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# Belgium: Notice period to employees

♥ Belgium
Phase: Management
Type: Notice period to employees

🛗 Last modified: 06 September, 2019

Native name: Loi du 13 février 1998 portant des dispositions en faveur de l'emploi dite loi

Renault/Wet van 13 februari 1998 houdende bepalingen tot bevordering van

de tewerkstelling (Wet Renault)

English name: Law of 13 February 1998 regarding measures in favour of employment (so-

called 'Renault Law')

#### Article

62-70

#### Description

Employers are required to notify their workforce 30 days in advance of implementing collective dismissals (that is, within 60 days, dismissals of at least 10 workers in companies with 20-99 employees, of at least 10% of the workforce in firms with 100-299 workers or at least 30 dismissals in companies with 300 or more staff). This period can be extended up to 60 days upon request from the trade union.

During the 30 day collective dismissal notification period, the employer is prohibited from dismissing the employees included in the collective dismissal notification. After and in addition to this period, the conventional notification periods apply to individual employees.

Individual notice of termination is valid only if it is in writing, specifying the commencement date and the duration of the period of notice. When the employer gives notice, the statement must be sent by registered mail or be communicated in writing by a process server.

Each employee, regardless of being white or blue collar worker, has a fixed notice period in case of the unilateral ending of a work agreement of an indefinite nature. Fixed-term contracts can only be ended (since 2014) in the first half of the contract (up to six months) through a one-sided notification of either the employee or employer. In this case notification periods similar to the indefinite nature contract apply. It is not possible to alter the duration of the period at sectoral level; it is however possible to increase the period at individual or company level.

The duration of the notice period depends on several elements as can be seen below:

#### <u>Duration of notice period for the first 5 years of employment:</u>

For each started year of employment	For each started period of 3 months of employment	Fixed notice period - dismissal by employer	Fixed notice period - dismissal by employee
1st year	0 < 3 months seniority	2 weeks	1 week
	3 < 6 months seniority	4 weeks	2 weeks
	6 < 9 months seniority	6 weeks	3 weeks
	9 < 12 months seniority	7 weeks	3 weeks

2	12 < 15 months seniority	8 weeks	4 weeks
	15 < 18 months seniority	9 weeks	4 weeks
	18 < 21 months seniority	10 weeks	5 weeks
	21 < 24 months seniority	11 weeks	5 weeks
3		12 weeks	6 weeks
4		13 weeks	6 weeks
5		15 weeks	7 weeks

6	18 weeks	9 weeks
7	21 weeks	10 weeks
8	24 weeks	12 weeks
9	27 weeks	13 weeks
10	30 weeks	13 weeks
11	33 weeks	13 weeks
12	36 weeks	13 weeks
13	39 weeks	13 weeks
14	42 weeks	13 weeks
15	45 weeks	13 weeks
16	48 weeks	13 weeks
17	51 weeks	13 weeks
18	54 weeks	13 weeks
19	57 weeks	13 weeks
20	60 weeks	13 weeks

21	62 weeks	13 weeks
22	63 weeks	13 weeks
23	64 weeks	13 weeks (max.)

#### Comments

No information available.

#### Cost covered by

Not applicable

#### Involved actors other than national government

Trade union

#### **Thresholds**

No, applicable in all circumstances

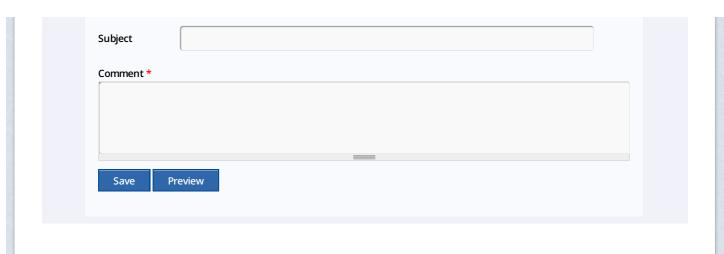
#### Sources

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- Statistieken van herstructureringen
- De opzeggingstermijn
- Belgium: Developments in working life 2017

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