

EMCC

European Monitoring Centre on Change

Greece: Notice period to employees

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 Greece

Phase:

Management

Type:

Notice period to employees

 Last modified: 24 July, 2019

Native name:

-N. 4093/2012: Έγκριση Μεσοπρόθεσμου Πλαισίου Δημοσιονομικής Στρατηγικής 2013– 2016 – Επείγοντα Μέτρα Εφαρμογής του ν. 4046/2012 και του Μεσοπρόθεσμου Πλαισίου Δημοσιονομικής Στρατηγικής 2013– 2016 -N. 3863/2010: Νέο Ασφαλιστικό Σύστημα και συναφείς διατάξεις. Ρυθμίσεις στις Εργασιακές Σχέσεις; N. 3899/2010: Επείγοντα Μέτρα Εφαρμογής του Προγράμματος Στήριξης της Ελληνικής Οικονομίας; N. 4093/2012: Έγκριση Μεσοπρόθεσμου Πλαισίου Δημοσιονομικής Στρατηγικής 2013– 2016 – Επείγοντα Μέτρα Εφαρμογής του ν. 4046/2012 και του Μεσοπρόθεσμου Πλαισίου Δημοσιονομικής Στρατηγικής 2013– 2016

English name:

-Law 4093/2012: Adoption of the Medium-Term Fiscal Strategy 2013-2016 - Urgent Measures for the implementation of Law 4046/2012 and the Medium Term Financial Strategy 2013-2016 (Government Gazette A 222/12-11-2012) - Law 3863/2010: New Social Security System and relevant provisions. Regulations on Labour Relations; Law 3899/2010: Urgent measures to implement the programme to support the Greek economy; Law 4093/2012: Approval of the Medium-term Framework Fiscal Strategy 2013-2016 – Urgent Measures for the Implementation of Law 4046/2012 and the Medium-term Fiscal Strategy Framework 2013-2016

Article

-Article 1, Paragraph XI.12 of Law 4093/2012 -Art. 74 Para. 2 of Law 3863/2010; Art. 17 Para 5 of Law 3899/2010;

Description

Employment with an **open-ended** employment agreement is considered to be employment for a probationary period for the first 12 months from the date that it comes into force, which may be terminated without notice and without severance pay, unless otherwise agreed by the parties. An open-ended employment agreement of a private employee that has a duration of more than 12 months cannot be terminated without prior written notice from the employer, which will take effect from the day after the employee is notified, under the following conditions:

- For employees who have served from 12 completed months to two years, one month's notice is required before dismissal;
- For employees who have served from two to five years, two months' notice is required before dismissal;
- For employees who have served from five to 10 years, three months' notice is required before dismissal; and
- For employees who have served 10 years or more, four months' notice is required before dismissal.

An employer who gives an employee written notice in accordance with the above pays half of the **statutory severance pay** to the dismissed employee.

These provisions apply for all forms of dismissals, including collective dismissals.

A **fixed-term** contract can be terminated before its end immediately, i.e. without notice period, for a significant reason, either by the employer or by the employee. 'Significant reason' consists of the existence of events during the contract which make it impossible to continue the agreement in good faith (for instance, breach of contractual obligations and damage caused by the employee with failure to comply with the essential terms of the contract and detraction of the employee by the employer, etc.). If a significant reason exists, the employer is not obliged to pay compensation. If the contract is terminated and no significant reason exists, the employee can go to court to claim the wages that would have been received until the end of the contract.

Comments

Under the previous legal framework there was an obligation to give notice and pay severance after two months of employment with the same employer, while the periods of notice were longer. The laws that successively reduced the periods of notice and the level of severance pay (Law 3863/2010, Law 3899/2010 and Law 4093/2012) are part of a series of laws implementing commitments made by the Greek government to its creditors with the signing of successive Memorandums of Understanding in the framework of Greece's accession to the Financial Stability Mechanism to bring about recovery from the economic crisis. Reducing periods of notice and severance pay was considered by the government to be a necessary measure to alleviate business costs in the context of the economic crisis, while it was heavily criticised by the unions.

Cost covered by

Not applicable

Involved actors other than national government

National government only

Thresholds

No, applicable in all circumstances

Sources

 [Law 3863/2010](#)

 [Law 3899/2010](#)

 [Law 4093/2012](#)

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