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Denmark: Definition of collective dismissal

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Denmark

Phase:

Management

Type:

Definition of collective dismissal

Last modified: 22 March, 2023

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

1

Description

To be covered by the national legislation on mass redundancies a company should employ more than 20 persons and the dismissals should affect:

- a minimum of 10 workers in companies which normally employ 21 - 99 persons;
- a minimum of 10% of the workforce in companies which normally employ 100 - 299 persons;
- a minimum of 30 workers in companies which normally employ a minimum of 300 persons.

Seamen are excluded from the legislation.

For a dismissal to be accepted as 'collective', it should take place within a 30 day period for a reason which is unrelated to the employees' performance.

The Collective Redundancies Act does not apply to dismissals resulting from an employer being wound up by court order.

The employer has an obligation to negotiate with the employees' representatives right after the announcement of restructuring with the aim to mitigate the effects of the collective dismissals.

Comments

The Danish Agency for Labour Market and Recruitment (Styrelsen for Arbejdsmarked og Rekruttering, STAR) informs that in 2016, 353 companies noticed 11,132 collective redundancies. This is a small increase in relation to the year before. In 2015, 242 companies noticed 9,057 redundancies.

Cost covered by

Not applicable

Involved actors other than national government

National government only

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 \(2011\), Individual Dismissals Across Europe, Brussels](#)
-  [Ius Laboris \(2009\), Collective Redundancies Guide, Brussels](#)
-  [Alpha Consulting \(2003\), Anticipating & Managing Change - A dynamic approach to the social aspects of corporate restructuring, Brussels, European Commission](#)
-  [EMCC legal framework of restructuring](#)
-  [Watson Wyatt \(2006\). Employment Terms & Conditions Report Europe, Volume I, Brussels, Belgium](#)
-  [Hansen, T., Jensen, O.B., Mahncke, H. and Christensen, A. \(2009\), National background paper Denmark, Anticipating and managing restructuring in enterprises: 27 national seminars, ARENAS Report, Brussels, European Commission](#)

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