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# EMCC

European Monitoring Centre on Change

## Greece: Definition of collective dismissal

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Greece

Phase:

Management

Type:

Definition of collective dismissal

Last modified: 21 March, 2023

Native name:

**Νόμος 4554/2018: Ασφαλιστικές και συνταξιοδοτικές ρυθμίσεις - Αντιμετώπιση της αδήλωτης εργασίας - Ενίσχυση της προστασίας των εργαζομένων - Επιτροπεία ασυνόδευτων ανηλίκων και άλλες διατάξεις, (ΦΕΚ Α' 130/18.07.2018); Νόμος 4472/2017: Συνταξιοδοτικές διατάξεις Δημοσίου και τροποποίηση διατάξεων του ν. 4387/2016, μέτρα εφαρμογής των δημοσιονομικών στόχων και μεταρρυθμίσεων, μέτρα κοινωνικής στήριξης και εργασιακές ρυθμίσεις, Μεσοπρόθεσμο Πλαίσιο Δημοσιονομικής Στρατηγικής 2018-2021 και λοιπές διατάξεις ((ΦΕΚ Α' 74/19-5-2017 'Α 74/19.05.2017); Ν. 1387/1983: Έλεγχος ομαδικών απολύσεων και άλλες διατάξεις; Ν. 3863/2010: Νέο Ασφαλιστικό Σύστημα και συναφείς διατάξεις. Ρυθμίσεις στις Εργασιακές Σχέσεις**

English name:

**Law 4554/2018: Insurance and pension regulations - Tackling undeclared work - strengthening the employees' protection - Guardianship of unaccompanied minors and other provisions (OJHR A-130/18.07.2018); Law 4472/2017: on implementation measures for fiscal goals and reforms, medium-term financial strategy framework 2018-2021 and other provisions (Government Gazette 'Α 74/19.05.2017); Law 1387/1983: on collective dismissals; Law 3863/2010: New social security system and related provisions. Regulation of labour relations**

### Article

Article 6 of Law 4554/2018, paragraph 3 and 4; Article 17 of Law 4472/2017; Article1 of Law 1387/1983; 74, paragraph 1 of Law 3863/2010

### Description

Under Greek law (Law 3863/2010), dismissals are considered to be collective when they concern:

- more than six employees for an undertaking or establishment with 20 to 150 employees; and
- more than 5% of the staff and in any event more than 30 employees for an undertaking or establishment with more than 150 employees.

### Comments

Under the previous legislative framework (Law 1387/1983), the requirement for dismissals to be classified as collective was wider. In particular, it provided that:

- for an undertaking or establishment with 20 to 200 employees, dismissals were considered to be collective when they concerned more than four employees; while
- for undertakings or establishments with more than 50 employees, dismissals were considered to be collective when they concerned 2-3% of the staff or more than 30 people.

There were thus more opportunities for employees to be covered by the favourable institutional framework that protected against collective dismissals.

Law 3863/2010, which narrowed the definition of collective dismissals, is 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. From the outset, the revision of the broader legislative framework regarding collective dismissals has been a major and pressing issue in negotiations involving the Greek government and further

developments are expected regarding this issue in the near future.

During the negotiations between the Greek government and the representatives of the European Commission, the IMF and the ECB in 2017, the IMF called for dismissals to be considered collective when they concern more than 8-10% (instead of 5%) of the staff in an undertaking or establishment with more than 150 employees. However, the Greek government succeeded in maintaining the threshold at 5%.

#### Cost covered by

Not applicable

#### Involved actors other than national government

National government only

#### Thresholds





Company size by number of employees:

20

Number of affected employees:

7

#### Sources

-  [Hellenic Parliament](#)
-  [Ministry of Labour, Social Security and Welfare](#)
-  [Law 3863/2010](#)
-  [Eurofound \(2010\), New law facilitates dismissals and cuts labour costs, Dublin](#)
-  [Law 1387/1983](#)
-  [Proto Thema](#)
-  [Law 4472/2017](#)
-  [Law 4554/2018](#)

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