



EMCC

European Monitoring Centre on Change

Denmark: Notice period to employees

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Denmark

Phase:

Management

Type:

Notice period to employees

Last modified: 22 March, 2023

Native name:

Bekendtgørelse af lov om varsling m.v. i forbindelse med afskedigelser af større omfang (LBK nr 291 af 22/03/2010); Bekendtgørelse af lov om retsforholdet mellem arbejdsgivere og funktionærer (LBK nr 81 af 03/02/2009)

English name:

Danish Act on Collective Redundancies (Consolidated Act no. 291 of 22 March 2010); Danish Act on the Legal Relationship between Employers and Salaried Employees (Consolidated Act no. 81 of 3 February 2009)

Article

Article 7 in Danish Act on Collective Redundancies; Article 2 in Danish Act on the Legal Relationship between Employers and Salaried Employees

Description

When giving notice of upcoming redundancies, Danish employers are required to inform and enter into negotiations with employees 'as early as possible' and before the final notice of redundancies. If a company with a minimum of 100 employees plans to make more than 50% of them redundant, a minimum of 21 days must pass before the final decision is made. Danish employers are required to give a minimum of 30 days' notice of impending redundancy to employees. When the planned redundancies make up at least 50% of the employees in a workplace with a minimum of 100 employees, the notice period is 8 weeks. For employees covered by the Danish Salaried Employees Act (the Act on the Legal Relationship between Employers and Salaried Employees), the notice to be given by the employer increases depending on the employee's length of service and is subject to a maximum notice period of six months (for a tenure of more than nine years). The act on collective redundancies does not cover individual dismissals, whereas all dismissals in the context of the notice periods of the salaried employees act are individual.

Comments

Provisions on dismissal form an integral part of a collective agreement. The notice periods stipulated in collective agreements differ from one industry to another. For example, within the manufacturing industry and typically labour-intensive industries, notice periods are normally significantly shorter than those required under the Danish Salaried Employees Act. Accordingly, a collective agreement that affects employees' employment should be fully considered before any dismissals are carried out.

Cost covered by

Not applicable

Involved actors other than national government

Regional/local government
Works council

Thresholds





Company size by number of employees:

21

Number of affected employees:

10

Sources

-  [Bekendtgørelse af lov om varsling m.v. i forbindelse med varsling af større afskedigelser](#)
-  [Bekendtgørelse af lov om retsforholdet mellem arbejdsgivere og funktionærer](#)
-  [Ius Laboris \(2011\), Individual Dismissals Across Europe, Brussels](#)
-  [EMCC legal framework of restructuring](#)

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