

2017

SOCIAL BENEFITS FOR FILIPINO OFFICERS WORKING ON SWEDISH FLAG VESSELS



Filipino Officers working on Swedish vessels have social benefits from four different systems

- The Swedish government.
- The Collective Bargaining Agreement (CBA) between the Swedish Shipowners' Employers' Association (SEA), the Maritime Officers' Association (MOA) and the Associated Marine Officers' and Seamen's Union of the Philippines (AMOSUP).
- The HMO-agreement and the agreement about Occupational Group Life Insurance between the MOA and the SEA.
- The Philippine government.

Hundreds of Filipino Officers are serving onboard Swedish vessels. Their working conditions are stipulated in a special CBA between The Swedish Shipowners' Employers' Association (SEA), the Maritime Officers' Association (MOA) and the Associated Marine Officers' and Seamen's Union of the Philippines (AMOSUP). But benefits are also provided through the Swedish Government and also through bi-partite agreements between SEA and MOA.

Several Officers, and also manning companies, have been asking for a booklet containing an overview of the social benefits on Swedish flag vessels. It is difficult for a single Filipino Officer to understand the network of social benefits provided by different agencies and insurance companies. The MOA has decided to produce this booklet to help the Filipino Officers, and also the manning companies, to get a better view of the comprehensive Swedish social system.

This booklet was first published in 2003. This is the fifteenth edition.

This booklet is provided by the MOA to help Filipino Officers to know more about their social rights when contracted for Swedish vessels. However, the provisions may be amended and also subject to interpretation. The MOA can not be held responsible if the decision-making agency or company makes a decision that is not corresponding to the information in the booklet.

PENSION

Pension benefits are provided both from the Swedish government and the CBA.

Pension benefits from the Swedish government

There are two main types of pension that are of interest for Filipino Officers:

- Income pension
- Premium pension

General conditions

EARNING PENSION RIGHTS

- Pensions rights can be earned from the age of 16.
- There are no upper age limit for earning income and premium pension rights.
- Pension rights are earned for each calendar-year when the pension saver's income is above SEK 18,950 (year 2017).
The minimum level is determined every year by the government.

CLAIMING PENSION RIGHTS

- The pension(s) have to be applied for.
- The pension(s) can be claimed from the age of 61.
(Normally in Sweden the pensions are claimed from the age of 65.)
- The income pension and the premium pension may be taken out either separately or together.
- The pension(s) is paid out monthly until the end of the pension saver's life.

PENSION FEES

The amount calculated for both the pension systems is 18,5% of a person's income up to a ceiling. The ceiling is determined annually and is in year 2016, SEK 461,250.

16 of the 18,5% are for the Income pension scheme. The remaining 2,5% goes into the Premium pension scheme.

Who is paying the 18,5% fee?

Normally in Sweden the employer and the employee share the cost. However, for a Filipino Officer there will be no deduction from the wages. The wage-scales show the net-wages after tax has been deducted. The ship-owner has only to report to the Swedish authority the total income for the Filipino Officer and it will be considered that the payment has been made.

TAX

Tax will be deducted from the pensions that are paid. The tax in Sweden for a retired Filipino Officer is today, 25% of the pensions.*

INFORMATION

The Filipino Officers' income during his/her service onboard Swedish vessels will form the basis for calculating his/her pension. Each year, pension savers will be informed of the development of their pension accounts. The information is normally sent to the pension-savers' home address and the figures reflect the situation two years earlier. The information sent out in 2017 consequently reflects the situation of the pension-savings up to and including 2015.

NB! *The information sent out may indicate too high pensions as the estimation is that the pension-saver works on Swedish vessels or for another Swedish employer all the time at least until the age of 61.*

* See page 10.

Income Pension

In the Income pension scheme, pension entitlements are indexed annually. This index will reflect average growth in the Swedish economy.

The size of the income pension will depend partly on the pension-saver's income and partly of the development of the Swedish economy.

The Income pension comes under a pay-as-you go (PAYG) system. The pension is determined in advance and increases with economic growth in society.

Premium Pension

In the Premium pension scheme, investments are made in funds.

The Filipino Officer may himself/herself invest his/her pension capital (the 2,5%) in any of the various funds registered with the Premium Pension Authority (PPM). It is possible to select up to five different funds at the same time and the pension-savers may switch funds whenever they like. If the Filipino Officer abstains from choosing funds for his/her investments, the amount will be invested in the Premium Saving Fund.

The Premium Saving Fund is a professional managed low-risk fund.

The size of the Premium pension will depend partly on the pension-saver's income and partly on the development of his/her chosen funds.

Survivor's Pension

ADJUSTMENT PENSION

An adjustment pension is payable to a surviving spouse under the age of 65 who lived permanently with the deceased at the time of death. The survivor must

- live permanently with a child under the age of 18 for whom one or both spouses had parental responsibility, or

- have lived with the deceased for the entire previous five years.

You will also be regarded as a surviving spouse if you lived permanently with an unmarried woman or man, provided you

- were previously married to the deceased, or
- have or have had children with the deceased, or
- you were expecting a child with the deceased at the time of death.

The term married also includes a registered partnership. Cohabitants other than those described here are not entitled to adjustment pension.

The amount of the pension is depending of the time of service for a Swedish employer and, if the Officer has been employed of a Swedish employer at least 3 of the 5 latest years, a calculated amount based on anticipated time of service if the Officer had not died.

PROLONGED ADAPTATION (ADJUSTMENT) PENSION

The widow may have the right to a prolonged pension after the 12 months with adaptation pension if she is the care-taker and is cohabiting with a child under the age of 18.

The prolonged adaptation pension is for a period of 12 months but no longer than that the youngest child has reached the age of 18. However, the pension is always paid as long as the widow is the care-taker of a child under the age of 12.

The right to prolonged adaptation pension ceases if the widow remarries or cohabit somebody she has a child together with or earlier has been married to.

The amount of the prolonged adaptation pension is calculated in the same way as the adaptation pension.

CHILD'S PENSION

If an Officer dies when he has Swedish employment his children under the age of 18 are entitled to a child's pension.

A prolonged child's pension may be payable for children over the age of 18 if the child is studying; such prolonged pension remains payable until June of the year of the child's 20th birthday.

The amount of child's pension is less than the amount of the prolonged adaptation pension but the factors the amount is based on are the same.

SURVIVOR'S COVER (PREMIUM PENSION SCHEME)

Money invested for an Officer in the Premium pension scheme can only be withdrawn in the form of

a pension. When a pension-saver dies – irrespective of whether he/she dies before or after retirement – the money remaining in his/her account is treated as a so called survivor's bonus to be distributed among the other pension-savers. To avoid that, the Officer may at his/her retirement apply for a survivor's cover in the Premium pension system. Under this option, upon the death of the pension-saver, his/her pension is paid out in the form of a life-long survivor's pension to the cohabitant (husband, wife or person previously married to the deceased or with whom the deceased had children).

NB! *It is highly recommended that the Officer, when retiring, applies for a survivor's cover if he/she has a dependant who can be a beneficiary.*

THE INCOME PENSION AND SURVIVOR'S PENSION ARE MANAGED BY THE

Swedish Pensions Agency

SE-106 44 STOCKHOLM, Sweden

Phone +46 498 200 700 Mon-Fri 8-17

E-mail international@pensionsmyndigheten.se

English internet information:

www.pensionsmyndigheten.se (see other languages)

DETAILED INFORMATION ABOUT THE PREMIUM PENSION CAN BE ORDERED FROM

Swedish Pensions Agency

SE-106 44 STOCKHOLM, Sweden

Phone +46 498 200 700 Mon-Fri 8-17

E-mail international@pensionsmyndigheten.se

English internet information:

www.pensionsmyndigheten.se (see other languages)

Customer Service in English:

+46 771 776 801. 12 noon to 2 pm on Fridays (Swedish time)

Pension benefits from the CBA

PROVIDENT FUND

In addition to the pension benefits from the Swedish government, the Filipino Officer will enjoy benefits from the Swedish Provident Fund stipulated in the CBA.

The main purpose of the Provident Fund is to financially support the Officer after retirement because of old age or disability. In the event of death payment will be made to the beneficiary.

The Swedish ship-owner is responsible for contributing USD 150 per month for each Filipino Officer. The amount goes to the Provident Fund and is registered to the Officer. The Fund is administrated by AMOSUP and has a board of trustees consisting of directors from the parties of the CBA.

Detailed regulations covering the Officer's benefits is started in an individual membership-book provided by the manning company. The contributions from the ship-owner will be noted in the book. The Officers should note the following regulation in the New Provident Fund:

Normal availment date for the Officer shall be the last day of the month during which he/she attains his/her fifty-fifth (55th) birthday. Earlier availment date is not accepted except in case of death or disability of the Officer.

If an Officer leaves the Provident Fund before the age of 55 he/she still has to wait until the age of 55 until it is possible to achieve the money from the Provident Fund.

OLD PROVIDENT FUND

Before 1st of January 2010 contribution was given to an old Provident Fund. This Provident Fund is replaced by the present Provident Fund. The contribution was USD 98 during the contract-period. The old Provident Fund will remain as long as there are beneficiaries of the Fund.

There are some significant differences in the regulations for the New Provident Fund compared with the regulations from the former Provident Fund. Please contact the AMOSUP for details.

SICKNESS

Health care

While serving onboard, a sick or injured Officer is entitled to treatment at the ship-owner's expense.

If the Officer is sick or injured when signing off the vessel he/she has the same entitlement for a maximum period of 120 days from the date of signing off. In accordance with the Philippine Overseas Employment Association's (POEA) rules and regulations, the Officer must submit to a postemployment medical examination within three (3) working days after his/

her return to the Philippines to obtain these benefits. If he/she should be unable by reason of physical incapacity to do so, a written notice to the Manning Agency within the same period is deemed as compliance, provided the incapacity is certified by the master or an authorized physician.

In the event of sickness or injury necessitating signing off, the Officer is entitled to travel to Manila at the ship-owner's expense.

HMO-Insurance for Filipino Officers and their dependants (CBA)

According to a special CBA between the SEA and the MOA, the shipowner is obliged to provide all Filipino Officers and their dependants with health care benefits.

The insurance covers the Officer for 180 days after signing off a vessel and the dependants when the Officer is signed on a vessel and 180 days thereafter. Dependants are wife/husband and up to four children (below the age of 21). If there are more than four children under the age of 21, the four oldest are covered. However, the Officer has the right to include all his children at his own expense.

For an unmarried Officer, his/her parents below the age of 65 are covered.

If the Officer does not have any parents alive or under the age of 65, his/her unmarried and unemployed siblings under the age of 21 are covered.

If the Officer has only one parent alive or under the age of 65, his/her oldest unmarried and unemployed sibling under the age of 21 is covered.

The Officer and his/her dependants are entitled to a Regular Private Room Hospitalization Benefit and health care equivalent to PHP 300,000 per sickness per year.

The insurance-plan is integrated with Phil Health

benefits; planholders are required to file for Phil Health (Medicare) covered services prior to discharge from the hospital.

Detailed information about the benefits is provided by the Officer's Manning Agency in Manila, which also makes all necessary arrangements to have a Health Card issued for the Officer and his/her dependants.

VACCINATION-PROGRAM

All members of the HMO-program are entitled to be vaccinated against pneumonia.

Contact your manning company for further information.

DAILY HOSPITAL INCOME BENEFIT

All members of the HMO-program are after three days confinement in hospital entitled to an allowance of PHP 1000 per day of confinement thereafter.

FAMILY MEDICAL AND DENTAL PLAN (FMDP)

According to the CBA Article 21 the Officer and his immediate dependents shall be entitled to medical treatment provided by the AMOSUP Family Medical and Dental Plan (FMDP).

Services and facilities according to Appendix No 3 of the CBA.

Sick pay (CBA)

According to the CBA the Officer is entitled to sick pay (at the same rate as basic wage) for up to 120 days after signing off, provided the sickness or injury is verified by a written statement from an authorized physician.

The ship-owner is liable to pay sick pay on the same conditions as was mentioned above.

The Officer must within three (3) working days, report to the designated physician or, if he/she by reason of incapacity, cannot do this, certify his/her

incapacity by the help of the master or an authorized physician.

When the ship-owner provides sick pay, the ship-owner has the right to deduct from the Officer's wages any sickness allowance paid out from insurance provided for and paid by the ship-owner.

An Officer who is signed off because of sickness or injury must return to the Philippines within the usual period of travel from the date and place of disembarkation indicated in homeward bound ticket.

Sick pay from the Swedish Government

A Filipino Officer working onboard a Swedish vessel is covered by governmental social insurance.

The social insurance is administrated by the Swedish Social Insurance Agency, Marine Department.

When working at sea, the first 120 days of illness are paid by the ship-owner as explained above. After this period the responsibility for the sick pay may be transferred to the Swedish Social Insurance Agency. The sickness does not require to be work-related. If the Officer is not reported to the Swedish Unemployment Agency or an equivalent agency abroad there may be a qualifying period of 14 days.

The sick pay from the Swedish Social Insurance Agency is 80% of 97% of the salary the Officer would have been earning if he/she was not ill. However, there is a limit in the insurance and the maximum amount the Officer can achieve is SEK 714 a day. 25% income tax will be deducted from the sick pay*.

If the Officer gets sick he/she shall immediately

- 1) notify the Swedish Social Insurance Agency about the illness
- 2) inform the Swedish Social Insurance Agency about present monthly salary. The appropriate salary to report is the total monthly consolidated wage

(converted to SEK) in Appendix no 1 to the CBA 3) send a medical report to the Swedish Social Insurance Agency. The medical report shall be signed by a physician and show that the Officer is unable to work. The medical report shall state

- why the Officer cannot work in general (not only as an Officer at sea)
- for how long the Officer is unable to work
- how the sickness/injury limits the Officer's ability to work
- why the Officer is not partially able to work.

It is always the Swedish Social Insurance Agency that determines if the sickness is serious enough to make the Officer unable to work.

The decision of the Swedish Social Insurance Agency can be appealed to a higher court.

To notify the Swedish Social Insurance Agency you need to contact the Swedish Social Insurance Agency by phone, in writing or by e-mail.

REHABILITATION

If the Officer has suffered an illness or injury making it difficult for the Officer to return to work, the Officer may receive assistance towards his/her rehabilitation. However, the assistance to employees not

* See page 10.

living in Sweden is a legal right that may be questioned by the Swedish Social Insurance Agency, as the application of the legislation is not clear. It is advisable to contact the MOA if the response from the Swedish Social Insurance Agency is not favourable.

INJURED AT WORK

If the Officer is injured at work he/she may qualify for compensation under the public occupational health scheme, handled by the Swedish Social Insurance Agency. The insurance also covers such occupational diseases as skin conditions brought on by contact with chemicals or back trouble caused by unsuitable work postures.

If the Officer is injured at work, the Officer shall notify the ship-owner or the master without delay.

The ship-owner/master is obliged to report the injury to the Swedish Social Insurance Agency and to the MOA.

If the Officer is injured and can no longer work or, following an injury, are receiving less earned income than previously, the Officer may qualify for an annuity payable in compensation for the income he/she has lost as a result of the injury.

The size of the annuity will depend both on the amount of the Officer's earned income and the

amount of the pension to which the Officer is entitled. Also costs related to the injury may be covered by the Swedish Social Insurance Agency, but all claimed costs must be verified by invoices and/or receipts in the original (no photocopies).

DEPENDANTS

If the Officer dies as a result of an occupational injury, his/her surviving spouse and children up to the age of 18 may be entitled to an annuity. Also in this case the amount is based on the Officer's earned income and the pension to which the Officer was entitled.

Note that all decisions by the Swedish Social Insurance Agency are made on a case by case basis. In cases where the employee is living outside Sweden are always complicated. The regulations for non-domiciled employees on Swedish flag vessels are not fully settled in higher courts, and if the decision from the Swedish Social Insurance Agency is negative, it is advisable to ask the Maritime Officers' Association for help to make an appeal to higher a court.

THE ADDRESS TO THE SWEDISH SOCIAL INSURANCE AGENCY IS

Swedish Social Insurance Agency

Marine Department

SE-405 12 GOTHENBURG, Sweden

Phone +46 771 524 524

E-mail: sjofartskontoret@forsakringskassan.se

English internet information: www.forsakringskassan.se (press the button "English")

DISABILITY PENSION

From the Swedish government

If the Officer has an illness or disability and is not supposed to be able to work again, the Officer may be eligible for a disability pension.

The Officer's ability to work must have been reduced by at least one quarter. Disability pension is payable between the ages of 16 and 65. The Officer

may draw full, three-quarter, one-half or one-quarter disability pension. The illness or disability does not need to be work-related and may have happened up to one year after signing off.

All matters regarding disability pension are handled by the Swedish Social Insurance Agency.

Benefits in the CBA

If the Officer, due to no fault of his own, suffers injury as a result of an accident while serving on-board or while travelling to or from the vessel on Company's business or due to marine peril, and as a result his/her ability to work is reduced, the Com-

pany shall pay him/her disability compensation which includes the amounts stipulated by the POEA's rules and regulations, up to maximum USD 80,000. See Article 19 in the CBA.

TAX

All benefits in cash from the public social security are taxable. For Officers living in the Philippines receiving benefits from the National Security Scheme, the tax is 20% for benefits above. However, a small

amount (approximately) SEK 2,500 per month may be free from tax. The tax-free amount is determined from year to year depending on changes of the base amount in Sweden.

THE SWEDISH MERCANTILE MARINE FOUNDATION

Economical assistance (grants) can be offered to those who are or have been employed on board and to their next of kin. (Husbands, wives, life partners, and children under the age of 18 years are considered next of kin.)

Grants are paid:

- Regularly after ongoing assessment while the recipient is alive
- or
- To the recipient for a predetermined period according to the specific situation.

Criteria for receiving a grant:

- On board employees must have completed a minimum of 75 months at sea after the age of 20. The ship/ships must have been Swedish flagged.
- Single applicant with an annual income under SEK 180 000 (about PHP 950 000)

- Cohabiting applicant with a joint annual income under SEK 225 000 (about PHP 1 200 000)
Grant recipients who are resident outside Sweden are required to submit a specific certificate of residence, witnessed by an Embassy, Consular office or police authority, to the Foundation annually before 31st October. The required form is sent to recipients in August every year.

Grants are paid twice a year on or around 15th June and 15th December. The yearly amount is decided by the board of the Foundation and is currently 2 X 8 000 = SEK 16 000 (about PHP 86 000/year)

Applications for a grant should be submitted to the Foundation using: the grant application form (can be downloaded from the Foundations web-site: www.sjomanshus.se)

LIFE INSURANCES

P&I Insurances

In the event of death of an Officer while serving on board, or while travelling to or from the vessel, on Company's business, or due to marine peril, the Company will pay to his/her beneficiaries compensation which includes the compensation provided by the POEA's rules and regulations Part II, Section C,

presently USD 60,000.

The Company shall also pay an additional compensation to each of the Officer's children under the age of 21 of USD 15,000, maximum 4 children and USD 60,000.

See CBA Article 18 for more details.

The Occupational Group Life Insurance (TGL)

According to a special CBA between the Swedish Shipowners' Employers' Association (SEA) and the Maritime Officers' Association (MOA) the shipowner is obliged to cover all Filipino Officers on Swedish vessels with the TGL-insurance.

The TGL is a capital insurance, which provides survivors with a lump sum. The TGL provides for a primary amount and a child supplement.

The maximum primary amount, is 6,0 price base amount (in 2017, SEK 268,800). The amount is reduced if the deceased was aged 55 or over. The maximum child supplement is 2,0 price base amount (in 2017, SEK 89,600) per child. No Swedish tax is deducted from those benefits.

The TGL is valid from the day of signing on and until three months after signing off. The TGL is not valid before the age of 18.

BENEFICIARIES:

According to the general beneficiary clause the beneficiaries to the primary amount are, in the following order:

1. Spouse
2. Children (grandchildren)
3. Parents, or if one of them is deceased, the surviving parent.

If, at the time of death of the Officer, no such beneficiary exists, an amount corresponding to 0,5 price base amount (in 2017, SEK 22,400) will be paid to off set the funeral expenses.

NB! Other beneficiaries may be registered.

For most people with a family, the general benefi-

ciary clause will be quite sufficient. However, the insured Officer may designate other beneficiaries if he/she would wish so. This may be of particular interest for an Officer who is single and who may wish to name a certain person as beneficiary.

Also persons who co-habit without being legally married should consider this question, since the general beneficiary clause, referring to a spouse, is not valid in the case of those who are not legally married. If, at a later time, the family conditions change, it may be necessary to alter the designation.

To change the general beneficiary clause, the Officer has to notify the insurance company in writing. Special forms for this will be provided by the manning company. Also note that provisions in a will or any similar document are not sufficient.

CHILD SUPPLEMENT

Surviving children, before the age of 17, will have the full child supplement amount as mentioned above. Surviving children between the age of 17 and 20 will have a reduced amount.

SPOUSE INSURANCE

If the Officer's spouse or person with whom the Officer permanently co-habits, should die, and there are common children under the age of 17, and full TGL amounts are payable, an amount corresponding to 0,5 price base amount (in 2017, SEK 22,400) will be paid to the Officer, and an amount corresponding to 1,0 price base amount (in 2017, SEK 44,800) for each such child. Payment will only be effected if the deceased was not covered by any TGL-insurance of his/her own.

THE PHILIPPINE SOCIAL SECURITY SYSTEM

The Filipino Officer is also covered by the Philippine Social Security System and Phil Health's National Health Insurance Program. The premium should be paid partly by the Officer and partly by the ship-owner as provided by the government regulations.

The contributions from the Officer should be deducted from his/her salary and remitted by the ship-owner to the Philippine Social Security System and Phil Health National Insurance Program Com-

mission Offices. (Article 20 in the CBA.) Note that the HMO-Insurance is integrated with Phil Health.

Housing Program

The Filipino Officer takes part of the Philippine PAG-IBIG Program to assure a decent standard of living with security of the basic needs in life such as shelter.

USEFUL ADDRESSES:

SJÖBEFÄLSFÖRENINGEN (SBF) MARITIME OFFICERS' ASSOCIATION (MOA)

Box 12100, SE-102 23 STOCKHOLM, Sweden

Phone +46 8 518 356 00

E-mail sbf@sjobefal.se, Internet www.sjobefalsforeningen.se

SJÖFARTENS ARBETSGIVAREFÖRBUND (SARF) THE SWEDISH SHIPOWNERS' EMPLOYERS' ASSOCIATION (SEA)

Box 404, SE-401 26 GOTHENBURG, Sweden

Phone +46 31 62 94 00

E-mail info@transportforetagen.se, Internet www.transportforetagen.se

THE ASSOCIATED MARINE OFFICERS' AND SEAMEN'S UNION OF THE PHILIPPINES (AMOSUP)

Seamen's Center, corner Cabildo & Sta Potenciana Sts

Intramuros, MANILA, The Philippines

Phone +632 527 8491 to 98, Fax +632 527 3534

E-mail Provident Fund provfund@amosup.org

Internet www.amosup.org/provident.html