

European Minimum Income Network country report Luxembourg

Analysis and Road Map for Adequate and Accessible Minimum Income Schemes in EU Member States

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1. Panorama: short description of minimum income scheme(s) in Luxembourg

1.1 General overview: description of minimum income scheme(s): different schemes for different groups (working age adults, old age, young people, disability...)? Governance arrangements (national, regional, local level)? General scheme or categorical? Cash benefits or in-kind or both? Underlying principles?

Guaranteed minimum income (Revenu Minimum Garanti (RMG)):

Fight against social exclusion. To ensure sufficient means for a decent standard of living and measures of professional and social integration.

The guaranteed minimum income (RMG) consists of either an integration allowance (indemnité d'insertion, subject to work) or a supplementary allowance (allocation complémentaire) aimed at compensating the difference between the highest amounts of the guaranteed minimum income (RMG) and the sum of the household resources.

Subjective right, non-discretionary.

The supplementary allowance is granted either by the social assistance office of the municipality where the claimant lives, or by the National solidarity fund (Fonds national de solidarité (FNS)). The integration allowance is granted by the National solidarity fund (FNS).

1.2 Eligibility conditions: what are the conditions to obtain minimum income (nationality, residence, age...)? Lack of financial resources, property, means testing? Willingness to work or receive training?

Universal right.

No **nationality** requirements.

Legal **residence** in Luxembourg.

Having resided in Luxembourg for at least 5 years during the last 20 years (except for nationals of an EU/EEA Member State, Swiss nationals, refugees and stateless persons).

As of the **age** of 25. Derogations for persons who are incapable of work, raising a child or taking care of a disabled person.

Means testing:

Real estate in Luxembourg or abroad (dwelling, other houses, building lots,...) is converted into a life annuity according to multipliers laid down in grand-ducal regulations.

Movable assets (cash, savings, stocks, bonds,...) are converted into a life annuity according to multipliers laid down in grand-ducal regulations.

The entire gross income (when stemming from work, except an amount equal to 30% of the minimum income amount, with a view to making work pay) as well as incomereplacement and supplementary benefits (except child benefit, birth grant (allocation de naissance) and long-term care benefits) from the social security scheme are taken into account in the calculation.

The National solidarity fund (FNS) calls for sums it has paid by way of supplementary allowance to be returned within the limits to be fixed by a grand-ducal regulation when the beneficiary's situation has improved (inheritance, etc.).

Readiness to work and training: see 1.5

1.3 Amounts of the living wage (is it living wage or minimum income. If the minimum income is called the living wage this showed be said: differentiation for specific household types, cohabitants, single persons, couples, children, age groups...?

Amounts excluding child benefit (01.01.2014):

- Single person: € 1,348.18
- Couple without children: € 2,022.27
- Couple with 1 child (10 years): € 2,144.82
- Couple with 2 children (10 and 12 years): € 2,267.38
- Couple with 3 children (8, 10 and 12 years): € 2,389.93
- Single parent family with one child (10 years): € 1,470.74
- Single parent family with 2 children (10 and 12 years): € 1,593.29

Amounts including child benefit (01.01.2014): in this section, we take account of the basic family allowances including increase of the family allowances as the children grow older, back-to-school allowances (reported monthly) and tax bonuses for dependent children.

- Couple with one child (10 years): € 2,432.90
- Couple with 2 children (10 and 12 years): € 2,962.93
- Couple with 3 children (8, 10 and 12 years): € 3,576.92
- Single parent family with one child (10 years): € 1,758.82
- Single parent family with two children (8 and 10 years): € 2,252.45

Indexation of social assistance benefits according to the evolution of prices when the index varies by 2.5% in relation to the figure triggering the previous adjustment.

Fixed intervals (1 October) for the years 2012, 2013 and 2014.

1.4 Time duration: is the minimum income scheme limited in time? Are there regular re-assessments?

Monthly payment for as long as the situation of need exists and the entitlement conditions are met. For each beneficiary, the terms and conditions for receiving guaranteed minimum income (RMG) are every year reassess by the National social action service (Service National d'Action Sociale (SNAS)).

1.5 Conditionality: submission of application, information on personal situation, social inquiry, availability for work...?

Assessment:

For the differential benefits, an administrative file is opened.

For the integration measures, an integration contract (contrat d'insertion) is signed.

The social assistance office of the municipality where the claimant lives and the National solidarity fund (FNS) examine the applications for benefits. A person is entitled to the benefit if his/her income is below the rates of guaranteed minimum income (RMG) set by law and s/he fulfils the other conditions for entitlement.

Readiness to work and training:

Not having willingly abandoned or reduced work without valid justification or not having been dismissed for serious reasons.

Integration allowance (indemnité d'insertion) is granted when the beneficiary signs an integration contract (contrat d'insertion) and takes part in an integration activity. The integration contract is drawn up in the light of the health, social, educational, professional and financial situation of the claimant, with a view to a vocational and/or social integration project.

Participation in vocational integration activities is mandatory. These activities consist of temporary assignment to either work of public utility or traineeship in an undertaking. In case of refusal, the integration allowance and, if need be, the supplementary allowance, may be withdrawn.

It is also possible to be exempted, fully or partially, from having to take part in measures in specific cases:

- A person who is bringing up a child for which s/he receives family allowances, when the measures cannot be accomplished owing to serious reasons to do with the child;
- An adult who takes care of a person suffering from a severe disability requiring constant help from a third person;
- A person whose state of physical or mental health or social or family situation is such that taking part in measures is temporarily contra-indicated or unfeasible;
- A person who is studying or undergoing vocational training on a full time basis provided that, depending on the skills assessment and the orientation opinion, his or her chances of joining the world of work in the normal employment market are improving;

- The second person of a household, a member of which is already in an integration activity or under a full-time contract of employment, whereby the stipulated guaranteed minimum income (RMG) limits would be exceeded with the additional activity of said 2nd person.

An entitlement to the supplementary allowance comes into being during the period of exemption. The same applies to people who have signed an integration contract who have not been able to attend a planned measure within three months because there was no appropriate job.

The exemption, which may not exceed one year, is renewable. The reasons which led to the exemption or its refusal must be entered in the integration contract provided under Article 8 supra and communicated to the applicant in writing. The same applies to persons temporarily exempted from having to report to the placement offices of the employment service.

1.6 Link with other social benefits: combination with other benefits or wage possible? Additional social assistance for housing costs, energy, medical expenses, family allowance...?

For the combination with wages (and other income like other benefits) see 1.2.

Where rent is due for an occupied flat the difference between the rent paid and the amount corresponding to 10% of the guaranteed minimum income (RMG) is granted in addition. Maximum: \in 123.95.

In parallel with the guaranteed minimum income (RMG) system, there is a cost-of-living allowance (Allocation de vie chère (AVC)) for low-income households, according to the terms and conditions fixed by regulation of the Government in Council.

The amount of this allowance depends on the composition of the applicant's household. The household income may not exceed the limits set by the regulations. Said limits are such that the guaranteed minimum income (RMG) is always lower, so everyone who gets said guaranteed minimum income (RMG) is also eligible for the cost-of-living allowance (AVC) (which would then have to be included in the amount of guaranteed minimum income (RMG) as we have been asking for quite some time). The allowance is exempted from taxes and social security contributions and is paid once a year.

Applications must be filed with the National solidarity fund (FNS).

Amount of the cost-of-living allowance (AVC) paid annually for:

- Single person: € 1,320.00
- Domestic community of two people: € 1,650.00
- Domestic community of three people: € 1,980.00
- Domestic community of four people: € 2,310.00
- Domestic community of five or more people: € 2,640.00

Upper annual income limit for granting the cost-of-living allowance (AVC):

- Single person: € 23,069.06
- Domestic community of two people: € 34,603.59
- Domestic community of three people: € 41,524.31
- For each additional person: € 6,920.72

People with a gross monthly income between the two limits indicated below may claim a reduced allowance.

- Single person: € 23,069.06 € 24,388.92
- Domestic community of two people: € 34,603.59 € 36,253.44
- Domestic community of three people: € 41,524.31 € 43,504.20
- Domestic community of four people: € 48,445.20 € 50,754.96
- Domestic community of five people: € 55,365.84 € 58,005.60
- For each additional person: € 6,920.72

In many of the communities a municipal cost-of-living allowance (AVC) (which differs depending on the municipal regulations) is added to the state cost-of-living allowance (AVC).

2. Link between the right to social integration and the active inclusion strategy

2.1 Inclusive labour markets: has a closer link between benefits and activation measures been established? Have minimum income benefits been made more conditional upon readiness to participate in training or work schemes, and what are possible impacts? Have new work or training schemes been put in place for minimum income beneficiaries?

Recipients of the minimum income are in principle required to seek employment, and thus to be registered with the public employment office (Agence pour le Développement de l'Emploi (ADEM)) and to be available to fill a subsidised position (internship in a company or other integration or collective utility activity). Certain categories of persons are exempted from this obligation, particularly if they have a physical or mental impairment or if they have to care for young children or elderly persons. Furthermore, part of the recipients of the guaranteed minimum income (RMG) have a job on the first employment market but receive the supplementary allowance of the guaranteed minimum income (RMG) nonetheless. These are households which, for instance, have the social minimum wage, and their composition is such so that they do not attain the minimum income limits stipulated by law. These people are also exempted from the obligation to seek employment actively.

In concrete terms, the National social action service (SNAS), in charge of the practical organisation of social assistance in Luxembourg, distinguishes three benefits granted to households that receive the guaranteed minimum income (RMG), i.e.:

- Households which get only an integration allowance, and thus take part in an integration activity or an internship in a company. This means that they get at least the social minimum wage and that this corresponds to at least the minimum income to which they are entitled, since no supplementary allowance comes into play. They are often households composed of one adult only.
- Households which do not get a supplementary allowance, but are under a subsidised contract, i.e. said households are offered a job after their integration activity, and their employer is temporarily subsidised by the State to cover the salary (whereby the state subsidy is limited to the social minimum wage). As in the first case, they are almost exclusively adults living alone.
- Households which get a supplementary allowance, either plus an integration allowance (to the level of the social minimum wage) or a subsidised contract or a salary or another type of income taken into account for the calculation of the supplementary allowance. This category comprises the very large majority of households faced with the guaranteed minimum income (RMG).

It is thus clearly established that the guaranteed minimum income (RMG) is a financial aid but also an active aid for the re-integration in the labour market. The idea is to have people on the guaranteed minimum income (RMG) in a transitory, not a long-term capacity.

The full stakes of employment activation consist of the number of people actually available for the employment market, their supervision and guidance, and moreover situations vacant to be filled in terms of employment measures.

It is also worth noting that in a crisis context, unemployment continues to rise and access to a stable, quality job remains difficult for a more vulnerable and fragile population. This means that, in concrete terms, the activation measures for employment implemented under the guaranteed minimum income (RMG) do not necessarily lead to employment at the end of the internship. The employment market is tight, all the more so for the more vulnerable segments of the population, which moreover need to be supervised and guided throughout the entire process.

In this respect, the increase in the activation rates of guaranteed minimum income (RMG) recipients remains one of the essential elements of the active inclusion policy. The National reform programme (Programme National de Réforme (PNR)) of the Grand Duchy of Luxembourg under the European semester 2014 has this stated objective: "increasing this activation rate by 2 percentage points by 31 December 2014 compared with the rate for 2010 has been sustained by a reinforcement of means and resources, with particular focus on the human resources of the Regional social action services (Service Régionaux d'Action Sociale (SRAS). The trend which shows unremitting growth in the number of people targeted by this objective (+80% since 2007) calls for maintaining this reinforcement, including the mid-term result of the NRP, which will define the objective for 2020."¹ The number of persons who are required to be available for employment integration activities amounted to 2,329 in 2013,² of whom 1,440³ took part in integration activities, for a participation rate of $61.8\%^4$ by the beneficiaries concerned.

¹ Ministry of Economic Affairs – National reform programme (2014), p. 47.

² 2007: 1,288; 2008: 1,425; 2009: 1,845; 2010: 1,987;2011: 2,180; 2012: 2,018 (NRP 2014, p. 47, footnote on page 80).

In practice, here is how these persons are dealt with as soon as they apply for the guaranteed minimum income (RMG):

The National social action service (SNAS) is in charge of the practical organisation of social aid in Luxembourg, particularly the monitoring of employment integration activities provided in the guaranteed minimum income (RMG) act.

The National social action service (SNAS) tasks include in particular:

- Receiving persons who apply for the integration allowance;
- Regional social action services (SRAS);
- Conducting skills assessments;
- Coordination of and guidance for the Regional social action services (SRAS);
- Administrative tasks;
- Cooperation with other government services and non-governmental organisations.

The National social action service (SNAS) is assisted in its day-to-day tasks by the Regional social action services (SRAS), which are managed by non-governmental management organisations or by municipal social offices. The Regional social action services (SRAS) are found throughout the territory of the Grand-Duchy, whose tasks include in particular to:

- Deal with the files of persons submitted by the National social action service (SNAS);
- Draw up the integration contract with the applicant or the beneficiary;
- Organise employment integration activities;
- Ensure that the integration activity is conducted properly through regular contacts with the beneficiary and his or her boss;
- Ensure that the beneficiary remains available for the employment market and is ready to accept any job assigned to him or her by the public employment office (ADEM);
- Carry out the necessary checks ("monthly statements" of beneficiaries in case of unjustified absence, convening for a medical examination, etc.);
- Manage the files of exempted persons, etc.

A veritable organisational arsenal is consequently deployed to implement the activation arrangements for beneficiaries of the minimum income.

³ 2007: 835; 2008: 925; 2009: 1,134; 2010: 1,239; 2011: 1,380; 2012: 1,391. (NRP 2014, p. 47, footnote on page 81).

⁴ 2009: 61.5%; 2010: 62.3%; 2011: 63.3%; 2012: 68.9% (NRP 2014, p. 47, table 17).

2.2 Access to quality services: did minimum income beneficiaries' access to services improve or deteriorate? Did prices increase? Is accessibility of services reduced, particularly in the light of the crisis and possible austerity measures?

Local and regional social offices have been created and established throughout the country for the sake of guaranteeing a minimum size, together with accessibility and proximity. The core idea of this network is to prevent poverty and exclusion by developing personalised support and services for citizens. This approach gives priority to the right to social aid for all citizens, and therefore, a priori, for beneficiaries of the minimum income as well. A person will thus be asked to apply for the guaranteed minimum income (RMG) in his or her social welfare office, which unquestionably provides considerable personalised supervision and support, and can thus prove to be a privileged and even strategic place for vulnerable individuals.

As to direct access to quality services for persons who fall under the provisions of the guaranteed minimum income (RMG) act, it is worth noting that they are entitled to:

- Free public transport throughout the country (in place for years according to the law of 1986);
- 25 hours of child care service vouchers for each of the children (in place since March 2009);
- Where appropriate, a rent subsidy of up to € 123.95 (in place for years according to the law of 1986).

In parallel with these cash benefits, Luxembourg has the "Kultur Pass", a cultural passport that entitles the holder to free admission to participating museums, or shows and cultural events at the price of \in 1.50. To be eligible for this cultural passport, it is necessary to reside in Luxembourg and meet the conditions for entitlement to the cost-of-living allowance (AVC). In practice, all beneficiaries of the minimum income can therefore claim and gain access to culture under very advantageous conditions. The "Kultur Pass" is valid for one year, and is renewable.

As to access to healthcare, as of 1 January 2013, low-income individuals need no longer pay for their healthcare costs up front. They can apply for the third-party social insurance from the competent social security office: their medical and dental expenses will be covered directly by the National health fund (Caisse Nationale de Santé (CNS)). The main aim of this social third-party insurance is to facilitate access to medical and dental care for persons in difficulty, and thus, a priori, for beneficiaries of the guaranteed minimum income (RMG) as well.

Furthermore, under their joint objective to fight against poverty, the Luxembourg Red Cross and Caritas Luxembourg have together developed a concept of "subsidised grocery shops". At this time, 9 subsidised grocery shops are spread throughout Luxembourg. Only people in need objectively determined by social welfare offices and accredited social services are authorised to do their shopping at such subsidised grocery shops. The latter provide poor people with food and items of everyday use for a contribution amounting to a third of the market price. Thanks to this mutual assistance initiative, underprivileged people have more purchasing power and access to fresh, quality products. The project appears to work well and it seems to be non-stigmatising for the beneficiaries. The Luxembourg Red Cross and Caritas Luxembourg are doing everything possible to prevent the stigmatisation by putting the emphasis on quality of the reception and conviviality of the premises. Moreover, by some Caritas' subsidised grocery shops, there is a second-

hand store accessible and open to each citizen to promote a social mix. By the way an evaluation of the concept is now underway and we are waiting for the results.

Lastly, some housing aids are geared to low-income households and, a fortiori, to beneficiaries of the guaranteed minimum income (RMG). These persons can in particular turn to a social housing agency (Agence Immobilière Sociale (AIS)) which can provide social housing for a moderate price according to certain precise criteria. In the same vein, there is also the Housing Fund (Fonds du Logement) which is geared chiefly to creating accessible and more human housing, while promoting social diversity. Nevertheless, these two bodies have a sore shortage of dwellings, and their housing supply is too limited to meet the demand.

3. Identification of obstacles to the implementation of adequate minimum income schemes

3.1 Coverage and take-up: are there problems concerning coverage (nationality, residence)? Quid migrants, asylum-seekers, undocumented migrants? Homeless and roofless?

In terms of the percentage of people who are entitled to the guaranteed minimum income (RMG) but do not take up their right, a CEPS/Instead study published in 2010⁵ showed that 5% of households residing in Luxembourg were eligible to claim the guaranteed minimum income (RMG), but that 65.1% of them do not avail themselves of this entitlement, in spite of being eligible to do so. More specifically, the author noted that whereas 68.61% of the eligible households headed by Luxembourg natives did not access the guaranteed minimum income (RMG), this rate rose to 73.22% for migrants from the European Union (EU), and dropped to 32.70% for eligible households headed by non-EU migrants. This low rate of non-access for the latter category of households is undoubtedly explained by the fact that most households headed by non-EU migrants are asylum seekers who have obtained authorisation to stay (so recognized refugees) and are by extension entitled to the guaranteed minimum income (RMG). As regards the level of education, the study shows that eligible households headed by unskilled persons tend to take up their right to the guaranteed minimum income (RMG) the least, at a rate of 68.84%, compared with those who have a secondary school leaver's certificate (60.3%) and university graduates (60.97%). Furthermore, home owners are less inclined to avail themselves of their right to the minimum income than households who rent. But the two most significant factors are occupational activity and the low level of incentive through monetary benefit. Persons who are gainfully employed tend not to avail themselves of their rights to the guaranteed minimum income (RMG): the lower the financial benefit, the less likely that it will be taken up.

In the field, the feeling that a certain percentage of eligible households did not avail themselves of their right to the minimum income is widely shared and estimated overall between 25% and 50%. This gap reflects the sentiments of people who took part in our assessment, but is an underestimation compared to figures calculated on a scientific level. Conversely, in terms of type of risk population which did not avail itself of the right, migrants and home owners are the ones most often cited by the participants in our study. One person also asserted that gainfully employed were the ones that availed themselves the least of a supplementary allowance to minimum income.

⁵ AMÉTÉPÉ (2010).

According to the participants in our assessment, the reasons for not taking up the right are: fear of being stigmatised, fear of a social investigation, refusal to ask assistance, lack of information, fear of having to reimburse the aid (in case of inheritance) or mortgage on the dwelling. Administrative red tape and the complexity of the system were cited as barriers to taking up the right to the guaranteed minimum income (RMG) on three occasions. There are two types of factors for not taking up the minimum income:

- The psychosocial factor, with fear of being stigmatised as the predominant reason, followed by fear of an intrusion into one's privacy by the State;
- The organisational factor, particularly the lack of information concerning the guaranteed minimum income (RMG) and the conditions for eligibility and the lack of support for the request, meaning the complexity of the system and administrative red tape.

For their part, migrants are entitled to the minimum income, provided they meet the basic criteria of eligibility (age and residence). Asylum seekers and undocumented people cannot avail themselves of this social aid. Nevertheless, applicants for international protection receive advice and support from the Luxembourg office of reception and integration and are provided with specific social aid consisting of:

- Accommodation, plus full board, or the provision of meals or foodstuffs;
- Monthly allowance;
- Basic medical care;
- Payment of contributions for the voluntary insurance provided under Article 2 of the social insurance code;
- Means of public transport in the network of the Grand Duchy of Luxembourg;
- Social guidance;
- Supervision of unaccompanied minors;
- Psychological care and monitoring for persons in need, in particular victims of traumas;
- Advice on reproductive and sexual health;
- Ad hoc aid in case of need.

The social aid is fixed in accordance with the composition of the household, the age of its members, as well as the income of the applicant for international protection. The social aid takes account of the particular needs of vulnerable individuals."⁶ The social aid was in 2012 reduced from \in 125 to \in 25 per month, per adult, and \in 12.5 for a child. In the same time, a voucher system was introduced to compensate for the reduction of the amount. A study about the impact of this reduction and the introduction of the voucher system, made by "Collectif réfugiés Luxembourg - Lëtzebuerger Flüchtlingsrot", fund that the beneficiaries are putting in a state of dependence on State assistance. They're constantly asking for aid, specifically for vouchers (for school, food, clothes, heath...). This politic doesn't help the asylum seekers to become autonomous. That is particularly true as the procedure can take a long time.

The homeless have access to the guaranteed minimum income (RMG), provided they are domiciled, e.g. in a shelter for the homeless.

⁶ http://www.olai.public.lu/fr/accueil-integration/encadrement/aide-sociale/index.html.

3.2 Adequacy: Criteria and methodology to define adequacy of minimum income? Defined in relation to at-risk-of-poverty threshold (60% of median income)? Or in relation to other social benefits, minimum wage, standard of living? Use of reference budgets? Uprating mechanisms available (index, other) in line with rises in inflation or standard of living?

In all European countries,⁷ provided that the guaranteed minimum income (RMG) instrument exists, the question of the relation between said minimum income and the at-risk-of-poverty threshold arises; in most cases, as in Luxembourg, the minimum income is lower than the at-risk-of-poverty threshold.

Here are some family structures that show that by considering the guaranteed minimum income (RMG), by including the benefits in kind⁸ connected to this right, as well as the cost-of-living allowance (AVC) and other family benefits, the at-risk-of-poverty threshold relating to each household composition is never reached.

Household Composition	Net GMI	Benefits linked to GMI (transport, service vouchers and housing)	Cost-of- living allowance /month	Child benefits / month	Tax bonuses for dependent children / month	Total family benefits / month	Total monthly Income	Poverty threshold 2013	Difference between income and poverty threshold
A	1 298,28	168,95	110,00	0	0	0	1 577,23	1 665,00	-87,77
AC	1 415,69	218,95	137,50	185,6	76,88	262,48	2 034,62	2 164,50	-129,88
ACC	1 533,10	248,95	165,00	440,72	153,76	594,48	2 541,53	2 664,00	-122,47
ACCC	1 650,50	241,45	192,50	802,74	230,64	1 033,38	3 117,83	3 163,50	-45,67
AA	1 944,06	213,95	137,50	0	0	0	2 295,51	2 497,50	-201,99
AAC	2 061,46	263,95	165,00	185,6	76,88	262,48	2 752,89	2 997,00	-244,11
AACC	2 178,87	293,95	192,50	440,72	153,76	594,48	3 259,80	3 496,50	-236,70
AACCC	2 296,28	263,95	220,00	802,74	230,64	1 033,38	3 813,61	3 996,00	-182,39

Sources: Caritas Luxembourg 2014

PS: all children are under 6; so no increased allowance with age; and the special allowance at the resuming of school is not included

A = Adult et C = Child

We now look at how the level of the guaranteed minimum income (RMG) has been defined in 1986. During the preliminary discussions for the drafting of the guaranteed minimum income (RMG) act in 1986, an opinion of the Economic and social council (Conseil Economique et Social (CES)) dating from 1983 for the establishment of what was then called the minimum social income, contained the following sentence in particular:

"...Be that as it may, this income threshold should be fixed so that the most precarious annotated cases could be covered and leave sufficient leeway to put one or another transition step in place."⁹

⁷ FRAZER & MARLIER (2009).

⁸ Translated in monetary terms in the table.

⁹ CES (1983), p. 31.

Furthermore, in 1983, the Economic and social council (CES) cited the fact that biological, economic and sociological minima would have to be taken into account in order to establish the threshold of the guaranteed minimum income (RMG), without however quantifying said minima with precision. It was more of a philosophy of action that was put to the fore and not budget references. In parallel, the way of life and standard of living of people residing in Luxembourg would have to be taken into account, which led the Economic and social council (CES) to decide in this opinion that the minimum standard of living per citizen should be 2/3 of the average income calculated for the country, thus far higher than the poverty threshold of 60% of the median.

The amount for the guaranteed minimum income (RMG) were fixed without a specific method and relevant criteria, it was a politic decision. Furthermore, the amounts follow the indexation scale and the general evolution of wages.

Certain countries proceeded to define a basket of basic needs which would be indispensable to be able to lead a decent life. Such an approach served also as the basis for a STATEC¹⁰ study in the Rapport Travail et Cohésion sociale [Labour and Social Cohesion Report] 2010. It is worth noting first of all that the problem of rent (particularly high in Luxembourg) was solved as follows in this study: an average rent (inclusive of charges) of \in 12,026 per year was taken for everyone. It was then agreed, particularly on the urging of Caritas, that it would be better to adopt a composite guaranteed minimum income (RMG) system that included an ad hoc component for the actual charges of the rent according to the real needs of each household (cf. point 5.4 page 21) and not charge an average rent to each household on the guaranteed minimum income (RMG).

Although there are still other points to approve the approach, it has the merit of being the first such approach in Luxembourg based on the real cost of living to determine a poverty threshold (and indirectly, a basis for the objective calculation to define the level of the guaranteed minimum income (RMG)).

Furthermore, the STATEC is currently in the process of defining a method to determine a minimum reference budget for Luxembourg with precision. At issue therefore is to:

- Define a standard of living;
- Define baskets of goods and services necessary to be able to lead a decent life;
- Calculate the price of these baskets for different households.

With limited exceptions, the participants in the assessment are a priori in favour of a reference budget as described above. On the other hand, they are less convinced about reconciling the amount of the minimum income with the amount of the at-risk-of-poverty threshold. This is because the Government believes that this indicator of the at-risk-of-poverty is not adapted for the situation in Luxembourg and so doesn't orient his social politic to fight poverty and exclusion in accordance with this indicator.

¹⁰ STATEC (2010).

3.3 Effectiveness: Impact of minimum income schemes in preventing and reducing poverty levels and intensity of poverty?

About two thirds of the participants think that the guaranteed minimum income (RMG) is not necessarily an effective counter against monetary poverty; they pointed to the exorbitant price of housing which they consider as a major reason for this state of affairs. Without the excessive weight of housing, they consider that the minimum income would in general be very acceptable and decent, all the more so as the guaranteed minimum income (RMG) scale follows the wage indexation. The remaining third considered that the minimum income is a relatively effective weapon against poverty, although they stated that it does not provide protection against social exclusion. Some among them moreover said that although the system does not provide sufficient protection against poverty yet, it does exist nonetheless, and that must be underscored.

4. Active Inclusion Policy

4.1 Link with inclusive labour markets: How conducive are minimum income schemes to labour market integration? Effectiveness in ensuring incentives to work? Use of activation measures, special work or training schemes? Possible incentive or disincentive factors of minimum income (poverty trap)?

It is essentially through its integration contracts that the current guaranteed minimum income (RMG) system targets the return to the employment market. These integration contracts are themselves highly precarious and not very motivating for a fringe of the population on the guaranteed minimum income (RMG). Job prospects under a quality and decent contract are rare. It would seem that specific advice and support for beneficiaries were really lacking. Participants also pointed out a lack of consistency between the profiles sought and the profiles of minimum income beneficiaries – whence the question of personalised training and coaching. It is nonetheless worth underscoring that a reform for advice and support efforts in the public employment office (ADEM) is under way and it needs time to implement the personal support in fact. A more comprehensive and personalized approach was tested in one of the regional offices, and according to possibilities of staff enhancement and training it will now be introduced bit by bit in the other offices.

As to the existence of an out-of-work trap in Luxembourg, it is not so much a problem of an out-of-work trap but rather an incentive for part-time work. More specifically, for each household composition, and as soon as there is only one wage-earner for the household, the most comfortable situation from a financial point of view is a low, even very low gross monthly income, which can be linked only to a part time equivalent to one fourth or half time at most. With such a wage level, the question arises as to the type of jobs and conditions of employment promoted by the system. In a planned reform of the system, the exemption of 30% (see 1.2 on page 3) will apply to the pay received and no longer to the amount of the minimum income. The most positive effect of the change would be that as the wage is the reference for the exemption, this will depend on the hours worked and so it would encourage working, because higher working hours will result in a higher income. As to the benefit of a second salary in a household composed of two adults and one or more children (irrespective of their age), there is clearly a lack of incentives. The second adult has no financial interest in accepting gainful employment at the social minimum wage, either on a part-time or on a full-time basis. The only household composition that could benefit from two adults working (still under the conditions of social minimum wage) is that of two adults without children.¹¹

Furthermore, the legal provisions concerning the guaranteed minimum income (RMG) provide, in particular, an exemption from occupational integration activities (Activités d'insertion professionnelle (AIP)) for "exceeding the ceiling." This means a household composed of at least two people, one of whom is already in an occupational integration activity (AIP) (combined with the integration allowance or social minimum wage) and the fact that a second person from the same household benefits from a similar activity would mean a total income for that household exceeding the guaranteed minimum income (RMG) ceiling (including any protection of 30% of the wage). The nature of this sort of exemption, quite contested by beneficiaries and social workers, inevitably leads to the following statistical observation:¹² of the 1216 exemptions that were granted in 2013, 1014 concerned women and only 202 men! This measure is not only counter-productive in that it retains 6% of beneficiaries of the guaranteed minimum income (RMG) from the employment market, but also turns out to be discriminatory for women.

It is therefore quite clear that certain barriers must still fall before the system can become more efficient. In this respect, it should be borne in mind that the government of Luxembourg has embarked on improving the rate of activation of persons concerned by the provisions of the guaranteed minimum income (RMG) as part of the NRP (cf. 2.1.).

4.2 Link with access to quality services: measures to improve access to medical assistance, social services, childcare, housing, energy, transport...?

Whereas the advantages for access to certain services are real enough for beneficiaries of the guaranteed minimum income (RMG), there is still room for improvement. As already mentioned, in fact, recipients of the minimum income can benefit from:

- Free public transport throughout the country;
- 25 hours of child care service vouchers (for each of the children);
- Where appropriate, a rent subsidy of up to € 123.95;
- Personalised individual advice and support;
- Third-party social insurance;
- Kultur Pass....

Nevertheless, these services are not always really accessible, inasmuch as stigmatisation can come into play in particular when it comes to access to housing, access to "Maison Relais" (crèches) for childcare, third-party social insurance which is still not really applied, access to training with ill-suited timetables, etc.

¹¹ GEORGES & URBÉ (2011, annex 3).

¹² Service National d'Action Sociale (2013).

Furthermore, what comes clearly to the fore from needs expressed by the participants is better cooperation between the services involved and closer individual coaching of the beneficiaries.

5. Suggested next steps to improve adequacy, coverage and/or take-up of minimum income schemes

Here are a few avenues¹³ and proposals that could ultimately lead to a more appropriate and fairer minimum income system and that indirectly prevent the risk of not taking up the right. These suggestions ensued from 14 motivated people who replied to a questionnaire¹⁴, to two telephone conversations and one face-to-face interview. Ten of these people were social workers in direct contact with the persons concerned, while 7 other participants came from more political circles (ministries, trade unions or key stakeholders of the civil society). Each person took part in this work in a personal capacity and was in no way a spokesman for his or her organisation. Furthermore, Caritas took part in an ad hoc "RMG" workgroup (set up by the Ministry of the Family and Integration in connection with the NRP's objective to reduce the number of people threatened by poverty or social exclusion), and is participating in the Steering Committee set up to oversee the project to build a reference budget for Luxembourg, so certain ideas stem from this experience as well.

5.1 Individualised rights and exemptions

In view of legal provisions that allow for an exemption from occupational integration activities (AIP) for "exceeding the ceiling," it would be important to plan granting a second such occupational integration activity (AIP) by reducing the allowance obtained so as to respect the ceiling. That said, this solution would once again penalise women in large majority and induce numbers of beneficiaries to hide the existence of a common household (as is the case already now); it would be necessary, by way of second approach, to provide the second occupational integration activity (AIP) in the same household, in spite of exceeding the ceiling, by consideration that it expresses a real incentive to choose work rather than marking time.

Be that as it may, the current situation can no longer be tolerated, if we consider the granting of the guaranteed minimum income (RMG) as a transitory measure and work as the norm.

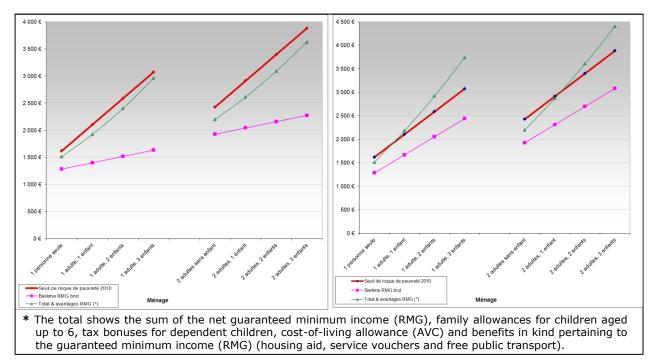
A possible solution would consist of basing the system on the individualisation of rights, by eliminating to consider the existence of a common household.

¹³ Based on the participation of 17 persons from NGOs, social welfare offices, ministry and trade unions and on a Caritas study conducted in 2011.

¹⁴ Questionnaire appended (in French).

5.2 The situation of children

The proposal is to increase the share of the guaranteed minimum income (RMG) intended for children. According to the scale in force since 1 January 2014, this share comes to \in 122.56, which is 9.09% of the amount for an adult, without taking family benefits into account. In the calculation of the at-risk-of-poverty rate, children are nonetheless taken into account with a factor of 0.3 of an adult – a factor proposed by what is known as the "modified OECD equivalence scale". A specific study on the subject published by Caritas¹⁵ showed that an increase of the guaranteed minimum income (RMG) to the same degree (taking into account the other benefits linked to the guaranteed minimum income (RMG) and family benefits) will raise all¹⁶ households with children above the poverty level. The graph on the left shows the situation in 2011 of households receiving the guaranteed minimum income (RMG) and other benefits to which they are entitled pursuant to the legislation in force, whereas the one on the right shows the same households with the rights, the difference being that the weight of each child is that conferred by the modified OECD scale, so with a factor of 0.3 for children under 14.



In the same vein, there are even those who recommend an amount calculated separately for children (in line with the needs analysis and the reference budgets), rather than allocate to them an amount obtained by a coefficient from the amount for an adult. The amount for an adult will include non-existent needs for the child, while other important needs relating to school, spare time activities, development, etc. are not taken into account. We should also point out that the age of the child plays a role too; thus, for instance, in the modified OECD equivalence scale, the child is attributed the weight of 0.5 as of the age of 14.

¹⁵ GEORGES & URBÉ (2011), annex 2.

¹⁶ With the exception of households composed of 2 adults and 1 child (see the graph below).

5.3 Avoid out-of-work traps and poverty traps

Caritas has also shown that, even if they remain below the poverty threshold for the most part, it is preferable for a person (with or without children, alone or living together as couples) to work than to receive the guaranteed minimum income (RMG) (basic allowance without AIP).¹⁷ This is no longer as clear when a person wishes to go from quarter-time or half-time to full-time employment. In fact, it is possible to draw concurrently a salary and a supplementary allowance in Luxembourg up to a certain threshold (defined by the guaranteed minimum income (RMG)) and in accordance with the household composition. Therefore, when a person wishes to go from quarter-time to full-time employment, allowance is reduced and, where appropriate, done away with and thus so are certain benefits in kind as well.

To the question as to whether a second salary per household should be given preference, the study¹⁸ showed that there are out-of-work traps in several cases. There are essentially two ways to get rid of those traps. The first would consist of continuing to grant "other benefits linked to the guaranteed minimum income (RMG)" (free transport, rent premiums and child care service vouchers) beyond the guaranteed minimum income (RMG) ceilings to ensure a smoother transition to normal employment, and taking the edge of the part-time employment trap. The second would consist of a higher exemption of the wages in the calculation of the supplementary allowance. A combined use of the two options could prove beneficial.

5.4 Guaranteed minimum income (RMG) scale revised in components

As regards the problem of the rent, which is an unavoidable issue in the eyes of the participants, it would be necessary to take account thereof when providing the social aid to the most destitute. Since the housing situation is very different for the different households (starting from the person who inhabits a dwelling, which s/he may or may not own, without paying rent, to the one who is reimbursing a mortgage loan or the person who pays a rent, albeit relatively low, average or high). The proposal made in this connection consists of pleading for a guaranteed minimum income (RMG) amount that is divided into three components:

- A first component that comprises daily (basic) needs calculated according to a basket of goods and services (reference budgets);
- A second component that takes into account the actual charges of the dwelling, obviously within certain limits, according to the composition of the household; and
- A third component to assess any specific needs (special diet in case of certain illnesses, for instance).

Whereas the first component could be granted to any other adult of the household for half, children could be considered as 0.3 of an adult, even if it would be better to define own amounts for children and the different household compositions. The second component would be granted once for every household. The third component should be considered in accordance with the situation of each person in the household, and would be due or not, depending on that situation.

¹⁷ GEORGES & URBÉ (2011), annex 3.

¹⁸ GEORGES & URBÉ (2011), annex 3.

5.5 The condition of being 25 years old to be eligible for the guaranteed minimum income (RMG)

Although there are good arguments not to lower the minimum age below 25, in order to avoid that a standard career could consist of "school, guaranteed minimum income (RMG), pension," there are nonetheless situations that plead in favour of a larger opening. We could thus broaden the criteria for not applying the age clause.¹⁹ For example, we could add the young person who is de facto or de jure without parental household to whom the employment services could offer only a measure in which his income did not attain the threshold established by the guaranteed minimum income (RMG).

Since, as we have already seen, granting the guaranteed minimum income (RMG) may in certain cases lead to a situation of unemployment and/or employment traps. It is more appropriate to plan specific measures for young people under 25, that takes into account also the influence of a lack of maturity for the decisions of these young people.

For young unemployed persons under 30, there are two types of measures to promote access to employment: Employment support contract (Contrat d'appui-emploi (CAE)) and Employment initiation contract (Contrat d'initiation à l'emploi (CIE)). These two types of contract for subsidised employment are essentially geared to prioritising for a certain period companies that hire these young people. The salary corresponds to the social minimum wage and, in certain cases, depending on the young person's household composition; the wage can be lower than the threshold defined in the guaranteed minimum income (RMG) act. If the young people are under 25, they cannot receive the benefits in kind available. It is in this precise context that an exception is being asked concerning the age criterion for the guaranteed minimum income (RMG) (as just the age criterion disappears when there is family responsibility). The same scheme will come into being with the Youth Guarantee (Garantie Jeunes).

In parallel with these measures, the National youth service (Service National de la Jeunesse (SNJ)) has developed different programmes to help young people make the transition to the world of work. They include in particular volunteer service programmes, "Level up" projects, www.anelo.lu portal, commitment certification and portfolio.

The volunteer service is an opportunity for learning and orientation through practical experience that entails full-time employment for a specified period. For some programmes, the activities are conducted in Luxembourg; for others in Europe and beyond.

The SNJ has developed activation projects around international mobility, peer coaching and workshops on creativity and manual skills. These projects, together with the information sessions for young people and parents where the transition to the world of work is featured, are promoted under the label "Level up."

For its part, the "Anelo" portal is devoted to educational and vocational orientation and is operating thanks to cooperation with the concerned ministries and departments, professional chambers and specialised associations.

¹⁹ Which for the time being are: have a dependent child, care for a person reliant on care, have a disability or be sick.

Finally, the commitment certification is a document that attests the skills that a young person acquired when taken on in a benevolent or volunteer capacity. The portfolio is a folder used by young people to collect copies of their academic transcripts and diplomas, as well as certificates and documents that attest their participation in training courses, internships or projects.

There is panoply of active measures and aids for young people, so it is not necessary to do away with the age condition for obtaining the guaranteed minimum income (RMG), but to think about a certain flexibility concerning certain particular situations experienced by each young person.

5.6 The question of protecting the income of children

In certain cases, parents send salaried children away from the household, to avoid having their salary bring about a reduction in the guaranteed minimum income (RMG) of the parents. Such a situation should be avoided at all costs, by introducing either a greater exemption for the income of children or a more differentiated view of the situation of households: we could, for instance, no longer count children with their own income as being part of the same household.

5.7 Better coordination with the public employment office (ADEM)

The problem of occupational integration activity (AIP) exemptions arises here for one; and then there are people in a very similar subjective situation who nonetheless fall under several different legal regimes, with different income: for one, people who are in measures to promote employment subsidised by the State as compensated job seeker, young people under integration contracts, recipients of the guaranteed minimum income (RMG) with or without API, volunteer service; and on the other hand, people who take advantage of a training measure so as to get better integrated in the labour market, such as an apprenticeship or public employment office (ADEM) measures organised in cooperation with the Ministry of Education, Childhood and Youth (Ministère de l'Education nationale, de l'Enfance et de la Jeunesse) and companies.

6. Conclusion

All this should be explored with a view to updating the guaranteed minimum income (RMG) act by guaranteeing sufficient resources and access to quality services in connection with opportunities to get integrated in the labour market, very much in line with the recommendation of the European Commission on active inclusion.²⁰

Since the last updating of the law establishing the guaranteed minimum income (RMG), the crises in 2008 affects the Luxembourgish Society. The law have to be changed and updated. We need more adequacies between allowances and needs of the beneficiaries.

So Caritas proposed some improvements to be made:

- The guaranteed minimum income (RMG) should be divided in three components: daily basic needs, allowance for the housing charges and a component with specific needs of the household.
- The transitory situation of the guaranteed minimum income (RMG) should be more stressed, and one solution could consist in the individualisation of rights, by eliminating to consider the existence of a common household.
- Review the place of the children in the whole RGM policy and implemented a specific allowance for children.
- A greater flexibility should be given to young people below 25 years.
- A special attention should be given to fight work traps and poverty traps.
- And last, a better coordination with public employment office (ADEM) and other actors is needed, as well as a better and more personal coaching for the beneficiaries, by more and sufficient trained staff.

²⁰ European Commission (2008).

List of abbreviations

ADEM: Public employment office (Agence pour le Développement de l'Emploi) AIP: Occupational integration activity (Activité d'insertion professionnelle) AIS: Social housing agency (Agence Immobilière Sociale) AVC: Cost-of-living allowance (Allocation de vie chère) CAE: Employment support contract (Contrat d'appui-emploi) CES: Economic and social council (Conseil Economique et Social) CIE: Employment initiation contract (Contrat d'initiation à l'emploi) CNS: National health fund (Caisse nationale de Santé) EU/EEA: European Union/European Economic Area National solidarity fund (Fonds national de solidarité) FNS: OCDE: Organisation for Economic Co-operation and Development (Organisation de Coopération et de Développement Économiques) PNR: National reform programme (Programme National de Réforme) RMG: Guaranteed minimum income (Revenu Minimum Garanti) SNAS: National social action service (Service National d'Action Sociale) SNJ: National youth service (Service National de la Jeunesse) SRAS: Regional social action services (Service Régionaux d'Action Sociale)

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Appendix: Questionnaire RMG (in French)

QUESTIONNAIRE RMG

Dans le cadre du projet Européen EMIN – European Minimum Income Network, le Service Recherche et Développement (R&D) de Caritas Luxembourg est chargé d'évaluer et d'analyser le système du Revenu Minimum Garanti au Luxembourg. Aussi, pour répondre au mieux à notre mission, nous avons élaboré un questionnaire auquel nous vous invitons à y répondre, au titre d'expert en la matière.

Il vous suffit de suivre les instructions sur le questionnaire.

1. Taux de couverture des prestations RMG	
Parmi la totalité des ayants droits à une prestation RMG, quel est selon vous, le pourcentage qui perçoit	□ Moins de 25%
effectivement une prestation RMG :	□ Entre 25 et 50%
(un seul choix possible)	□ Entre 50 et 75 %
	□ Plus de 75 %
	□ 100%
Estimez-vous qu'il s'agit d'un bon résultat pour le Luxembourg?	🗆 Oui
(un seul choix possible)	□ Non
Parmi ceux qui <u>renoncent</u> à leur droit à une prestation RMG, pensez-vous que l'on retrouve prioritairement :	Des migrants
(maximum trois choix possibles)	Des demandeurs d'asile
	Des sans-abris
	□ Autre :
	🗆 Indéterminé
Parmi les propositions suivantes, lesquelles qualifieriez- vous de barrière/d'obstacle à une demande de prestation	Manque d'information
RMG ?	Manque de support pour la demande

(plusieurs choix possibles)	🗆 Compl	exité du sy	stème	
	Complexité administrative			
	🗆 Peur d	e la stigma	tisation	
	□ Refus	de demanc	ler de l'aide	
		de donner nnelles	des informa	itions
	Crainte	e d'une "er	nquête socia	ale"
	🗆 Autre(s) :		
2. Revenu minimum adéquat				
Voici 5 phrases , veuillez marquer votre degré d'approbation :	Tout à fait d'accord	Plutôt d'accord	Plutôt pas d'accord	Pas d'accord du tout
 le niveau du revenu minimum est en correspondance avec le niveau de vie du Luxembourg 				
 le seuil du revenu minimum au Luxembourg devrait être calculé en fonction du taux de risque de pauvreté 				
 le seuil du revenu minimum au Luxembourg devrait être calculé en fonction du salaire social minimum 				
 le seuil du revenu minimum au Luxembourg devrait être calculé en fonction du standard de vie au Luxembourg le principe de l'indexation du RMG est un moyen 				
satisfaisant d'ajustement ■ le seuil du revenu minimum au Luxembourg devrait être				
calculé en fonction d'un budget de référence (en lien avec un panier de consommation)				
	Produi alcooli		aires et bois	sons non
Si, vous êtes tout à fait ou plutôt d'accord avec cette <u>dernière affirmation</u> , que devrait comprendre un tel	Boissons alcoolisées et tabac			
panier de consommation (plusieurs croix possibles) :	□ Articles d'habillement et chaussures			
	Le transport			
	-	ent, eau, é Istibles	lectricité et	
	🗆 Ameul	plement, é	quipement	de

	mánaga at antratian
	ménage et entretien
	\Box Les dépenses au niveau de la santé et
	de l'hygiène
	□ Communications
	\Box Loisirs, spectacles et culture
	Enseignement
	Hôtels, cafés, restaurants
	Autres dépenses
3. Efficacité du système de revenu minimum en 2014	
Selon vous, le système protège suffisamment contre le risque de pauvreté.	🗆 Oui
	□ Non
Pouvez-vous en quelques lignes argumenter votre choix	
précédant ?	
Si vous pensez que le système actuel n'est pas efficace	
pour lutter contre la pauvreté, pourriez-vous indiquer	
quelques éléments pour améliorer la situation ?	

4. Inclusion active	
Selon vous est-ce que le système actuel du RMG va dans le sens d'une politique d'inclusion active par rapport à	🗆 Oui
<u>l'emploi</u> ?	🗆 Non
	Il permet d'avoir un emploi et de
Si oui, pourquoi ?	bénéficier simultanément d'une
	allocation complémentaire
	Il incite les bénéficiaires à trouver une
	activité, ceux-ci perçoivent une
	indemnité d'insertion du FNS et sont mêmes immunisés partiellement
	(30%)
	(3070)
	Il permet une réelle intégration sur le
	marché de l'emploi
	🗆 II est un trene lie vere Kenenleine un
	Il est un tremplin vers l'emploi pour les personnes les plus vulnérables
	les personnes les plus vullerables
	🗆 Autre(s), précisez :
	🗆 II s'agit juste d'un système d'aide
	mais ne favorise pas l'accès à
Si non, pourquoi ?	l'emploi
	Les personnes sont stigmatisées car
	elles n'ont pas vraiment
	d'employeurs, ni de salaire
	(indemnité d'insertion provenant du
	FNS)
	Il y a trop de personnes qui sont disponsées de mosures d'activation
	dispensées de mesures d'activation
	\Box Les personnes sont mises de fait dans
	des situations précaires même si
	elles ont un poste de travail
	🗌 ll y a un risque de "trappe à

	l'inactivité" avec le système actuel.
	Il y a trop peu de débouchés sur le marché du travail
	N'aide pas les plus jeunes (sauf exception de charges familiales)
	□ Autre(s), précisez :
Quelques idées d'amélioration pour l'accès à l'emploi :	
Dans le cadre de la politique d'inclusion sociale, il est préconisé que les personnes vulnérables puissent bénéficier d'un soutien social approprié grâce à l'accès à	 L'aide et l'accompagnement social (accès facile et accueillant)
des services de qualité. Selon vous, dans le cadre du RMG est-ce que ce principe est appliqué pour :	L'accompagnement pour la recherche d'emploi
(cochez une ou plusieurs services accessibles pour les bénéficiaires du RMG)	L'accès à la formation
	L'aide à la recherche d'un logement
	□ La garde d'enfants
	L'accès aux soins de santé
	□ L'accès aux soins de longue durée

	[☐ L'accès à la culture
		☐ Autre(s), précisez :
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5. Quelques remarques supplémentaires		
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Si vous souhaitez faires quelques remarques s du système de revenu minimum actuellement i	mis en oeuvre a	u Luxembourg, en voici l'opportunité :

MERCI POUR VOTRE PARTICIPATION !

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