Social security: unemployed persons

1996/0004(COD) - 10/01/1996 - Legislative proposal

- OBJECTIVE: to amend Regulations (EEC) Nos 1408/71 and 574/72 on social security schemes for employed and self-employed persons and members of their families moving within the Community with a view to ensuring that such persons will retain their entitlement to unemployment benefits beyond the prescribed three-month period when they are in a Member State other than the country where they last worked. The new provisions are designed to enable unemployed persons to seek work in another Member State without forfeiting their rights. - SUBSTANCE: the proposal for a Regulation in question permits unemployed persons, subject to certain conditions, to retain their entitlement to unemployment benefits when they seek work in a Member State other than the country in which they were last employed. This change will serve to: . improve the prospects for unemployed persons to find a job in another Member State, . meet the needs of unemployed persons who have to move to a new place of residence when their spouse changes jobs or wish to return to a Member State with which they have formed or retained special bonds. However, to limit abuses, the Regulation lays down specific provisions on administrative checks on unemployed persons and the amount and duration of benefits. - It is proposed that checks will be carried out by the institution of the Member State in which an unemployed person is seeking work, in accordance with the law of that State and in cooperation with the institutions responsible for payment of the benefits concerned; - It is likewise proposed that benefits will be paid by the State in which an unemployed person is seeking a job, on behalf of the State where he or she last worked. However, entitlement to unemployment benefits will not extend beyond the initial three months unless the total period in which the benefits are paid and the amount of benefit fall below the corresponding limits stipulated in the legislation of the Member State where the unemployed person is seeking a job or the State responsible for payment. It follows that persons will be entitled only to the lower amount specified in the legislation of the two Member States concerned, which will be payable for the shorter period. It is proposed that frontier workers should be given the option of applying to the employment services either in the State where they have worked or in the State on whose territory they live. They will accordingly be entitled to the unemployment benefits provided for in the legislation of the State in which they have reported to the employment services. An exception (ten-year transitional period) is to be granted to Luxembourg in order to allow for the specific nature of that country's labour market and its numerous frontier workers.