



[Login](#)

EMCC

European Monitoring Centre on Change

Austria: Definition of collective dismissal

[Go to list page](#)

Austria

Phase:

Management

Type:

Definition of collective dismissal

Last modified: 23 April, 2019

Native name: **Arbeitsmarktförderungsgesetz (AMFG)**

English name: **Labour Market Promotion Act (AMFG)**

Article

45a

Description

The definition of collective dismissals covers employers with more than 20 employees, who dismiss, or make redundant, at least 5 persons within 30 days.

Employers are obliged to notify the Austrian public employment service ([AMS](#)) if they intend to dismiss ([AMFG, §45a](#)):

- at least 5 employees in companies with 21–99 employees,
- at least 5% of the workforce in companies with between 100 and 600 employees,
- at least 30 employees in companies with more than 600 employees,
- at least 5 employees aged 50+, irrespective of company size,

within 30 days. The notification to the AMS has to be submitted at least 30 days before the first dismissal. Similarly, employers are also required to notify their workforce and the affected employees of redundancies at least 30 days before the planned first dismissals.

In the notification notice to the AMS employers are not required to justify the redundancies. However, the employer has to indicate the grounds for dismissal and prove that the works council has been informed and consulted. Additionally, information on accompanying social support measures for affected workers are required to be included in the notice.

Comments

The statutory notification deadline of 30 days can be extended by collective agreements. In practice, the collective agreements of major industries in Austria are limited to a recommendation to inform employees and the AMS as soon as possible (e.g. [collective agreement for the food-manufacturing and beverage industries](#), the [chemical industry, iron and metal goods industry](#)).

The notification notice is also necessary in cases of insolvency.

Cost covered by

Not applicable

Involved actors other than national government

Public employment service
Works council

Thresholds







Company size by number of employees:

21

Number of affected employees:

5

Sources

-  Ius Laboris (2009), Collective Redundancies Guide, Brussels
-  Alpha Consulting (2003), Anticipating and Managing Change - A dynamic approach to the social aspects of corporate restructuring, European Commission, Brussels
-  [EMCC - Legal framework for restructuring](#)
-  [Arbeitsmarktförderungsgesetz § 45a](#)
-  [Austrian Public Employment Service \(AMS\), 'Frühwarnsystem'](#)
-  [Arbeiterkollektivvertrag für die Eisen- und Metallerzeugende und -verarbeitende Industrie \(2016\)](#)
-  [Kollektivvertrag Angestellte der chemischen Industrie \(2017\)](#)
-  [Rahmenkollektivvertrag für Angestellte der allgemeinen Nahrungs- und Genussmittelindustrie sowie der Süßwaren- und Futtermittelindustrie \(2016\)](#)

Useful? Interesting? Tell us what you think. 

Eurofound welcomes feedback and updates on this regulation

Your name *

E-mail *

More information?
#OPTIONAL

Homepage

Subject

Comment *

Save

Preview

European Monitoring Centre on Change - EMCC

[About EMCC](#)

European Restructuring Monitor

- [> About the European Restructuring Monitor](#)
- [> Restructuring events database](#)
- [> Restructuring support instruments](#)
- [> Restructuring related legislation](#)
- [> Restructuring case studies](#)

➤ [ERM publications](#)

[European Jobs Monitor](#)

[Labour market research](#)

[Case studies](#)

[Future of Manufacturing in Europe \(FOME\)](#)

[European Observatory on Quality of Life - EurLIFE](#)

[European Observatory of Working Life - EurWORK](#)

Quick links

- Legal information
- Data protection
- Environmental policy
- Cookies
- Subscriptions
- Multilingualism
- Templates for Eurofound reports
- Eurofound style guide
- Management Board extranet
- Map - how to get to Eurofound
- FAQ
- Sitemap



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



MEMBER OF THE NETWORK OF EU AGENCIES



EUROFOUND ACHIEVES EMAS REGISTRATION



EUROFOUND IS AN AGENCY OF THE EUROPEAN UNION



[Access to internal documents](#) | [Financial information](#) | [Archives](#) | [Information centre](#) | [RSS feeds](#)

© EUROFOUND 2023

