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Denmark: Effects of non-compliance with dismissal regulations

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Denmark

Phase:

Management

Type:

Effects of non-compliance with dismissal regulations

Last modified: 27 June, 2017

| | |
|---------------|--|
| Native name: | Bekendtgørelse af lov om varsling m.v. i forbindelse med varsling af større afskedigelser (LBK nr 291 af 22/03/2010) |
| English name: | The Danish Act on Collective Redundancies (Consolidation Act no. 291 of 22 March 2010) |

Article

11

Description

The legislation specifies that employers must pay fines and compensation to employees amounting to 30 days' pay if they fail to comply with the provisions on negotiating and notifying works council and labour authorities in relation to collective dismissals (within 30 days, dismissals of at least 10 workers in companies with 21-99 employees, at least 10% in companies with 100-299 workers and at least 30 dismissals in larger firms).

In those cases where at least 50% of a workforce of 100 or more employees is being made redundant, the compensation will be eight weeks' pay in the event of non-compliance with the legislation.

Should employers fail to comply with legal requirements, employees have recourse to the regional employment council in cases where advance notification has not been given.

Penalties or sanctions typically take the form of fines for employers, and compensation for employees.

Comments

Most employers comply with the requirements and the number of infringements is low.

Cost covered by

Employer

Involved actors other than national government

Regional/local government
Works council

Thresholds

Company size by number of employees:
21
Number of affected employees:
10

Sources

[Bekendtgørelse af lov om varsling m.v. i forbindelse med varsling af større afskedigelser](#)

-  Ius Laboris (2009). Collective Redundancies Guide, Brussels
-  [EMCC legal framework of restructuring](#)
-  Watson Wyatt (2006). Employment Terms & Conditions Report Europe, Volume I, Brussels, Belgium
-  Alpha Consulting (2003). Anticipating & Managing Change - A dynamic approach to the social aspects of corporate restructuring, Brussels, European Commission

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