LEGAL GRAPHIC

Workx Advocaten

REORGANISATION PROCESS **WITH WORKS COUNCIL**

20 or more dismissals within 3 months

Notification to the Employee Insurance Agency (UWV) and trade unions (1)

1-month wait

Consult trade unions

Unions not interested

Consultation on a social plan (2)

1 – 3 months

Fewer than 20 dismissals

No notification to UWV and trade unions (unless notification is required under the collective labour agreement)

Works council advisory process (3)

1 – 3 months

Request for advice:

A. Overview of reasons for the decision.
B. Consequences for staff.
C. Proposed measures for staff.

Works council advice

Decision in line with works council advice

Decision NOT in line with works council advice (4)

1-month wait

Implementation of the decision

Works council can go to court

Apply to the UWV for a dismissal permit (7)

6 – 8 weeks

Give notice of termination (8)

1 – 4 months

End of employment

Termination of employment by agreement (5)

2 – 3 weeks

No agreement

Agreement

14-day cooling-off period

End of employment (6)

NOTES

1. After notification, a 1-month waiting period applies. During this period, employment cannot be terminated.
2. Negotiations take on average 1 – 3 months.
3. The works council advisory process takes on average 1 – 3 months.
4. 1-month waiting period (unless the works council waives it).
5. Negotiations with an employee take on average 2 – 3 weeks.
6. The employee can still rescind the agreement within 14 days (cooling-off period).
7. The procedure at the UWV takes on average 6 – 8 weeks.
8. The notice period is usually 1 – 4 months. The UWV procedure time may be deducted, provided that 1 month of notice remains.