



Being insured against unemployment in Denmark

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1. Introduction

The EEA Agreement came into effect on 1 January 1994. The EEA stands for the European Economic Area.

One of the implications of the EEA Agreement is that a number of common rules on unemployment insurance apply within the EEA area that comprises the EU countries, Norway, Iceland, Switzerland and Liechtenstein.

In addition to the rules of the EEA Agreement, the national rules on unemployment insurance apply. This means that the rules on how to become entitled to unemployment benefits are based on the legislation applicable in the individual EEA country.

According to the EEA Agreement, the general rule is that you must be insured against unemployment in the country where you are employed. This applies also even though you reside in another country. However, there are a number of exceptions to this main rule, among other things for posted employees, seamen and international transport workers. It is very important that you are insured in accordance with the rules of the right country. Otherwise you will risk losing all or some of your rights.

If you are in doubt as to which country's rules that apply to you, you can contact the National Social Security Agency, which is the competent authority in Denmark as far as applicable law is concerned.

2. Danish unemployment insurance

The Danish unemployment insurance system differs from the unemployment insurance systems of the other EEA countries in many respects.

Therefore it is important that you acquaint yourself with the rules so that you do not lose your rights.

The Danish unemployment insurance system is a voluntary insurance scheme. This means that it is the responsibility of the individual to become a member of an unemployment insurance fund and, thus, be insured against unemployment. In most other EEA countries, everyone is more or less obliged to be insured against unemployment. Often contributions to the unemployment insurance are made in these countries through pay deductions and through contributions to the insurance from the employer.

In Denmark a so-called **social security contribution** (a special contribution to labour market funds) is payable as part of the taxes. You must be aware that social security contributions have nothing to do with being insured against unemployment. You must yourself join an unemployment insurance fund. If you choose not to be a member of

an unemployment insurance fund, you will not be entitled to unemployment benefits if you become unemployed.

3. The unemployment insurance funds

The unemployment insurance funds are private associations which administer the rules contained in the Danish Unemployment Insurance Act and the rules that have been issued in pursuance of this Act.

Denmark has 29 unemployment insurance funds. 6 of them operate within specific occupational fields which means that only employed persons from specific occupational fields can become members. 12 of the unemployment insurance funds operate within specific occupational fields, but also admit self-employed persons working within the occupational field as members. 3 of them are interdisciplinary unemployment funds which mean that they admit employed persons from all occupational fields as members. 8 of them are interdisciplinary unemployment funds for both employed persons and self-employed persons.

You can always choose to become a member of an interdisciplinary unemployment fund. You may also choose to become a member of an unemployment insurance fund covering the occupational field in which you are employed. The occupational field is described in the statutes of the unemployment insurance fund. If you are in doubt as to which unemployment fund you would like to be a member of, you can contact Arbejdsdirektoratet.

Select "Medlemskab af en a-kasse" on our website www.adir.dk to find a list of the unemployment insurance funds. You can also see the lists on www.akasseTjek.dk.



4. How to become a member of an unemployment insurance fund?

You must meet certain criteria to be admitted as a member of an unemployment insurance fund:

- You must stay and reside in Denmark. However, departures are made from this rule if you reside in another EEA country.
- You must be between 18 and 63 years of age.
- You must have employment as an employed person or as a self-employed person or assisting spouse.
- You can also be admitted as a member of an unemployment insurance fund if you have completed a vocational training course of at least 18 months' duration when you apply for membership not later than 2 weeks after completion of the training course. You must reside and stay in Denmark both immediately before you started on the vocational training and at least 2 weeks after you completed the training.

As an employed person, you can be insured full time or part time.

If you have a full-time job (37 hours a week), you must be insured full time.

If you have a part-time job (a maximum of 30 hours a week calculated as an average for 4 weeks/1 month), you can choose to be insured part time, but you can also choose to be insured on a full-time basis. Your status is of importance for your entitlement to benefits if you become unemployed. Your unemployment insurance fund can advise you on what type of unemployment insurance you should choose.

If you are a self-employed person, you can only be insured on a full-time basis.

You must apply for admission in writing on a special form. The form is available from the unemployment insurance fund or on our website www.adir.dk, select "Blanketter". If you are an employed person or have just completed your training/education, you must fill in AR 50. If you are a self-employed person or assisting spouse, you must fill in AR 51.

5. What does it cost to be a member of an unemployment insurance fund?

The membership contribution to the unemployment insurance fund consists of the following:

- a compulsory contribution to the unemployment insurance,
- a contribution to finance the Labour Market Supplementary Pension Scheme (ATP-scheme),

- an administrative fee, and
- a voluntary early retirement contribution.

The amounts are adjusted at each turn of the year.

In 2008, **the contribution to the unemployment insurance** is DKK 3,372 for full-time insured members.

In 2006, **the contribution to the Labour Market Supplementary Pension Scheme** is DKK 12 for full-time insured members.

The administration fee differs for the various unemployment insurance funds. On our website www.adir.dk select “Sammenligning af a-kasser” to see the amount of the administration fee of the various unemployment insurance funds.

The early retirement contribution is voluntary and, in 2008, amounts to DKK 4,920 for full-time insured members. Early retirement contributions are payable only if you want to be covered by the early retirement benefit scheme. You can read more about the early retirement benefit scheme in the folder on flexible early retirement pension (*only in Danish*).

The membership contribution is payable either every 2 weeks, monthly or quarterly. More information is available from your unemployment insurance fund.

Please note that you risk losing your membership of the unemployment insurance fund if you do not pay your membership contribution on time. If your membership of the unemployment insurance fund is cancelled, you will lose your rights.

Please also note that an unemployment insurance fund is not the same as a union or an employee organisation. An unemployment insurance fund and a union or employee organisation are two different associations. You do not have to be a member of a union or an employee organisation in order to be a member of an unemployment insurance fund.

6. Unemployment insurance after you have worked in another EEA country

The EEA Agreement means that periods of insurance and employment earned as an employed person in one EEA country must be taken into account in another EEA country if your entitlement to benefits is conditional upon your having completed such periods of insurance and employment. This principle is called the aggregation principle.



The aggregation principle only applies to employed persons. That means that periods of insurance and employment earned in your capacity as a self-employed person cannot be taken into account in another EEA country.

The main rule is that if you want to include periods of insurance and employment, the most recent of these periods must have been earned according to the legislation of the country in which a claim is made for benefits.

In Denmark, a distinction is made between whether you have been insured against unemployment in Denmark within the past 5 years or not.

Special rules apply to frontier workers. You are a frontier worker if you work in one EEA country but reside in another EEA country. The rules applicable to frontier workers are described in section 9.

Please also note that special rules apply to your entitlement to early retirement benefits after you have worked or been insured abroad. When you return to Denmark, you must pay early retirement contributions for the periods during which you have been insured in another EEA country if you want to preserve your entitlement to early retirement benefits.

You can get more information on this from your unemployment insurance fund.

7. If you have not been insured against unemployment insurance in Denmark within the past 5 years

If you have not been insured against unemployment in Denmark within the past 5 years, the following rules apply to you.

You can be admitted as a member of an unemployment insurance fund and include the periods of insurance you have had in another EEA country if

- you apply for admission to an unemployment insurance fund in writing within 8 weeks from the date when you ceased being insured in the other EEA country, and
- you start working in Denmark within 8 weeks from the date when you ceased being insured in the other EEA country.

Thus you must start working in Denmark in order to transfer your periods of insurance. You must be in employment at least 296 hours within a 12-week/3-month period if you are insured on a full-time basis. If you are insured on a part-time basis, you must be in employment at least 148 hours within a 12-week/3-month period.

7.1. When are you entitled to unemployment benefits?

If you have started working in Denmark and have been admitted as a member of an unemployment insurance fund within 8 weeks after you ceased being insured in the other EEA country, you will be entitled to unemployment benefits if you meet the following criteria:

1. You must meet the requirement as regards employment for 296/148 hours, respectively (see section 7). This is a condition for including the periods of insurance you have had in another EEA country.
2. In Denmark one of the conditions for being entitled to unemployment benefits is that you have been a member of an unemployment insurance fund for at least one year. If you meet the criteria for including periods of insurance, you can transfer your periods of insurance from another EEA country to meet the requirement of one year's membership.

This means that if you have been insured in, for example, Sweden for 2 years before you found a job and became insured in Denmark, you can transfer the 2 years' insurance from Sweden if you meet the criteria mentioned above.

If you have been insured in another EEA country only for a short period, for example 6 months, you will only meet the requirement of one year's membership when you have been insured in Denmark for an additional 6-month period.

In certain instances there may be an interruption in your period of insurance for a shorter or longer time. This will be the case, for example, if in connection with the transition between the Danish insurance and the insurance in the other EEA country, you have for a period of time not been covered by an insurance. It may also be the case if for a period of time, you have not been insured in another EEA country. On transition from the insurance of the other EEA country to insurance in Denmark, the interruption in your period of insurance must not exceed 8 weeks. Neither must the interruption in your period of insurance in the other EEA country exceed 8 weeks within a 12-month period.

If you do not have more than a total of 2 times 8 weeks' interruption in your period of insurance, you will be regarded as having met the requirement of one year's membership irrespective of whether you had an interruption of, for example, 4 weeks on the transition to the Danish insurance system.

In addition to the requirement of one year's membership, a criterion for being entitled to unemployment benefits is that you meet the so-called employment requirement.

If you are insured on a full-time basis, the employment requirement means that you must have had employment to such an extent that it altogether corresponds to employment during the full, normal working hours of the trade or profession for a minimum of 52 weeks within the past 3 years. If the full, normal working hours are 37 hours a week, the employment requirement for full-time insured members will amount to a total of 1,924 hours of work within the past 3 years.

If you are insured on a part-time basis, the employment requirement means that you must have had employment to such an extent that it altogether corresponds to employment during the full, normal working hours of the trade or profession for a minimum of 34 weeks within the past 3 years. If the full, normal working hours are 37 hours a week, the employment requirement for part-time insured members will amount to a total of 1,258 hours of work within the past 3 years.

It is also a condition that the work has been carried out on normal pay and working conditions. Public subsidy to the pay must not have been made.

In special instances, the period of 3 years may be extended. This is the case, for example, if you have been on maternity/paternal leave or you have been ill for a long time. Your unemployment insurance fund can provide you with more information on this.

You can include the paid work you have had in another EEA country to meet the employment requirement. It is a condition that the work could be included if it had been carried out in Denmark. It is also a condition that the work has been carried out during a period of insurance. Your unemployment insurance fund can provide you with more information on this.

A criterion for being entitled to unemployment benefits is also that you make yourself available for work and that you are actively seeking employment. This means, among other things, that you must be registered as a job seeker with the Public Employment Service (staten i jobcenteret).

Arbejdsdirektoratet has made a folder: "Being an unemployed member of an unemployment insurance fund" (*only in Danish*) describing these rules in more detail. You can obtain more information from your unemployment insurance fund and the Public Employment Service (staten i jobcenteret).

7.2. What amount are you entitled to in unemployment benefits?

The benefit rate is individual and depends, among other things, on the size of the income you have had earlier.

Unemployment benefits are calculated on the basis of the most recent period of 12 weeks'/3 months' duration where you had a number of hours for which you have received pay corresponding to at least two thirds of full working hours according to the collective agreement. In brief, the basis for the calculation of unemployment benefits is your earnings during this period less social security contribution.

Your unemployment benefits can, at a maximum, amount to 90% of your previous earnings. On our website www.adir.dk you will find the maximum benefit rate.

In Denmark, unemployment benefits are paid out for 5 days a week.

If you have been in employment in Denmark only for a short period, special rules on the calculation of the benefit rate apply.

Your unemployment insurance fund can provide you with more information on the rules.

7.3. For how long will you be entitled to unemployment benefits?

You are entitled to unemployment benefits for a total period of 4 years within 6 years (the unemployment benefit period).

If you have been unemployed for 9 months, you are entitled and obliged to a job offer. However, if you are under 30 years of age or have reached the age of 60, you are entitled and obliged to a job offer when you have been unemployed for 6 months.

Your unemployment insurance fund can provide you with more information on this.

7.4. What do you do if you become unemployed?

If you become unemployed, you must contact your unemployment insurance fund to inform them, that you are unemployed. Your unemployment insurance fund must provide you with information on the requirements you will have to meet in order to receive unemployment benefits.

You must register with the Public Employment Service (staten i jobcenteret). This you can do electronically on the website www.jobnet.dk or you can enquire at the Public Employment Service personally. You cannot receive unemployment benefits

until from the day when you register with the Public Employment Service at the earliest. Remember to ask the office to confirm your registration.

One of the conditions for being entitled to unemployment benefits is, that you make yourself available for work and that you are actively seeking employment. This means, among other things, that you on the website www.jobnet.dk ("min side") must confirm that you are seeking employment at the latest every 7th day. Therefore you cannot meet the requirements only by checking your CV.

Latest 1 month after your registration with the Public Employment Service (staten i jobcenteret) your CV must be approved by your unemployment insurance fund.

7.5. Complementary unemployment benefits

If you become partially unemployed or if you start on a part-time job, you may be entitled to complementary unemployment benefits.

If you are bound to hand in notice to your employer, you will only be entitled to complementary unemployment benefits if your employer issues a so-called "release certificate".

On our website www.adir.dk select "Blanketter" to see the release certificate.

If you deliver the certificate not later than 5 weeks after you have commenced work, you are entitled to complementary unemployment benefits from the first day of the employment. If you do not deliver the certificate within 5 weeks, you will only be entitled to complementary unemployment benefits from the date when the unemployment insurance fund received the certificate.

A criterion for being entitled to complementary unemployment benefits is also that you are entitled to benefits, that you are registered with the Public Employment Service (staten i jobcenteret) and that you are seeking and are able to take on full-time employment if you are insured on a full-time basis, or employment for 30 hours per week if you are insured on a part-time basis.

If you work for more than 29.6 hours in one week, you will not be entitled to complementary unemployment benefits.

You will be entitled to complementary unemployment benefits for 30 weeks within a period of 104 weeks.

Your unemployment insurance fund can provide you with more information on complementary unemployment benefits.

8. If you have been insured against unemployment insurance in Denmark within the past 5 years

If you have been insured against unemployment in Denmark within the past 5 years, the following rules apply to you.

You can be admitted as a member of an unemployment insurance fund and include the periods of insurance you have had in another EEA country if you

- apply for admission to an unemployment insurance fund in writing within 8 weeks from the date when you ceased being insured in the other EEA country, and
- stay and reside in Denmark.

8.1. When are you entitled to unemployment benefits?

If you meet these two criteria, you will be entitled to unemployment benefits immediately if you otherwise meet the general criteria for being entitled to unemployment benefits.

In Denmark one of the conditions for being entitled to unemployment benefits is that you have been a member of an unemployment insurance fund for at least one year. If you meet the criteria for including periods of insurance, you can transfer the periods of insurance you have had in another EEA country to meet the requirement of one year's membership.

This means that if you have been insured in, for example, Sweden for 2 years before you found a job and became insured in Denmark, you can transfer the 2 years' insurance from Sweden if you meet the criteria mentioned above.

If you have been insured in another EEA country only for a short period, for example 6 months, you will only meet the requirement of one year's membership when you have been insured in Denmark for an additional 6-month period.

In certain instances there may be an interruption in your period of insurance for a shorter or longer time. This will be the case, for example, if in connection with the transition between the insurance in the other EEA country and the Danish insurance, you have not been covered by an insurance. It may also be the case if for a period of time, you have not been insured in another EEA country. On transition from the insurance of the other EEA country to insurance in Denmark, the interruption in your period of insurance must not exceed 8 weeks. Neither must the interruption in your period of insurance in the other EEA country exceed 8 weeks within a 12-month period. If you do not have more than a total of 2 times 8 weeks' interruption in your period of insurance, you will be regarded as having met the requirement of one year's membership irrespective of whether you had an interruption of, for example, 4 weeks on the transition to the Danish insurance system.

In addition to the requirement of one year's membership, a criterion for being entitled to unemployment benefits is that you meet the so-called employment requirement.

If you are insured on a full-time basis, the employment requirement means that you must have had employment to such an extent that it altogether corresponds to employment during the full, normal working hours of the trade or profession for a minimum of 52 weeks within the past 3 years. If the full, normal working hours are 37 hours a week, the employment requirement for full-time insured members will amount to a total of 1,924 hours of work within the past 3 years.

If you are insured on a part-time basis, the employment requirement means that you must have had employment to such an extent that it altogether corresponds to employment during the full, normal working hours of the trade or profession for a minimum of 34 weeks within the past 3 years. If the full, normal working hours are 37 hours a week, the employment requirement for part-time insured members will amount to a total of 1,258 hours of work within the past 3 years.

It is also a condition that the work has been carried out on normal pay and working conditions. Public subsidy to the pay must not have been made.

In special instances, the period of 3 years may be extended. This is the case, for example, if you have been on maternity/paternal leave or you have been ill for a long time. Your unemployment insurance fund can provide you with more information on this.

You can include the paid work you have had in another EEA country to meet the employment requirement. It is a condition that the work could be included if it had been carried out in Denmark. It is also a condition that the work has been carried out during a period of insurance. Your unemployment insurance fund can provide you with more information on this.

A criterion for being entitled to unemployment benefits is also that you make yourself available for work and that you are actively seeking employment. This means, among other things, that you must be registered as a job seeker with the Public Employment Service (staten i jobcenteret).

Arbejdsdirektoratet has prepared a folder: "Being an unemployed member of an unemployment insurance fund" (*only in Danish*) describing these rules in more detail. You can obtain more information from your unemployment insurance fund and the Public Employment Service (staten i jobcenteret).

9. Special rules for frontier workers and "employed persons other than frontier workers"

The EEA Agreement contains special rules for frontier workers and so-called "employed persons other than frontier workers".

9.1. What is a frontier worker?

A frontier worker is a person who works in one EEA country and resides in another EEA country to which he or she returns at least once a week.

If you work in Denmark and live in, for example, Sweden and you return to Sweden every day or at least once a week, you are a frontier worker.

9.2. What is an "employed person other than a frontier worker"?

An "employed person other than a frontier worker" is a person who works in one EEA country and resides in another EEA country to which he or she returns less than once a week.

If you work in Denmark and live in, for example, Sweden and you only return to your residence, for example, once a month you are an "employed person other than a frontier worker".

9.3. Where should you be insured against unemployment?

If you are a frontier worker or an "employed person other than a frontier worker", you must as a principal rule be insured against unemployment in the country where you work.

You must meet the general criteria for being admitted to an unemployment insurance fund but need not reside in Denmark.



9.4. What happens if you become completely or partially unemployed?

If you become completely or partially unemployed, your situation will depend on whether you are a frontier worker or an “employed person other than a frontier worker”.

A partially unemployed frontier worker is entitled to unemployment benefits from the country he or she is working in as if he or she resided there. If you reside in, for example, Sweden and you work in Denmark, you will be entitled to unemployment benefits in Denmark if you become partially unemployed. You are, for example, partially unemployed if you are currently working shorter hours. Whether you will be entitled to complementary unemployment benefits in this situation depends on whether you meet the criteria for receiving (complementary) unemployment benefits. Your unemployment insurance fund can provide you with further information on this.

A completely unemployed frontier worker is entitled to unemployment benefits from the country where he or she resides. If you reside in, for example, Sweden and you have worked in Denmark, you will be entitled to unemployment benefits in Sweden if you become completely unemployed. You are regarded as being completely unemployed if you have totally lost the association with your employer, for example because you have handed in notice.

An “employed person other than a frontier worker” who is partially unemployed is entitled to unemployment benefits from the country of employment as if he or she had resided there. If you reside in, for example, Sweden and you work in Denmark, you will be entitled to unemployment benefits in Denmark if you become partially unemployed. You will, for example, be partially unemployed if you are currently working shorter hours. Whether you will be entitled to complementary unemployment benefits in this situation depends on whether you meet the criteria for receiving (complementary) unemployment benefits. Your unemployment insurance fund can provide you with further information on this.

A completely unemployed “employed person other than a frontier worker” can choose the country where he or she wishes to make himself/herself available for work and receive benefits. If you reside in, for example, Sweden and you have worked in Denmark, this means that you can choose whether you wish to make yourself available for work in Denmark or in Sweden.

9.5. What criteria must you meet to receive unemployment benefits as a frontier worker or an “employed person other than a frontier worker”?

The first criterion is that you are a member of an unemployment insurance fund.

Another criterion is that you meet the requirement of one year's membership and the employment requirement. Your situation will also depend on whether you are completely or partially unemployed.

You can include the periods of insurance and employment you have had in another EEA country if you meet the criteria for this.

9.6. Partially unemployed frontier workers and “employed persons other than frontier workers”

If you are a partially unemployed frontier worker or “employed person other than a frontier worker” working in Denmark you may be entitled to complementary unemployment benefits.

If you have been in employment and been insured in Denmark only for a short period, you will need to include your periods of insurance and employment from another EEA country in order to meet the Danish criteria for being entitled to unemployment benefits. If you have applied for admission to an unemployment insurance fund and have started working in Denmark within 8 weeks after you ceased being insured in the other EEA country, you can perhaps include your periods of insurance and employment.

9.7. Completely unemployed frontier workers

If you have become completely unemployed and you reside in another EEA country, you are entitled to unemployment benefits in the country where you reside. You are entitled to include the periods of insurance and employment you have had in Denmark to meet the criteria of the country of residence for entitlement to unemployment benefits.

9.8. Completely unemployed “employed persons other than frontier workers”

If you are an “employed person other than a frontier worker” and you have become completely unemployed after having worked in Denmark, you are free to choose whether you want to make yourself available for work in Denmark or in the country where you reside.

If you choose to make yourself available for work in Denmark and receive unemployment benefits in Denmark, you must meet the Danish criteria for entitlement to unemployment benefits. You are entitled to include the periods of insurance you have had in another EEA country in order to meet the requirement of one year's membership. All you need is to meet the criterion that you must apply for admission to a Danish unemployment insurance fund within 8 weeks from the date when you ceased being insured in the other EEA country.

You can include the periods of employment you have had in another EEA country in order to meet the employment requirement. It is a condition that the work could be

included if it had been carried out in Denmark. It is also a condition that the work has been carried out during a period of insurance.

If you are a completely unemployed “employed person other than a frontier worker”, you need not have been in employment in Denmark for a certain period before you can include your periods of insurance and employment from another EEA country.

10. Here you can get further information

You can call Arbejdsdirektoratet on telephone +45 38 10 60 11 Monday to Thursday between 12 noon and 3 p.m. and Friday between 12 noon and 2 p.m.

You can also obtain further information from your unemployment insurance fund or from the Public Employment Service (staten i jobcenteret).

Should you have any other questions concerning social security, you are welcome to contact the National Social Security Agency, Landemærket 11, DK-1119 Copenhagen K. Telephone +45 33 95 50 00.

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