



Social Security Reform Co-operation Project
中国·欧盟社会保障合作项目

法国的工伤保险和工伤预防

Work Injury Insurance and Prevention of work injury in France

尚塔尔·布兰丁女士

法国国家医疗保险局工伤处副处长

By Maria-Chantale Blandin, Vice Director of Work
Injury department, CNAMTS

法国工伤与职业病保险制度

The French Work Injuries & Occupational Diseases Insurance Scheme



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- **首要任务是加强职业病风险的防范**

Its first mission is to promote occupational risk prevention
- **是国家在职业安全与健康领域的主体之一**

It is one of the major national actors in the field of health and safety at work
- **前提是须与其它主体协同作用以获得行动的全球效率**

The coordination with the other actors is a prerequisite for the global efficiency of the actions



- 于 1898 年制定的工伤保险制度是第一部法定的社会保险，但在 1945 年之前，其职能仅限于对工伤人员的赔偿。

The WI Insurance Scheme is the first statutory social insurance (1898) but until 1945 its role was limited to the compensation of injured persons.

- 现代社会保障体系始建于 1945 年。
The current Social Security System was founded in 1945

- 工伤保险被纳入社会保障体系

the WI Insurance was integrated into the Social Security System

- 由社会伙伴团体来管理（由雇主和雇员代表组成）

it is managed by the social partners (representatives of employers and employees)

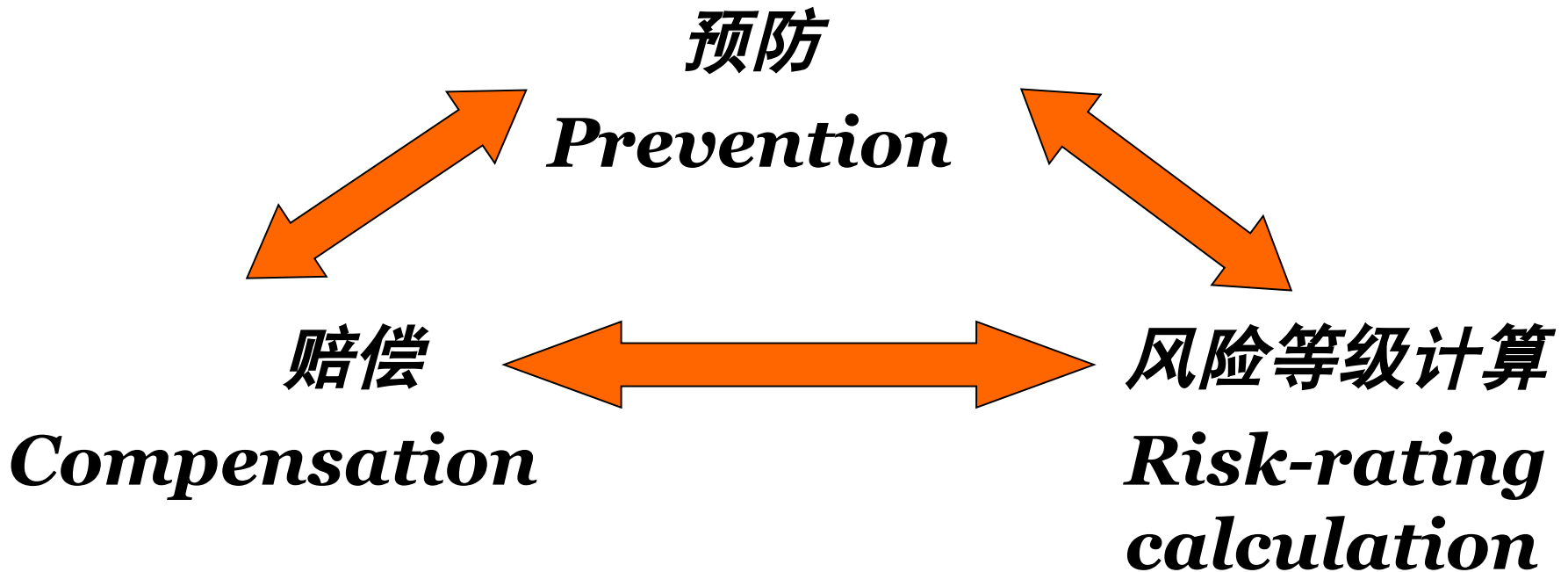
工伤保险制度的任务包括： The missions of the WI Insurance Scheme are as follows:

- **防范工伤事故，交通意外及职业病**
to prevent accidents at work, commuting accidents and occupational diseases
- **赔偿受害者，并以帮助他们返回工作岗位为首要任务**
to compensate the victims, and firstly to facilitate the return to work
- **保证支出和资源之间的平衡（采用按风险程度的差别费率体系）**
to guarantee the balance between expenditures and resources (through a risk-rating premium system)



完整的保险体系

An integrated insurance system



保障范围 (1)

Risks covered



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- **工伤事故：指无论什么原因，只要是因工或在工作时间内的事故**

Accidents at work: « occurring due to or on the occasion of work, irrespective of the cause »

- **占有所有报告的 84%**

84% of all reports

- **每千名雇员中就有 38 例**

38 accidents per 1,000 workers

- **通勤事故：指上下班从住所到工作地点和工作时到就餐地点时所发生的事故**

Commuting accidents: « occurring during the trip between the residence and the workplace and between the workplace and the place in which the worker takes his meals »

保障范围 (2)

Risks covered

- **通勤事故** Commuting accidents
 - **占有所有报告的 10%**
10 % of all reports
 - **每千名雇员中通勤事故率为 4.6**
4.6 % commuting accidents per 1,000 workers
- **职业病** Occupational diseases
 - **2 种认可方式: 按职业病清单和补充制度**
2 ways for recognition: tables and the complementary system
 - **占有所有报告的 6%**

福利待遇

Benefits provided



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- **实物福利：治疗、手术、药品等费用 / 假体或矫形装置** **15 %**
Benefits in kind: medical, surgical, pharmaceutical... expenses / prosthesis and orthopedic apparatus....
- **每日津贴：赔偿因公暂时性伤残所致的工资损失** **30 %**
Daily benefits: paid in case of temporary work disability to compensate the loss of wages
- **长期津贴 Pensions** **55 %**
 - **工伤者享有：如果有永久性伤残**
To the victim: paid in case of permanent disability
 - **法定受益人享有：如果受害人已经死亡**
To the legal beneficiaries: paid in case of the victim's death

2008 年的支出为 73 亿欧元
7.3 billions euros paid in 2008

工伤赔偿面临的两大挑战： Two big challenges for the next years in the field of compensation :



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- 尽早采取行动，使受害人能在最好的状况下恢复工作。
这意味着：

To act very early so that the victim will return to work in the best possible conditions; that means:

- 对有健康问题的人员进行识别
To detect persons with health problems
- 更好地去协调各合作伙伴的工作
To better coordinate the actions of the various partners

- 保持工伤认定和基金赔偿决策间的和谐一致，以确保受到伤害的参保人享有同等的待遇。

to harmonize the recognition and compensation decisions of the Funds in order to guarantee an equal treatment of the victim applications

按风险程度的差别费率体系（1）

The risk-rating premium system



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- **两个目的**
it has two aims
 - **确保收支平衡**
to guarantee the financial balance between resources and expenses
 - **促进预防性工作**
to stimulate prevention actions

- **来自雇主的基金部分只有缴纳的保费**
funding comes from employer - only contributions

- **具体缴费费率则于每年通知到每个企业**
the contribution rate is notified to each enterprise every year

按风险程度的差别费率体系（2）

The risk-rating premium system



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- **缴费费率取决于两大因素：其一，企业或行业内的风险级别；其二，企业的规模。**

the contribution rate depends on 2 elements: the level of the risk (in the enterprise or in the sector) and the size of the enterprise

- **现行体系很复杂且精细，企业难以理解**

the current system is complex, too sophisticated, difficult to understand by enterprises

按风险程度的差别费率体系（3）

The risk-rating premium system



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- 改革在酝酿之中，以使系统更加简化、便于理解并有助于激励工伤预防。

A reform is planned in order to make the system simplified, more legible and incentivising for prevention

- 改革纲要于 2009 年 10 月已获通过，新的规章制度目前由负责社会保障的政府部门制定（预计于 2010 年第一季度出台）。

The outlines of the reform were adopted in October 2009 and the ministry in charge of Social Security has now to prepare the new rules (it will be made in 2010 during the first quarter)



工伤预防是工伤保险制度的首要任务

Prevention is the first mission of the WI Insurance Scheme

- **道德伦理的原因** *due to ethical reasons*
- **经济的原因** *due to economic reasons*

工伤预防是对员工和社会的整体投资，也是该公司经济绩效的完全组成部分。

Prevention is an investment for employees and society as a whole. It is also a full component of the economic performance of the company.



工伤保险制度在工伤预防方面有哪些作用？

What is the role of the WI Insurance Scheme in the field of prevention?

➤ **沿雇主和雇员的方向促进工伤预防**

to promote prevention in direction of employers and employees

➤ **协助企业制定防范措施**

to help enterprises develop prevention actions

制定的各种行动措施包括：

Various kinds of actions for this purpose!



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信息的

information actions

培训的

training actions

咨询建议 / 援助的

一个多元化的专业知识网络

A network of diversified expertise

- **国家医疗保险基金**
the National Health Insurance Fund
- **区域医疗保险基金**
the Regional Health Insurance Funds
- **国家职业安全与健康学会**
the National Institute of Occupational Safety and Health (INRS)

国家医疗保险基金的主要职能是： The role of the National Health Insurance Fund is :

➤ 制定工伤保险中的工伤预防政策

to define the prevention policy of the WI Insurance Scheme

➤ 分配资源

to allocate resources

➤ 管理网络和协调行动

to manage the network and coordinate the actions

区域医疗保险机构 (CRAM) 的主要职能是： The role of the Regional Health Insurance Agency (CRAM) is :



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- **帮助企业 and 行业评估其职业风险**
to help firms and sectors assess occupational risks
- **就工伤预防应采取行动提出建议**
to make recommendations on prevention actions to be carried out
- **实施财政奖励 (奖金 / 罚款)**
to implement financial incentives (bonus/malus)

国家职业安全与健康学会 (INRS) 的主要职能是: The role of INRS is:



- 开展研究项目
to conduct research and study programmes
- 提供技术咨询（以解决预防方面的问题）
to give technical advice (to solve prevention problems)
- 设计培训课程和协助教学
to design training courses and teaching aids
- 发布信息产品
to publish information products

2009–2012 年我们的首要任务： Our priorities for 2009-2012:



行动的重点放在职业风险和某些行业上

to focus our actions on a few occupational risks
and sectors

强合作伙伴关系

to reinforce partnership with the other actors

施新的财政奖励

工伤预防工作的目标： The targets of our prevention action



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- **四大风险** 4 risks :
 - **肌肉骨骼损伤** *MSDs*
 - **道路交通事故** *road accidents*
 - **职业性癌症** *occupational cancers*
 - **心理社会障碍** *psychosocial disorders*

- **三大行业** 3 sectors :
 - **建筑业** *building industry*
 - **大型零售业** *large - scale retail*
 - **临时性工作** *temporary work*



肌肉骨骼损伤 MSDs

- 是法国最常见的职业病（占 75%）

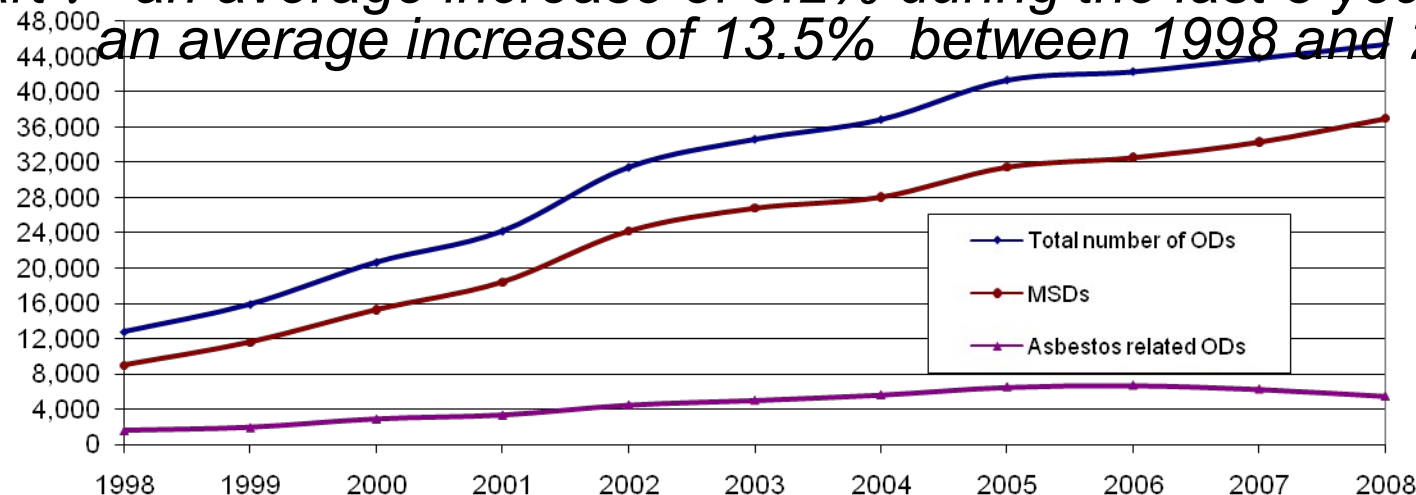
They are the most common ODs in France (75% of the total)

- 确诊患病人数在不断增加

The number of recognized cases is continuously increasing

下图：1998-2008 年间平均增幅 13.5%，过去三年平均涨幅达 3.2%

*Chart : an average increase of 3.2% during the last 3 years
an average increase of 13.5% between 1998 and 2008*



道路交通事故 Road Accidents

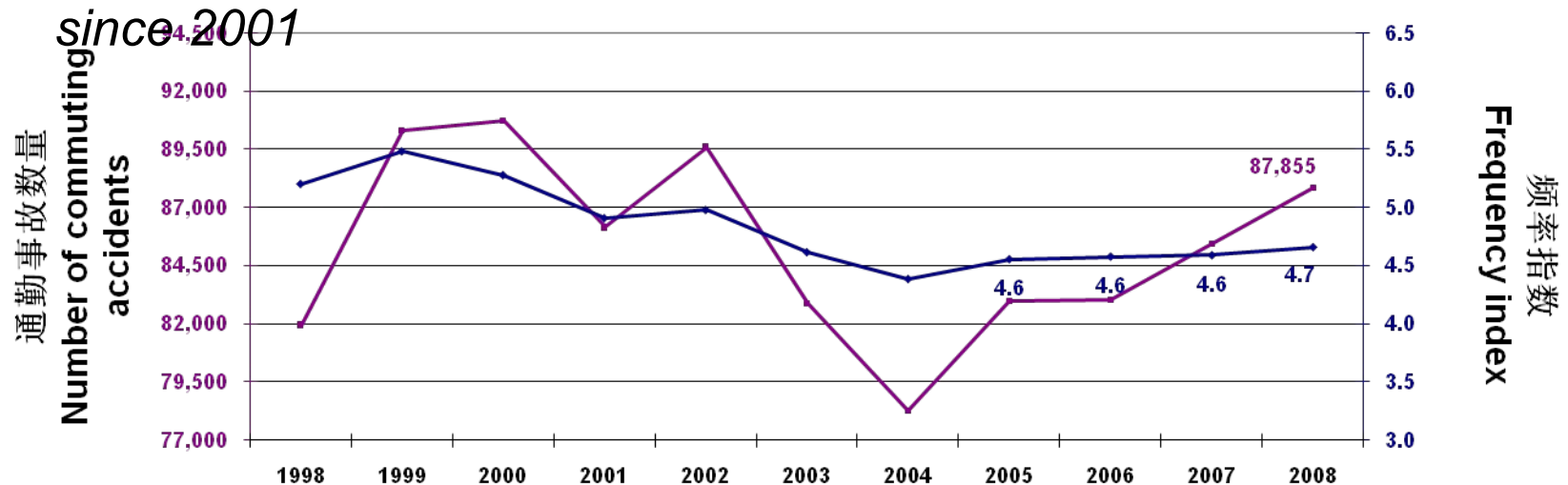


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- 50% 的死亡事故是道路交通事故引发的
50% of all fatal accidents happen on the road
- 事故人数自 2005 年以来不断攀升
Their number has been increasing since 2005

下图：自 2001 年，每年通勤人员事故低于千分之五

Chart: Less than 5 commuting accidents per year per 1000 employees



职业性癌症

Occupational cancers



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- 仅有 10% 的被确认患者，但其费用却占到职业疾病支出的 50% 。

Only 10% of the recognized cases,
but 50% of the expenditures (for ODs)

- 关键是今天必须采取行动以防范未来 20-30 年间的损害赔偿。

It is crucial to act today to prevent damages
which would occur in 20-30 years' time

心理社会障碍

Psychosocial disorders



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➤ 一个与处理工作和生活均相关的新生问题

An emerging issue which deals with working ,
but also non-working life

➤ 一个备受关注且有越来越多的咨询需求的问题

An issue gaining in importance on which firms
ask more and more for advice

三大行业： In the 3 sectors

- **意外事故的发生率是最高的（按每千名雇员工作中所发生的事故数量）**

The incidence rate (number of accidents at work per 1000 employees) is the highest one.

- **还有大量的：**

There are a great number of

- **须休病假的严重损伤**
serious injuries (with sick leave)
- **导致终生残疾的意外事故**
accidents with permanent disability



工伤保险制度是职业安全与健康领域里的主体之一，

The WI Insurance Scheme is today one of the major actors in the field of health and safety at work,

但并不是唯一的：

but it is not the only actor :

➤ **国家劳动保障部门主管劳动和劳动监察**

Ministry in charge of Labour and Labour Inspection

➤ **国家公共服务机构负责改善工作条件和安全生产**

National public agencies : for improvement of working conditions/ for health at work...

➤ **职业卫生服务等。**

Occupational health services, etc.



尽管他们共同的目标是维护员工的健康和确保他们的安全，但这些主体都有其特定的使命和具体的实施方法。

Even if they have the same aim: to preserve the health of workers and to ensure their safety in the company, these actors have a specific mission and specific means for action.

▶▶▶ 协调一致的努力是为了追求更高的全球效益，这对我们也是一个巨大挑战。

the coordination of their actions is a big challenge for a better global efficiency.