



**HELLENIC REPUBLIC
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SOCIAL SECURITY AND WELFARE
GENERAL SECRETARIAT
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INTERNATIONAL AFFAIRS DIVISION
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Subject: Application of the article 76 (non-accepted parts) of the European Code of Social Security by Greece - 15th biennial report (Period from 1 July 2012 to 30 June 2014)

Dear Sirs,

Please find enclosed the 15th report of Greece on non-accepted parts of the European Code of Social Security.

We are at your disposal for any further co-operation.

Kind regards,

Dr. Artemis Anagnostou-Dedouli
General Director of Social Security

**15TH BIENNIAL REPORT
ON THE APPLICATION OF THE
EUROPEAN CODE OF SOCIAL SECURITY**

(ARTICLE 76)

REPORT

FOR THE PERIOD FROM 1 JULY 2012 TO 30 JUNE 2014

**GREECE HAS NOT ACCEPTED
PARTS IV (UNEMPLOYMENT BENEFIT) AND VII (FAMILY
BENEFITS) OF THE CODE**

GREECE

15TH REPORT

ARTICLE 76

EUROPEAN CODE OF SOCIAL SECURITY ON THE NON-ACCEPTED PARTS (IV,VII) OF THE CODE

I. LEGISLATION

PART IV - UNEMPLOYMENT BENEFIT

The basic legislation concerning the unemployment benefits (part IV of the European Code of Social Security), is as follows:

- the Legislative Decree 2961/1954 (A' 197 - articles 11-38),
- the law 1545/1985 (A' 91-articles 3-8),
- the law 1836/1989 (A' 79 - articles 15-24),
- the law 1892/1990 (A' 101 - article 37)
- the law 3552/2007 (A' 77 - article 5)
- the law 3986/2011 (A' 152- article 39)
- the law 3996/2011 (A' 170 - article 71 and the decision of the council board of OAED
- 3701/55/22.11.11)
- the law 4203/2013 (A' 235 - article 26)

PART VII - FAMILY BENEFITS

Laws and decrees that cover the allowance :

Law 3868/1958 (A' 178), Presidential Decrees 1178/1980 (A' 302), 1346/1983 (A' 46 - article 18), 527/1984 (A' 184), 412/1985 (A' 144), 123/1996 (A' 91), 206/1998 (A' 164) and 154/2004 (A', 115).

II.

1. Field of application

Almost all the salaried persons are covered for unemployment and family benefits.

Statistical data:	September <u>2012</u>	September <u>2013</u>
Employed	3.693.557	3.639.429
Unemployed	1.299.302	1.376.463
Non – active	3.353.035	3.327.859
Unemployment Percentage	26,0%	27,4%

*source: ELSTAT (Hellenic Statistical Authority)

2. Requirements for the entitlement to benefits

PART IV - UNEMPLOYMENT BENEFITS

Article 20

As unemployed is considered the person who after his (her) dismissal or normal termination of the working career, actively asks for and he (she) has been properly insured in the unemployment branch.

Article 23

UNEMPLOYMENT BENEFIT

Employees whose employment contract was terminated by the employer or ended and have been insured for unemployment in OAED (Employment Agency), under certain conditions may receive an unemployment benefit from OAED.

DEADLINE TO SUBMIT AN APPLICATION – BEGINNING OF GRANTING

The application is submitted by the applicant in person within 60 days from the date of the dismissal to the competent place of residence (or alternatively of the place of last employment).

The cases where applications are submitted within the first 7 days after dismissal are subsidized by the 7th day, while those submitted at a later time are subsidized by the date of application.

Prerequisites:

If subsidized for the first time:

- The insured must have completed 80 days of work every year for the past two years, prior to its grant. The last 14 months must have completed 125 days of work, not counting the last two months.

- An unemployment benefit is also granted to insured persons who have completed in the previous two years , before their dismissal, 200 working days (not counting the days of work during the last two months), of which 80 days of work have been completed during the last year.

If subsidized for the second time and so on:

The insured person must have completed 125 working days in the last 14 months before his dismissal, not counting working days of the last two months.

For insured persons who have been employed in tourism and other seasonal occupations, for two consecutive periods (seasons) 100 working days in the last 12 months are sufficient.

From 01.01.2013 the following condition is also applied:

From 1.1.2013, in every case the daily unemployment benefit, within the previous four years from the day of the beginning of the granting of unemployment benefit, cannot be more than four hundred fifty (450) days. If within the previous four years the unemployed person is subsidized for a period of less than four hundred fifty (450) days, he shall be entitled to the unemployment benefit for the rest of the number of days, until the completion of the ceiling of four hundred fifty (450) days.

Also, from 1.1.2014 the daily unemployment benefit within the previous four years cannot be more than four hundred (400).

CONDITIONS FOR BENEFITS PAID TO SEASONALLY EMPLOYED

According to the provision of paragraph 1 of Article 39 of Law 3986/2011 some more restrictive conditions have been applied during the period of receiving of an unemployment benefit and in particular the limit of 450 days of payment of unemployment benefit from 1/1/2013 (400 from 01/01 / 2014) within the four years before the beginning of the subsidy. With the provision of Article 26 of Law 4203/2013 (235 A/1.11.2013) the duration of unemployment subsidies for workers in seasonal businesses has been amended, who because of repeated, each year, grant of unemployment benefit completed faster the 450 days in the last 4 years before the beginning of each grant.

So, now, the following apply for this specific category of workers:

Employees with employment relationship exclusively in seasonal businesses, whose employment relationship ended from 31.8.2013 onwards, are divided in two categories as far as the duration of receiving the unemployment benefit is concerned:

- a) The insured persons, who have completed during the critical for their subsidizing periods (12 months or 14 months) from 100 to 149 days of work – insurance, in a business that operates seasonally, who are necessarily included in the category of those who receive a regular unemployment benefit for a period of 3 months and 5 days (total grant 80 days).

b) The insured persons who have completed during the critical for their subsidizing periods from 150 to 200 days of work –insurance in a business that operates seasonally, have a choice, with irrevocable affirmation of Law.1599/86 submitted to the jurisdiction of the competent OAED office, between subsidies for a regular unemployment duration of 3 months and 5 days, as provided by this provision or under the previous regime.

In contrast, the insured persons who have made more than 201 days of work - insurance are subsidized under the previous regime and are not falling under the previous provisions.

The persons of the above categories (a), that fall under the previous provisions, as well as those of category (b) that choose to be subsidized under this arrangement shall be excluded from the limitation of 450 day of subsidy for the year 2013 or the 400 days of subsidy in last four years from the year 2014 onwards.

Article 24

The duration of the subsidy depends on the days of work made by the insured persons in these critical intervals (14 months, 12 months or two years).

From 01.01.2013 the duration of subsidy as shown in Table 1 below, depends now also on the limit of 450 (2013) and 400 (from 01.01. 2014 onwards) days of unemployment benefit for four years before the beginning of subsidy.

TABLE 1		
GENERAL CATEGORY OF EMPLOYEES	CONSTRUCTION WORKERS	DURATION OF SUBSIDY
14MONTH	14MONTH	
DAYS OF WORK	DAYS OF WORK	
125-149 ¹	100-149	5 months
150-179 ²	150-179	6 months
180-219 ³	180-219	8 months
220-249	220-249	10 months
250 and more	250 and more	12 months
210 and completion of 49 th year of age	210 and completion of 49 th year of age	12 months

1.or 200 during the last two years

2.or 250 during the last two years

3.or 300 during the last two years

TABLE 2
CONDITIONS FOR THE DURATION OF SUBSIDY FOR THOSE WORKING SEASONALLY
(ARTICLE. 26 of Law.4203/2013)

	EMPLOYEES IN SEASONAL AND TOURISTIC PROFESSIONS	DAYS OF WORK	DURATION OF SUBSIDY
	12 MONTH OR 14 MONTH		
	Days of work		
1 st Category	100-149	100-149	3 months and 5 days (exclusion from the limitation of 400 days of unemployment allowance during the 4years preceding the beginning of subsidy)
2 nd Category	150-200 (submission to article 26 of Law4203/2013)	150-200	3 months and 5 days (exclusion from the limitation of 400 days of unemployment allowance during the 4years preceding the beginning of subsidy)
	150-200 (without affirmation – application of the other provisions)	150-179	6 months
		180-199	8 months
	201 and more (not falling under the provisions of article 26 of Law 4203/2013)	201-219	8 months
		220-249	10 months
		250 και άνω	12 months

- The allowance is paid once a month for 25 days.
- From 12.03.2012 the basic monthly benefit shall be at 360,00 Euro.
- For each member of the family the benefit is increased by 10%.

PART VII - FAMILY BENEFITS

Article 40

The family benefit is paid to:

(a) Employees working on a daily wage with a private contract law to any employer in the country as well as those paid with a monthly salary that either they are not entitled to family benefits from their employer under the Collective Labor Agreement, Law, Business Regulation or other provisions, or they are entitled from their employer to an amount equal to or less than the amount given by the DLOEM for the same number of children (ref. Decree 3868/58 establishing DLOEM and article 18, paragraph 4 of law 1346/83).

(It is understood that no children allowance is paid at employers paid a monthly salary employers, which under the Collective Labor Agreement, Law, Business Regulation or other provisions, are entitled to a larger amount of benefit from their employer than the one granted by DLOEM for the same number of children).

(b) Those employed on contract lease if working in conditions found in dependent employment contracts (Article 1 paragraph 1 of Law 4075/2012).

(c) To the employees working for employers with whom they are spouses or relatives of first and second grade (Article 1 Paragraph 2 4075/2012).

Children for whom the benefit is paid must:

- a) be under 18 years of age, or under 22 years if studying
- b) if they are unable to work, for as long as the disability exists
- c) be unmarried
- d) stay in Greece or in a member country of the European Union.

The amount of family benefit for the year 2013 is shown in the table below.

Article 41

The family allowance branch (DLOEM) covers almost the total number of the salaried persons, who offer dependent work privately throughout the country.

Family benefits

TABLE OF FAMILY BENEFITS FOR YEARS 2012 & 2013.			
NUMBER OF CHILDREN ENTITLED	ANNUAL AMOUNT OF BENEFIT TO THE TOTAL NUMBER OF CHILDREN	MONTHLY AMOUNT OF BENEFIT TO THE TOTAL NUMBER OF CHILDREN	MONTHLY AMOUNT PER CHILD
1	98.64	8.22	8.22
2	295.8	24.65	16.43
3	665,64	55.47	30.82

4	808,56	67.38	11.91
5	944.16	78.68	11,3
6	1079,76	89.98	11,3
7	1215.36	101,28	11,3
8	1350,84	112,57	11,3
9	1486,44	123,87	11,3
10	1622,04	135,17	11,3
11	1757,64	146,47	Etc.

CLARIFICATION: The figure in the fourth column of the table is obtained by deducting the monthly amount to the total of children (third column) the amount of previous children. (For example to find the amount that corresponds to the third child we deduct from 55,47 the sum of the preceding two children: Euro 55,47 - 24,65 Euro = 30.82).

TABLE OF FAMILY BENEFITS FOR YEAR 2014			
NUMBER OF CHILDREN ENTITLED	ANNUAL AMOUNT OF BENEFIT TO THE TOTAL NUMBER OF CHILDREN	MONTHLY AMOUNT OF BENEFIT TO THE TOTAL NUMBER OF CHILDREN	MONTHLY AMOUNT PER CHILD
1	49,32	4,11	4,11
2	147,84	12,32	8,21
3	332,76	27,73	15,41
4	404,28	33,69	5,95
5	472,08	39,34	5,65
6	539,88	44,99	5,65
7	607,68	50,64	5,65
8	675,36	56,28	5,65
9	743,16	61,93	5,65
10	810,96	67,58	5,65
11	878,76	73,23	5,65
12	946,56	78,88	5,65
13	1014,36	84,53	5,65
14	1082,16	90,18	5,65

Annex

Ratification of Parts IV and VII of the European Code of Social Security, as regards unemployment and family benefits would absolutely not create any problems to our Service, provided that the Code would forecast a "clause of reciprocity", relative to that of article 68 of ILO Convention 102.