

THE LAW OF THE REPUBLIC OF ARMENIA ON
EMPLOYMENT OF THE POPULATION
AND SOCIAL PROTECTION IN CASE OF UNEMPLOYMENT

CHAPTER 1
GENERAL PROVISIONS

Article 1. The subject of regulation of this law

The current law regulates the employment legal basis of the population of the Republic of Armenia and the state policy principles of social protection in case of unemployment, the state warranties on free choice of work and employment and on social protection of the unemployed.

Article 2. The legislation of the Republic of Armenia on employment of the population and on social protection in case of unemployment

1. Employment

of population is regulated by the Constitution of the Republic of Armenia, the Labour Code of the Republic of Armenia, the Civic Code of the Republic of Armenia, the current law and other legal acts, as well as the international treaties signed by the RoA.

2. If the international treaties of the Republic of Armenia define other norms than it is envisaged by the current law then the norms of the treaty are implemented.

Article 3. Employment of the citizens of the Republic of Armenia, the foreign citizens, and the individuals without citizenship

1. Employment of the population of the Republic of Armenia is a profit looking activity not prohibited by the legislation of the Republic of Armenia, excluding the types of activities envisaged by paragraphs 3 and 4 of the article 4 of the current law.

2. The citizens of the Republic of Armenia, the foreign citizens living in RA, and those without citizenship have the right to choose between employment and unemployment, excluding the cases prescribed by the laws of the Republic of Armenia.

3. Employment of the foreign citizens residing in the Republic of Armenia and those without citizenship is regulated by the current law, the laws of the Republic of Armenia and international treaties signed by the RA.

Article 4. The types of activities considered as employment

The types of activities considered as employment are:

- 1) hired work activities in industries (including the status of being in the personnel reserve of the services defined by the laws of the Republic of Armenia, except the cases which does not envisage fees)
- 2) an employer's business activities
- 3) private entrepreneurship
- 4) term mandatory military service
- 5) full-time learning in educational institutions, in vocational training courses and in other trainings.

Article 5. The employed and unemployed people

1. The employed are those capable people who are employed with any kind of activities prescribed by the article 4 of this law.

2. The unemployed are those capable people who are not employed with any of the activities prescribed by the article 4 of this law.

Article 6. The job seekers

The job seekers are those reached the working age according to the Labour Code of the Republic of Armenia: 16 years old capable people, who applied to the state employment service with the purpose of job placement, despite the state of employment.

Article 7. The unemployed

The unemployed are the capable and able-bodied jobless individuals who do not get pensions prescribed by the legislation of the Republic of Armenia (excluding the pensions for loosing the bread-winner), who are registered in the state employment service with the purpose of job placement, are committed to take up a job and have received the status of an unemployed.

The status of unemployed is given in 7 days after the submission of the necessary documents prescribed by the Government of the Republic of Armenia.

Article 8. Registration of the job seekers, giving the status of an unemployed; respite, recommencement, suspension of the status of an unemployed and striking off the register

1. The list of documents being submitted by the individuals applying to the state employment service job placement, getting information on vacancies, vocational guidance and counseling and training advise, as well as the procedures of registering the individuals and striking off the register is prescribed by the Government of the Republic of Armenia.

2. The state employment service respites the status of an unemployed of those who are involved in vocational training courses, temporary or paid public work during the whole period of vocational training courses, temporary or paid public work

3. The state employment service recommences the unemployment status of individuals at the next day after the termination or the suspension of vocational training courses, temporary or paid public work ahead of schedule.

4. The state employment service suspends the individual's status of an unemployed, if he/she:

1) has become an employed with any of the activity types prescribed by the article 4 of this law, except the involvement in vocational training courses and temporary or paid public work that the state employment service carries out;

2) has been identified as a disabled or he/she has reached the age that entitles them to receive insurance benefit (excluding the benefits in case of losing the bread winner);

3) judicially has been recognized as incapable or limited capable;

4) non reliable data have been revealed in the submitted documents based on which the status of an unemployed has been conferred;

5) didn't appear to get a job offer three times within six months on invitation of the state employment service due to not acceptable reasons, as well as rejected diverse offers on a suitable job placement and taking a vocational training for the third consecutive time, excluding the unemployed parents who take care of a child up to three years old;

6) has died.

Article 9. A suitable job

1. A suitable job is the one that corresponds to a person's vocational education and qualification taking into account the salary rate and accessibility of the workplace in terms of transport.

2. For the unemployed people with vocational education and a qualification, who the state employment service didn't manage to provide with a suitable job prescribed by the first

paragraph of this article, the job that requires upgrading of qualification or training for a new profession may be considered as suitable.

3. For the unemployed without vocational education the job that requires up to six months initial vocational and industrial training organized by the state employment service may be considered as suitable.

4. For the unemployed without vocational education who have rejected the training prescribed in the third paragraph of this article any job that requires no qualification and which is paid may be considered as suitable.

5. The salary rate of a suitable job and the standards for transport accessibility of the offered job place is prescribed by the Government of the Republic of Armenia.

CHAPTER II

STATE POLICY ON EMPLOYMENT OF THE POPULATION

Article 10. The goal of the state policy on employment of the population

1. The goal of the state employment policy is the creation of conditions for ensuring full and productive employment of the population.

2. The state governing body authorized by the Government of the Republic of Armenia (henceforth the Authorized body) develops the state employment policy and implements it through the state employment service which functions within its structure

Article 11. The key principles of the state policy of employment of population

The key principles of the state employment policy are:

- 1) voluntary and free choice of job and occupation;
- 2) ensuring employment for individuals regardless of their nationality, race, gender, age, language, religion, political and other attitudes and approaches, social origin, property and other conditions;
- 3) the commitment of the state to create conditions for individuals to realize their right of employment;
- 4) the guidance of vocational training system in compliance with the requirements of the labour market;
- 5) ensuring internal and external free move (mobility) of the workforce
- 6) social partnership;
- 7) social protection of the population in case of unemployment.

CHAPTER III

REGULATION OF THE POPULATION EMPLOYMENT

Article 12. State regulation of the population employment

1. The Government of the Republic of Armenia fulfills the regulation of the balance of demand and supply of the workforce and of its structural relevance through financial-credit, investing, tax and demographic policy aimed at state regulation of the population employment taking into account the situation of the labor market and the expected structural changes.

2. The state regulation of the population employment is realized by the Authorized body in compliance with the yearly state employment programs for the population.

3. The yearly state program of regulation of the population employment consists of republican (national) and local employment programs, which include:

- 1) local and national analysis and forecast of the labour market;
- 2) directions, implementation timetable and necessary financial resources of the measures prescribed by the program against the Marzes;
- 3) expected outcomes.

4. The Authorized body develops the yearly state programs of regulation of the population employment.

5. The Authorized body submits the yearly state programs on regulation of the population employment and the conclusion of republican agreement committee on the programs to the Government of the Republic of Armenia in accordance to the set order aimed at their inclusion into the consolidated budget of RA and submission to the National Assembly of the RA.

6. The financial resources necessary for implementation of yearly state programs on regulation of the population employment are prescribed by the law.

Article 13. The yearly state programs on regulation of employment of the population

1. The yearly state programs on regulation of the population employment are:

- 1) programs on mandatory social insurance from unemployment;
- 2) the state programs on promotion of employment.

2. The state programs on mandatory social insurance from unemployment are:

- 1) payment of unemployment benefit;

2) vocational training prescribed by the first point of the forth paragraph of the article 19 of this law for the unemployed with at least 1 year insurance pattern;

3) vocational training, rehabilitation of job skills of the disabled prescribed by the second paragraph of the article 19 of this law with at least 1 year insurance pattern.

4) request for early retirement of the individuals prescribed by the forth paragraph of article 28 of this law were retired before the set time.

5) compensation paid to the unemployed for the material expenses in connection with work mission to some other place;

6) training of the individuals prescribed by the third paragraph of the article 19 of this law for a new profession;

7) organization of labor market survey and forecast activities

8) payment of funeral benefit

3. The state programs on promotion of employment are:

1) vocational training of the unemployed people with no or at least 1 year insurance pattern prescribed by the first point of the forth paragraph of the article 19 of this law;

2) financial support to the unemployed for state registration of entrepreneurial activities;

3) partial salary compensation to the employers in case they employ individuals prescribed by the first paragraph (except those mentioned in the point 5) of the article 20 of this law;

4) vocational training, rehabilitation of job skills, financial assistance for state registration of entrepreneurial activities for the disabled prescribed by the second paragraph of the article 19 of this law who have no or less than 1 year insurance pattern;

5) organization of paid public work

4. The programs mentioned in this article are funded at the expense of the resources prescribed by the article 39 of this law.

Article 14. Workforce mobility (move)

1. The Government of the Republic of Armenia ensures implementation of integrated state policy of regulation of internal and external mobility of workforce.

2. The Authorized body, with the purpose of regulation of the move of workforce:

1) in accordance to the set procedure signs international treaties on organization of outgoing work, as well as on protection of rights of labour migrates;

2) makes a statement on inexpedience of leaving for certain countries for work in case of aggravation of interstate relations, natural calamity, health and other inauspicious conditions.

3. The internal move of workforce is regulated by the legislation of the Republic of Armenia in accordance to the set order, since the external move also with the international treaties signed by the Republic of Armenia.

Article 15. The key powers of the state employment service

1. The state employment service is entitled to:

1) get information on vacancies and on expected structural changes and other arrangements that may result at dismissals from employers as well as from the respective bodies of foreign countries in accordance to the order set by the legislation of the Republic of Armenia;

2) nominate job seekers to the employers in case of availability of suitable vacancies;

3) use the resources allocated for the yearly state employment programs

4) get information from competent bodies aimed at ascertaining the reliability of the documents submitted by individuals on their employment, getting pension and on the payment of mandatory social insurance contributions.

2. The state employment service is responsible for:

1) carrying out analytical surveys, forecast the demand and supply of workforce, publicize information on situation in workforce market by the mass media;

2) submission of recommendations to the authorized body on vocations to be taught for free in initial (industrial), middle and higher vocational institutions basing on labour market analysis and forecast;

3) carrying out programs targeted to regulation of internal and external mobility of workforce, facilitate job seekers to choose a suitable job, and provide the employers with the specialists with needed vocation and qualification;

4) publication of information on vacancies by the mass media periodically;

5) carrying out registration of job seekers;

6) conferring the status of an unemployed and to grant unemployment benefit according to this law;

7) respite or suspend of the status of an unemployed, strike he/she off the register, in the cases set by this law;

8) respite or suspend of the payment of unemployment benefit in the cases prescribed by this law;

9) recommence of the one's respite status of an unemployed, payment of unemployment benefit in the cases set by this law;

10) development of yearly state employment programs and ensure their implementation;

- 11) carrying out counseling for vocational guidance of job seekers;
- 12) organization of vocational training of the unemployed in accordance to the procedure set by the Government of the Republic of Armenia;
- 13) organization of vocational training and rehabilitation of job skills of the individuals prescribed by the first point of the first paragraph of article 20 of this law, in accordance to the order set by the Government of the Republic of Armenia;
- 14) organization of vocational training of the individuals prescribed by the 2-nd, 3-rd, 4-th, 6-th and 7-th points of the first paragraph of the article 20 of this law in accordance to the order set by the Government of the Republic of Armenia;
- 15) implementation of salary compensation programs aimed at promotion of job placement of the individuals prescribed by the article 20 of this law in accordance to the order set by the Government of the Republic of Armenia;
- 16) compensation of material expenses of the unemployed in connection with job mission to some other place, in accordance to the procedure set by the government of the Republic of Armenia;
- 17) provision of financial assistance to the unemployed and disabled for state registration of entrepreneurial activities in accordance to the procedure set by the Government of the RoA;
- 18) organization of the training for a new profession of the jobless job seekers who get pension for long-term service and by privileged conditions and the procedure for this is set by the Government of the Republic of Armenia;
- 19) assistance to organization of paid public work through supplying the needed workforce;
- 20) making a recommendation to the competent body on granting the individuals prescribed by the fifth point of the first paragraph of the article 20 of this law with additional social warranties and the procedure and the conditions for that are set by the government of the Republic of Armenia;
- 21) making a recommendation to the competent body on retirement of the individuals prescribed by the forth paragraph of the article 28 of this law before the time fixed by the legislation of the Republic of Armenia;
- 22) payment of a funeral benefit in case of death of the unemployed who have more than one year insurance pattern. The mentioned sum is paid on submission of a request in accordance to the order set by the Government of the Republic of Armenia;
- 22) publication of information on the financial resources spent for yearly employment regulation state programs by the mass media (not les than twice in a year);

23) provision of information on implementation of yearly employment regulation state programs to the representatives of the republican and local agreement committees on the bases of a written request (inquiry);

3. The services of the state employment service provided to the population and employers are free of charge.

4. The nominations of the state employment service have the character of mediation between the job seeker and the employer. The state employment service provides information and consultation on carrying out activities in foreign countries and to those who wish to take vocational training in abroad, as well as acts as a mediator between the last and the foreign countries within its powers.

Article 16. The agreement committees

1. The republican and local agreement committees are formed by the initiative of the state employment service with the purpose of making agreed decisions on issues of development and implementation of republican and local employment programs for the population.

2. An equal number of representatives from trade unions that represent the right of the employees, the employers' unions' representatives, as well as the representatives of republican executive bodies and the state employment service are involved in the structure of the republican agreement committee.

3. The local agreement committees consist of an equal number of representatives of trade unions that represent the right of the employees, the representatives of non governmental organizations, employers' unions, local self-governing bodies, as well as the state employment service.

4. The local agreement committees discuss the drafts of local employment programs of the population and submit their respective conclusions on them to the state employment service.

5. The republican agreement committee discusses the draft of the republican program on employment of the population and submits its respective conclusion on it to the authorized body that implements the state regulation of employment of the population.

6. The representatives of the republican and local agreement committees are entitled to get information from the national employment service on implementation of the employment yearly national programs.

7. The procedure of arrangement of activities and the powers of the republican and local agreement committees are defined by the mutual agreement between the parties

represented there within their competencies basing on the exemplary statute approved by the Authorized body.

Article 17. Involvement of employer in implementation of national employment policy

1. Employers may provide information to the national employment service on available vacancies, expected structural changes and newly created job places aimed at promoting the implementation of the national employment policy.

2. Employers have the right of:

1) free selection of workforce;

2) getting information on situation in the workforce market from the national employment service free of charge;

3) compensation for salaries according to the order defined by the Government of the Republic of Armenia in case of taking on individuals who are not marketable (competitive) in labor market

Article 18. Organization of public work

1. The temporary activities of social usefulness and generally accessible which do not require vocational qualification are considered as public work.

2. The payment for the compensable public work is done in money or in goods.

3. The public work for monetary compensation is a paid public work.

4. The national employment service provides the needed workforce for organization of paid public work by the territorial administration and the local self governing bodies with the purpose of providing temporary employment of job seekers.

5. A term job contract is signed with the individuals wishing to be involved in a paid public work.

6. The paid public work is implemented at the expense of state and community budgets of the Republic of Armenia.

7. The Government of the Republic of Armenia approves the areas for arranging paid public work and the procedure for their implementation.

CHAPTER IV

LEGAL WARRANTIES IN THE FIELD OF EMPLOYMENT REGULATION

Article 19. Legal warranties for the job seekers and the unemployed

1. The job seekers have the right of:

1) getting free consultation from the national employment service regarding the legislation of the Republic of Armenia on social protection in case of employment and unemployment of the population as well as concerning the yearly national programs of regulation of employment of the population;

2) getting information on the vacancies registered in the national employment service, selection of a suitable job and mediation for job placement free of charge;

3) appeal against the actions and inaction of the officials of the national employment service and the employers judicially or by superior order.

2. The jobless and disabled job seeker have also the right of free vocational training, rehabilitation of job skills and job placement, as well as financial assistance aimed at starting entrepreneurial activities at the expense of resources prescribed by the second paragraph of the article 39 according to the order set by the Government of the Republic of Armenia.

3. The jobless job seekers who get long-term service and privileged pension have the right of training for a new profession at the expense of resources prescribed by the first paragraph of the article 39 of this law.

4. The unemployed besides the rights prescribed by the first paragraph of this article are entitled also to:

1) free training for a new profession and upgrading qualification (for those with vocational education and qualification), free initial vocational training and industrial training (for those without vocational education and qualification). The Government of the Republic of Armenia defines the procedures;

2) involvement in paid public work;

3) financial assistance for state registration of the entrepreneurial activities. The provision procedures are defined by the Government of the Republic of Armenia.

CHAPTER V

THE GROUPS UNCOMPETITIVE IN LABOR MARKET AND THE ADDITIONAL WARRANTIES GRANTED TO THEM

Article 20. The groups uncompetitive in labor market and the additional warranties granted to them

1. The following groups of the jobless job seekers who have difficulties in job placement and who are unable to equal competition in labour market are entitled to social protection additional warranties.

- 1) the disabled;
 - 2) the individuals have returned from confinement institutions and the institutions applying coercive actions (compulsory measures) of medical character and have applied to the national employment service in six months after their return;
 - 3) the children who reached the labor age and who are left without parent care and the individuals who belong to the group of children left without parent care in case of being in the status of an unemployed at least one year uninterrupted;
 - 4) the individuals registered in the national employment service after getting demobilized from the compulsory term military service in case of being in the status of an unemployed at least one year uninterrupted;
 - 5) the unemployed with at least 35 years insurance pattern who have still up to 5 years to reach the age for attaining the right prescribed by the third paragraph of article 28 of this law;
 - 6) the individuals who have got the status of an unemployed for more than three years;
 - 7) the refugees.
2. The national employment service jointly with the republican and local agreement committees develops and implements vocational training programs aimed at ensuring employment for the individuals prescribed by the first paragraph of this article, as well as salary compensation programs aimed at promoting their job placement.
3. The programs mentioned by the second paragraph of this article are implemented at the expense of resources prescribed by the article 39 of this law at an extent and conditions defined by the Government of the Republic of Armenia.

CHAPTER VI

THE STATE SOCIAL PROTECTION POLICY IN CASE OF UNEMPLOYMENT OF THE POPULATION

Article 21. The state social protection policy in case of unemployment of the population

The state social protection policy in case of unemployment of the population is implemented through social insurance and social assistance.

Article 22. Mandatory social insurance from unemployment

1. The mandatory social insurance from unemployment is a system of rights, duties, and warranties that ensures legal and social warranties in case of unemployment for the

individuals who have insured from unemployment and have insurance pattern of at least one year according to the order fixed by this law.

2. The individual mentioned in the first paragraph of this article exercises the right of mandatory social insurance from unemployment from the point of dismissal and recognition as an unemployed on by involvement in mandatory social insurance programs as well as in the ones mentioned in the second and the third points of the third paragraph of article 13 of this law.

Article 23. The principles of mandatory social insurance from unemployment

The principles of mandatory social insurance from unemployment are:

- 1) provision of state guaranties for realization of one's rights by the insured individuals;
- 2) obligatoriness of social insurance of employees from unemployment who are employed on the basis of a labor contract and on other basis prescribed by labor legislation;
- 3) targeted utilization of the resources generated from mandatory social insurance from unemployment;
- 4) social cohesion and ensuring social justice;
- 5) the obligatoriness of funding the social protection programs for the population in case of unemployment;
- 6) allocation of a stipend not less than unemployment benefit rate during the vocational training courses;
- 7) the obligatoriness of social partnership.

Article 24. The individuals subject to mandatory social insurance from unemployment

The individuals subject to mandatory social insurance from unemployment are the following:

- 1) the employers;
- 2) the wage laborers, except those prescribed by the article 27 of this law;
- 3) the individual entrepreneurs.

Article 25. The individuals not subject to mandatory social insurance from unemployment

The individuals not subject to mandatory social insurance from unemployment are the following:

- 1) the employed old age pensioners;
- 2) the employed disabled;
- 3) the foreign citizens and the individuals without citizenship employed in the Republic of Armenia, if no other thing is prescribed by international treaties signed by the Republic of Armenia;
- 4) the employed individuals who are released from the mandatory social insurance from unemployment according to the order set by the laws of the Republic of Armenia.

Article 26. Social assistance in case of unemployment

1. The individuals without the more than one year insurance pattern mentioned in the first paragraph of article 22 of this law have the right of social assistance in case of unemployment;
2. The individuals mentioned in the first paragraph of this article are entitled to involvement in the employment promotion state programs implemented according to the order fixed by this law for the individuals without insurance pattern of more than one year.

Article 27. The right of social protection of the foreign citizens and those without citizenship in case of unemployment

The right of social protection of the foreign citizens and the individuals without citizenship in case of unemployment in the Republic of Armenia is realized in compliance with the legislation of the Republic of Armenia and the international treaties signed by the Republic of Armenia.

CHAPTER VII SOCIAL WARRANTIES IN EMPLOYEMENT SECTOR

Article 28. The social protection warranties in case of unemployment

1. The unemployed are warranted to:
 - 1) be paid unemployment benefit in case of at least one year insurance pattern available. The payment procedure is defined by the government of the Republic of Armenia;
 - 2) be paid a stipend during their learning period in vocational training courses.
2. The disabled are warranted to be paid a stipend during the period they are involved in vocational training and job skill rehabilitation courses.

3. The unemployed who are entitled to get the 12 months unemployment benefit prescribed by the forth paragraph of article 29 this law, who have at least 35 years insurance pattern and who have still 5 years to reach the age that entitles to old age pension have the right of additional social in compliance with the order set by the Government of the Republic of Armenia.

4. The unemployed who are entitled to get the 12 months unemployment benefit prescribed by the forth paragraph of article 29 this law, who have at least 35 years insurance pattern and who have still 1 years to reach the age that entitles to old age pension have the right have the right of retirement before the time fixed by the law of the Republic of Armenia.

5. The competent bodies based on the recommendation of the national employment service assign pension to the individuals mentioned in the forth paragraph of this article before the time fixed by the law of the Republic of Armenia.

Article 29. The conditions for allocation of unemployment benefit

1. Unemployment benefit is allocated to the individuals with the status of an unemployed who do not receive get pensions (except the individuals who get pension for loosing the bread-winner) assigned by the law of the Republic of Armenia and who have at least one year insurance pattern.

2. The national employment service allocates unemployment benefit to the individuals mentioned in the first paragraph of this article from the day of when the last get the status of an unemployed.

3. The minimum duration for paying the unemployment benefit is set 6 months.

4. The duration of payment of unemployment benefit for the individuals with at least one year insurance parent is prolonged with one month for each 3 years.

5. The maximum duration of getting unemployment benefit is set 12 months in any period if being in the status of an unemployed.

6. The unemployed who are being granted the status of an unemployed more than once, every next time he/she may have the right of getting unemployment benefit, if he/she have attained at least one year insurance pattern after being strike off the register by the national employment service.

Article 30. The unemployment benefit rate

The unemployment benefit rate is defined by the 60% of the minimum monthly wages prescribed by the article 1 of the “Law of the RoA on Minimum Monthly Wages”.

Article 31. The stipend rate

1. The unemployed nominated by the national employment service to initial vocational and industrial training, training for a new profession and upgrading qualification are paid with monthly stipend during the whole training period.

2. The monthly stipend rate is defined:

1) by 120% of the unemployment benefit of those getting it.

2) by 50% of the minimum monthly wages prescribed by the article 1 of the “Law of the RoA on Minimum Monthly Wages” for those without the right of unemployment benefit.

3. Stipend is assigned and paid for the training days carried out during the given month calculated against the set monthly stipend.

Article 32. Payment of unemployment benefit on the bases of a letter of attorney

The unemployment benefit may be paid on the bases of a letter of attorney in the order set by the legislation of the Republic of Armenia.

Article 33. Payment of unemployment benefit for the past period

1. The sum of assigned but due to acceptable reasons (illness, etc.) unpaid unemployment benefit of maximum three months may be paid as lump sum during one year from the point the right of payment arises.

2. The assigned but due to the fault of the assigning body unpaid unemployment benefit is paid without term limitations. In the case set above the unemployment benefit is paid lump sum.

Article 34. Payment of the unpaid unemployment benefit of an individual under arrest.

The unemployment benefit of the individual arrested by the competent bodies unpaid till the date of the arrest or sentence is paid lump sum on the basis of the letter of attorney mentioned in the article 32 of this law.

Article 35. Payment of unemployment benefit in case of change of the place of residence

The payment of unemployment benefit of the beneficiary unemployed who have changed ones place of residence within the territory of the Republic is being respited and in the new place of residence the payment of the benefit is continued from the day of respite.

Article 36. The payment of the of funeral benefit in case of death of an unemployed with at least insurance pattern

1. The funeral benefit is paid in case of death of an unemployed with at least one year insurance pattern. The benefit equal to threefold of the unemployment benefit is paid to the person who carries out the funeral procession if a request and the necessary documents are submitted to the national employment service within six months from the death of an unemployed according to the order set by legislation.

Article 37. Payment of the unemployment benefit unpaid due to the death of the beneficiary unemployed.

1. The sum of unemployment benefit unpaid due to the death of the beneficiary unemployed is paid to an adult member of the family or the wife (husband) of the died person, to one of the parents or to the legal representative of under-age children, to a tutor or a trustee.

2. The sum of unemployment benefit unpaid due to the death of the beneficiary unemployed is paid, if any of the persons mentioned in the first paragraph of this article has submitted a request within six months after death of the unemployed.

Article 38. Respite, recommencement and suspend of the payment of unemployment benefit

1. The payment of unemployment benefit is respited, if the person is involved in paid public work, is taken to a temporary job or is nominated to attend vocational training courses by the national employment service during the period of receiving unemployment benefit, by the term of respective to the duration of the paid public or temporary work, vocational training course.

2. The national employment service recommences the payment of unemployment benefit from the next day of the respite term termination, if the person still keeps the right of receiving unemployment benefit after the termination of the period of unemployment benefit respite.

3. The national employment service respites the payment of unemployment benefit for two months, if the unemployed has rejected the offer of a suitable job once, and in case if the unemployed rejected the offer of a temporary job and vocational training the unemployment benefit is respited for a term of their durations respectively.

4. The national employment service suspends the payment of unemployment benefit in cases prescribed by article 8 of the current law, as well as in the cases when:

- 1) the unemployed rejects the offer of a suitable job for the second time;
- 2) the unemployed didn't appear to get a job placement offer by the invitation of the national employment service within the term informed in advance for the second consecutive time, and if the default of appearance is not related to the illness of the unemployed;
- 3) it proves that the unemployment benefit payment period completes before the end or meanwhile of respite period;
- 4) the unemployed is dismissed from the training institution during a vocational training course due to violation of internal code of conduct;
- 5) the unemployed has rejected the suitable job relevant to the vocation attained in the vocational training course that he/ she participated by nomination of the national employment service;
- 6) the court sentence on imprisonment of the unemployed is put in legal force or the unemployed is sent to coercive treatment on the basis of the court decree;
- 7) the unemployed has died.

The unemployment benefit is assigned on common/general basis on the return from imprisonment or the place of applying coercive action of medical character.

5. The unemployment benefit or the stipend, as well as the financial resources for stating entrepreneurial activities received by an individual are subjected to total return in an order set by law, if the one have been employed by any of the types of the activities prescribed by the article 5 of this law during the period of receiving unemployment benefit, as well as learning in a vocational training course or at the moment of receiving financial assistance for entrepreneurial activities

Article 39. Funding of the state programs on regulation of employment of the population

1. The programs prescribed by the second paragraph of the article 13 of the current law are funded at the expense of the resources of the budget of the National fund of mandatory social insurance of the Republic of Armenia in accordance to the law of the RoA and the order set by the Government of the Republic of Armenia.

2. The programs prescribed by the third paragraph of the article 13 of the current law are funded at the expense of the resources of state budget of the RoA.

CHAPTER VIII INFORMATION BASE OF EMPLOYMENT SECTOR

Article 40. Information base of employment sector

1. The national employment service establishes an information base aimed at targeted management of employment sector, ensuring addressness of the yearly state programs on regulation of employment of the population, effective analysis and forecast of the labour market.

2. The information base includes information on both state and non-state programs being implemented in employment sector.

3. During the implementation of the national employment policy the national employment service cooperates with the state administrative, local self-governing and other bodies and non-governmental organizations through exchange of relevant information in accordance with the procedure set by legislation of the Republic of Armenia.

CHAPTER IX LIABILITY FOR VIOLATION OF THIS LAW

Article 41. Liability for violation of this law

Violation of this law causes liability in accordance to the law of the Republic of Armenia.

CHAPTER X EFFECTIVENESS

Article 42. Effectiveness

1. This law becomes effective since January 1, 2006.

2. On the moment of effectiveness of this law the Law of the Republic of Armenia on "Employment of the Population" of December 26, 1996 shall be considered ineffective.

3. The relations arose continue to be there and the provisions of the Law of the Republic of Armenia on "Employment of the Population" are applied towards them until the Law is effective.

4. Until the legal acts containing norms of employment law are adjusted to this law they are implemented as far as don't contravene this law.