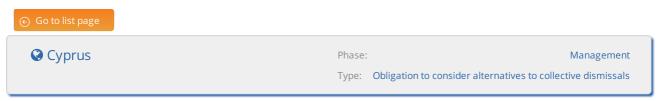


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Cyprus: Obligation to consider alternatives to collective dismissals



tast modified: 14 June, 2019

Native name: Ν. 28(I)/2001 - Ο περί Ομαδικών Απολύσεων Νόμος του 2001

English name: Collective Dismissals Law of 2001 (Law 28 (I)/2001)

Article

4, 6 and 8

Description

If an employer intends to proceed with collective dismissals (within 30 days, at least 10 dismissals in companies with 21-99 employees, at least 10% of workforce in companies with 100-299 employees or at least 30 dismissals in larger firms), he/she is obliged by Article 4 of the Collective Dismissals Law to enter in good time into consultations with the employees' representatives. The employer must have completed the consultations with the employees' representatives before he/she notifies the relevant authority on the intention to proceed to collective dismissals, since he/she has to provide information to the relevant authority also on the outcome of these consultations (Article 6). Collective dismissals can take effect at the earliest 30 days after the relevant authority has been notified (Article 8). These consultations should cover at least following issues:

- Possible ways and means for avoiding collective dismissals or the reduction of number of employees affected, and
- ways and means for lessening the impact of collective dismissals, by designing social measures, which should, among others, have the target of reemployment or retraining of dismissed employees.

Comments

The legislation is rarely activated in Cyprus, since the definition of collective dismissals requires the dismissal of at least 10 employees. However, during the economic and financial crisis, particularly in 2012 and 2013, an increased number of collective dismissals cases has been observed. The Labour Relations Department has reviewed more than 140 cases during these years.

According to trade unions' evaluation this particular provision is more likely to be applied in organised companies, i.e. in companies where trade unions are present, demand and ensure that the legislation is respected.

Cost covered by

Employer

Involved actors other than national government

Trade union

Thresholds

Company size by number of employees:

21

Number of affected employees:

10

Sources

- 🗐 Ο περί Ομαδικών Απολύσεων Νόμος του 2001 (Ν. 28(Ι)/2001)
- Ministry of Labour, Welfare and Social Insurance / Labour Relations Department

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