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# 新就业形态人员养老保险问题研究

Research on pension insurance for workers in new forms of employment with a focus on platform workers

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Partnership Instrument Project improving China's institutional capacity towards universal social protection

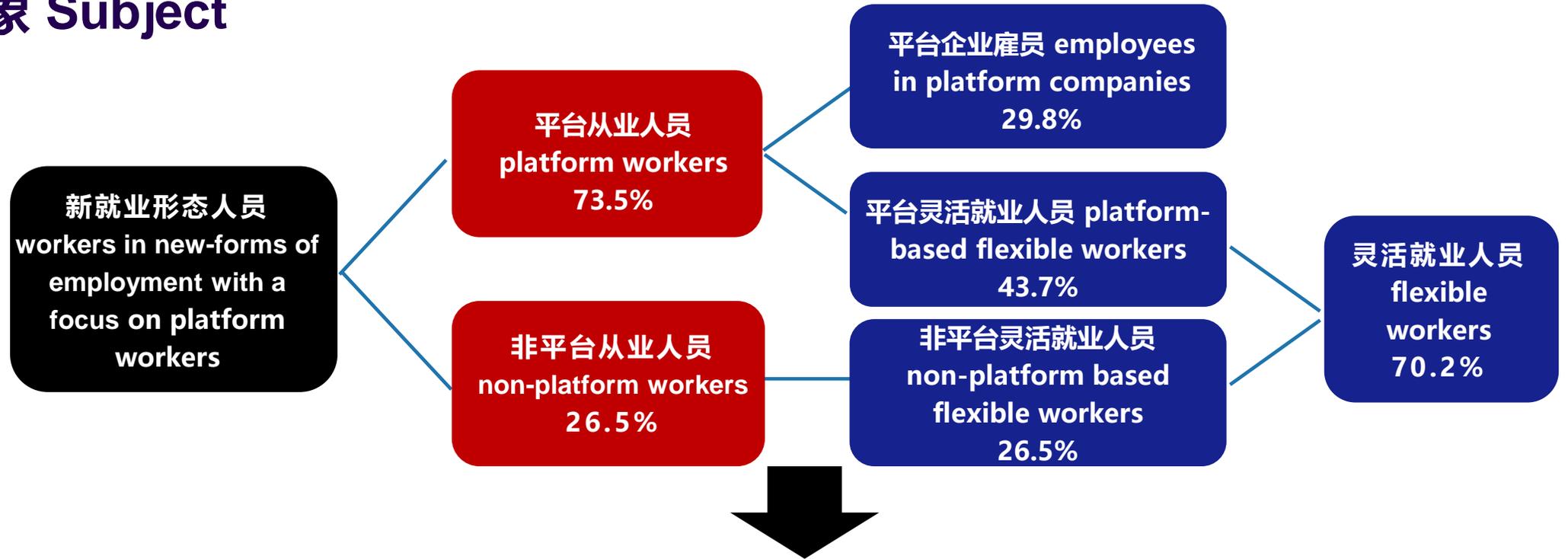
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## 研究对象 Subject



**两个7:3: two 7:3, number of**

- 平台 vs 非平台 platform vs non-platform
- 灵活就业人员 vs 雇员 flexible workers vs employees

## 制度全覆盖 Universal coverage

|   | 城镇职工基本养老保险<br>The basic pension insurance scheme for urban employees (urban employee scheme)   |   | 城乡居民基本养老保险<br>The basic pension insurance scheme for urban and rural residents (urban-rural resident scheme) |
|---|--|---|--|
|   | 以职工身份参保<br>participate as an employee  | 以灵活就业人员身份参保<br>participate as a flexible worker   |  |
| 强制/自愿参保<br>mandatory/voluntary coverage           | 强制参保 mandatory   | 自愿参保 voluntary  | 自愿参保 voluntary   |
| 参保地<br>location of enrolling in pension insurance | 企业所在地<br>location of the enterprise  | 就业/户籍所在地 <sup>1</sup><br>location of workplace/household registration   | 户籍所在地<br>location of household registration  |
| 筹资来源<br>financial source                          | 用人单位和职工个人共同缴费<br>contribution by both employers and employees  | 个人缴费<br>individual contribution   | 财政补助和个人缴费<br>government subsidies and individual contribution  |
| 缴费基数<br>contribution base                         | 个人缴费基数：个人上年度实际月均收入。收入水平低于当地缴费基数下限（当地全口径社平工资的60%）者按下限缴费，高于上限（当地全口径社平工资的300%）者按上限缴费。企业缴费基数：职工缴费基数之和。<br><b>Contribution base for employees</b> refers to the actual monthly wage for the previous year. Contribution base ranges from 60% to 300% of the local average monthly wage; Contributors whose wage is below or above the range will contribute in accordance with 60% or 300%.<br><b>Contribution base for enterprises</b> equals to the sum of contribution base for employees. | 当地缴费基数上下限之间设置N档缴费基数 <sup>2</sup> ，由参保人自愿选择缴费档次。缴费基数下限为当地全口径社平工资的60%；上限为当地全口径社平工资的300%。<br>There are several levels set between the floor (60% of the local average monthly wage) and the cap (300% of the local average monthly wage) of local contribution base for the insured to choose voluntarily. | 当地设定N个缴费档次 <sup>3</sup> ，由参保人自愿选择。<br>Several levels are set for the insured to choose voluntarily.          |
| 缴费率 <sup>4</sup><br>contribution rate             | 企业 enterprise: 16%;<br>个人 individual: 8%。  | 20%   |  |

# 1. 参保现状调查分析 Situation analysis of participation in social insurance

## 不同险种的参保率存在差异 Participation rates differ in different branches of social insurance

- 各项险种中，养老保险参保率最高，其次是医疗保险。

Of all the branches of social insurance, the participation rates in pension insurance and medical insurance rank the first and the second.

## 缴费水平 Contribution level

- 以灵活就业人员身份参加城镇职工养老保险：选择按当地养老保险缴费基数下限进行缴费者较为多见。

Participate in the basic pension insurance scheme for urban employees as a flexible worker: Most pay contributions in accordance with the floor of local contribution base.

- 城乡居民基本养老保险：绝大多数选择中档及以上 (>90%)

The basic pension insurance for urban and rural residents: Most choose medium-level and above (>90%)

## 跨地区就业人员的参保状况 Current situation of workers in cross-regional employment

- **参保地。**灵活就业人员多在户籍地参保，且多是城居保。尤其是非平台类灵活就业人员（户籍地参保占比73.7%）。重复参保者少（4.6%）

Place of registration: most flexible workers participate in urban-rural resident scheme in the place of household registration, especially non-platform based flexible workers (73.7% participate in the place of household registration). Very few (4.6%) of flexible workers have double contributions (both employee scheme and resident scheme).

- **参保年限。**总体较短，多数不超过5年。与调查样本的年龄分别有关。

Participation period: for most workers, the period is no more than 5 years. This is related to the age profiles of the sample.

## 参保缴费主观感受 Perceptions of being insured and paying contribution

- **缴费负担**。认为缴费负担重，占43.2%；其中14.4%的受访者表示可能因此中断缴费。

**Contribution burden.** 43.2% of the respondents considered the contribution a heavy burden; among them 14.4% said that they may interrupt the payment due to this.

- **未来参保意愿**。养老保险最受青睐，尤其是城镇职工基本养老保险，但对缴费水平的预期偏低。

**Willingness of being insured in the future.** Most respondents prefer pension insurance, especially the basic pension insurance scheme for urban employees, but the expectations for contribution level are low.

## 不同类型从业人员养老保险参保状况对比

### Comparison of pension insurance participation of different types of workers

- 多方面指标对比。参保率，参加城镇职工养老保险比例，缴费水平，缴费负担认知等。

**Comparison with multi-dimensional index.** Participation rate, participation rate of urban employee scheme, contribution level, perception on contribution burden etc.

- 平台灵活就业人员优于非平台。

The participation of platform-based flexible workers is better than that of non-platform based flexible workers.

- 不同类型平台从业人员 **Different types of platform workers**

- ◆ 网络文化服务、知识技能共享、在线教育三类从业人员的参保状况相对更好

Platform workers in areas of online culture services, knowledge and skill sharing, and online education have better participation in social insurance.

- ◆ 骑手相对较差，在各方面指标对比中基本均位于最低水平。

Delivery riders have the lowest total participation rates in almost all dimensions.

## 2. 存在的问题和原因 Problems and causes

### 参保质量有待进一步提升 The quality of participation in social insurance needs to be improved

- 参保率和参保结构。 Enrollment Rate and Enrollment Structure
- 缴费水平偏低。 Lower level of contribution

### 对未来待遇预期带来影响 Influence on the future benefit

- 长期、持续、一定水平下，积累权益。 a continuous long-term accumulation of entitlement at a certain level
- 以灵活就业人员身份参加城镇职工基本养老保险：最低下限缴满15年的制度内部收益率最高，待遇保障水平低。

Participating in the basic pension insurance scheme for urban employees as a flexible worker: the internal rate of return within the system reaches the highest when the contribution is paid in accordance with the lowest level of contribution base for 15 years, but the level of benefit is low.

- 城乡居民基本养老保险：财政补贴+个人缴费。个人缴费水平对待遇影响大。

The basic pension insurance scheme for urban and rural residents: government subsidies + individual contribution, where the latter have a greater impact on benefits.

## 原因分析 Cause analysis

### 强制参保

#### Compulsory coverage

- 是否属于强制参保的范畴——劳动关系的界定。  
The definition of labour relations decides whether it belongs to compulsory coverage.
- 行政监督执法力度。  
Administrative supervision and law enforcement

### 自愿参保

#### voluntary participation

- 政策吸引力、政策障碍。  
Attractiveness and obstacles of policy
- 个人的客观能力和主观意愿。  
Individual ability and willingness

## 原因一：养老保险参保状况与劳动用工关系显著相关

### Cause I: Significant correspondence between the nature of pension insurance participation of workers and their current employment relationship

- 与用人单位/平台企业的劳动用工关系：是否参保，以何种方式参保。问卷数据，未签合同/签订合同。

Labour relations between workers and employers/platform companies: mandatory coverage or not, the method to be insured; questionnaire data, with/without labour contracts.

- 劳动者与某法人单位之间存在劳动关系或事实劳动关系：企业未与其签订劳动合同或未依法依规并为其参保缴费——**行政监督执法问题。**

There are labour relations or de facto labour relations between the worker and the enterprise: the enterprise has not established labour contract with the worker or not paid contributions in accordance with laws and regulations——**the matter of administrative supervision and law enforcement.**

- 按目前法律法规难以清晰界定劳动关系的劳动者：现行法律政策难以明确企业的缴费责任——**法律适用性问题。**

For workers whose labour relations fail to be clearly defined by current laws and re regulations: the enterprise's liability of contribution payment is not clearly specified in current laws and policies——**the matter of the applicability of law.**

## 原因二：劳动者参保意愿和参保能力偏低

### Cause II: workers have a lower level of willingness and ability to participate in pension insurance

- 收入低或不稳定，影响连续参保缴费能力。

Low or unstable income affects the ability of continuous contribution payment.

- 对养老保险政策认识不充分或认识有误影响参保意愿。

Inadequate or incorrect understanding of pension insurance policies affects their participation willingness

- 年轻群体的养老储蓄和参保意愿偏低。20-34岁。

Young people's willingness to invest in pensions and savings is significantly lower than other age groups. Aged 20 to 34.

## 原因三：以灵活就业人员身份参保实践中仍存在一定障碍

### Cause III: Practical barriers for flexible workers to participate in pension insurance

- 户籍地限制政策，个别超大城市。Hukou (household registration) restrictions not yet removed in some megacities.
- 转移接续。Portability and transfer

## 3. 国际经验 International experience

### 养老金制度覆盖状况取决于就业类型划分

#### The coverage of the pension system depends on employment relation

- 平台从业人员被归类为自雇or雇员：立法和司法系统越来越多地考虑到企业业务开展的实际条件。如平台从业人员对工作的控制程度和对工作工具的所有权等。

Platform workers are classified as self-employed or employee: legislative and juridical bodies are increasingly examining the factual conditions under which the business is carried out, such as the degree of control over work, ownership of the tools etc.

- 近期趋势：将一些平台从业人员（如网约车服务、送餐员）归类为雇员或扩大其就业权利。

Recent trend: classify some platform workers (such as ride hailing services, food delivery workers) as employees or to extend their employment rights.

## OECD国家自雇人员养老金制度的实践

### Practices of OECD countries on pension schemes for self-employed workers

- **法律政策：**多数国家要求强制参保；缴费率加总（半数国家）。

Laws and policies: Most countries require mandatory participation; Self-employed workers pay a contribution rate that corresponds to the total contribution rate of employees, i.e. the rate is equivalent to the sum of the employee and employer contributions (half of the countries).

- **实践结果：**自雇人员的覆盖率、缴费水平（缴费率和缴费基数要求）和待遇水平，低于雇员。

Result: the coverage, contribution level (contribution rate and contribution base) and benefit level of the self-employed are lower than those of employees.

## 扩大平台从业人员社保覆盖面的国外实践案例

### International practices of extending the coverage to platform workers

- 提高主管部门对平台活动的了解。法国。

France: improve the knowledge of competent authorities on platform activities.

- 从筹资源头确保社会保障缴费。智利。

Chile: social security contributions are collected at the source.

- 强制要求平台或平台从业人员向中介机构登记，由该中介机构作为雇主确保其参保缴费。瑞典。

Sweden: platforms or platform workers are required to register with an intermediary agency, which serves as an employer to ensure their participation and contribution payment.

## 4. 政策建议 Policy recommendations

**制度统一、公平、劳动力市场中性 Unified system, equality, labour market neutrality**

### 分类规范 Regulating by classification

- 符合劳动关系、事实劳动关系规制范围，应参未参和未按规定参保。监督执法。

For the uninsured with labour relations or de facto labour relations, who are eligible to be covered or whose participation does not fully comply with the law, ensure the supervision in law enforcement.

- 劳动关系难以清晰界定者。有关劳动法律政策适用性问题。

For those whose labour relations are hard to define clearly, it involves the issue of the applicability of laws and policies.

- 灵活就业者。鼓励参加职工养老保险；多缴费、长缴费。

For flexible workers, encourage them to participate in urban employee scheme and to pay more with longer contribution period.

## 明确平台在劳动者权益保护方面的相应责任

Clarify the responsibilities of platforms in the protection of labour rights and interests.

- 国际、国内发展趋势。International and national trends.

### 灵活就业并不“灵活”——众包骑手

### Flexible employment is not “flexible” —the case of crowdsourced riders

骑手们看似有选择权，但实际上对平台具有较高的依赖度。

Riders seem to have the right to choose, but in fact they have a high degree of dependence on the platform.

问卷调查结果显示，在以“灵活就业”方式从事骑手工作的受访者中：The survey showed that among the respondents who are riders:

- ◆ “骑手”这份平台工作是其“主要工作”的占86.8%； 86.8% selected that this is their "main job"
- ◆ “只在1家平台公司工作”的占62.1%； 62.1% chose "only work for one platform company"
- ◆ “每月在平台工作的时间占其月工作时间的比例超过80%”的占55.3%； 55.3% riders spent 80% and more of their monthly working time on platform work
- ◆ “从事平台工作所获得的月收入占其月工作总收入的比重超过90%”的占50.9%。 50.9% riders obtained 90% and more of monthly income from the platform work

## 进一步提高基本养老保险政策适应流动性的能力

### Enhance the adaptability of policies on basic pension insurance to mobility

- 以引导、争取让更多人纳入到城镇职工基本养老保险为目标，以城乡居民基本养老保险制度为兜底保障。  
Set the goal of extending the coverage of basic pension insurance for urban employees, with the basic pension insurance scheme for urban and rural residents as the guarantee.
- 继续大力推动全民参保计划。引导灵活就业人员早缴费、多缴费、长缴费。  
Further promote the implementation of “Universal Participation Programme”, encouraging flexible workers to contribute early, contribute more, and contribute longer.
- 实现城乡居民基本养老保险与城镇职工基本养老保险之间的有效衔接。  
Realize the effective connection between urban-rural resident scheme and urban employee scheme.
- 异地参保。政策障碍；转移接续。  
Enrollment in the place of employment (different from the place of Hukou). Policy barriers; portability and transfer.

## 加强政策宣传引导，提高参保缴费意识

### Strengthen policy advocacy and improve the awareness of contribution payment

- 宣传方式。线上+政企合作。

Approach: online promotion + cooperation between government and enterprises.

- 宣传内容。contents of the advocacy

- 虚假和不实报道。引导正确认识养老保险。

Counter negative and false media coverage. Provide guidance for the public to have an accurate understanding of pension insurance.

谢谢  
Thank you