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Lithuania: Notice period to employees

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Lithuania

Phase:

Management

Type:

Notice period to employees

Last modified: 10 December, 2021

Native name: **Darbo kodeksas Nr. XII-2603**

English name: **Labour code No XII-2603**

Article

Labour code (57, 58, 59, 60, 62, 64, 69)

Description

According to article 57 of the Labour code, in case of both individual and collective dismissals, an employer is entitled to terminate an employment contract by giving the employee written notice one month in advance or, for employment relationships lasting less than one year, two weeks in advance. These notice periods are doubled for employees who have less than five years left to reach the statutory age of old-age pension and tripled for employees who are raising a child under the age of 14, for those who are raising a disabled child under the age of 18, for pregnant women, for those who have less than two years left to reach the statutory age of old-age pension and for disabled employees.

With the exception of state and municipal institutions and establishments funded with the state budget, an employer can terminate an employment contract by giving notice 3 working days in advance, in exchange for a severance payment that is no less than six times the employee's average remuneration (article 59).

The employer has the right to terminate an employment contract without notice and without severance pay if the employee commits a violation of the obligations under legal provisions or the employment contract (article 58).

The notice of termination for an employment contract must indicate the reason for termination and the provision in which the legal basis for termination is specified, as well as the date of termination. If, at the end of the notice period, the employee is temporarily incapable of work or is on granted leave, the end of the notice period is postponed until the end of the temporary incapability or leave. During the notice period, the employee, at the request thereof, must be given at least 10% of the former standard working hours to look for a new job, during which the employee shall retain his or her remuneration (article 64).

If an employment relationship under a fixed-term employment contract continues for more than one year, the employer must give the employee written notice of termination upon expiry at least 5 working days in advance. If the employment relationship under a fixed-term employment contract continues for more than three years, the notice period extends to at least 10 working days in advance (article 69).

According to article 60, an employment contract can be terminated without notice:

- upon entry into force of a sentencing judgement for an employee;
- when an employee is deprived of special rights to perform a certain job or to hold a certain position, following the procedure established by law;
- when a parent, a statutory representative, a health care provider or the school of enrolment of an employee under the age of 16 demands the termination;
- when an employee is no longer able to hold the position or to perform work according to a healthcare institution and does not agree to be transferred to another vacant position that accommodates her health condition, or when such a position or job is not available at that workplace;
- upon the return to work of an employee, whose place was filled by the employee being dismissed;
- by order of a competent official from an institution carrying out control of illegal work if a case of illegal work by a foreign national is established;
- when the employment contract is in conflict with the law and the contradictions cannot be eliminated, and the employee does not agree to be or cannot be transferred to another vacant position.

An employer, who has received a document verifying the above-mentioned reasons or has otherwise learned them, must terminate the

employment contract within 5 working days of receiving the document or finding out about the reason (article 60).

In case of bankruptcy, within 3 working days (within 7 working days in case of group redundancy) of the day of the entry into force of the court order to institute bankruptcy proceedings against the employer or the meeting of creditors during which the creditors resolved to conduct out-of-court bankruptcy proceedings, the employees shall be given written notice of the impending termination of their employment contracts which shall be terminated no sooner than 15 working days after the said notice (article 62).

Comments

No information is available.

Cost covered by

Not applicable

Involved actors other than national government

National government only

Thresholds

No, applicable in all circumstances

Sources

 [Labour code No XII-2603](#)

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