

EUROPEAN COMMISSION

Employment, Social Affairs and Equal Opportunities DG

Social protection and social integration

Free movement of workers and co-ordination of social security schemes

Basic rules

In an era of high unemployment rates, the Community provisions on unemployment insurance become particularly important. Compared with the provisions for other categories of benefit, they are relatively restrictive and less generous. You are therefore strongly advised to read the following explanations very carefully; they could help you to avoid problems and safeguard against losing your entitlement to unemployment benefits.

Conditions imposed - Aggregation: if you become unemployed, the institution of the country in which you claim unemployment benefit is obliged to take account of periods of insurance or employment completed under the legislation of any other Member State, if this is necessary for entitlement to unemployment benefit in the state where you submit your claim.

Important

In contrast to other benefits, this applies only if you completed such periods under the legislation of the country in which the benefits are claimed immediately before becoming unemployed. In other words, it is not possible to claim unemployment benefit in a country where you were not insured immediately before you became unemployed, except in the case of frontier workers, to whom special rules apply.

If you are insured in the country where you reside (because you work there), you are entitled to unemployment benefits according to its legislation under the same conditions as the nationals of this state.

If members of your family reside in another Member State, and the amount of your unemployment benefit increases according to the number of members of your family, they will be taken into account as if they were residing in the country which pays your benefit.

If the calculation of your unemployment benefit is based on the amount of your previous wage or salary, only wages or salaries which you received in the state where you were most recently employed are taken into account (provided you were employed there for at least four weeks; otherwise, the calculation will be based on the normal wage or salary corresponding to the particular job in question).

Persons looking for work in another country

It might happen that you want to look for work in a different country from the one in which you were last employed. The question then is whether, under which conditions, and for how long you will retain the right to unemployment benefits.

Unlike other benefits (old-age, invalidity, survivor's pensions, for example), unemployment benefits are not paid regardless of the country in which you reside or stay. They are paid only whilst you are looking for work in another state and under restrictive conditions and for a limited period of time:

* You must have remained available to the unemployment services of the state which pays your unemployment benefit for at least four weeks after becoming unemployed. This period can be shortened, however, by the unemployment service concerned.

The underlying idea is that you should first exhaust all possibilities of finding a new job there before extending your search for employment to other countries.

Within seven days after departing, you have to register with the unemployment services of the country in which you are looking for work.

You have to comply with the control procedures organised by the unemployment services of that country.

You will then retain your unemployment benefit for a maximum period of three months.

If you are not able to find a new job within this period, you will continue to receive unemployment benefits in the country where you were last employed only if you return before the end of the three-month period. If you return later than this, without the explicit permission of the employment services of that country, you will lose all entitlement to benefits.

You are entitled to the three-month payment only once between two periods of employment.

Important

Many unemployed persons lose their entitlement to benefits because of unfamiliarity with the conditions set out above. They leave the country where they were last employed without having registered with its employment services, they register too late with the employment services of the state where they are looking for work, or they return after the expiry of the three-month period.

You should, therefore, contact the employment services of the state which pays your unemployment benefit before leaving the country. This institution will provide you with form E 303 which you must present to the services of the country where you are looking for work in order to get your benefit paid within a reasonable time.

For more information:

http://europa.eu.int/comm/employment_social/emplweb/publications/publication_de.cfm?id=25

Yours sincerely,

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