

04/2025

UNEMPLOYMENT



Modalities

in Luxembourg, Belgium,
France and Germany

Procedures

Registering as a
jobseeker
P. 3

Benefits

Conditions to be fulfilled,
duration and amounts
P. 8



An employee who loses their job may, under certain conditions, be entitled to receive unemployment benefit. The legislation concerning unemployment in Luxembourg, Belgium, France and Germany is extremely complex; consequently, this brochure contains only basic information and a summary of the rights and obligations of the employees concerned. For more detailed information, please contact the LCGB INFO-CENTER.

SUMMARY

Registering as a jobseeker

4 Luxembourg, Belgium, France, Germany

Submitting the application for unemployment benefit

6 Luxembourg, Belgium, France, Germany

Unemployment benefit

8 Luxembourg

10 Belgium

12 France

14 Germany

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A woman with long dark hair, wearing a white short-sleeved shirt, is seated at a wooden desk. She is looking down at a document on a clipboard, holding a black pen over it. Her right hand is on the pen, and her left hand is resting on the desk. The background is softly blurred, showing a white wall and a chair. A green banner with white text is overlaid on the middle of the image.

Registering as a jobseeker



Where



ADEM

 www.adem.public.lu



Circumstances


- Dismissal (*in cases of dismissal for serious misconduct, entitlement to unemployment benefit will only be granted where proceedings are brought for unfair dismissal*);
- Automatic termination of the employment contract;
- Termination of the employment contract on account of the death, physical incapacity or declaration of bankruptcy of the employer;
- End of a fixed-term employment contract.



Le Forem

 www.leforem.be


- End of a period of employment (dismissal, bankruptcy, etc.);
- Automatic termination of the employment contract;
- If you still have an employment contract but are looking for a new job, you can also avail yourself of the services provided by Forem.



France Travail

 www.francetravail.fr

- Cessation of the employment relationship on account of dismissal on any grounds whatsoever;
- Automatic termination of the employment contract;
- Termination of the employment contract for economic reasons (e.g. bankruptcy);
- End of a fixed-term employment contract;
- Resignation in order to follow one's spouse who has been transferred elsewhere.



Agentur für Arbeit

 www.arbeitsagentur.de

- End of a period of working (dismissal, bankruptcy, resignation on serious grounds);
- End of a fixed-term employment contract.



Time limits

As soon as the person concerned learns that they are losing their job, and by no later than the date on which the employment relationship comes to an end.



How

By requesting an appointment with the ADEM Contact Centre:

- www.adem.public.lu;
- ☎ (+352) 247 88 888.

Please have your social security number to hand!!

The Contact Centre will fix an appointment for you with an ADEM counsellor.



Documents

- Valid identity document or passport;
- Letter of dismissal;
- Employment contract;
- Curriculum vitae (CV);
- Certificate of registration with the public employment service of the State in which the person resides;
- Form "Personal information", to be uploaded via www.adem.public.lu

- As soon as the person concerned is in a position to look for and take up a job, and by no later than the end of the notice period;
- Parallel application for unemployment benefit. This is a precondition for receiving unemployment benefit payments;
- Max. 8 days after applying for unemployment benefit.

Registration via:

- www.leforem.be;
- ☎ +32 (0) 800 93 947;
- with a Forem counsellor;
- in the nearest *Maison de l'Emploi*.

- A file containing the applicant's contact details, skills and professional experience;
- Once you are registered, Forem will send you your JOBPass card stating your Forem number, which functions as the code for identifying your file online;
- The file is updated via: www.leforem.be

- The day following the date of cessation of the employment relationship (end of the notice period granted, end of a fixed-term employment contract, etc.);
- End of vocational training;
- End of a period of sick leave.

Registration via:

- www.francetravail.fr ;

Following registration, you will receive a notice, either in your personal space (if you have agreed to this) or by letter, calling on you to attend an obligatory appointment in order to confirm your profile and your registration.

- National identity card or residence permit;
- A document showing your current address (electricity bill, rent receipt, etc.);
- Healthcare card;
- Valid e-mail address;
- Statement from the employer, certificate of employment or pay slips;
- Bank details (RIB);
- Curriculum vitae (CV).

- Within 3 months prior to the end of the employment contract;
- If the person becomes aware of the termination of the contract at a later stage: within 3 days after becoming aware and by no later than the day following the end of the contract.

By registering no later than the first day of unemployment via:


- www.arbeitsagentur.de
- ☎ 0800 4 5555 00 (this number is only accessible if calling from a German telephone number)
- or by attending in person at the nearest office of the *Agentur für Arbeit*.

- Copy of your identity card or passport together with the current postal address. In the case of third country nationals: a residence permit and a work permit;
- Social security card;
- Letter of dismissal or fixed-term contract;
- Curriculum vitae (CV).

Submitting the application for unemployment benefit



Where



At ADEM's *Service des prestations de chômage complet*.



Time limits


Once the applicant has been definitively registered as a jobseeker and no later than 2 weeks after the end of the employment relationship.



At a payment body:


- CAPAC Public Social Security Institution;
- The CGSLB, CSC (LCGB partner) or FGTB trade unions.

- Employees may submit their application and put together their unemployment file at the end of their notice period;
- Applications for unemployment benefit must be submitted as quickly as possible and by no later than 8 days after the end of the notice period;
- In cases where no notice is required to be given, the registration must take place within 2 months from the first day of exemption from this requirement;
- Failure to submit an application by the due date may give rise to the loss of certain rights.



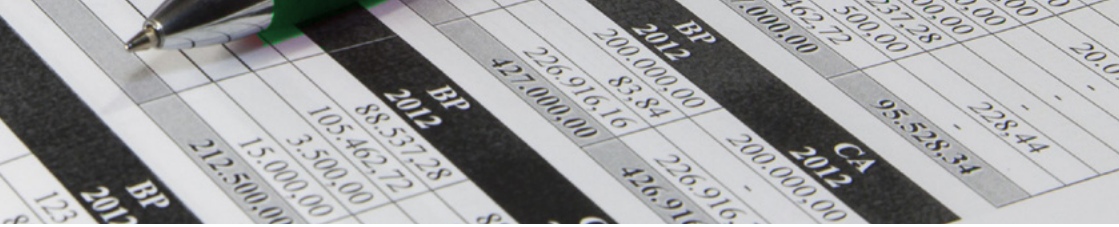
At the offices of *France Travail* in the course of the appointment arranged following registration as a jobseeker.

Following registration as a jobseeker and no later than 12 months after the end of the employment contract. That period may be extended by reason of the occurrence of certain situations (e.g. sick leave).



At the *Agentur für Arbeit*.

The day when you register as an unemployed person is regarded as the date of the application for unemployment benefit. Additional documents are needed for the grant of the benefit, e.g. the application for unemployment benefit.



How

By attending with the requisite documentation at the appointment with the professional counsellor.

The complete file is sent by the payment body to the *Office National de l'Emploi (ONEM)* within 2 months from the date of the application.

ONEM then has one month in which to communicate its authorisation for payment of the unemployment benefit.

By attending in person at the appointment communicated by *France Travail*.

By completing the form relating to the grant of unemployment benefit; this can be obtained from the *Agentur für Arbeit* or is available on its website (www.arbeitsagentur.de).



Documents

- Copy of your social security card;
- ADEM form "Personal information", duly completed;
- CV;
- Income declaration and certificate of employment drawn up by the former employer;
- Copies of your 6 most recent pay slips;
- Diplomas (*including, as the case may be, a certification or recognition of a foreign diploma*).

- Copy of your identity card (residence permit);
- Certificate of employment and letter of dismissal;
- Carte de contrôle chômage complet;
- Form C1 – Declaration of family and personal situation;
- Form U1 certified by ADEM;
- Following a period of incapacity for work: Form C6 – Declaration of physical fitness;
- Certificate of registration with Forem;
- Bank account number.

- Identity card;
- Employment contract;
- Letter of dismissal;
- Form U1 certified by ADEM;
- Social security number;
- Bank account number;
- Certificate of employment drawn up by the employer.

- Form U1 certified by ADEM;
- Certificate of employment drawn up by the employer.



Unemployment benefit



! Conditions

- Being involuntarily unemployed (*this excludes termination of the employment contract by mutual agreement, unjustified resignation and dismissal for serious misconduct*);
- In the case of an internal professional redeployment, having lost one's job by reason of the employer's business closing down or on account of a mass layoff of employees;
- Being at least 16 and not more than 64 years old;
- Being fit for work, available on the job market and willing to accept any suitable employment;
- Being registered as a jobseeker with ADEM;
- Having been employed in one or more jobs for a minimum of 26 weeks, working at least a 16-hour week, over the 12 month period preceding registration as a jobseeker with ADEM. *Where there has been more than one employer, the person concerned must have lost one or more jobs involving at least 16 hours' working per week over a period of one month and the remaining income must be less than 150% of the social minimum wage (3.856,39€, index: 944.43);*
- Being resident in Luxembourg at the time of notification of dismissal in the case of an open-ended employment contract and at least 6 months before the end of the contract in the case of a fixed-term employment contract;
- Not holding the position of manager, director, managing director or person in charge of the daily management in a company;
- Not being the holder of a business permit.

🕒 Duration

- The duration of entitlement to payment of the benefit corresponds to the duration of working, calculated in whole months (*days worked in excess of one month are regarded as a whole month*), done over the course of the reference period;
- The maximum period of entitlement to unemployment benefit is 12 months per period of 24 months.

💰 Amount

- 80% of the former gross salary received during the 3 months preceding the unemployment, but capped at 250% of the social minimum wage (SSM) during the first 6 months. After a further period of 6 months (reference period: 12 months), the amount is limited to 200% of the SSM and to 150% after 12 months.
- That 3-month period may be extended to 6 months and the rate may be 85% where the unemployed person has one or more dependent children.



Waiting time

- Entitlement to full unemployment benefit runs, at the earliest, from the first day of expiration of the employment relationship.
- Where the cessation of the employment relationship is due to the death, physical incapacity or declaration of bankruptcy of the employer, the employee is entitled to continue to receive payment of their salary for the month in which the event occurs and for the following month. The employee is also entitled to receive compensation corresponding to one half of the notice period to which they would have been entitled if they had been dismissed with notice (2 months, 4 months or 6 months). In such cases, the unemployment benefit starts to run, on average, 3 to 5 months after the discontinuance of the employer's business.



Extension

- An unemployed person aged > 50 years who has worked for 20 years may request an extension of 6 months;
- An unemployed person aged > 50 years who has worked for 25 years may request an extension of 9 months;
- An unemployed person aged > 50 years who has worked for 30 years may request an extension of 12 months;
- An unemployed person for whom it is difficult to find another job, in particular a person aged > 55 years, may be granted an extension of 6 months;
- An unemployed person who has been sent on internships, training courses or public service works may request an extension of 6 months.



Exclusion/Loss

- When the set limit for the duration of entitlement is reached;
- Where one or more conditions for granting the benefit are no longer fulfilled;
- Upon reaching the age limit of 65 years;
- If the person concerned turns down a suitable job offer without a legitimate reason;
- If the person concerned refuses without a legitimate reason to take part in internships, training courses or public service works assigned by ADEM;
- If the person concerned abandons their last job without a legitimate reason, save where this is justified on exceptional, valid and persuasive grounds;
- If the person concerned is dismissed for serious misconduct (*they may apply for advance payment of the full unemployment benefit where the dispute is the subject of legal proceedings and the final decision is pending*);
- If the person concerned fails without a valid excuse to attend the appointments with ADEM, they will lose entitlement to full unemployment benefit for 7 calendar days (*in the event of repeated failure to attend, payment will be suspended for 30 calendar days*);
- Entitlement will be irreversibly lost if the person concerned fails to turn up for 3 consecutive appointments as from the first day of non-attendance for the whole of the period still due.



! Conditions

- Being involuntarily unemployed;
- Being resident in Belgium and aged between 18 and 65 years;
- Being fit for work, available on the job market and willing to accept any suitable employment;
- Being able to show that one has worked a certain number of days (probation period) over a given period (reference period) prior to making the application:

Age	Minimum number of days worked to be proved: probation period and reference period
< 36 years	<ul style="list-style-type: none"> • 312 days in the 21 months preceding the application • 468 days in the 33 months preceding the application • 624 days in the 42 months preceding the application
36 - 49 years	<ul style="list-style-type: none"> • 468 days in the 33 months preceding the application • 624 days in the 42 months preceding the application • 234 days in the 33 months preceding the application and 1 560 days during the 10 years preceding the reference period of 33 months • 312 days in the 33 months preceding the application and, for each day falling short of a total of 468 days, 8 days during the 10 years preceding those 33 months
From the age of 50 years	<ul style="list-style-type: none"> • 624 days in the 42 months preceding the application • 312 days in the 42 months preceding the application and 1 560 days during the 10 years preceding those 42 months • 416 days in the 42 months and, for each day falling short of a total of 642 days, 8 days during the 10 years preceding those 42 months

- The reference period of 21, 33 or 42 months may be extended on account of certain events, e.g. birth or adoption of a child, career interruption, imprisonment, resumption of studies or training as an unemployed person not in receipt of benefits.

🕒 Duration

There are 3 periods of benefit payment:

- A maximum of 12 months divided into 3 phases (3 months, 3 months and 6 months);
- A period of not less than 2 months and not more than 36 months, divided into a maximum of 5 phases. The first phase consists of 2 “fixed” months of unemployment and a variable period not exceeding 10 months, depending on the professional background of the person concerned. Over the course of the following 4 phases, each having a maximum duration of 6 months, the benefits are reduced in 4 stages, arriving at a lump-sum amount;
- The final period, in which the person concerned receives a lump-sum benefit payment, begins at the end of the second period, i.e. at the latest after 48 months of unemployment.

Further information:
www.onem.be/citoyens/chomage-complet

🕒 Waiting time

There is no waiting time.

Further information:
www.emploi.belgique.be



Amount

The amount reduces degressively according to the benefit payment periods. ONEM determines the gross daily amount of the unemployment benefit on the basis of different criteria:

- Family situation
 - unemployed person cohabiting with a partner without income or with other family members without income, or living alone but having to pay maintenance;
 - single unemployed person living alone and not having to pay any maintenance/alimony;
 - unemployed person cohabiting with a partner or other family members having their own income and not paying any maintenance/alimony.
- Professional background
- Last remuneration received (amounts as at 1st May 2024), applying a wage ceiling which varies depending on the family situation of the unemployed person and the benefit payment period:
 - Upper wage ceiling of 3.365,16 € for the 1st to 6th month of unemployment, regardless of the family situation;
 - Mean wage ceiling of 3.136,39 € for the 7th to 12th month of unemployment, regardless of the family situation;
 - Lower wage ceiling of 2.930,88 € from the 13th month of unemployment for cohabiting couples with or without dependents;
 - Specific wage ceiling of 2.867,10 € from the 13th month of benefit payments for single unemployed persons.
- Degression during the 1st benefit payment period (12 months)
 - first 3 months: 65% of the last salary (limited to the upper wage ceiling);
 - 4th to 6th month: 60% of the last salary (limited to the upper wage ceiling);
 - 7th to 12th month: 60% of the last salary (limited to the mean wage ceiling).
- Degression during the 2nd benefit payment period (max. 36 months)
 - For cohabiting couples with dependents: 60% of the last salary (limited to the lower ceiling);
 - For single persons: 55% of the last salary (limited to the specific wage ceiling);
 - For cohabiting couples without dependents: 40% of the last salary (limited to the lower ceiling).
- Degression during the 3rd benefit payment period (after max. 48 months)

During the third period, after a maximum of 48 months' unemployment (= first period of 12 months + second period of maximum 36 months), you receive a lump-sum benefit payment. The amount depends on your family situation but no longer on your last salary.



Extension

The first two benefit payment periods may be extended in the following cases:

- full-time occupation;
- part-time occupation with retention of rights but without income guarantee allowance;
- full-time vocational training;
- occupation in a profession not falling within the ambit of social security;
- full-time study without receipt of unemployment benefit;
- career interruption or reduction, or time credit.



Exclusion/ Loss

- Abandoning one's job without a legitimate reason (equivalent to resignation);
- Dismissal for misconduct attributable to the employee;
- Grant of unemployment benefit on the basis of false or incomplete statements;
- Being unavailable on the job market;
- Refusal to accept and take up a suitable job;
- Failure to attend an interview with a potential employer;
- Stoppage or failure of the individual action plan by reason of fault on the part of the unemployed person.



! Conditions

- Being resident in France;
- Not having become voluntarily unemployed;
- Dismissal, even for serious misconduct or by reason of contractual severance;
- End of a fixed-term employment contract or an apprenticeship contract;
- Resignation on a ground subsequently found by a court to be justified and legitimate;
- Resignation in order to follow one's spouse who has been transferred elsewhere;
- Carrying out the actions agreed upon with the *France Travail* counsellor in the context of the individual job-seeking plan;
- Presenting oneself at appointments with their counsellor, for a medical examination or otherwise;
- Not twice turning down a reasonable job offer;
- Being available and physically fit to take up employment;
- Being actively looking for permanent employment or trying to set up or take over a business;
- Not having reached the statutory retirement age, or taken early retirement, or failed to pay sufficient contributions to draw a retirement pension;
- Having been registered as a jobseeker during the 12 months following the end of the employment contract;
- Updating one's situation each month by declaring one's income earned from gainful activity during the relevant period (this must be done between the 28th day of the month and the 15th day of the following month);
- Being able to show that one has been affiliated to the scheme for at least 130 days worked or 910 hours worked (in one or more jobs), i.e. for approximately 6 months over the course of a reference period of 24 months preceding the end of the employment contract for employees aged less than 53 years. That reference period is 36 months for employees aged 53 years or more.

Calculation of the duration

The duration of entitlement to employment benefit corresponds to the number of calendar days worked and not worked between the first and last days of the most recent employment contract, identified over the course of the last 24 months (for employees aged less than 53 years) or the last 36 months (for persons aged 53 years or more). The number of days taken as not having been worked is equal to a maximum of 75% of the days worked (multiplied by 1.4). Lastly, a coefficient of 0.75 is applied to the number of days worked and not worked, in order to determine the duration of entitlement to employment benefit. In the case of employment contracts ending before 1 February 2023, or dismissals the procedure for which was initiated before that date, this coefficient is no longer applied.

In addition, these maximum durations may vary according to the state of the job market. If the overall unemployment rate is less than 9% and has not increased by 0.8% over 1 quarter, the duration of your entitlement to employment benefit is reduced by 25%.

Whatever the situation, the duration of entitlement to employment benefit cannot be less than 182 days (6 months).

Further information:

 www.francetravail.fr/candidat/mes-droits-aux-aides-et-allocati.html

Duration and extension

In general, the duration of entitlement to employment benefit cannot be less than 182 days (6 months) and cannot exceed 730 days (2 years).

- For employees aged 53 or 54 years as at the date when the employment contract comes to an end, that limit is increased to 913 days.
- For employees aged 55 years or more as at the date when the employment contract comes to an end, that limit is increased to 1 095 days.
- Moreover, recipients aged 53 or 54 years as at the date when the employment contract comes to an end may apply for the duration of entitlement to be extended by not more than 6 extra months.
- For recipients aged 62 years or more, the payment of benefits may be maintained beyond the prescribed duration, subject to certain conditions (100 quarters validated by the old-age pension scheme and 12 years' affiliation to the unemployment insurance scheme or periods treated as such, including 1 continuous year or 2 years over the course of the 5 years preceding the end of the employment contract).
- Persons undergoing training: the duration of entitlement to employment benefit may be supplemented on condition that the person concerned attends a qualifying course of training of at least 6 months' duration which is duly entered in the individual job-seeking project (Projet personnalisé d'accès à l'emploi).
- In the event of a deterioration in the employment situation, officially confirmed by an order emanating from the Ministry of Labour, an extension of the period of entitlement may be granted.

Deferrals

Waiting period

The ARE (*allocation d'aide au retour à l'emploi*) cannot be paid before the end of a waiting period, fixed at 7 days. However, that waiting period is not applicable if it has already been applied in the previous 12 months.

"Compensation payment" deferral

This deferral is calculated by reference to sums received upon the termination of the employment contract (e.g.: redundancy pay, contractual severance pay, compensation for breach of contract, etc.). All such compensation payments which exceed the amounts provided for by law have the effect of postponing the commencement of payment of unemployment benefit, even where they involve compensation provided for by a collective agreement or a company agreement or sectorial agreement. To calculate the number of days of deferral, the amount of compensation exceeding that provided for by law must be divided by 107.9 (this value is the same for all). This deferral may never exceed 150 days (5 months) in all cases and 75 days

in the case of termination of the employment contract for economic reasons.

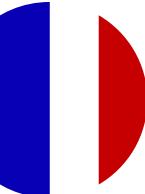
"Paid leave" deferral

This deferral is calculated by reference to the amount of compensation for paid leave not yet taken at the time when the employment contract comes to an end. To calculate the number of days of deferral, the compensation for untaken paid leave received during the last 6 months is divided by the amount of the employee's daily salary. This deferral may not exceed 30 days if the employment contract came to an end (or the dismissal procedure was initiated) on or after 1st October 2021.

These periods are cumulative, and all three of them may be applied if the applicable conditions are fulfilled. The deferrals in question are deferrals of the payment of unemployment benefit, that is to say, they postpone payment of the first instalment thereof to a date subsequent to the start date that would otherwise apply, but without shortening the duration of the period for which unemployment benefit is payable.



Amount



France Travail calculates the amount of the *allocation d'aide au retour à l'Emploi (ARE)* on the basis of the gross daily reference wage (*salaire brut journalier de référence – SBJR*), which corresponds to the average wage received during the course of the 24 months (36 months for persons aged 53 years or more) preceding the termination of the employment contract.

The gross daily amount of the ARE is equal to the higher of the following two formulae:

- either 40.4% of the daily reference wage (SJR) + a fixed amount of 13,11 € (since 1st July 2024);
- or 57% of the SJR

This amount may not be less than 31,97 € (since 1st July 2024) gross per day nor more than 75% of the daily salary. The maximum amount is 289,64 € gross per day.

Sliding scale reduction

For employees aged less than 57 years whose former gross monthly reference wage was in excess of 4.915,33 €, the benefit is reduced with effect from the 7th month of benefit payments (since 1st July 2024). The reduction may be up to 30% subject to a fixed limit of 92,11 € gross per day, i.e. approximately 2.763 € per month (value as at 1st July 2024). However, this sliding scale reduction does not apply to jobseekers aged 57 years or more at the time when the employment contract comes to an end.

The rules resulting from the 2019 reform are applicable until 31st October 2024.



Exclusion/ Loss

- Exhaustion of entitlement (end of the maximum duration of entitlement to benefit payments);
- No longer being registered as a jobseeker;
- Being sick, having an accident at work or being on maternity leave;
- Being in receipt of shared child-raising benefit or a daily parental presence allowance;
- Being in receipt of liquidated retirement benefit on account of having worked a lengthy career, being a worker with a disability, or having a permanent disability caused by arduous work or asbestos;
- Being fully retired (67 years of age) or having reached the statutory retirement age (62 years);
- Failure to respect the obligations of a jobseeker, which include looking for a job and responding to job offers;
- Being in receipt of assistance in taking over or starting a business;
- Concluding a civic service contract;
- Undergoing professional training not covered by the PPAE;
- Ceasing to reside in France.

Further information:

 www.service-public.fr/particuliers/vosdroits/F14860



! Conditions

- Being resident in Germany and not having reached the statutory retirement age;
- Being available on the job market;
- Not being in work or working less than 15 hours per week and seeking a job involving at least 15 hours' work per week;
- Having been affiliated to the social security system for a minimum of 12 months over the course of a reference period of 30 months' duration, known as "Anwartschaftszeit" (in the case of frequent fixed-term employment contracts, most of them having lasted for no more than 14 weeks, the waiting time is reduced to a minimum of 6 months over the course of the last 30 months);
- Making use of all job placement measures.

€ Amount

- 60% of the net monthly salary;
 - 67% of the net monthly salary where the person concerned has one or more children.
- The gross amount of the unemployment benefit is determined on the basis of the gross salary over the course of the last 12 months.

Calculator de
for unemployment benefit:
[www.pub.arbeitsagentur.de/
start.html](http://www.pub.arbeitsagentur.de/start.html)

🕒 Duration

The duration of compensation varies according to the length of previous employment and the age of the unemployed person:

Duration of job(s) held during the previous 5 years	Age of the employed	Calendar months/ days
min. 12 months		6 months / 180 days
min. 16 months		8 months / 240 days
min. 20 months		10 months / 300 days
min. 24 months		12 months / 360 days
min. 30 months	> 50 years	15 months / 450 days
min. 36 months	> 55 years	18 months / 540 days
min. 48 months	> 58 years	24 months / 720 days

🕒 Waiting time

The unemployment benefit is paid, at the earliest, as from the first day of registration as a job-seeker and the date of the application to the *Agentur für Arbeit* for unemployment benefit.

📉 Exclusion/ Loss

- Abandoning one's job without a legitimate reason;
- Refusal to accept and take up a suitable job;
- Unjustified refusal to take part in a job placement project;
- Failure to participate actively in the job-seeking exercise.

🔄 Extension

An extension may be granted where the person concerned has previously been in receipt of unemployment benefit over a reference period consisting of the last 5 years, but has not in the end exhausted their entitlement thereto, e.g. on account of having taken up a new job. In the event that the person in question becomes once again unemployed, that residual period may be added to the new unemployment period, up to a maximum of the maximum duration for the age of the person concerned (see the table set out above).



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