

WHAT YOU NEED TO KNOW WHEN YOU BECOME UNEMPLOYED

Becoming unemployed & Signing on for Unemployment

Unemployment is increasing and many people who are becoming unemployed have no previous experience of unemployment. The rights and entitlements of people who become unemployed may vary depending on whether they were working fulltime or were job-sharing or were on fixed-term contracts.

If you lose your job you should contact your local Social Welfare Office where you can apply for Jobseekers Benefit JB or Jobseekers Allowance JA which are the two unemployment payments available in Ireland. You should do this immediately as any delay in payment could result in loss of payments.

Signing on

Normally you have to "sign on" as unemployed in order to get JB or JA. There are different signing-on arrangements for different people.

People who live more than 6 miles from a social welfare local office may have their payment posted to them. In a number of areas, people sign on monthly at the social welfare local office and collect their weekly payment at the local post office. You are told when, where and how often to sign on and it is very important that you adhere to these arrangements or you may lose payments.

Application Forms

Application forms for Jobseekers Benefit and Jobseekers Allowance are available for the first time to download from the Department of Social and Family Affairs website 'www.welfare.ie', by clicking on the "[Recently Unemployed?](#)" link.

This will mean that people who are making a repeat claim (i.e. renewing a claim that they had initially made within the past two years) can now download and complete the [UP 6 form](#). All other people can download and complete the [UP 1 form](#) before going to their Social Welfare Office

Jobseeker's Benefit JB (formally Unemployment Benefit)

Who qualifies

In order to qualify for JB, you must fulfill all the following conditions:

- 1) Be Resident in the Republic of Ireland
- 2) Be unemployed for at least 3 days out of any consecutive 6 days
- 3) Be aged over 16 * and under 66
- 4) Be available for, capable and genuinely seeking work
- 5) Have enough PRSI contributions
- 6) Have a substantial loss of employment and as a result be unemployed for at least 3 days in 6

**A person aged over 66 is not eligible for Jobseeker's Benefit. In practice, if you are aged under 16 and three-quarters, you will not be eligible either as you could not have sufficient PRSI contributions paid before that age.*

Capable of working, available for and genuinely seeking work

In order to qualify for, and continue to receive JB or JA you be seeking and available to take up full time work. Genuinely Seeking Work Legislation means that you must be willing to accept any reasonable offer of employment, training and/or education.

You are likely to be asked for proof that you are genuinely looking for work, for example, registration with FÁS / Local Employment Service etc. Keep a record of all letters sent to and received from employers, including emails, telephone call, copies of job advertisements and any other evidence of your job hunting.

How many PRSI contributions are required

- Have 104 weeks paid PRSI Contributions paid since starting work
- Have 39 weeks paid or credited PRSI Contributions in the Relevant Tax Year or certain other periods (a min of 13 weeks must be paid contributions)

Or

- Have 104 weeks paid PRSI Contributions paid since starting work
- Have 26 weeks paid PRSI Contributions in the Relevant Tax Year
- Have 26 weeks paid PRSI Contributions in the tax year prior to Relevant Tax Year

The Relevant Tax Year is the tax year two years prior to the year you are making an employed payment e.g. if claiming for unemployment in 2009 the Relevant Tax Year is 2007.

Self-employed people **do not** qualify for Jobseeker's Benefit. However, they may qualify for Jobseeker' Allowance or Supplementary Welfare Allowance.

Redundancy

From 1st February 2007, if you are under 55 and get a redundancy payment of more than €50,000 you will be disqualified from claiming Jobseeker's Benefit for the following length of time:

Amount of Redundancy Payment

Period of Disqualification

€50,000.00 - €55,000	1 Week
€55,000.01 - €60,000	2 Weeks
€60,000.01 - €65,000	3 Weeks
€65,000.01 - €70,000	4 Weeks
€70,000.01 - €75,000	5 Weeks
€75,000.01 - €80,000	6 Weeks
€80,000.01 - €85,000	7 Weeks
€85,000.01 - €90,000	8 Weeks
€90,000.01 and over	9 weeks

Disqualification

You may be disqualified from receiving JB for a maximum of 9 weeks if you:

- Have left work voluntarily and without just cause.
- Lost the job through misconduct.
- Have refused an offer of suitable alternative employment or refused to undergo suitable training with FÁS.
- Are aged under 55 and have received a redundancy payment of more than €50,000. Both the statutory lump sum redundancy other redundancy payment are taken into account.

Dependants - adults and children

Extra amounts of JB are payable for adult and child dependants - known as qualified adults and qualified children. Generally a qualified adult is a spouse or opposite-sex partner but an adult who looks after your children may also qualify.

For the purposes of JB, your spouse or partner is a qualified adult if he/she is wholly or mainly maintained by you and is not receiving a social welfare payment in his/her own right or has an income of less than €100 a week. A reduced allowance for a qualified adult may be paid if the qualified adult is earning less than €300 a week. The qualified child allowances are payable in full if any qualified adult allowance is payable.

A qualified child increase may be payable for a child who lives with you and is maintained by you (up to age 18 and in some cases 22). The child need not be your child.

Credited contributions

There are a number of circumstances in which people are awarded credits. From the point of view of people applying for JB, the most important are pre-entry credits and credits which you may have been granted while getting a social welfare payment.

Pre-entry credits are awarded when you start work for the first time. Their effect is to allow you to qualify for JB as soon as 52 contributions are paid.

Contributions paid in EU/EEA countries

If you worked and paid social insurance contributions in another member state of the EU/EEA, these can be added together with Irish contributions in order to qualify for benefits. If you are applying for JB in Ireland and need the contributions paid in the other EU/EEA country to help meet the conditions, then you must have paid the last PRSI contribution in Ireland.

Foreign nationals

The rules governing entitlement to JB are the same for foreign nationals as for Irish nationals but your precise status could affect the assessment of your availability for work.

EU/EEA nationals

If you are a national of a member state of the EU/EEA and you lose your job, you are eligible for JB in the usual way and you may use contributions paid in another member state to help you qualify. With the exception of some Romanian or Bulgarian nationals you are entitled to remain in Ireland while you are entitled to JB.

In general, Bulgarian and Romanian nationals need work permits in order to work in Ireland. So, they could be considered to be unavailable for work and, therefore, not entitled to JB once their work permit runs out.

(Those who had a work permit for a year prior to 1 January 2007 do not need work permits. Neither do their spouses or their children provided those children were resident in Ireland as dependants before 1 January 2007.)

Non-EU/EEA (third country) nationals

You are not considered to be available for work if you are a non-EU/EEA national (also known as a third country national) whose permission to live in Ireland restricts your right to work or if you are not entitled to remain in Ireland. If you are entitled to work and you lose your job, you may claim JB. If you meet the conditions, JB may be paid to you but only for the time you are legally entitled to live in Ireland. In practice, this

means that third country nationals who do not need work permits (for example, refugees, spouses of EU nationals, certain parents of Irish-born children) may qualify for JB in the normal way and receive it provided their permission to remain in Ireland continues. Third country nationals who need work permits may also claim JB and it may be paid to them until their permission to remain expires - at the end of the period of their work permit.

Out of work because of a strike

If you are on strike you are not regarded as unemployed and are not entitled to JB or JA. If you are out of work as a result of a strike because, for example, you have been laid off, then you are in a different position. You may qualify for JB or JA if you are not participating in or directly interested in the trade dispute which caused the stoppage of work. There is a special Social Welfare Tribunal to adjudicate on disputes as to whether you are unemployed or not.

Receiving other social welfare payments

In general, social welfare rules about overlapping benefits mean that it is not possible to get two social welfare benefits at the same time. There are a number of exceptions.

- You may get JB if you are receiving Blind Pension and, in some cases, Disablement Benefit/Pension under the Occupational Injuries Scheme.
- If you are getting a widow's or widower's pension (either contributory or non-contributory), a One-Parent Family Payment or a deserted wife's payment from the DSFA and you meet all the conditions for JB, then you get JB at half the normal rate. Qualified Child Allowances are not paid with JB in these cases because they are already being paid with the widowed/one-parent family payment.

Out of the State

You may be disqualified from receiving JB if you are not in Ireland. However, this does not apply if you have arranged to transfer your JB to another EU state where you are going to look for work. You are entitled to go abroad for 2 weeks' holidays while retaining your right to JB. You are also entitled to spend time abroad representing Ireland in an international amateur sporting event.

Reduced rate JB

A reduced rate of JB may be payable to unemployed people who were part-time workers. If you had reckonable weekly earnings of less than €150 a week in the governing contribution year, you may get a reduced amount of JB.

The amount varies depending on the amount of earnings. If you are not entitled to the full rate of JB, you may apply for Jobseeker's Allowance (JA) and, if you would be entitled to more money, then you may opt to receive JA instead.

Systematic short-time working

This is the situation where you normally work full time but short-time working is introduced on a temporary basis. If the short time involves a three-day week you may get JB for the other 2 days provided you meet the normal conditions. In this situation, the social welfare week is 5 days. You get two-fifths of the normal amount of JB. There are no rules as to how long short-time working can continue. Theoretically, for social welfare purposes, it can continue indefinitely.

Job-sharing and week-on/off

If you worked full time and then entered a job-sharing arrangement you are not eligible for JB because you have voluntarily opted to work fewer hours or fewer days. If you are recruited into a job-sharing arrangement (and you are available for full-time work) you may get JB for the days on which you are unemployed but this depends on the precise arrangements involved. If you are working week-on/off you are in the same situation as jobsharers unless, of course, you come under the heading of systematic short-time working.

Your entitlement to JB for the week off depends on whether you are available for work on the week off.

Casual work

Generally speaking, you do not get JB for a day on which you do casual work unless it can be brought within the spare time rules. For each day on which you are unemployed, one sixth of the normal rate of JB is payable provided you are unemployed for at least 3 days. (In this situation the social welfare week is 6 days.) So, if you got casual work for 2 days you would get four-sixths of the normal rate of JB for that week - this is different from the systematic short-time work situation.

How long is JB payable

JB is not payable for the first 3 days of any "period of interruption of employment". A period of interruption of employment is any 3 days (not necessarily consecutive) in a period of 6 consecutive days. If two such periods occur within 13 weeks, there is no break in the claim - this means that you do not have to have another 3 days of non-payment.

As a general rule, JB is then payable for 12 months provided you have 260 contributions paid; otherwise the payment lasts for 9 months.

JOBSEEKER'S ALLOWANCE JA (Formally Unemployment Assistance)

If you have exhausted your entitlement to JB or are not entitled to JB because you do not have enough PRSI contributions, you may apply for Jobseeker's Allowance (JA).

In order to qualify, you must:

- Be Resident in the Irish Republic
- Be unemployed for at least 3 days out of any consecutive 6 days
- Be capable of, available for and actively seeking work
- Be aged between 18 and 66 and
- Satisfy a means test
- Satisfy the Habitual Residence Condition

The means test

The means test for JA is strict and complex. Income from almost all sources is taken into account. The main headings under which income is assessed are:

- 1) Cash income
- 2) Value of property- but your own home is not taken into account
- 3) Value of investments and savings
- 4) Benefit & Privilege (the benefit received from living with your parents, if aged under 24)

A Social Welfare Officer may conduct the means test at the social welfare local office or may visit you at home to carry out the means test. You should get an explanation of the means assessment. The rules about signing on are the same as for JB.

Habitual Residence Condition

The Habitual Residence Condition (JA Applicants) is an assessment carried out by the Department of Social and Family Affairs which determines whether an applicant will receive a JA payment. An applicant will usually satisfy the rule if they have been:

- Legally residing in Ireland for 2 years or more
- Have worked in Ireland
- Intend to remain in Ireland

PRSI credits and JA

The general rule about credits is that you are entitled to a credit while receiving JA if you have a paid or credited contribution in the previous two years. This means that if you go on to JA after having exhausted entitlement to JB you would get credits with the JA. If you have been employed for only a very short time you would get credits provided there was not a gap of two years between contributions.

Failure to get JA

If you fail to get JA because you do not pass the means test you should continue to sign on if you are available for work. This is especially important if you are entitled to credits as the credits maintain your entitlement to other benefits.

Amount of JA

The maximum rate is payable to people who have no means.

You may get increases for a qualified adult and dependent children. However, there are special rules where you are receiving JA and your spouse or cohabitee is receiving another social welfare benefit. In such a case, the maximum JA payable is the maximum of the qualified adult payment payable with the other benefit. If both of you are receiving JA then neither gets the maximum personal rate. Instead the personal rate plus the qualified adult rate is divided equally between you.

You will need to bring the following documents and information with you when you apply for Jobseeker's Benefit (JB):

- Your Personal Public Service Number
- Details of any efforts you have made to get work. For example, letters you have written to employers and any responses you have received
- Details of your income
- Details of your spouse/partner's income (if any)
- Details of your dependent children
- Your P.45. This is a form you will receive from your last employer detailing tax/PRSI paid to date in the current tax year. You must either bring it on the date of your claim or (if unable to do so), to bring it in on the next day of attendance.
- Your P.60. This is a form given to you each year by your employer. It details your pay and tax paid for the relevant year. Proof of your identity (see below for more information)
- Proof of address (see below for more information)

If you are not given a P45 when you leave your job you should first ask your employer for it. If the employer does not supply it you should contact your local tax office. Revenue will contact the employer and obtain your P45 for you. If you have started a new job, Revenue will send you a new tax credit certificate so you will not have to pay emergency tax in your new job.

If you have not been given your P45 and you think that your PRSI contributions have not been paid you should inform your local social welfare inspector by contacting your local social welfare office or the Scope section of the Department of Social and Family Affairs

If your employer does not give you a P60 at the end of each year you should contact your local tax office.

Proof of identity

You can prove your identity by showing a Birth Certificate or a current Passport **and** any of the following:

- Driver's licence
- Post Office, bank, building society or credit union book
- Bank card
- Rent book
- Provide your mother's birth surname

The following items are *not* accepted as proof of identity:

- Short version of birth certificate
- Baptismal certificate
- Bills or personal letters
- Photocopies of certificates or documents
- Savings accounts recently opened

A claim cannot be decided until identity has been proven.

Proof of address

When you make a claim for Jobseeker's Benefit, the address given by you is checked against that held on the Departments' Central Records system and you must show the correct current address.

You can prove your address by showing the following documentation:

- Public utility bills, for example, ESB or phone bills
- Rent or mortgage book

If there is doubt about your address, the Jobseeker's Benefit claim is not awarded for payment until your address is verified.

If you are laid off

If you are laid off temporarily, you may or may not get a P45. If you don't have a P45 you must bring a letter from your employer stating the following:

- You have been laid off work without pay
- The last day you worked
- The reason for the lay off
- How long he or she expects you will be laid off

If your days of work are reduced

If your days of work are reduced you must bring a letter from your employer stating the following:

- The number of days you worked each week
- The number of days you now work each week
- The reduction in your pay
- Your days at work have been reduced on a temporary basis

Extra Benefits

If you are getting Jobseeker's Benefit, you may be entitled to:

- [Mortgage Interest Supplement](#) or [Rent Supplement](#) - a payment from the Community Welfare Officer at your local health centre.
- [Smokeless Fuel Allowance](#) - to help low-income households meet the extra cost of using smokeless or low smoke fuels in designated urban areas (payable with Jobseeker's Benefit after 3 months).
- [Back to School Clothing and Footwear Allowance](#) - an allowance designed to help towards the cost of uniforms and footwear for children who are attending school. The scheme is payable between June and September each year.
- [Medical Card](#) - if your income is below certain a level, you may get a medical card. It covers you for free doctor's care, approved prescriptions etc. Contact your Local Health Office for more information.
- [School Book Scheme](#) - each year the Department of Education and Science provides grants to primary, secondary and comprehensive schools towards the cost of school books for students in financial need. You should contact the school principal for more information. The school principal will also advise you whether the school runs a book loan scheme, whereby your children's books are provided for a nominal rental charge each year.

Delays

If there is a delay in getting payment, JB may be awarded pending a final decision. Alternatively, you may apply to the local Community Welfare Officer for Supplementary Welfare Allowance (SWA). When the JB claim is sorted out, arrears are payable. The amount received in SWA is normally deducted from those arrears.

Sick and unemployed

If you become ill while unemployed you are no longer entitled to JB or JA because you are not available for work.

You should apply for Illness Benefit in the normal way.

Pregnant and unemployed

Pregnant women who are unemployed are not entitled to any specific maternity payment. They may continue to receive JB or JA and there are special signing on arrangements for them.

Decisions and appeals

Decisions about social welfare payments are made by Social Welfare Deciding Officers. If you are unhappy with a decision in relation to JB, you may ask that it be reviewed. If you are still unhappy, you may appeal to the independent Social Welfare Appeals Office (www.socialwelfareappeals.ie).