



WELFARE RIGHTS for the Recently Unemployed

This wallchart outlines the Key welfare rights information that a person needs to know when they become unemployed.

JANUARY 2007

General Information

Since October 2006, Unemployment Benefit and Unemployment Assistance has changed to Jobseeker's Benefit and Jobseeker's Allowance respectively.

People who have become unemployed should immediately contact their local Social Welfare Office to apply for Jobseeker's Benefit (JB) or Jobseeker's Allowance (JA). This is very important as any delay in making a claim could result in a loss of payment.

JB and JA are the two main unemployment payments. For both payments a person must be:

- Resident in the Irish Republic
- Under 66 years
- 16 or over for Jobseeker's Benefit entitlement and 18 or over for entitlement to Jobseeker's Allowance
- Unemployed for at least 3 days out of any consecutive 6 days
- Available for, Capable of and Genuinely Seeking full-time work

Available for, Capable of and Genuinely Seeking Work

In order to qualify for and continue to receive JB or JA, an unemployed person must be capable of, available for and genuinely seeking full-time work. Genuinely Seeking Work (GSW) legislation states that an unemployed person must be willing to accept any reasonable offer of employment and/or training. Any reasonable offer of employment should, initially, be appropriate to the unemployed person's skills, qualifications and experience. If the possibility of employment from the unemployed person's initial job search is unlikely, the unemployed person will be expected to broaden their job search either to a wider area and/or other types of employment.

Contact the INOU for further information or visit our Welfare Rights web page: www.inou.ie/welfareinfo

Jobseeker's Benefit (JB)

Entitlement to JB is based on the number of relevant paid or credited PRSI contributions (what used to be known as stamps) an unemployed person has.

Qualifying For JB

A person has an entitlement to JB if they have:

- Experienced a substantial loss of employment of at least one which includes a loss of income
- 52 weeks paid PRSI contributions since starting work **and either**
- 39 weeks paid or credited PRSI contributions in the Relevant Tax Year* **or**
- 26 weeks paid PRSI contributions in the Relevant Tax Year* **and**
- 26 weeks paid PRSI contributions in the Tax Year prior to the Relevant Tax Year*

A person may re-qualify for JB if they have 13 paid contributions since their previous JB claim finished. This is subject to satisfying certain conditions. Contact the INOU for further information.

* The relevant tax/contribution year is determined by contributions in the tax year two years prior to the year in which a person makes a claim for unemployment benefit. For instance when making a claim for JB in 2007, the relevant tax/contribution year is 2005, and the number of paid or credited contributions made in 2005 determines entitlement to JB in 2007.

JB may not be paid for up to 9 weeks if a person becomes unemployed through:

- Leaving employment, including training and employment schemes, without good cause
- Refusal of an offer of suitable employment or training provided by FÁS, without good cause
- Accepting a redundancy payment of €19,046.07 or over (from February 2007 this increases to more than €50,000). This applies to people who are under age 55.

If an unemployed person becomes unemployed for any of the above reasons but does not sign on for JB for the first 9 weeks they may receive JB for the full 15 month period.

The amount a person receives on JB will be based on their gross average weekly earnings. The 2007 JB rates are shown in the table below.

Jobseeker's Allowance (JA)

If there are insufficient PRSI contributions to qualify for a JB payment a person may be entitled to JA if they:

- Satisfy a means test
- Satisfy the Habitual Residence rule.

Means Test

The following four potential means of income are taken into account in the means test:

- Cash Income
- Capital
- Property
- Benefit and Privilege

Almost all cash income will be taken into account. There are some exceptions including Child Benefit and Rent or Mortgage Interest Supplement. A certain amount of money from paid employment may be allowed before payment is affected. This is called an income disregard. The value of any property, other than a person's own home, investments, savings and capital can be assessed in the means test. Benefit and Privilege is an assessment of the benefit received from living in a parent's home. This does not apply to people aged 25 or over who are living with their parents.

For further information on benefit and privilege, income disregards and a full list of Cash Income exemptions please contact the INOU.

A person's means of income will determine whether they are entitled to a JA payment, and if they are, the weekly rate of their JA payment. The JA claimant will be interviewed about their means. A person should maintain a record of bank statements or accounts if possible as these may be required.

Habitual Residence - JA only

Generally an applicant who has been legally present in Ireland for 2 years or more, works in Ireland and has a settled intention to remain in Ireland and make it his/her permanent home will satisfy the habitual residence condition. This may be subject to change. For further information please contact the INOU.

As of November 2005, EU citizens who have been working in Ireland and who do not satisfy the Habitual Residence criteria may be able to claim a basic Supplementary Welfare Allowance (SWA) payment and access Rent Supplement, provided they:

- Have been employed in Ireland
- Have lost their job and
- Meet other relevant qualifying conditions for SWA.

Each case should be determined on its own merits.

Credits or Credited PRSI Contributions

If a person becomes unemployed they may be able to sign-on for Credits if they have PRSI contributions in the previous two-year period. Contributions can be paid or credited. PRSI contributions are social insurance contributions which help protect social insurance entitlements during periods when a person is not able to make paid contributions.

Credits can be very important in ensuring qualification for payments such as state pensions.

Checklist

What a person needs to do when they become unemployed

- ✓ Apply for JB or JA at their local Social Welfare Office immediately
 - ✓ Register with FÁS
 - ✓ If an unemployed person is not entitled to either JB or JA, they may be entitled to a Supplementary Welfare Allowance payment* from the Community Welfare Officer at the local HSE Health Centre. This may also apply to EU workers who do not satisfy the Habitual Residence rule
 - ✓ If an unemployed person is not entitled to JB or JA they should sign-on at their local Social Welfare office for credits (if applicable)
- * This is subject to satisfying the GSW rule.

What to do when making a claim for JB or JA

- ✓ If a person does not have an entitlement to JB, they should apply for JA as soon as they become unemployed
- ✓ Proof of identity (Passport, Drivers Licence or Birth Certificate) and proof of address (a household bill such as ESB, a bank statement or tax document) are necessary when making a claim
- ✓ A P45 or a letter from a claimant's employer saying when work finished is necessary. A letter from the employer explaining the reasons why the job finished may speed up the claim
- ✓ If applying for Jobseeker's Benefit, it is necessary to bring a P60

Keeping JB or JA

In order to receive (or continue to receive) JB or JA, an unemployed person must:

- ✓ Be genuinely seeking, capable of and available to take-up full-time work. An unemployed person will be asked for proof of their job-seeking efforts. They should keep a record of all correspondence sent to/received from employers, including emails, telephone calls, advertisements from newspapers and any other evidence of their job-seeking
- ✓ Inform the Department (eg through the local Social Welfare Office) of any change in circumstances. Taking up paid employment, Voluntary work, an employment/training programme, claiming or receiving any other benefit or allowance, returning to education and leaving the country are some examples of changed circumstances. If an unemployed person's circumstances worsen they may be entitled to additional assistance and they should ask their local Social Welfare Office to review their claim

Secondary Benefits

Secondary Benefits are benefits that a person may be entitled to as a result of being in receipt of JB or JA (or some other social welfare payments). If a person is in receipt of JB or JA, they may be entitled to:

- Rent/Mortgage Interest Supplement
- Medical Card / Doctor Only Visit Card
- Other Benefits a person might be entitled to are:
 - Fuel Allowance
 - Smokeless Fuel Allowance
 - Back to School Clothing & Footwear Allowance
 - Christmas Bonus
 - Differential Rent
 - Diet Supplement
 - Rental Accommodation Scheme (RAS)

2007 Maximum Payment Rates

Jobseeker's Benefit 2007 Rates

	Jobseeker's Allowance / Jobseeker's Benefit	Average Weekly Earnings	Personal Rate	Qualified Adult Rate	Child Dependent Rate	Half Child Dependent Rate
Personal Rate	€185.80	Less than €80	€83.50	€79.90	€22.00	€11.00
Qualified Adult Rate	€123.30	€80-124.99	€120.00	€79.90	€22.00	€11.00
Each Child Dependent Rate	€22.00	€125-149.99	€145.60	€79.90	€22.00	€11.00
Each Half Child Dependent Rate	€11.00	Over €150	€185.80	€123.30	€22.00	€11.00

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INOU, Araby House, 8 Nth Richmond St. Dublin 1.

01-856 0088 welfareinfo@inou.ie

01-856 0090 Website: www.inou.ie