

KNOW YOUR RIGHTS

You have these rights:

Labour rights:

- **Right to a fair wage**

You have the right:

- To be paid for all the work you carry out.
- To earn at least the guaranteed minimum wage (established for the current year).

Minimum wage 2019:

- Daily: 30,00 € - Monthly: 900,00 € - Yearly: 12.600,00 € (in 14 annual payments).
- Casual workers and seasonal workers (hired for fewer than 120 days): 42,62 €/day (daily guaranteed minimum wage + proportional part of the full annual salary based on its distribution into 14 payments), Sundays and public holidays).
- Live-out domestic employees: 7,04 €/hour.

If you work overtime your employer must pay you for that time, or compensate you with paid rest time.

- **Right to limited working hours**

The employer must respect the working hours agreed in collective agreements or work contracts. The maximum duration of the ordinary workday is 40 hours per week of effective work, as an average calculated annually. If you work more hours, they will be considered overtime.

- **Right to 30 calendar days of vacation (22 working days).**

- **Right to weekly rest time**

You have the right to a minimum weekly rest period of one and a half uninterrupted days, which, as a general rule, will be Saturday afternoon or, where applicable, Monday morning, and all of Sunday.

- **Right not to suffer discrimination and to be treated with dignity**

- Your employer is prohibited from treating you badly or differently in the workplace on the grounds of sex, marital status, age within the limits set by law, racial or ethnic origin, social status, religion or belief, political ideas, sexual orientation, membership or not of a trade union, as well as on the grounds of language, within Spain.
- Your employer may not treat women differently, or take any action against them in the event of pregnancy or breastfeeding.
- You have the right to privacy and to due consideration of your dignity, including protection from harassment.

Right to effective occupational health and safety protection, right to work in a safe and healthy workplace

- **Training:** You have the right to receive information and training on hazards, on methods to avoid harming yourself, and on safety and health standards relevant to your workplace. Training must be conducted in a way that you understand.
- **Protective equipment:** Your employer must purchase and provide the protective equipment necessary for you to carry out your work (such as a protective mask or gloves).
- **Health surveillance:** Your employer must ensure regular monitoring of your health in accordance with the risks involved in your work.
- In the event of a **work-related accident** or **occupational disease** you are entitled to medical care and to financial benefits while you are unable to work. If you consider that the accident or illness was caused by your employer's non-compliance with his/her obligations, you can file a complaint with the Labour Inspectorate.
- If you consider that your work involves a **serious and imminent risk to your life or health**, you have the right to abandon your activity and leave the workplace.

Social Security rights

Workers must know the basic obligations of employers:

- Your employer must **register you with the Social Security system** before you start working.
- Your employer must **pay Social Security contributions** for all the hours you have worked and for all the wages you have been paid.

If your employer does not comply with these obligations, you will not have access to Social Security benefits. Therefore, **it is important that you report any violations.**



What to do in the event of violation of these rights:

If you consider that your rights have been violated you have two options:

➤ **Filing a complaint with the Inspectorate**

You can file a complaint with the Labour and Social Security Inspectorate. You will find a complaint form on our website:

http://www.mitramiss.gob.es/itss/web/Atencion_al_Ciudadano/COMO_DENUNCIAR_ITSS.html

The Labour and Social Security Inspectorate staff will consider as confidential any complaints received concerning violations of legal provisions.

If your employer dismisses you without cause after you have filed a complaint, you will be covered by the indemnity guarantee, and your dismissal will be deemed null and void.

On certain occasions it is advisable to address the Labour Inspectorate before resorting to a judicial process. For example, in the event of a worker not being registered with the Social Security system, a report by a Labour Inspector shall be presumed to be accurate, and will make it easier for a worker to prove their claims.

➤ **Labour Inspectorate mailbox**

If you do not wish to identify yourself, you can also inform the Labour and Social Security Inspectorate of any violations of labour, social security, or occupational health and safety regulations, without providing any personal details, via the “**LABOUR INSPECTORATE MAILBOX**”.

<https://expinterweb.mitramiss.gob.es/buzonfraude/>

FOR MORE INFORMATION, VISIT THESE WEB SITES:

<http://www.empleo.gob.es/itss/web/index.html>

http://www.empleo.gob.es/es/sec_trabajo/ccncc/C_Registro/BDEnlacesCCAA.htm

http://www.empleo.gob.es/es/Guia/texto/guia_15/contenidos/guia_15_36_21.htm

http://www.mitramiss.gob.es/itss/web/Atencion_al_Ciudadano/COLABORA_CON_ITSS.html