



[Login](#)

EMCC

European Monitoring Centre on Change

Greece: Effects of non-compliance with dismissal regulations

[Go to list page](#)

Greece

Phase:

Management

Type:

Effects of non-compliance with dismissal regulations

Last modified: 07 November, 2019

Native name:

Νόμος 4611/2019: Ρύθμιση οφειλών προς τους Φορείς Κοινωνικής Ασφάλισης, τη Φορολογική Διοίκηση και τους Ο.Τ.Α. αἰ βαθμού, Συνταξιοδοτικές Ρυθμίσεις Δημοσίου και λοιπές ασφαλιστικές και συνταξιοδοτικές διατάξεις, ενίσχυση της προστασίας των εργαζομένων και άλλες διατάξεις (ΦΕΚ Α' 73/17.05.2019 και Α' 75/22-05-2019); Νόμος 3996/2011ΑΝΑΜΟΡΦΩΣΗ ΤΟΥ ΣΩΜΑΤΟΣ ΕΠΙΘΕΩΡΗΣΗΣ ΕΡΓΑΣΙΑΣ, ΡΥΘΜΙΣΕΙΣ ΘΕΜΑΤΩΝ ΚΟΙΝΩΝΙΚΗΣ ΑΣΦΑΛΙΣΗΣ ΚΑΙ ΑΛΛΕΣ ΔΙΑΤΑΞΕΙΣ; Νόμος Υπ' Αριθ. 3850 / 2010: Κύρωση του Κώδικα νόμων για την υγεία και την ασφάλεια των εργαζομένων; Νόμος1387/1983 – Έλεγχος Ομαδικών Απολύσεων και άλλες διατάξεις

English name:

Law 4611/2019: Settlement of debts to social security institutions, the tax administration, and first-level local authorities; pension regulations for civil servants, and other insurance and pension provisions, strengthening the employees' protection and other provisions (OJHR A 73/17.05.2019 and A 75/22-05-2019); Law 3996/2011 reforming the labour inspection body, social security regulations and other provisions; Law 3850 of 2010 ratifying the code of laws related to occupational safety and health; Law 1387/1983 on collective dismissals

Article

Law 4611/2019, Chapter VI: Provisions concerning the labour inspectorate's organisation: Article 60 Classification of labour law infringements; Article 62 Penalties in the event of opposition to inspections by the labour inspectorate; Law 3996/2011 Article 28, paragraph 4; Law 3850/2010 Article 10; Law 1387/1983 Article 6

Description

In the event of non-compliance with the legislation, labour authorities can declare collective dismissals null and void, and severance payments may be required for dismissed workers. 'Collective dismissal' refers to dismissals affecting more than 6 employees in companies with 20 to 150 employees and to those affecting 5% of the workforce or 30 employees in companies with more than 150 employees. There are no specific provisions for non-compliance with dismissal regulations relating to cases of individual dismissals. No specific provision is in place to enable employees to take action against non-compliance: the same regulation applies as in any other case of termination of employment. The criteria according to which administrative penalties are imposed are the following: the seriousness of the offense; any repeated non-compliance with the instructions of the competent bodies; any similar offenses for which penalties have been imposed in the past; the degree of fault; the number of employees; the size of the undertaking; the employment regime; the number of employees affected; the inclusion of the undertaking in one of the categories (for example, agriculture, transport, storage and communication, metal mining, electricity, gas and steam) provided for under article 10 of Law 3850/2010 (OJHR A 84). In cases where obstruction of inspection takes place, may it be false data provision or denied entry to the premises, such shall be punished by imprisonment of at least one year or by a fine of at least €900 or both these penalties. A decision of the Minister of Labour, Social Security, and Social Solidarity shall categorise the violations, specify the criteria, determine the method of calculating the amount of the fine, and provide for cases where the amount of the fine may be adjusted.

Comments

Only a few cases have been brought for non-compliance. However, decision no. [1070/2010 of the Supreme Court](#) is very important. According to this decision, the sanction provided by Law 1387/1983 in article 6, stating that 'collective dismissals made in violation of the provisions of the law are void', is the most appropriate and effective measure to prevent the employer from non-observance of the procedure for collective dismissals.

Cost covered by

Employer

Involved actors other than national government

Regional/local government

Other

Involvement others

Labour inspectorate

Thresholds





Company size by number of employees:

20

Number of affected employees:

7

Sources

-  [Eurofound \(2010\), EMCC legal framework for restructuring, Eurofound, Dublin](#)
-  [Eurofound \(2010\), New law facilitates dismissals and cuts labour costs, EIROnline Articles](#)
-  [Law 2736/1999](#)
-  [Law 2874/2000](#)
-  [Law 1387/1983](#)
-  [Decision no. 1070/2010 of the Supreme Court](#)
-  [Law 4611/2019](#)
-  [Law 3996/2011](#)
-  [Supreme Court Decision 1070 / 2010](#)

Useful? Interesting? Tell us what you think. 

Eurofound welcomes feedback and updates on this regulation

Your name *

E-mail *

More information?

Homepage

Subject

Comment *

Save

Preview

About EMCC

European Restructuring Monitor

- › [About the European Restructuring Monitor](#)
- › [Restructuring events database](#)
- › [Restructuring support instruments](#)
- › [Restructuring related legislation](#)
- › [Restructuring case studies](#)
- › [ERM publications](#)

European Jobs Monitor

Labour market research

Case studies

Future of Manufacturing in Europe (FOME)

European Observatory on Quality of Life - EurLIFE

European Observatory of Working Life - EurWORK

Quick links

- Legal information
- Data protection
- Environmental policy
- Cookies
- Subscriptions
- Multilingualism
- Templates for Eurofound reports
- Eurofound style guide
- Management Board extranet
- Map - how to get to Eurofound
- FAQ
- Sitemap



Contact us

Eurofound, Wyattville Road, Loughlinstown, Co. Dublin, D18 KP65, Ireland

Phone: (00) 353 1 2043100

E-Mail: information@eurofound.europa.eu

Press: media@eurofound.europa.eu



MEMBER OF THE NETWORK OF EU AGENCIES



EUROFOUND ACHIEVES EMAS REGISTRATION



EUROFOUND IS AN AGENCY OF THE EUROPEAN UNION



[Access to internal documents](#) | [Financial information](#) | [Archives](#) | [Information centre](#) | [RSS feeds](#)

© EUROFOUND 2023

