

Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies

SECTION I

**Definitions and scope**

*Article 1*

- 1 For the purposes of this Directive:
- a 'collective redundancies' means dismissals effected by an employer for one or more reasons not related to the individual workers concerned where, according to the choice of the Member States, the number of redundancies is:
    - (i) either, over a period of 30 days:
      - at least 10 in establishments normally employing more than 20 and less than 100 workers,
      - at least 10 % of the number of workers in establishments normally employing at least 100 but less than 300 workers,
      - at least 30 in establishments normally employing 300 workers or more,
    - (ii) or, over a period of 90 days, at least 20, whatever the number of workers normally employed in the establishments in question;
  - b 'workers' representatives' means the workers' representatives provided for by the laws or practices of the Member States.

For the purpose of calculating the number of redundancies provided for in the first subparagraph of point (a), terminations of an employment contract which occur on the employer's initiative for one or more reasons not related to the individual workers concerned shall be assimilated to redundancies, provided that there are at least five redundancies.

- 2 This Directive shall not apply to:
- a collective redundancies effected under contracts of employment concluded for limited periods of time or for specific tasks except where such redundancies take place prior to the date of expiry or the completion of such contracts;
  - b workers employed by public administrative bodies or by establishments governed by public law (or, in Member States where this concept is unknown, by equivalent bodies)<sup>[F1]</sup>;
  - <sup>[F2]</sup>c the crews of seagoing vessels.]

**Textual Amendments**

**F1** Substituted by [Directive \(EU\) 2015/1794 of the European Parliament and of the Council of 6 October 2015 amending Directives 2008/94/EC, 2009/38/EC and 2002/14/EC of the European Parliament and of the Council, and Council Directives 98/59/EC and 2001/23/EC, as regards seafarers \(Text with EEA relevance\).](#)

**F2** Deleted by [Directive \(EU\) 2015/1794 of the European Parliament and of the Council of 6 October 2015 amending Directives 2008/94/EC, 2009/38/EC and 2002/14/EC of the European Parliament and](#)

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