

**INOU Welfare Rights
Information Services**

Discussion Forum

Tuesday 24th October, 2023



Moving from Work to Welfare

**Exploring issues facing people accessing
welfare payments Exiting Employment**

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Information Services

Exiting Employment

*Understanding what it means and
the Social Welfare Implications*



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Discussion Forum

Exiting Employment

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Exiting Employment

The following might be some of the more common statements you may hear from people who are Exiting Employment an in the process of moving from employment into welfare.

- I will not be unemployed for long, I will find another job fairly quickly
- I am busy with my existing education / training / employment rights issue and will look for work when this is finished / has been dealt with
- I will claim my Benefits for a few months and take some time look at what to do next
- My redundancy payment will see me through until I find work
- I am not really looking for work, I am going back to college / education / training
- I am really only fit for some part-time work, so I can only claim part-time jobseekers
- I am only available for part-time work because of childcare or caring duties
- I am only looking for work based previous experience / type of work / professional level
- My time on Illness Benefit should qualify me for Invalidity Pension / Disability Allowance
- I will take up some part-time work and my disability payment



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Information Deficits

For a lot of people this may be their first time engaging with the Welfare System or in dealing with welfare in this particular situation / circumstance

Accessing Payment	Options
Which payment?	JB / JA / DA / CA – who tells you? – <i>DSP?</i>
Will I qualify	Jobseekers and GSW? / JB to JA / IB to IP / IB to DA?
How long it takes	Apply / processing / evidence / decision / review
What do I live on	Payment pending decision - <i>SWA 8 – 12 weeks!</i>
Application Refused	Review / Appeal / Income pending either?
What else	LA Rent / HAP / Medical Card / Fuel / BTSCFA / p-time work options



Exiting Employment

Reasons for Exiting Employment

There are a wide range of reasons a person may exit employment which directly affects their access to any Social Welfare payments

Job Loss	Options
Redundancy - (GSW?)*	Redundancy Payment / No Redundancy Payment
Insolvency - (GSW?)	No Redundancy - Social Insurance Fund / WRC
Dismissal – (GSW?)	Unfair (Legal Action) / Legitimate Dismissal
Illness / Injury	Illness Benefit / IP / DA / - <i>no payment</i>
Family / Caring Duties	OFP / JST / CA / CB / - <i>no payment</i>
Work / Life Balance	OFP only / - <i>no payment</i>



**No down time / time off after Redundancy – 'I am entitled to my 9 months of Benefits...'*

Exiting Employment

Job Loss and Social Welfare

A person who loses their job, and seeks to claim a social welfare payment will usually fall within one of two categories

Jobseeker	Non-Jobseeker - (main types)
Jobseeker's Benefit* - (GSW)	Illness Benefit / DA / IP
Jobseeker's Allowance - (GSW + means)	One Parent Family Payment
Jobseeker's Benefit (SE) - (GSW)	Supplementary Welfare Allowance
	Jobseeker's Transition



**JB and GSW – not an automatic entitlement*

Genuinely Seeking Work

Genuinely Seeking Work (GSW) applies to JA, JB and JBSE. It is one of the key criteria for qualification for a Jobseeker's payment, even though JB and JBSE are based on Social Insurance Contributions (PRSI).

GSW requires that a person is seeking **full-time** employment in that they cannot

- choose to take-up part-time employment only or instead of / in preference to seeking / taking up full-time work
- restrict efforts to look for full-time employment based on education / training / part-time work / caring / family duties etc.

GSW does not apply to other Social Welfare payments, where the person has the choice to look for work – either full-time part time without 'control' or GSW engagement by the DSP.



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Disability Payments

Genuinely Seeking Work (GSW) conditionality applies to most, but not all Jobseeker's payments. It does not apply to any other DSP payments

Illness / Injury	Job Loss / Exiting Employment
Illness Benefit	2 years max / non-means tested – (PCB option - can take time)
Invalidity Pension*	PRSI based / non-means tested / medical qualification – (PCB option – can take time)
Disability Allowance*	No IB / IP – means tested / medical qualification – part-time work and €165 disregard option



**Based on capacity to work / not exclusively on clinical medical condition level or extent of illness – with some exceptions*

Exiting Employment

Points of note:

The following are point of note to be aware of in engaging with people who have or are exiting employment.

- There is no automatic progress from IB to IP or DA. In most circumstances (excluding medical exceptions) applications must be made for IP or DA after IB has lapsed. Time on IB is not automatically referenced / considered in IP or DA applications.
- A higher rate of JA can be paid in place of a lower rate of JB on completion of a means test – this is called optional Jobseekers Allowance. JB entitlement is ‘used up’ by this payment but can be more beneficial to the recipient
- There is no automatic progression from JB to JA. Notice of cessation of JB issued prior to completion of the 9 month period advising of right to apply for JA. If unsuccessful in the means test (based on savings / property / partners income) person receives no JA or other replacement payment.
- Progressing from JST to JA removes the €165 disregard applied to JST. Where the person incurs a loss of payment because of the removal of the disregard, there is no additional payment available from DSP.
- People who had increased LA / HAP rent while in employment should advise the Local Authority of a decrease of income, even if it happened weeks / months previously.



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Questions?



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