

Group activity: Comparison of unemployment benefits in Convention No. 102 and 168 with national legislations

	Principle in Convention No. 102	Principle in Convention No. 168	Application in national legislation	Application in practice
Contingency	Suspension of earnings due to inability to obtain suitable employment in the case of a person protected who is capable of and available for work	<ul style="list-style-type: none"> • Full unemployment i.e. loss of earning due to inability to obtain suitable employment by a person capable of, available for and seeking work; • Partial unemployment, i.e. temporary reduction in normal or statutory work hours; • Temporary suspension of work without breaking employment relationship, leading to suspension or reduction of earning. 		
Coverage	Classes of employees, not less than 50% of all employees	Prescribed classes, not less than 85% of all employees, including public employees and apprentices		
Methods of protection		Contributory system or non-contributory system or a combination of both		
Financing	Employees should not contribute more than 50% of the overall costs for social insurance			
Amount of benefit	Periodical payments of at least 45%	Periodical payments of more than 50% of previous earning (contributory system) or 50% of statutory minimum wage (non-contributory system)		

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Duration of benefit	At least 13 weeks within 12 months (if covering employees) or 26 weeks within 12 months (if covering all residents)	For full unemployment, benefits may be initially provided for 26 weeks in each unemployment spell, or 39 weeks over any period of 2 years.		
Qualifying conditions	Qualifying period should not be longer than the period considered necessary to preclude abuse (period determined by legislation depending on national context)	Not more than the time deemed necessary to prevent abuse; it should be adapted to the occupational circumstances of seasonal workers		
Waiting period	Maximum 7 days	Maximum 7 days		
Suspension of benefit	<p>Suspension allowed under following conditions:</p> <ul style="list-style-type: none"> • Person is absent from the territory • Person is detained • Person receives another social security benefit • Fraudulent claim • Contingency is caused by a criminal offence or by wilful misconduct • Person fails to comply with the rules or use the employment services • Unemployment is the direct result of a stoppage of work due to a trade dispute • Person left voluntarily without just cause 	<p>Satisfaction of any of the conditions:</p> <ul style="list-style-type: none"> • absence from territory; • deliberate contribution to own dismissal; • leaving employment voluntarily without just cause; • person stopped work to take part in a labour dispute or was prevented from working as a direct result of a labour dispute; • fraudulent claims; • failure to use the placement, training, retraining, vocational guidance, redeployment facilities without just cause; • failure to accept suitable employment; or • receiving an income maintenance benefit which is higher, except family benefit. 		

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Administration and responsibility for overall operation	The State must accept general responsibility for proper administration of the fund and the due provision of benefits, and take all necessary measures to achieve this, including regular actuarial reviews and financial assessments.	The State is responsible for the sound administration of the institutions and services. Representatives of beneficiaries, employers and public authorities may participate in the administration.		
Right to complaint and appeals	Every claimant must have the right to appeal or complain in case of refusal of benefit payment, issues related to quality or quantity of the benefits.	Claimants shall have the right to present a complaint to the implementing body and appeal to an independent body. The procedures have to be simple, rapid and informed in writing.		