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European Monitoring Centre on Change

Lithuania: Staff information and consultation on business transfers

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Lithuania

Phase:

Anticipation

Type: Staff information and consultation on business transfers

Last modified: 14 October, 2019

Native name: Darbo kodeksas Nr. XII-2603

English name: Labour code No XII-2603

Article

Labour code (208, 209)

Description

According to article 208 of the labour code, before taking a decision on a business transfer, the employer must inform and hold consultations with the works council. At least five working days before the beginning of the planned consultation, the employer must provide the works council with written information on:

- 1. the date of transfer or the proposed date of transfer;
- 2. the legal basis for the transfer;
- 3. the legal, economic and social consequences of the transfer for the employees;
- 4. measures planned for the employees.

When a company does not have a works council or an employee trustee implementing the functions thereof, the employer must provide the information above to the employer-level trade union as well as to the employees, either directly or at a general meeting of the employees of the employer. The trade union is entitled to express its opinion to the employer concerning the employer's upcoming decisions. The employer must hold consultations for at least five working days from the first day of consultation, unless the works council agrees to a different term.

If an employer has violated the obligations of information and consultation, the works council or the trade union is entitled to initiate a labour dispute on rights within two months of finding out about the violation. The State Labour Inspectorate controls how employers fulfil the obligation of informing and consulting employees (article 209).

Labour relations on ships are regulated by Lithuanian labour law provisions if these ships sail under the flag of the Republic of Lithuania.

Comments

No information available.

Cost covered by

Not applicable

Involved actors other than national government

- Trade union
- Works council
- Other



Involvement others

The State Labour Inspectorate

Thresholds

No, applicable in all circumstances

### Sources

-  [Labour code No XII-2603](#)
-  [Transposition table of the Directive 2015/1794 to the Lithuanian law](#)

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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](mailto:information@eurofound.europa.eu)

Press: [media@eurofound.europa.eu](mailto:media@eurofound.europa.eu)



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