



# DOMESTIC SERVICE MANUAL

Domestic service in Spain is regulated by specific legislation that protects the rights of employees and establishes the obligations of employers. This guide will help you understand the key aspects of the system so that you can hire safely and legally.

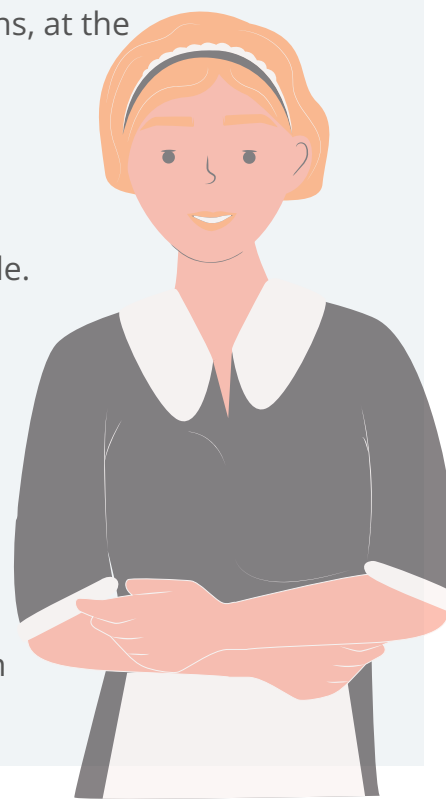
## 1. TYPES OF WORK SCHEDULES

### LIVE-IN

- Lives in the employer's home and typically performs tasks such as cleaning, cooking, childcare, and elderly care, among others.
- The maximum standard working hours for a live-in domestic worker is **40 hours per week**. These hours can be distributed flexibly as long as rest periods are respected.
- In addition to this standard schedule, **on-call time** may be established. This refers to periods when the worker is not actively working but must be available if needed. The on-call time for a live-in worker must not exceed **20 hours per week** (unless otherwise agreed upon or compensated with rest) and must always be paid.
- If, at any point during on-call time, the worker performs any tasks, that time must be counted as actual working hours, added to the 40-hour weekly limit, and properly paid or compensated.
- Has the right to a daily break of 2 hours for meals.
- Has a minimum weekly rest period of 36 consecutive hours, usually from Saturday afternoon to all of Sunday, although other agreements may be made.
- Has limited night availability, as live-in workers cannot be available 24/7.
- Must be provided with a private room and adequate living conditions, at the employer's expense.

### LIVE-OUT

- Does not reside in the employer's home and follows a fixed schedule.
- The maximum working hours for a live-out domestic worker is 40 hours per week, with a daily limit of 8 hours of actual work.
- Must have a minimum rest period of 12 hours between the end of one workday and the beginning of the next.
- Can work full-time (40 hours per week), part-time (fewer hours per week), or on an hourly basis, depending on the agreement stated in the contract.



- The work schedule can be split into morning and afternoon shifts, depending on the employer's needs.
- Overtime hours must be compensated at least at the same rate as regular working hours or through paid time off. Overtime cannot exceed 80 hours per year, unless in exceptional circumstances.
- If the work shift exceeds 6 consecutive hours, the worker has the right to a minimum break of 15 minutes.
- For full-time workers (8 hours/day), a break must be scheduled for meals and rest.
- Has greater flexibility in scheduling, adapting to the specific needs of the household.
- A worker is considered an hourly domestic worker if, over the course of a year, the total number of days worked for the same employer does not exceed 120.

## 2. SALARY AND ADDITIONAL PAYMENTS

The annual salary for domestic workers in 2025 is **€16,576**. In Spain, it can be paid in **12 to 14** installments, depending on the agreement between both parties.

The extra payment system consists of two additional payments per year, typically in June and December. Each extra payment is equivalent to one month's regular salary, unless otherwise agreed.

The monthly salary varies depending on how the extra payments are distributed:

- If the salary is paid in **14 installments**, the worker receives their monthly wage plus two extra payments in the agreed months: €1,184 per month, including the extra payments in June and December.
- If the salary is paid in **12 installments**, the extra payments are included in the monthly salary as a prorated amount: €1,381.33 per month, with the extra payments already distributed across the year, for a 40-hour workweek.

For hourly domestic workers, the minimum wage ranges from €10 to €15 per hour, depending on the location, experience, and job responsibilities.

### Transport Allowance and Additional Benefits:

- Although not legally required, in some cities or distant areas, it is common to provide transportation assistance or additional incentives.
- For live-in domestic workers, food and accommodation are provided by the employer to ensure decent living conditions. These do not count as part of the salary.



### 3. VACATION AND PUBLIC HOLIDAYS

#### VACATIONS

Domestic workers are entitled to 30 calendar days of paid vacation per year, with at least 15 consecutive days. The vacation period can be split into two or more periods if both parties agree. The employer has the right to choose 15 days of the vacation period according to their needs.

- For hourly workers or those working less than 5 days per week: They are entitled to a proportional number of vacation days based on the hours worked. Vacation pay is generally prorated into the hourly wage, meaning that the worker receives their vacation compensation included in each paycheck.

#### PUBLIC HOLIDAYS

14 public holidays per year: 10 national holidays, 2 regional holidays, 2 municipal holidays. If a worker is required to work on a public holiday, they must receive compensatory time off or extra pay.

#### SPECIAL LEAVE AND PERMISSIONS

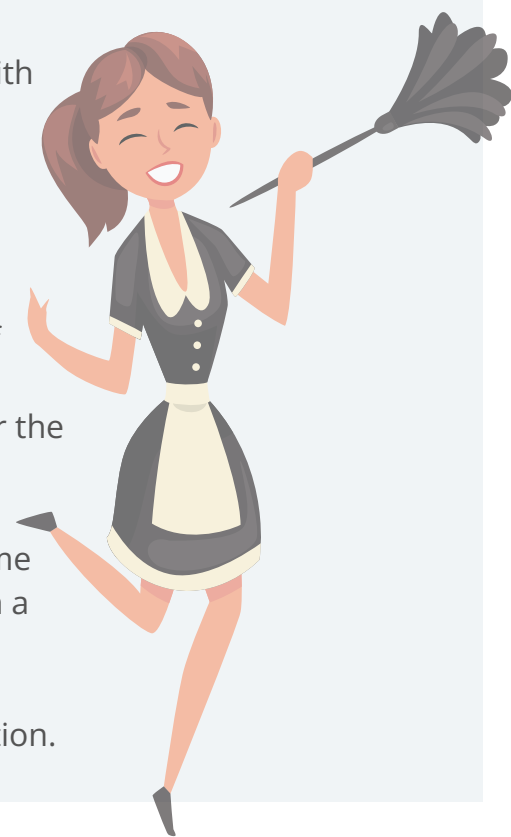
- Marriage: 15 calendar days.
- Childbirth: 16 weeks of paid leave.
- Death of a close relative (parents, children, spouse, or siblings): 2 to 4 days, depending on whether travel is required.
- For men: Male domestic workers have the same rights to paternity leave and other family-related permissions under equal conditions as female workers.

#### SOCIAL SECURITY AND CONTRIBUTIONS

The employer is responsible for registering the domestic worker with the General Treasury of Social Security (TGSS) and for paying the corresponding contribution

##### System Operation:

- The domestic worker is registered with the General Treasury of Social Security (TGSS) using the contract details.
- Social Security directly charges the employer's bank account for the monthly contribution (the account provided at the time of registration).
- It is important to note that the first payment may take some time to be processed, but subsequent charges will be regularized on a monthly basis.
- The employer can deduct 4.7% from the worker's salary each month, corresponding to the employee's share of the contribution.



## CONTRIBUTIONS

Nº OF HOURS (per week)	SALARY IN 12 PAYMENTS (payments are split)	SALARY IN 14 PAYMENTS (extra in Jun and Dec)	SS EMPLOYER'S FEE (aprox.)*	SS EMPLOYEE'S FEE (aprox.)**	TOTAL FEE (aprox. amount charged to your account each month by SS) *	TOTAL FEE (salary + SS fee)
5	172,67	148,00	62.76	18.09	80.85	253,52
10	345,33	296,00	89.51	25.81	115.32	460,65
15	518,00	444,00	123.53	35.60	159.13	677,13
20	690,67	592,00	161.10	46.43	207.53	898,20
25	863,33	740,00	199.13	57.40	256.53	1.119,86
30	1036,00	888,00	236.24	68.09	304.33	1.340,33
35	1208,67	1036,00	292.37	84.28	376.65	1.585,32
40	1381,33	1184,00	292.37	84.28	376.65	1.757,98

\*Approximate value with small variation, this ammount is known exactly when done the register of the employee in the SS.

\*\*It is up to the employer to discount the Social Security fee of the employee.

## 5. SICK LEAVE AND COMPENSATION

Domestic workers are entitled to sick leave in cases of illness or accidents. The worker must visit a Social Security doctor to obtain an official sick leave certificate. This certificate must be submitted to the employer within three days of issuance. Social Security manages the financial benefit starting from the fourth day of leave.

**Important:** During the sick leave, Social Security continues to charge the employer's monthly contribution, even if the worker is not actively working.

### Sick Leave Compensation

- Days 1 to 3: No financial benefit (covered by the employer).
- Days 4 to 20: Social Security pays 60% of the worker's regulatory base.
- From day 21 onward: Social Security pays 75% of the regulatory base.
- The sick leave must be justified with an official medical certificate.
- During the sick leave, the employer is not required to pay the salary, as the benefit is covered by Social Security.

### Maternity/Paternity Leave

- Domestic workers are entitled to 16 weeks of paid leave, covered by Social Security, receiving 100% of their regulatory base.
- The leave can be divided into periods according to the family's needs.
- The application process is similar to that of sick leave: The worker must obtain a medical certificate and must submit the required documents to Social Security to process the benefit.

## 6. CONTRACT AND LEGAL OBLIGATIONS

The contract must be in writing, regardless of the duration of employment. The employer is responsible for providing a signed contract to the employee and ensuring that both parties sign it. A copy of the contract must be given to the employee.

[!\[\]\(950a62bbddad88d64435fd35607dfc42\_img.jpg\) DOWNLOAD THE CONTRACT TEMPLATE HERE](#)

### Termination or Dismissal:

- The employer must provide a notice period of: 20 days if the employee has worked for more than one year. 7 days if the employee has worked for less than one year.
- Severance pay: 12 days per year worked, up to a maximum of 6 months.

### Payslips:

The employer is required to provide a monthly payslip to the employee, which must include:

- Base salary.
- Prorated extra payments (if applicable).
- Social Security contributions.
- Income tax deductions (IRPF), if applicable.

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Hiring a domestic worker in Spain requires understanding the current legislation and complying with tax and labor obligations. To ensure a safe and legal process, it is essential to follow all regulations and properly register the employment relationship. Working with a specialized agency like Maids & Co simplifies the process, as they handle candidate selection, reference verification, and administrative procedures, ensuring a transparent, legal, and professional employment relationship for both employers and domestic workers.





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