

Unemployment benefit in the EU

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 [What you must do if you become unemployed in another EU Member State \(also applies to Norway, Liechtenstein, Iceland and Switzerland\):](#) 

 [When are you eligible for unemployment benefit in Latvia if you were last employed in another EU Member State?](#) 

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UNEMPLOYMENT BENEFITS IN THE EU

Social security legislation in all EU Member States contains provisions that guarantee the payment of benefits in the event of unemployment, although the social security schemes in each country differ for historical and practical reasons. Since different national schemes may cause difficulties when two or more Member States are involved, the national schemes are coordinated by EU social security law to prevent the application of different national laws affecting people moving within the EU borders. Coordination means that Member States are free to choose procedures for the granting and payment of benefits and to establish the amount of unemployment benefits, while observing common rules and principles laid down by EU law.

For that reason, when evaluating eligibility for Latvian unemployment benefit, not only do Latvian national legal instruments apply, but also EU rules on social security coordination: Regulation (EC) No 883/2004 on the coordination of social security systems (Regulation (EC) No 883/2004) and Regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004 (Regulation (EC) No 987/2009).

Regulations (EC) Nos 883/2004 and 987/2009 apply to citizens of the European Union Member States, EEA states (Norway, Liechtenstein and Iceland) and Switzerland (altogether referred to for this purpose as the 'EU Member States') and third-country nationals if they legally reside in a Member State and are affiliated with more than one Member State.

The provisions of EU legal instruments on unemployment benefits lay down the following key principles

Aggregation of insurance or employment periods between Member States. This entitles a person who has arrived from another Member State, started employment and subsequently lost that job, to receive unemployment benefit in Latvia based on their insurance periods in the other Member State. Insurance periods are aggregated to meet Latvian provisions for granting the benefit.

Export of unemployment benefit while seeking employment in another Member State. This enables an unemployed person receiving unemployment benefit in Latvia to seek employment in another Member State and continue receiving the Latvian unemployment benefit for up to 3 months. The 3-month period may be extended for up to 6 months if the unemployed person fails to find employment during these 3 months and is still eligible for Latvian unemployment benefit.

Eligibility for unemployment benefit in the country of residence if the person has worked and had social security insurance in one Member State while permanently residing in another Member State, for example frontier workers.

Rights and obligations of unemployed persons under EU rules

Aggregation of insurance periods

If the acquisition, retention, duration or recovery of the right to unemployment benefits is conditional upon the completion of insurance periods, such periods completed in any other EU Member State are taken into account as though they were periods completed under Latvian legislation. Therefore, unemployment insurance periods completed in another EU Member State are taken into account to meet the Latvian legal provisions for granting unemployment benefit. The above aggregation rules apply if

the person was last employed in Latvia. An exception is made for frontier workers and other workers who resided permanently in Latvia while working in another EU Member State (see *Eligibility for unemployment benefit in Latvia if the last place of employment was in another EU Member State*).

Documents required for the aggregation of periods

In order to aggregate Latvian insurance periods with those in another EU Member State, you must submit an application for receipt of a U1 document (*Periodi, kas jāņem vērā, lai izmaksātu bezdarbnieka pabalstus*– 'Periods to be taken into account for the payment of unemployment benefits') to the VSAA. This form must be submitted to the competent authority in the country where you were employed. The form must state employment/insurance periods in another Member State, the reason for terminating the employment, and other relevant information. If an application for receipt of a U1 document is not submitted along with an application for unemployment benefit, the VSAA will request it from the competent authority of the respective Member State.

Export of unemployment benefit

An unemployed person who already receives unemployment benefit in Latvia or is eligible for it may choose to go to another EU Member State to seek employment and to continue receiving Latvian unemployment benefit for up to 3 months from their date of departure; this period can be extended for up to 6 months.

To continue receiving Latvian unemployment benefit while looking for employment in another EU Member State, you must submit an application for receipt of the U2 document (*Bezdarbnieka pabalsta tiesību saglabāšana*– 'Extension of entitlement to unemployment benefits') from the VSAA in a timely manner. The U2 document certifies that the unemployed person is entitled to receive Latvian unemployment benefit while seeking employment in another Member State (see *Responsibilities in the Member State where unemployment is sought*).

Conditions for receiving the U2 document

You must be registered with the State Employment Agency (NVA) as an unemployed person at least 4 weeks before you leave Latvia. This period may be reduced in specific cases, for example, if you meet another criterion and you join your spouse who has started employment in another Member State;

You must be eligible for Latvian unemployment benefit prior to your departure;

You are leaving for another EU Member State for the sole purpose of searching for employment. People going abroad for other reasons do not meet this requirement and are ineligible for the export of unemployment benefit.

Obligations in the Member State where employment is sought

To continue receiving Latvian unemployment benefit while seeking employment in another Member State, the unemployed person must:

register with the employment service of the Member State where employment is sought within 7 days of leaving Latvia. When registering with the other Member State's unemployment service, you must present the U2 document issued by the VSAA. The U2 document contains the following information: the date of departure of the unemployed person; the deadline for the unemployed person to register as a jobseeker in the Member State where employment is sought; and the period during which the unemployed person continues to be entitled to the unemployment benefit and circumstances that may affect entitlement to it;

fulfil jobseekers' obligations in accordance with the rules of the Member State where employment is sought.

Requirements for extending the U2 document for up to 6 months

If the you fail to find employment in the respective Member State within 3 months and you are still eligible for Latvian unemployment benefit, the period of export of unemployment benefit may be extended for up to 6 months if you:

have registered with the employment service of the Member State where employment is sought (within 7 days of leaving Latvia)

have fulfilled jobseekers' obligations in accordance with the law of the Member State where employment is sought.

In order to receive the U2 document you must submit an application for receipt of the U2 document (*Tiesību uz bezdarbnieka pabalstu saglabāšana saņemšanai* – 'Extension of entitlement to unemployment benefits'). Base on this application, the U2 document is issued for a period of up to 3 months.

In order to extend the period of receipt of unemployment benefit for up to 6 months, you submit an application for receipt of the U2 document (*Tiesību uz bezdarbnieka pabalstu saglabāšana" saņemšanai*– extension entitlement to unemployment benefits') to the VSAA.

The application for receipt of the U2 document (for up to 3 months) must be submitted at least 14 days before you leave Latvia.

The application to extend the eligibility for unemployment benefits for up to 6 months must be submitted at least 21 days before the end of the initial 3-month period.

Application forms are available on the VSAA website www.vsa.gov.lv under *Pakalpojumi (Services) > Iesniegumu veidlapas (Application forms) > Eiropas Savienības un starpvalstu līgumu pakalpojumiem (EU and intergovernmental agreement services > Pakalpojumiem Eiropas Savienībā (Services in the EU)*

The application for receipt of the U2 document can be submitted:

by filling in the e-application on the portal; www.latvija.lv ;

electronically, signing the application with a secure electronic signature that contains a timestamp;

by sending the application by post to VSAA's International Services Division;

in person at any VSAA client centre.

The VSAA's [International Services Division](#) issues the U2 document no earlier than 7 days before the date of departure stated in your application. The U2 application form requesting an extension of the eligibility for unemployment benefits to 6 months must sent to the address stated in the application form.

Payment of unemployment benefit when seeking employment in another EU Member State

When unemployment benefit is exported, the VSAA continues to pay it once it receives information from the competent authority of the respective Member State about the registration of the unemployed person with the employment service of the country in question and the fulfilment of all obligations in connection with seeking employment.

NB: The U2 document itself does not establish the right to seek employment in another EU Member State. For that reason, it is advisable that, before leaving for another EU Member State to seek employment, the unemployed person contact the competent authority of the respective Member State for information on the requirements for obtaining jobseeker's status, the rights and responsibilities of jobseekers, and the general jobseekers' qualification requirements in the country in question. Addresses of the competent authorities are available on the VSAA website under www.vsa.gov.lv *Pakalpojumi (Services) > Pakalpojumi Eiropas Savienībā (Services in the EU) > Pakalpojumu koordinēšana Eiropas Savienībā (Coordination of services in the EU > ES dalībvalstu institūcijas (Institutions in EU Member States)*. Information about the rules applicable in Member States can also be found on the [EURES portal](#).

Returning to Latvia

If you fail to find employment in another EU Member State within 3 or 6 months of your departure from Latvia, but in accordance with Latvian law you are entitled to receive unemployment benefit for a longer period, you may continue receiving unemployment benefit in Latvia, provided that you return to Latvia before the expiry of the 3- or 6-month period (as stated in the U2 document).

An unemployed person who repeatedly departs to seek employment in another Member State is not eligible for Latvian unemployment benefit. Under Latvian law, if you wish to depart a second time to seek employment in another Member State while receiving Latvian unemployment benefit, you must work for a specific period of time necessary to be eligible for unemployment benefit and obtain the status of an unemployed person again.

Eligibility for Latvian unemployment benefit if you were last employed in another EU Member State

Pursuant to the provisions of Regulation (EC) No 883/2004, unemployment benefit must be claimed in the Member State where you were employed and insured before becoming unemployed, i.e. in the country where you were last employed.

If you were employed in another EU Member State, you are only entitled to receive unemployment benefit in Latvia in specific cases where you resided permanently in Latvia during your last employment in another Member State. The decisive factor for receiving unemployment benefit in the country of residence is where you resided during your last employment in the Member State where unemployment benefit is claimed, rather than the Member State whose legislation is applicable to you.

Frontier workers

Frontier worker means any person pursuing an activity as an employed or self-employed person in a Member State to which they return, as a rule, daily or at least once a week.

Unemployed persons whose permanent place of residence is in Latvia while being employed in another EU Member State are also entitled to receive unemployment benefit in Latvia if they were last employed outside Latvia.

This provision does not apply to self-employed persons. Since self-employed persons in Latvia are not subject to insurance against the risk of unemployment, unemployed frontier workers must claim unemployment benefit in the Member State where they last pursued an activity as self-employed persons and where they were insured against the risk of unemployment. See more information in *Provision of unemployment benefit to self-employed frontier workers*.

Other categories of workers who had permanent residence in Latvia while working in another EU Member State

In the event of unemployment, a worker who maintains their place of residence in Latvia while working in another Member State may receive unemployment benefit from Latvia if they meet all EU the rules on maintaining residence. According to EU legislation, the following factors are taken into account for the purpose of establishing residence:

- the duration and continuity of stay in the respective Member States;
- the nature and stability of the activity pursued and the duration of any employment contract;
- marital status and family ties;
- the pursuit of unpaid activities;
- the housing situation, in particular its permanence;
- the Member State of residence for tax purposes.

The following categories of workers are entitled to unemployment benefit in their country of residence: mariners; persons normally pursuing activity in two or more Member States; persons covered by the agreement referred to in Article 16 of Regulation (EC) No 883/2004, if they resided in a Member State other than the competent country during their last period of employment. Other categories of workers are only entitled to unemployment benefit following a thorough consideration of all the circumstances.

An unemployed person who resides in Latvia after their last employment in another Member State (including frontier workers) must register with the NVA. The unemployed person may also register as a jobseeker in the country of last employment. In that case, the unemployed person must fulfil the responsibilities and obligations under the legislation of both Latvia and the other Member State (the country of last employment). The unemployed person must inform the VSAA and the NVA if they register as a jobseeker in the country of their last employment.

Persons who were last employed in another Member State but claim unemployment benefit in their country of residence, including frontier workers, must, in addition to an application for unemployment benefit, fill in the form *Par pastāvīgās dzīvesvietas noteikšanu nodarbinātības laikā citā ES/EEZ valstī* (Establishment of permanent residence during employment in another EU/EEA Member State).

Calculation of unemployment benefit

If you were last employed in Latvia, unemployment benefit is calculated only on the basis of income earned in Latvia in accordance with Latvian legislation. This is also the case if you were last employed in Latvia, but before that you had worked in another Member State, and the periods of insurance in the other Member State are taken into account when establishing your eligibility for Latvian unemployment benefit and are included in the insurance period (the aggregation of periods). It is important to note that only insurance periods are aggregated, not income.

For the purpose of calculating unemployment benefits for frontier workers and other workers who resided in Latvia during their employment in another Member State, income earned in the country of last employment is also taken into account.

Unemployment benefit for self-employed frontier workers

A self-employed frontier worker who resides in Latvia must register as unemployed and apply for unemployment benefit in the EU Member State where they last pursued their activity as a self-employed person and were insured against unemployment. The unemployed person may also register with the Latvian employment service (NVA) and seek employment in Latvia, but if they do so, they must inform the competent authority of the Member State providing the unemployment benefit.

If an unemployed person does not wish to remain available to the employment services of the Member State where they last pursued their activity and wishes to seek employment in their country residence, i.e. Latvia, they may avail themselves of the provisions for exporting unemployment benefit. In that case, the unemployed person must contact the competent authority of the Member State responsible for providing unemployment benefit and request the U2 document. Such unemployed persons are not subject to the requirement to register as a jobseeker with the employment service of the Member State for at least 4 weeks after becoming unemployed and before returning to Latvia. Additionally, the export period of unemployment benefit for these persons may be extended for the entire period during which they are eligible for unemployment benefit provided by the competent Member State. In the event of the export of unemployment benefit, the unemployed person must register with the NVA within 7 days of the date of departure and must fulfil all jobseeker's obligations in accordance with Latvian law. Unemployment benefit is paid by the competent authority of the Member State where the unemployment benefit was granted.

Important!

1) Unemployment benefit must be claimed in the EU Member State where you were last employed (with the exception of frontier workers and persons who resided permanently in Latvia during their employment in another Member State – see *Eligibility for unemployment benefit in Latvia if you were last employed in another EU Member State*).

2) If, after being granted unemployment benefit in another EU Member State, you wish to return to Latvia and seek employment here, you may request the U2 document from the competent authority that granted the benefit and you may continue receiving the benefit granted by that country for 3 or 6 months, provided that all the provisions mentioned above are complied with (see *Export of unemployment benefit*).

3) Following the termination of employment in another EU Member State, you must request the U1 document from the competent authority of that country. This document must indicate the periods of your employment and insurance there.

4) If you were employed in another EU Member State, you must submit the following when claiming unemployment benefit in Latvia:

an application for unemployment benefit, stating the country of employment and the name and address of the employer, the start and end dates of employment, and the national insurance number in the country of employment;

the U1 document;

if you did not request the U1 document in the country of your last employment to certify your insurance period there, you must provide documents that prove your employment in the respective Member State (certificates, copies of employment contracts, copies of the most recent tax returns (P60 if you were employed in Ireland or the United Kingdom), a statement of income from your previous employer (P45 if you were employed in Ireland or the United Kingdom), or any other documents that prove your employment in another EU Member State). If you were employed in Norway, you must provide the form *BEKREFTELSE PÅ ANSETTELSESFORHOLD*, completed by the employer in Norway and the *Application for certificate PDU1 for coordination of earned right to unemployment benefits*, completed by yourself;

the form *Par pastāvīgās dzīvesvietas noteikšanu nodarbinātības laikā citā ES/EEZ valstī* (Establishment of permanent residence during employment in another EU/EEA Member State).

Documents proving employment in another EU Member State must also be submitted if you were last employed in Latvia, but before that you were employed and accrued an insurance period in another EU Member State (for the purpose of aggregating insurance periods).

Applications and forms are available on the VSAA website www.vsa.gov.lv



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<https://www.vsa.gov.lv/en/unemployment-benefit-eu>