

Belgium

Definition of collective dismissal

Phase	Law of 13 February 1998 regarding measures in favour of employment (so-called 'Renault Law')
Native name	Loi du 13 février 1998 portant des dispositions en faveur de l'emploi dite loi Renault (M B. du 19/2/1998)/Wet of 13 februari 1998 houdende bepalingen tot bevordering van de tewerkstelling
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Description

A collective dismissal is defined as a redundancy related to economic or technical reasons or reasons linked to production. This means that the responsibility of dismissals is non-inherent to workers. The definition is partly based on the collective agreement no. 24 (1975).

An employer needs to plan to dismiss, or make redundant, a minimum of 10 employees within the following 60 days in order to fall within the scope of national legislation.

Moreover, different thresholds define the collective dismissal, the legislation is applicable to:

- Companies which have an average number of workers employed (during the past year before the redundancy) from 20 to 99 persons, if the number of layoffs reaches 10 workers;
- Companies which have an average number of workers employed (during the past year before the redundancy) from 100 to 299 persons, if the number of layoffs reaches 10%

of the workforce; and

- Companies which have an average number of workers employed (during the past year before the redundancy) of at least 300 persons, if the number of layoffs reaches 30 workers.

Merchant navy personnel and civil servants are excluded from the legislation.

The national legislation requires the employers to justify planned redundancies by reporting directly to workers or to the workers' representatives.

Commentary

Sectorial collective agreements might set lower thresholds than specified here.

Additional metadata

Cost covered by	Not available
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: 10 Company size: 20 Additional information: No, applicable in all circumstances

Sources

- [Federal Public Service of Justice \(in French - in Dutch\)](#)~~~ [Federal Public Service Employment, Labour and Social Dialogue \(in French - in Dutch\)](#)~~~ Ius Laboris (2011), Individual Dismissals Across Europe, Brussels~~~ Ius Laboris (2009), Collective Redundancies Guide, Brussels~~~ Alpha Consulting (2003), Anticipating and Managing Change - A dynamic approach to the social aspects of corporate restructuring, Brussels, European Commission~~~ Watson Wyatt (2006), Employment Terms and Conditions Report Europe, Volume I, Brussels, Belgium~~~ Naedenoen, F., Lisein, O. and Pichault, F. (2010), National background paper Belgium, Anticipating and managing restructuring in enterprises: 27 national seminars, ARENAS Report. Brussels, European Commission~~~ [Monitoring Innovative Restructuring in Europe \(documents for](#)

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Citation

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