

If you are well informed, you will make better decisions and know what you are entitled to

Go to
RED INTER-LABOR@ CRUZ ROJA



Regional Office



INFORMATION GUIDE FOR IMMIGRANTS

i am looking for work:

what i need to know



Employment is an agreement involving rights and duties:
BE FAMILIAR WITH THEM



welcome

Humanity
Impartiality
Neutrality
Independence
Voluntary
Unity
Universality

Although a large number of people decide to emigrate, when they leave their country to look for a better life elsewhere is a unique experience, different for each individual.

We all have the right to emigrate. It is acknowledged in the Declaration of Human Rights. Immigration also makes a contribution to the country of destination's economic, social and cultural development. We are well aware of this, because until just a few years ago millions of Spanish people were forced to

look for jobs in other countries, and they contributed to the growth of those countries just like you are now contributing to the development of Spain.

Therefore, we would like to **welcome** all those of you who have had to make the difficult decision of leaving your homeland and your people, undertaking a long, costly and often hazardous journey in your search for a better future, as a sign of hospitality to thank you for choosing our country as the end of a journey which, either by chance or by choice, has brought you here. We hope that it has been worth the effort and that your dreams can finally come true.

Spanish Red Cross

I COME WITH A DREAM AND COME

Each individual has his **own dreams and ideas** about what he or she is going to find. This is what some have you have told us:

I am going to start a new life.

I'll be able to give my family a better future. I hope I do not disappoint them.

Now I'm here, I wonder if I've done the right thing.

I want to work. Its easy to find here because there is plenty and it pays well.

I will be able to convalidate my academic career and work doing something I enjoy.

I'm going back as soon as I've earned enough.

When I pay off the money I owe for the journey, I'll be able to save and buy a house and my children will be able to study.

I have to send money to them so that they lack nothing.

My family and myself are no longer in danger.

I'm sure to find someone who will help me and tell me how to get started.

If I could only bring my family.

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FACE TO FACE WITH REALITY

All this gradually changes, and you start to **discover** that:

No-one told me that things weren't easy here and that there are also Spanish people without work.

This life is not at all like I had imagined.

It's difficult to get used to different customs, schedules, food, people and the language.

I thought I'd got enough papers, but they were no good, because I need a work permit.

I was deceived a few times before I found out how things work here.

They take such a long time to issue permits and they're always asking for more papers.

It's so different to live in a country where there is no fear.

I can only get the jobs that nobody else wants. I don't earn much and life is very expensive. I've just enough to survive and send something home.

I feel that they don't trust me because I'm different.

With every year that passes, I find it harder to return. I've got used to living here.

Ultimately, you discover that when you arrive your journey is not yet over, but you are at the start of a new journey which will lead you to what you are looking for.

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WHAT AM I LOOKING FOR? WORK



Your most urgent desire and **need** is to find work.

Depending on whether you are a man or a woman, on the country you come from, on your age, your skills, your experience... , you may feel think that work is one or all of the following:

A way of earning money to live on.

A place to make friends.

What makes you independent.

What helps you to become integrated.

What makes you feel useful.

Depending on what work means to you, you will be closer to or further away from what you have come here for, because:

You will look for one type of work or another.

You will agree to work in certain conditions, with a certain salary, contract and timetable.

You will want to get a better job and learn a different profession.

Work is also a right acknowledged both in the Declaration of Human Rights and our Constitution. In spite of this, many nationals and foreigners in our country find it difficult to find a good job that will help them improve their living conditions. It is not easy for anyone, and you have added difficulties: you need papers, you don't speak the language and you don't have enough information, etc.

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HOW CAN I WORK?

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You can work in one of two ways:

For others When you work for someone else.
For yourself. When you have your own business.

In both cases, you can work in what is called:

Formal labour market

● When you work with a **contract** or have opened a **business** with all the legal permits required.

Informal labour market

● When you do **not** have a contract or have set up a **business** without the necessary legal permits. This is called “undeclared labour”

Whether you work on the informal labour market depends on several things:

Whether you have a work and residence permit or not.

Whether you have a labour contract or not.

Whether you decide to work on the undeclared labour market because you want to or because you don't know how to change your situation.

There are many more advantages on the formal labour market:

You have the rights and obligations acknowledged by the law for all workers.

You have more job security, so it is easier to renew permits and bring over your family.

Your contract will help you rent a flat or apply for a bank loan.

You are entitled to disability, maternity, retirement and unemployment benefits.

Just like everyone else with a job, you help to improve public services: transport, hospitals, housing...

WHAT DO I NEED ?

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“Papers” ... but not just any papers.

- To live in Spain legally you need a **residence permit**, and if you also want to work, you will need it to apply for a work permit.
- To work on the formal labour market, **the only valid document is a work permit or authorisation to work**. Your other papers are for other things.

“You need these papers but they are not sufficient”. To work, you also need:

- To understand and speak our language, not only to look for a job, but also to know what contract you are signing, become familiar with your rights, be able to relate to other people at work and in the neighbourhood, etc.
- To find out what work is available and how to look for a job. Things are different in cities than in the countryside, and different from one region to another.
- To learn a profession or increase your knowledge, because businesses are increasingly interested in people with specialised training. If you don't have a profession or skill, you will work in worse conditions.
- To observe, ask and obtain information about what rules apply here, how personal relations develop, the pace of work, how time is organised, etc.

What situation could you find yourself in?

● When you do NOT have a residence or work permit, you are in an irregular situation, and you don't have the documents to live or to work. You need to legalise your situation. Remember that:

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If

- You are from Chile or Peru
- You are married or the child of a foreign national with a renewed residence permit.
- You are stateless and have lost that condition
- You are responsible for a Spanish family member.
- You were born and live in Spain.
- One of your parents or grandparents was Spanish
- You have had a residence permit before but you did not renew it, and you have lived in Spain for over 2 years
- You have lived here for 5 years uninterruptedly
- You have lived here for 3 years, you have the offer of a job and you have family links in Spain.

If you are not in any of these situations.

Where do you apply for a residence permit?

In the office of foreign nationals or the sub-delegation of the government where you live. Ask what documentation you need and present it.

You cannot apply for a residence permit. You have to return to your own country and try to re-enter with the necessary permits.

● When you have a residence permit but you do NOT have a work permit or authorisation to work

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The only way to obtain one is with the **offer of a job**. Either you or the person who is going to hire you have to present the job offer in the office of foreign nationals or the sub-delegation of the government, together with the other papers and documents required, both yours and from the company that has made you the offer.

With a view to keeping the papers that have been so difficult to obtain, it is very important to renew them at least one month before they expire. Find out what you need and make sure that you have all the documents that you require and that they are all valid.

● When you have a residence permit and a work permit.

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AND NOW WHAT?

If you obtain a residence permit, you can legally live in Spain, but you need more papers to work on the formal market .

You are in an irregular situation and you will only be able to work on the informal market.

What kinds of permits are there?

There are different types of work permits. Your rights will depend on the work permit you have. These are the most common types:

1. Permits to work for others:

● **B “Inicial”**: it may restrict where you can work and what jobs you can do. It only lasts for 1 year. ● **B “Renovado”**: if you have a B “inicial”, you can apply for renewal one month before it expires. You can work in several professions for two years and anywhere in the country. After two years, you can renew it for a **“C”** permit with the same conditions. If you have had permits for 5 years, you can apply for a **“permanent”** one.

There are also seasonal permits, **“A”** and **“T”**, for certain activities or services restricted to the term of your contract or a specific geographical area.

2. Permits to work for yourself

These permits are **D “inicial”**, **D “renovado”** and **“E”**. They have the same characteristics as the previous permits and you have to apply for them when you want to set up your own business.

3. Authorisations to work

Among others, they can be applied for by applicants for asylum, foreign student residents and foreign nationals with temporary residence permits granted because they have roots here or for exceptional reasons.

Remember:

- **If you pay for a job offer, residence permit or work permit, this is illegal and you could lose the opportunity to legalise your situation.**
- **If you lend your papers to someone else, you won't be helping them because they are only of use to you.**
- **If you think that you will earn more by working without a contract, the only advantage is for the person you work for, you have less legal protection and you could lose your papers.**
- **Don't believe rumours that “they are issuing papers”. Ask for information from the authorities and social organisations.**
- **Don't assume that it will be the same for you as it was for a friend. The law can change from one day to the next.**
- **Don't expect to receive the papers quickly. This process takes months.**

WHAT RIGHTS AND OBLIGATIONS DO I HAVE?

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When you work, you have a series of rights and obligations that will depend on your situation:

If you don't have the right papers, you're in an irregular situation. Although you cannot legally work, you should know that:

As a citizen you are entitled to:

- **Free healthcare**: You don't need to pay for private insurance. Apply for your healthcare card in a health centre.
- **Request free legal assistance and social aid** if you have insufficient financial resources.
- **Receive free education** so that your children or the minors for whom you are responsible can attend public schools.
- **Take part in the social and cultural life of the area where you live**: local festivities, neighbourhood associations, sports groups, etc...

But to do all this, you need to be on the Council census. You will then have access to many public resources and, when necessary, you will be able to prove how long you have been living here.

As a citizen you have the **obligation** to:

- **Be aware that the public health** is financed by us, with our Social Security contributions. Make sure you know how it works, and only use it when necessary.
- **Be aware that social aid is limited.** Use it in a responsible manner so that it is also available for those who need it as much as you, or even more.
- **Make sure that your children or the minors for whom you are responsible go to school,** because education is compulsory in Spain up to the age of 16.
- **Be aware of and respect** our rules of social conduct. Observe, ask and suggest ideas for living together in your neighbourhood, district or town. Remember that you are not in your own country and things may be different here.

If you are in a regular situation and you have signed a job contract, you should also know that:

When you work, you are **entitled** to:

- **Be paid your salary** throughout the trial period defined in the contract, every month, and with extra payments depending on the applicable labour agreement.
- **Refuse to sign your dismissal** from the company before your contract expires, or if you leave the job for any reason or are dismissed.
- **The holidays** to which you are entitled. You do not have to work during this period in exchange for a salary if you don't want to.
- **Have** hours, days or months off for personal reasons: bureaucratic formalities, moving house, when a child is born. It is all in the applicable labour agreement.
- **Sick leave** for maternity, illness, disability, etc... without ceasing to receive your salary.
- **Receive unemployment benefits** if your contract ends. You need to have contributed to the Social Security for at least 12 months.

When you work, you have the **obligation** to:

- **Comply with the timetable and perform the work** for which you have been hired.
- **Refrain from sending** someone else in your place if you can't go to work for any reason.
- **Call** if you are unable to work because you are sick, and provide a doctor's note.
- **Inform** a few days in advance if you are going to complete bureaucratic formalities, take a child to the doctor, etc..
- **Ask your doctor for a sick note and authorisation to return to work,** and take it to your place of work, either yourself or someone else.
- **Inform the company** a few days in advance if you want to leave your job, depending on what your contract says.

The company is under the **obligation** to:

- **Give you a copy of your contract signed and stamped** by the Inem or Public Employment Service.
- **Give you a copy of the applicable labour agreement** if you ask for one.
- **Register you in the Social Security** and pay a contribution for you every month, and **cancel it** at the end of your contract. You can make sure that this is being done by asking for your "vida laboral" at your local Social Security office. Otherwise, you will lose many of your rights, including the possibility of renewing your papers.
- **Pay** for overtime or give you days off to compensate for the overtime you work, according to the law.

And the company is **entitled** to ask you to:

- **Perform the work** for which you have been hired.
- **Be punctual** and comply with your schedule.
- **Respect the company's rules and customs.**
- **Work at the same pace** as the rest of the work force.

If you are in a regular situation but work without a contract,

You are entitled to none of this and could lose your permits if you have not worked for at least 6 months when the time comes to renew them.

Remember:

- **Only if you are familiar with your rights and obligations can you make sure that they are respected.**
- **To make sure, always read everything before you sign it, read your labour agreement, and if there is something that you don't understand, ask for an explanation.**
- **If you fulfil your obligations you will be able to demand your rights.**
- **If you demand your rights, this does not mean that you will lose your job.**
- **Do not endanger the possibilities of dialogue with the company to reach an agreement concerning timetables, days of payment, permissions.**

There are many more rights and obligations that you will learn about, but it is important for you to know that they are the same for everyone, whatever their origin, legal status, social class, sex, etc...

HOW CAN I GET A BETTER JOB?

You don't always find the job that you are hoping for, but you often don't have much choice because you need to work. If:

They don't pay you, or they don't pay you on time.

They make you work overtime without paying you for it.

They have been promising to give you a labour contract but have not yet done so.

You don't like your job, you want to learn new things and do something different.

Perhaps you should be thinking of the possibility of looking for another job, but first:

Talk to your boss and tell him that you are not happy. It may be possible to find a solution.

Ask for guidance and job advice.

Don't leave right away. Wait until you've found another job before you leave.

Consider continuing to work at the same place and, in the meantime, learn another profession that you like more.

WHAT, ELSE DO I NEED TO KNOW?

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If everything has to be paid for in your country, you should be aware that here, if you don't have to pay for something, that doesn't mean that you will not get a good service. There are many places where you will be given information and advice. Here are some of them:

- **Health Centre:** to apply for your "health card".
- **Social Security Office** to ask for your "vida laboral".
- **Council or District offices** to register on the census and learn where you can find social services, women's care services, etc.
- **Delegation of Education** to find out how to convalidate your studies and how to send your children to school.
- **Permanent adult education centres** to learn the language, receive driving lessons (theoretical part).
- **Subdelegation of the government or Foreign Nationals Office** to obtain information and apply for permits.
- **Public Employment Services and the INEM** to register as a job seeker and access courses and job offers.
- **Unions** to ask them to defend your rights at work. Some unions have advisory services, job offers, etc.
- **NGO's providing support to immigrants** to obtain information, financial aid, Spanish lessons, legal advice, free document processing, job guidance, training courses, job and housing offers, etc.
- **Neighbourhood associations, cultural centres, sports clubs,** because you haven't come here only to work, and you will be able to meet people, do the things that you enjoy, teach other people about your country and your culture...

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