LEGAL GRAPHIC

REORGANISATION PROCESS **WITHOUT A WORKS COUNCIL**

Workx Advocaten

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)

Fewer than 20 dismissals

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

Consequences for more than ¼ of staff

Advice from the employee representative body (personeelsvertegenwoordiging, PvT) or staff meeting (3)

1 – 2 weeks

Decision

Implementation of the decision (2 options)

Apply to the UWV for a dismissal permit (6)

6 – 8 weeks

Give notice of termination (7)

1 – 4 months

End of employment

Termination of employment by agreement (4)

2 – 3 weeks

No agreement

Agreement

14-day cooling-off period

End of employment (5)

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 advisory process takes on average 1 – 2 weeks. The PvT has no right of appeal. No waiting period applies.
4. Negotiations with an employee take on average 2 – 3 weeks.
5. The employee can still rescind the agreement within 14 days (cooling-off period).
6. The procedure at the UWV takes on average 6 – 8 weeks.
7. The notice period is usually 1 – 4 months. The UWV procedure time may be deducted, provided that 1 month of notice remains.

NEED MORE TIPS **OR ADVICE?**
We are happy to help. Get in touch with us!