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Spain: Time off for job search

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Spain

Phase:

Management

Type:

Time off for job search

Last modified: 24 October, 2017

| | |
|---------------|---|
| Native name: | Estatuto de los Trabajadores (ET); Real Decreto-ley 10/2010, de 16 de junio, de medidas urgentes para la reforma del mercado de trabajo |
| English name: | Statute of Workers' Rights; Royal Decree law 10/2010 of 16 June on urgent measures to reform the labour market |

Article

Article 53.2 of Statute of Workers' Rights, modified by article 2.4 of Royal Decree law 10/2010

Description

The employee is entitled to paid leave of six hours per week during the notice period to look for alternative employment when there is an 'objective' (justified by external circumstances) dismissal. These conditions apply to both individual and collective dismissals. This right is limited to the notice period which in 2010 was reduced from 30 to 15 days.

According to Law 3/2012, objective dismissal due to economic reasons is considered valid 'if a negative economic situation arises from the results of the enterprise, in cases such as the existence of current or foreseeable losses, or the persistent drop in its revenues or sales. In this case, a drop in revenue or sales is considered persistent when occurring during 9 consecutive months'.

Comments

As described, workers are entitled to paid leave of six hours per week during the notice period to look for alternative employment, that is during the 15 days of notice period. There is, however, no evidence or data to assess to what extent workers actually avail of this right or to what extent this may improve their employment opportunities.

Cost covered by

Employer

Involved actors other than national government

National government only

Thresholds

No, applicable in all circumstances

Sources

- Ius Laboris (2011), Individual Dismissals Across Europe, Brussels
- [Statute of Workers' Rights](#)
- [RoyalDecree law 10/2010](#)
- [Law 3/2012](#)

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Contact us

Eurofound, Wyattville Road, Loughlinstown, Co. Dublin, D18 KP65, Ireland

Phone: (00) 353 1 2043100

E-Mail: information@eurofound.europa.eu

Press: media@eurofound.europa.eu



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