

Austria

Notice period to employees

Phase	Employees Act (AngG); General Civil Code (ABGB); General Trade Act (GewO); Labour Market Promotion Act (AMFG)
Native name	Angestelltengesetz (AngG); Allgemeines Bürgerliches Gesetzbuch (ABGB); Gewerbeordnung (GewO); Arbeitsmarktförderungsgesetz (AMFG)
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

20 (AngG); 1159, 1159a, 1159b (ABGB); 77 (GewO); 45a (AMFG)

Description

An employer who wants to terminate an employment contract has to inform the affected worker accordingly. There are no legal regulations regarding the form or content, and the employer also does not have to provide a justification for the dismissal. An agreement of the employee is not required for the effectiveness of the termination. As of October 1, 2021, the notice periods for blue-collar workers were aligned with those for white-collar workers.

The provisions of Section 1159 of the Austrian Civil Code (ABGB) in the new version apply to all terminations of employment after September 30, 2021. No distinction is made here between new and existing employees.

The termination provisions for blue-collar workers have been largely adapted to those for white-collar workers. Accordingly, an employer's notice period of 6 weeks now also applies to workers in the 1st and 2nd year of employment, 2 months from the 3rd year of employment, 3 months from the 6th year of employment, 4 months from the 16th year of employment and 5 months from the 26th year of employment.

Not only have the notice periods been adjusted; new termination dates must now also be respected by the employer. According to the statutory provision, notices of termination can only take effect at the end of a quarter. As is the case for salaried employees, however, the 15th and the last day of a calendar month can also be agreed as termination dates. If the applicable collective agreement already contains such a provision, there is no need for action here. Accordingly, numerous collective agreements already contain provisions tailored to the new legal situation, which must be taken into account. However, if this is not the case, a corresponding contractual agreement is urgently recommended for both new and existing employees.

In the future, a one-month notice period to the end of the month will apply to terminations by employees. However, a longer notice period of up to six months may be agreed (as for salaried employees). It is important to note that the notice period to be observed by the employer may not be shorter than the notice period agreed with the employee.

Commentary

Collective agreements and work agreements can provide more favourable provisions (from the perspective of the employee) than the statutory ones. However, unlike white collar workers, regulations in collective agreements, work agreements and individual contracts of blue collar workers can also be to the disadvantage of the employee.

Additional metadata

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

Sources

Citation

Eurofound (2015), Austria: Notice period to employees, Restructuring legislation database, Dublin

Belgium

Notice period to employees

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/Wet van 13 februari 1998 houdende bepalingen tot bevordering van de tewerkstelling (Wet Renault)
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

62-70 Wet tot wijziging van de wet van 3 juli 1978 betreffende de arbeidsovereenkomsten met het oog op de beperking van de duur van opeenvolgende arbeidsovereenkomsten voor een bepaalde tijd en vervangingsovereenkomsten

Description

Employers are required to notify their workforce 30 days in advance of implementing collective dismissals (that is, within 60 days, dismissals of at least 10 workers in companies with 20-99 employees, of at least 10% of the workforce in firms with 100-299 workers or at least 30 dismissals in companies with 300 or more staff). This period can be extended up to 60 days upon request from the trade union.

During the 30 day collective dismissal notification period, the employer is prohibited from dismissing the employees included in the collective dismissal notification. After and in addition to this period, the conventional notification periods apply to individual employees.

Individual notice of termination is valid only if it is in writing, specifying the commencement date and the duration of the period of notice. When the employer gives notice, the statement must be sent by registered mail or be communicated in writing by a process server.

Each employee, regardless of being white or blue collar worker, has a fixed notice period in case of the unilateral ending of a work agreement of an indefinite nature. Fixed-term contracts can only be ended (since 2014) in the first half of the contract (up to six months) through a one-sided notification of either the employee or employer. In this case notification periods similar to the indefinite nature contract apply. It is not possible to alter the duration of the period at sectoral level; it is however possible to increase the period at individual or company level.

The duration of the notice period depends on several elements as can be seen below:

Duration of notice period for the first 5 years of employment:

For each started year of employment	For each started period of 3 months of employment	Fixed notice period - dismissal by employer	Fixed notice period - dismissal by employee
1st year	0 < 3 months seniority	2 weeks	1 week
	3 < 6 months seniority	4 weeks	2 weeks
	6 < 9 months seniority	6 weeks	3 weeks
	9 < 12 months seniority	7 weeks	3 weeks
2	12 < 15 months seniority	8 weeks	4 weeks
	15 < 18 months seniority	9 weeks	4 weeks
	18 < 21 months seniority	10 weeks	5 weeks
	21 < 24 months seniority	11 weeks	5 weeks
3	/	12 weeks	6 weeks

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4	/	13 weeks	6 weeks
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5	/	15 weeks	7 weeks
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	Value	Weeks	Weeks
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6	18 weeks	9 weeks
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7	21 weeks	10 weeks
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8	24 weeks	12 weeks
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9	27 weeks	13 weeks
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10	30 weeks	13 weeks
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11	33 weeks	13 weeks
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12	36 weeks	13 weeks
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13	39 weeks	13 weeks
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14	42 weeks	13 weeks
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15	45 weeks	13 weeks
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16	48 weeks	13 weeks
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17	51 weeks	13 weeks
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18	54 weeks	13 weeks
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19	57 weeks	13 weeks
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20	60 weeks	13 weeks
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	Value	Weeks	Weeks
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21	62 weeks	13 weeks
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22	63 weeks	13 weeks
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23	64 weeks	13 weeks (max.)
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A new law dated 20 March 2023 states that the maximum notice period for an employee who joined the company before 1 January 2014 may now not exceed 13 weeks when the employee decides to resign. This ceiling will apply to both blue-collar and white-collar workers. Finally, the special provision providing a maximum notice period of 4.5 months or 6 months for senior white-collar workers will be abolished.

Commentary

No information available.

Additional metadata

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

Sources

Citation

Eurofound (2015), Belgium: Notice period to employees, Restructuring legislation database, Dublin

Bulgaria

Notice period to employees

Phase	Labour Code
Native name	Кодекс на труда
Type	Notice period to employees
Added to database	15 July 2015
Access online	Click here to access online

Article

Articles 326 (2); 328 (1,2,3);

Description

Labour Code Article 326 (2) defines that the notice period for termination of a permanent contract is 30 days, unless the parties have agreed on a longer period, but not more than 3 months.

The notice period for termination of fixed-term contracts is 3 months but not more than the remaining term of the contract. Termination of the activity of the company, partial closure of the enterprise or dismissals are among the reasons why the employer is obliged to issue a written notice to the employee for ending the contract.

Labour Code Art. 328 (1, 2, 3)

Commentary

Collective Labour Agreements (CLA) may include provisions of the length of the notice period for dismissal according to the length of service of the employee with the same employer.

Additional metadata

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

Sources

Citation

Eurofound (2015), Bulgaria: Notice period to employees, Restructuring legislation database, Dublin

Croatia

Notice period to employees

Phase	Labour Act 93/2014, 127/17, 98/19, 151/22, 64/23; Bankruptcy Act 71/2015, 104/17, 36/22; Regulation on the contents and forms which are submitted in the pre-bankruptcy and bankruptcy procedure 107/2015, 67/19, 54/22
Native name	Zakon o radu 93/2014, 127/17, 98/19, 151/22, 64/23; Stečajni zakon 71/2015, 104/17, 36/22; Pravilnik o sadržaju i obliku obrazaca na kojima se podnose podnesci u predstečajnom i stečajnom postupku 107/2015, 67/19, 54/22
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Labour Act: Article 121, 122; Bankruptcy Act: Article 119; Regulation on the contents and forms which are submitted in the pre-bankruptcy and bankruptcy procedure: Article 1

Description

According to amendments to the Labor Act (NN 151/22), there were significant changes in Article 121, which stipulates the notice period to employees, although the main meaning has been retained. The notice period begins on the day on which the written notice of termination of the employment contract is delivered to the employee. The notice period for a worker who is temporarily incapacitated for work at the time of delivery of the decision on dismissal shall start from the date of cessation of his or her temporary incapacity for work. The notice is suspended during the following circumstances:

1. pregnancy,
2. the use of maternal, parental, adoptive and paternity leave or leave which, in terms of content and manner of use, is equivalent to the right to paternity leave, part-time work, part-time work for the purpose of increased child care, leave of a pregnant worker,

leave of a worker who has given birth or a worker who is breastfeeding a child and leave or part-time work for the purpose of nursing care and care of a child with severe developmental disabilities in accordance with the regulation on maternal and parental benefits

3. temporary incapacity for work during treatment or recovery from an injury at work or an occupational disease
4. performing the duties and rights of citizens serving in national defense forces.

The notice period runs in the event of termination of the worker's employment contract during the liquidation or dissolution proceedings of the company by summary proceedings without liquidation in accordance with the company regulation. The notice period shall not run during the period of temporary incapacity for work. The notice period shall run during the period of temporary incapacity for work of a worker whose employment contract was terminated by the employer before the beginning of that period and with that decision, the worker was released from the obligation to work within the notice period, unless otherwise regulated by a collective agreement, an working regulation or an employment contract. Furthermore, the notice period shall run during annual leave and paid leave. If there has been an interruption of the period of notice due to temporary incapacity for work of a worker who has not been released from the obligation to work by the employer, the employment relationship with that worker shall be terminated at the latest six months after the date of the beginning of the notice period.

In case of ordinary dismissal (Labor Act (NN 151/22), Article 122 defines that the length of the notice period depends on the duration of the employment relationship. The standard notice period lasts:

(1) In the case of regular notice, the notice period shall be at least: 1) two weeks, if the worker continuously spent less than one year in employment relationship with the same employer 2) one month, if the worker continuously spent one year in employment relationship with the same employer 3) one month and two weeks, if the worker continuously spent two years in employment relationship with the same employer 4) two months, if the worker continuously spent five years in employment relationship with the same employer 5) two months and two weeks, if the worker continuously spent ten years in employment relationship with the same employer 6) three months, if the worker continuously spent twenty years in employment relationship with the same employer. (2) The notice period referred to in paragraph 1 of this Article shall be increased by two weeks if the worker has reached the age of fifty, and by one month if he or she has reached the age of fifty-five. (3) A worker whose employment contract is terminated due to a breach of an employment obligation (notice due to the misconduct of the worker) shall be given a notice period of half of the notice periods set out in paragraphs 1 and 2 of this Article. (4) The employer shall pay the worker who is exempt from the obligation to work during the

notice period the salary compensation and recognize all other rights as if he or she had worked until the expiry of the notice period. (5) During the notice period, the worker shall be entitled to be absent from work for at least four hours a week for the purpose of seeking new employment. (6) A collective agreement or employment contract may provide for a shorter notice period for the worker than for the employer than the deadline specified in paragraph 1 of this Article, in the case when the worker terminates the employment contract. (7) If the worker terminates the employment contract, the notice period may not exceed one month, if he or she has a particularly important reason for doing so. (8) By way of derogation from paragraph 1 of this Article, a worker who, at the time of termination of the employment contract has reached 65 years of age and 15 years of pensionable service, shall not be entitled to a notice period.

Commentary

The notice periods apply with regular redundancy, while the extraordinary redundancy comes into effect at the time of delivery. This is a general regulation applicable when employers terminate employment contracts and it is not specific to restructuring. It appears that the system is applied successfully in most cases.

Rozman (2023) explains that as long as the circumstances mentioned in Article 121 persist (pregnancy; the use of maternal, parental, adoptive and paternity leave; leave of a pregnant worker and others like temporary incapacity for work during treatment or recovery from an injury at work or an occupational disease), the notice period does not run. However, it starts to run again after the end of those circumstances. This means that when the worker is going to be dismissed, the notice period is interrupted due to specific circumstances. After the end of these specific circumstances (e.g. parental leave ends), the first day after that the notice period resumes.

Additional metadata

Cost covered by	None
Involved actors other than national government	National government
Involvement (others)	None

Thresholds

Affected employees: No, applicable in all circumstances

Company size: No, applicable in all circumstances

Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Croatia: Notice period to employees, Restructuring legislation database, Dublin

Cyprus

Notice period to employees

Phase	Collective Dismissals Law of 2001 (Law 28(I)/2001); Termination of Employment Law, 1967 (Law 24/1967) as amended; The Transparent and Predictable Conditions of Employment Law of 2023
Native name	N. 28(I)/2001 - Ο περί Ομαδικών Απολύσεων Νόμος του 2001; N. 24/1967 - Ο περί Τερματισμού Απασχολήσεως Νόμος του 1967, όπως τροποποιήθηκε; Ο περί Διαφανών και Προβλέψιμων Όρων Εργασίας Νόμος του 2023
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Article 4 and 8 of Collective Dismissals Law of 2001 Law 28(I)/2001); Article 9 of the Termination of Employment Law 24/1967; Article 15 of the Transparent and Predictable Conditions of Employment Law of 2023

Description

The Law 28(I)/2001, which applies to collective dismissals (within 30 days, dismissals of at least 10 workers in companies with 21-99 employees, at least 10% in firms with 100-299 workers or at least 30 workers in firms with 300 or more staff), does not provide for a specific notice period to employees. Article 4 requires for the employer who intends to resort to collective dismissals to consult with the employees' representatives in good time with the aim to conclude an agreement. However, Article 8 provides for a 30 days notification period to the relevant authority before the dismissals can enter into force.

Article 9 of the Termination of Employment Law 24/1967, which applies to all dismissals, provides for a minimum period of written notice for employee(s) to be dismissed on the basis of the length of service:

- one week of notice period for 26 to less than 52 weeks of service;
- two weeks of notice period for 52 to less than 104 weeks of service;
- four weeks of notice period for 104 to less than 156 weeks of service;
- five weeks of notice period for 156 to less than 208 weeks of service;
- six weeks of notice period for 208 to less than 259 weeks of service;
- seven weeks of notice period for 260 to less than 311 weeks of service;
- eight weeks of notice period for more than 312 weeks of service.

The same article provides that during the trial employment period, which can last up to 26 weeks (able to be extended to up to 104 weeks with the written agreement of the employer and the employee) no notice period is mandatory by either party.

The Transparent and Predictable Conditions of Employment Law of 2023 took away the possibility of extension, so currently a trial period (when no notice period is mandatory), can only last up to 26 weeks (6 months).

Commentary

Trade unions consider this provision of the legislation as useful, as it provides space for redundant employees to make necessary preparations for their job transition.

Additional metadata

Cost covered by	None
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Cyprus: Notice period to employees, Restructuring legislation database, Dublin

Czechia

Notice period to employees

Phase	Labour Code (Law No. 262/2006 Coll.)
Native name	Zákoník práce, zákon č. 262/2006 Sb.
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

51, 62, 67

Description

The notice period must be the same for both the employer and the employee and shall be at least two months. It may be extended only by agreement between the employer and the employee. The notice period shall start to run on the first day of the calendar month following delivery of the notice and come to an end upon the expiry of the last day of the relevant calendar month. The employment relationship will come to an end upon the expiry of the notice period.

The Czech Labour Code does not distinguish the length of the notice period for permanent contracts or for fixed-term contracts. There do not exist different notice periods for specific groups of workers (for instance disadvantaged workers).

Employers are required to notify their workforce at least 30 days in advance of any planned collective dismissals (within 30 days, dismissals of at least 10 workers in companies with 20-100 employees, at least 10% in companies with 101-300 employees, or at least 30 workers in companies with more than 300 workers). Before giving notice to individual employees, the employer is obliged to inform in writing the trade union and the works council about its intention in time, not later than 30 days in advance.

Commentary

No information available.

Additional metadata

Cost covered by	None
Involved actors other than national government	Trade union Works council
Involvement (others)	None
Thresholds	Affected employees: 10 Company size: 20 Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Czechia: Notice period to employees, Restructuring legislation database, Dublin

Denmark

Notice period to employees

Phase	Danish Act on Collective Redundancies (Consolidated Act no. 291 of 22 March 2010); Danish Act on the Legal Relationship between Employers and Salaried Employees (Consolidated Act no 1002 af 24/08/2017)
Native name	Bekendtgørelse af lov om varsling m.v. i forbindelse med afskedigelser af større omfang (LBK nr 291 af 22/03/2010); Bekendtgørelse af lov om retsforholdet mellem arbejdsgivere og funktionærer (LBK nr 1002 af 24/08/2017)
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Article 7 in Danish Act on Collective Redundancies; Article 2 in Danish Act on the Legal Relationship between Employers and Salaried Employees

Description

When giving notice of upcoming redundancies, Danish employers are required to inform and enter into negotiations with employees 'as early as possible' and before the final notice of redundancies. If a company with a minimum of 100 employees plans to make more than 50% of them redundant, a minimum of 21 days must pass before the final decision is made. Danish employers are required to give a minimum of 30 days' notice of impending redundancy to employees. When the planned redundancies make up at least 50% of the employees in a workplace with a minimum of 100 employees, the notice period is 8 weeks. For employees covered by the Danish Salaried Employees Act (the Act on the Legal Relationship between Employers and Salaried Employees), the notice to be given by the employer increases depending on the employee's length of service and is subject to a maximum notice period of six months (for a tenure of more than nine years). The act on collective redundancies does not cover individual dismissals, whereas all dismissals in the

context of the notice periods of the salaried employees act are individual.

Commentary

Provisions on dismissal form an integral part of a collective agreement. The notice periods stipulated in collective agreements differ from one industry to another. For example, within the manufacturing industry and typically labour-intensive industries, notice periods are normally significantly shorter than those required under the Danish Salaried Employees Act. Accordingly, a collective agreement that affects employees' employment should be fully considered before any dismissals are carried out.

Additional metadata

Cost covered by	Not available
Involved actors other than national government	Regional/local government Works council
Involvement (others)	None
Thresholds	Affected employees: 10 Company size: 21 Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Denmark: Notice period to employees, Restructuring legislation database, Dublin

Estonia

Notice period to employees

Phase	Employment Contracts Act
Native name	Töölepingu seadus
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Employment Contracts Act 97, 100, 103

Description

An employer must give an employee advance notice of extraordinary cancellation which depends on the time the employee's employment relationship with the employer has lasted:

- less than one year of employment – no less than 15 calendar days;
- one to five years of employment – no less than 30 calendar days;
- five to ten years of employment – no less than 60 calendar days;
- ten and more years of employment – no less than 90 calendar days.

These requirements also cover collective redundancies (within 30 days, dismissals of at least 5 employees in companies with up to 19 staff, of at least 10 in firms with 20-99 staff, of at least 10% in companies with 100-299 staff or of at least 30 in larger companies), but the period shall not be shorter than 30 calendar days from the point in time when the employer has informed the Estonian Unemployment Insurance Fund about the collective redundancy.

An employer may cancel an employment contract without adhering to the term for advance notice if, considering all circumstances and mutual interests, it cannot be reasonably demanded that the performance of the contract be continued until the expiry

of the agreed term or term for advance notice (including bankruptcy).

If an employer wishes to terminate the employment contract with immediate effect, he/she may choose to remunerate the advance notice period in money. The amount that the employer or employee has the right to receive is based on the average working day wage of the employee and the number of days that advance notice of cancellation of the employment contract was given less.

Commentary

According to the Employment Contract Survey, 62-75% of employees made redundant estimated that they were noticed according to their rights (Masso et al, 2013).

Additional metadata

Cost covered by	Employer
Involved actors other than national government	Public employment service
Involvement (others)	None
Thresholds	Affected employees: 5 Company size: 19 Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Estonia: Notice period to employees, Restructuring legislation database, Dublin

Finland

Notice period to employees

Phase	The Employment Contracts Act (55/2001), Co-operation Act (1333/2021), Act on Cooperation within Government Agencies and Institutions (1233/2013), Act on Cooperation [...] within Municipalities (449/2007)
Native name	Työsopimuslaki (55/2001), Yhteistoimintalaki (1333/2021), Laki yhteistoiminnasta valtion virastoissa ja laitoksissa (1233/2013), Laki työnantajan ja henkilöstön välisestä yhteistoiminnasta kunnissa (449/2007)
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

55/2001: Ch. 6, Sec. 1-3. 1333/2021: Ch. 3, Sec. 16, 17, 19, 23. 335/2007: §3. 1233/2013: Ch. 5, Sec. 21, 27. 449/2007: Sec. 7, 13

Description

Employers are required to give notice prior to the termination of employment. Unless otherwise agreed, the notice period is calculated based on the employee's length of service, as follows:

- 14 days of notice if employed for less than one year;
- one month if employed for 1–4 years;
- two months if employed for 4–8 years;
- four months if employed for 8–12 years;
- six months if employed for more than 12 years.

In case the employee quits his/her job, the notice period is 14 calendar days for an employment that has lasted up to five years, and one month for employments longer than

five years. An employer and employee also have the possibility to agree on the length of the notice period. However, it can never exceed six months.

In case of cooperation negotiations, employers must notify the employees at the latest five days before the negotiations begin if there are likely to be layoffs or other changes of essential terms of an employment contract. When fewer than 10 employees are affected, negotiations will last a minimum of 14 days; with 10 or more employees affected, the minimum negotiating period is six weeks. In practice, redundancies can then take effect at earliest five days plus 14 days or five days plus six weeks from the employer's first notification. The limit of 14 days is also applicable in cases where the negotiations concern furloughs of a maximum of 90 days, and when an employer regularly has below 30 employees.

Commentary

Many collective bargaining agreements also contain minimum provisions regarding the length of the applicable notice period. In such cases, the employer and employee need to follow the provisions set out in the collective agreement, unless the collective agreement states otherwise.

Additional metadata

Cost covered by	Employer National government
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Finland: Notice period to employees, Restructuring legislation database, Dublin

France

Notice period to employees

Phase	Labour Code
Native name	Code du travail
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

L.1234-1 to L.1234-8, L. 1243-1

Description

Each employee that is to be dismissed is entitled to a notice period, except if the dismissal was due to gross misconduct, negligence, or incapacity. The employee continues to work in the company under the same status and receives regular remuneration until the employment relationship is terminated. The length of notice depends on the employee's seniority in the company:

- One month notice for six months to two years of seniority;
- Two months notice for more than two years of seniority;

The notice period for seniority below six months is set by collective agreement or company practice.

The notice period commences on the day on which the letter of dismissal is presented to the employee. The notice period cannot be postponed or suspended except in case of an accident at work, an occupational disease or paid leave.

If the employer exempts the employee from the notice period, the employee cannot oppose it. However, it does not alter the date of termination of the employment contract and the employer has to pay compensation for the period remaining.

The employee may request to be released from work during the notice period but the employer is not obliged to grant a release. If the employer accepts, the contract ends at the date decided upon by both parties and the employer has no obligation to pay any further wages or compensation.

If the employment relationship is terminated at the request of the employee, the notice period depends on the employee's seniority in the company and professional status. Details are determined by sectoral collective agreements but the notice period is generally between one and three months. Shortened periods may be negotiated between the parties and some collective agreements release employees from any notice period if they have found new employment.

There is no notice period for fixed-term contracts in the case of a restructuring. According to [article L. 1243-1 of the Labour Code](#), notice periods apply to fixed-term contracts only if the employee decides to leave the employer for another position on a permanent employment contract or in case of dismissal related to a serious misconduct, inability or force majeure (these three grounds are not relevant in the context of restructuring).

Commentary

In practice, in case of restructuring, employers decide not to renew fixed-term contracts.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), France: Notice period to employees, Restructuring legislation database, Dublin

Germany

Notice period to employees

Phase	Civil Code; Act on homework
Native name	Bürgerliches Gesetzbuch (BGB); Heimarbeitsgesetz (HAG)
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

622; Amendment to § 622, Section 622 (2) Sentence 2 of the Civil Code (BGB) and Section 29 (4) Sentence 2 of the Act on homework (HAG) repealed

Description

For individual dismissals, the Civil Code specifies the period of minimum notice to be given by the employer. The minimum notice given to all employees is:

- four weeks for less than two years of employment;
- one month for employment between 2-4 years;
- two months for employment between 5-7 years;
- three months for employment between 8-9 years;
- four months for employment between 10-11 years;
- five months for employment between 12-14 years;
- six months for employment between 15-19 years;
- seven months for service of more or equal to 20 years.

The notice period for employees working in establishments with no more than 20 workers can be four weeks independent of the duration of their employment if this notice period is agreed in the individual employment contract.

The notice period can be shorter than four weeks in case of auxiliary employment. In case of a probation period of six month, the notice period reduces to two weeks.

Employment relationships of blue-collar and white-collar workers can be terminated on the 15th or last day of each month, with a notice period of four weeks.

The regulation does not apply to workers on fixed-term contracts unless the notification period is specified in the individual contract or in a collective agreement applied by the employer.

According to the amendments to the Civil code and to the Act on homework ('Heimarbeitsgesetz', HAG), the calculation of the notice period has to take into consideration the entire duration of the employee's employment history with the same employer, without age limit. Before this amendment, which came into force on 1 January 2019, employment history was taken into account only for employees aged 25 or more.

Commentary

These legal provisions apply by default only where there is no collective agreement. The length of notice periods laid down in collective agreements ranges from one week (before the weekend) for newly hired workers – in construction in general and, in some regions, in the metal and private transport industries – to six months before the end of a quarter – in the public service sector.

The amendment to the Civil code comes after the European Court of Justice ruled that the law violated EU law prohibition on age discrimination ([Case C-555/07](#)).

Additional metadata

Cost covered by	National government
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Germany: Notice period to employees, Restructuring legislation database, Dublin

Greece

Notice period to employees

Phase

-Law 4808/2021 (Official Government Gazette A' 101/19.06.2021), "For Labour Protection - Establishment of an Independent Authority 'Labour Inspection' - Ratification of Convention 190 of the International Labour Organization on the Elimination of Violence and Harassment in the World of Work - Ratification of Convention 187 of the International Labour Organization on the Framework for the Promotion of Safety and Health at Work - Incorporation of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on the balance between professional and private life, other provisions of the Ministry of Labour and Social Affairs and other urgent regulations", as amended by Law 5053/2023 (Official Government Gazette A' 158/26.09.2023), "To strengthen work - Integration of Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 - Simplification of digital processes and strengthening of the Work Card - Upgrading the operational function of the Ministry of Labour and Social Security and the Labour Inspectorate" -Law 4093/2012: Adoption of the Medium-Term Fiscal Strategy 2013-2016 - Urgent Measures for the implementation of Law 4046/2012 and the Medium Term Financial Strategy 2013-2016 (Government Gazette A 222/12-11-2012) -Law 3863/2010: New Social Security System and relevant provisions. Regulations on Labour Relations; Law 3899/2010: Urgent measures to implement the programme to support the Greek economy; Law 4093/2012: Approval of the Medium-term Framework Fiscal Strategy 2013-2016 – Urgent Measures for the Implementation of Law 4046/2012 and the Medium-term Fiscal Strategy Framework 2013-2016

Native name	<p>-Νόμος 4808/2021 (ΦΕΚ Α' 101/19.06.2021), "Για την Προστασία της Εργασίας - Σύσταση Ανεξάρτητης Αρχής «Επιθεώρηση Εργασίας» - Κύρωση της Σύμβασης 190 της Διεθνούς Οργάνωσης Εργασίας για την εξάλειψη της βίας και παρενόχλησης στον κόσμο της εργασίας - Κύρωση της Σύμβασης 187 της Διεθνούς Οργάνωσης Εργασίας για το Πλαίσιο Προώθησης της Ασφάλειας και της Υγείας στην Εργασία - Ενσωμάτωση της Οδηγίας (ΕΕ) 2019/1158 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 20ής Ιουνίου 2019 για την ισορροπία μεταξύ της επαγγελματικής και της ιδιωτικής ζωής, άλλες διατάξεις του Υπουργείου Εργασίας και Κοινωνικών Υποθέσεων και λοιπές επείγουσες ρυθμίσεις", όπως τροποποιήθηκε από το Νόμο 5053/2023 (ΦΕΚ Α' 158.09.2023), "Για την ενίσχυση της εργασίας - Ενσωμάτωση της Οδηγίας (ΕΕ) 2019/1152 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 20ής Ιουνίου 2019 - Απλοποίηση ψηφιακών διαδικασιών και ενίσχυση της Κάρτας Εργασίας - Αναβάθμιση της επιχειρησιακής λειτουργίας του Υπουργείου Εργασίας και Κοινωνικής Ασφάλισης και της Επιθεώρησης Εργασίας" -Ν. 4093/2012: Έγκριση Μεσοπρόθεσμου Πλαισίου Δημοσιονομικής Στρατηγικής 2013–2016 – Επείγοντα Μέτρα Εφαρμογής του ν. 4046/2012 και του Μεσοπρόθεσμου Πλαισίου Δημοσιονομικής Στρατηγικής 2013–2016 --Ν. 3863/2010: Νέο Ασφαλιστικό Σύστημα και συναφείς διατάξεις. Ρυθμίσεις στις Εργασιακές Σχέσεις; Ν. 3899/2010: Επείγοντα Μέτρα Εφαρμογής του Προγράμματος Στήριξης της Ελληνικής Οικονομίας; Ν. 4093/2012: Έγκριση Μεσοπρόθεσμου Πλαισίου Δημοσιονομικής Στρατηγικής 2013–2016 – Επείγοντα Μέτρα Εφαρμογής του ν. 4046/2012 και του Μεσοπρόθεσμου Πλαισίου Δημοσιονομικής Στρατηγικής 2013–2016</p>
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online
Article	

-Law 4808/2021, Section IV: 'Regulations to Protect Work', Chapter A: 'Regulation Individual Labour Law', Article 64, para. 1 & 2: 'Abolition of discrimination between white -and blue -collar employees' -Article 1, Paragraph XI.12 of Law 4093/2012 -Art. 74 Para. 2 of Law 3863/2010; Art. 17 Para 5 of Law 3899/2010;

Description

-As of 1 January 2022, by virtue of art. 64, of Law 4808/2021, any discrimination between white - and blue -collar workers regarding the notice period, and the termination of dependent labour contract, is abolished, and all provisions governing the termination of the employment contract of employees are now also applicable to blue-collar workers. For implementation hereof, 22 daily wages are considered as the monthly salary of the blue-collar workers, unless they are already paid a monthly salary.

-Employment with an open-ended employment agreement is considered to be employment for a probationary period for the first 12 months from the date that it comes into force, which may be terminated without notice and without severance pay, unless otherwise agreed by the parties. An open-ended employment agreement of a private employee that has a duration of more than 12 months cannot be terminated without prior written notice from the employer, which will take effect from the day after the employee is notified, under the following conditions:

- For employees who have served from 12 completed months to two years, one month's notice is required before dismissal;
- For employees who have served from two to five years, two months' notice is required before dismissal;
- For employees who have served from five to 10 years, three months' notice is required before dismissal; and
- For employees who have served 10 years or more, four months' notice is required before dismissal.

An employer who gives an employee written notice in accordance with the above pays half of the [statutory severance pay](#) to the dismissed employee.

These provisions apply for all forms of dismissals, including collective dismissals.

A fixed-term contract can be terminated before its end immediately, i.e. without notice period, for a significant reason, either by the employer or by the employee. 'Significant reason' consists of the existence of events during the contract which make it impossible to continue the agreement in good faith (for instance, breach of contractual obligations and damage caused by the employee with failure to comply with the essential terms of the

contract and detraction of the employee by the employer, etc.). If a significant reason exists, the employer is not obliged to pay compensation. If the contract is terminated and no significant reason exists, the employee can go to court to claim the wages that would have been received until the end of the contract.

Commentary

-Employment legislation in Greece made, for several years, an important distinction between the entitlements of white and blue-collar employees such as, in terms of notice periods and severance payments. These differences, by virtue of art. 64, of Law 4808/2021, have been abolished, in their majority, with the calculation of entitlement to the national minimum wage remaining the main exception.

-Under the previous legal framework there was an obligation to give notice and pay severance after two months of employment with the same employer, while the periods of notice were longer. The laws that successively reduced the periods of notice and the level of severance pay (Law 3863/2010, Law 3899/2010 and Law 4093/2012) are part of a series of laws implementing commitments made by the Greek government to its creditors with the signing of successive Memorandums of Understanding in the framework of Greece's accession to the Financial Stability Mechanism to bring about recovery from the economic crisis. Reducing periods of notice and severance pay was considered by the government to be a necessary measure to alleviate business costs in the context of the economic crisis, while it was heavily criticised by the unions.

Additional metadata

Cost covered by	None
Involved actors other than national government	National government Public employment service
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Greece: Notice period to employees, Restructuring legislation database, Dublin

Hungary

Notice period to employees

Phase	Act I of 2012 on the Labour Code
Native name	2012. évi I. törvény a Munka Törvénykönyvéről
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Chapter 39, Articles 68-70, 85(3)

Description

The notice period begins at the earliest on the day following the date when the dismissal is communicated.

Where employment is terminated by the employer, the notice period shall begin at the earliest on the day after the last day of the following periods:

- duration of incapacity to work due to illness, not to exceed one year following the expiration of the sick leave period;
- absence from work for the purpose of caring for a sick child; and
- leave of absence without pay for providing home care for a close relative.

The above rules shall apply in case of collective redundancies if the conditions specified exist at the time when the written notification on the decision regarding collective redundancy is given.

The notice period is 30 days. If employment is terminated by the employer, the 30 day notice period shall be extended by a certain number of days on the basis of the number of years of employment by the employer in question, and namely:

- 5 days after 3 years of employment by the employer;

- 15 days after 5 years;
- 20 days after 8 years;
- 25 days after 10 years;
- 30 days after 15 years;
- 40 days after 18 years; and
- 60 days after 20 years.

By agreement of the parties, the notice period may be extended by up to six months. In case of a fixed-term employment relationship, the notice period may not go beyond the fixed term.

Commentary

Collective agreements could foresee notice periods longer than 30 days, if this is to the benefit of the worker.

Additional metadata

Cost covered by	Not available
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: 10 Company size: 21 Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Hungary: Notice period to employees, Restructuring legislation database, Dublin

Ireland

Notice period to employees

Phase	Minimum Notice and Terms of Employment Acts, 1973 - 2015; Protection of Employment Act, 1977; Employees (Provision of Information and Consultation) Act 2006
Native name	Minimum Notice and Terms of Employment Acts, 1973 - 2015; Protection of Employment Act, 1977; Employees (Provision of Information and Consultation) Act 2006
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

1973 - 2015 Acts: sections 4 (1), 6; 1977 Act: 9(3), 12; 2006 Act: 3

Description

For individual dismissals, employees are entitled to a statutory minimum notice of one week provided that they have been working for the employer for at least 13 weeks. The contract of employment may provide for a longer period of notice. The notice periods for individual dismissals are regulated by the Minimum Notice and Terms of Employment Acts 1973–2005 and depend on the employees' length of service. The notice periods are the following:

- 13 weeks to 2 years of employment: 1 week
- 2 years to 5 years: 2 weeks
- 5 years to 10 years: 4 weeks
- 10 years to 15 years: 6 weeks
- 15 years or more: 8 weeks

Economic circumstances (e.g. closure of the business, lack of work, or reorganisation within the firm) are regarded as valid and fair reasons for dismissal. Other legitimate

reasons to cancel the employment contract can relate to the employee's conduct, capability, competence and qualifications. In most cases the onus is on the employer to show that a genuine redundancy situation exists and that the employee is not unfairly dismissed.

In case of collective dismissals, the notice period happens after the consultation period. Under section 12 of the 1977 Act, for collective redundancy situations, at least 30 days notice must be given to the relevant minister before the first dismissal takes effect. Under section 9(3) of the 1977 Act, employees (through their representative) have a right to a 30-day consultation period. Such consultation must begin at least 30 days before the first notice of dismissal. The notice periods under sections 9(3) and 12 can run concurrently. Employers have to consult with employee representatives on the collective redundancy situation, which includes exploring alternatives to redundancy.

Collective redundancy, for the purpose of the act is defined as at least 5 redundancies in an establishment employing 21-49 employees; at least 10 redundancies in an establishment employing 50-99 employees; at least 10% of employees made redundant in an establishment employing 100 - 299 employees; and at least 30 redundancies in an establishment that employs 300 or more people.

For the application of the 2006 Act, there must be an employment minimum threshold of 50 people. The 2006 Act can cover redundancy situations but extends to non-redundancy situations as well. For an information and consultation forum to be set up under the 2006 Act, it has to be initiated by employees; if the employer is uncooperative with this measure, there is recourse to the labour court.

Commentary

The threshold for the application of the Protection of Employment Act (1977) and the Employees Act (2006) is different. Depending on the specifics of a given situation, one of the acts would be relied upon if pursuing a claim.

It is considered that the 2006 Act is not favoured - and therefore not pursued - by trade unions as it could entail bypassing their involvement in information and consultation proceedings.

Additional metadata

Cost covered by None

Involved actors other than national government	Trade union Works council
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: See Description for the various company size and redundancy thresholds.

Sources

Citation

Eurofound (2015), Ireland: Notice period to employees, Restructuring legislation database, Dublin

Italy

Notice period to employees

Phase	Civil code; National sectoral collective agreements; Law 23 July 1991, no. 223, Rules on the Wage Guarantee Fund, redundancies, unemployment benefits, enforcement of European directives, job placement, and other labour market provisions
Native name	Codice Civile; Contratti collettivi nazionali di settore; Legge 23 luglio 1991, n. 223, Norme in materia di cassa integrazione, mobilità, trattamenti di disoccupazione, attuazione di direttive della Comunità europea, avviamento al lavoro ed altre disposizioni in materia di mercato del lavoro
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Civil code, articles 2118 and 2119; Law no. 223/1991, article 24

Description

Generally, the party exercising the right to withdraw from the employment contract must comply with a notice period.

The obligation to give a notice period concerns almost all cases of termination of the employment relationship (dismissal and resignation), with some limited exceptions regarding the hypotheses of:

- just cause, that is, for an event or behavior that does not allow the relationship to continue, even provisionally;
- consensual resolution, that is when the parties have formally agreed differently.

Failure to give notice leads to compensation for damages, financially quantified in the remuneration that would have been due to the worker for the period of work not carried out.

The civil code demands the regulation of the duration of the notice period in case of individual dismissals to collective agreements, which normally set it on the basis of seniority and staff level, and on the size of the company. Variation, therefore, exists in different sectors of economic activity.

A specific regulation exists in case of collective dismissals (i.e. the lay-off of at least five workers within 120 days in companies with more than 15 employees). In case of collective dismissals, the Italian law envisages the recourse to a collective procedure lasting 75 days, in which the decision to collectively dismiss workers is jointly examined between the employer and employee representatives (45 days) and, in case of failure to reach an agreement, also by public institutions (in the form of the territory labour inspectorate). Once this procedure is concluded, the employer can legitimately dismiss the redundant workers even in the absence of an agreement. Employees to be made redundant in the framework of collective dismissals need to be informed in writing. As it is the case also of individual dismissals, the notice period for permanent employees is fixed by collective agreements. An indemnity can be paid in lieu of the notice period as well. Temporary employees are not covered by the notice period but their contracts cannot be terminated in advance on economic grounds.

Commentary

No information available.

Additional metadata

Cost covered by	None
Involved actors other than national government	Regional/local government Trade union
Involvement (others)	None
Thresholds	Affected employees: 5 Company size: 16 Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Italy: Notice period to employees, Restructuring legislation database, Dublin

Latvia

Notice period to employees

Phase	Labour law
Native name	Darba likums
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

101, 103

Description

If an employer is reducing its number of employees or in case the business (legal person or partnership) is being liquidated, an employer has to give a notice of termination of an employment contract to the employee one month before, unless the collective agreement or the employment contract specifies a longer time period. If the employee is a person with disability, the notice period is two months.

The right to revoke a notice of termination by the employer is subject to agreement by the employee unless the collective agreement or the employment contract has specified such right. The purpose of this norm is to protect employees against unexpected changes in employers' decision.

By agreement between the employee and the employer, an employment contract may also be terminated before the expiry date for the notice of termination.

No specific provisions are made for collective redundancies.

Commentary

No information available.

Additional metadata

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

Sources

Citation

Eurofound (2015), Latvia: Notice period to employees, Restructuring legislation database, Dublin

Lithuania

Notice period to employees

Phase	Labour code No XII-2603
Native name	Darbo kodeksas Nr. XII-2603
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

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. The list of persons for whom the notice periods are tripled has been expanded to include workers who have submitted a certificate for an illness included in the list of serious illnesses approved by order of the Minister of Health of the Republic of Lithuania (amendments of Art. 57, par. 7 of the Labour Code, Law No XIV-1189, came into force on the 1s of August, 2022).

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).

Commentary

Not available

Additional metadata

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

Sources

Citation

Eurofound (2015), Lithuania: Notice period to employees, Restructuring legislation database, Dublin

Luxembourg

Notice period to employees

Phase	Labour Code; Law of 23 July 2015 reforming social dialogue within companies
Native name	Code du travail; Loi du 23 juillet 2015 portant réforme du dialogue social à l'intérieur des entreprises
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Art.L. 124-1, Art.L.124-2, Art.L.124-3, Art.L. 124-4, Art.L. 414-9.

Description

An employer who terminates an employment contract for a reason other than serious misconduct must give a notice period to the employee. In companies with fewer than 150 employees, the employer may dismiss with an immediate notice. If the company employs 150 staff members or more, the notification of dismissal must take place at the earliest the day after the pre-dismissal interview; or at the latest 8 days after the pre-dismissal interview.

In order to summon an employee to a pre-dismissal interview, the employer must write a summons stating the reason for the summoning, and must include the envisaged dismissal of the employee, the date, time and location of the interview. Furthermore, the employer must also send a copy of the summons to the staff delegation. However, since 1 August 2016, the employer does not have to send a copy of the summons to the Inspectorate of Labour and Mines (ITM) any longer.

As mentioned in the summons, during the pre-dismissal interview, the employee can request to be assisted by either another employee in the company or by a delegate of a national representative union organisation which is represented in the staff delegation. The employer can also request to be assisted by either a member of staff or by

a representative of an employers' organisation.

The duration of the notice period depends on the employee's length of service at the time of the dismissal notification:

- two months before the redundancy becomes effective, if the length of service is up to 5 years;
- four months for 5–9 years of service;
- six months for service of at least 10 years.

The employer informs the employee of the termination with notice of the employment contract in writing either by registered letter; or by giving the letter in person to the employee, who must acknowledge receipt by counter-signing a copy of the letter.

The notice period begins on the:

- 15th day of the current month, if the letter of dismissal was notified to the employee before the 15th;
- 1st day of the following month, if the letter of dismissal was notified to the employee between the 15th and the last day of the month.

Notice periods are shorter if the employee decides to leave the company:

- one month before the redundancy becomes effective, if the length of service is up to five years;
- two months for 5–9 years of service;
- three months for service of at least 10 years.

The employer may exempt the employee from work during his notice period, in full or in part. In order to do this, the employer must:

- notify the exemption from work in writing either in the letter of dismissal or in a subsequent letter;
- continue to pay the employee his/her full salary as well as any other benefits, excluding work-related costs (e.g. meal allowance, travel allowance, etc.);
- continue to grant the employee any salary increases that may occur during the notice period.

Commentary

The law of 23 July 2015 reforming social dialogue within companies ([Loi du 23 juillet 2015 portant réforme du dialogue social à l'intérieur des entreprises](#)) introduced some changes such as the fact that the employer must send a copy of the summons to the staff delegation, and that the summons do not need to be sent to (ITM) any longer.

Until 31 December 2017, whenever an employee took on new employment during the notice period, the former employer had to pay, until the end of the notice period, the difference between the employee's previous and new salary (if lower) and the employer's social security contributions relating to the difference in salaries paid (if any).

Additional metadata

Cost covered by	None
Involved actors other than national government	Employer organisation Trade union Works council
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Luxembourg: Notice period to employees, Restructuring legislation database, Dublin

Malta

Notice period to employees

Phase	Cap. 452 - Employment and Industrial Relations Act, 2002; Subsidiary Legislation 452.80 - Collective Redundancies (Protection of Employment) Regulations (Legal Notice 428 of 2002, as amended by Legal Notices 427 and 442 of 2004, and 281 of 2017)
Native name	Kap. 452 - Att dwar l-Impiegi u r-Relazzjonijiet Industrijali, 2002; Legislazzjoni Sussidjarja 452.80 - Regolamenti dwar Sensji Kollettivi (Harsien ta' l-Impjiegi) (Avviż Legali 428 tal-2002, kif emendat bl-Avviż Legali 427 u 442 tal-2004, u 281 ta' 2017)
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Employment and Industrial Relations Act - Article 36; Subsidiary Legislation 452.80 - whole regulation

Description

The notice periods in case of redundancies are indicated in article 36 of the Employment and Industrial Relations Act 2002 and are estimated according to the employee's continuous length of service, which are:

- Less than one month - without notice;
- More than one month and up to six months - one week;
- More than six months and up to two years - two weeks;
- More than two years and up to four years - four weeks;
- More than four years and up to seven years - eight weeks;
- More than seven years and up to eight years - nine weeks;
- More than eight years and up to nine years - ten weeks;

- More than nine years and up to ten years - eleven weeks;
- More than ten years - twelve weeks.

Longer period of notice may be agreed in the case of technical, administrative, executive or managerial posts.

Regulations on collective redundancies (defined as the termination of the employment by an employer on grounds of redundancy of 10 employees if 21 to 99 persons are employed, 10% of the workforce if 100 to 299 are employed; and 30 or more employees if 300 or more persons are employed) require that employers inform the employees' representatives 30 days in advance about who are the employees to be made redundant. The applicable notice periods as indicated in article 36 of the main act are still to be adhered to. Nevertheless, no redundancy may take effect before the lapse of the said period of 30 days, unless in exceptional circumstances where the Director of Industrial and Employment Relations allows the employer a shorter notification period. In any case the employee shall still have the right to the applicable notice period (or to a compensation in lieu if the period or part of, is not respected), as stipulated by article 36 of the act.

In the case of collective redundancies, the employer must notify the employees' representatives in writing before terminating their employment, ensuring that the representatives have the opportunity to consult with the employer (which consultations are to begin within seven working days from the day of notification). The employer must also inform the Director responsible for Employment and Industrial Relations. Where the intended collective redundancy concerns members of the crew of a seagoing ship, the employer must notify the Registrar General of Shipping and Seamen, as specified by L.N. 281 of 2017, which transposes part of Directive (EU) 2015/1794 of the European Parliament and of the Council of 6 October 2015.

Commentary

Labour legislation and related amendments are discussed at policy formulation stage in the tripartite Employment Relations Board (ERB). Members forming this board come from trade unions, employers' associations and the government.

Additional metadata

Cost covered by Not available

Involved actors other than national government	Employer organisation Trade union Other
Involvement (others)	Employment Relations Board
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Malta: Notice period to employees, Restructuring legislation database, Dublin

Netherlands

Notice period to employees

Phase	Civil code
Native name	Burgerlijk Wetboek
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Book 7, article 672

Description

Duration of the notice period to employees The statutory notice period that needs to be given to the employee is related to the length of service of the employee in the company:

- one month for less than 5 years of service;
- two months for 5 to less than 10 years of service;
- three months for 10 to 14 years of service;
- four months for 15 or more years of service.

A shorter notice period is only allowed if it is agreed in a collective agreement. The notice period is the same for individual and collective dismissals.

Both parties may agree as an exception that the notice period for the employee is longer than the legal period, but it cannot exceed six months. If this procedure is followed, the notice period for the employer must be double of the notice period of the employee. The standard notification period for employees is one month.

If the employee is on a zero-hours contract the notice period is four days or shorter if agreed in collective bargaining agreements (Art.672, par.5).

The sanction for non-compliance is the liability for damages.

Appropriate manner of giving notice

If the termination is for reasons other than those mentioned in the Civil code as grounds for immediate dismissal (e.g. theft, drunkenness, fraud and so on), official notice of termination must be given once the dismissal permit has been issued by the public employment service, collective labour market agreement committee or court (depending on circumstances). Such notification has to be given before the end of the month. The precise form in which it is given is not specified in law. However, authorities generally agree that a written notice is superior to an oral notice (for the purpose of evidence), and that notice should be given by registered mail. The party who is given notice (usually the employee) has a right to know the reason for said notice.

Other matters pertaining to the notice period If one of the parties (almost always the employer, but the employee may also terminate for immediate reasons) does not abide by the periods mentioned in the law or in the collective agreement, they may have to pay for the damages. This party owes the other party compensation equal to the amount of the wages determined in money over the period that the employment contract should have continued in the event of regular termination. Given extraordinary circumstances, the amount of compensation may be mitigated by the court.

Since 1 July 2015, the duration of a permit procedure at the public employment office, or a court procedure, may be subtracted from the notice period on the condition that the notice period is not shorter than one month.

Commentary

For contracts with limited terms which end because the terms expire, some employers find the notice period bothersome. If the employment contract has a term of six months or longer and the employment contract does not apply for a temporary employment contract, the employer must inform the employee in writing, no later than one month before the employment contract expires, whether he or she wishes to continue the employment contract and under which conditions. The notice can be forgotten easily, especially for small companies without an HR department. It can expose the employer to a potential fine of a month's wage which has to be paid to the employee. In addition, prolongation of on probation contracts must be done in writing.

Additional metadata

Cost covered by Employer

Involved actors other than national government	Public employment service Other Court
Involvement (others)	Collective Labour Agreement Committee
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Netherlands: Notice period to employees, Restructuring legislation database, Dublin

Norway

Notice period to employees

Phase	Working Environment Act; State Employee Act
Native name	Arbeidsmiljøloven; Statsansatteloven
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

15-3 (Working Environment Act); 22 (State Employee Act)

Description

According to the Working Environment Act, employers must give employees one month's notice, unless otherwise agreed in writing or in a collective agreement.

An employee who has been continuously employed for at least five years is entitled to receive two months' notice. If employed continuously for at least 10 years, the employee is entitled to receive three months' notice. An employee who has been continuously employed for at least 10 years must have a notice period of four months when dismissed after the age of 50, at least five months after the age of 55, and at least six months after the age of 60.

Periods of notice run from and include the first day of the month following that in which notice is given.

The State Employee Act has special regulations for civil servants. For employees with less than one year of service the notice period is one month. For employees with more than one year of service the notice period is three months, and for employees with more than two years of service the notice period is six months.

Commentary

No information available.

Additional metadata

Cost covered by	None
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Norway: Notice period to employees, Restructuring legislation database, Dublin

Poland

Notice period to employees

Phase	Act of 26.06.1974 - Labour Code
Native name	Ustawa z dnia 26.06.1974 - Kodeks Pracy
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

25, 36

Description

The notice period for terminating all types of employment contracts (permanent, fixed-term, probationary) depends on the employee's length of service with the employer.

Two weeks' notice is required if the employee has been employed for less than six months, and one month's notice if the employee has been employed for at least six months. If the employee has been employed for at least three years, three months' notice should be given.

The probationary contract can be for a maximum of three months. Another probationary contract can only be signed with the same employee:

- if it concerns another job,
- after 3 years.

The probationary contract can be terminated with a notice period of

- 3 working days if the probationary period does not exceed 2 weeks;
- 1 week if the probationary period is longer than 2 weeks;
- 2 weeks if the probationary period is 3 months.

In the case of collective dismissal, the notice period is the same. The notice period can be extended in the employment contract or collective agreement, but in an asymmetrical way, i.e. it can only be extended for situations where the contract is terminated by the employer and not by the employee.

Commentary

Unifying the notice period for all kinds of employment contracts (excluding probationary period) was introduced in 2016 after the trade union NSZZ Solidarnosc had complained to the European Commission for improper implementation of the Fixed-term Work Directive 90/77/EC in Poland.

Additional metadata

Cost covered by	None
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Poland: Notice period to employees, Restructuring legislation database, Dublin

Portugal

Notice period to employees

Phase	Labour Code (Law 7/2009 of 12 February)
Native name	Código do Trabalho (Lei 7/2009 de 12 de fevereiro)
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

114 (1, 2 and 3); 163 (1); 357 (5); 363 1(a), (b), (c), (d) and 2; 371 (1,3); 378 (2)

Description

The employer must observe the following minimum notice periods which vary in accordance with each employee's seniority:

- 15 days for employees with less than one year of service;
- 30 days for employees with one to five years of service;
- 60 days for employees with five years or more and up to ten years of service;
- 75 days for employees with more than ten years of service.

If the dismissal affects both spouses (or unmarried partners), the notice period to be considered shall be the level immediately above the one that would apply if the dismissal would affect only one of the members of the couple. There is no difference in the notice period between collective and individual dismissals.

The dismissed employee shall be notified in writing.

The notice period in case of probationary periods and service commission agreements is also specified in the Labour Code. During a probationary period, either the employer or the employee can terminate the contract without providing notice. However, if the probationary period has lasted longer than 60 days, the employer shall abide by a seven day notice period, and if the probationary period has lasted longer than 120 days, the

employer shall abide by a 15-day notice period. Service commission agreements can be terminated without cause for certain types of employees, namely managerial staff, as long the employer abides by the already mentioned minimum notice period thresholds.

Individual employees are not entitled to pay in lieu of notice according to the Labour Code. However, in case of a collective dismissal*, should the employer fail to comply with the required notice period, the employment contract will not end until the statutory notice period has expired and the employer is then required to pay the employee a sum equal to the salary equivalent to the missing period of notice.

*Collective dismissal occurs as a result of termination of the employment contract by the employer operated simultaneously or successively within a three-month period of either:

- At least two employees, if the company has fewer than 50 employees;
- At least five employees, if the company has 50 or more employees.

Commentary

No information available.

Additional metadata

Cost covered by	Not available
Involved actors other than national government	Trade union Works council Other Employer organisation
Involvement (others)	Commission for Citizenship and Gender Equality (Comissão para a Cidadania e a Igualdade de Género - CIG) Authority for working conditions (Autoridade para as Condições de Trabalho - ACT)
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Portugal: Notice period to employees, Restructuring legislation database, Dublin

Romania

Notice period to employees

Phase	Labour Code, Law no. 53/2003, republished in the Official Gazette of Romania no. 345 dated 18 May 2011
Native name	Codul muncii, Legea nr. 53/2003, republicată în Monitorul Oficial nr. 345 din 18 mai 2011
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

75

Description

Employers must notify their workforce about planned redundancies 20 working days in advance. The notice must be communicated in writing; most often it is a stand-alone document, but sometimes in practice it may be a clause in the dismissal decision, which states that the decision will come into force at the end of the notice period.

If the employment contract is suspended (e.g. for medical reasons), the notice is also suspended. This may delay the time of actual termination of the contract.

The provisions are applicable both to individual and collective dismissals.

Commentary

The High Court of Cassation and Justice of Romania ruled - by decision no. 8/2014, published in Official Gazette no. 138 of 24 February 2015 - that a dismissal decision issued without giving notice to the employee is null and void. On the other hand, if the notice was actually granted, the dismissal decision will be valid even if it does not contain any mention about the notice. In other words, going beyond a time when the courts demanded

observance of unnecessary formalism in the drafting of dismissal decisions, the High Court ruled that the dismissal decision is still valid, even if it does not expressly state that the employee has been given the notice. What matters is that the employee has indeed been notified in writing 20 days in advance that his/her employment contract will be terminated (even if no mention was made in the dismissal decision about the employer's fulfilment of this obligation).

Additional metadata

Cost covered by	None
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Romania: Notice period to employees, Restructuring legislation database, Dublin

Slovakia

Notice period to employees

Phase	Labour Code
Native name	Zákonník práce
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

61-63 and 68

Description

The notice must be in written and delivered to the employee concerned. Employers must notify their workforce at least one month in advance about the proposed job reduction.

The minimum notice period is one month. But the notice period is at least two months for the employee that has been in service for at least one but less than five years and at least three months for the employee that has been in service for at least five and more years if the employer terminates the employment relationship:

- for economic reasons (the organisation or its part is abolished or relocated and the employee does not agree with the change in his or her agreed place of work or the employee became redundant from technical or organisational reasons)
- or due to changes in the health condition of the employee.

An employer can give immediate notice when the employee has breached seriously the work discipline or was condemned for a premeditated criminal act.

Commentary

Before 1 January 2013, the two months and three months notice period was fixed for the employee in service for one but less than five years and for the employee in service for five and more years, respectively. Presently, these notice periods are considered as the minimum.

Additional metadata

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

Sources

Citation

Eurofound (2015), Slovakia: Notice period to employees, Restructuring legislation database, Dublin

Slovenia

Notice period to employees

Phase	Employment Relationship Act (ZDR-1)
Native name	Zakon o delovnih razmerjih (ZDR-1)
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

79, 94 and 214

Description

In the event of ordinary individual or collective cancellation of the employment contract by the employer for a business reason, the notice period shall be:

- 15 days for up to one year of service with the employer,
- 30 days for a period exceeding one year of service with the employer,
- after a two-year period of employment with the employer, the 30-day notice period increases for each year of employment with the employer by two days, but should not exceed 60 days,
- after a period of 25 years of service with the employer, the period of notice is 80 days unless a different notice period is specified by a branch collective agreement, but in no circumstances less than 60 days.

An 'economic dependant' (defined as a self-employed person who performs work in person, independently and for remuneration for a longer period of time in circumstances of economic dependency and who does not employ workers) is provided with limited labour law protection, including assurance of minimum notice periods. Economic dependency means that a person obtains at least 80% of his or her annual income from the same contracting authority.

A fixed-term employment contract terminates without notice upon the expiry of the time period for which it was concluded.

Commentary

The notice period can be shorter if the employer and the employee agree on appropriate compensation. This agreement must be in written form.

Between 2018 and 2019, redundant workers were obliged to register with the Employment Service of Slovenia within three days after the notification of termination of employment. Redundant workers also had the duty to participate in the active labour market support measures. In December 2019, the amended Labour Market Regulation Act (ZUTD-E) cancelled this rule. On the other hand, the same law introduced an incentive for employment while receiving unemployment benefits for some categories (low-educated workers who have not completed primary education or who have completed primary education, lower vocational education, or upper secondary school). In 2022, 1,202 claimants requested the employment incentive, of which 756 received cash benefits (MDDSZ, p. 56). They are equal to 20% of the monthly net unemployment benefit granted on the date of conclusion of the employment contract. The maximum length of employment incentive is twelve months.

Additional metadata

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

Sources

Citation

Eurofound (2015), Slovenia: Notice period to employees, Restructuring legislation database, Dublin

Spain

Notice period to employees

Phase	Statute of Workers' Rights; Royal Decree law 10/2010 of 16 June on urgent measures to reform the labour market
Native name	Estatuto de los Trabajadores (ET); Real Decreto-ley 10/2010, de 16 de junio, de medidas urgentes para la reforma del mercado de trabajo
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

Art. 53.1 modified by Art. 2.4 of Royal Decree law 10/2010

Description

Employers are required to notify their workforce of planned redundancies 15 days in advance of initiating the process, in case of dismissals on objective grounds. This applies for collective and individual redundancies. This notice period applies to all the employees irrespective of their tenure. The employee is entitled to paid leave of six hours per week during the notice period to look for alternative employment when there is an objective (justified by external circumstances) dismissal. If the employer fails to comply with the notice period requirement, they will be obliged to pay the employee an amount corresponding to the period of notice that was not given.

Dismissal must be communicated in written to both, workers affected and employees' representative bodies existing in the company.

Commentary

In 2010, the notice period was reduced from 1 month to two weeks. The Spanish economy appears now to be more flexible than the average of the OECD countries in this area.

Average notice periods in OECD countries are 3.5 weeks for workers with 9 months tenure at the time of dismissal, 1.3 months for workers with 4 years tenure and 2.7 months for workers with 20 years of tenure at the time of dismissal.

Additional metadata

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

Sources

Citation

Eurofound (2015), Spain: Notice period to employees, Restructuring legislation database, Dublin

Sweden

Notice period to employees

Phase	Employment protection act (1982:80)
Native name	Lag (1982:80) om Anställningsskydd
Type	Notice period to employees
Added to database	08 May 2015
Access online	Click here to access online

Article

11

Description

The notice period for collective (and other) dismissals is one month for all employees with less than two years of service.

This is extended to:

- Two months for those with 2 to 4 years of service;
- Three months for workers with 4 to 6 years of service;
- Four months for those with 6 to 8 years of service;
- Five months for employees with 8 to 10 years of service;
- Six months for those who have worked at the company for longer than 10 years.

If an employee is dismissed while on parental leave, the notice period begins when the employee comes back from parental leave, or when he/she was scheduled come back from parental leave.

Commentary

This general rule applies to all workers, although improvement is possible by collective agreement. In addition, various rights apply during the notice period, such as the right to

time off work for job search and the right to usual pay regardless of whether there are work tasks to perform.

The reform of the Employment protection act did not change the length of notice periods.

Additional metadata

Cost covered by	None
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Sweden: Notice period to employees, Restructuring legislation database, Dublin