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Luxembourg: Definition of collective dismissal

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Luxembourg

Phase:

Management

Type:

Definition of collective dismissal

Last modified: 22 January, 2021

Native name: Code du travail
English name: Labour Code

Article

L. 166-1

Description

Subject to rules applicable to collective dismissals, employers must dismiss seven employees within 30 days, or 15 employees within 90 days, for reasons that are not related to the employee's behaviour but for economic reasons or in the framework of recovery, reorganisation, restructuring measures resulting in job losses, liquidation, bankruptcy, etc.

The layoffs must concern at least four dismissals for reasons not related to employees' behaviour. All other contract terminations by the employer (for reasons not related to employee's behaviour) on the initiative of the employer, such as voluntary departures, redeployment, early retirement, etc. are considered as redundancies in calculating the threshold.

Public sector employees are excluded from the regulation on collective dismissals.

Comments

No information available.

Cost covered by

Not applicable

Involved actors other than national government

National government only

Thresholds

Company size by number of employees:

7

Number of affected employees:

7

Sources

- Labour Code
- Guichet.lu (governmental website) - Collective redundancies (English)
- Guichet.lu (governmental website) - Licenciement collectif (French)
- EMCC legal framework of restructuring

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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

Press: media@eurofound.europa.eu



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