



SPAIN

Hire international talent in **Spain**



EMERALDTECHNOLOGY



Employment details in Spain

To start growing your team in Spain, you must establish a local entity, including an account with a local bank, a local office and an address registered as a subsidiary. This allows you to manage payroll, tax, benefits and compliance for your employees, but can take several months.

Emerald Technology can hire and payroll your workers, quickly and compliantly with their ready to go entity. So no more worrying about compliantly managing your international payroll. We handle everything in over 150 countries.

Make growing your team simple with Emerald as a global partner.



Currency
EURO (EUR)



Employer Costs
Estimated 35% of employee's salary



Onboarding
72 hours with Emerald Technology



Payroll Cycle
Monthly



Employer Costs

Cost	Rate
Social Security	23.6%
Unemployment	5.5%
Salary Guarantee	0.20%
Professional Training	0.6%
EOSB	9%

Benefits

Mandatory

Spanish employers are required to offer the following benefits to all full-time employees:

- Minimum Wage
- Maternity and Paternity Leave
- Annual Leave + Holiday
- Overtime
- Sickness Pay
- Unemployment
- Severance
- Public Health Insurance
- Pension
- Professional Training
- 13th + 14th month salary
- Teleworking allowance

Additional

Some employers like to offer additional benefits to improve employee retention and satisfaction.

- Private Healthcare



Employment

Contract

Spanish employment contracts can be verbal or in writing. However, Spanish labour law does require certain contracts to be in writing, such as part-time contracts, temporary contracts, and those involving special labour relations (such as commercial representations, lawyers, and higher management).

It is best practice to produce a written contract of employment.

The Public State Employment Service (SEPE) should receive a copy of the contract within 10 days of this coming into operation.

- Name (Employee and Employer)
- Time period of contract
- Professional Category
- Place of Work
- Working Hours
- Salary
- Benefits
- Holiday Entitlement
- Notice Period
- Applicable Collective Agreements
- DNI or NIE number (for foreigners)

Probation Period

A probation period allows both an employer and employee to evaluate the employment match. The probation period is typically 2-6 months and may not exceed six months.

Emerald Technology can create a compliant contract in Spain in 72 hours.



Insurance

Healthcare

By law, Spanish employers must provide healthcare insurance for employees. Healthcare in Spain consists of both private and public healthcare - some employers offer private as an additional benefit.

Social Security

Anyone working in Spain must register with the Spanish social security service. Contributions must be made so an employee has access to benefits such as;

- Sickness Pay
- Healthcare
- Pension
- Maternity and Paternity
- Unemployment

Both employers and employees must contribute.

Leave Policy

Maternity Leave

Expectant mothers in Spain are entitled to 16 weeks of maternity leave (Permiso de Maternidad). Of these 16 weeks, six weeks are mandatory after the birth and the other 10 are optional. Up to four weeks may be taken before the birth but in practice, this is usually taken as sick leave.

To be entitled to maternity leave, the mother must be in employment or self-employed and making social security contributions as follows:

Under 21 years	No minimum period
21 years - 26 years	90 days of contribution
Over 26 years	180 days of contribution

If these requirements are not met than they may still be entitled to a grant of approx. €530 per month.

Ready to expand your workforce to Spain?

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Paternity Leave

Paternity entitlements are unified with maternity. Expectant fathers are entitled to the same 16 weeks of leave. The procedure is the same for payment entitlements.

Sickness Leave

Employees are entitled to sick pay if they have paid into social security for 180 days in five years before illness.

First 3 days of illness	0%
Days 4-20	60% of salary
Days 21+	75% of salary

The payment is chargeable to the employer until day 15, when it becomes the responsibility of the social security administration.

Once an employee has been signed off as unfit to work by a healthcare professional such as a doctor, they are entitled to receive sick pay for one year, extendable by a further 6 months.

Onboarding

Details

As the legal employer, Emerald Technology requires the following employee documents to ensure complete compliance:

Spanish Citizens:

- DNI Documento Nacional de Identificacion and Passport
- IBAN Proof
- Modelo 145 filled out

Foreigners:

- Passport
- NIE or Residency Card
- IBAN Proof
- Modelo 145 filled out
- Visa if outside the EU

A social security number is also needed to onboard employees.

Emerald Technology can onboard employees in Spain within 72 hours.



Resignation and Dismissal

Details

An employee may unilaterally terminate their employment by providing written notice to their employer. Typically, this is 15 working days but will be stated in the contract of employment. During a probation period, either party may terminate employment without prior notice with no need to provide a reason for termination.

Termination from the employer's side once a probation period has ended cannot take place without a statutory reason such as collective dismissal, retirement, disciplinary dismissal, incapacity, circumstances that prevent the provision of work, or objective dismissal. Please be aware this list is not exhaustive.

For all types of dismissal, the employer must deliver a letter of termination to the employee. This letter must include the date of termination and the reasons for the dismissal. An employee has up to 20 days after receiving the letter of termination to initiate a court case for unfair dismissal.

In the case of objective dismissal (*despido objetivo*), employees are entitled to 20 days of salary for each year of service, capped at a maximum of 12 instalments.

In the case of unfair dismissal (*despido improcedente*), employees are entitled to 33 days of salary for each year of service, capped at a maximum of 24 instalments. There will not be any statutory compensation if the employee ends their employment or if there is a mutual agreement between the employee and the company. However, both parties may voluntarily agree on a specific compensation in order to terminate employment.

Severance

Employees are entitled to severance pay if the dismissal was non-voluntary dismissal by an employer for non-disciplinary reasons. The employee is entitled to 20 days of salary per year of service.



Statutory Time Off

Annual Leave

Full-time employees in Spain are entitled to a statutory minimum of 25 calendar days' annual leave per annum. Payment in lieu is not allowed for holidays unless employment is terminated.

It is down to the employer to determine if public holidays are included in the annual leave entitlement.

Public Holidays

Public holidays can vary depending on the region in Spain. There are 8 public holidays set by the Spanish government.

- New Year's Day
- Good Friday
- Fiesta de la Hispanidad
- Spanish Constitution Day
- Epiphany of the Lord
- Assumption of our Lady
- All Saint's Day
- Immaculate Conception

There are also 4 regional holidays set by the local government and 2 municipal holidays set by the town hall.

Work, Pay and Taxes

Minimum Wage

The minimum wage applies to all workers in Spain regardless of contract, which is €1,166.66 per month.

Working Time and Overtime

The standard working week in Spain is 40 hours (or nine hours per day), usually Monday-Friday. Many employers give Friday afternoons off, with the time made up by working 8.5 hours from Monday-Thursday.

Any hours beyond 40 are classed as overtime. Overtime is capped at a maximum of 80 hours per year. Employers are required to provide at least 1.5 days of continuous rest per week and it is standard practice to offer Saturday and Sunday as days off.

Salary Payments

Salary payments in Spain are often paid in 14 instalments (12 monthly payments and an additional payment in July and December), This can vary among companies and collective agreements



Schedule	Date
Cycle	1st - end of the month
Cut off	15th
Invoice	26th
Payment	Last day of the month

Bonus

Employers are required to pay two additional salaries in July and December.

Income Tax

The Spanish tax year runs from January to December. It is the employer's responsibility to ensure taxes are deducted from an employee's salary ahead of payment.

Salary	Tax Percentage
€0 - €12,450	19%
€12,450 - €20,200	24%
€20,200 - €35,200	30%
€35,200 - €60,000	37%
€60,000+	45%

Discover how Emerald Technology can grow your international workforce risk-free.

Emerald is a global expansion partner, supporting B2B tech companies hire, onboard and payroll remotely across 150 countries. Handling local payroll, taxes, benefits and compliance in every region you want to expand your workforce.

Book a free consultation with our experts today, [click here](#).

