



[Login](#)

EMCC

European Monitoring Centre on Change

## Denmark: Employment protection in relation to business transfers

[Go to list page](#)

Denmark

Phase:

Management

Type:

Employment protection in relation to business transfers

Last modified: 18 June, 2021

Native name:

Bekendtgørelse af lov om lønmodtageres retsstilling ved virksomhedsoverdragelse (LBK nr 710 af 20/08/2002)

English name:

The Danish Act on Employees' Rights in the event of Transfers of Undertakings (Consolidation Act no. 710 of 22 August 2002)

### Article

2 - 7

### Description

In case of business transfer the acquirer takes over directly the rights and duties that existed at the time of the business transfer regarding

- collective agreements,
- regulations about wage and working conditions, and
- individual agreements on wage and working conditions.

An acquirer must inform the relevant union(s) if the acquirer does not want to take over the agreement in force. The notification must take place within 5 weeks after he or she has been aware that the employees in the acquired enterprise are covered by a collective agreement; or 3 weeks after the transfer at the earliest. Otherwise, the acquirer is considered as having taken over the agreement.

If the acquirer does not take over the agreement in force, and if the acquirer is already covered by an agreement with another union concerning the work in question, the affected employees at the enterprise have a right, through their union, to demand negotiations with the management of the enterprise about wage and working conditions. In case one of the parties applies for it after the negotiations have begun, the question can be taken to the Labour Court or the Industrial Arbitration Court to be resolved.

#### Cost covered by

Not applicable

#### Involved actors other than national government

Employer organisation  
Trade union  
Works council  
Other

#### Involvement others

Experts Labour Court

#### Thresholds

No, applicable in all circumstances

### Sources

-  [Bekendtgørelse af lov om lønmodtageres retsstilling ved virksomhedsoverdragelse](#)
-  DG Employment, Social Affairs and Equal Opportunities/Héra, (2011). Selected companies' legal obligations regarding restructuring
-  [EMCC actors in restructuring](#)
-  Watson Wyatt (2006). Employment Terms & Conditions Report Europe, Volume I, Brussels, Belgium

Useful? Interesting? Tell us what you think. 

Eurofound welcomes feedback and updates on this regulation

Your name \*

E-mail \*

More information?

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](#)

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

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

