Law No. 18-12 on compensation for work accidents

Reference: Law No. 18-12 (Dahir No. 1-14-190 of 29 December 2014)

Practice areas: Accidents and compensation, Employment law

> This is an unofficial explanatory note; only the Arabic text published in the Bulletin officiel is authoritative. Law No. 18-12, applicable since 2015, governs compensation for accidents arising out of or in the course of work, as well as commuting accidents. It makes insurance compulsory for employers and provides for daily allowances, annuities and a conciliation procedure.

Who this law applies to

The law protects employees and apprentices injured in a work or commuting accident, and their dependants in the event of death. It imposes obligations on employers and their insurers, and concerns the doctors and labour inspectors involved in the procedure.

Key rules

- A work accident is an accident suffered by an employee arising out of or in the course of work; accidents on the journey between home and the workplace are also covered, subject to conditions.
- Employers must take out insurance covering their employees' work accidents.
- The injured worker is entitled to coverage of medical care, a daily allowance during temporary incapacity and, in the case of permanent incapacity, compensation based on the rate assessed.
- In the event of death, dependants (spouse, children and in some cases parents) may receive an annuity.
- A conciliation stage is provided before any court action in the event of disagreement on compensation.

Key deadlines and figures

- The injured worker must inform the employer of the accident as soon as possible.
- The employer must report the accident within a short statutory period to the insurer and the competent authorities.

- The permanent disability rate is set on the basis of medical certificates and a medical assessment.
- The annuity may be revised if the victim's condition worsens or improves.

What this means in practice

The injured employee does not have to prove fault on the employer's part: compensation is in principle due once the accident is work-related. It is essential, however, to report the accident promptly, keep the medical certificates and identify witnesses.

For employers, failing to insure or report exposes them to sanctions and may leave them bearing the compensation themselves. A rigorous prevention and reporting policy limits these risks.

Reforms and recent developments

Law No. 18-12 replaced the Dahir of 6 February 1963 on compensation for work accidents. Published at the end of 2014 and applicable from 2015, it notably made insurance compulsory across the board and revised how compensation is calculated and the conciliation procedure.

When to consult a lawyer

An employee or their dependants may seek advice if coverage is refused, the disability rate is disputed or there is disagreement over the annuity. An employer may seek advice on reporting and insurance obligations, or when fault is alleged against it.

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