

Registered Labour Movement

Introduction

Statistics on Registered Labour Movement is composed of the pending employment applications and the registered contracts, with special attention being paid to registered unemployment, a magnitude taken from pending applications to be addressed at the end of each month.

The information source is the Public State Employment Service (INEM) Subdirectorate-General for Statistical Dissemination, which obtains statistical data by means of use for these purposes of files fundamentally made up for employment management. The primary information is taken from the management carried out by the INEM Employment Offices and from the Social Institute of the Navy (MTIN), as well as from the Autonomous Communities with jurisdiction over Employment service matters.

Methodological change

As of May 3, the new SISPE (Public Employment Services Information) management model has come into operation, enabling integration of information relating to active employment policies and to unemployment benefit provided by the National and Autonomous Public Employment Services.

This new system has introduces a methodological change in the manner in which the applicant groups to be excluded from pending applications for registered employment benefit are specified, pursuant to the Ministerial Order of March 1985.

Employment applications

Employment applications are applications for vacancies registered in Public Employment Offices by workers of a working age who wish to be employed by others. These include those by workers who are unemployed, both those who have not previously worked and are seeking employment for the first time, and those who have had previous employment, as well as employed workers seeking employment to replace or supplement the one they have.

Applications are classified, by economic activity, depending on the one corresponding to the last company at which the applicant worked, or the company at which the he or she works at the moment, having registered as such, including the section "without previous employment" in order to classify those workers who have not worked previously. Classification of applications by occupational groups is according to the occupation applied for by the applicant.

Registered contracts

Registered contracts include, in addition to those contracts, which are registered in Public Employment Offices, hiring communications made by employers to the aforementioned Offices. The latter are included as a result of the coming into force of Royal Decree Law 18/1993, of 3 December, subsequently recognised by Law 10/94, of 19 May, obliging the employer to record all contracts, which must be entered into in writing and to report contracts carried out, although there is no legal requirement to formalise them in writing.

Workers affiliated to Social Security

Information is shown relating to workers affiliated to the different Social Security System schemes who are able to work and situations akin to this, such as temporary incapacity, suspension as a result of an employment regulation, partial unemployment, etc.; the data, conversely, does not include unemployed workers, with special agreements, belonging to companies admitted to reconversion plans and in receipt of assistance in concept of early retirement and special situations not affecting contributions. Information is provided both on the effectives for worker and those for employment registrations and cancellations occurring during the year.

Information is taken from the statistical use of the file of affiliation of workers to the different Social Security Schemes, management of which corresponds to the General Social Security Office and to the Social Institute of the Navy, and it is operated by the Social Security Information Technology Management.

The following systems are currently in existence within the scope of Social Security:

- General Scheme.
- Special Scheme for Miners.
- Special Agricultural Scheme.
- Special Scheme for Domestic Workers.
- Special Scheme for Freelance Workers.
- Special Regime for Marine Workers.

Affiliation to the Social Security System is compulsory for all persons included in the scope of Social Security and unique to the worker for life and for the entire System, notwithstanding registrations, cancellations and other variations, which may occur following affiliation. In other words, the worker is affiliated when he or she begins his or her working life and is registered in one of the schemes of the Social Security System; if the worker ceases activity, his or her registration will be cancelled, but he or she will remain affiliated but not working. If he or she

resumes activity, he or she will be registered, but will not have to become affiliated again, since, as has been mentioned, affiliation is unique for the lifetime of the worker. As regards the obligation to communicate these situations to Social Security, if the work is employed by others, it is up to the company, and if it is freelance worker, it is up to the worker.

One person is counted as many times as he or she is registered, either because he or she has more than one employment activity in one or more schemes.

In the General Scheme and the Special Scheme for Miners, affiliated workers appear in groups under a Social Security contribution account; the aforementioned account brings together a group of workers belonging to one company, who carry out their employment activity in one province, and who have uniform features regarding contributions.

Foreign workers affiliated to Social Security registered as working.

Information is provided relating to workers with nationalities other than Spanish, who are affiliated to the different schemes of the Social Security System registered as working or similar, such as temporary incapacity, suspension as a result of an employment regulation, partial unemployment, etc. This does not include those affiliated solely for the purpose of health care, those in total unemployment, those with special agreements and those in special situations not affecting contributions. Until February 2005, where there is no nationality, it has been opted to include these workers as foreign workers, circumstances under which it may justify small differences with data taken from other sources of information using criteria regarding that group.

In order to carry out any profitable, work-related or professional activity in Spain, foreign nationals aged over 16 years old must obtain, in addition to residence authorisation, an administrative authorisation in order to work or to be exonerated of this. Authorisation to work will be supported by the corresponding work permit, administrative authorisation or by means of documents specified.

Work Permits for Foreign Nationals

This refers to administrative authorisations required by foreigners aged over 16 years old in order to carry out any profitable, work-related or professional activity. This authorisation enables the foreign national to reside during its period of validity, which expires if an application is not made, where appropriate, for the appropriate visa, once one month has elapsed from such time as the employer is notified that this has been awarded.

The tables shown refer to work authorisations for foreign nationals wishing to carry out an employment-related activity in Spain, and which have been arranged by the labour authority under whose jurisdiction they fall, albeit where approved (authorisations granted) or declined (authorisations refused).

This authorisation is normally issued in unison with residence, on behalf of the corresponding units of the Ministry of Public Administrations or of the Ministry for Employment and Social Affairs and by the Home Office, within the scope of their respective areas of jurisdiction.

Organic Law 4/2000, of 11 January, exonerates foreign nationals with permanent residence of the obligation to obtain work authorisation.

Foreign nationals of EU member states are also exempt from this obligation, from the European Economic Area (Iceland, Norway and Liechtenstein) and Switzerland and from those from third-party countries who are relatives of Spaniards or of nationals of the aforementioned countries, in so far as the principle of free circulation of workers is applicable to them. In this respect, it is worth mentioning that for nationals of Slovakia, Slovenia, Estonia, Hungary, Latvia, Lithuania, Poland and the Czech Republic, free circulation applies exclusively to freelance workers as of 30 April 2004.

The source of information are applications for work authorisation or for work authorisation and residence which, having been completed by the applicant (worker or company), are decided, positively or negatively, by the General Directorate for Immigration, the Work and Social Affairs Departments or Provincial Dependencies in the Delegations and Sub-delegations of the Government, respectively, or the Immigration Offices, depending on the case, and recorded in the resident's immigration application in the Public Administrations Ministry. Details of the application are provided by the Ministry of Public Administrations to the Subdirector General for Social and Labour Statistics which, once the information has been filtered and processed, compiles the statistics, adding, where appropriate, details of those work authorisations awaiting entry into the aforementioned application.