

Employment Update

Exceptional unemployment benefit regulated by Article 33 of Royal Decree Law 11/2020

4th May 2020

Resolution of 1st May 2020, of the State Employment Service, which establishes the procedure for processing applications for the exceptional unemployment benefit regulated in Article 33 of Royal Decree Law 11/2020, of 31st March, which adopts urgent complementary measures in the social and economic field to deal with COVID-19

In the Official State Gazette of 4th May 2020, the Resolution dated 1st of the same month and year, from the State Employment Service (SEPE) was published, establishing the procedure for the processing of applications for the exceptional unemployment benefit regulated in Article 33 of Royal Decree Law 11/2020, of 31st March, which adopts urgent complementary measures in the social and economic field to deal with COVID-19 (the "**SEPE Resolution**").

In order to make the resolution easier to understand, it is worth recalling what the exceptional unemployment benefit is under Article 33 of Royal Decree Law 11/2020 of 31st March, adopting additional urgent measures in the social and economic field to deal with COVID-19 ("*RDL 11/2020*").

As we indicated in our Employment Update on RDL 11/2020, a subsidy for unemployment is established at the end of temporary contracts in order to put the situation of temporary workers on an equal footing with the position of the rest of the workers who have been included in a furlough scheme. This measure allows access to unemployment for workers who have had their temporary employment contract terminated; without prejudice to the fact that they do not have the required lack of contributions to access unemployment benefits.

The SEPE Resolution lays down the procedure for applying for exceptional unemployment benefit for temporary contracts. Thus the SEPE Resolution deals with the following aspects:

Exceptional unemployment allowance for temporary contracts (Article 33 of RDL 11/2020 and SEPE Resolution of 1st May)		
Beneficiaries and access requirements	Start of the right and duration	Amount and Payment
<p>Beneficiaries: Those workers who have had their temporary / fixed-term contract terminated - including, interim and training - and who do not meet the requirements for access to unemployment benefit or subsidy.</p> <p>Access requirements: The managing body - SEPE- will check whether the working person:</p> <ul style="list-style-type: none"> i.- Is registered as a job seeker - this registration will be done ex officio by the SEPE during the State of Alert. ii.- Does not receive any other benefits (inclusion income, minimum income, social wage, etc.). iii.- Has been involuntarily terminated, as of 15th March 2020, as a salaried worker on a 	<p>Beginning of the right: The right to the exceptional allowance will commence <u>from the day following that on which the fixed-term contract of employment expires</u>. If the period corresponding to the paid annual leave has not been taken before the end of the employment relationship, the right shall start after that period.</p> <p>Duration: The duration of this subsidy will be one month, which can be extended by RDL 11/2020.</p>	<p>Amount: Receipt of a subsidy amounting to 80% of the IPREM (Minimum Wage Index), i.e. 430.27 euros.</p> <p>Payment: The financial aid will be paid by the State Employment Service from the month following the application.</p>



fixed-term contract. <u>The duration of this temporary contract must be two months or more.</u>		
---	--	--

iv.- Is not in full-time employment or self-employment on the date of termination of your contract or the date on which the exceptional benefit arises.		
---	--	--

1.- Application: the application to be completed by workers is regulated. This form/application can be obtained from the SEPE page - link by clicking [here](#)–.

2.- Period: the period for sending or submitting the form will begin on the day following the publication of the SEPE Resolution in the Official State Gazette and will end on the day one month after the date on which the declaration of the state of alert ends - both inclusive.

3.- Very important! Company certificate: The company in which the worker has ceased must send the Company Certificate to the management entity -SEPE- if it has not done so previously. This certificate will be sent through the SEPE's electronic headquarters, called "Certific@2" -link by clicking [here](#)–.

Likewise, the SEPE Resolution complements the regulation initially contained in Article 33 of RDL 11/2020. The following table [shows the complete regulation](#) of this exceptional unemployment benefit for temporary contracts.

The Resolution of 1st May 2020, of the State Employment Service, which establishes the procedure for processing applications for the exceptional unemployment benefit regulated in Article 33 of Royal Decree Law 11/2020, of 31st March, which adopts urgent complementary measures in the social and economic field to deal with COVID-19 can be found [here](#).

For more information please contact:

[Alfredo Aspra](#) | Partner at Andersen
alfredo.aspra@AndersenTaxLegal.es

The above comments are for information purposes only and do not constitute professional opinions or legal advice, nor do they necessarily include the opinions of the authors. If you are interested in obtaining additional information or clarification of the content, please contact us by telephone on + 34 963 527 546/34 917 813 300 or by e-mail at communications@andersentaxlegal.es.