

UNEMPLOYMENT BENEFITS FOR SELF-EMPLOYED

Written by VP

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Since August 2010, self-employed people (known in Spain as “autonomos”) can perceive unemployment benefits. The protection system gives access to unemployment benefits for a maximum period of 12 months and 70% of the base. Law 32/2010, of August 5, did justice to one of the oldest demands for self-employed : to collect unemployment. Finally established and a couple of years after its adoption continues to generate some questions that we will try to solve.

The first thing to consider is that it is not a mandatory system or at least not for all self-employed. The Instruction of October 28, 2010 Treasury Social Security makes this point and states that " the new protection is mandatory for all self-employed workers who are covered by professional contingencies protection " . The other self-employed workers could choose to February 2011 if they make the unemployment contributions, although this is an option that is offered to all new self-employed.

Extra unemployment contributions. Obviously , the provision for cessation of activity have rigged a series of costs for the self-employed, which should increase their Social Security contributions if they want to take advantage of this coverage. In particular, the contribution to support the self-employed unemployment is 2.2 % of the contribution base of the self-employment system, which for practical purposes and for the minimum base represents an extra 18.7 Euros a month.

How much you can get? The amount of unemployment benefit for self employed is 70% of the base salary for which contributions have been made in the twelve months prior to becoming unemployed with a ceiling of 175 % Public Income Indicator with Multiple Effects (IPREM) except for the self-employed with one or more dependent children, in which case the percentage rises to 200 % and 225 % respectively. Similarly, the amount of the benefit can not be less than 80 % of IPREM and 107% for those with dependent children. The current minimum would be at 583.38 Euros per month and the maximum in 1383.9 Euros depending on the contributions that have been made.

For how long can an ” autonomo ” get unemployment benefits? Time is directly linked to the time they are listed as self employed and their age (the system is more benevolent to those who are closer to retirement) . In any case, only periods of contribution within the 36 months prior to

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closure can be taken into account.

Now we go through the **requirements** to be met in order to effectively collect the benefits. Perhaps the most important requirement is that the cessation of the activity can't be voluntary, as happens with employed persons, meaning that the self-employed is forced to have to quit the business.. However, before checking that point see the general requirements

- Being affiliated and legally registered as self-employed person.
- Having covered a minimum of twelve month of unemployment contributions.

-Finding you in a legal situation of activity cessation and sign the activity agreement with the Unemployment Office to commit to actively seek work.

-Not having reached retirement age,

-Be up to date in the payment of Social Security contributions.

And the most important, as noted earlier, is simply to define what is considered legal situation of activity cessation, which in the end of the day will be what the self-employed people should prove to collect unemployment benefits. **These are the cases:**

-For the occurrence of economic, technical, productive and organizational determinants that do not allow to continue the economic or professional activity. These include a full year losses in excess of 30 % of revenue or 20% for two consecutive years, judicial executions for debt collection behave, at least 40 % of the revenue or judicial declaration of bankruptcy.

-Force majeure, determining temporary or permanent cessation of economic or professional activity.-For administrative license loss, provided that it is a condition for the exercise of economic or professional activity and not motivated by contractual breaches come or for the commission of offenses, administrative offenses and indictable offenses.-By gender

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violence.-For divorce or marital separation agreement, provided by the court case.
As you can see, it seems that to collect unemployment benefits could not be an easy task.

For further details do not hesitate in contact VP ADVISERS