



Erasmus+

**The Fight Against Unemployment Across Europe:
On The Path Towards the 2020 Goal**

LABOR LEGISLATION & LABOR RIGHTS

Germany - Greece - Italy - Poland - Spain - Turkey

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DEFINITION OF LABOUR LEGISLATION

By labour legislation we mean that group of laws and rules which aim to regulate labour activities, either the rights of the employee and employer, as well as their obligations. The labour legislation is a branch of law arises in the twentieth century after years of protests and claims of the working-class demanding better working conditions, stability and safety. Labour legislation is extremely important and it is recommended that workers know it, so as to claim their fair share and also to know what their obligations for who employs them are.

DESCRIPTION OF THE LABOR LEGISLATION OF EACH COUNTRY

GERMANY

Basic labour rights and duties (including legal working age):

The Basic Law guarantees freedom of association as well as free choice of occupation and prohibition of forced labour. It also establishes the principle of equal treatment and in particular obliges the state to support the effective realization of gender equality.

The General Equal Treatment Act prohibits adverse treatment of employees on the grounds of race or ethnic origin, sex, religion or ideology, disability, age or sexual orientation. Hence, job advertisements may list only criteria that are necessary for the position in question. Local and foreign workers must be treated equally. However, non-EU residents require a residence permit to be employed.

There are different categories of employee, white collar workers and blue collar workers. With a few exceptions, the employment laws cover all categories of employee.

At the age of thirteen years old, it is legal to work with parental permission and only easy work such as doing the paper round. At fifteen years old: part-time work with less than 8 hours per day and maximum 40 hours per week. No work on weekends, at night time, in statutory holidays, or in an imperilling environment. Further restrictions for work break. At eighteen, job is unrestricted.

Contract types and employer responsibilities; termination of contracts:

There are different types of contract:

- Permanent employment: The classic employment is a permanent employment relationship.
- Fixed-term contracts: Temporary job which expires at the end of an agreed period in the employment contract. The maximum length of a fixed-term

contract is two years. Within this two-year period, it is possible to renew the contract.

- **Part-time contract:** Workers are employed part-time when their regular weekly working time is less than the comparable full-time workers. Its duration is of more than six months.

In each type of contract, the employees must abide by the contract, and the company is liable for the employee. The worker cannot simply be fired because it is protected by The Protection Against Dismissal Act.

Salaries and wages payable:

The minimum wage is 1.473,00 €/month.

Salaries in Germany are among the highest in the world. Most jobs for graduates start from 30,000 €/year before deductions for tax and social security, which can be more than 50% of your gross salary.

A payment shall be deemed tacitly agreed if the service is under the circumstances subject to payment. Also, if the amount of compensation is not determined as well as in the existence of a tax, there is the tax compensation, which displays the usual remuneration as agreed in the absence of taxes.

Labour hours:

Working hours are based on the European regulation 93/104/EG, which is eight hours per day (48 hours per week).

In Germany, businesses and shops are not legally allowed to stay open as long as they please; the German Shop Closing Law controls opening hours. Even though Saturday is a normal working day, Sundays and national holidays aren't working days.

Labour representation (e.g. Trade unions):

In Germany, the most important role in workers' representation belongs to Works Councils, having in mind that trade unions do not have formal bodies in a company.

However it is important to add that the members of the union have a key role in the Councils. German employees have the right to choose a Works Council, when it is a private company with 5 employees, and in this procedure, the employer is not involved in any way.

In Germany, the employer and the Council work together with the business under the applicable collective agreements. Thus, the representative has to control the tasks and the safety in the company. E.g.: one task of the works council is the representation of employees against the employer.

Number of employees	Number of members of the Works Council
5 to 20	1
21 to 50	3
51 to 100	5
101 to 200	7
201 to 400	9
401 to 700	11
701 to 1000	13
1000 to 1500	15
1500 +	From 1,500 to 5,000 employees, the number of the Council members is increased by 2 members for each 500 employees.

Unemployment benefits and period:

There are two types of unemployment benefit:

- Unemployment Benefit 1 (Arbeitslosengeld I): full employment benefit paid as a percentage of previous earnings. If the claimant has no children, they'll receive the 60% of their previous net earnings. If caring for children fewer than 18, this rises to 67%. This benefit is payable for 90 to 360 days, depending on the age and the length of previously insured employment. A full year's unemployment

benefit is received if the person has worked for two calendar years or more (18 months for those aged over 55).

- Unemployment Benefit 2 (Arbeitslosengeld II): a subsistence allowance. This allowance is lower than ordinary unemployment benefit and is payable when the claimant cannot receive full benefit or their period of benefit has come to an end, but they are still fit to work and registered as unemployed.

Requirements to receive unemployment benefit:

Whether or not a person can claim for Arbeitslosengeld II will depend on savings, spouse's earnings and life insurance. A set amount is paid for those requiring social assistance (about €350 per month). Claimants must attend training courses, and be ready to step into any job offered them by the Arbeitsamt, even a very low paid one.

Duties when someone is unemployed:

You must register at your local employment office to receive unemployment benefits.

You are required to report voluntarily any change in your personal situation to the labour office, in case the change may impact your entitlement to benefits (e.g. if you start to receive a pension or have found a job).

Special benefits (e.g. Long-term unemployment):

Long-term unemployed people receive both tax-financed and means-tested basic income or social security contribution-financed unemployment benefits.

A specific feature of the German Hartz IV basic income system is that recipients have to be able to work at least three hours per day. In the same year, 3.123 million were receiving the long-term basic income for at least 21 months in the last 2 years. Therefore, the policy relevant group are not just long-term unemployed but the larger group of long-term basic income recipients. Note that there is still a basic income system for disabled people who are not able to work not even three hours per day.

Public and private employment agencies:

Public: The Federal Employment Agency (BA) is the largest self-governing public body service provider in the German labour market.

Private: In the German case it is important to distinguish three types of private employment agencies:

- Private recruitment agencies: not very commonly used in the job searching process in Germany. Private recruitment agencies mostly deal with executive search and artist placement.
- Subsidized placement service: The public employment agency in Germany subsidizes private job placement services into job contracts subject to social insurance contributions as a measure of employment promotion and activation of unemployed people.
- Temporary work agencies: The share of employees in temporary agency work out of all employees in working contracts subject to social insurance contributions is smaller than 3%.

GREECE

Basic labour rights and duties (including legal working age):

Work is a right and shall be placed under the protection of the State. Also, Greek men and Greek women have equal rights and obligations. Despite, employers discriminate by age and gender. Ads will often request that men be aged 35 and under with Greek military obligations completed, while women are requested to be 30 and under with no children. This is illegal but unfortunately common.

Employment terms and conditions are regulated by Collective Labour Agreements (“CLAs”), for instance: Greek employment law distinguishes between white-collar employees and blue-collar employees.

Within two months after employment a contract is signed between the employee and the employer which includes the obligations and the salary that the employee will receive.

Every month the employer must give the employee a payment receipt note (certificate of salary). Otherwise there are administrative penalties such as a fine.

Greek people have the right to vacation leave. During the leave, which is only counted during working days (Sundays, holidays and days of illness are not included), the worker gets paid normally which is calculated respectively with the working time. In addition, dismissal is forbidden during one's leave and during maternity leave.

From the age of 18 and above someone is considered an adult and therefore, can work. Nevertheless, someone can work at the age of 16 as long as there is parental consent and consent of the employer, who is responsible for issuing book health for minors. Working people receive retirement in the 67th year, or 62 with 40 years of work.

Contract types and employer responsibilities; termination of contracts:

There are different types of contract:

- Full-time employment: A full-time employment occurs when a service's contract that covers full hours is agreed. Those hours of work are determined either from conventions is determined by law.
- Part-time employment: A part-time employment is agreed for either fixed time or indefinite as it does not cover the same amount of time as the full time employment.
- Fixed-term / indefinite employment contract: Services contract can be agreed for:
 - Fixed time as it lasts a definite period of time.
 - Indefinite time (has mainly to do with the completion of a specific work)
- Freelance work: It exists only when the person who provides this work undertakes its processing without being subjected to any kind of supervision by his employer. The main attribute of this kind of work is the freedom to the place and the time of providing that work.

Salaries and wages payable:

The lowest general confines of salaries and wages that a worker must receive are specified by the National General Work Contract.

The legal gross minimum wage is 586.08€/month. Although, it is legal for an employer to offer employees aged 18-25 a gross monthly salary of 510.95€ for full-time work. One in three work contracts are part-time, so many workers earn as little as 200-300 €.

Greece operates on a 14-payment system. An annual salary is divided into 14 equal payments to be given monthly, then a payment at Christmas and a half payment at Easter and another half in summer.

Workers over 25	Employees	Workers under 25	Employees
Without experience:	586,08 € / month	Without experience:	510,95 € / month
With 3-year experience:	644,69 € / month	With 3-year experience:	562, 05 € / month

Labour hours:

The working hours are 40 hours per week working for the private sector.

In general, the length of a typical working week in Greece is 8 hours per day of work, 5 days a week. However that may be true, part-time work is increasing, due to the current economic situation in Greece and increasing numbers of companies are reducing working hours for their employees.

Shops are allowed to open on Sundays, but only shops in tourist areas have begun to take advantage of this legislation.

Labour representation (e.g. Trade unions):

Works councils and trade unions may exist at the same time within a business. Furthermore, the operation of works councils does not prejudice in any way the objectives, means and rights of trade unions. Generally speaking, the law recognizes a

primary role for trade unions compared to works councils, this is why, in practice, works councils are not very common in Greece.

There are three forms of trade unions:

1. The Semi-professional union trade: in which they gather employees with **same or similar profession** regardless the business in which they are working. For example the building trade of accountants.
2. Industrial organizations: Industrial organizations are gathering employees who are working in an **industry of economical operation** regardless the business in which they are working to. For example the workers industry in paper and publications, and the workers of textile industry.
3. Industrial Unions: Industrial Unions which are gathering the employees in a **business** regardless the work they are doing. Trade Unions like these are the society of workers of National Bank.

Number of employees	Number of protected members of the Trade Union Executive Committee
Up to 200	7
201-1000	9
1001 +	1

Unemployment benefits and period:

The benefit is being paid, monthly, but it is being calculated in a daily benefit that equals 55% of the basic wage of an unskilled worker. The duration of the subsidy depends on how many days of work an insured person has completed in a particular time period (14 months/12 months), from the day that someone is registered as unemployed.

The basic allowance is paid for 25 days that amounts to 360.00 €/month.

- Unemployment benefit: this benefit is granted to employees over 16 years with unemployment insurance, who were dismissed or whose employment contracts expired, who do not work for more than three days a week or twelve days a month,

are registered with an employment office and are both willing and capable of working. The basic unemployment benefit rate is 359,97 €/month.

- Seasonal aid: certain professional activities cannot be exercised throughout the year. For employees coming under the professional categories that are "seasonal" in nature, a special seasonal aid has been established and is paid in the period during which they cannot exercise their professional activity. The amount depends on the social and professional class of the beneficiary.

Duties when someone is unemployed:

The only duties an unemployed person has in Greece, is to go to OAED once a month and, of course, not to work illegally.

- He can also participate in educational seminars such as:
 - a) Free educational programs from E-Learning of National and Kapodistrian University of Athens.
 - b) Free intensive program strengthening the abilities of the unemployed people.
 - c) Free seminars for agricultural products.
- Moreover, he can submit an application for some new jobs at the Hot Spots that have been recently made in the whole Greece.

Special benefits (e.g. Long-term unemployment):

In Greece, free medical and hospital care is being provided to all Greek citizens who stay legally and permanently in the country, who are uninsured and financially weak, and to whose annual family income is less than 6.000 €. Though, when someone gets an unemployment benefit, he does not pay for his pension.

Public and private employment agencies:

Public:

The OAED, also known as Manpower Agency of Greece, is a public organization that handles vocational training, job search assistance, labour development, unemployment benefits.

Private:

The biggest private entity in Greece, despite there are many others, is the Human Resources Solution, whose main goal as a private recruitment agency is to offer the best custom solutions to your business's needs and demands and to help people searching for a job in Greece, making the most of the wide range of business and technical knowledge that our office provides.

ITALY

Basic labour rights and duties (including legal working age):

In Italy, the employee must sign an agreement to respect their superiors. He is entitled to remuneration, the liberty to go on strike, the right to enter in a trade union and also, the employee has 32 hours off each year for personal reasons in addition to the regular vacations (26 days for the trade services or 22 days for the industrial sector).

The Italian Constitution provides for the concept of equality of all citizens before the law without difference of sex, race, language, religion and political views, personal and social position. This is a fundamental concept of the Italian legal system.

The law of the Italian Constitution which defines the minimum age to work establishes that the age of the worker must be over the years of compulsory schooling, where the country's schooling compulsory until the age of fifteen.

If the employee is a minor, the employer and legal law, the child should be subjected to a medical test to determine who is physically and psychologically ability to carry out the work which has been or will be contracted.

Contract types and employer responsibilities; termination of contracts:

Italy employment contract is considered permanent as long as the type of contract is not due to seasonal jobs, replacement of workers, illness, marriage or accumulation of specific work. And the collective agreements are responsible for justifying the creation of temporary jobs.

Temporary jobs that become permanent successes as a series of repeated violations would be illegal, the hiring of new workers before ten days of its end of the contract (if it was less than six months) or twenty days before (if these is more than six months). The prolongation of the temporary works requires a financial reward that is 20%, ten days after the end of the contract and 40% and the right to the requirement for a permanent contract if it lasts twenty days. A temporary contract can also be ended prematurely for "just cause."

There are different types of contract according to the needs of the employer or the employee experience as are: apprenticeship contracts, solidarity, temporary, part-time training, domestic work, construction of Watchman, agency or temporary work contracts for directors.

Completion of the work contract

- Civil code allows interrupt an employment contract in the event of accident, illness or maternity (two and three months respectively before and after birth). The notification shall be communicated to the employer Social Security. Normally the employer must pay two thirds of the worker in this period but you can expect to pay in full.
- For an indefinite contract according to the Civil Code, the employer may not dismiss an employee if not for a cause with the timely notification or "just cause" without notice.
- A termination of the contract without reason can only become itself in case of trial periods, domestic workers and workers age of retiring.
- Other terminations of contract are zero when the cause of this is due to the public, belonging to the union on grounds of sex, race, language, religion or dismissal of women pregnant women (considered as not null 12 months baby) or

by marriage. If it happens completion of a work contract for the reasons mentioned above, the employer is obliged to re-engage and pay a quantity greater than five months' salary for damages. In turn, the employee has the right to refuse and request an amount of money equivalent to the salary of fifteen months for damages. In the event that the company has fewer than fifteen employees or the workplace was in charitable, political or trade union, dismissed the person is not entitled to his job but receives compensation between 2.5 and 6 times salary. The collective dismissal special procedures are regulated by the EU.

- Worker may also cancel their contract as long as he respect the notification period. This condition is essential to comply if not paid salaries, contributions to Social Security, vacation or reduction of salary for a job below the existing.

Salaries and wages payable:

The Italian government, unlike most EU countries (e.g. Spain) not imposed a minimum wage per month, but private companies and public sectors create general agreements on the establishment and agreement on the amount of money that each worker must earn per hour.

Labour hours:

The maximum duration of the working day shall be a maximum of 40 hours a week. If these exceed the maximum 40 hours a week is considered an extraordinary job at all times should be occasional exceptions included in the contract or the worker. Once these are done overtime may not exceed 48 hours per week or 11 hours per day, which will require specific authorization from the Inspectorate.

All overtime must be paid (approximately 30% of the base rate), increasing this compensation if overtime is performed on Sundays, holidays or at night.

The hours may vary moreover if the contract is part-time, or if the employee is a student, who is not obliged to work overtime and has the right not to attend work on the day of examination.

Labour representation (e.g. Trade unions):

In the country Italian bodies of collective representation are all workers unions. These unions that are formed can be related to the public sector took place in a private company.

The unions supported the Workers' Statute which by law, each worker can freely choose the representative (employee responsible for convening meetings and referendums workers permission to trade union activities, fixing posters or have a meeting room) the union concerned. Unlike businesses, the public sector is regulated by the collective agreements (each change the collective agreement, the representatives' change) and their representatives possess the only right that is to be consulted in case of major decisions for public companies or sectors.

The RSU (the maximum union of workers union) accord the number of the representatives that a company have to have following this rule: the companies between 16 and 200 there are 3 representatives, between 201 and 500 there are 6 members. After that number of employees there has to be 3 extra members every 300 employees until the 3000 workers. If there are more than 3.000 workers, every 500 employees have to be 3 more members.

Unemployment benefits and period:

People who involuntarily lose his job have some sort of compensation. Offsets most important are (each one has different situations to solve unemployment):

- Aspi: a special subsidy for those workers who remain unemployed after working at least 13 weeks and therefore other subsidies not long enough contributions to receive any benefit.
- Naspi: to apply for this benefit, the worker must have contributed for at least 13 weeks of work the last 4 years or 18 days in the last year. It is a benefit that is paid monthly, with a maximum amount of € 1,300 to a maximum of 18 months.
- Nuovo Asdi: when the aid Naspi (lasting 18 months) ends and the worker has not yet found a job, you must called Asdi claim benefit, for a period of six months and will be equal to 75% of the subsidy before.

- Dis-Coll: INPS benefit subscribers of at least three months of contributions from 1 January the previous year. This provision the duration of three months.

In addition to all these subsidies, Italy has a special card of unemployment. It consists of an amount of money given by the state every two months during a year where the financial compensation varies depending on the worker members in the household (family of two members, the amount will be 231 euros for families 3 members, 281 euros for families of four members, 331 euros for families of five or more members, the monthly € 404).

Duties when someone is unemployed:

Worker who remains unemployed after a certain time job as a first step in this change of status (active person working for an active person unemployed) is the registration of unemployed in the local centre (*Centre for Impiego*) that the worker will be required to accept any job offered to them and also handles the type to grant the subsidy stopped. If the worker has not ever worked in the country or has refused a job opportunity, the subsidy will be rejected and annulled.

Special benefits (e.g. Long-term unemployment):

All those who have lost their jobs the compensation is valid for 24 months. After these if you have not found a job can still be helped by *Sida*, others six months.

- Ordinary Benefit: to qualify for ordinary benefit, the employee must have worked for at least a year and contributed for at least the previous two years. Benefit is available for a maximum of 180 days (six months) and is paid from the eighth day after termination of work, provided that an application is made within the first seven days. Benefit is calculated at 30 per cent of the employee average earnings during the previous three months.
- Reduced Benefit: if the employee has worked for at least 78 days in the previous year (including public holidays) but less than a year in total, or have made two years' voluntary contributions, you qualify for reduced benefit. Benefit is calculated at 30 per cent of your average net earnings during the previous three

months, but the entire amount received, which is paid as a lump sum, cannot exceed €932.82.

- Special Allowance: a special allowance is awarded to employees who have been made redundant in the agriculture and construction industries, and is currently a maximum of around €20 per day.
- CIG: in addition to unemployment benefits, Italy has a state fund for employees in industry whose companies put them on temporary redundancy through no fault of their own (e.g. market crisis, natural disaster, etc.), called Cassa Integrazione Guadagni (CIG), which is designed to 'integrate' employees' earnings until work is resumed.

Public and private employment agencies:

Employment agencies are authorized and operated by the Ministry of Labour and Social Policy (*Ministero del Lavoro e della Previdenza Sociale*).

Moreover, there are local employment centres (CILO) in the biggest towns or information centres for the unemployed (*centro informazione disoccupati*) where give information about how someone can find a job.

Also young people can find a temporary or a part-time job at local information centres (*informagiovani*).

POLAND

Basic labour rights and duties (including legal working age):

Workers have the right to work under the conditions in the contract (never less than the law legally) the right to holidays and also receive wage established each month also recorded in the contract. And the right to health, safety and equality of race.

All employees must take responsibility and awareness of the work in running a business and acceptation orders from any superior, given that such orders or working conditions do not comply with the law legal workers.

Therefore, the employee is obliged to comply with the work schedule and according to their job within the company, to respect and follow the rules of safety, hygiene and health and in the case of a fire or the lack of one aspect above the obligation to communicate the news to a superior. In workplaces where necessary the confidentiality of the information, the employee must respect this rule (the failure of which could lead to serious consequences such as the cancellation of the contract) and social conviviality.

In Poland the minimum age to start working is 16 years old, but with the minimum age workers can't hold with all works only the light one. It's at the age of 18 that the type of work is unrestricted.

Contract types and employer responsibilities; termination of contracts:

Poland has different types of contracts, all regulated by the Polish Labour Code. All contracts were signed regulated by this Code, employees are entitled to vacation and permits maternity and child care, in addition to receiving compensation in case of termination of the contract (for the unemployed six months after the dismissal). All contracts require the specification of the type of contract, duration, wages, hours of work.

- Contract for a trial period (not exceeding three months).
- Contract for a fixed period (for a fixed term).
- Contract for an indefinite period.
- Contract for performing a specific task (just when the job is complete).
- Contract substitution (the duration depends on the period of justified absence of the worker replaced).

Salaries and wages payable:

In Polish state should be governed by the same rules for men and women, regardless of the sex of the employee. Therefore, the salary is based on the work performed by each

worker individually according to the established minimum wage interprofesional, € 434 per month.

The amount of money established in the contract a worker refers and is governed by the type of work done and the qualification is needed, in addition to the quality and quantity of work.

Labour hours:

Polish Constitution established by law certain days off of work and holidays with pay year. But in all establishments and companies are forced to make a record of the hours of work of each employee.

The normal working day is 40 hours of work weekly (by law is prohibit exceed 48 hours per week) and 8 hours per day a week of five working days. 8 hours per day is reduced when the employee or holidays fall on a Sunday.

The breaks and working hours conform to the hours the employee works.

Labour representation (e.g. Trade unions):

Workplace representation in Poland is primarily through the workplace trade union organisations. However, the relatively low level of union membership in Poland means that the majority of employees are in workplaces where there is no union presence.

Unions are democratic organizations, led by the workers themselves in the workplace through their chosen leaders. The main task is a representation of worker's interests, negotiating with the employer the amount of wages and working conditions. There's a right to set up works councils in all companies and organisations with economic activities (50 or more employees) except for the state-owned companies with workers councils.

The numbers of members are:

Number of employers	Number of members
50 - 250	3
251 - 500	5
More than 500	7

Some trade union representatives, who are members of the executive committee of their local union organisation, have protection against dismissal and a unilateral worsening of their pay and conditions during their period of office and for a maximum of a year afterwards. A representative trade union is a union that has at least 10% of the employees as members, or 7% if the local union organisation belongs to one of the three nationally representative unions (Solidarność, OPZZ and FZZ). If no unions meet these requirements, the representative union in the workplace is the union with most members among the employees.

Fewer than 21 members	2 representatives
21 – 50 members	2 plus 1 per each 10 members
51– 150 members	2 plus 1 per each 20 members
151– 300 members	2 plus 1 per each 30 members
301 – 500 members	2 plus 1 per each 40 members
500 plus members	2 plus 1 per each 50 members

Unemployment benefits and period:

The workers who are unemployed receive 652.60 PLN in the coming months it has the right to the benefit.

The benefits recipients can receive the benefit: 6 months (if the unemployed live in the county, and the rate of unemployment does not exceed 150% of the average unemployment rate in the country), 12 months (if the unemployed live in the county, and the unemployment rate does not exceed 150% of the average unemployment rate country) or the person is older than 50 years will be a period of benefit awards of up to

20 years or the family that has a child under age 15 and the other combines are also unemployed.

Duties when someone is unemployed:

The employee who is unemployed must perform all these points as a duty of the unemployed in her country:

- Inform the local employment office to take the offer of a suitable job.
- Accept the offer of suitable employment or other form of aid proposed by the employment office (e.g. Training).
- Participate in training and taking the qualifying examination or test official.
- Carry out medical examinations or psychological abilities to acquire working person.

Special benefits (e.g. Long-term unemployment):

Unemployed persons can receive means-tested unemployment insurance for 12 months. Lone parents can receive it indefinitely.

The period for receiving benefits and the prologue for a woman who gives birth is shortened when it begins to work in intervention works, public works and training of adults at the time the benefit was granted.

Public and private employment agencies:

Public agencies:

- Employment placement agencies in the territory of Poland.
- Bodies personal advice.
- Advisory bodies temporary employment agencies (agencies must be certified as an official record within the main subject of employment agencies).

Private agencies:

Employment exchange that provides placement in terms of employment, including job placement abroad for foreign employers, consulting employment, personal counselling and temporary jobs.

SPAIN

Basic labour rights and duties (including legal working age):

According to the statute of workers, Spaniards have the right to work and to free choice of profession and trade. Also, they have the right to collective negotiation and the right to strike.

Moreover, in Spain they have the right to not to be discriminated whether directly or indirectly to access to work or once employed, for reasons of sex, marital status, age (limits set by law), racial or ethnic origin, social condemnation, religion or belief, political views, sexual orientation, membership or non-membership in a trade union, as well as for language. Neither could be discriminated by disability, provided that they were in terms of flair to perform the work in question. Besides, they have the right to physical integrity and proper health and safety policy and the right to the respect of their privacy and the consideration of their dignity.

Those under 16 are not admitted into the work world and workers under 18 may not carry out night work or activities that might be a threat both for their health and for their professional and human training. It is forbidden overtime work under 18.

Contract types and employer responsibilities; termination of contracts:

In Spain, there are 4 types of contracts:

1. Part-time contract: the worker serves a certain number of hours a day, a week, a month or a year, which must be less than full-time basis. It can be indefinite or temporary.

2. Contract formation: There are two types:
 - Contract in practice: is providing remunerated employment which facilitates the worker an appropriate practice to their education level. It cannot be less than 6 months nor exceed 2 years.
 - Contract for training: the worker acquires theoretical and practical training necessary for the job. The minimum duration of the contract is 1 year and maximum of 3 years.
3. Indefinite contract: is the provision of a paid work indefinitely. If the contract period is over a year, the party (employee or employer) wishing to extinguish, shall notify the other party.
4. Contract relay: replacement of that worker accessing partial retirement. The contract will be for an indefinite period or for as long as the worker replaced remains in the company.

Salaries and wages payable:

The salary may not be less than the established minimum wage (€764). The salary is established from base salary and then some salary supplements: the type of work, conditions, or others, which must be agreed between employer and employee.

Wage credits corresponding for the last 30 days of work until 1513,4€ (twice the minimum wage), will have preference over any other credit while objects made by workers are in possession of the employer.

Labour hours:

The maximum duration of the normal workday shall be 40 hours per week of effective work on average in annual calculation. Through collective bargaining agreement or, in case of missing that, by agreement between the company and workers' representatives, could be set an irregular distribution of the working days throughout the year. This

distribution must respect, in all cases, the minimum periods of daily and weekly rest established in Law.

The worker shall have right to adapt the duration and distribution of workdays to make effective their right to reconciliation of personal, family and work.

Labour representation (e.g. Trade unions):

Trade Unions in Spain are recognized as “the organization which defends the interests of the workers in a company between 6 and 50 workers”. A Trade Union provides work representation through:

- Delegates in companies that employ up to 49 employees, or
- Through Works Councils (*Jurados de empresa*) in companies with more than 50 employees.
- Also, in larger companies there are special trade union representatives. All employees of a company have the right to participate in collective representative bodies.

The members will be a president and a secretary, which duration of its charges are of four years.

Number of employees	Number of representatives must be
11 to 30	1
31 to 49	3
50 to 100	5
101 to 250	9
251 to 500	13
501 to 750	17
751 to 1000	21
1000 +	2 workers per hundred up to a maximum of 75

Unemployment benefits and period:

There are two types:

- Contributory: The main allowance paid to the unemployed. In order to receive a contributory benefit an employee must have contributed at least 360 days in the last 6 years, be registered with the employment authorities as available for work but unemployed. As a rule the benefit is paid for 1/3 of the period that the unemployed person has contributed. The benefit is paid as a minimum of 4 months and a maximum of 24 months.

Minimum and maximum:

- Person with no children: 497,01 to 1087,21 €/month
- Person with 1 child: 664,75 to 1242,52 €/month
- Person with 2 or more children: 664,75 to 1397,81 €/month

(Income tax and contributions are deducted from the subsidy).

- Non-contributory: is a non-contributory benefit targeted at those who no longer qualify for the contributory benefits due to duration of unemployment or lack of contributions and is means-dependent.

Also, if applicable, there is a retirement pension for contribution in the Social Security during certain years of insured work. The duration and the amount depends on the type of subsidy.

The benefit amount is calculated on the basis of the last 180 days salary. The monthly amount of unemployment benefit is equal to 80% of the Public Indicator of Multiple Effect Income (IPREM) (must be in force in every moment). In case of loss of a part-time job, this amount will be paid in proportion to the hours worked previously in the last contract.

Duties when someone is unemployed:

In Spain, it is obligation of the worker to provide the documentation and the information necessary for the recognition, suspension, resumption or termination of the right to

subsidies and go to the Public Employment Service or the associated entity of integrated services for employment, in the date and place indicated. Afterwards, he/she also has to go back to the Public Employment Service or the others within five days to cover the provided offers of job. Also, the unemployed has the duty to sign an agreement of activity, find a job actively and participate in actions to improve the employability determined by the employment services. Besides, the unemployed has to renew the demand for employment and the dates indicated in the jobseeker card. Last but not least, the unemployed has to accept the job offered by the Public Employment Service and take part in social collaboration work, employment programs, vocational training, except for justified cause.

Special benefits (e.g. Long-term unemployment):

In 2014 was made available a new benefit of up to €426 a month to unemployed families who have exhausted all other forms of income. The benefit can be claimed for six months. In order to be eligible, claimants must have been unemployed for more than a year, have dependents, and must have exhausted all other possible benefits. Recipients must agree to work with public officials to design a personalized job plan to help them find work.

Public and private employment agencies:

Public entities:

An entity is an organization, institution or company, usually of a public nature. An entity is public when it is owned by the state either fully or partially. To explain it differently, it manages public money for local or regional services.

In this case, you can find work through entrance exams.

Private entities:

There are private temporary employment agencies (ETT). These companies are responsible for set available to other company workers to perform temporary work.

When a company needs to fill jobs for a given time runs to an ETT, responsible for the right people to work and make contracts that also will be in charge. Thus, there is a relationship between the ETT, the company and the worker.

The ETT contracts workers and later it cedes them to companies that request it. These companies need versatile workers, with great capacity to adapt and immediate availability.

TURKEY

Basic labour rights and duties (including legal working age):

The Constitution of Turkey allows the right of workers to form unions and take part in one; however, Turkish unions do face certain restrictions. Also, there isn't allowed discrimination based on language, race, sex, political opinion, philosophical belief, religion and sex or similar reasons.

Health and safety is a the area's most important to work in a company that is why all employers are obliged to take all necessary measures to occupational hazards which may be less. However, employees are also required to obey all the rules that the employer has established (and if necessary training must meet). A worker has the right to ask the Board's work a series of measures to be taken to make safer workplace. The board is obliged to acquire this responsibility if there ends, the employee may leave work without respecting the notification days.

The employer also has an obligation to take a medical examination for all new employees completed contract.

In case of supervision by senior management in a company employees have an obligation not to hide information to the company or make false accusations; however, employers are forbidden to force employees to distort any event successful.

Turkish labour law says that the minimum age is at 13 years old, but with that age employees only work for a part-time, without hard physical labour and they had to go to school. After the age of 15, the employees can work as a full-time period. Despite of the law there are lot of illegal children working in rural areas because of the poverty.

Contract types and employer responsibilities; termination of contracts:

Turkey legislates the working conditions by the Labour Law and Trade Union Law, but in the case of the types of employment contracts is the law that legislates labor.

There are several types of employment contracts:

- The works contracts temporary (for a certain period of time) or permanent (forever).
- The contracts of a fixed term or indeterminate.
- The full or part-time contracts (depending on the time of the contract).
- The contracts jobs (once the work contract ends).
- The contract for a trial period (in the case of this country the trial has a specific contract).
- The group contracts.

Every law prohibits discrimination, whether based on sex, race, religion or creed.

Termination of contract:

Turkish Labour Law determines the possible termination of an employment contract for both the employer and the employee, always regarding the deadlines for notification are adequate in relation to the months worked:

LENGTH OF SERVICE	LENGTH OF NOTICE PERIOD
Between 0 and 6 month	2 weeks
between 6 and 18 months	4 weeks
Between 18 and 36 months	6 weeks
from 36 months	8 weeks

If one of the parties does not comply with the notification period shall be paid adequate compensation to the other party equal to the salary of the reporting period because the contract can extinguish laboral and give itself over.

There exceptions where the contract of employment terminated before completion or before the legal notice periods in the case of malicious behaviour, health reasons or force majeure.

Salaries and wages payable:

The Act stipulates that the Turkish legal minimum wage is € 424, 26 a month.

The Turkish legal rule indicates that each salary should be taken on by employees appropriate, if not the case, once the last twenty days of the date of payment, even if workers have claimed to have the right not to appear to work. This act of protest and stated in the Constitution can't be the reason for a dismissal by the employer, also must pay the salaries of its employees with a commission.

Labour hours:

Labour law establishes a maximum 45 hours weekly working hours. These hours, in principle, should be evenly distributed during the workweek. But the employer may distribute working hours as he wants, always respecting the law legal.

The general rule dictates that all hours worked by an employee exceeding 45 hours per week are considered overtime is paid with these rising 50% of a normal working hour is compensated or half an hour of free time for every extra hour worked. This rule also applies in the case of working a holiday or weekend. But the number of overtime may not exceed 270 hours per year.

Labour representation (e.g. Trade unions):

In the private sector in Turkey, employees can be represented in the following ways:

- Health and safety representatives.
- Health and safety committees.
- Trade unions.
- Collective bargaining agreements.
- Committees on annual leave issues.

Trade unions:

Trade unions are organised on an industrial sector basis and the number of representative trade unions for each sector varies from three to 13. To establish a trade union, there is no need to obtain permission from public institutions and seven or more employees together can establish a trade union.

- The labour unions (workers groups that monitor the welfare and best performance of employees within a company).
- Anatolia union of science and education services (Union of Turkey belongs to Asia that oversees education and science in the state).
- Union trade trees.
- PRESS Union (syndicate belonging to the company and journalists).
- The combination of banking and insurance workers (banking union).
- Independent union trade of textile workers (union factories and textile companies).
- Union railway (union train the country).
- Union leather working (syndicate covering all leather workers).
- Union trade of the education (union that oversees the education of all inhabitants of the country).

Unemployment benefits and period:

For receive the unemployment salary, a Turkish worker must have paid contributions in the last 120 days of employment and have at least 600 days of paid contributions in the three years before unemployment.

The minimum daily benefit is 40% of average daily earnings in the last four months, up to 80% of the gross legal monthly minimum wage. The benefit is paid for 180 days to an insured worker with at least 600 days of contributions; for 240 days with at least 900 days of contributions; and 300 days with at least 1,080 days of contributions.

A worker may receive unemployment benefits at the same time as sickness and maternity benefits.

- Those who have paid premiums for 600 days receive benefit for 180 days.
- Those who have paid premiums for 900 days receive benefit for 240 days.
- Those who have paid premiums for more than 1,080 days receive benefit for 300 days.

Duties when someone is unemployed:

Once the person is unemployed must request the Iskur (with the ability to apply it to the nearest point or internet www.iskur.gov.tr).

Iskur (Turkish Employment Agency) is the public authority associated with Ministry of Labour and Social Security of Turkey in charge to create providing the service of job and employee agency effectively; enabling, maintaining, developing, diversifying the employment and providing a temporal income support to people who have lost their jobs via implementation of active labour market policies aimed at enhancing the employability of workforce.

Special benefits (e.g. Long-term unemployment):

Turkey only gives unemployment benefits, unemployment insurance and help finding a job. Only pregnant women are eligible to receive 2/3 of their average daily earnings for 8 weeks preceding and following childbirth.

Public and private employment agencies:

In Turkey the most common employment agencies are private, one of the most common one is AZKAN.

Beside that there are also public outplacement agencies such as: Job: Search Consultancies, Personnel Management Consultancies, Employment Advertising Agencies and Computerized Job Database Agencies.

COMPARISON

	Basic labour rights and duties (including legal working age):
SPAIN	<ul style="list-style-type: none"> • Right to work, to free choice of their profession and trade, and the right to strike. • Right to not to be discriminated for reasons of sex, marital status, age, racial or ethnic origin, religion or belief, sexual orientation, disability... • Those under 16 can't be hired while those under 18 can, as long as it doesn't threat their health or professional and human training.
GERMANY	<ul style="list-style-type: none"> • Guarantees freedom of association, free choice of occupation and prohibition of forced labour. Non-EU residents require a residence permit to be employed and there are different categories of employee (white collar and blue collar). • It is prohibited an adverse treatment to employers for reasons of race or ethnic origin, sex, religion or ideology, disability, age, sexual orientation... It also establishes the principle of equal treatment and in particular obliges the state to support the effective realization of gender equality. • When 13 years old it is legal to work with parental permission (only easy work), at 15 just part-time work (less than 8 hours per day), and at 18, job is unrestricted.
GREECE	<ul style="list-style-type: none"> • Work is a right and shall be placed under the protection of the State. Also, Greek people have the right to vacation leave. • Although Greek men and Greek women have equal rights and obligations, frequently, employers discriminate by age and gender.

	<ul style="list-style-type: none"> • From the age of 18 and above you can work legally. Nevertheless, someone can work at the age of 16 as long as there is parental consent.
POLAND	<ul style="list-style-type: none"> • Polish workers have the right to work under the conditions of the contract, the right of vacation, and to receive a salary every month. • They have the right to be treated equality in terms of gender and race. • The minimum age to start working is 16 years old, but with the minimum age, workers can only hold a light work. At 18 the type of work is unrestricted.
ITALY	<ul style="list-style-type: none"> • The employer has the right to go on strike, to enter to a trade union, and to have 32 hours off each year for personal reasons in addition to the regular vacations. • The Constitution entitles the equality of all citizens before the law without difference of sex, race, language, religion... • The minimum age to work in Italy should be above compulsory schooling, up to 15. In case the employee is a minor, it shall be subjected to medical tests to determine that he/she is physically and psychologically able to carry out the job.
TURKEY	<ul style="list-style-type: none"> • The Constitution of Turkey affirms the right of workers to form unions and take part in one; however, Turkish unions do face certain restrictions. • No discrimination based on language, race, sex, political opinion, belief, religion and sex or similar reasons. • The minimum age is at 13 years old, but only part-time work (they have to go to school). After 15, they can work a full-time period.

When it comes to basic labour rights, we find that all countries have the right to work, to associate in trade unions and to strike. Also, we can see that all countries but Greece, which discriminates between men and women although it is not legal, have the right to receive an equal treatment in terms of gender, race, religion belief, disability... Just like that, we see that the countries where it is legal to work at the earlier age are Germany and Turkey, at 13 years old, followed by Italy at 15, and the rest at 16.

	Contract types and employer responsibilities; termination of contracts:
SPAIN	Types of contract: part-time contract, contract formation, indefinite contract and contract relay.
GERMANY	Types of contract: permanent employment, fixed-term contract, part-time contract.
GREECE	Types of contract: full-time employment, part-time employment, fixed-term / indefinite employment contract and freelance work.
POLAND	Types of contract: contract for a trial period, for a fixed period, for an indefinite period, for performing a specific task, contract substitution.
ITALY	Types of contract: apprenticeship contracts, solidarity, temporary, part-time training, domestic work, construction of Watchman, agency or temporary work contracts for directors.
TURKEY	Types of contract: temporary or permanent contract, fixed or indeterminate term, full or part-time contract, contracts jobs, for a trial period or a group contract.

We observe that all of the countries have part-time, indefinite and fixed-term contracts, although there are some countries that have specific contracts for the different cases of worker, for instance a training contract.

	Salaries and wages payable:
SPAIN	The salary may not be less than the established minimum wage (€764). Wage credits corresponding for the last 30 days of work until 1513,4€ (twice the minimum wage), will have preference over any other credit.
GERMANY	The minimum wage is 1.473,00 €/month. Salaries in Germany are among the highest in the world. Most jobs for graduates start from 30,000 €/year before deductions for tax and social security, which can be more than 50% of your gross salary.
GREECE	The legal gross minimum wage is 586.08€/month. Although, it is legal for an employer to offer employees aged 18-25 a gross monthly salary of 510.95€ for full-time work.
POLAND	The salary is based on the work performed by each worker individually according to the established minimum wage inter professional 434€ per month, taking into account the quality and quantity of work.
ITALY	The Italian government doesn't impose a minimum wage per month but private companies and public sectors to create general agreements on the establishment and agreement on the amount of money that each worker must earn per hour.
TURKEY	The Turkish legal minimum wage is 424, 26€ a month (Gross wages: 1647TL Net wages: 1300TL).

While Poland has the lowest minimum wage, Italy does not even have a minimum established. Poland it is followed by Greece and Turkey with minimum salaries around the €500, and Spain with €700. Germany is the country with the highest minimum wage. In spite of that, the Greek average monthly wage is €780, more than the minimum they have. This way, although Spain has a higher minimum wage, Spanish workers do earn just the minimum, which is less than what Greeks earn.

	Labour hours:
SPAIN	40 hours per week (distributed by an agreement between employee and employer)
GERMANY	48 hours per week (8 hours every day per 6 days a week)
GREECE	40 hours per week (8 hours every day per 5 days a week)
POLAND	40 hours per week (8 hours every day per 5 days a week)
ITALY	40 hours per week (distributed by an agreement between employee and employer)
TURKEY	45 hours per week (distributed by an agreement between employee and employer)

All of the countries have a maximum of 40 hours of work, 8 hours five days, while in Turkey it is 45 hours, 9 hours five days, and Germany 48 hours, since the sixth day of the week it is considered a labour day.

	Labour representation (e.g. trade unions):
SPAIN	<p>Trade unions provide work representation through delegates in companies that employ up to 49 employees, or through Works Councils in companies with more than 50 employees.</p> <p>Also, in larger companies there are special trade union representatives. All employees of a company have the right to participate in collective representative bodies.</p>
GERMANY	<p>In Germany, the most important role in workers' representation belongs to Works Councils, having in mind that trade unions do not have formal bodies in a company. However it is important to add that the members of the union have a key role in the Councils.</p>

GREECE	Work councils are not very common in Greece, but there are three forms of trade unions: 1. For employees with same or similar profession. 2. For employees who are working in an industry of economical operation. 3. For employees in a business regardless the work they are doing.
POLAND	Poland has a low level of union membership, but the legislation provides the establishment of works councils in companies with more than 50 employees.
ITALY	In the country Italian bodies of collective representation are all workers unions. A union requires 3 representatives for each 200 members.
TURKEY	Trade unions are organized on an industrial sector basis and the number of representative trade unions for each sector varies from three to 13.

All countries have trade unions and work councils, distinguished by the number of members, and depending on the country this two systems of worker representation have more or less importance.

	Unemployment benefit and period:
SPAIN	The unemployment worker benefit depends on the salary earn and months worked before being unemployed.
GERMANY	The unemployment worker benefit depends on the salary earn and months worked before being unemployed. Also, it depends on the family situation (with or without children).
GREECE	The unemployment worker benefit depends on the salary earn and months worked before being unemployed.
POLAND	The unemployment worker benefit length is depending on the family situation and the region where he/she lives.

ITALY	There are different compensations when someone lost his job: Aspi, NASPI, Nuovo asdi, Dis-coll. All of them are different depending of the contribution in the previous years or months.
TURKEY	A Turkish worker must have paid contributions in the last 120 days of employment and have at least 600 days of paid contributions in the three years before unemployment. The unemployment benefit is given depending on the hours and days contributed before the unemployment.

All countries have access to receive a subsidy and the quantity and duration of it varies depending on the contributed days before being unemployed.

	Duties when someone is unemployed:
SPAIN	Provide the documentation and the information necessary for the recognition, suspension, resumption or termination to receive the subsidy, and go to the Public Employment Service in the date and place indicated.
GERMANY	You must register at your local employment office to receive unemployment benefits.
GREECE	Go to OAED once a month and not to work illegally. They can also participate in educational seminars.
POLAND	Inform the local employment office to take the offer of a suitable job and accept the offer of suitable employment or other form of aid proposed by the employment office (e.g. Training).
ITALY	Register in the local centre (<i>Centre for Impiego</i>) where the worker will be required to accept any job offer and also handles the type to grant the subsidy.
TURKEY	The unemployed must request the Iskur: public authority associated with

	Ministry of Labour and Social Security of Turkey in charge to create providing the service of job and employee agency effectively.
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All unemployed have the duty of register at the labour office of each country, try to find a job and accept all proposals of work that he/she gets.

	Special benefits (e.g. long-term unemployment):
SPAIN	The unemployed person can receive insurance for people who have exhausted all other forms of income.
GERMANY	The unemployed person has different special benefits depending on his situation (disable persons, long-term unemployed...)
GREECE	The unemployed person has free medical insurance.
POLAND	The unemployed person can receive insurance for an indefinite period if the family situation requires it.
ITALY	The unemployed person has different special benefits depending on family situation and months worked before being unemployed.
TURKEY	The unemployed person hasn't any special benefit apart from the unemployment benefit.

While the Spanish, German, Polish and Italian unemployed can receive another subsidy once finished the period of the unemployment subsidy, either for personal or economic reasons, Greece only covers health service of Greeks while unemployed, and those unemployed in Turkey can't access to any extra financial aid.

	Public and private employment agencies:
SPAIN	<p><u>Public</u>: it manages public money for local or regional services. In this case, you can find work through entrance exams. (INEM)</p> <p><u>Private</u>: responsible for setting available workers to other companies to perform temporary work. (ETT)</p>
GERMANY	<p><u>Public</u>: the Federal Employment Agency (BA) is the largest self-governing public body service provider in the German labour market.</p> <p><u>Private</u>: three types of private employment agencies:</p> <ol style="list-style-type: none"> 1. Private recruitment agencies: deal with executive search and artist placement. 2. Subsidized placement service: subsidies private job placement services into job contracts as a measure of employment promotion and activation of unemployed people. 3. Temporary work agencies: The share of employees in temporary agency work.
GREECE	<p><u>Public</u>: the OAED handles vocational training, job search assistance, labour development, unemployment benefits...</p> <p><u>Private</u>: the Human Resources Solution offers the best custom solutions to your business's needs and demands to help people searching for a job in Greece.</p>
POLAND	<p>Public: there are lots of public agencies that provide jobs for unemployment people.</p> <p>Private: private agencies offer the job for unemployment people, temporary job, formation...</p>
ITALY	<p><u>Public</u>: The Italian Job Centre (<i>Sezione Circostrizionale per l'Impiego Collocamento in Agricola/SCICA</i>) in Italy. This is the most efficient method for finding a job.</p>

	<u>Private:</u> There are two main kinds of recruitment agency in Italy, temporary agencies and executive search companies.
TURKEY	<u>Public:</u> outplacement agencies. <u>Private:</u> the most important is AZKAN.

We see that all countries are organized in public and private entities when it comes to finding a job.

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