

### **Contents**





## Introduction

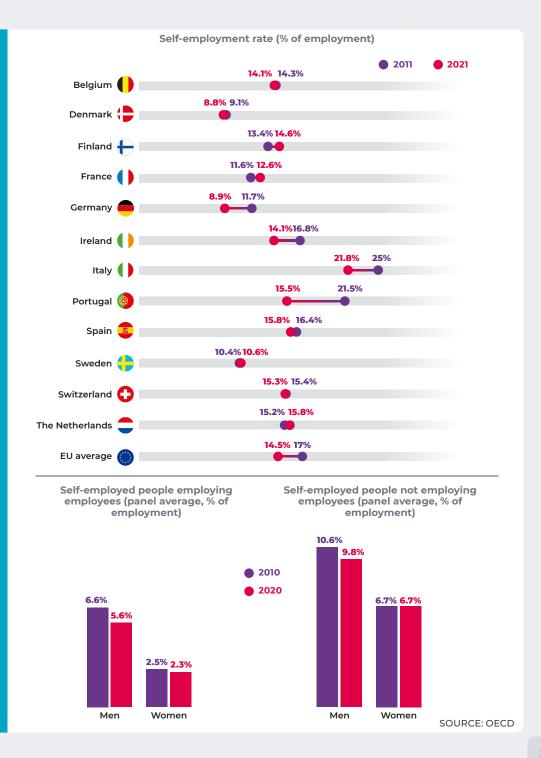
In 2019, the Council of the European Union recommended that the Member States of the Union guarantee access to adequate unemployment protection for self-employed people and ensure effective coverage for this category of workers if the risk of job losses materialises<sup>1</sup>.

In France, the Act for the Freedom to Choose One's Future Career introduced an unemployment insurance scheme for self-employed workers, which entered into force on 1 November 2019 and was amended in 2022 to broaden its scope.

What is the situation on this issue elsewhere in Europe? As in France, is there unemployment protection for self-employed persons among our European neighbours?

The analysis proposed within the framework of this study gives an overview of existing systems in 11 European countries and provides a cross-section of their common traits and their differences.

<sup>&</sup>lt;sup>1</sup> Council Recommendation of 8 November 2019 on access to social protection for workers and the self-employed (2019/C 387/01)



## In which countries are self-employed workers covered by an unemployment insurance scheme?

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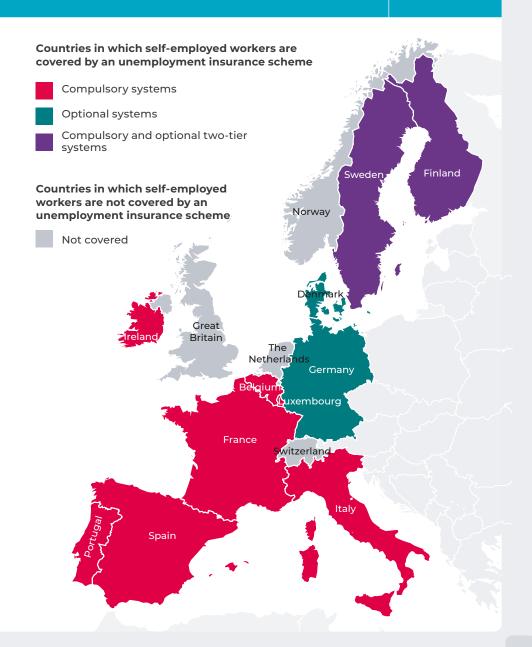
In most countries, self-employed workers are protected against the risk of unemployment and mainly on a compulsory basis.

**Self-employed workers**<sup>2</sup> – or certain categories of self-employed workers - **are insured against the risk of unemployment in 11 of the 15 countries studied**: Germany, Belgium, Denmark, Spain, Finland, France, Ireland, Italy, Luxembourg, Portugal and Sweden.

On the other hand, they are not covered against this risk in Great Britain, Norway, the Netherlands and Switzerland.

These more or less recent compensation schemes<sup>3</sup>, may be **compulsory** (Belgium, Spain, France, Ireland, Italy, Luxembourg, Portugal, Finland and Sweden concerning the basic scheme) or optional (Germany, Denmark, Finland and Sweden concerning 2nd level compensation<sup>4</sup>) and fall under the **same scheme as workers**<sup>5</sup> (Germany, Denmark, Finland, Luxembourg, Sweden) or under a **separate scheme** (Belgium, Spain, France, Ireland, Italy, Portugal).

When there is no unemployment insurance system, self-employed workers can, under certain conditions, claim unemployment assistance if it exists (e.g.: Great Britain), social assistance, or else insure themselves by taking out private unemployment insurance.



<sup>&</sup>lt;sup>2</sup>The OECD (Organisation for Economic Cooperation and Development) defines self-employment as covering "employers, self-employed persons, members of production cooperatives and unpaid family workers" and states that "self-employment may be seen as either a survival strategy for those who cannot find other means of earning an income, or as a desire to undertake and work for oneself."

<sup>&</sup>lt;sup>3</sup>Germany (2006), Belgium (1997), Denmark (1976), Spain (2014), Finland (possibility of joining the optional scheme since 1995), France (2019), Ireland (2019), Italy (2015), Luxembourg (1976), Portugal (2012), Sweden (1956).

<sup>&</sup>lt;sup>4</sup>Finland and Sweden provide for two-tier compensation schemes consisting of a first compulsory basic level (fixed allowance amount) and a second optional level in which the amount of the allowance is proportional to the jobseeker's previous income.

<sup>&</sup>lt;sup>5</sup>Some parameters of employee schemes can be adapted to the specific nature of carrying out a self-employed activity (e.g.: characterisation of an involuntary cessation of activity).

## Which self-employed workers are covered against loss of activity?

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### Only certain categories of self-employed workers are covered in some countries.

Systems that insure self-employed workers against cessation of activity can cover all self-employed workers or only certain categories of them.

In **France**<sup>6</sup>, self-employed non-agricultural workers, agricultural operators, insurance agents, certain company directors and artists/authors are covered against loss of activity.

In **Italy**, only self-employed para-subordinate workers<sup>7</sup>, self-employed workers registered for VAT and self-employed workers in the entertainment industry are covered.

The **Belgian**<sup>8</sup> and **Portuguese**<sup>9</sup> systems also only provide coverage for certain categories of self-employed workers.

In other countries (Germany, Denmark, Spain¹o, Finland, Ireland, Luxembourg, Sweden) all self-employed workers are covered against the risk of unemployment on a compulsory and/or optional basis.

Platform workers, for whom the European Commission's proposed directive aims to improve working conditions by guaranteeing, in particular, a correct determination of professional status, are, most often, considered as self-employed persons. In this case, they are covered by the aforementioned unemployment insurance schemes when they fall within the scope of said schemes and meet the access conditions.



<sup>&</sup>lt;sup>6</sup> Number of beneficiaries: between November 2019 and December 2021, around 1,300 people became eligible for the self-employed workers' allowance (Self-employed workers covered by unemployment insurance, Unédic, July 2022).

<sup>&</sup>lt;sup>7</sup> Economically dependent independent workers.

<sup>&</sup>lt;sup>8</sup> Categories covered: mainly self-employed workers and assisting spouses.

<sup>&</sup>lt;sup>9</sup> Categories covered: self-employed workers carrying out a commercial or industrial activity within the framework of a sole proprietorship, owners of limited liability sole proprietorships, their spouses regularly participating in the company's activity, economically dependent self-employed workers.

 $<sup>^{\</sup>mbox{\tiny 10}}$  Special scheme for self-employed agricultural workers.

## How are unemployment insurance schemes for self-employed workers funded?

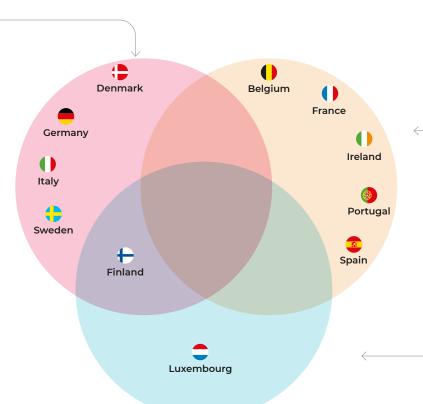
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The funding of unemployment protection for self-employed workers is ensured by the same resources as those mobilised within the framework of the financing of unemployment insurance schemes for workers: contributions specific to unemployment insurance schemes, social security contributions and public contributions.

### Contributions specific to unemployment insurance schemes

In five countries, the funding of insurance schemes for self-employed workers is based, in whole or in part, on a **specific contribution dedicated to the unemployment insurance scheme** (or in certain cases, more broadly dedicated to the labour market).

In this panel, the contribution rates can be the same as the rates applied within the framework of the employees' scheme (Germany, Denmark) or be lower than said rates (Italy, Sweden).



#### Social security contributions

In five countries (Belgium, Spain, France, Ireland, Portugal), self-employed workers pay **social security contributions** with, on the whole, contribution rates lower than the overall rate applied to workers and employers.

In **France**, this social security contribution levied on the income of self-employed persons is known as the General Social Contribution (CSG).

Please note that in **Spain**, the scheme for workers is funded by specific contributions dedicated to the unemployment insurance scheme, while the scheme for self-employed persons is funded by an overall contribution to social security.

#### **Public contributions**

**Luxembourg** is the only country in the panel in which the unemployment insurance scheme is funded exclusively by public contributions.

In Finland, the state funds only part of the scheme.

### What is the definition of unemployment for the self-employed?

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### Involuntary cessation of activity is often required.

The cause of unemployment is, in most countries, involuntary cessation of activity. This is notably the case in Belgium, Spain, France, Ireland, Luxembourg and Portugal.

In these systems, situations constituting in involuntary cessation of activity may be **exhaustively listed in the regulations** (Belgium, Spain, France, Luxembourg) or not be specified and be **examined on a case-by-case basis by the public employment services** when applying for the allowance.

When the reasons for involuntary cessation of activity are defined in the regulations, they most often consist of economic, administrative and personal reasons or force majeure.

In **Denmark, Finland and Sweden**, involuntary cessation of activity is not a condition for eligibility, as **proof of unemployment is sufficient** to be eligible for compensation.

#### Reasons for involuntary cessation of activity



#### **Belgium**

- · Interruption or cessation due to circumstances beyond one's control
- · Cessation due to economic difficulties



#### France

- Court-ordered closure
- Cessation of activity due to its non-viability (decrease of at least 30% in declared income)



#### Luxembourg

- Economic and financial difficulties
- Medical reasons
- · Third party acts
- · Force majeure



#### Spain

#### Self-employed workers

- Economic causes (when there are losses greater than 10% of the income received over the course of a full year, with the exception of the first year of activity)
- Force majeure causing the temporary or permanent cessation of activity
- Administrative or judicial enforcements for debt recovery representing at least 30% of income from the previous year's activity
- Bankruptcy declaration
- Loss of administrative licence
- · Sexual violence
- Divorce or marital separation (if the activity was carried out in the spouse's business)

#### **Economically dependent workers**

- · Completion of contract, work or service
- Serious breach of contract by the client
- · Termination of the contract by the client (justifiable or unjustified cause)
- · Death, incapacity or retirement of the client

## What affiliation conditions do self-employed workers have to meet?

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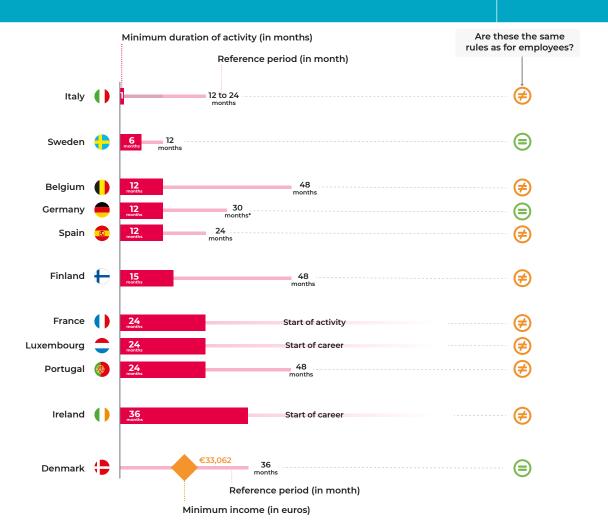
### A minimum duration of activity is required in most countries.

In most of the countries studied, access to unemployment insurance is conditional on a minimum duration of self-employed activity during a specific reference period.

Italy is the country with the shortest duration. Indeed, only the Italian system allows eligibility for unemployment benefits from 1 month of affiliation during the reference period between 1 January of the calendar year preceding the unemployment situation and the unemployment situation.

The **Swedish** system allows, for its part, eligibility for rights from 6 months of affiliation (in the last 12 months<sup>11</sup>).

The rules in force in **Germany, Belgium and Spain** provide for eligibility for compensation from 12 months of affiliation (over a reference period of 30, 48 and 24 months respectively), while the other systems studied require 15 months (Finland), 24 months (France, Luxembourg, Portugal) or 36 months of affiliation (Ireland) over reference periods whose duration varies significantly from one country to another (48 months in Finland and Portugal, start of activity or career in France, Luxembourg and Ireland).



#### How should this graph be read?

The Italian system allows for eligibility for benefits from 1 month of activity (minimum duration) in the last 12 to 24 months preceding the loss of activity (reference period)

<sup>&</sup>lt;sup>11</sup> Or fulfil an alternative requirement of 420 hours of work during a consecutive 6-month period, with a minimum of 40 hours per month.

<sup>\*</sup> affiliation condition to be met for salaried activity before the start of self-employed activity

## What affiliation conditions do self-employed workers have to meet?

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This minimum duration of activity required during a predetermined reference period may, in certain countries, be supplemented by additional conditions:

- in **Germany**, the independent activity must represent at least 15 hours per week;
- in **Finland**, a minimum income of €14,088 must have been received during the reference period;
- in **France**, a minimum income of €10,000 must have been received in one of the two years preceding the cessation of activity;
- in **Ireland**, part of the duration of affiliation to be justified since the start of professional activity must be over a reference period closer to the unemployment situation (reference tax year N-2);
- in **Luxembourg**, the person concerned must have 2 years of compulsory affiliation (as an employee or self-employed) and 6 months of self-employment before registering as a jobseeker;
- in **Sweden**, a minimum monthly working time (60 hours) has just been added to the minimum duration of activity required over the reference period.

**Denmark** is the only country in the panel in which the affiliation condition only relates to **a minimum income** (€33,062 in the last 3 years).

With the exception of the Danish and Swedish systems, whose required affiliation period is the same for salaried and self-employed workers, the European comparison exercise makes it possible to observe that the affiliation condition is, in the majority of cases, different in the two schemes (see appendix).

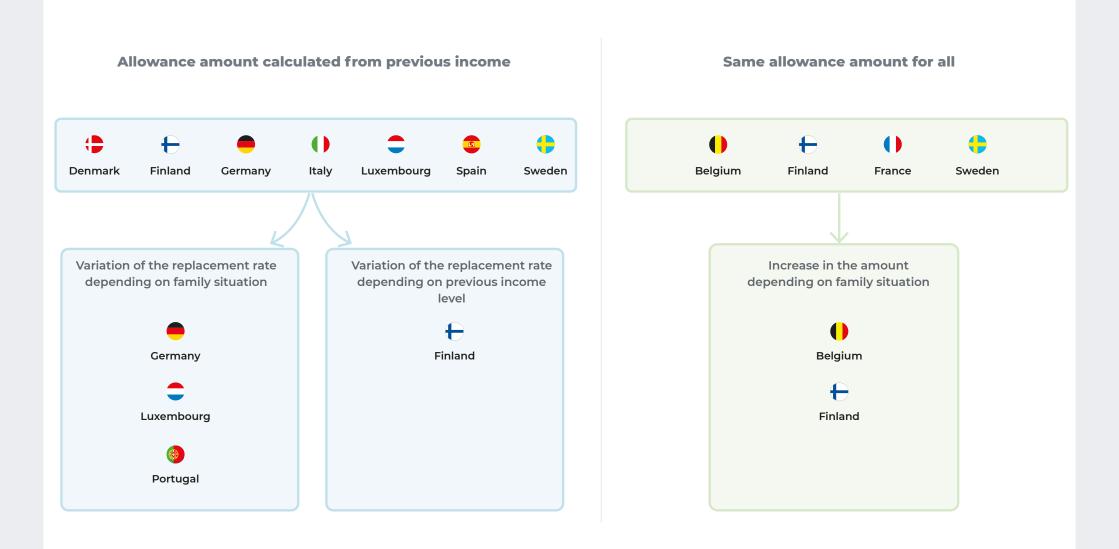
In certain countries (Denmark, Ireland, Luxembourg), it is also possible to **combine** the affiliation generated as part of a salaried activity and that linked to a self-employed activity to gain unemployment insurance rights as a self-employed worker.

### What are the other eligibility criteria?

Self-employed workers must fulfil the conditions traditionally required under unemployment insurance schemes for employees to be eligible for unemployment compensation. In particular, they must register as a jobseeker with the public employment service, be fit and available to work, actively seek employment, reside in the country in which the allowance application is made and not have reached retirement age.

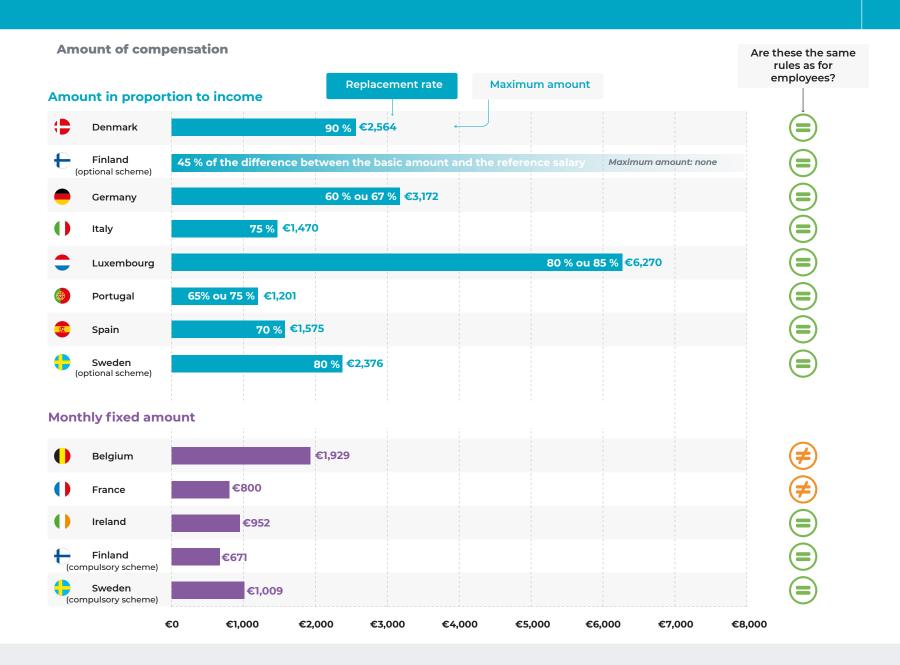
Other eligibility conditions may also apply to specific groups of self-employed workers in certain countries. This is particularly the case in Italy for self-employed workers in the entertainment industry (resource condition) or self-employed workers subject to VAT (condition related to a certain percentage of income loss).

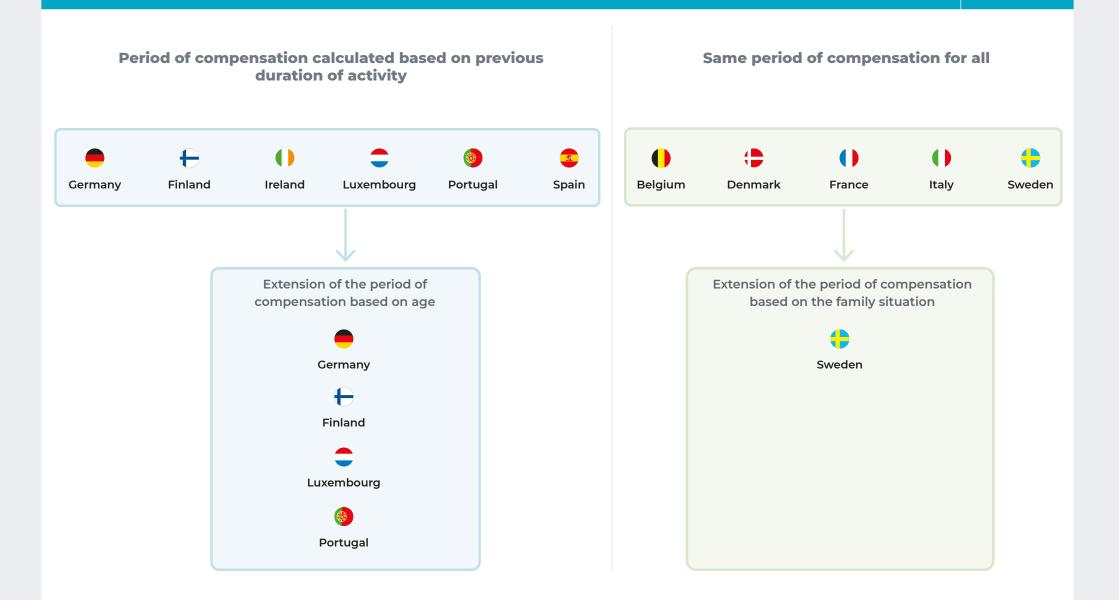
### How is the amount of compensation calculated?



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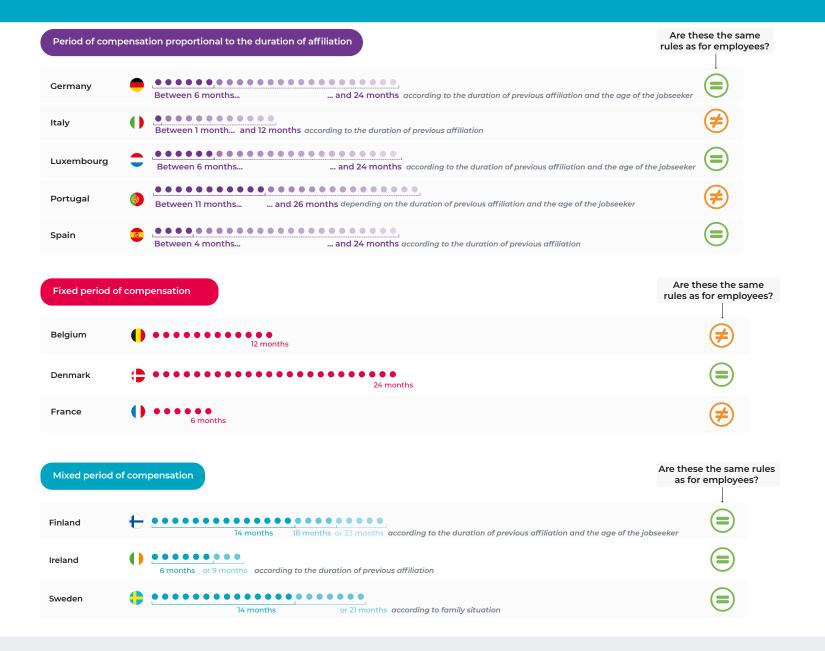
### How much is the compensation?





### How long is the period of compensation?

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Appendix
Comparison of
self-employment and
employee unemployment
insurance schemes by
country

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**BELGIUM** 

Unemployment insurance for self-employed workers

Unemployment insurance for employees



Nature of the scheme

Compulsory



Contribution rate

Overall contribution to social security

For self-employed people starting their activitiy: €729.03 for the first quarter of activity then €840.97 per quarter until the end of the third full calendar year.

Starting from the first day of the fourth year of activity:

- · 20.50% on annual income up to €70,857.99
- · 14.16% on annual income between €70,857.99 and €104.422.24

Minimum quarterly contribution: €840.97 Maximum quarterly contribution: €4,819.65 Overall contribution to social security:

- employer: between 24.92% (variable depending on the employee category and the size of the company)
- employee: 13.07%



Minimum affiliation condition

Contributions paid for at least 4 quarters in the last 16 quarters

- for those under 36 years of age: 312 days worked in the last 21 months
- · for 36 to 49 year old: 468 days worked in the last 33 months
- for those over 50 years of age: 624 days worked in the last 42 months



€1,543 (without dependents) or €1,929 (with dependents)

65% of the reference salary for the first 3 months, then the amount of the allowance decreases in several phases, according to family situation and professional history (seniority)



Period of compensation

12 months

#### generally unlimited

(after a period of 48 months during which the amount of the allowance decreases, the jobseeker receives a fixed allowance for an unlimited period)

Unemployment protection is different for self-employed people and employees. For self-employed persons, compensation is the same for all (predetermined amount and duration). For employees, compensation takes into account income and previous duration of activity.

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<b>(</b>	DENMARK	Unemployment insurance for self-employed workers	Unemployment insurance for employees
	Nature of the scheme	Optional	
0	Contribution rate	All workers: 8% of gross income (contribution to the labour market) Voluntary scheme: membership fee	
	Minimum affiliation condition	Have a minimum reference income of €33,062 (254,328 DKK) over the last 3 years	
<b>©</b>	Amount of compensation	90% of gross reference income	
8	Period of compensation	3,848 hours (i.e. 2 years)	

Unemployment insurance is the same for self-employed persons and employees. Salaried and self-employed income are taken into account for access to compensation. The allocation is proportional to income and duration of previous activity (both salaried and self-employed).

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**FINLAND** 

Unemployment insurance for self-employed workers

Unemployment insurance for employees



Nature of the scheme

2 levels: compulsory and optional



Contribution rate

Compulsory scheme: no

Voluntary scheme: 2.10% of annual income exceeding €5,800 + membership fee

- **employer:** 0.50% of the total payroll up to €2,197,500, 2.05% above
- employee: 1.50% of salary + membership fee for voluntary unemployment insurance



Minimum affiliation condition

15 months in the last 4 years and monthly income of at least  $\bigcirc$ 1,174

26 weeks in the last 28 months (minimum of 18 hours of work per week)



Amount of compensation

Compulsory scheme: €37.21/day

Voluntary scheme:

Basic compensation amount

- + 45% of the difference between the daily reference income and the basic compensation up to a certain ceiling (€3,535/month)
- + 20% of income in excess of the ceiling



Period of compensation

300, 400 or 500 days (depending on the seniority and age of the jobseeker)

Unemployment protection for self-employed persons and employees consists of a compulsory basic system under which compensation is the same for all (predetermined amount and duration) and an optional supplementary system in which compensation takes into account income and previous duration of activity. Although the compensation rules for self-employed persons and employees are very similar, the funding structure for the systems is different.

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· 6 to 22.5 months for those aged 53 and 54 years

· 6 to 27 months for those aged 55 years and over

FRANCE	Unemployment insurance for self-employed workers	Unemployment insurance for employees	
Nature of the sch	eme C	Compulsory	
Contribution rate	The General Social Contribution (CSG) is levied on the income of self-employed workers (rate of 9.2%); a fraction of its proceeds is allocated to funding unemployment insurance	Specific employer contribution to the unemployment insurance scheme: 4.05%  The General Social Contribution (GSC) is levied on the income of workers (rate of 9.2%); a fraction of its proceeds is allocated to funding unemployment insurance	
Minimum affiliati condition	Have carried out self-employed activity for at least 2 years continuously and have received a minimum amount of €10,000 in at least one of the two years preceding the cessation of activity	6 months in the last 24 months or in the last 36 months for employees over 50 years of age	
Amount of compensation	€800 per month (fixed amount)	57% of the daily reference salary (DRS) or 40.4% + a fixed portion, up to 75% of the DRS	
Period of	6 months	• 6 to 18 months for those under 53 years of age • 6 to 22.5 months for those aged 53 and 54 years	

6 months

compensation

Unemployment protection is different for self-employed persons and employees. For self-employed persons, compensation is the same for all (predetermined amount and duration). For employees, compensation takes into account income and previous duration of activity.

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•	GERMANY	Unemployment insurance for self-employed workers	Unemployment insurance for employees
	Nature of the scheme	Optional	Compulsory
•	Contribution rate	Contribution to unemployment insurance: 2.6%	Contribution to unemployment insurance - 2.6%:  • 1.3% payable by employers  • 1.3% payable by employees
	Minimum affiliation condition	12 months in the last 30 months	
<b>©</b>	Amount of compensation	60% or 67% of the reference salary according to family situation	
8	Period of compensation	Between 6 and 24 months	
8	Period of	Between 6 and 24 months	

Self-employed persons can voluntarily join the unemployment insurance scheme for employees. They are governed by the same rules. The allowance is proportional to income and duration of previous activity.

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#### **IRELAND**

### Unemployment insurance for self-employed workers

### Unemployment insurance for employees

Taux de cotisation

Overall contribution to social security: 4% of gross annual income (minimum payment of €500) On salaries higher than €38 per week:

- · employer: 8.80% or 11.05% (depending on whether the salary is lower or higher than €441)
- employee: 0% or 4% (depending on whether the salary is lower or higher than €352)



Condition d'affiliation minimale

156 weeks of specific contributions for self-employed persons since the start of professional activity (or 104 weeks of specific contributions for employees) including 52 weeks paid during the reference financial year (N-2)

104 weeks since the start of salaried activity, of which 39 weeks paid or credited during the reference financial year (N-2)

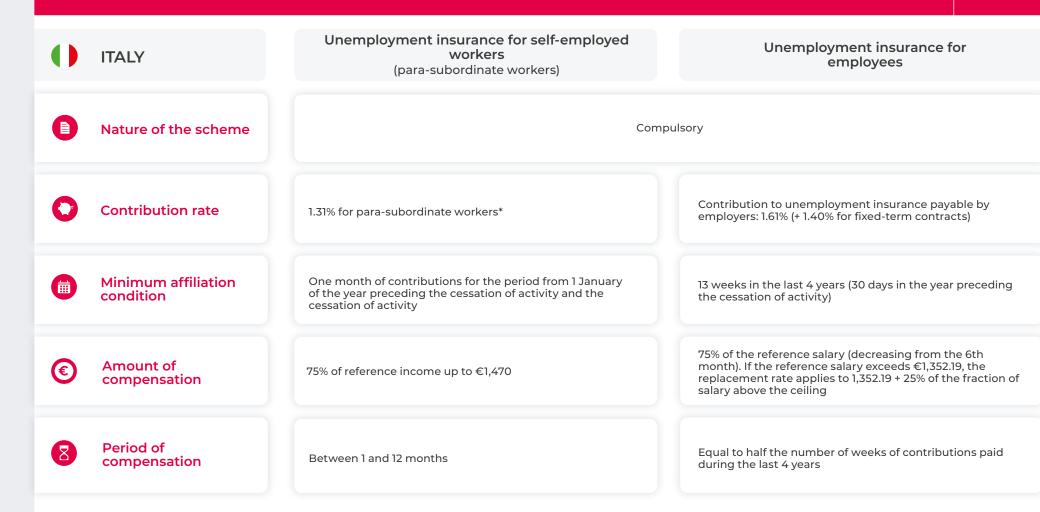


Durée d'indemnisation Fixed amount between €98 and €220 per week (according to the reference salary bracket) + a supplement of €94 or €146 per dependent adult and €42 or €50 per dependent child

6 or 9 months (depending on whether the person concerned has more or less than 260 weeks of contributions)

Unemployment protection for self-employed persons is close to that for employees. In both systems, the allowance is the same for all (predetermined amount and duration). Periods of salaried and self-employed work are taken into account for access to compensation for self-employed persons.

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There are specific systems depending on the categories of self-employed persons (non-salaried para-subordinate workers, self-employed workers subject to VAT, self-employed workers in the entertainment industry). Unemployment protection for self-employed para-subordinate workers (described ago) has things in common (amount of compensation) and differences (access conditions, period of compensation) with unemployment protection for employees. In both systems, the allowance is proportional to income and duration of activity.

<sup>\*</sup> A worker who is economically dependent on a single client

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•	LUXEMBOURG	Unemployment insurance for self-employed workers	Unemployment insurance for employees
	Nature of the scheme	Compulsory	
0	Contribution rate	Not applicable (tax funding)	
	Minimum affiliation condition	2 years of social security affiliation and 6 months of self- employed activity	26 weeks in the last 12 months
<b>©</b>	Amount of compensation	80% of reference income (85% if dependent child)	
8	Period of compensation	Working hours carried out during the reference period, within the limit of 12 months (extension possible)	

Unemployment protection for self-employed persons is close to that for employees (different access conditions). In both systems, the allowance is proportional to income and duration of previous activity. Periods of salaried and self-employed work are taken into account for access to compensation for self-employed persons.

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#### **PORTUGAL**

### Unemployment insurance for self-employed workers

### Unemployment insurance for employees

Taux de cotisation

Overall contribution to social security:

21.4% or 25.2% of reference income depending on the status of the self-employed person

Overall contribution to social security:

employer: 23.75%employee: 11%

Condition d'affiliation

minimale

24 months in the 48 months preceding the cessation of activity

360 days in the last 2 years

Montant d'indemnisation

65% of reference income (75% if dependent person)



Durée d'indemnisation

From 330 to 540 days (variable depending on age and duration of affiliation)

From 150 to 540 days (variable depending on age and duration of affiliation)

Unemployment protection for self-employed persons is close to that for employees, but certain parameters (access conditions, period of compensation) differ from one scheme to another. In both systems, the allowance is proportional to income and duration of previous activity. Specific provisions are provided for economically dependent self-employed workers and self-employed persons.

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SPAIN		Unemployment insurance for self-employed workers	Unemployment insurance for employees
Nature of	the scheme	Compulsory	
Contribut	ion rate	Overall contribution to social security 31.20% of a monthly contribution base, including:  • 28.30%: overall contribution  • 1.30%: accidents at work/occupational illnesses  • 0.90%: protection scheme against cessation of activity  • 0.10%: vocational training  • 0.6%: intergenerational equity mechanism	Contribution to unemployment insurance - 7.05 %:
Minimum condition	affiliation	12 months of continuous payment of contributions on the date of cessation of activity	360 days in the last 6 years
Amount of compens		70 % of reference income	70% of the reference salary for the first 180 days, then 60% from the 181st day
Period of compens	ation	4 to 24 months	

Unemployment protection for self-employed persons is close to that for employees. In both systems, the allowance is proportional to income and duration of previous activity. Specific rules apply to economically dependent self-employed workers and agricultural workers.

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#### **SWEDEN**

### Unemployment insurance for self-employed workers

### Unemployment insurance for employees

Contribution rate

Compulsory scheme: 0.10%

Voluntary scheme: membership fee

- · employer: 2.64%
- employee: membership fee for the voluntary scheme



Minimum affiliation condition

6 months (minimum of 60 hours/month) over the last 12 months or 420 hours during a consecutive period of 6 months (minimum of 40 hours/months) over the last 12 months

Amount of compensation

Compulsory scheme: €1,009/month

Voluntary scheme: 80% of the reference salary for the first 200 days, then 70%



Period of compensation

300 days (450 days if dependent child)

Unemployment protection for self-employed persons and employees consists of a compulsory basic system under which compensation is the same for all (predetermined amount and duration) and an optional supplementary system in which compensation takes into account income and previous duration of activity. The same rules apply to self-employed persons and employees.

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Europ'info 2023

**Unemployment insurance** in Europe

**Self-employed workers** 

**December 2023** 

Sources: MISSOC (European Mutual Information System on Social Protection), national laws

https://www.unedic.org







