# Welcome to the webinar! We will begin shortly.



Reassessing
Redundancy in
the Nordics:

Challenges and Key Measures for Consideration





HOST

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#### **PETER WALTS**

Chief Operating Officer ELA Global









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#### **PETER WALTS**

Chief Operating Officer ELA Global













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#### Welcome to Q&A

Questions you ask will show up here. Only host and panelists will be able to see all questions.







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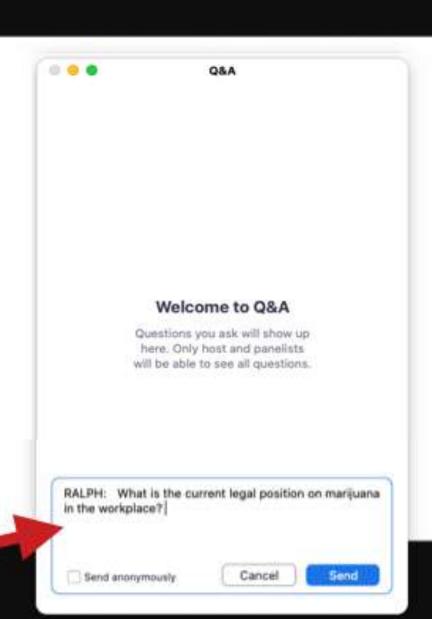








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#### https://webinars.ela.law/Redundancy-in-the-Nordics



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# Reassessing Redundancy in the Nordics: Challenges and Key Measures for Consideration

Date: September 29, 2021

fime: 3:00 p.m. Central Europe Summer Time

9:00 a.m. Eastern Daylight Time

Duration: 1 hour

#### **Event Resources**

Presentation Slides & Certificate of Attendance

Resources provided by the speakers and their firms:

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MODERATOR

#### TOMI KEMPPAINEN

Partner

Finland tomi.kemppainen@castren.fi



#### Panelists



Rasmus Høj Christensen Senior Counsel Plesner Denmark



**Are Fagerhaug**Partner
Selmer
Norway



**Åsa Gotthardsson**Partner
Vinge
Sweden



#### **Overview**

Reassessing Redundancy in the Nordics: Challenges and Key Measures for Consideration

- Collective grounds and threshold
- Selection criteria
- Obligations to consult and re-hire
- Redundancy costs and packages
- Pitfalls to avoid







#### RASMUS HØJ CHRISTENSEN

Senior Counsel

Denmark <a href="mailto:rhc@plesner.com">rhc@plesner.com</a>



#### Collective grounds and threshold



Rasmus Høj Christensen Senior Counsel Plesner Denmark

- The Danish Act on Collective Redundancies entails an obligation to initiate negotiations with the employees if statutory thresholds are exceeded.
- Obligation to inform and consult outside the Danish Act on Collective Redundancies?
- Selection of employees
- Severance cost and severance packages







#### **ARE FAGERHAUG**

Partner

Norway <u>a.fagerhaug@selmer.no</u>



#### Procedures and selection criteria



**Are Fagerhaug**Partner
Selmer
Norway

- Objectively justified basis for redundancies
- Mapping of organization, functions and qualifications
- What is a legal selection circuit? legal entity, departments, group companies, matrix organizations
- Selection criteria last in first out vs. other criteria
- Balancing of interests







#### **ÅSA GOTTHARDSSON**

Partner

Sweden asa.gotthardsson@vinge.se

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#### Consultations and obligation to re-hire



**Åsa Gotthardsson**Partner
Vinge
Sweden

- In the majority of the EU countries, including the Nordics, a consultation process is required
- May be thresholds, no such limits under Swedish law
- Consultations in Sweden with trade unions party to a collective agreement or having members among the employees concerned
- An employee that has been employed more than 12 months in total during the last three years and is given notice of termination due to redundancy, enjoys a priority to be re-hired during the notice period and for 9 months thereafter
- Re-hire right is however subject to satisfactory qualifications



### Questions?





#### Thank You!

#### MODERATOR



**Tomi Kemppainen**Partner
Castren & Snellman
Finland



**Are Fagerhaug**Partner
Selmer
Norway



Rasmus Høj Christensen Senior Counsel Plesner Denmark



**Åsa Gotthardsson**Partner
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Tomi Kemppainen

Castren & Snellman

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# Moderator Presenter On the second of the se

Rasmus Høj Christensen

Senior Counsel

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