss of earning capacity or partial loss thereof in excess of a prescribed degree, likely to be permanent, or corresponding loss of faculty; and
- (d) the loss of support suffered as the result of the death of the breadwinner by prescribed categories of beneficiaries.

Article 7

1. Each Member shall prescribe a definition of "industrial accident", including the conditions under which a commuting accident is considered to be an industrial accident, and shall specify the terms of such definition in its reports upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation.

2. Where commuting accidents are covered by social security schemes other than employment injury schemes, and these schemes provide in respect of commuting accidents benefits which, when taken together, are at least equivalent to those required under this Convention, it shall not be necessary to make provision for commuting accidents in the definition of "industrial accident".

Article 8

Each Member shall--

- (a) prescribe a list of diseases, comprising at least the diseases enumerated in Schedule I to this Convention, which shall be regarded as occupational diseases under prescribed conditions; or
- (b) include in its legislation a general definition of occupational diseases broad enough to cover at least the diseases enumerated in Schedule I to this Convention; or

- (c) prescribe a list of diseases in conformity with clause (a), complemented by a general definition of occupational diseases or by other provisions for establishing the occupational origin of diseases not so listed or manifesting themselves under conditions different from those prescribed.

Article 9

1. Each Member shall secure to the persons protected, subject to prescribed conditions, the provision of the following benefits:

- (a) medical care and allied benefits in respect of a morbid condition;
- (b) cash benefits in respect of the contingencies specified in Article 6, clauses (b), (c) and (d).

2. Eligibility for benefits may not be made subject to the length of employment, to the duration of insurance or to the payment of contributions: Provided that a period of exposure may be prescribed for occupational diseases.

3. The benefits shall be granted throughout the contingency: Provided that in respect of incapacity for work the cash benefit need not be paid for the first three days--

- (a) where the legislation of a Member provides for a waiting period at the date on which this Convention comes into force, on condition that the Member includes in its reports upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation a statement that its reason for availing itself of this provision subsists; or
- (b) where a declaration provided for in Article 2 is in force.

Article 10

1. Medical care and allied benefits in respect of a morbid condition shall comprise--

- (a) general practitioner and specialist in-patient and out-patient care, including domiciliary visiting;
- (b) dental care;
- (c) nursing care at home or in hospital or other medical institutions;
- (d) maintenance in hospitals, convalescent homes, sanatoria or other medical institutions;
- (e) dental, pharmaceutical and other medical or surgical supplies, including prosthetic appliances kept in repair and renewed as necessary, and eyeglasses;
- (f) the care furnished by members of such other professions as may at any time be legally recognised as allied to the medical profession, under the supervision of a medical or dental practitioner; and
- (g) the following treatment at the place of work, wherever possible:
 - (i) emergency treatment of persons sustaining a serious accident;
 - (ii) follow-up treatment of those whose injury is slight and does not entail discontinuance of work.

2. The benefits provided in accordance with paragraph 1 of this Article shall be afforded, using all suitable means, with a view to maintaining, restoring or, where this is not possible, improving the health of the injured person and his ability to work and to attend to his personal needs.

Article 11

1. Any Member which provides medical care and allied benefits by means of a general health scheme or a medical care scheme for employed persons may specify in its legislation that such care shall be made available to persons who have sustained employment injuries on the same terms as to other persons entitled thereto, on condition that the rules on the subject are so designed as to avoid hardship.

2. Any Member which provides medical care and allied benefits by reimbursing expenses may in its legislation make special rules in respect of cases in which the extent, duration or cost of such care exceed reasonable limits, on condition that the rules on the subject are not inconsistent with the purpose stated in paragraph 2 of Article 10 and are so designed as to avoid hardship.

Article 12

Where a declaration provided for in Article 2 is in force, medical care and allied benefits shall include at least--

- (a) general practitioner care, including domiciliary visiting;
- (b) specialist care at hospitals for in-patients and out-patients, and such specialist care as may be available outside hospitals;
- (c) the essential pharmaceutical supplies on prescription by a medical or other qualified practitioner;
- (d) hospitalisation, where necessary; and
- (e) wherever possible, emergency treatment at the place of work of persons sustaining an industrial accident.

Article 13

The cash benefit in respect of temporary or initial incapacity for work shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 19 or with the requirements of Article 20.

Article 14

1. Cash benefits in respect of loss of earning capacity likely to be permanent or corresponding loss of faculty shall be payable in all cases in which such loss, in excess of a prescribed degree, remains at the expiration of the period during which benefits are payable in accordance with Article 13.
2. In case of total loss of earning capacity likely to be permanent or corresponding loss of faculty, the benefit shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 19 or with the requirements of Article 20.
3. In case of substantial partial loss of earning capacity likely to be permanent which is in excess of a prescribed degree, or corresponding loss of faculty, the benefit shall be a periodical payment representing a suitable proportion of that provided for in paragraph 2 of this Article.
4. In case of partial loss of earning capacity likely to be permanent which is not substantial but which is in excess of the prescribed degree referred to in paragraph 1 of this Article, or corresponding loss of faculty, the cash benefit may take the form of a lump-sum payment.
5. The degrees of loss of earning capacity or corresponding loss of faculty referred to in paragraphs 1 and 3 of this Article shall be prescribed in such manner as to avoid hardship.

Article 15

1. In exceptional circumstances, and with the agreement of the injured person, all or part of the periodical payment provided for in paragraphs 2 and 3 of Article 14 may be converted into a lump sum corresponding to the actuarial equivalent thereof when the competent authority has reason to believe that such lump sum will be utilised in a manner which is particularly advantageous for the injured person.
2. Where a declaration provided for in Article 2 is in force and the Member concerned considers that it lacks the necessary administrative facilities for periodical payments, the periodical payment provided for in paragraphs 2 and 3 of Article 14 may be converted into a lump sum corresponding to the actuarial equivalent thereof, as computed on the basis of available data.

Article 16

Increments in periodical payments or other supplementary or special benefits, as prescribed, shall be provided for disabled persons requiring the constant help or attendance of another person.

Article 17

The conditions in which periodical payments due in respect of loss of earning capacity or corresponding loss of faculty shall be reassessed, suspended or cancelled by reference to a change in the degree of loss shall be prescribed.

Article 18

1. The cash benefit in respect of death of the breadwinner shall be a periodical payment to a widow as prescribed, a disabled and dependent widower, dependent children of the deceased and other persons as may be prescribed; this payment shall be calculated in such a manner as to comply either with the requirements of Article 19 or with the requirement of Article 20: Provided that it shall not be necessary to make provision for a benefit to a disabled and dependent widower where the cash benefits to other survivors are appreciably in excess of those required by this Convention and where social security schemes other than employment injury schemes provide to such widower benefits

which are appreciably in excess of those in respect of invalidity required under the Social Security (Minimum Standards) Convention, 1952.

2. In addition, a funeral benefit shall be provided at a prescribed rate which shall not be less than the normal cost of a funeral: Provided that where cash benefits to survivors are appreciably in excess of those required by this Convention the right to funeral benefit may be made subject to prescribed conditions.

3. Where a declaration provided for in Article 2 is in force and the Member concerned considers that it lacks the necessary administrative facilities for periodical payments, the periodical payment provided for in paragraph 1 of this Article may be converted into a lump sum corresponding to the actuarial equivalent thereof, as computed on the basis of available data.

Article 19

1. In the case of a periodical payment to which this Article applies, the rate of the benefit, increased by the amount of any family allowances payable during the contingency, shall be such as to attain, in respect of the contingency in question, for the standard beneficiary indicated in Schedule II to this Convention, at least the percentage indicated therein of the total of the previous earnings of the beneficiary or his breadwinner and of the amount of any family allowances payable to a person protected with the same family responsibilities as the standard beneficiary.

2. The previous earnings of the beneficiary or his breadwinner shall be calculated according to prescribed rules, and, where the persons protected or their breadwinners are arranged in classes according to their earnings, their previous earnings may be calculated from the basic earnings of the classes to which they belonged.

3. A maximum limit may be prescribed for the rate of the benefit or for the earnings taken into account for the calculation of the benefit, provided that the maximum limit is fixed in such a way that the provisions of paragraph 1 of this Article are complied with where the previous earnings of the beneficiary or his breadwinner are equal to or lower than the wage of a skilled manual male employee.

4. The previous earnings of the beneficiary or his breadwinner, the wage of the skilled manual male employee, the benefit and any family allowances shall be calculated on the same time basis.

5. For the other beneficiaries the benefit shall bear a reasonable relation to the benefit for the standard beneficiary.

6. For the purpose of this Article, a skilled manual male employee shall be--

- (a) a fitter or turner in the manufacture of machinery other than electrical machinery; or
- (b) a person deemed typical of skilled labour selected in accordance with the provisions of the following paragraph; or
- (c) a person whose earnings are such as to be equal to or greater than the earnings of 75 per cent. of all the persons protected, such earnings to be determined on the basis of annual or shorter periods as may be prescribed; or
- (d) a person whose earnings are equal to 125 per cent. of the average earnings of all the persons protected.

7. The person deemed typical of skilled labour for the purpose of clause (b) of the preceding paragraph shall be a person employed in the major group of economic activities with the largest number of economically active male persons protected in the contingency in question, or of the breadwinners of the persons protected, as the case may be, in the division comprising the largest number of such persons or breadwinners; for this purpose, the international standard industrial classification of all economic activities, adopted by the Economic and Social Council of the United Nations at its Seventh Session on 27 August 1948, as amended and reproduced in the Annex to this Convention, or such classification as at any time further amended, shall be used.

8. Where the rate of benefit varies by region, the skilled manual male employee may be determined for each region in accordance with paragraphs 6 and 7 of this Article.

9. The wage of the skilled manual male employee shall be determined on the basis of the rates of wages for normal hours of work fixed by collective agreements, by or in pursuance of national laws or regulations, where applicable, or by custom, including cost-of-living allowances, if any; where such rates differ by region but paragraph 8 of this Article is not applied, the median rate shall be taken.

10. No periodical payment shall be less than a prescribed minimum amount.

Article 20

1. In the case of a periodical payment to which this Article applies, the rate of the benefit, increased by the amount of any family allowances payable during the contingency, shall be such as to attain, in respect of the contingency in question, for the standard beneficiary indicated in Schedule II to this Convention, at least the percentage indicated therein of the total of the wage of an ordinary adult male labourer and of the amount of any family allowances payable to a person protected with the same family responsibilities as the standard beneficiary.

2. The wage of the ordinary adult male labourer, the benefit and any family allowances shall be calculated on the same time basis.
3. For the other beneficiaries, the benefit shall bear a reasonable relation to the benefit for the standard beneficiary.
4. For the purpose of this Article, the ordinary adult male labourer shall be--
 - (a) a person deemed typical of unskilled labour in the manufacture of machinery other than electrical machinery; or
 - (b) a person deemed typical of unskilled labour selected in accordance with the provisions of the following paragraph.
5. The person deemed typical of unskilled labour for the purpose of clause (b) of the preceding paragraph shall be a person employed in the major group of economic activities with the largest number of economically active male persons protected in the contingency in question, or of the breadwinners of the persons protected, as the case may be, in the division comprising the largest number of such persons or breadwinners; for this purpose the international standard industrial classification of all economic activities, adopted by the Economic and Social Council of the United Nations at its Seventh Session on 27 August 1948, as amended and reproduced in the Annex to this Convention, or such classification as at any time further amended, shall be used.
6. Where the rate of benefit varies by region, the ordinary adult male labourer may be determined for each region in accordance with paragraphs 4 and 5 of this Article.
7. The wage of the ordinary adult male labourer shall be determined on the basis of the rates of wages for normal hours of work fixed by collective agreements, by or in pursuance of national laws or regulations, where applicable, or by custom, including cost-of-living allowances if any; where such rates differ by region but paragraph 6 of this Article is not applied, the median rate shall be taken.
8. No periodical payment shall be less than a prescribed minimum amount.

Article 21

1. The rates of cash benefits currently payable pursuant to paragraphs 2 and 3 of Article 14 and paragraph 1 of Article 18 shall be reviewed following substantial changes in the general level of earnings where these result from substantial changes in the cost of living.
2. Each Member shall include the findings of such reviews in its reports upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation, and shall specify any action taken.

Article 22

1. A benefit to which a person protected would otherwise be entitled in compliance with this Convention may be suspended to such extent as may be prescribed--
 - (a) as long as the person concerned is absent from the territory of the Member;
 - (b) as long as the person concerned is maintained at public expense or at the expense of a social security institution or service;
 - (c) where the person concerned has made a fraudulent claim;
 - (d) where the employment injury has been caused by a criminal offence committed by the person concerned;
 - (e) where the employment injury has been caused by voluntary intoxication or by the serious and wilful misconduct of the person concerned;
 - (f) where the person concerned, without good cause, neglects to make use of the medical care and allied benefits or the rehabilitation services placed at his disposal, or fails to comply with rules prescribed for verifying the occurrence or continuance of the contingency or for the conduct of beneficiaries; and
 - (g) as long as the surviving spouse is living with another person as spouse.
2. In the cases and within the limits prescribed, part of the cash benefit otherwise due shall be paid to the dependants of the person concerned.

Article 23

1. Every claimant shall have a right of appeal in the case of refusal of the benefit or complaint as to its quality or quantity.
2. Where in the application of this Convention a government department responsible to a legislature is entrusted with the administration of medical care, the right of appeal provided for in paragraph 1 of this Article may be replaced by a right to

have a complaint concerning the refusal of medical care or the quality of the care received investigated by the appropriate authority.

3. Where a claim is settled by a special tribunal established to deal with employment injury benefit questions or with social security questions in general and on which the persons protected are represented, no right of appeal shall be required.

Article 24

1. Where the administration is not entrusted to an institution regulated by the public authorities or to a government department responsible to a legislature, representatives of the persons protected shall participate in the management, or be associated therewith in a consultative capacity, under prescribed conditions; national legislation may likewise decide as to the participation of representatives of employers and of the public authorities.

2. The Member shall accept general responsibility for the proper administration of the institutions or services concerned in the application of this Convention.

Article 25

Each Member shall accept general responsibility for the due provision of the benefits provided in compliance with this Convention and shall take all measures required for this purpose.

Article 26

1. Each Member shall, under prescribed conditions--

- (a) take measures to prevent industrial accidents and occupational diseases;
- (b) provide rehabilitation services which are designed to prepare a disabled person wherever possible for the resumption of his previous activity, or, if this is not possible, the most suitable alternative gainful activity, having regard to his aptitudes and capacity; and
- (c) take measures to further the placement of disabled persons in suitable employment.

2. Each Member shall as far as possible furnish in its reports upon the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation information concerning the frequency and severity of industrial accidents.

Article 27

Each Member shall within its territory assure to non-nationals equality of treatment with its own nationals as regards employment injury benefits.

Article 28

1. This Convention revises the Workmen's Compensation (Agriculture) Convention, 1921, the Workmen's Compensation (Accidents) Convention, 1925, the Workmen's Compensation (Occupational Diseases) Convention, 1925, and the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934.

2. Ratification of this Convention by a Member which is a party to the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934, shall, in accordance with Article 8 thereof, ipso jure involve the immediate denunciation of that Convention, if and when this Convention shall have come into force, but the coming into force of this Convention shall not close that Convention to further ratification.

Article 29

In conformity with Article 75 of the Social Security (Minimum Standards) Convention, 1952, Part VI of that Convention and the relevant provisions of other Parts thereof shall cease to apply to any Member having ratified this Convention as from the date at which this Convention comes into force for that Member, but acceptance of the obligations of this Convention shall be deemed to constitute acceptance of the obligations of Part VI of the Social Security (Minimum Standards) Convention, 1952, and the relevant provisions of other Parts thereof, for the purpose of Article 2 of the said Convention.

Article 30

If any Convention which may be adopted subsequently by the Conference concerning any subject or subjects dealt with in this Convention so provides, such provisions of this Convention as may be specified in the said Convention shall cease to apply to any Member having ratified the said Convention as from the date at which the said Convention comes into force for that Member.

Article 31

1. The International Labour Conference may, at any session at which the matter is included in its agenda, adopt by a two-thirds majority amendments to Schedule I to this Convention.
2. Such amendments shall take effect in respect of any Member already a party to the Convention when such Member notifies the Director-General of the International Labour Office of its acceptance thereof.
3. Unless the Conference otherwise decides when adopting an amendment, an amendment shall be effective, by reason of its adoption by the Conference, in respect of any Member subsequently ratifying the Convention.

Article 32

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 33

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratifications has been registered.

Article 34

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 35

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 36

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 37

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 38

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:
 - (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 34 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 39

The English and French versions of the text of this Convention are equally authoritative.

SCHEDULE I. LIST OF OCCUPATIONAL DISEASES (1)

Occupational diseases	Work involving exposure to risk*
1. Pneumoconioses caused by sclerogenic mineral dust (silicosis, anthraco-silicosis, asbestosis) and silico-tuberculosis, provided that silicosis is an essential factor in causing the resultant incapacity or death.	All work involving exposure to the risk concerned.
2. Bronchopulmonary diseases caused by hard-metal dust.	"
3. Bronchopulmonary diseases caused by cotton dust (byssinosis), or flax, hemp or sisal dust.	"
4. Occupational asthma caused by sensitising agents or irritants both recognised in this regard and inherent in the work process.	"
5. Extrinsic allergic alveolitis and its sequelae caused by the inhalation of organic dusts, as prescribed by national legislation.	"
6. Diseases caused by beryllium or its toxic compounds.	"
7. Diseases caused by cadmium or its toxic compounds.	"
8. Diseases caused by phosphorus or its toxic compounds.	"
9. Diseases caused by chromium or its toxic compounds.	"
10. Diseases caused by manganese or its toxic compounds.	"
11. Diseases caused by arsenic or its toxic compounds.	"
12. Diseases caused by mercury or its toxic compounds.	"
13. Diseases caused by lead or its toxic compounds.	"
14. Diseases caused by fluorine or its toxic compounds.	"
15. Diseases caused by carbon disulfide.	"
16. Diseases caused by the toxic halogen derivatives of aliphatic or aromatic hydrocarbons.	"
17. Diseases caused by benzene or its toxic homologues.	"
18. Diseases caused by toxic nitro- and amino-derivatives of benzene or its homologues.	"
19. Diseases caused by nitroglycerin or other nitric acid esters.	"
20. Diseases caused by alcohols, glycols or ketones.	"
21. Diseases caused by asphyxiants: carbon monoxide, hydrogen cyanide or its toxic derivatives, hydrogen sulfide.	"

Occupational diseases	Work involving exposure to risk*
22. Hearing impairment caused by noise.	"
23. Diseases caused by vibration (disorders of muscles, tendons, bones, joints, peripheral blood vessels or peripheral nerves).	"
24. Diseases caused by work in compressed air.	"
25. Diseases caused by ionising radiations.	All work involving exposure to the action of ionising radiations.
26. Skin diseases caused by physical, chemical or biological agents not included under other items.	All work involving exposure to the risk concerned.
27. Primary epitheliomatous cancer of the skin caused by tar, pitch, bitumen, mineral oil, anthracene, or the compounds, products or residues of these substances.	"
28. Lung cancer or mesotheliomas caused by asbestos.	"
29. Infectious or parasitic diseases contracted in an occupation where there is a particular risk of contamination.	(a) Health or laboratory work. (b) Veterinary work. (c) Work handling animals, animal carcasses, parts of such carcasses, or merchandise which may have been contaminated by animals, animal carcasses, or parts of such carcasses. (d) Other work carrying a particular risk of contamination.

(1) The original Schedule I was amended in 1980 in accordance with Article 31 of the Convention.

* In the application of this Schedule the degree and type of exposure should be taken into account when appropriate.

SCHEDULE II. PERIODICAL PAYMENTS TO STANDARD BENEFICIARIES

Category	Standard beneficiary	Percentage
1. Temporary or initial incapacity for work	Man with wife and two children	60
2. Total loss of earning capacity or corresponding loss of faculty	Man with wife and two children	60
3. Death of breadwinner	Widow with two children	50

ANNEX

INTERNATIONAL STANDARD INDUSTRIAL CLASSIFICATION OF ALL ECONOMIC ACTIVITIES (Revision 4)*

Section A. Agriculture, Forestry and Fishing

Division	Description
01	Crop and animal production, hunting and related service activities
02	Forestry and Logging
03	Fishing and aquaculture

Section B. Mining and Quarrying

Division	Description
05	Mining of coal and lignite
06	Extraction of crude petroleum and natural gas
07	Mining of metal ores
08	Other mining and quarrying
09	Mining support service activities

Section C. Manufacturing

Division	Description
10	Manufacture of food products
11	Manufacture of beverages
12	Manufacture of tobacco products
13	Manufacture of textiles
14	Manufacture of wearing apparel
15	Manufacture of leather and related products
16	Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials
17	Manufacture of paper and paper products
18	Printing and reproduction of recorded media
19	Manufacture of coke and refined petroleum products
20	Manufacture of chemicals and chemical products
21	Manufacture of pharmaceuticals, medicinal chemical and botanical products
22	Manufacture of rubber and plastics products
23	Manufacture of other non-metallic mineral products

Division	Description
24	Manufacture of basic metals
25	Manufacture of fabricated metal products, except machinery and equipment
26	Manufacture of computer, electronic and optical products
27	Manufacture of electrical equipment
28	Manufacture of machinery and equipment n.e.c.
29	Manufacture of motor vehicles, trailers and semi-trailers
30	Manufacture of other transport equipment
31	Manufacture of furniture
32	Other manufacturing
33	Repair and installation of machinery and equipment

Section D. Electricity, gas, steam and air conditioning supply

Division	Description
35	Electricity, gas, steam and air conditioning supply

Section E. Water supply; sewerage, waste management and remediation activities

Division	Description
36	Water collection, treatment and supply
37	Sewerage
38	Waste collection, treatment and disposal activities; materials recovery
39	Remediation activities and other waste management services

Section F. Construction

Division	Description
41	Construction of buildings
42	Civil engineering
43	Specialized construction activities

Section G. Wholesale and retail trade; repair of motor vehicles and motorcycles

Division	Description
45	Wholesale and retail trade and repair of motor vehicles and motorcycles
46	Wholesale trade, except of motor vehicles and motorcycles
47	Retail trade, except of motor vehicles and motorcycles

Section H. Transportation and storage

Division	Description
49	Land transport and transport via pipelines
50	Water transport
51	Air transport
52	Warehousing and support activities for transportation
53	Postal and courier activities

Section I. Accommodation and food service activities

Division	Description
55	Accommodation
56	Food and beverage service activities

Section J. Information and communication

Division	Description
58	Publishing activities
59	Motion picture, video and television programme production, sound recording and music publishing activities
60	Programming and broadcasting activities
61	Telecommunications
62	Computer programming, consultancy and related activities
63	Information service activities

Section K. Financial and insurance activities

Division	Description
64	Financial service activities, except insurance and pension funding
65	Insurance, reinsurance and pension funding, except compulsory social security
66	Activities auxiliary to financial service and insurance activities

Section L. Real estate activities

Division	Description
68	Real estate activities

Section M. Professional, scientific and technical activities

Division	Description
69	Legal and accounting activities
70	Activities of head offices; management consultancy activities
71	Architectural and engineering activities; technical testing and analysis
72	Scientific research and development
73	Advertising and market research
74	Other professional, scientific and technical activities
75	Veterinary activities

Section N. Administrative and support service activities

Division	Description
77	Rental and leasing activities
78	Employment activities
79	Travel agency, tour operator, reservation service and related activities
80	Security and investigation activities
81	Services to buildings and landscape activities
82	Office administrative, office support and other business support activities

Section O. Public administration and defence; compulsory social security

Division	Description
84	Public administration and defence; compulsory social security

Section P. Education

Division	Description
85	Education

Section Q. Human health and social work activities

Division	Description
86	Human health activities
87	Residential care activities
88	Social work activities without accommodation

Section R. Arts, entertainment and recreation

Division	Description
90	Creative, arts and entertainment activities
91	Libraries, archives, museums and other cultural activities
92	Gambling and betting activities
93	Sports activities and amusement and recreation activities

Section S. Other service activities

Division	Description
94	Activities of membership organizations
95	Repair of computers and personal and household goods
96	Other personal service activities

Section T. Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use

Division	Description
97	Activities of households as employers of domestic personnel
98	Undifferentiated goods- and services-producing activities of private households for own use

Section U. Activities of extraterritorial organizations and bodies

Division	Description
99	Activities of extraterritorial organizations and bodies

* Note: In accordance with articles 19(7) and 20(5) of the Convention, its original Annex has been updated with the amended version of the International Standard Industrial Classification of All Economic Activities (ISIC) Rev. 4, as approved by the Statistical Commission of the UN Economic and Social Council in March 2006 (Statistical Papers, Series M, No. 4, Rev. 4 - Full publication on <http://unstats.un.org/unsd/cr/registry/isic-4.asp>)

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