

What unemployment protection rights are foreign workers entitled to receive?

All foreign workers, whether they are from the European Community or from other countries and who legally reside in Spain, are entitled to receive unemployment benefits under the same conditions as any worker of Spanish nationality.

Jobs performed by non-community foreigners holding cross-border work permits for seasonal activities and jobs for students do not contribute to unemployment. These periods are not taken into consideration for unemployment benefits.

Once the unemployment benefit has been granted, and in the case of foreigners from countries with which Spain has signed a bilateral social security agreement, they may opt to be included in the Voluntary Return Plan, which, among other measures, considers the accumulated payment of their unemployment benefit. Once approved, the worker receives 40% of the benefit entitlement before leaving Spain and the remaining 60% once in the country of origin.

What happens when a worker who is receiving unemployment benefit travels abroad?

- If the aggregate total number of days spent abroad does not exceed 15 calendar days each year, the worker will continue to receive their unemployment benefit. It is advisable to notify the State Employment Service.
- If the length of stay, uninterrupted or total number of days, is from 16 to 90 calendar days in any calendar year, the employment benefit will be suspended, provided this absence has been communicated to and approved by the State Employment Service.
- If the worker relocates abroad in order to seek or perform a job, or as the result of international cooperation or professional development, for an uninterrupted period of less than twelve months, the unemployment benefit will be suspended, provided this absence has been communicated to and approved by the State Employment Service. For longer periods, the benefit will expire.

Unemployment benefits

Unemployment protection: Moving abroad. Foreign workers

For further information:

State Public Employment Service

www.sepe.es

901 11 99 99

(Provincial telephone numbers also available)



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Trabajamos para ti



If you leave the country for more than 90 days

You must notify the SEPE of the date and reason for the trip, wherefore payment of the benefit will be suspended, and it may be resumed upon your return if you can show that you left the country to search for or perform a job, for professional improvement or for international cooperation.

REQUIREMENTS FOR RESUMPTION

- You must not have remained abroad for longer than 12 months.
- You must register as a job seeker and apply for resumption of your benefits within 15 business days of your return.
- You must prove the reason for travelling abroad:

TO SEARCH FOR A JOB

You must provide documentary evidence that you searched for employment, including a certificate that you registered with the employment services in the country in question.

DUE TO BEING TRANSFERRED TO A FOREIGN COUNTRY

You must submit form U1 or E-301, if applicable, completed by the responsible body of the EU/EEA country or Switzerland or a certificate issued by a the corresponding area or provincial offices of a Government Delegation or Sub-Delegation if you have worked in a country other than those specified above.

FOR PROFESSIONAL IMPROVEMENT OR INTERNATIONAL COOPERATION

You must provide a certificate from an official education centre or a certificate from the international cooperation organisation with which you have collaborated.

CAN I CONTINUE TO RECEIVE THE BENEFIT IN AN EU/EEA COUNTRY?

- If you are receiving benefits and have been registered as a job seeker for at least four weeks in Spain and you move to seek work in a country in the EU/EEA or in Switzerland, you can export this benefit for three months, extendible by an additional three months.

To do so, you must:

- * Request authorisation to travel.
- * Request document U2. You will be provided with an informative sheet containing questions of interest about your period of residence in another country.
- * Register as a job seeker in another member state within seven days of the date when you cease to be at the disposal of the Spanish Public Employment Services.

- Payment of the benefit will continue to be made according to the same system as during your residence in Spain.

- If you are a national of a country outside the EU/EEA or Switzerland, you can export the benefit to be able to seek work in these countries (except for Denmark, Switzerland, Iceland, Norway and Liechtenstein), as long as you provide evidence that you are able to register with their employment services and that you will be able to work legally in the country where you intend to move, through the corresponding residency or work permit.

- Nationals of third countries outside the EU/EEA and Switzerland who meet the conditions can export unemployment benefits to the United Kingdom, in application of Regulation (EC) No 859/2003, which permits the benefit to be exported for a three-month period, which may not be extended

WORK PERFORMED WITHIN THE EU/EEA

WORK PERFORMED ABROAD

- To access unemployment protection, the contributions made in other EU/EEA member states, Switzerland and Australia will be taken into account, in addition to the contributions made in Spain.

- To certify such periods, you must submit form U1 or E-301. You can ask for this form before you return to Spain, or obtain it from your local State Employment Service in Spain.

The duration of your right to receive the benefit recognised in Spain will be reduced by the number of days you may have received the benefit in another EEA country.

WORK PERFORMED IN SPAIN

- You will be able to make use of the periods that you contributed to Spanish Social Security in order to collect unemployment benefits in another EU/EEA state or in Switzerland.

- Periods during which you have made contributions are accredited by way of document U1/E301, which is issued by the State Public Employment Service in Spain at the request of the interested party or is requested by the responsible body in the country where the citizen applied for the unemployment benefit.

- If you are a national of a country outside the EU/EEA or Switzerland, you make use of the contributions made in these countries (with the exception of Denmark, Iceland, Norway and Liechtenstein) to receive unemployment benefit.

Documents required to carry out procedures with the SEPE

FOREIGN RESIDENTS IN SPAIN

COMMUNITY/EEA:

- European Citizenship certificate with indication of the NIE (identification number for Spain) and the identification document in its country of origin or, otherwise, Passport number

NON-COMMUNITY

- Foreigner Resident Identity Card (Spanish initials, TIE) and passport.

Moreover, if you are a foreigner from a non-community country, you must present a valid residency and/or work permit to register as a job seeker.

The law allows renewal of work permits for foreigners who receive the contributory benefit, the unemployment benefit or the active insertion subsidy for the duration of the benefit.