



Erasmus+

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

**Case Study: Rights of the Unemployed Persons in Europe
Proposals for a Common European Legislation on Unemployment**

Germany - Greece - Italy - Poland - Spain - Turkey

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Europe 2020 First Target: Fighting Unemployment

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Imagine the following case:

You are a man, a worker from an EU country (yours). You are 35 years old. You have an appropriate training in basic vocational training. You have a work experience of 15 years in metallurgical companies, you reached a first official job category (worker at the basic level in engineering). You were in a multinational company in the last 10 years and now you're unemployed.

How are the benefits you are entitled calculated?	
SPAIN	Calculated depending on the months and salary earned before unemployment.
GERMANY	Calculated depending on the months worked before unemployment and family situation (with or without children).
GREECE	Calculated depending on the people that worker supports.
POLAND	Calculated on the base of the days worked before unemployment, but the benefit is fixed for all workers.
ITALY	Calculated depending on the salary earned before unemployment.

TURKEY	Calculated depending on the salary earned before unemployment.
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We observe that the amount of subsidy that you can get depends on how much time you have been unemployed, if you already received a subsidy before, the time you worked before being unemployed, if you had worked in the same company during a certain period, and the monthly salary you used to earn.

For how long are you entitled to unemployment benefits?	
SPAIN	It is proportional to the days worked but for 24 months at most.
GERMANY	During 24 months at most.
GREECE	Depends on the number of days of employment the insured person has covered.
POLAND	6 months.
ITALY	If you have worked for at least one year, the benefit is attainable for a maximum of 6 months.
TURKEY	Proportional to the days worked. 1080 days working = 300 days with benefit.

In Greece, Italy and Turkey the duration of the subsidy is proportional to the days worked previously, while in Germany, Spain and Poland they have a restricted period

During the unemployed period do you have the same health rights as if you were active?	
SPAIN	Yes. The unemployed people have health insurance if they are

	registered in the unemployment agency.
GERMANY	Yes. The unemployed people have health insurance provided by the labor agency.
GREECE	Yes. The unemployed people have free health care depending on their economic situation.
POLAND	Yes. The unemployed people have the health insurance provided by the company for 30 days after being unemployed. After these days, they have health insurance provided by the labor agency.
ITALY	Yes. The unemployed people don't have to pay the tax for the health care.
TURKEY	No. The unemployed people have health insurance for 6 months after being unemployed.

All countries have free health service even during unemployment, with the exception of Turkey that only offers free health service until a maximum of six months.

	While collecting unemployment benefits are you paying for your retirement?
SPAIN	Yes. The money covers the provision, it contributes to the person's pension.
GERMANY	Yes. The employment agency pays contributions for your retirement.
GREECE	No. When someone gets an unemployment benefit, he does not pay for his pension.
POLAND	Yes. 3-month period of receiving unemployment benefit will be counted as contribution period.

ITALY	You can choose to collect or not money for your retirement.
TURKEY	No. The pension is only paid while working.

While Spain, Germany and Poland still contribute to their retirement even being unemployed, Greece and Turkey do not. In Italy the worker has the option to pay or not.

CONCLUSIONS

Once we analysed the labour laws of the different Erasmus + countries and having compared them in these pages, we could see the strengths and weaknesses of each country regarding unemployed workers.

If we had to choose one country among the participants for having the best legislation when it comes to protecting the unemployed population, we would choose Spain because even though it still needs to improve some points, the laws it already has are good enough, while others have better laws at some points, but very worse laws at other points.

Next, we propose a common labour law to all the countries of the European Union, based on the best aspects of the laws of the countries studied.

First, we choose a law where the freedom to work regardless of gender, race, religion, age, disability, sexual orientation, political beliefs, marital status... is considered important and essential because we believe it is the basis for a fair and equal treatment for all the employees. It is also important the freedom of association in trade unions and workers' councils, and to participate in strikes, in order to take part actively in changes that may affect workers directly or indirectly and consequently improve the conditions of workers. For this reason, the best option might be all countries except Greece because despite not being legal, currently there is still discrimination with regard to gender.

With regard to the age at which you can access the labour market, we believe that the ideal age is after finishing the compulsory education: at 16 years old, as Spain and Poland do.

Since each country has a different quality of life, the workers minimum wage should be proportional to the economic level of each country as the price of products on the market is higher or lower depending on the country.

Also, we consider that wages must be conditioned by the type of contract, the type of work performed, and level of studies required. Then, with respect to the types of contracts, the best option would be one which fits the individual needs of each employee, in order to carry out the work and personal life at the same time, that is,

existence of several types of contract where you can choose between full-time, part-time, practice... So it is obvious that working hours should depend on the type of contract, but never exceeding 40 hours a week spread over five working days, as in Spain, Poland, Greece and Italy.

If you get unemployed, the State has to give you a subsidy that allows you to keep your property and basic needs (such as food and a residence) while you don't find work. Therefore, we believe that any country of the studied fits these characteristics, since all of them have by law a temporary subsidy proportional to the days worked previously, which might not be enough to cover these needs. However, this subsidy should be temporary as long as, when it runs out, you can access a special subsidy and in this way you can cover all your expenses. In case these factors are accomplished without injustices (for instance, to take advantage of these subsidies because you do not want to work), we propose that any person who is receiving a benefit has the duty to seek work through organizations either public and private, without rejecting any project proposal submitted to him/her. In Europe, Spain, Poland, Germany and Italy already have these duties for unemployed citizens.

Regarding health care, we consider it another basic need, hence, our legislation would include medical care regardless of the labour activity of the person, as it is done in Spain, Poland, Germany, Greece and Italy. As health care is critical, to have a pension for the future is it likewise. Thus, we believe that even while you are unemployed, you still should contribute for when you're retired, because even then you must have the previously mentioned basic needs.

Finally, the conclusion of all the work is that all countries have some points very favourable for the unemployed population, and others where unemployed are not even considered. Thus, although Spain and Greece are currently in an unfavourable economic situation, their legislation protects well enough the unemployed, despite there are areas to be improved. Likewise, we used to think that Germany was the best country because it is well positioned financially; however, the rights contained in its legislation could favour better the unemployed. We have also seen that Poland and Italy have really favourable aspects for the unemployed, but there are basic rights which are not given much importance for the unemployed. Lastly, Turkey has been the country with most differences at work, maybe due to the culture or the influence of Asian states.

Having analysed and thought about these points, we can say that after completing this work, we have seen the pros and cons of each law and how these can be supplemented to reach a common legislation and improve the social situation in the European Union.