

The Labor Rights Defence Points are a free municipal service promoted by Barcelona Activa in collaboration with trade union organisations and local organisations.



If you would like to receive advice, make an appointment by calling

900 533 175

or at

barcelonactiva.cat/workersrights



Barcelona Activa

**LABOR RIGHTS
DEFENCE POINTS**

**Know
your
Rights!**



**Ajuntament de
Barcelona**



**Barcelona
Activa**

As a worker, you have rights as well as duties, which your company must respect.

The minimum working conditions that have to be respected in any job are basically as follows:



You have to have a contract and your employer must register you with the Social Security. And if the job you will be doing lasts more than four weeks, you must be given a written contract.



As a general rule, work contracts must be indefinite. **They may only be temporary for justified reasons**, such as a temporary increase in production or replacement of a worker due to sick leave, maternity/paternity leave, etc.



The maximum length of the trial period is set by the collective labour agreement in force. **For temporary contracts of less than six months this period may not exceed a month** and, as a general rule, **it will be two months for unskilled work and six for skilled work.**



Your salary will be set by the collective agreement but **you can never be paid below the interprofessional minimum wage** which at the end of the year is published for the following year (consult us if you have it well regularised).



The maximum working week is 40 hours and this is what is considered full-time. **Overtime may not exceed 80 hours a year** and must be paid at least at the ordinary hourly rate or compensated with equivalent rest time, in the following four months.



Severance must be notified in writing and include compensation (except in the case of dismissal for disciplinary reasons). You always have the right to unemployment benefit if you have accumulated sufficient working days. **If you believe you have been unfairly dismissed, you must submit a claim within 20 days** from the date you are notified.



If you have a child **under 12 years old** or a **direct family member** in your care, you have the **right to a reduced working day**.



If you are **owed any salary or wages**, you have a maximum of **one year to claim it**.



If you are a freelancer, you also have rights and you can exercise them.

If you are a **freelancer and 75% of your income is from the same company**, you are an **economically dependent self-employed person** and the company must recognise you as such.

Beware of being a **“false” self-employed person**: you could be working as a self-employed person when the relationship should be that of a salaried worker.

Do you want individual advice on your workers' rights?



Ask for an appointment

Call us at **900 533 175**
or at barcelonactiva.cat/workersrights



You can receive telephone or face-to-face advice in all the city's districts, on different days and times.

