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European Monitoring Centre on Change

## Denmark: Obligation to consider alternatives to collective dismissals

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Denmark

Phase:

Management

Type: [Obligation to consider alternatives to collective dismissals](#)

Last modified: 16 May, 2019

Native name:

Bekendtgørelse af lov om varslings m.v. i forbindelse med afskedigelser af større omfang (LBK nr 291 af 22/03/2010); Lov om information og høring af lønmodtagere (LOV nr 303 af 02/05/2005)

English name:

The Danish Act on Collective Redundancies (Consolidation Act no. 291 of 22 March 2010); The Danish Act on Information and Consultation of Employees (Act no. 303 of 2 May 2005)

### Article

Section 5 Danish Act on Collective Redundancies, Section 4 Danish Act on Information and Consultation of Employees

### Description

If the restructuring exercise is expected to involve redundancies on a scale falling within the scope of the Danish Act on Collective Redundancies (within 30 days, at least 10 dismissals in companies with 21-99 employees, at least 10% in companies with 100-299 employees or at least 30 dismissals in larger companies), the employer must, as soon as possible, initiate negotiations with the employees or employee representatives. The employer must explain the main reason for the expected restructuring in a letter addressed to the employees representative, as well as to the Regional Employment Council.

The negotiations must aim at preventing or reducing the expected redundancies or, if this is not possible, alleviate the consequences of the redundancies.

This means that the preparation of the restructuring has to take place in a timely manner in order for the information, consultation and negotiation to be carried out in accordance with the Danish Act on Collective Redundancies and/or the Danish Act on Employees' Rights in the event of Transfers of Undertakings and/or the Danish Act on Information and Consultation of Employees.

It is important to stress that the restructuring exercise is not subject to the 'approval' of the employees or employee representatives.

### Comments

No information available.

#### Cost covered by

Employer

#### Involved actors other than national government

Regional/local government

Works council

Other

#### Thresholds




Company size by number of employees:

21

Number of affected employees:

10

## Sources

-  [Bekendtgørelse af lov om varsling m.v. i forbindelse med afskedigelser af større omfang](#)
-  [Bekendtgørelse af lov om lønmodtageres retsstilling ved virksomhedsoverdragelse](#)
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