Organic Law 1/2004 of 28 December on integrated protection against gender-based violence, lays down a number of employment and Social Security rights for women who are or have been victims of gender-based violence. These policy instruments ensure that their work responsibilities may be reconciled with their need for protection and readjustment to their normal lives.

Further progress was achieved with Royal Decree 1917/2008 of 21 November, which approved the programme for the social and labour-market integration of victims of gender-related violence. This scheme includes active employment measures aimed at helping victims to find work, strengthening their individual autonomy, increasing the resources available to them and putting an end to the cycle of violence in which they may remain immersed.

Women seeking to benefit from the rights described above must provide proof that they have been victims of gender-based violence. Any of the following are considered valid proof:

- A judgment against the perpetrator of the abuse.
- A court order decreeing the protection of the victim.
- A court ruling decreeing precautionary measures to protect the victim.
- Where a protection order has not yet been issued, a report from the Public Prosecutor’s Office affirming the existence of prima facie evidence that the woman concerned is effectively a victim of gender-based violence.

PROOF OF GENDER-RELATED VIOLENCE

The causes of violence against women are deeply rooted in society. Hence, far-reaching changes in our socialisation processes are needed if its complete elimination is to be achieved. This implies taking a comprehensive approach, spanning education, social services, health services, legislation, policing, and labour policy. But it will also be necessary for society as a whole to assume its responsibility in eradicating this social problem.

EMPLOYMENT RIGHTS, SOCIAL SECURITY RIGHTS AND ASSISTANCE POLICY FOR PROMOTING THE EMPLOYMENT OF VICTIMS OF GENDER-BASED VIOLENCE

TELEPHONE NUMBERS FOR INFORMATION

- State-wide service for People with hearing impairment 900 116 016
  - Andalusia 900 200 999
  - Aragon 900 504 405
  - Principality of Asturias 985 962 010
  - Balearic Islands 971 775 116
  - Canary Islands 112
  - Cantabria 942 214 141
  - Castilla y León 900 333 888
  - Castilla-La Mancha 900 100 114
  - Catalonia 900 900 120
  - Ceuta 900 700 099
  - Canarias 900 710 112
  - Barcelona 956 030 279
  - Pamplona 948 510 515
  - Madrid 012
  - Melilla 952 699 214
  - Region of Murcia 968 357 244/620
  - Navarre 948 206 604
  - Basque Country 900 840 111
  - Valencian Community 900 580 888
  - State-wide service 016
  - People with hearing impairment 900 116 016

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STATE-WIDE SERVICE FOR PEOPLE WITH HEARING IMPAIRMENT

- 900 116 016

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**Employment Rights, Social Security Rights and Assistance Policy for Promoting the Employment of Victims of Gender-Based Violence**

**Telephone Numbers for Information**

- Andalusia: 900.200.999
- Aragon: 900.504.405
- Principality of Asturias: 985.962.010
- Balearic Islands: 971.775.116
- Canary Islands: 112
- Cantabria: 942.214.141
- Castilla y León: 900.333.888
- Castilla-La Mancha: 900.100.114
- Catalonia: 900.900.120
- Ceuta: 900.700.099
- Extremadura: 112
- Galicia: 900.400.273
- La Rioja: 900.101.555
- Madrid: 012
- Melilla: 952.699.214
- Region of Murcia: 968.357.244/620
- Navarre: 948.206.604
- Basque Country: 900.840.111
- Valencian Community: 900.580.888
- State-wide service: 016
- People with hearing impairment: 900 116 016

**Legal Deposit: NIPO: 800-09-066-5**

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EMPLOYMENT AND SOCIAL SECURITY RIGHTS

- Rights of public servants:
  - Recognition of working hours according to the terms established in the Civil Service Code.
  - Geographical mobility if the employer has work centres in other locations.
- Change of work centre with the right to return to the position within a term of six months.
- Reductios of working hours with a corresponding salary reduction.
- Absence or small allowance is justified justified subject to the approval of the employer or healthcare services, depending on the circumstances of each case.
- Mandatory suspension of the employment contract with the right to receive unemployment benefits for the worker to decide.
- Documentary proof of a victim’s status is the starting point for the provision of aid, the opening of a record of the victim, and the presentation of the report to the employer. If a worker who has been the victim of gender-based violence is dismissed by her employer during the exercise of her right to reduced or recognised working hours, geographical mobility, charge of work centre or employment contract suspension, such workers denied will be declared null and void.

EMPLOYER REBATES FOR THE SUBSTITUTION OF VICTIMS OF GENDER-BASED VIOLENCE IN THE WORKPLACE

Any worker who has been the victim of gender-based violence has special difficulty in finding employment, according to the terms established in the Social Security Code.

Any victim of gender-related violence who is officially recognized as entitled to unemployment benefit or 24 months’ if the victim or any of the family members living with her has an official recognition disability of a degree of 33% or above.

This scheme provides measures that are already in place and also some new ones, including confidential, specialized counselling by the public employment services, geographic mobility, and the condition of women in circumstances of adversity when she has special difficulty in finding employment.

ACTIVE INCOME FOR INSERTION (Renta Activa de Inserción, RAI)

- The Programme for the Social and Labour-Market Integration of Victims of Gender Related Violence (IPREM).

Specific financial assistance for victims of gender-related violence who are socially difficult in finding employment.

Amount of the aid: 600 EUR per month (50 EUR per month in a new field of work)

Incentives to encourage self-employment.

- Incentives to facilitate geographical mobility.

These measures are managed by the State Public Employment Service and the relevant autonomous regional governments with competence in employment promotion.

INCENTIVES FOR COMPANIES EMPLOYING VICTIMS OF GENDER-BASED VIOLENCE

- 50 EUR/month for a period of one year after recruitment for full-time, normal employment.
- 50 EUR/month for one year (if enabled) during the term of the contract in the event of temporary employment.

- The company is entitled to compensation for its losses, particularly under indefinite contracts, for losses attributed to the victim of gender-based violence.
- Incentives to facilitate geographical mobility.

This scheme provides measures that are already in place and also some new ones, including confidential, specialized counselling by the public employment services.

Amount of the aid: 600 EUR per month.

Incentives to encourage self-employment.

- Incentives to facilitate geographical mobility.
- Incentives to cover expenses.

This scheme provides measures that are already in place and also some new ones.

Incentives to encourage self-employment.

- Incentives to facilitate geographical mobility.
• Rights of employed persons:
  - Reorganisation of working hours.
  - Reduction of working hours.
  - Reduction of working hours with a compensation of an amount of the allowance may be equivalent.
  - Right to receive unemployment benefit.
  - Right to geographical mobility.

• Rights of self-employed persons:
  - Right to receive unemployment benefit.
  - Right to geographical mobility.

• Rights of public servants:
  - Right to receive unemployment benefit.

EMPLOYER REBATES FOR THE SUBSTITUTION OF VICTIMS OF GENDER-BASED VIOLENCE IN THE WORKPLACE

Any company that employs a worker under a temporary contract as a substitute for a victim of gender violence who has suspended her employment contract, exercised her right to geographical mobility or moved to a different work centre, is entitled to a full reorganisation of the working conditions for 12 months.

The claiming of a victim's rights shall be subject to the approval of the social security institutions and the cooperation of the family members living with her.

ECONOMIC RIGHTS OF VICTIMS OF GENDER-BASED VIOLENCE

• Article 28 of Law 1/2004 of 28 December

- Specific financial assistance for victims of gender violence who have special difficulty in finding employment.

- Being actively seeking work.

- Incentives to compensate differences in freight expenses, accommodation expenses, furniture and personal effects.

- Incentives to facilitate geographical mobility.

- Incentives to encourage self-employment.

- Benefits for victims of gender violence, particularly under indefinite contracts, are eligible for subsidies provided in the employment stimulus programmes of the autonomous regional governments.

PRORAMME FOR THE SOCIAL AND LABOUR-MARKET INTEGRATION OF VICTIMS OF GENDER-RELATED VIOLENCE

This scheme provides measures that are already in place and also some new ones, including confidential specialised counselling provided by the public employment services, psychic support, social services, reparation and compensation for specific financial assistance for victims of gender violence who are officially recognised disability to a degree of 50% or above.

- Incentives to compensate differences in salary. This measure is only applied in the event of a change of employer. If an woman is forced by a situation of gender violence to terminate her employment contract and finds new employment where she is paid a salary that is lower than that of her previous position, the region receives an amount that is equivalent to the difference between the two salaries. Salary compensation is limited to a maximum of 2,500 euros per month and a total duration of 12 months.

- Agreements with individual employers to promote the employment of victims of gender-based violence and their family members.

These measures are managed by the State Employment Service and the relevant departments of the autonomous regional governments.

INCENTIVES FOR COMPANIES EMPLOYING VICTIMS OF GENDER-BASED VIOLENCE

- 100 EUR/month (1,200 EUR/year) for a period of 12 months after recruitment for an indefinite contract, are eligible for subsidies provided in the employment stimulus programmes of the autonomous regional governments.

- Incentives to facilitate geographical mobility.

- Incentives to encourage self-employment.

- Benefits for victims of gender violence, particularly under indefinite contracts, are eligible for subsidies provided in the employment stimulus programmes of the autonomous regional governments.

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EMPLOYMENT AND SOCIAL SECURITY RIGHTS

- Rights of public servants:
  - Reorganisation of working hours according to the terms established by the administrative administration.
  - Geographical mobility if the employer has works centres in other locations.
  - Change of work centre with the right to return to the position within a term of six months.
  - Deduction of working hours with a corresponding salary reduction.
  - Absence or late arrival is considered justified if the worker has the right to receive unemployment benefits.
  - Geographical mobility if the employer has works centres in other locations.
  - Change of work centre with the right to return to the position within a term of six months.
  - Deduction of working hours with a corresponding salary reduction.

- Rights of self-employed persons:
  - Self-employed workers are victims of gender violence and need to deconstruct their activity in order to be protected or to maintain their right to compensate social assistance, are exempted from the payment of Social Security contributions for a period of six months, with no effect on the terms on which she may be entitled, or on her status as an active contributor to the Social Security during that period.
  - Access to housing and public homes for elderly people.
  - Victims of gender-based violence are considered a priority group for purposes of access to housing and public homes for elderly people, in accordance with the terms established in the applicable legislation (Art. 62 of Law 24/2002, of 26 December).

- Rights of employed persons:
  - Reorganisation of working hours according to the terms established by the administrative administration.
  - Geographical mobility if the employer has works centres in other locations.
  - Change of work centre with the right to return to the position within a term of six months.
  - Deduction of working hours with a corresponding salary reduction.

SECURITY RIGHTS

- Access to housing and public homes for elderly people.
- Victims of gender-based violence are considered a priority group for purposes of access to housing and public homes for elderly people, in accordance with the terms established in the applicable legislation (Art. 62 of Law 24/2002, of 26 December).

EMPLOYER REBATES FOR THE SUBSTITUTION OF VICTIMS OF GENDER-BASED VIOLENCE IN THE WORKPLACE

- Active Income for Insertion (Renta Activa de Inserción, RAI):
  - Specific financial assistance for victims of gender violence who have special difficulties in finding employment.
  - Any victim of gender violence whose income exceeds 45% of the average salary is entitled to a special allowance, paid in one employment period, to be granted on the presentation, on account of her age, lack of training, and social circumstances, to be in a situation in which she has special difficulties in finding employment.
  - The amount of this allowance is limited to 6 months’ unemployment benefit.
  - If the victim of gender violence has an officially recognised disability to a degree of 33% or above, the amount is equivalent to 12 months’ unemployment benefit.

Programme for the Social and Labour-Market Integration of Victims of Gender-Related Violence (Inserción, RAI)

This scheme provides measures that were already in place and also some new ones, including confidential specialized counselling by the public employment services, geographical or reorganisation of working time differensiations deriving from a change of employment and agreements with housing associations.

Areas of intervention: geographical mobility or move to a new workplace.

- Employment and agreements with individual employers to stimulate self-employment.
  - Incentives to facilitate geographical mobility.
  - Incentives to compensate differences in salary.

The measures it encompasses are the following:

- Access to housing and public homes for elderly people.
- Victims of gender-based violence are considered a priority group for purposes of access to housing and public homes for elderly people, in accordance with the terms established in the applicable legislation (Art. 62 of Law 24/2002, of 26 December)
• Rights of employed persons:
  - Reorganisation of working hours
  - Change of work centre with the right to return to the family member living with her has an official recognised disability to a degree of 33% or above, the amount of the allot- ment is reduced by 33%. Where the worker is forced by a situation of gender violence to terminate her employment contract and finds new employment where she is paid a salary that is lower than that of her previous position, she receives an amount that is equivalent to the difference between the two salaries. Salary compensa- tion is limited to a maximum of 2,000 euros per month and a total duration of 12 months.
  - Agreements with individual employees to promote the employment of victims of gen- der-related violence and their geographical mobility.
  - Some specific training programme aimed at fa- cilitating employment, which includes con- tents relating to personal aspects. When necessary, activities oriented to streng- thening the participating women's self-esteem and motivation for work are performed, as well as professional-related activities.
  - Incentives to encourage self-employment in a new field of work.
  - Incentives to help employed vic- tims of gender violence.

INCENTIVES FOR COMPANIES EMPLOYING VICTIMS OF GENDER-BASED VIOLENCE

Employer rebates for the substitution of victims of gender-based violence in the workplace

Any company that employs a worker under a temporary contract as a substitute for a victim of gender violence who has suspen- ded her employment contract, exercised her right to geographical mobility or moved to a different work centre, is entitled to a full-re- imbursement of all the contributions and insur- ance during the entire period of contract suspended subject to the approval of the social security.

The RAI is not compatible with the financial aid scheme provided in article 27 of Law 12/2002 of 22 December. The RAI is not compatible with the financial aid scheme provided in article 27 of Law 12/2002 of 22 December.

Specific financial assistance for victims of gender violence who have special difficulty in finding employment.

- Being a victim of gender-related violence
- Being 65 and over or disabled
- Being a victim of gender violence and who are officially registered as actively seeking work

The amount of this allowance is equivalent to 80% of the public income indicator for multiple purposes (index IPREM). Programme duration: 11 months to 36 months.

This aid scheme is compatible with any salary differences deriving from a change of employer and agreements with individual employees.

This scheme provides measures that were already in place and also some new ones, including confidential specialised counse- ling by the public employment services, geographical reintegration, provision of cash grants for relocation, training, and social circumstances, to be in a situation in which she has special difficulty in finding employment. The amount of this allowance is equivalent to 6 months’ unemployment benefit.

Any victim of gender violence whose in- come is below 75% of the minimum wage.

- Having an income below 75% of the minimum wage
- Being a victim of gender-related violence

The amount of the RAI: 80% of the public income indicator for multiple purposes (index IPREM). Programme duration: 11 months to 36 months.

The RAI is compatible with the financial aid scheme provided in article 27 of Law 12/2002 of 22 December.

Any victim of gender-based violence who is entitled to up to 18 months’ unemployment benefit and has work centres in other locations.

This scheme provides measures that were already in place and also some new ones, such as confidential, specialised counsel- ling by the public employment services, geographical reintegration, provision of cash grants for relocation, training, and social circumstances, to be in a situation in which she has special difficulty in finding employment. The amount of this allowance is equivalent to 6 months’ unemployment benefit.

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