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European Monitoring Centre on Change

Cyprus: Selection of employees for (collective) dismissals

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Cyprus

Phase:

Management

Type:

Selection of employees for (collective) dismissals

Last modified: 06 June, 2019

Native name:

N. 28(I)/2001 - Ο περί Ομαδικών Απολύσεων Νόμος του 2001

English name:

Collective Dismissals Law, 2001 (Law 28(I)/2001)

Article

5.1β (v) , 6, 8

Description

The Collective Dismissals Law obliges the employer who intends to proceed with collective dismissals (within 30 days, dismissals of at least 10 workers in companies with 21-99 employees, 10% in firms with 100-299 employees or at least 30 employees in firms with 300 or more staff) to consult in good time with the employees' representatives with the view to reaching an agreement. The employer must have completed the consultations with the employees' representatives before he/she notifies the relevant authority on the intention to proceed to collective dismissals, since he/she has to provide information to the relevant authority also on the outcome of these consultations (Article 6). Collective dismissals can take effect the earliest 30 days after the relevant authority has been notified (Article 8).

In order for the employees' representatives to be in the position to engage in a constructive manner in this consultations, all useful information has to be provided by the employer on time. In particular the employer has to communicate in written form i) the reasons for the intended redundancies, ii) the number and categories of affected employees, iii) the number and categories of all employees, iv) the time the redundancies shall take effect, as well as v) the criteria the employer is intending to use for the selection of employees to be declared redundant.

Even though the criteria for the the selection of employees to be declared redundant are subjected to consultations with the employees' representatives, the responsibility remains with the employer.

Comments

The legislation is rarely activated in Cyprus, since the definition of collective dismissals requires the dismissal of at least 10 employees. However, during the economic and financial crisis, particularly in 2012 and 2013, an increased number of collective dismissals cases has been observed. The Labour Relations Department has reviewed more than 140 cases during these years.

Both Trade unions and the Labour Relations Department share the assessment that the legislation is more likely to be applied in a satisfactory manner in companies where labour relations are governed by a collective agreement, i.e. where trade unions are present, demand and ensure that the legislation is respected.

Cost covered by

Not applicable

Involved actors other than national government

Trade union

Thresholds




Company size by number of employees:

21

Number of affected employees:

10

Sources

-  Ο περί Ομαδικών Απολύσεων Νόμος του 2001 (Ν. 28(Ι)/2001)
-  Ministry of Labour, Welfare and Social Insurance / Depart of Labour Relations
-  Ministry of Labour, Welfare and Social Insurance / Depart of Labour Relations

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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



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