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REFORMS OF EMPLOYMENT PROTECTION LEGISLATION IN EUROPE IN TIMES OF CRISIS: WAS THE LABOUR MARKET SEGMENTATION GAP BROUGHT CLOSER TOGETHER?

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Dissertation submitted as partial requirement for the conferral of

Master's in Human Resource Management and Organizational Consultancy

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July 2019

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List of Abbreviations

- EU: European Union
- EPL: Employment Protection Legislation
- OECD: Organization for Economic Cooperation and Development
- EDP: Excessive Deficit Procedures
- LABREF: Labour Reform Database
- TWA: Temporary Work Agency
- HRM: Human Resource Management

Abstract

The labour market is disproportionately tormented by unemployment and economic downturns, since it is segmented into "insiders" which enjoy job protection and "outsiders" which do not to the same extent. The study of this dissertation follows the line of labour market segmentation and tries to understand if modifications to Employment Protection Legislation (EPL) since 2008 have altered the position of insiders and outsiders in the labour market of 26 countries under Excessive Deficit Procedures by the European Union. The question is: Have EPL policies favoured insiders or outsiders, or has EPL been reduced on both ends, in turn worsening protection on all forms of employment? By retrieving extensive data on 353 policies implemented in the field over the past 9 years, through the use of detailed LABREF database, the reforms were analysed if they enacted an increase “in favour” of insiders or outsiders protection or “against” such increase. This dissertation exposes if said reforms in each country have weakened or strengthen security for the two segments, as well as, discusses the changing role that HRM will have resulting from the modifications in EPL. It also shows that most changes in EPL were triggered in the years of highest recession and how some countries made most changes to their EPL due to the pressure from external intervention. It begins by giving a theoretical framework around the economic insider-outsider theory, EPL and the discussion around liberalization. Later interprets the findings and finally, debates results.

Key words: labour market segmentation; employment protection legislation; insiders; outsiders;

JEL Classification System: J080 and J680

Resumo

O mercado de trabalho é desproporcionalmente atormentado pelo desemprego e pelas recessões econômicas, pois, é segmentado em "*insiders*" que beneficiam de proteção no emprego e "*outsiders*" que não beneficiam da mesma forma. Esta dissertação segue a linha de segmentação do mercado de trabalho e tenta entender se as alterações à Legislação de Proteção ao Emprego (LPE) desde 2008 alteraram a posição "*insiders*" ou "*outsiders*" no mercado de trabalho de 26 países sob Procedimentos de Déficit Excessivo pela União Europeia. União. A questão é: as políticas da LPE favoreceram "insiders" ou "outsiders", ou a EPL foi reduzida em ambos os lados, o que, agravou a proteção em todas as formas de emprego? Obtendo dados sobre 353 políticas implementadas no campo nos últimos 9 anos, através do uso detalhado do banco de dados LABREF, as reformas foram analisadas se consistiram num aumento "a favor" da proteção de "insiders" ou "outsiders" ou se foram em "contra" tal aumento. Esta dissertação expõe se as referidas reformas em cada país enfraqueceram ou fortaleceram a proteção dos dois segmentos e discute o papel que GRH terá como resultado das modificações no EPL. Mostra que a maioria das mudanças no EPL foi desencadeada nos anos de mais alta recessão e como alguns países fizeram as mudanças em seu EPL devido à pressão da intervenção externa. Começa por dar um quadro teórico em torno da teoria económica de *insider-outsider*, da LPE e da discussão em torno da liberalização. Depois interpreta os resultados e, finalmente, debate os efeitos destes.

Palavras-chave: segmentação do mercado de trabalho; legislação de proteção ao emprego; insiders, outsiders;

Introduction

The global financial crisis which began in 2007 triggered an abrupt decline in employment in Europe. According to Eurostat, from 2008 to 2009, the European Union (EU) unemployment rate escalated from 7% to 9% and reached its highest point in 2013 with 10.9%.

As a response to the economic storm during this period, the EU introduced an Economic Recovery Plan in 2008 as part of the "Stability and Growth Pact", which sought to restore business confidence and competitiveness of the European market. In this sense, the EU Commission supported deep structural reforms on EU and national levels to recover a healthy economy and respond to intensifying rates of unemployment.

The recession and lack of confidence in the EU market led to a number of EU member states to exceed the budgetary deficit ceiling of 3% initially imposed by the Stability and Growth Pact. As a result, 26 member states underwent austere corrective measures through the Excessive Deficit Procedure (EDP). A large-scale structural reform agenda was implemented to improve competitiveness and increase employment (Turrini et. al. 2015). These structural reforms were focused mainly on national labour market policies (Theodoropoulou, 2014). Since European employment regulation had been repeatedly characterized as too rigid, new reforms encouraged flexibility (Turrini et. al. 2015). In particular, the Commission of the European Communities (2008: 10-11) suggested member-states to consider "reducing regulatory and administrative burdens on businesses" and "reducing employers' social charges on lower incomes to promote employability of lower skilled workers". As some scholars defend, employment protection regulations are considered to be one of the main obstacles to job creation (Emmenegger, 2009; Di Tella and MacCulloch, 2005). To introduce flexibility in the labour market, policies which were long deemed to be restrictive for hiring and firing were relaxed and new job security policies changed the nature of employment protection, creating repercussions until present day (Silva et. al, 2017).

As a consequence of restructuring labour market legislation, the position of labour market segmentation in the EU was altered. Labour market segmentation is the division of the labour market into different segments, each characterized by distinct contractual arrangements. Contractual arrangements can be divided into two broad categories: permanent contracts or temporary contracts. Among many differences between the two, the aspect which is regulated by statutory legislation, as well as the most significant in

observing the level of segmentation of labour, is the amount of employment protection associated with the type of contract.

"Employment Protection Legislation" (EPL) refers to the set of policies that govern hiring and firing costs and their processes. According to the indicator utilised by the Organisation for Economic Co-operation and Development (OECD), EPL on permanent contracts encompass legislation regarding procedural requirements for hiring and firing, notice and severance payments in the case of dismissal and the definition of fair dismissals, whilst the EPL associated with temporary contracts regulates valid reasons for fixed-termed contracts, their maximum duration, the maximum number for their renewals and temporary agency work. EPL for permanent contracts has historically been stronger than for temporary contracts. Employees on fixed-term contracts only have the right to a very reduced level of protection, putting them at risk of frequent unemployment spells or, in more alarming cases, precarious employment (Kalleberg, 2000).

As Lindbeck and Snower (2002: 1) explain*:"* "Insiders" are incumbent employees whose positions are protected by labor turnover costs. "Outsiders" enjoy no such protection; they could be unemployed or working in the informal, competitive sectors of the labor market."

The protection gap between permanent employees and fixed-term employees, also referred to, respectively as "insiders" and "outsiders", creates labour market segmentation. Therefore, for this dissertation, the well-established economic insider-outsider theory is used as a support to study the past decade of EPL of EU member-states and its connection to labour market segmentation.

During the crisis period, the attempts to improve competitiveness and increase employment led European legislators to relax protective regulations on employment, specifically on fixed-term contracts. As Silva et. al. (2017: 1) explains, "Prior evidence indicates that fixed-term contracts tend to bear the adjustment cost of legislation that widens the employment protection gap between open-ended and fixed-term contracts through employment and wage levels.". Reducing labour market segmentation and increasing labour market participation is on the to-do list of European policy-makers, but have their reforms ultimately only favoured the later? Have the celebrated tendencies towards flexibility of the labour market weakened the employment protection on both

insiders and outsiders, worsening job security on both ends for employees or have reforms reduced the gap between the two groups?

In other words, forecasts tend to the idea that the segmentation issue has worsened since the crisis years (Council of the European Union, 2015). More recently, the focus of legislators lies in finding ways to reduce the segmentation gap through the creation of more favourable conditions for workers with fixed-term contracts and by reforming the policies which regulate potential overprotection of workers with permanent contracts. Through this, they seek to create a more even playfield in the job market for both parties and guaranteeing appropriate legal protection for all types of employees.

Due to all the back and forth throughout the years of European policy-makers and international academics concerning employment protection regulations, the research question emerged: Have EPL policies in fact favoured insiders or outsiders, or has EPL been reduced on both ends, in turn worsening protection on all forms of employment in favour of ultimate flexibility?

The dissertation seeks to discuss the vicious nature of labour market segmentation based on information gathered about policies implemented since 2008 until 2017 in the field of employment protection of the EU member-states. The countries examined are those that since 2008 underwent Excessive Deficit Procedures (EDP) by the EU, as they adopted more corrective measures to their labour market policies.

Although worldwide there has been a general tendency towards the relaxation of procedural rules towards hiring and firing (Kalleberg, 2000), previous contributions to existing literature have been divided on the issue of employment protection and there exists a lack of agreement on the impacts of EPL. The discussion around liberalization concludes that exuberated EPL reduces job creation and generates obstacles towards adjusting to technological and organizational change (Howell, 2005, Saint-Paul, 2000). Other academics, however, emphasize the important role of a strong EPL in promoting human capital investments by firms and its positive contributions to employee's effort and commitment within the firm (Rubery et al., 2016). Indeed, the topic is worthy of further investigation due to the attention that has been given to segmentation in the past years, claiming itself as the one of the biggest problems of today’s labour market.

This dissertation addresses this research to complement the existing literature on EPL and its articulation with labour market segmentation in the EU.

By retrieving extensive data on 353 policies implemented in the field over the past 9 years through the use of detailed LABREF database, this dissertation is able to expose if said reforms in each country have increased or decreased security for the two types of employees (the insiders and the outsiders). To measure the impact of the reforms, they were examined and categorized according to whether they have favoured or hindered insiders and outsiders in terms of legal protection, as to uncover if, on one side, aligned to the economic insider-outsider theory, there has been a reduction of protection of one segmented group in comparison to the other; or on the other side, if aligned with the phenomenon of liberalization of the labour market, both segmented groups have seen their employment protection reduced, with few future expectations of the segmented groups coming closer together. The study of this dissertation also analysed in which years was there an increase of alterations in EPL and if some countries, namely those which suffered most pressure for external intervention to reduce their public deficits and had higher interest rates on their sovereign debt, made distinct alterations from the rest of the group. The results of this thesis will draw the implications these actions may have on the current and future working conditions of these countries, as well as the changing role that HRM will have resulting from modifications in labour law.

This dissertation is organized into several sections. The introduction and literature review sections seek to introduce the reader to economic theories pertaining to insiders versus outsiders, as well as to critical accounts of these by academia. Once this has been established, EPL is explained in-depth and hypotheses are devised. The empirical chapter designated “Results” interprets and discusses the information gathered by the study of 353 reforms of 26 countries. Implications of the changing position of EPL on Human Resource Management (HRM) are later discussed. Finally, conclusions and details worthy of further investigation are shown.

Literature review

- **Economic Insider-outsider Theory**

The addressed topic of this dissertation bases itself firstly and forth mostly on “The Insider-Outsider Theory of Employment and Unemployment” by Lindbeck and Snower (1988). The theory claims that the labour market supply is composed of three agents: "insiders", "entrants" and "outsiders" and that they enjoy distinct employment opportunities and working conditions. The theory sheds light on the ceaseless causes of labour market segmentation, this is, the division of the labour market into different segments characterized by distinct contractual arrangements.

Since the 1970s, institutions have adjusted their policies tremendously to tackle the rise of unemployment. In the past century, employment protection was generously increased, along with other measures such as, the increase of unemployment insurance and early retirement schemes, among others. Since unemployment rates remained at a high percentage, most of these measures have, in current years, been inverted. Institutions that regulate the labour market have tendentially decreased employment protection, thus, implementing two forms of employment contracts: the more traditional strongly protected permanent contracts; and less secure temporary contracts. The introduction of distinct contracts may have caused uncertain influences on the unemployment rate but has certainly divided the labour market in two segments of protected permanent employees and vulnerable temporary workers (Blanchard, 2006).

In the theory devised by Lindbeck and Snower (1988), the verified segmentation is explained by different hiring and firing costs that result from the distinct natures of the contracts between insiders and outsiders. The insiders benefit from permanent contracts and elevated turnover costs. Therefore, they occupy a safe place inside the firm and benefit from job security policies, which grants them market power. The outsiders, on the other side, are those employed by temporary or fixed-term contracts and therefore are recurrently unemployed or employed in the informal sector, having significantly reduced training opportunities and employment benefits, especially regarding job security (Barbieri, 2009). The later are vulnerable to various entrance barriers into the labour market and obtaining insider-status. While striving to achieve a more permanent and solidified status within a firm, they are subjected to periods of on and off employment due to temporary contracts, reduced social benefits and harassment at the workplace. The theory also distinguishes “the entrants”, which symbolize the middle stage the

outsider faces once he/she is employed in a firm and has an expectation to achieve insider status but is still in his/her initiation period. This initiation period is characterized by the gradual increase of productivity, efficiency and job security from the employee but still is associated to low turnover costs for the firm due to the ephemeral employment period of the employee within the company.

The labour market segment where the insiders can be found is known to have higher wages, better working conditions and benefits, more autonomy and training opportunities, more employment security and job stability, more promotion prospects and overall more unionized members (Rueda, 2005). On the contrary, the outsider's segment of the labour market is known for lower wages and benefits, fewer training opportunities with little autonomy, insecure employment, job instability and less opportunity for career advancement.

Wages vary immensely between the two segments of the labour market (Lindbeck, 2001; Barbieri 2009). Insiders are known to have market power when negotiating wages founded on their internal position and the firing costs associated to their exit from the company. Outsiders normally do not have power in negotiating wages and in many occasions work for the reservation wage or minimum wage.

As stated by Lindbeck and Snower (2001), the model exposed with the insider-outsider theory is based on four principal assumptions: (1) turnover costs exist for firms which they cannot charge their employees with; (2) insiders have market power; (3) after an extended period of time, entrants and insiders turnover costs are equalized and they cannot renegotiate their earnings; (4) firms are the only decision makers on employment actions.

Insiders are also protected by their seniority and productivity in the firm. Since they are accustomed to their tasks and the company practices and policies, the general assumption is that they are more efficient for the firm in comparison to outsiders who would still need to go through long processes of learning, trying and failing. Thus, employers are normally discouraged to hire outsiders even if employment protection strategies are known to benefit low-productivity insiders with high seniority. (Lindbeck, 1994). As Lindbeck (2001: 1) explains "The insiders use this power to push their wages above the marketclearing level, but firms do not try to replace them with outsiders since it would be costly to do so", here expressing the costs related to firing the insider and hiring and training the outsider.

Considering that insiders have market power and keeping them committed and motivated with their work is essential for firms due to the turnover costs associated to their

dismissal, they can apply pressure to increase their wages. Naturally, their wages and the turnover costs influence the employment decisions of firms. Outsiders, on the other hand, have little market power and tend to work for a lower wage, or the reservation wage, as to seem more attractive to hire.

Labour turnover costs englobe all recruitment and training costs of outsiders, as well as the dismissal costs related to the insider, such as severance payments and other employment protection fees. Other indirect costs may arise for example, when insiders resist cooperation with entrants creating productivity differences. This lack of cooperation and even harassment of recently integrated outsiders is a common phenomenon which further strengths the insider position within the firm. The theory sheds light on the concept of involuntary unemployment, considering outsiders endure such discrimination at the workplace, which includes depreciation they receive from insiders, the impossibility of increasing their productivity within the firm resulting from the lack of cooperation and harassment, the lack of voice in wage negotiation and the lack of security of their position due to their contractual arrangement. Since employment protection policies of permanent contracts regulate turnover costs associated to insiders, and in some countries the costs are very high, outsiders are not perfect substitutes of insiders and therefore, insiders have more market power to influence employment decisions. If the turnover costs regulated by EPL are higher, the labour market becomes more restricted for the inclusion of outsiders, therefore expanding the gap of segmentation in the labour market.

As many studies have shown, labour market segmentation is eroding the working environment and deepening the gap between employees protected by legislation and those who are not equally covered (Lindbeck, 2002). As Marsden (1995: 16) explains: “Employment protection measures may also affect the distribution of employment conditions. If the exemptions from employment protection provisions make it cheaper for certain types of firm to hire certain kinds of labour, then the effect may not be to cause lower employment, but rather a form of segmentation in employment.”.

Labour market segmentation can be explained by various interconnecting factors, such as, uncertainty and instability of the demand for goods and services sold by the firm, the call for specific skills and job requirements, prejudices or discrimination and, the cause which we will focus on in this dissertation, the law and other statutory devices. Rigidity or flexibility of labour law is known to highly influence segmentation and is the reason why many European countries have in recent years attempted to restructure their labour legislation. A common

approach has been to defend the reduction of employment protection. Another approach considers that re-regulation and innovative reforms on types of contracts can solve the segmentation issue. Countries have diverged on their decisions of tackling the problem. What is known is that a segmented labour market divides the market into protected workers and vulnerable workers, increases the development of precarious forms of employment, increases unemployment, externalizes employment relationships and causes inefficiencies due to different human resource practices inside the same firm.

In the past decades, workers have become less and less protected in terms of employment, as Häusermann and Schwander (2010: 2) refer: "...ever fewer people's work biographies correspond to the industrial blueprint of protected, stable, full-time and fully insured insider employment, while a growing proportion of the population are outsiders, whose employment status and employment biographies deviate from the insider model.". The authors affirm that the growth of employees as outsiders of the labour market brings many disadvantages them in terms of career development and weakens their social and political integration, putting them more at risk of poverty. The inequalities they suffer in the labour market and the precariousness of their employment are reflected in similar degrees in their social lives (Barbier, 2011, Lindbeck 2002).

As Rueda (2005) explains a large part of temporary employment is converged in low qualified sectors and due to their minimal protection and privileges, they make up a very precarious group of the labour market and are the ones who most endure the negative aspects of economic oscillations. Since they do not have enough job security, outsiders find employment prospects in economic upturns, but are easily laid-off in recessions.

Due to all the above-mentioned differences between insiders and outsiders, the labour market is disproportionately tormented by unemployment and economic downturns (Rueda, 2006). Employees should be fully legally protected and have the opportunity to ensure quality of life no matter their social, educational or economic background. Making the labour market less segmented, less discriminatory and more inclusive is fundamental for positive progress at the individual and national levels (Council of the European Union, 2015).

- **Critical account of the Economic Insider-Outsider Theory Literature**

Legislation that shelters employees can be interpreted as a positive aspect, yet this regulation is connected to the idea of rigidity of labour market affairs making it seem less attractive to policy-makers (Saint-Paul, 2000). Over-regulation is known to be the cause of labour market segmentation and due to that idea, the cure is understood to be the increase of employment flexibility. Flexibility, in terms of wage and job security, is the dominate concept to cure the employment and segmentation issue. A classic institutionalist versus neo-liberal dispute, where the neo-liberal view seems to have been winning since the late 1980's in OECD countries. As Howell (2005) explains, the neo-liberal standpoint is that institutions should be market-friendly and flexible to allow the natural shifts of the labour market and for that there needs to be a reduction in wages and job security. In his book he underlines that the OECD and IMF, major influencers of global economics, are the biggest advocates of labour market flexibility and they have diverted the attention of policy-makers to alternative explanations to the segmentation crisis. In Howell's words (2005: 35): "In the debate over job creation, nearly everyone agrees that flexibility is a good thing. It is certainly hard to argue with flexibility if the alternative is rigidity", emphasizing the misconceived conventional idea about regulation and the common negative connotation of the concept of rigidity in the world today. More and more economists and academics are testing the term flexibility and its implications and an increasing amount of them are finding contradictions in the conventional theory and understanding that deregulation is not the only way. Rubery et al. (2016) as well as Piasna and Myant (2017), for example, have been grand advocates of the negative effects of deregulation of the labour market. The authors have emphasized that deregulation does not produce long-term results, arguing that it neither creates jobs nor does it reduce segmentation (Barbieri, 2009).

Experts also fear that market deregulation will not yield significant positive and sustainable effects in terms of job opportunities and unemployment reduction. They show that in European countries it has even led to the substitution of permanent for temporary jobs, thereby reducing the overall employment. In the long run, reduction of employment regulation can have negative effects on employment in terms of wage penalties and career mobility, both of which are important indicators of social inequality (Rubery et al. 2016, Piasna and Myrant 2017).

Furthermore, the increase of flexible policies has the potential of creating new categories of “outsiders”. With the lack of legal provisions and adequate wage regulation, employers will

have the opportunity to reduce minimum standards for workers they find easy to substitute. By the same token, other vulnerable groups such as women, migrants, or lower-skilled and older people for example, will be faced with even greater challenges. In sum, Rubery et al. (2016) and Piasna and Myrant (2017) believe that the reduction of employment protection will further deepen labour market segmentation and increase the amount of welfare state costs for people who depend on state subsidy during the spells of unemployment.

In their article, Rubery et al. (2016) argues three reasons as to why employment protection reduction is not a good response to fight market segmentation: firstly, policy makers are focusing in the wrong direction by reducing the overall level of protection instead of trying to come up with new ways to improve the protection of those who have no protection to begin with; secondly, policy makers should opt for country-specific solutions, rather than "one-size-fits-all" European approach, which most certainly cannot be applied either in the context, or on the level, of every EU country. They must identify specific causes and appropriate solutions for each individual scenario; and finally, the division on "outsiders" and "insiders" needs to expand towards a more inclusive labour policy, thus encompassing every fraction of the labour market, and see if the interests and needs of these groups overlap. They defend an institutionalist perspective on labour economics, as they believe employment protection can reduce segmentation, promote fairer labour markets and produce long-term positive results.

The flexibility supporters often overlook that the labour market is affected by the monopolistic power of employers, especially during periods of high unemployment and disregard the fact that the labour market is not perfectly competitive. Thus, confirming the necessity of reforms on regulation and the reinforcement of minimum standards of protection and inclusiveness for those who are most vulnerable to exploitation due to lack of concrete job opportunities. On a human resource perspective, Rubery et al. (2016: 12) also refers that "Where competitive strategies are based on flexible employment forms, the risk is that employers neglect investments in training and HR practices that strengthen employee motivation and raise productivity.", here explaining the possible negative aspect of flexibilization on employee's morale, productivity, efficiency and well-being. Internal labour markets which have innumerous benefits for employers and employees are based on recruitment into permanent jobs and high protection against dismissals. The use of fixed termed contracts and restriction of outsiders into more permanent positions inside the firm can diminish the use of internal labour markets, as employees on with temporary positions do not benefit from career progression and on the job trainings for example (Grimshaw et al., 2001). A stable employment relationship is crucial for the feeling of justice and trust at the workplace. The difference in wages and

employment conditions between employees in the same firm can cause complications. Outsiders will not have a feeling of justice at the firm, since not all employees are not equally treated and covered. This feeling can cause them to be less motivated and productive, thereby further increasing their differentiation in comparison to insiders (Storm, 2007).

Many researchers and politicians affirm that labour market segmentation is a problem because it disseminates social inequality and exclusion and hinders the capability of companies' adaptation to everchanging business cycles (Council of the European Union, 2015, Rubery et al., 2016). This idea is solidified in policy-makers' mindsets and therefore, in recent years, especially in the EU, governments have adopted a stern deregulatory agenda (Esping-Andersen and Regini, 2000) because the discussion over liberalization and the pressures of the sovereign debt crisis, overpowered brain-storming attempts for other ways of solving the segmentation gap. Several recent studies have found that deregulation is not a one-take fix on the segmentation issue and that flexibilization, although providing some short-term outcomes, does not prove to sustain long-term employment, quality working conditions or competitiveness (Piasna and Myrant, 2017).

As regulations in the EU were characterized by many as stringent the rising levels of unemployment were cause of extreme worry during the crisis years, the European Commission over the years has suggested reforms that aim to decrease over-protection of insiders, increase protection for outsiders and ultimately increase overall participation in the labour market while still offering adequate protection to all those involved (Cardoso, 2018, Venn, 2009). The growth of non-standard forms of employment has reduced the unemployment rate in most countries but has caused a growth of the precarious segment of the outsiders (Barbieri, 2009).

Howell (2005) believes the dominant pro flexibility and neoliberal approach defended by international economic organizations is greatly flawed. He and other institutionalist labour market academics and politicians reckon that the unemployment and segmentation issue cannot be solely caused by rigidities in regulation. A free market model has been credited in recent years to be the best practice to increase employment and better performance of firms, much less is it the pass for a more inclusive labour market. Institutionalists believe that a sensible amount of legislation is appropriate not only to ensure quality life and work standards for employees, but that reregulation can benefit firms and their performance with the same coin (Abraham, 1994)

Piasna and Myrant (2017: 53) highlight the "contributions of employment regulation to macroeconomic and microeconomic stability, efficiency and wellbeing", stating that there are many benefits from regulation. On the macroeconomic level, regulation stabilizes the economy in periods of recession, boosts productivity through investment in training, provides security for taxation and the welfare system and contributes to the maximization of talent and increases the trust society. In microeconomy, regulation helps retain the best skilled employees, increases the quality and quantity of training, delivers stable income and social protection especially to vulnerable groups, solidifies the benefits from formal recruitment processes and augments the level of trust and fairness at the workplace. These are all valid explanations to be in favour of EPL as an employee, employer or common citizen and emphasizes the positive aspects that should be associated to the term "rigidness" of regulation, contrary to mainstream thought.

As in any science, all theories and standpoints must be thoroughly examined and taken into account before drawing general conclusions and taking action, therefore, in the issue of segmentation of the labour market one must understand both neo-liberal and institutionalist approaches to the topic as to stipulate policies and reforms that are appropriate for each state's context and goals. What has been observed globally in the recent years has been an overall move towards flexibilization of regulation and a stigmatization of regulation, especially in OECD countries. Despite this fact, it is fundamental to join new information and studied results without preconceived ideas to create adequate and rapid responses to the segmentation issue, to ensure that the success of the economy is sustainable in the long term and that it does not put anyone in danger of precarious employment and low living standards. To benefit all parties involved, the response to the segmentation problem must adapt to business needs, providing the necessary amount of flexibility to adjust to industry and market demands, and also acceptable for employees, protecting their best interest and maintaining a fair and inclusive workplace.

- **Employment Protection Legislation**

Explaining exactly which fields and indicators are incorporated in EPL is imperative to understand its role in this dissertation.

EPL concerns the guidelines that legally control unfair dismissals, severance payments, minimum lengths of notice periods, procedural requirements for hiring and firing and all other job security related aspects for employers and employees. Consequently, reducing employment protection directly rises the possibility of insiders to unemployment and facilitates the employment of outsiders, and on the contrary, increasing employment protection further safeguards insiders and increases the barriers of hiring outsiders (Rueda, 2006; Blanchard, 2006).

Some countries have more rigid EPL. Saint-Paul (2000) explains that many economies have institutions that limit the action of private companies and by standard these institutions degrade job creation and rise unemployment. EPL is also known for creating restrictions for companies regarding the reallocation of labour resources and hindering their ability to adapt to rapid business and technological changes (OECD, 2013).

From another standpoint, EPL also shelters workers from unfair and arbitrary behaviours from their employers and guarantees that firms pay attention to the social costs of their employment decisions (OECD, 2013). Under these circumstances, it has been a difficult task for policy-makers to adopt adequate and balanced positions regarding EPL, as it can simultaneously have positive aspects, such as increased job stability and protection, as adverse aspects too, such as reduced job creation and inefficient reallocation of labour resources (OECD, 2013).

Especially since 2010, EU countries have frequently made changes to their EPL and other labour market policies as to contain the effect of the financial crisis on the labour market (European Commission, 2013, Cardoso, 2018). In the Labour Market Developments Report (European Commission, 2013: 62), they emphasize the general trend of attempting to reduce the "discrepancy between the degree of protection of permanent versus temporary jobs, with a view to tackle the growing duality between workers with stable occupations and workers staying low in precarious jobs, with no easy access to permanent employment.”. The same report states that only two member-states (Ireland and Denmark) increased EPL in this period. In most countries during this period, EPL was reduced. In the 2017 version of the European Commission on Labour Market Developments, it is shown that reforms covering hiring and

firing were very intense until 2013 and that although they registered a small reduction of frequency, EPL reforms have remained strong throughout the post-crisis years. The same report (European Commission, 2017) states that regarding EPL, most countries did indeed follow past EU recommendations, which were aimed towards flexible regulations on permanent contracts to ensure smooth responses to business shocks; and towards limiting the abuse of temporary work contracts by enhancing their protection. The research conducted for this dissertation will add to the vast literature on this subject and paint a fuller picture of EPL in EU member-states, shedding a brighter light on whether implemented changes in EPL were in favour or against the protection of insiders and outsiders. For that, it is essential to explain which policy fields are included in EPL and their practical meaning for both segmented groups.

EPL is divided in three subcategories: legislation that impacts individual dismissals of regular contracts, another that impacts temporary contracts and temporary agency work, and finally, one which impacts collective dismissals. Given that our analysis is focused on changes in EPL of insiders and outsiders, regulations of collective dismissals or legislation based on collective agreements are not pertinent.

Concerning regular contracts, EPL states the conditions and procedures to dismiss an individual employee. The OECD divides regular contract legislation into three policy fields: procedural inconvenience, notice and severance pay for no-fault individual dismissal, and difficulty of dismissal. Procedural requirements, as the name indicates, clarifies the legal processes and conditions under which it is conceivable to dismiss an employee enforced in the country for different sectors. In many cases, if these procedures are not followed, sanctions are applied to employers. As the OECD (2013: 18) clarifies: “These procedures have been typically justified with by need to give workers the means of defending themselves against wrongful dismissals. However, they can sometimes be complex and constraining and the non-respect of the procedures must be established and sanctioned by courts.”. This group of legislation also states the notice period and consultation requirements considered fair in each country and sector according to statutory law. Some examples of legal regulations impact the length of notice period of dismissal, the calculations of severance payments, if these are related to distinct characteristics of employees (as, for example, their tenure or if they are blue or white collared workers), definitions of justified or unfair dismissals, as well as if they need permission from a third party (such as a public authority institution). These procedures are sometimes designated as inconveniences since they delay significantly employee releases and can call for very tricky bureaucratic processes (OECD, 2013). For the benefit of the employees, the same procedures

protect them for unfair situations, give them the right for compensation and allow time for reorganization of their professional life.

Table 1: Percentage of Temporary Employment of EU Member States by OECD

Countries	2012	2013	2014	2015	2016	2017
Austria	9.290	9.230	9.140	9.070	8.990	9.180
Belgium	8.140	8.210	8.660	9.020	9.170	10.430
Bulgaria	4.480	5.660	5.320	4.460	4.160	4.500
Croatia	13.320	14.490	16.950	20.390	22.270	20.800
Cyprus	15.040	17.420	18.920	18.400	16.410	15.290
Czech Republic	8.810	9.640	10.210	10.510	10.210	10.020
Denmark	8.540	8.760	8.500	8.630	13.610	12.890
Estonia	3.690	3.530	3.200	3.510	3.560	2.980
Finland	15.670	15.550	15.640	15.440	15.850	16.080
France	15.250	16.000	16.030	16.740	16.230	16.890
Germany	13.700	13.300	13.040	13.070	13.120	12.850
Greece	10.180	10.130	11.670	11.950	11.220	11.430
Hungary	9.540	10.930	10.800	11.360	9.730	8.810
Ireland	10.160	9.980	9.310	8.680	8.230	9.150
Italy	13.790	13.180	13.570	14.030	14.010	15.400
Latvia	4.680	4.390	3.290	3.760	3.730	3.020
Lithuania	2.640	2.710	2.760	2.060	1.930	1.650
Luxembourg	7.690	7.100	8.170	10.210	8.980	9.060
Malta	6.850	7.530	7.820	7.570	7.560	5.660
Netherlands	19.410	20.460	21.450	20.240	20.830	21.810
Poland	26.930	26.940	28.390	27.980	27.490	26.180
Portugal	20.520	21.400	21.450	21.970	22.270	21.990
Romania	1.550	1.430	1.490	1.400	1.380	1.190
Slovak Republic	6.840	6.960	8.880	10.610	10.080	9.610
Slovenia	17.110	16.470	16.670	17.960	17.070	17.850
Spain	23.410	23.140	24.000	25.140	26.060	26.670
Sweden	16.390	16.880	17.450	17.170	16.720	16.870
United Kingdom	6.340	6.230	6.430	6.200	6.040	5.720
European Union	13.730	13.740	14.050	14.230	14.230	14.340
OECD Total	11.770	11.070	11.130	11.260	11.240	11.240

Source: https://data.oecd.org/emp/temporary-employment.htm#indicator-chart

With the growth of non-standard employment, the need for regulations that protect temporary employees became more necessary. In some EU countries, as realised on the Table 1, temporary employment represents shocking amounts in countries like Croatia with 20% and Spain with 26% in 2017.

In this case, as organized by the OECD, EPL focuses on valid cases for the use of fixed-term contracts, the maximum number for their successive use and the maximum time of their accumulated duration. Also, according to the OECD, temporary agency work regulations in

EPL are connected to types of work where temporary agency work is legal, the maximum renewals and accumulative duration of temporary agency assignments, their reporting obligations and the equal treatment of agency workers and regular workers at the user firm.

Legislation in these cases rule in which situations fixed-term contracts can be used, normally it must be objectively justified by the nature of the job or in a specific response to a fluctuation of workload (OECD, 2013). It also regulates for how long the fixed term contracts can last and until when they can be renewed.

With Temporary Work Agencies (TWA), people are employed by the agency and put to work at a user firm. As the OECD (2013: 28) explains: "TWA employment might be used in some cases as a cheap way to by-pass employment protection on regular employment, as well as a means to weaken trade unions and avoid constraints imposed by collective agreements, when TWA assignees do not enjoy the same pay and working conditions as other workers regularly employed by their user firm.", hereby highlighting the protection gap between insiders and outsiders. Regulations on temporary agency work address in which sectors they have legalised participation and if they need a license or prerequisites for their operations.

As the LABREF database contains detailed information on all the policies implemented in the EU and is verified by member-states institutions, it was used to conduct the data analysis of this research. The divisions of EPL described above from the OECD are extremely similar in the LABREF database. Regarding insiders is has four categories: procedural requirements, notice and severance payments, definition of fair dismissal and a final group which consists of other permanent contract regulations; and regarding outsiders it has five categories: aximum number of renewals of fixed-term contracts, the maximum duration of the fixed-term contracts, temporary agency work regulations, definitions for valid reasons for fixed-termed contracts and an extra group for all other temporary contract related legislation. It is by using the divided regulations in consideration to regular and fixed-term contracts, that 353 implemented policies were examined if their direction enacted raises in the protection in favour of one of the segmented groups or if the new policy decreased their protection.

Table 2: Categories of EPL by OECD and LABREF

OECD Index		Segments	LABREF Database
Procedural inconvenience	Notification procedures	Insiders	Procedural requirements
	Delay involved before notice can start		
Notice and severance pay for no-fault individual dismissal	Length of notice period at 9 months		Notice and severance payments
	Length of notice period at 4 years tenure		
	Length of notice period at 20 years tenure		
	Severance pay at 9 months		
	Severance pay at 4 years tenure		
	Severance pay at 20 years tenure		
Difficulty of dismissal	Definition of justified or unfair dismissal		Definition of fair dismissal
	Length of trial period		
	Compensation following dismissal		
	Possibility of reinstatement following unfair dismissal		
	Maximum time to make a claim of unfair dismissal		Permanent contracts - other
Fixed-term contracts	Valid cases for use of fixed-term contracts	Outsiders	Maximum number of renewals of fixed-term contracts
	Maximum number of sucessive fixed-term contracts		
	Maximum cumulated duration of sucessive fixed-term contracts		Maximum duration of fixed-term contracts
Temporary work agency employment	Types of work for which TWA employment is legal		
	Restrictions on the number of renewals of TWA assignments		Temporary agency work
	Maximum cumulated duration of TWA assignments		Definition of valid reasons for fixed-term contracts
	TWA: authorisation or reporting obligations		
	Equal treatment of regular and agency workers at the user firm		Temporary contracts - Other

Source: http://www.oecd.org/employment/emp/oecdindicatorsofemploymentprotection.htm and https://webgate.ec.europa.eu/labref/public/

- **Hypotheses in study**

Based on the discussion above, the dissertation formulates four hypotheses:

H1: Due to the pressure caused by sovereign debt crisis, most changes in EPL occurred during the period of highest recession, mainly between 2011 to 2013.

H2: Countries which suffered most pressure from external intervention to reduce their public deficits and had higher interest rates on their sovereign debt made changes to their EPL which tend towards the relaxation of security for both insiders and outsiders.

H3: In line with the economic insider-outsider theory, we expect that the evolution of policies registered a reduction of the protection gap between insiders and outsiders. This was so because one of the main objectives of the policies was to reduce labour market segmentation.

H4: In line with the discussion around liberalization, employment protection has registered an overall reduction for both segmented groups, without bringing the segmentation gap closer together. This was so because the objective of these policies was to further liberalise EPL and not to close the gap between insiders and outsiders.

Methodology

As state institutions influence the labour market through labour legislation, this dissertation will undertake the notions described above and analyse labour reforms specific to EPL of the EU-28 countries from the period of 2008 until 2017, in order to understand whether the labour reforms concerning EPL in the past years have resulted in the approximation or deterioration of the situation of insiders and outsiders. The aim of the qualitative analysis of EPL legislation is to extend and complement the existing literature on this type of legislation and its articulation with labour market segmentation in the EU.

For increased quality results and practical reasons, the study will focus on the EU-28 countries since they were under EDP. This means, they were sternly subjected to preventive and correctional implications of the Stability and Growth Pact of the European Commission. Therefore, these countries registered the most structural changes to their labour legislation. The goal is to observe if EPL has been reduced or strengthened on either end and draw the implications these actions may have on the current and future working conditions of these countries, as well as, the changing role that HRM will have resulting from the modifications in labour law.

This qualitative research is based on the descriptive study of 353 reforms of EPL and their categorization whether in favour or against the protection of insiders or. This means, each implemented policy was observed and consequently, given a code related to if the level of job security was increased or decreased by the policy at stake.

The consistency and accurate representation of the dissertation's construct and results is assured by using valid secondary data on European legislation, retrieved from the respected LABREF Database. The OECD Strictness Index was also used to reflect on how strict the countries were before the period of study. Moreover, well tested and known theories of a wide-ranging bibliography of human resource management and comparative political economy were applied as sources of further foundation, namely, the insider versus outsider theory of unemployment and European Commission Reports.

The information about labour reforms of the EU countries has been collected using the LABREF Database, which was created by the European Commission's Directorate-General for Employment, Social Affairs and Inclusion and is verified by all member-states. It joins information on enacted legislation based on record facts regarding policies that influence labour

market institutions and control market performance. Information on each reform has been organized into various tables in letter and numerical codes, as to examine and produce conclusions about the directionality of the regulations.

The LABREF database organises each reform by country, policy domain, policy field and year of implementation. Furthermore, it provides a general description of the reform and dedicates a column to if each reform enacted an increase or decrease in the level of employment protection.

The dataset and codes used are shown on table three. This table explains how each reform was given a code with a letter which represents the field it belongs to. The first four policy fields concern insiders: procedural requirements (a), notice and severance payments (b), definition of fair dismissal (c) and permanent contracts – other (d). The last five concern outsiders: maximum number of renewals (e), maximum duration of fixed-term contracts (f), temporary agency work (g), definition of valid reasons for fixed-term contracts (h) and temporary contracts – other (i). Since the field of collective dismissals belong to a different group of reforms, they are included in the appendix, but are not codified nor used in this study. The same applies for collective agreements, which are not legislative reforms**.**

After observation of the policies, they were also given a number which corresponds to if the level of protection increased or decreased in consequence of that policy's implementation. Therefore, policies which concern insiders have two options: number one represents that the policy is "in favour of greater protection for insiders" and number two means that the policy is "against the protection of insiders". Policies for outsiders were also given a numerical code: number three means that the reform is "in favour of greater protection for outsiders" and number four means the reform is "against the protection of outsiders".

By examining if there was an increase or reduction of protection of the two groups, the study can conclude if the segmentation gap separating insiders and outsiders was enlarged or brought closer together in recent years.

For a deeper observation of trends across the EU, groups of countries were also examined according to their geographical position in Europe. Seven groups were devised: Anglo-Saxon EU Countries (Ireland and the UK), Baltic EU Countries (Latvia and Lithuania), Continental EU Countries (Austria, Belgium, France, Germany, Luxembourg and the Netherlands); East Central EU Countries (Czech Republic, Hungary, Poland and Slovakia); Scandinavian EU Countries (Denmark and Finland); Southern EU Countries (Cyprus, Greece,

Italy, Malta, Portugal and Spain) and lastly, South-eastern EU Countries (Bulgaria, Croatia, Slovenia and Romania).

Table 3: Datasets and indicators of EPL

Countries	Labour policy dimension	Labour policy field		Variables	Period	Database
Austria Belgium Bulgaria Croatia Cyprus Czech Republic Denmark Finland France Germany Greece Hungary Ireland Italy Latvia Lithuania Luxembourg Malta Netherlands Poland Portugal Romania Slovakia Slovenia Spain UK	Employment Protection Legislation	Insiders	Procedural requirements (a)	1 = in favour of greater protection for insiders; 2 = against the protection of insiders	2008-2017	Labour Reforms (LABREF)
			Notice and severance payments (b)			
			Definition of fair dismissal (c)			
			Permanent contracts - other (d)			
		Outsiders	Maximum number of renewals of fixed-term contracts (e)	3 = in favour of greater protection for outsiders; 4 = against the protection of outsiders		
			Maximum duration of fixed-term contracts (f)			
			Temporary agency work (g)			
			Definition of valid reasons for fixed-term contracts (h)			
			Temporary contracts - Other (i)			

Results

- **Interpretation**

In this section, the results of the dissertation's study will be exposed and interpreted. Firstly, the total results are presented. After, the results are shown by the year they were implemented. Later, the same results are presented regarding their field and finally, the results are studied by the geographical groups that were devised into.

Table 4: Total policies from 2008 until 2017

	Total policies in EPL	**Total policies for insiders**		**Total policies for outsiders**	
		+	-	+	-
Austria	9	5	2	1	1
Belgium	16	6	4	3	3
Bulgaria	12	5	4	2	1
Croatia	9	2	4	1	2
Cyprus	3	0	0	3	0
Czech Republic	13	2	3	4	4
Denmark	3	0	0	3	0
Finland	8	1	2	4	1
France	31	13	10	3	5
Germany	3	1	0	2	0
Greece	21	3	8	3	7
Hungary	8	1	4	1	2
Ireland	3	2	1	0	0
Italy	46	1	10	20	15
Latvia	8	3	3	1	1
Lithuania	27	11	8	2	6
Luxembourg	4	2	1	1	0
Malta	4	4	0	0	0
Netherlands	23	6	7	7	3
Poland	7	1	1	3	2
Portugal	17	2	8	3	4
Romania	17	4	5	3	5
Slovakia	14	2	3	7	2
Slovenia	13	5	3	5	0
Spain	23	2	14	3	4
UK	11	1	8	2	0
Total	**353**	**85**	**113**	**87**	**68**

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented group.

Table 4 shows that most policies registered are "against the protection of insiders" (113). The second highest group with most policies is "in favour of protection of outsiders" (87). This could confirm that the segmentation gap between insiders and outsiders regarding the

employment protection of the two types of contracts was reduced. Segmented groups were brought slightly closer together, since legislation was mostly against the increase of protection of insiders and in favour of the increase of protection of outsiders. Despite that, observing this data more in detail, it is also possible to see a significant number of reforms were implemented "against outsiders" (68) and therefore, reforms did not necessarily decrease the gap between the two groups. As only 19 reforms separate the two options for outsiders, it is complicated to say if their protection has meaningfully increased. Since this overview does not give a clear interpretation over the topic, it was essential to further study the 353 policies, especially regarding their policy field. Deeper results are further explained in the next tables. Table 4 also shows that the country which implemented most policies in this period was Italy, followed by France and after Lithuania. Tied after in fourth place with most reforms are Spain and the Netherlands, followed by Greece and, in sixth place, there is as well Portugal and Romania. This is particularly interesting to highlight, as in the first six places of countries that were most active in this period, four countries are from the Southern EU zone. Countries which implemented a lower number of policies were Cyprus, Ireland and Germany.

Table 5: Total policies "in favour" of insiders by year.

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Austria	1	-	1	-	1	-	-	2	-	-	**5**
Belgium	-	-	-	-	2	2	2	-	-	-	**6**
Bulgaria	2	-	-	-	1	-	-	2	-	-	**5**
Croatia	-	-	-	-	-	-	1	-	1	-	**2**
Cyprus	-	-	-	-	-	-	-	-	-	-	**0**
Czech Republic	-	-	1	1	-	-	-	-	-	-	**2**
Denmark	-	-	-	-	-	-	-	-	-	-	**0**
Finland	-	-	-	-	-	-	-	-	-	1	**1**
France	-	-	-	1	-	3	2	2	2	3	**13**
Germany	-	-	-	-	-	1	-	-	-	-	**1**
Greece	-	-	-	1	-	-	-	-	-	2	**3**
Hungary	-	1	-	-	-	-	-	-	-	-	**1**
Ireland	-	-	-	-	-	1	1	-	-	-	**2**
Italy	-	-	1	-	-	-	-	-	-	-	**1**
Latvia	-	-	-	-	1	-	-	1	-	1	**3**
Lithuania	-	-	3	2	2	-	-	-	3	1	**11**
Luxembourg	-	-	-	-	-	-	-	2	-	-	**2**
Malta	-	-	-	-	1	2	-	1	-	-	**4**
Netherlands	-	-	-	-	1	-	2	2	1	-	**6**
Poland	-	-	-	-	-	-	-	-	-	1	**1**
Portugal	-	-	-	-	-	2	-	-	-	-	**2**
Romania	-	-	-	2	-	-	-	1	1	-	**4**

Slovakia	-	-	-	-	2	-	-	-	-	-	**2**
Slovenia	-	-	-	-	-	3	2	-	-	-	**5**
Spain	-	-	1	-	1	-	-	-	-	-	**2**
UK	-	-	-	-	-	1	-	-	-	-	**1**
Total	**3**	**1**	**7**	**7**	**12**	**15**	**10**	**13**	**8**	**9**	**85**

To draw chronological conclusions, the policies implemented in this period were studied by year. As seen on Table 5, the countries which register the most policies "in favour" of insiders are, in descending, order France, Lithuania and tied, in third place, Belgium and the Netherlands. Concerning yearly activity, most policies "in favour of insiders" were implemented in the period between 2012 and 2015.

Table 6: Total policies "against" insiders by year

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Austria	-	-	-	-	-	-	-	-	1	1	**2**
Belgium	-	-	-	1	-	2	-	-	1	-	**4**
Bulgaria	1	-	1	-	1	-	-	1	-	-	**4**
Croatia	-	-	-	-	-	1	2	-	-	1	**4**
Cyprus	-	-	-	-	-	-	-	-	-	-	**0**
Czech Republic	-	-	-	3	-	-	-	-	-	-	**3**
Denmark	-	-	-	-	-	-	-	-	-	-	**0**
Finland	-	-	-	-	-	-	-	-	2	-	**2**
France	2	-	-	-	-	1	-	4	2	1	**10**
Germany	-	-	-	-	-	-	-	-	-	-	**0**
Greece	1	-	3	-	3	-	1	-	-	-	**8**
Hungary	-	-	-	1	3	-	-	-	-	-	**4**
Ireland	-	-	-	-	-	-	-	1	-	-	**1**
Italy	1	1	2	-	4	1	-	1	-	-	**10**
Latvia	-	-	-	-	1	1	1	-	-	-	**3**
Lithuania	-	-	-	-	-	-	2	-	6	-	**8**
Luxembourg	-	-	-	-	-	-	-	1	-	-	**1**
Malta	-	-	-	-	-	-	-	-	-	-	**0**
Netherlands	1	-	-	-	-	1	2	2	1	-	**7**
Poland	-	-	-	-	-	1	-	-	-	-	**1**
Portugal	1	2	-	1	2	1	1	-	-	-	**8**
Romania	-	-	-	1	1	-	-	1	2	-	**5**
Slovakia	-	-	-	3	-	-	-	-	-	-	**3**
Slovenia	-	-	-	-	-	3	-	-	-	-	**3**
Spain	-	-	3	2	7	1	1	-	-	-	**14**
UK	1	-	-	2	2	3	-	-	-	-	**8**
Total	**8**	**3**	**9**	**14**	**24**	**16**	**10**	**11**	**15**	**3**	**113**

Table 6 shows the policies "against" the protection of insiders organized by year implemented. It shows that the countries which register the most policies "against" the increase of protection of insiders are in descending order Spain, France and Italy (tied) and Portugal, UK and Lithuania (tied). Concerning the years of implementation, most policies against the increase of protection of insiders were implemented in the period of 2012-2013.

Table 7: Total policies "in favour" of outsiders by year

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Austria	-	-	-	-	1	-	-	-	-	-	**1**
Belgium	-	-	-	-	1	1	-	-	-	1	**3**
Bulgaria	-	1	-	-	-	-	-	1	-	-	**2**
Croatia	-	-	-	-	-	-	1	-	-	-	**1**
Cyprus	-	-	-	-	1	-	-	-	2	-	**3**
Czech Republic	-	-	1	-	-	-	-	-	2	1	**4**
Denmark	-	-	-	-	-	1	1	1	-	-	**3**
Finland	2	-	1	1	-	-	-	-	-	-	**4**
France	-	-	-	-	-	1	-	1	-	1	**3**
Germany	-	-	-	-	-	-	-	-	1	1	**2**
Greece	-	-	1	-	1	-	-	-	1	-	**3**
Hungary	-	-	-	1	-	-	-	-	-	-	**1**
Ireland	-	-	-	-	-	-	-	-	-	-	**0**
Italy	-	1	2	-	12	2	1	2	-	-	**20**
Latvia	-	-	1	-	-	-	-	-	-	-	**1**
Lithuania	-	-	1	1	-	-	-	-	-	-	**2**
Luxembourg	-	-	-	-	-	1	-	-	-	-	**1**
Malta	-	-	-	-	-	-	-	-	-	-	**0**
Netherlands	-	-	-	-	2	-	4	1	-	-	**7**
Poland	-	-	-	-	-	-	-	2	1	-	**3**
Portugal	-	1	-	-	-	-	-	-	1	1	**3**
Romania	-	-	-	-	-	-	1	1	-	1	**3**
Slovakia	-	-	-	-	3	1	2	1	-	-	**7**
Slovenia	-	-	-	-	-	3	1	-	-	1	**5**
Spain	-	-	1	1	-	1	-	-	-	-	**3**
UK	-	-	1	-	-	-	-	1	-	-	**2**
Total	**2**	**3**	**9**	**4**	**21**	**11**	**11**	**11**	**8**	**7**	**87**

The next two tables contain information by year about reforms to outsiders. Table 7 demonstrates that Italy is the country with most policies "in favour" of their protection. The Netherlands and Slovakia are tied at second place with most policies "in favour". 2012 was the year with most policies "in favour" of the increase of protection of outsiders, followed by the period of 2013-2015 with the same number of policies.

Table 8: Total policies "against" outsiders by year

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Austria	1	-	-	-	-	-	-	-	-	-	**1**
Belgium	-	-	-	-	-	-	1	-	1	1	**3**
Bulgaria	-	-	-	1	-	-	-	-	-	-	**1**
Croatia	-	-	-	-	-	1	-	-	-	1	**2**
Cyprus	-	-	-	-	-	-	-	-	-	-	**0**
Czech Republic	-	-	-	2	-	1	-	-	1	-	**4**
Denmark	-	-	-	-	-	-	-	-	-	-	**0**
Finland	-	-	-	-	-	-	-	-	1	-	**1**
France	1	-	-	-	-	-	1	3	-	-	**5**
Germany	-	-	-	-	-	-	-	-	-	-	**0**
Greece	-	-	2	2	-	1	2	-	-	-	**7**
Hungary	-	-	-	-	1	-	-	-	1	-	**2**
Ireland	-	-	-	-	-	-	-	-	-	-	**0**
Italy	2	-	-	-	6	2	3	2	-	-	**15**
Latvia	-	-	-	-	-	-	1	-	-	-	**1**
Lithuania	-	-	-	1	3	1	-	-	1	-	**6**
Luxembourg	-	-	-	-	-	-	-	-	-	-	**0**
Malta	-	-	-	-	-	-	-	-	-	-	**0**
Netherlands	-	-	1	-	-	-	-	1	-	1	**3**
Poland	-	-	-	-	-	-	-	1	-	1	**2**
Portugal	-	1	-	1	1	1	-	-	-	-	**4**
Romania	-	-	-	3	-	1	-	1	-	-	**5**
Slovakia	-	-	-	2	-	-	-	-	-	-	**2**
Slovenia	-	-	-	-	-	-	-	-	-	-	**0**
Spain	-	-	1	-	-	3	-	-	-	-	**4**
UK	-	-	-	-	-	-	-	-	-	-	**0**
Total	**4**	**1**	**4**	**12**	**11**	**11**	**8**	**8**	**5**	**4**	**68**

Interestingly, Table 8 confirms that the country with most policies "against" the increase of protection of outsiders is also Italy, followed by Greece and Lithuania. The period that registered most policies "against outsiders" is 2011-2015.

As aforementioned, insiders and outsiders have different policy fields within EPL and researching each field independently is important to have a clearer view on the topic and draw conclusions on segmentation of the labour market. Therefore, Table 9 summarizes all the policies implemented for insiders by fields.

Table 9: Policies by field regarding insiders

	Procedural requirements		Notice and severance payments		Definition of fair dismissal		Permanent contracts - Other	
	+	-	+	-	+	-	+	-
Austria	2	-	1	1	2	1	-	-
Belgium	-	-	1	1	1	1	4	2
Bulgaria	3	1	1	-	1	2	-	1
Croatia	1	3	-	-	-	1	1	-
Cyprus	-	-	-	-	-	-	-	-
Czech Republic	1	1	-	1	-	1	1	-
Denmark	-	-	-	-	-	-	-	-
Finland	1	2	-	-	-	-	-	-
France	5	7	2	-	1	1	5	2
Germany	-	-	-	-	-	-	1	-
Greece	2	3	-	3	1	1	-	1
Hungary	-	1	-	1	1	2	-	-
Ireland	1	-	-	-	1	-	-	1
Italy	1	6	-	2	-	1	-	1
Latvia	2	1	-	1	-	-	1	1
Lithuania	4	2	2	3	3	1	2	2
Luxembourg	1	-	-	-	-	1	1	-
Malta	-	-	-	-	-	-	4	-
Netherlands	2	2	1	4	1	-	2	1
Poland	-	-	-	-	-	-	1	1
Portugal	-	2	1	3	1	3	-	-
Romania	2	4	-	-	2	-	-	1
Slovakia	1	1	1	2	-	-	-	-
Slovenia	-	1	-	1	1	-	4	1
Spain	-	-	2	10	-	2	-	2
UK	1	3	-	1	-	-	-	4
Total	30	40	12	34	16	18	27	21
Total by policy field	**70**		**46**		**34**		**48**	

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented group.

The field which has more policies is "procedural requirements", followed by "permanent contracts - other", "notice and severance payments" and lastly, "definition of fair dismissal". In fields (a), (b) and (c) more policies have been "against" the increase of the protection of insiders. Only field (d) registered more policies "in favour" of insiders. It is curious to see that the policy field with least total reforms implemented is "definition of fair dismissal". This field is of heighten importance to employees because it is where they obtain most of their legal protection against unfair dismissals. What is also curious is that the field of "procedural requirements"

registers such a high number of reforms in relation to other fields. The "procedural requirements" field pertains to most hiring and firing processes and changes here have a special weight that can increase strictness or, on the other side, flexibility of the labour market significantly.

Table 10: Total policies by field regarding outsiders

	Maximum number of renewals of fixed-term contracts		Maximum duration of fixed-term contracts		Temporary agency work		Definition of valid reasons for fixed-term contracts		Temporary contracts - Other	
	+	-	+	-	+	-	+	-	+	-
Austria	-	-	-	-	1	1	-	-	-	-
Belgium	-	-	-	-	3	2	-	-	-	1
Bulgaria	-	-	-	-	1	1	-	-	1	-
Croatia	-	1	-	1	1	-	-	-	-	-
Cyprus	-	-	1	-	1	-	1	-	-	-
Czech Republic	-	-	-	1	4	1	-	1	-	1
Denmark	-	-	-	-	2	-	-	-	1	-
Finland	1	-	-	-	2	-	1	1	-	-
France	-	1	-	-	2	-	-	1	1	3
Germany	-	-	-	-	2	-	-	-	-	-
Greece	-	-	-	1	3	5	-	-	-	1
Hungary	-	-	-	-	1	-	-	-	-	2
Ireland	-	-	-	-	-	-	-	-	-	-
Italy	1	3	2	3	1	-	-	3	16	6
Latvia	-	-	-	1	1	-	-	-	-	-
Lithuania	-	-	1	-	1	1	-	3	-	2
Luxembourg	-	-	-	-	-	-	-	-	1	-
Malta	-	-	-	-	-	-	-	-	-	-
Netherlands	2	1	1	1	3	-	-	-	1	1
Poland	1	-	1	-	-	1	-	-	1	1
Portugal	-	2	1	-	1	-	-	-	1	2
Romania	-	-	-	1	-	1	-	1	3	2
Slovakia	1	1	-	1	3	-	-	-	3	-
Slovenia	-	-	1	-	1	-	-	-	3	-
Spain	1	-	1	-	-	2	-	1	1	1
UK	-	-	-	-	1	-	-	-	1	-
Total	7	9	9	10	35	15	2	11	34	23
Total by policy field	**16**		**19**		**50**		**13**		**57**	

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented group.

Likewise, Table 10 summarizes the policies for outsiders by fields. By far most policies were registered in the "temporary agency work" and "temporary contracts – other" field, both

of which were more "in favour" of greater protection. The other three outsider fields have registered more policies "against" the increase of their protection, but by a smaller differential.

The results of Table 10 present thought-provoking results. For example, the field of "temporary agency work" applies to an extremely small percentage of overall workers on temporary contracts. Mentioning shortly Table 1, where the percentage of overall temporary employment in EU countries was shown, for example, in 2017, Croatia registered 20% of their population working on temporary contracts and according to Eurostat data, in the same year only 3.3% of these employees worked with TWA. Similarly, Spain, in 2017, had 26% of temporary employment and Eurostat shows that only 0,3% were specifically working in TWA. Despite that, it is a field with several more policies (50) in relation to other fields which could make a larger impact on the whole of the segmented group. For example, the field of "definition of valid reasons for fixed-term contracts", which contains policies which allow or restrict the practice of temporary employment in different industries and sectors, register only 13 reforms of which 11 are "against" the increase of protection. These facts reveal how the optimistic first glance at the global results of Table 4, where outsiders registered most policies "in favour" of greater protection, are perverse. By having registered more policies "in favour" of greater protection, it does not exactly mean that the segmentation gap was brought closer together, since the policy fields which would influence more directly that result, are the policy fields with the least number of reforms and the ones that register more reforms "against" greater protection.

Although these general results give us an idea of the overall tendency in the EU, not all countries follow the same trend. Below, country specific tendencies are described, and it is shown that not all countries followed this overall trend.

To understand trends in certain regions of the EU, groups of countries were devised. Seven groups were formed and will appear in this order: Anglo-Saxon EU Countries (Ireland and the UK), Baltic EU Countries (Latvia and Lithuania), Continental EU Countries (Austria, Belgium, France, Germany, Luxembourg and the Netherlands); East Central EU Countries (Czech Republic, Hungary, Poland and Slovakia); Scandinavian EU Countries (Denmark and Finland); Southern EU Countries (Cyprus, Greece, Italy, Malta, Portugal and Spain) and lastly, South-eastern EU Countries (Bulgaria, Croatia, Slovenia and Romania). To contextualize country specific results and have an idea of the strictness that already existed in their labour market before the period of this study, the Strictness of Employment Protection Index of the

OECD will be described for regular and temporary contracts as a point for reflection. Their scale goes from 0 (not strict) to 6 (very strict).

Table 11: Strictness of Employment Protection by OECD

Country	Year*	Strictness of EPL for insiders	Strictness of EPL for outsiders
Austria	2008	2,12	2,17
Belgium	2008	2,14	2,42
Bulgaria	*no data*	*no data*	*no data*
Croatia	2015	2,32	2,88
Cyprus	*no data*	*no data*	*no data*
Czech Republic	2008	3	1,88
Denmark	2008	2,03	1,79
Finland	2008	2,38	1,88
France	2008	2,67	3,75
Germany	2008	2,53	1,54
Greece	2008	2,69	3,17
Hungary	2008	1,82	1,92
Ireland	2008	1,37	0,71
Italy	2008	2,6	2,71
Latvia	2012	2,57	1,79
Lithuania	2014	2,23	1,79
Luxembourg	2008	2,28	3,38
Malta	*no data*	*no data*	*no data*
Netherlands	2008	2,9	1,17
Poland	2008	2,2	2,33
Portugal	2008	4,17	2,29
Romania	*no data*	*no data*	*no data*
Slovakia	2008	2,19	2,17
Slovenia	2008	2,43	2,5
Spain	2008	2,22	3,5
UK	2008	1,31	0,42

*The earliest year of available data was used for each country. Source: http://www.oecd.org/employment/emp/oecdindicatorsofemploymentprotection.htm

Table 12: Anglo-Saxon EU Countries

Insiders

	Procedural requirements		Notice and severance payments		Definition of fair dismissal		Permanent contracts - Other	
	+	-	+	-	+	-	+	-
Ireland	1	-	-	-	1	-	-	1
UK	1	3	-	1	-	-	-	4
Total	2	3	-	1	1	-	-	5
Total by policy field	**5**		**1**		**1**		**5**	

Outsiders

	Maximum number of renewals of fixed-term contracts		Maximum duration of fixed-term contracts		Temporary agency work		Definition of valid reasons for fixed-term contracts		Temporary contracts - Other	
	+	-	+	-	+	-	+	-	+	-
Ireland	-	-	-	-	-	-	-	-	-	-
UK	-	-	-	-	1	-	-	-	1	-
Total	-	-	-	-	1	-	-	-	1	-
Total by policy field	**-**		**-**		**1**		**-**		**1**	

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented groups.

On Table 12, Anglo-Saxon countries are represented. The OECD listed Ireland with a strictness of 1,37 for insiders and 0,71 for outsiders and the UK with 1,31 for insiders and 0,42 for outsiders in 2008. This means, both countries already enjoyed the lowest strictness in their labour markets in relation to all the countries in this study.

From the study of this dissertation, in Ireland and the UK, most policies from 2008 until 2017 were made regarding insiders, namely in the "procedural requirements" and "permanent contract – other fields". Of the total of 12 policies, 9 were against the increase of the protection of insiders. Concerning outsiders, only the UK implemented new reforms, both of which are "in favour" of the increase of their protection. To sum up, the general trend in this group was to decrease protection job security for insiders and very little was done regarding outsiders, as the only two policies not only come from the UK but are also in less influential fields.

Table 13 provides information on Baltic EU countries. The OECD only has data on the strictness of employment protection in Latvia from 2012 when it registered 2,57 for insiders and 1,79 for outsiders; for Lithuania, data was only available in 2014 and they were listed with 2,23 for insiders and 3,21 for outsiders.

Table 13: Baltic EU countries

	Insiders							
	Procedural requirements		Notice and severance payments		Definition of fair dismissal		Permanent contracts - Other	
	+	-	+	-	+	-	+	-
Latvia	2	1	-	1	-	-	1	1
Lithuania	4	2	2	3	3	1	2	2
Total	6	3	2	4	3	1	3	3
Total by policy field	**9**		**6**		**4**		**6**	

	Outsiders									
	Maximum number of renewals of fixed-term contracts		Maximum duration of fixed-term contracts		Temporary agency work		Definition of valid reasons for fixed-term contracts		Temporary contracts - Other	
	+	-	+	-	+	-	+	-	+	-
Latvia	-	-	-	1	1	-	-	-	-	-
Lithuania	-	-	1	-	1	1	-	3	-	2
Total	-	-	1	1	2	1	-	3	-	2
Total by policy field	**-**		**2**		**3**		**3**		**2**	

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented groups

Insiders in Latvia and Lithuania have seen their protection generally increased in the past years. From Table 13 we can see most regulatory activity was in consideration to insiders. Lithuania registers more changes than Latvia, other than in the "permanent contract - other field", where both countries are tied. Only in the "notice period and severance pay" field has there been a larger reduction than increase of the protection of insiders. The outsiders table reflects that more policies were against the increase of their protection, namely regarding "temporary work agencies" and "the definition of valid reasons for fixed-term contracts" fields. Taken as a whole, the trend in this group was more focused on insiders, consequently promoting slightly more reforms "in favour" of greater protection. As for the outsiders, the tendency is "against" greater protection.

Table 14 is comprised of Continental EU countries. In this group, the OECD Strictness Index has a small range for insiders: Belgium has the lowest with 2,14 and the Netherlands has the highest with 2,90. Regarding outsiders, the OECD describes Austria with 2,17, Belgium with 2,42, France with 3,75, Germany with 1,54, Luxembourg with 3,83 and the Netherlands with 1,17.

Table 14: Continental EU countries

Insiders

	Procedural requirements		Notice and severance payments		Definition of fair dismissal		Permanent contracts - Other	
	+	-	+	-	+	-	+	-
Austria	2	-	1	1	2	1	-	-
Belgium	-	-	1	1	1	1	4	2
France	5	7	2	-	1	1	5	2
Germany	-	-	-	-	-	-	1	-
Luxembourg	1	-	-	-	-	1	1	-
Netherlands	2	2	1	4	1	-	2	1
Total	10	9	5	6	5	4	13	5
Total by policy field	**19**		**11**		**9**		**18**	

Outsiders

	Maximum number of renewals of fixed-term contracts		Maximum duration of fixed-term contracts		Temporary agency work		Definition of valid reasons for fixed-term contracts		Temporary contracts - Other	
	+	-	+	-	+	-	+	-	+	-
Austria	-	-	-	-	1	1	-	-	-	-
Belgium	-	-	-	-	3	2	-	-	-	1
France	-	1	-	-	2	-	-	1	1	3
Germany	-	-	-	-	2	-	-	-	-	-
Luxembourg	-	-	-	-	-	-	-	-	1	-
Netherlands	2	1	1	1	3	-	-	-	1	1
Total	2	2	1	1	11	3	-	1	3	5
Total by policy field	**4**		**2**		**14**		**1**		**8**	

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented groups.

France is the country with most policies implemented. Policies regarding insiders in this group are head to head between "in favour" and "against" their protection in three fields: "procedural requirements", "notice and severance payments" and in "definition of fair dismissal". In these fields, only one policy separates the two options. Most policies were implemented in the "procedural requirements" field, followed by "permanent contracts – other". In consideration to the outsiders of this group of countries, most policies were implemented for "temporary work agencies" by a large difference. Temporary work agencies have the most policies "in favour" of the increase of their protection. In the other field of outsiders, policies are either tied between the two options (fields "maximum number of renewals" and "maximum duration" of fixed-term contracts) or against the increase of their protection ("definition of valid reasons for fixed-term contracts" and "temporary contracts – other"). To synthesize, there was an overall increase of the protection for insiders and regarding outsiders, only "temporary agency work" registered a significant increase.

Table 15: East Central EU countries

	Insiders							
	Procedural requirements		Notice and severance payments		Definition of fair dismissal		Permanent contracts - Other	
	+	-	+	-	+	-	+	-
Czech Republic	1	1	-	1	-	1	1	-
Hungary	-	1	-	1	1	2	-	-
Poland	-	-	-	-	-	-	1	1
Slovakia	1	1	1	2	-	-	-	-
Total	2	3	1	4	1	3	2	1
Total by policy field	**5**		**5**		**4**		**3**	

	Outsiders									
	Maximum number of renewals of fixed-term contracts		Maximum duration of fixed-term contracts		Temporary agency work		Definition of valid reasons for fixed-term contracts		Temporary contracts - Other	
	+	-	+	-	+	-	+	-	+	-
Czech Republic	-	-	-	1	4	1	-	1	-	1
Hungary	-	-	-	-	1	-	-	-	-	2
Poland	1	-	1	-	-	1	-	-	1	1
Slovakia	1	1	-	1	3	-	-	-	3	-
Total	2	1	1	2	8	2	-	1	4	4
Total by policy field	**3**		**3**		**10**		**1**		**8**	

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented groups.

Regarding East Central EU countries (Table 15), the OECD registered, in 2008, the Czech Republic with 3,00 for insiders and 1,88 for outsiders; Hungary with 1,82 for insiders and 1,92 for outsiders; Poland with 2,20 for insiders and 2,33 for outsiders; and Slovakia with 2,19 for insiders and 2,17 for outsiders. Therefore, only the Czech Republic was considered to have a relatively stricter employment protection in the period prior to the period in study. Slovakia is the country with most policies implemented, followed by, in decreasing order, Czech Republic, Hungary and Poland. Three ("procedural requirements", "notice and severance payments" and "definition of fair dismissal") out of four insiders fields have more policies "against" the increase of their protection than "in favour". The field of "maximum number of renewals of fixed-term contracts" and "temporary work agencies" registered in favour of the increase of their protection. Namely, "temporary agency work" have the largest number of policies implemented by far. To wrap up, the tendency in East Central EU countries was to decrease the protection of insiders and, once more for outsiders, only the "temporary agency work" registered a significant change and in its increase of protection.

Table 16 exposes the Scandinavian EU countries' policies. The OECD Strictness Index characterizes Denmark in 2008 as 2,03 for insiders and 1,79 for outsiders and Finland, in the

same year, as 2,38 for insiders and 1,88 for outsiders. At that time, both countries were relatively alike in strictness.

Table 16: Scandinavian EU countries

	Insiders							
	Procedural requirements		Notice and severance payments		Definition of fair dismissal		Permanent contracts - Other	
	+	-	+	-	+	-	+	-
Denmark	-	-	-	-	-	-	-	-
Finland	1	2	-	-	-	-	-	-
Total	1	2	-	-	-	-	-	-
Total by policy field	**3**		**-**		**-**		**-**	

	Outsiders									
	Maximum number of renewals of fixed-term contracts		Maximum duration of fixed-term contracts		Temporary agency work		Definition of valid reasons for fixed-term contracts		Temporary contracts - Other	
	+	-	+	-	+	-	+	-	+	-
Denmark	-	-	-	-	2	-	-	-	1	-
Finland	1	-	-	-	2	-	1	1	-	-
Total	1	-	-	-	4	-	1	1	1	-
Total by policy field	**1**		**-**		**4**		**2**		**1**	

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented groups.

Since then, insider policies were only implemented in the "procedural requirements" field and were "against" their interests. More legal action was taken in respect to outsiders and in this group most policies were "in favour" of their interests. Once again, the field with most policies is "temporary agency work". To synthesize, Denmark implemented very few reforms to their EPL and only in regard to greater protection for outsiders. Finland did not make so many reforms, but focused on the decrease of protection for insiders, also mainly, the increase of protection for outsiders.

Table 17 joins the Southern EU countries. By far, this group is the one with most policies implemented, with a total of 52 policies for insiders and 62 policies for outsiders. It is also the group with the highest scores from the OECD regarding the strictness of their EPL in the same year, 2008. Although, the OECD does not have data on Cyprus and Malta, Greece registered 2,69 for insiders and 3,17 for outsiders and Italy had 2,60 for insiders and 2,71 for outsiders. Portugal registered the overall highest scored for insiders of the entire study, with 4,17 and 2,29 for outsiders. Spain had 2,22 for insiders and the highest score for outsiders, 3,50.

Table 17: Southern EU countries

Insiders

	Procedural requirements		Notice and severance payments		Definition of fair dismissal		Permanent contracts - Other	
	+	-	+	-	+	-	+	-
Cyprus	-	-	-	-	-	-	-	-
Greece	2	3	-	3	1	1	-	1
Italy	1	6	-	2	-	1	-	1
Malta	-	-	-	-	-	-	4	-
Portugal	-	2	1	3	1	3	-	-
Spain	-	-	2	10	-	2	-	2
Total	3	11	3	18	2	7	4	4
Total by policy field	**14**		**21**		**9**		**8**	

Outsiders

	Maximum number of renewals of fixed-term contracts		Maximum duration of fixed-term contracts		Temporary agency work		Definition of valid reasons for fixed-term contracts		Temporary contracts - Other	
	+	-	+	-	+	-	+	-	+	-
Cyprus	-	-	1	-	1	-	1	-	-	-
Greece	-	-	-	1	3	5	-	-	-	1
Italy	1	3	2	3	1	-	-	3	16	6
Malta	-	-	-	-	-	-	-	-	-	-
Portugal	-	2	1	-	1	-	-	-	1	2
Spain	1	-	1	-	-	2	-	1	1	1
Total	2	5	5	4	6	7	1	4	18	10
Total by policy field	**7**		**9**		**13**		**5**		**28**	

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented groups.

Italy is the country with most policies, followed by Spain and then Greece. In the first three fields for insiders, most policies are "against" the increase of their protection by more than triple the number "in favour". For outsiders, only two ("maximum duration of fixed-term contracts and "temporary contracts – other") of the five fields have more policies in favour of the increase of their protection. To sum up, this is the group not only that made most changes, but that also made most reforms "against" both segmented groups. Of the nine policy fields, six were "against" their interests.

Finally, South-eastern EU countries are found in table 18. The OECD did not have information on Bulgaria's or Romania's strictness. For Croatia, only in 2015, did they have the data for insiders (2,32) and outsiders (2,88). For Slovenia, in 2008, the OCED describes their strictness as 2,43 for insiders and 2,50 for outsiders.

Table 18: South-eastern EU countries

	Insiders							
	Procedural requirements		Notice and severance payments		Definition of fair dismissal		Permanent contracts - Other	
	+	-	+	-	+	-	+	-
Bulgaria	3	1	1	-	1	2	-	1
Croatia	1	3	-	-	-	1	1	-
Romania	2	4	-	-	2	-	-	1
Slovenia	-	1	-	1	1	-	4	1
Total	6	9	1	1	4	3	5	3
Total by policy field	**15**		**2**		**7**		**8**	
	Outsiders							
	Maximum number of renewals of fixed-term contracts		Maximum duration of fixed-term contracts		Temporary agency work		Definition of valid reasons for fixed-term contracts		Temporary contracts - Other	
	+	-	+	-	+	-	+	-	+	-
Bulgaria	-	-	-	-	1	1	-	-	1	-
Croatia	-	1	-	1	1	-	-	-	-	-
Romania	-	-	-	1	-	1	-	1	3	2
Slovenia	-	-	1	-	1	-	-	-	3	-
Total	-	1	1	2	3	2	-	1	7	2
Total by policy field	**1**		**3**		**5**		**1**		**9**	

Note: The symbol + refers to the reforms "in favour" of the segmented group. The symbol – refers to the reforms "against" the segmented groups.

In general, more action has been taken regarding insiders in these countries. The "procedural requirements" field is the only one that has registered more policies "against" the interest of insiders. Similarly, to other country groups, regarding outsiders, most policies were registered in "temporary agency work" and "temporary contracts – other" fields and both are "in favour" of the increase of their protection.

- **Discussion**

This dissertation formulated four hypotheses a with the study that was conducted on 353 reforms of the EU countries under EDP. Only the first hypothesis is confirmed as a general tendency in the whole of the population in study. The last three hypotheses are confirmed in different countries to a different extent. The EU countries presented in this study had different priorities during the period in which the debt crisis coincided. Some had time to deal with issues like the reduction of segmentation in the labour market and others had greater pressures and larger problems to deal with during that time, such as, sharp external pressure to reduce their deficit. Consequently, this leads to the idea that, in present day, the segmentation of the labour market and the position of outsiders are not at the same point throughout the EU.

The European debt crisis began in 2008 and reached its peak during the 2011-2013 period. As previously mentioned, due to the debt crisis, EU member-states were incentivized to make greater structural changes. These changes were characterized by austerity and reforms in various areas and as to what pertains to this dissertation, reforms regarding EPL. The results analyzed by year of implementation in this dissertation (Tables 5, 6, 7 and 8) highlight that, in all cases presented, the years which registered most reform activity were in the 2011-2013 period. Restating, the year with most reforms "in favour" and "against" insiders was 2012. As for outsiders, the year with most reforms in their "favour" was also 2012 and the year with most reforms "against" their interests was 2011. This confirms hypothesis number one presented in this dissertation: the pressure caused by the sovereign debt crisis did indeed trigger most changes in EPL during the years of highest recession.

Furthermore, some countries suffered more pressure than others to reduce their public deficits during the recession and dealt with higher interest rates on their sovereign debt (Marques and Hörisch, 2019). These countries include Greece, Italy, Portugal and Spain (Cardoso, 2018; Pavolini et al., 2015; Sacchi, 2015; Theodoropoulou, 2014). According to Eurostat data, these countries not only had severe drop of their GDP, but also has higher long-term government bond yields, which intensifies even more the debt crisis. Their perilous situation led them to adopt larger structural reforms and cede to additional external pressure (Marques and Hörisch, 2019).

This is the reason why it was essential to study country-specific tendencies, since not all the EU was dealing with the same extent of recession. Table 17, the Southern EU Countries table, englobes the four above mentioned countries with the highest interest rates on their sovereign debt and the highest strictness levels. It reveals that these countries were the ones with the highest number of reforms implemented on both insiders and outsiders. For insiders, reforms implemented were concentrated by a large differential on "against" their greater protection. For outsiders, the reforms implemented were also, in majority, "against" their greater protection. On the contrary from other country groups, Southern EU countries were ones who not only made reforms in one or two fields, for example the recurrent "temporary agency work" field, but they made many several changes on all fields for outsiders. These facts combined bring us to the second hypothesis constructed in this dissertation: the changes in EPL of countries with more external pressure to reduce their public deficits and that had higher interest rates did, indeed, tend towards the relaxation of protection for both segmented groups.

For the segmentation issue to be cured, the protection gap between insiders and outsiders would need to close. The two types of contracts would need to be brought closer together in terms of job security. The results of the study conducted in this dissertation in regard to that are unclear. In fact, there are various countries that tended towards the reduction of protection for insiders and also implemented more reforms "in favour" of the protection of outsiders, for example the Scandinavian, Continental and East Central groups. Despite that, looking deeper in these groups, the increase of protection of outsiders, shown by more reforms made "in favour" of their interests, were more frequent in policy fields that do not ignite much of a change for the whole of group of outsiders, like "temporary agency work" and in the diverse "temporary contract – other field". In quantitative terms, there were increases of protection for outsiders in these three groups, but that does not mean that all outsiders were directly influenced by these policies. Therefore, to what pertains hypothesis 3, one can say that the solving the segmentation issue was on the minds of policy-makers, but the gap was only brought very slightly closer together and there is still much work to be done for the outsiders to attain the same extent of protection as insiders.

Finally, aligned with what was mentioned around the discussion of liberalization in the literature review, the results of this study also unravel that there was an overall reduction of employment protection for both groups in some cases. For example, in the Anglo- Saxon EU country group, which were already the least strict countries, where most activity was made "against" the protection of insiders and little was done for outsiders. In the Baltic and South-eastern groups, it is hard to say at which point they are regarding segmentation. Joint they are tied in total "in favor" and total "against" options for both groups. Although, there were many reforms "in favour" of greater protection, there were also many "against" greater protection and this leads to believe that the introduction of liberalization was perhaps more of a priority than curing the segmentation problem.

Implications for HRM

Firms need to develop compliance with national regulations in their countries of work. In this case, the study conducted in this dissertation, reveals the different guidelines companies in the EU need to account for when going upon their people operations. In this section, possible implications that weakened EPL for outsiders can cause in HRM practices will be discussed.

Distinct EPL regulations in each country are applied and influence companies' overall decision-making in HRM. Aligning companies' strategic goals with their people operations departments is key for successful business; and these people operations are regulated by the statutory law in place. If a country has more flexibility in their employment law, firms can act differently than if they were working in a country with stricter guidelines regarding employment protection, namely, hiring and firing, and vice-versa.

There is both danger and opportunity in using different forms of employment contracts inside the same firm. On one side, flexible employment schemes offer shorten hiring and firing procedures, which enable firms to make quick decisions according to ever-changing business needs. Many HR practitioners also emphasize the increased motivation and productivity of staff on fixed-term contracts, since they are tendentially incentivized to prove themselves worthy for a chance to achieve insiders' status. On the other side, the dangerous aspects from increased temporary employment schemes occur when these are not accompanied by equal treatment policies in terms of benefits, training and security.

Temporary employment fragments firm's staff to two groups: the core group of insiders and the peripheral group of outsiders. Although regulations insist on equal treatment of both types of employees, many studies have shown the lack of investment in the temporary staff (Feldman et al.., 1994; Burgess and Connell, 2006). Burgess and Connell (2006) emphasize dangers of extensive temporary employment such as the exclusion of outsiders from the typical employment benefits and the firms internal labour market, where career paths and training opportunities are generally accessible. Among some financial and procedural benefits of using temporary contracts in firms, it is also important to emphasize, that if the competitive advantage of the organization is based on human capital, this is, the knowledge, skills, and abilities of the individuals working in an organization, extensive use of flexible employment is not ideal. As Roca-Puig et al. (2012: 5) refers: "Firms can thus increase their human capital levels through human resource management practices related to employee selection and training. Organizations can use selection to increase their generic human capital, while focusing on training to develop firm-specific human capital". Since outsiders spend less time in the firm and

generally do not participate in as much formal training, their human capital can easily be fall between the cracks of their employment arrangement. In the same article, Roca-Puig et al. (2012: 7) confirms that: “Firms are more likely to invest in training and development of employee skills, the longer the post-training period over which they can recover their investment”, hereby emphasizing the great possibility of lack of investment in training for employees with a ephemeral passage with the firm and consequently, the loss of human capital of outsiders.

As Rubery et al. (2016: 7) explains: "Increased competition and reduced employment security also have some negative consequences for firms. High turnover labour markets not only lead to low training and few opportunities for promotion for workers but also to problems of employment management. Firms typically have to fill vacancies at all levels of the organisation with all the challenges this poses (…)", hereby highlighting the possible negative aspects of greater job churn facilitated by liberal markets.

In "Managing Temporary Workers: A Permanent HRM Challenge" (Feldman et al., 1994), the authors go over the common feelings among employees on fixed-term contracts. From the article one can see how the nature of the employment contract influences the employees' day-to-day emotions and behaviours at the workplace. It is important that temporary workers are not seen as an easy commodity for firms, because it can lead them to be treated in degrading and inhuman way on the job. Also, if advancement opportunities are not provided, temporary employees can become very pessimistic and insecure, feelings that will hinder their productivity and well-being on the job. To what concerns temporary agency work, the HRM between agencies and user firms should be aligned, as to not create false hopes or ambiguity, which can also hinder efficiency and productivity of the temporary employees (Feldman et al., 1994; Burgess and Connell, 2006).

In the article by Roca-Puig et al. (2012), the study conducted confirms the incompatibility between investments in human capital by HR managers in the existence of low employment protection and shows that the most profitable HRM policy is evident if fixed-term contracting is reduced and investments in human capital are strengthened.

In sum, for firms to be able to take advantage of the opportunities provided by liberal regulations of labour markets, such as diversity, flexibility and convenience, it is essential that they put in practice policies that ensure equal treatment of insiders and outsiders and make sure that the outsiders do not fall between the cracks of EPL and that their human capital is not lost.

The use of temporary employment schemes, which are facilitated by reduced EPL of outsiders, enhances gains over some aspects of HRM, for example increased job-matching and reduced procedural costs. At the same time, they can also compromise other aspects, such as the lack of commitment and feeling of justice of the temporary employees, negative impacts on the behaviour of insiders when faced with competition of the entrance of outsiders and, in the case of extensive use of temporary agencies, it can compromise the integrity and existence of organization's own HR branches (Feldman et al., 1994; Burgess and Connell, 2006, Roca-Puig et al., 2012).

Conclusion

The goal of this dissertation was to understand if labour market segmentation had become better or worse through the new EPL reforms implemented in the crisis years in the EU. More precisely, it analyzed if the 353 reforms since 2008, weakened or strengthen the employment protection position of insiders or outsiders and if the countries under EDP followed all the same tendency regarding EPL, or if their alterations differed due to their different standpoints during the recession, for example the countries suffering most external pressure or the discussion around ultimate liberalization.

The overall numbers show that more policies have been implemented that weaken insiders' protection and strengthen outsiders' protection, thus showing that the segmentation gap might be coming closer together. Despite that, once the data was analyzed in more detail, it exposed that the reforms that were implemented on both sides were not in the policy fields that would generate most results regarding curing segmentation. Insider policies were concentrated on the "procedural requirements" field which when weakened, as proven in these years, liberalizes labour relations. Outsider policies which strengthen employment protection were concentrated in the "temporary agency work" field, which only applies to a reduced number of outsiders. It is unclear to what extent the segmentation gap was brought closer together overall.

Despite that, the study found, as Rubery et al. (2016) already gave hints, that the "one-siz-fits-all" EU approach was not verified. Although all the countries in the study were under EDP, some felt the recession to a deeper extent than others, for example, Southern EU countries and therefore the alterations they made were not in line with fixing segmentation of the labour market, but in line with the external pressure they underwent to increase competitiveness of their economies, decrease unemployment and reduce their public deficits. The main conclusion is that, in present day, segmentation of the labour market and the position of outsiders are not at the same point throughout the EU. Adequate protection for both insiders and outsiders, that secure not only the interests of organization but also the development of employees, is essential and future policies should focus on closing the segmentation gap but there is no policy which can be applied for every EU country that would produce the same results. It is up for organizations and HR departments to react correctly to the growth of outsiders in the labour market and ensure that no human capital is lost nor are their employees at risk of precarious employment due to the lack of statutory regulations on their job security.

Further investigation should focus on country specific contexts and brain-storm other forms of solving labour market segmentation, besides the reduction of EPL.

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Appendix

Contents:

Reforms of employment protection legislation in Europe in times of crisis: Was the labour market segmentation gap brought closer together?

Supporting Information

This document details the statements extracted from the LABREF database for the coding of employment protection policies. The text given in the description column is directly quoted from the sources indicated. The countries are presented in alphabetical order and the policies in chronological order.

Coding system for policies:
The first four fields effect employees with permanent contracts (insiders); the last five fields effect employees with temporary contracts (outsiders).

Policy Field	Procedural requirements	**a**
	Notice and severance payments	**b**
	Definition of fair dismissal	**c**
	Permanent contracts - Other	**d**
	Maximum number of renewals of fixed-term contracts	**e**
	Maximum duration of fixed-term contracts	**f**
	Temporary agency work	**g**
	Definition of valid reasons for fixed-term contracts	**h**
	Temporary contracts - Other	**i**

Due to the fact that the field of collective dismissals belong to a different group of reforms, they will be included in this appendix, but will not be codified nor used in this study. The same goes for collective agreements, which are not considered legislative alterations.

For the purpose of this study, policies will be categorized if they are in favor or against insiders and in favour or against outsiders in terms of protection.

Insiders	In favor of insiders	**1**
	Against insiders	**2**

Outsiders	In favor of outsiders	**3**
	Against outsiders	**4**

Table P1 – Job protection (EPL) policies in Austria (2008−2017).

Policy measures	Description
2008 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Amendment to the equal treatment for men and women act** Source: LABREF **Code: a1**	The current regulation provides that people who have been dismissed from work after submitting a complaint about gender-related discrimination are only entitled to fight for their re-employment before the courts. The amendment provides for an alternative approach, in that illegally dismissed victims of gender-related discrimination at the workplace may opt for financial compensation for both the loss of income and psychological harassment suffered instead of returning to their job in the same workplace. The period for legally filing a law suit against the employer for the purpose of re-employment currently stands at two weeks, while the period for legally suing the employer for damages has been fixed at six months following dismissal. The level of the compensation payment is to be determined by the courts. Moreover, the draft provides for higher financial compensation for women who have not been employed just on the grounds of gender, amounting to a sum of two months' pay instead of the current amount of only one month's pay. Likewise, minimum compensatory fines are set to be increased in cases of any kind of discrimination such as on the grounds of gender, religion, ethnic origin, age or sexual orientation – associated with the denial of an employment relationship. The defined period for taking legal action against the employer in the case of any harassment will be extended to one year. In the event of multiple complaints of discrimination, each case of discrimination will be treated separately by the courts, so that the penalties imposed for each infringement can be combined.
2008 Policy domain: Job protection (EPL) Policy field: Temporary agency work **New regulation of temporary employment agencies** Source: LABREF **Code: g4**	New regulation of temporary employment agencies: improving the employment possibilities of different groups of people through creating more flexible forms of labour opportunities.

2010 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Easing employment protection for handicapped people** Source: LABREF **Code: c1**	Employment protection for handicapped people is eased in order to bring more handicapped people in employment, notably by increasing the qualifying time for special protection from dismissal for (eligible) disabled people from 6 months to 3 years.
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Introduction of a fee for the employer's termination of a work contract** Source: LABREF **Code: b1**	The introduction of the 'Fee for the employer's termination of a work contract' (Auflösungsabgabe) was part of the austerity package, the so-called 'Stability Package 2012-2016' which was decided in parliament on 28 March 2012. It came into effect by the beginning of 2013. If an employer terminates a work contract (open-ended; for fixed-term contracts with a duration of at least 6 months) which is subject to unemployment insurance contributions, a fee of 113 € (for 2013) has to be paid.
2012 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Implementing EU Directive on temporary agency work 2008/104** Source: LABREF **Code: g3**	Giving those employed on temporary agency contracts equality with full-time staff and guarantees better working conditions. the new Act brings Austrian employment legislation into line with the EU Directive on temporary agency work (Directive 2008/104/EC). Around 75,000 temporary agency workers – approximately 58,000 men and 17,000 women – are affected directly by the new regulations. The new Act also establishes a fund for further training and special social needs of temporary agency workers who are unemployed. The fund is financed from contributions of temporary work agencies and the State, and run by Social Partner representatives and is operational as of 2014
2015 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Pregnant freelance workers get protection** Source: LABREF **Code: c1**	Freelance workers whose working relationship closely resembles to employment were granted protection against the termination of their contract during pregnancy: if the freelance worker can establish that her contract was terminated because of her pregnancy, she can either ask for reinstatement or claim damages.

2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements **All-in contracts have to specify basic payment** Source: LABREF **Code: a1**	All-in contracts are contracts in which parties agree on a lump sum payment, both for regular work and overtime work. Courts accept all-in clauses as long as minimum wages are observed and employees are guaranteed adequate payment for overtime work. However, contracts often do not clearly indicate which part of the remuneration covers regular work and which part covers overtime work. Whenever this distinction is not made, employees have difficulty determining whether or not the all-in agreement guarantees adequate payment for overtime work. § 2g AVRAG now requires employers who use all-in contracts to clearly specify in their note-of-employment which part of the all-in remuneration covers regular work (basic payment). If this is not the case, the customary remuneration in the industry will apply for regular working hours and not – as has been ruled by courts up to now - the minimum wage.
2016 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Young people under eighteen may terminate their employment contracts with immediate effect if not part of a qualification plan** Source: LABREF **Code: b2**	The Act obliges young people who completed the compulsory nine years of education to continue with some kind of qualification until they reach the age of eighteen. Teens who continue with their schooling or do an apprenticeship obviously meet this obligation. However, teens who enter a regular employment contract do not meet that obligation. Employment contracts may only be considered a qualification if they are part of a training plan/scheme of that particular teen, established by the competent authority (labour market service, social or youth services). A teen entering into an employment contract that is not part of a training plan/scheme, may terminate that contract with immediate effect at any time, without losing any contractual entitlements. The Act entered into force on August 1 2016. From 1 July 2018 onwards, the legal guardians of teens who do not comply with the obligation to work on a qualification plan, or who continue an employment that does not meet the requirements of said plan, are subject to fines, comparable to fines for not complying with compulsory education (e.g. € 100 to € 500 for a first time offence).
2017 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Relaxing dismissal regulation for people aged 50+** Source: LABREF **Code: c2**	In order to facilitate the hiring of workers over the age of 50, the special dismissal protection regulations applicable to that age group will be relaxed from 2017 onward. As a result, the same rules will apply to workers over the age of 50 as for younger workers.

Table P2 – Job protection (EPL) policies in Belgium (2008−2017).

Policy measures	Description
2008 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Wider obligations to provide outplacement when massive lays-off** Source: LABREF **Not coded**	Wider obligations to provide outplacement when massive lays-off (adopted 16-01-09). Currently, companies of more than 20 workers dismissing workers have the obligation to provide outplacement services to workers above 45 years during 6 months with the creation of a "cellule pour l'emploi". This obligation would be extended to workers under 45 years (outplacement services during 3 months) and to temporary and interim workers who worked in the company for more than 1 year. For companies with less than 20 workers, it is not an obligation but it's possible to create a "cellule pour l'emploi" as well. It is compulsory for ex-workers to register to this outplacement services, and it will reimburse: 2000€ (for +45years) if they accept a new job, 1000€ if not and half of it if -45years old i.e. 1000€ when accepting new job, 500€ if not. In addition to this, employment (wage-) support is available for companies that take over staff laid off by other companies.
2011 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Obligation to respect the age pyramid within the company in the event of redundancies** Source: LABREF **Not coded**	Introduction of the obligation to respect the age pyramid within the company in the event of redundancies.
2011 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Harmonising conditions for blue-collar and white-collar workers** Source: LABREF **Code: d2**	1) Harmonising the conditions of dismissal, by increasing the length of notice given to blue-collar workers and decreasing it for white-collar workers. For contracts starting after January 1st 2012, blue-collar workers will receive longer term of notice. Current period is multiplied by a factor of 1.15. For employees earning a gross annual salary higher than 30,535 Euros, the new term of notice is one month per year of service (included the current one). Nothing changes for employees earning less than 30,535 Euros gross annually. 2) For blue-collar workers, the first day of illness, also called a missed day, is not paid at all, whereas it is paid in full for white-collar workers. The agreement addresses this discrepancy by applying the same treatment to blue-collar workers. 3) Improving the situation for blue-collar workers regarding holiday benefits, with the goal of developing one single calculation method for all workers.

2012 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Establishment of legal presumption against bogus self-employment** Source: LABREF **Code: d1**	A legal presumption has been established in four professional areas. Any person who meets more than half of the criteria in the law is considered an employee. Otherwise, it is considered self-employed.
2012 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Tightening of the rules governing the posting of workers** Source: LABREF **Code: d1**	Client undertakings may now exercise authority over workers hired out to them in areas other than those for which authorisation has already been granted (obligations relating to health and safety in the workplace, working time, rest periods and the performance of the work agreed) solely on the basis of a contract between the employer and the client undertaking, provided that: 1) the instructions which the client is authorised to give to workers are described in the contract; 2) this entitlement to issue instructions does not undermine the employer's authority.
2012 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Implemeting Directive 2008/14 on temporary agency work** Source: LABREF **Code: g3**	Three new obligations for employing temporary agency workers : 1) The interim workers will have to be informed on internal vacancies; 2) They must have equal access to infrastructures and services available to permanent employees; 3) They have to be subject to the internal rules concerning the protection of pregnant women and the periods of breastfeeding, the equal treatment between men and women and the fight against discrimination.
2013 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Abolishing December Holiday Settlement** Source: LABREF **Code: b2**	The Royal Decree simplifies the December Holiday Settlement by abolishing it up to December 2014 (holiday settlement is the rule by which employer must pay the required fees when the white collar employee's employment contract ends. The employer must pay a 'departure holiday payment in addition to the payment of the salary for December of the year in which the reduction takes place, if the contract of the employee ends.)

2013 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Harmonization of the rules applicable to blue collar and white collar workers** Source: LABREF **Code: b1**	In case of notice by the employer, the harmonised build-up of notice periods will progressively evolve during the first 5 years of service on a quarterly basis during the first 2 years and on an annual basis afterwards. From the 5th to the 19th week the notice period increases of 3 weeks per year; from the 20th year it increases by 2 weeks and from the 21st year by one week per year. Reduced notice periods for workers with less than 6 months of employment are abolished. The notice period given by the employee is equal to half the notice period to be given by the employer, with a maximum of 13 weeks. Some less favourable exceptions remain for specific sectors: 1) A permanent exception for construction workers working on mobile sites. 2) A temporary exception applicable for 4 years in several other sectors, mainly affecting blue-collar workers working in the apparel industry, the wood works and furniture industry, the diamond industry, etc. Acquired rights would to some extent be taken into account but the build-up of additional notice period rights would be identical for all. The shorter notice periods built up by blue-collar workers under the current rules, will be compensated by the government. To this effect, the draft law foresees a new "dismissal compensation" equal to the difference between the compensation in lieu of notice granted on the basis of the new rules and the compensation granted according to the current rules. The budget for this additional dismissal compensation will come from the abolition of the existing fiscal exemption (introduced in 2011) on part of the compensation in lieu of notice. No more trial period. Only student employment contracts and temporary agency work continue to foresee a trial period, which is now fixed at 3 days at the beginning of the contract.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Creation of an administrative committee responsible for determining employment relationships** Source: LABREF **Code: d1**	Creation of an administrative committee responsible for determining employment relationships, the role of which is to take decisions regarding the classification of a given employment relationship (employment or self-employment). Aim of the measure is to prevent social security fraud by those falsely declaring themselves self-employed or employed. The committee was set up by the Programme Law of 27 December 2006 on employment relationships. The practical steps for its creation have now been completed and the procedural formalities have been established by royal decree.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Removed the Limosa declaration for all salaried and self-employed trainees**	According to this new law, the prior mandatory declaration of the hiring of trainees has been eliminated as a consequence of the judgement of the European Court of Justice of 19 December 2012, C 577/10, European Commission v. Belgium. On the basis of this judgement, the rules concerning the Limosa obligations

Source: LABREF **Code: d2**	for posted workers and self-employed persons were re-amended with the Act of 11 November 2013, which removed the mandatory Limosa declaration for salaried and self-employed trainees as of 1 July 2013. A first amendment was introduced with a Royal Decree of 19 March 2013, amending the Limosa Decree of 20 March 2007. This adjustment included both foreign and self-employed workers as well as trainees, and a shortened list of mandatory information to be provided. Second, the Act of 11 November 2013 has removed the Limosa declaration for all salaried and self-employed trainees.
2013 Policy domain: Job protection (EPL) Policy field: Temporary agency work **New collective agreement on temporary agency work** Source: LABREF **Not coded**	New cross-sectoral agreement on temporary agency work. Changes relate mainly to the use of temporary agency work and daily work contracts: 1) employers have been also allowed to use temporary agency work as a way of employing workers on a trial basis before offering them a permanent contract; 2) daily work contracts are now permitted for the 'flexibility needs' of the 'customer-user'. There has to be proof that the flexibility provided by daily work contracts is needed. 'Customer-user' employers must consult their works council or a trade union delegation, explaining why such contracts are necessary. If there is no works council or union, they must inform the Social Fund for temporary agency workers (Fastt). The joint committee of the customer-user employer is expected to deal with any problems, and unresolved cases should be referred to the Labour Court. 3) A new condition allows the hiring of temporary agency workers for the 'reason of insertion'. Temporary agency workers can now fill vacant posts for a maximum of six months. After this 'trial period', a permanent contract can be offered but it is not compulsory. The law has been drawn up to avoid the increase of 'precarious jobs' by forbidding companies to use temporary agency workers for the purposes of labour market insertion for longer than nine months in total, for the same vacant job. 4) New procedures to monitor the temporary agency workforce now oblige 'customers-users' and temporary work agencies to notify trade unions when temporary agency workers are employed in companies.
2013 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Fixing the scope of insertion that will permit employers to use temporary agency work** Source: LABREF **Code: g3**	The scope of insertion that will permit employers to use temporary agency work is fixed. This measure, entered into force the 1st of September, also allows the employer to engage definitively the temporary worker for the same function at the end of his employment contract. Thus, the use of TAW contract as a de facto trial period has been included in the list of legitimate reasons (as a result of the July 2013 Collective Labour Agreement). In order to prevent abuse, businesses recruiting via TAW have to fulfil some extra conditions as outlined below: 1) a maximum of three consecutive

	temporary agency contracts are allowed for each vacancy; 2) each contract must last for a minimum of a week and a maximum of six months; 3) if a temporary worker is recruited, they must be given a permanent contract and the temporary period counts towards their seniority calculations; 4) if a trial period precedes recruitment, any temporary period of employment has to be counted as part of it. As well as making agency work a legitimate recruitment tool, a number of other legal changes have been made: Consecutive daily contracts are no longer accepted, unless the nature of the job can justify this practice; Every six months under the new rules, the employer must inform the works council, the union delegation or the sectoral Fund for Social Security on the number of agency workers it employs, their working hours, and the reasons for their employment; The bargaining partners also agreed to changes to the '48-hour regulation'. This set a time limit of two working days after an employee's arrival in the workplace for a labour agreement to be signed.
2014 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Excersise of the right to be informed about reasons of dismissal** Source: LABREF **Code: c1**	1) Obligation at the request of the employee: right to be informed about reasons of dismissal; 2) Exceptions to the obligation to inform about the reasons for the dismissal: during the first 6 months, in case of a temporary contract, bridge-pension, when reaching statutory retirement age, collective redundancy and bankruptcy; 3) The sanctions for breaching the obligation to inform: predetermined fine equal to the wages of 2 weeks of salary; 4) Sanctions in case of "unfair dismissal"; 5) Burden of proof. Article 63 on arbitrary dismissals will continue to apply until 31 December 2015 for dismissed blue collar workers in certain sectors. These provisions replace the legal provision on abuse of dismissals of blue collar workers, as stipulated in Article 63 of the Employment Contracts Act.
2014 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Possibility for valid employment contract in additional official language** Source: LABREF **Code: d1**	Following ECJ ruling, the Flemish Parliament has amended the Decree of the Flemish Community of 19 July 1973 on the requirement to use Dutch for all employment-related documents. The basic rule that all employment-related documents and records must be concluded in Dutch remains if the employer's business is based in the Dutch language territory of the Flemish Community. However, for individual cross-border employment contracts the legislation now explicitly provides for the possibility to conclude a legally valid employment contract in an additional official language of another EU Member State or of the European Economic Area (i.e. Iceland, Norway and Liechtenstein).
2014 Policy domain: Job protection (EPL)	Law of 24 July 1987 on Temporary Agency Work, in principle, prohibits temporary agency work, with some

Policy field: Temporary contracts – Other **Enabling joined employers to mutually benefit from temporary employees** Source: LABREF **Code: i4**	limited exceptions.The Belgian Law of 12 August 2000 introduced some exceptions and allows employers to join together to engage employees in service and to set out the provisions relating to temporary work and publishing these.Since this exception was underused, the legislator modified the exceptions in Articles 64-72 of the new Belgian Law of 25 April 2014. The purpose of the modification is to enable the joined employers to mutually benefit from the employees hired in accordance with their specific and multiple needs. The Act contains several regulations under which circumstances employers can join together and use temporary employees.
2016 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Extension of criteria under which a company can suspend the employment contract of white-collar workers due to economic difficulties** Source: LABREF **Code: c2**	Provisions relating to economic unemployment among white-collar workers were included in the Employment Contracts Act of 3 July 1978, which laid out the criteria to assess whether a company is experiencing such economic difficulties that would make permissible the suspension of the employment contract of white-collar employees and their temporary access to unemployment benefits. From June 2016, these criteria are extended and include a new criterion, under which a company has to be recognized by the Ministry of Labour as a company in difficulty, due to unforeseen circumstances resulting in a decline in sales, production or the number of orders.
2016 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Federal law abolishing the 48-hour rule for the conclusion of employment contract for temporary agency work** Source: LABREF **Code: g4**	For the conclusion of a temporary agency contract, the employment contract for temporary agency work must be concluded in writing for every temporary agency worker separately no later than on the date the temporary worker begins work. This amendment abolishes the “48-hour rule”, under which it was possible to conclude the written employment contract for temporary agency work within two working days from the date of the work commenced. Failure to comply with this rule leads to the contract for temporary agency work being legally considered an employment contract for an indefinite period. With this law, the legislator introduced the necessary changes requested by the social partners. The legislator linked the abolition of the 48-hour rule to the possibility of widespread use of electronically signing employment contracts for temporary agency work.
2017 Policy domain: Job protection (EPL) Policy field: Temporary agency work **New regulation for hiring temporary agency workers** Source: LABREF	It introduces a double declaration of employment (“Dimona”) for temporary agency employment contracts. Now temporary work agencies that hire temporary agency workers with an employment contract of indefinite duration must also make an immediate (electronic) “Dimona”, therefore a double declaration.

Code: g3	
2017 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Extended legislation of flexi-jobs to various sectors** Source: LABREF **Code: g4**	"Among the several measures foreseen by the Programme Law, it amends the current legislation on flexi-jobs, extending the possibility of using flexi-jobs from the hotel and catering industry (horeca) to sectors of trade, small and medium enterprises, food industry, retail trade, hairdressing and beauty undertakings. Now employees or retired persons can earn additional income on top of their regular salary or legal pension entitlements. The benefits foreseen by the Law of 16 November 2015 are maintained, i.e. it allows an individual with an ordinary employment to work in an industry while receiving a flexi-salary, i.e. a net wage fixed by agreement exempt from taxation and subject to reduced social security contribution of 25%. "

Table P3 – Job protection (EPL) policies in Bulgaria (2008−2017).

2008 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Expanding the cases where dismissal compensation is due** Source: LABREF **Code: b1**	Expanding the scope of cases where dismissal compensation is due, to include dismissals when the employee refuses to follow the company in case of its relocation.
2008 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Recognition of marginal work as an employment relationship** Source: LABREF **Code: d2**	Recognition of marginal work – of up to five days a month – as an employment relationship.
2008 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Increased employer obligations and stricter monitoring** Source: LABREF **Code: a1**	1) The employers right to draw up internal workplace rules has been transformed into an explicit obligation. These rules must contain the employee and employer rights and responsibilities and should be prepared in consultation with worker representatives. 2) In addition, employer is now required to issue – within 14 days of the employee's written request – the following documents: a job description, documents related to the employment relationship, a recommendation or notice of dismissal. 3) Also introduced mandatory requirements for both the employer and the employee, related to their joint efforts in maintaining and continually improving employees' qualifications. The

	employer is responsible for providing vocational training and upgrading employees' professional skills, especially for those who return to work after a long absence. For their part, the employees are obliged to participate in company training. 4) Control over compliance with the labour legislation has been increased. The powers of the General Labour Inspectorate have been extended and sanctions for breaching the labour law are significantly higher.
2009 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Equal treatment rights for temporary agency workers** Source: LABREF **Code: g3**	Equal treatment rights for temporary agency workers with permanent workers in the user enterprise, concerning: pay, paid leave, training, health and safety, and social security. Among other matters, the new regulatory framework provides for the right to information and consultation and representation of temporary agency workers. These workers have the right to join trade unions, to participate in collective bargaining and to get involved in the settlement of collective labour disputes.
2010 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Termination of the Employment Relationship due to Retirement** Source: LABREF **Code: c2**	Introduction of a new reason for terminating the employment relationship with an employee by the employer. According to the new paragraph 10a of Article 328 (1) of the Labour Code the employer may terminate the employment relationship, with prior notice, if the employee receives a retirement pension.
2011 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Transposition of temporary work agency directive** Source: LABREF **Code: g4**	Transposition into Bulgarian legislation of the Temporary Agency Workers Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008.
2012 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Suspending the ability of employers to terminate the employment of a worker that has acquired the right to a pension.** Source: LABREF **Code: c1**	Suspending the ability of an employer to terminate the employment of a worker that has acquired the right to a pension.
2012	New reasons for terminating an employment

Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **New reasons to terminate employment contracts** Source: LABREF **Code: c2**	relationship have been introduced: 1) The employment relationship shall be terminated without notice in case of the termination of a long-term service abroad under the Diplomatic Service Law [Art. 325 (2) of the Labour Code]; 2) A temporary worker may terminate the employment relationship in case an employment contract is concluded with an employer which is not a temporary work agency [Art. 327 (1), Item 7a of the Labour Code].
2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Dismissals: entitlement to terminate employment contracts if receiving retirement pension** Source: LABREF **Code: a2**	The new amendment to the Labour Code entitles the employer to terminate by virtue of prior notice the employment contracts of employees who have acquired the right of pension through their contributory length of service and/or age.
2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Restrictions on work conditions to persons under the age of 18 years and pregnant women** Source: LABREF **Code: a1**	"1) Some activities that persons aged 18 years and younger may not perform are specified in Article 8 (2) of the new amendment to Ordinance No. 6 of 2006, regulating work of the persons under the age of 18. This Ordinance transposes the provisions of Directives 94/33/EC, 92/85/EC, 98/24/EC and 2004/37/EC (section 1a of the additional provisions). 2) The Minister for Labour and Social Policy and the Minister for Health have adopted Ordinance No. RD-07-4 of 2015 (State Gazette No. 46 of 23 June 15) on the improvement of work conditions for pregnant women, young mothers and breastfeeding mothers. This Ordinance regulates measures for the improvement of health and safety at work for the said categories of female employees, who require stronger protection. It sets requirements for the assessment of risks and measures to prevent these. The employer is required to inform female employees about the risks. If the risk cannot be removed, the female must be re-assigned to another post. Several restrictions for underground work have also been introduced. The Ordinance transposes Directives 92/85/EEC and 2014/27/EC."
2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements **A requirement to establish and keep work records** Source: LABREF	Introduction of a new requirement for the employer to establish and keep a record of services of the employee (Article 128b LC). All documents relating to the conclusion, existence, implementation and termination of employment relationships shall be kept in this record of service. The employee has a right to receive copies of the documents included in this record.

Code: a1	
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **A new contract type for seasonal short-term work in agriculture** Source: LABREF **Code: i3**	Introduction of an employment contract for seasonal short-term work in agriculture (Article 114a LC). Such contracts may be concluded between a worker and a registered agricultural producer for one day of work and not more than 90 days per annum. The conditions and procedure for registration and reporting of such contracts are regulated by Order N RD 07-8 of 2015 of the Minister for Labour and Social Policy on presenting, registering and reporting of employment contracts under Article 114a (1) of the Labour Code to the labour inspectorate (State Gazette No. 54 of 17 July 2015).

Table P4 – Job protection (EPL) policies in Croatia (2008−2017).

2013 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Shortening and simplifying the procedure of collective dismissal** Source: LABREF **Not coded**	Shortening and simplifying the procedure of collective dismissal, namely by reducing the role of the authorities.
2013 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Allowing for fixed-term contracts to be signed for more than three years with clearly specified reasons** Source: LABREF **Code: e4**	So far, the extension of fixed-term contracts may have lasted up to three years. Under the new law, a fixed-term contract can be signed (but not renewed) on for more than three years if there are objectives reasons for that.
2013 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Liberalising dismissal during the probationary period** Source: LABREF **Code: a2**	During the probationary period, the worker can be fired without cause – the employer can just state the failure of probation as a just cause for dismissal.
2014 Policy domain: Job protection (EPL)	In case of collective dismissal, employers are not any more obliged to provide a redundancy programme.

Policy field: Collective dismissals **No redundancy programme and shorter deadlines for collective dismissals** Source: LABREF **Not coded**	Collective redundancies can now take effect after 38, and not 60, days following notification of the termination of employment.
2014 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **New reasons to terminate a contract** Source: LABREF **Code: c2**	In addition to already valid methods for terminating employment contracts, the law now allows a contract to be terminated on the following grounds: 1) the death of the employer (if an individual person); 2) the legal cessation of a small business; 3) the deregistration of a sole trader (in accordance with specific provisions); 4) the workers' layoff in the procedure of business dissolution. The act stipulates the written form of the agreement of the contract's termination agreement and that of the notice of dismissal.
2014 Policy domain: Job protection (EPL) Policy field: Procedural requirements **New employment contract termination rules in labour law** Source: LABREF **Code: a2**	Contract termination becomes effective 6 months after notice even in the case of sickness leave. When employment is terminated due to business or personal reasons, employers are not obliged to provide re-training to workers. In case of termination of employment by a court decision, notably when the court founds a dismissal to be unfair and no reinstatement takes place, a worker's compensation has been decreased from 18 to a maximum of 8 contractual monthly salaries. The number of protected classes of workers whom the employer may not dismiss without the consent of the Workers' Council has been reduced, the judicial proceedings are now replaced with arbitration.
2014 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Penalty clause only for workers with above-average salary** Source: LABREF **Code: a1**	Penalty clause is now an option, even if the contract does not stipulate the compensation payment, only for those workers who receive above-average salary. Such option was available for minimum wage workers as well, which led to malpractice.
2014 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Definition of temporary agency work and new rules** Source: LABREF	The definition of temporary agency worker is introduced, since it was missing so far. Assignments obtained through temporary employment agencies can last for up to three years, while previously they were limited to one year to a single user. Temporary employment agencies are required to pay wages to their unassigned workers, which should be based on an average of three month wages for previous work, unless

Code: g3	the agency sets the wage differently. Employers are allowed to temporarily assign employees to work for other related enterprises, including the related enterprises abroad. Employers are obliged to make sure that assigned workers and employed workers performing the same job at the same organisation are treated equally, although if the agency is under collective agreement, derogation from the principle of equal treatment is allowed has been agreed in that collective agreement. This applies to pay and other working conditions including: - working time; - break and rest periods; - safety protection measures; - protection of the rights of pregnant workers, parents, adoptive parents and young people; - compliance with specific anti-discrimination provisions.
2016 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Action plan to replace and modernise unfit regulation of professions** Source: LABREF **Code: d1**	An action plan to replace and modernise excessive regulation of certain professions was submitted in July 2016, however it entailed only limited reform proposals and didn't provide details on the substance of the amendments.
2017 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Exception to general rule regarding cumulative duration of fixed-term contracts for scientific and higher education sector** Source: LABREF **Code: f4**	The Act on Scientific Activity and Higher Education has been amended to provide for an exception to the rule that successive fixed-term contracts are limited to a three-year period. Successive fixed-term contracts in this sector can now be concluded for an uninterrupted period of six years if justified reasons exist.
2017 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Reintroduction of employer's possibility to make a claim to court in case of works council's refusal to give consent on dismissal of protected employees** Source: LABREF **Code: a2**	An Amendment to the Labour Act has reintroduced the possibility of the employer, abolished in 2014, to bring a claim before the court to override the works council's refusal to give consent to the employer's decision on dismissing protected employees (e.g. employees who are members of the works council, disabled employees, older employees, etc.).

Table P5 – Job protection (EPL) policies in Cyprus (2008−2017).

2012 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Transposing Directive on Temporary Work Agency** Source: LABREF **Code: g3**	Providing for the setting up and operation of Temporary Work Agencies and other matters. The law excludes from its area of application the tourism industry and the construction industry.
2016 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **New law on fixed term contracts in the public service, including conditions under which temporary contracts can be used** Source: LABREF **Code: h3**	The law provides that administrations are allowed to use fixed-term contracts: • For covering temporary needs; • For covering additional needs or needs arising as a result of vacant posts; • For replacing long-term absence; • For the entire duration of a particular project; • As a result of the annulment by the court of the appointment of a person in a permanent position, following a successful application for judicial review of such appointment. • For the employment of persons who have been awarded scholarships and have acquired a degree in civil aviation • For the employment of graduates of the Forestry College.
2016 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **New law on fixed term contracts in the public service, including stricter regulation on maximum duration** Source: LABREF **Code: f3**	Temporary contracts end when the project has been completed. In case a fixed term employee is hired in order to fill a position as a result of annulment of an appointment, the duration of the fixed term contract must not exceed 6 months but it can be renewed for further 6-montly periods each time until the vacant position is filled. In all other cases, the duration of fixed term contracts must not exceed 12 months but the term is renewable. Fixed term contracts may be terminate prior to their expiry where the specific need no longer exists, or where the fixed term project for which the employee was hired is completed, or where the re-examination of the procedure of an annulled appointment is completed or the performance of the employee is assessed as insufficient or the employee has committed a serious offence involving lack of honesty or decency. Fixed term contracts are converted into open ended contracts after 30 months of work in the public service irrespective of whether the contracts were successive or not.

Table P6 – Job protection (EPL) policies in Czech Republic (2008−2017).

2010 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Written form for Employment Agreements** Source: LABREF **Code: a1**	Each "employment agreement" to complete a job has to be in the written form ex-ante to simplify inspections and proofs. Employment agreements may be offered by the employer to a worker for a maximum of 150 hours per year, and require no health or social insurance payments. This type of contract must now be put in writing where, previously, a verbal contract was sufficient. This new requirement is intended to make it more difficult for employer to misuse a verbal agreement and conceal the obligations of a more far-reaching employment relationship from the authorities.
2010 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Stricter conditions for employment agencies** Source: LABREF **Code: g3**	Stricter conditions for employment agencies. They must take out insurance in case the agency or one of its customers goes bankrupt to cover claims from employees affected by former employers going out of business. Employment agencies also now need a permit to operate from the Ministry of the Interior of the Czech Republic.
2011 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **New reason for fair termination of the employment relationship** Source: LABREF **Code: c2**	Gross breach of the regulations regarding temporary absences based on incapacity to work is a reason for a fair dismissal (e.g. breach of the medical regime). The notice period in these cases is just one months (the general two months notice period remains unchanged).
2011 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Maximum duration of fixed-term contracts extended** Source: LABREF **Code: f4**	The maximum duration of a single fixed term-contract is extended from two to three years. It can be repeated twice, which extends the maximum duration of a fixed-term employment relationship to 9 years. A new fixed-term contract can be concluded between the same parts only after a three year period (previously it was six months).
2011 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Severance payments reduced**	New severance pay rules: 30 days if tenure below 1 year; 60 days if tenure between two and three years; 90 days if tenure equal or above three years. (previously - 90 days, non-tenure related).

Source: LABREF **Code: b2**	
2011 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Change in the definition of dependent work.** Source: LABREF **Code: d1**	The amendment of the Labour Code has brought change in the definition of dependent work. Conceptual characteristics that define dependent work are now separate from conditions under which the dependent work must always be performed. Such employment relations become indisputably illegal where, for example, workers are in a subordinate role to an employer and perform their tasks in accordance with the employer's instructions, yet the employer claims not to be responsible for what they do.
2011 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Trial period for managerial positions increased** Source: LABREF **Code: a2**	Trial position for managerial positions increased from 3 to 6 months. For non-managerial position the trial period remains at 3 months maximum duration.
2011 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Agency work by direct agreement between employers** Source: LABREF **Code: g4**	Any employer may temporarily relocate their employees to another employer upon direct agreement. Currently such agreement needed to be intermediated by an employment agency.
2013 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **New rules for fixed-term employment relationships** Source: LABREF **Code: h4**	New rules for fixed-term employment relationships: the employer does not have to adhere to 2 rules (a. The length of the employment law relationship may not exceed 3 years; and b. The employment law relationship for a definite term may be repeated / extended only twice.) if : 1) There are serious operational reasons 2) Due to such reasons (operational or relating to the nature of the work), it is not justified to require the employer to hire the employee in an indefinite term employment relationship; 3) The terms of a fixed-term employment relationship offered by the employer are adequate (proportionate) to the employer's reasons (operational or relating to the nature of the work); 4) An agreement with the trade union (or an internal regulation issued by the employer at which no trade union is present) regulates the following: - Closer specification of the employer's reasons, Rules for different procedures of negotiation and repetition /

	extension of the fixed-term employment relationship; Scope of employees to which this different procedure applies; Term for which the agreement is concluded (or internal regulation is issued).
2016 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Obligation to prepare a social plan in case of collective redundancy for some employers** Source: LABREF **Not coded.**	Introduction of obligation to prepare a social plan in case of collective redundancy for certain employers
2016 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Stricter regulation of temporary agency work** Source: LABREF **Code: g3**	Several measures are been taken to stricter regulated temporary work agencies: • A responsible representative of a temporary work agency that lost its licence for certain reasons (in particular, due to breaches of obligations), cannot perform this function for the following 3 years; • A responsible representative of a temporary work agency must be a statutory body of the temporary work agency or an employee of the temporary work agency with agreed working hours of at least 20 hours per week; • Apart from the administrative fee, the applicant for a temporary work agency licence must also deposit a CZK 500,000 guarantee; • The temporary work agency licence is still issued for 3 years, but in case of renewal, the renewed licence will be issued for an indefinite term;
2016 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Increasing protection of temporary agency workers** Source: LABREF **Code: g3**	The temporary work agency and the user company will be obliged to ensure that the temporary agency worker will not be temporarily assigned to a user company, if such employee (a) is simultaneously employed by the same user company under a basic employment law relationship, (b) simultaneously performs work for the same user company based on a temporary assignment by a different temporary work agency, or (c) was in the same calendar month temporarily assigned to the same user company by a different temporary work agency.
2016 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **More flexibility for juvenile employment** Source: LABREF	The act amending Act No. 89/2012 Coll. now provides for the possibility to conclude an employment contract for work or an agreement on work performed outside an employment relationship for young workers older than 15 years and before completing compulsory education under the condition that the day of commencement of work is not the day preceding the completion of compulsory education. Up until now the young worker

Code: i4	had to meet two conditions: be 15 years old and have completed compulsory education. The act also proposes the withdrawal of the possibility to immediately terminate the employment relationship of the young employee who is younger than 16 years old by his/her statutory representative with the court's consent.
2017 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Foreign workers are permitted to be posted through temporary work agencies only in certain professions** Source: LABREF **Code: g3**	Foreign workers are permitted to be posted through temporary work agencies only in certain professions. According to the Decree, the permitted professions for the purpose of posting foreign workers through temporary work agencies are either those listed as exceptions in the annex to the Decree, or professions which require secondary education. This decree was made necessary by an Act legislating changes to the rules regarding temporary agency work, which also included the transposition of the 2008 EU directive. One of the major changes introduced by that Act was the re-implementation of the possibility to post foreign workers (who obtained a so-called employee card, a blue card, or a work permit) to the Czech Republic via temporary work agencies.

Table P7 – Job protection (EPL) policies in Denmark (2008−2017).

2013 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Act of Agency Work to implement EC Directive** Source: LABREF **Code: g3**	Obligation for the agency to offer agency workers salaries, working hours, daily rest periods and holidays during their assignment at a user undertaking, which is at least comparable to those that would apply if the agency worker had been directly recruited by the undertaking to fill the same post, cf. Article 3 (1). The agency, however, does not have to comply with the principle of equality if the agency is bound by a nationwide collective agreement agreed by the most representative labour market organisations in Denmark covering the working conditions mentioned in Article 3 (1), cf. Article 3 (4).
2014 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Amendment to the Act on Agency Work** Source: LABREF **Code: g3**	A trade union should be entitled to bring a claim before the Labour Court on behalf of a member based on the Act on Agency Work. The objective is to enable more speedy decision-making in cases in which an agency worker submits a claim based on the principle of equal treatment laid down in Article 3 (1) of the Act of Agency Workers. Furthermore, the Labour Court should be entitled to decide whether a collective agreement meets the requirements in accordance with Article 3 (5) to depart from the principle of equal treatment in Article 3 (1) of the Act.
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Act on better work and pay conditions for au pairs** Source: LABREF **Code: i3**	Since the number of au pairs from third countries is rapidly growing, an Act was passed to ensure better pay conditions and regulate their work in more detail. The new regulations specify that: (1) Au pairs are entitled to one additional half day a week off so that they have now one and a half day off per week. In addition, they are entitled to time off during all official Danish public holidays. (2) Their monthly pay is increased by almost 25% to 4.000 DKK (EUR 537). (3) In addition to the return ticket, the host family has to pay for the au pair's ticket to Denmark. (4) The host family will have to pay a lump sum of 5,000 DKK to finance part of the government expenditures on Danish courses for au pairs. (5) The au pair cannot be pregnant or have founded a family.

Table P8 – Job protection (EPL) policies in Finland (2008−2017).

2008 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **Improving the right of employees to get information on their fixed term contract** Source: LABREF **Code: h3**	Legislative changes were introduced to reduce unjustified fixed term contracts, by improving the right of employees to get information on the length of the fixed term contract, the reasons for the fixed term period and other conditions of the employment relationship.
2008 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Improving the position of temporary agency workers** Source: LABREF **Code: g3**	Improving the position of temporary agency workers: obligations of business to exchange information; rights of employee representatives to receive information and clarify the usage of a trial period as the temporary workers shift to the employ of the client company.
2010 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Restrictions in admissibility of consecutive fixed-term contracts** Source: LABREF **Code: e3**	Formerly, both a fixed-term contract and consecutive fixed-term contracts required a justified reason. The requirement for consecutive contracts was modified as follows: “The use of consecutive employment contracts is not permissible when the number of fixed-term contracts or their duration as a sum or their sum show that the employer’s need for a work force is long-term.
2011 Policy domain: Job protection (EPL) Policy field: Temporary agency work **The provisions of the EU directive concerning temporary agency work have been added to the Finnish Employment Contracts Act** Source: LABREF **Code: g3**	The provisions of the EU directive concerning temporary agency work have been added to the Finnish Employment Contracts Act and came into force at the start of 2012. Companies employing temporary agency workers are obliged to inform them of vacant jobs and to grant them use of facilities available to staff employees, such as the canteen. The new legislation improves the status and working conditions of temporary agency workers by establishing minimum statutory terms and conditions for their employment in companies or sectors where they are not protected by a valid collective agreement. The Posted Workers Act has also been modified so that the same minimum terms and conditions will apply to temporary agency workers sent to other companies or establishments.
2016 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons	Under the new amendment to the Employment Contracts Act, it is now possible to employ a long-term unemployed person for a fixed term without fulfilling

for fixed-term contracts **Amendment to Employment Contracts Act allowing hiring of long-term unemployed on fixed-term contracts** Source: LABREF **Code: h4**	the condition of a justified reason for the use of fixed-term contract. Long-term unemployed is defined as all unemployed looking for a job for the last 12 months. An employer and a long-term unemployed will be allowed to enter into up to three fixed-term contracts without a justified reason. This measure is one of the three amendments to the Act as part of the government's plan to lower unemployment and spur growth. The amendments came into effect on 1. 1. 2017.
2016 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Amendment to Employment Contracts Act extending the length of trial periods** Source: LABREF **Code: a2**	Under the new amendment to the Employment Contracts Act, trial periods may last for six months instead of the former four months. The employer will also be given a right to extend the trial period if the employee has been absent from work due to family leave or sickness.
2016 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Amendment to Employment Contracts Act easing the obligation to re-employ** Source: LABREF **Code: a2**	Under the new amendment to the Employment Contracts Act, an employer has to re-engage a former employee dismissed on economic grounds, in case the employer needs new employees for a similar work done by the dismissed employee within four months of the termination (six months for employees with at least twelve years of continuous service). Previously, the period within which re-employment was necessary was nine months.
2017 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Obligation to offer additional work to a part-time employee** Source: LABREF **Code: a1**	An employee had been working part-time (on the initiative of the employing company). During the part-time employment, the employer hired a new employee based on an apprenticeship contract. Additionally, during the time period the part-time employee was on maternity leave, the employer hired a new employee based on an indefinite contract. Both of the new employees worked as sales persons of household appliances. The Supreme Court determined that the company should have offered the additional work assigned to the apprentice to the part-time employee. This was held to be against the regulation of the Employment Contracts Act (2001/55). The Supreme Court also stated that the company should have offered the additional work to the employee during her maternity leave. By neglecting this, the company violated the Act on Equality between Women and Men (1986/609).The Supreme Court, setting out the grounds, emphasised the employee's civil rights. The obligation to offer additional work to a part-time employee is binding, unless there are legal, objective

	grounds why the employer cannot offer it to that individual. The reason why the additional work had not been offered to the employee during her maternity leave was connected to the fact that the employee had recently given birth.

Table P9 – Job protection (EPL) policies in France (2008−2017).

2008 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **New fixed-term employment contract for professional and managerial staff** Source: LABREF **Code: h4**	New employment contract created on an experimental basis for professional and managerial staff, 'for carrying out a defined assignment'. The length of the contract is limited, but not specifically defined at the time of signing it, as it depends on when the assignment comes to an end. It must last between 18 and 36 months. The use of such a contract is subject to a sectoral or company-level agreement and 'cannot be used in order to deal with a temporary increase in the workload'. This employment contract can be terminated after a year if there is a real and serious reason. In such an event, the employees concerned receive a lump sum that is equivalent to 10% of their total gross pay and is exempt from social security contributions and tax. They are also entitled to unemployment benefit and support services to find a new job.
2008 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Lengthening probation periods** Source: LABREF **Code: a2**	Lengthening probation periods of permanent employment contracts. The new probation periods are as follows: between one and two months maximum for manual and clerical workers; between two and three months for supervisory staff and technicians; between three and four months for professional and managerial staff. This period can be renewed once by sectoral agreements. A shorter period can be fixed in the recruitment letter or employment contract; young people's placements count towards the probationary period.
2008 Policy domain: Job protection (EPL) Policy field: Procedural requirements **New way of terminating employment contracts by negotiated agreement between employer and employee** Source: LABREF **Code: a2**	Introducing a new way of terminating employment contracts, alongside resignation and dismissal, namely termination by a negotiated agreement or by mutual agreement between an employer and an employee, while at the same time giving employees the right to change their mind up to two weeks after signing the agreement. This procedure must be validated by the public employment service of the Offices at département level of the Ministry of Labour, Employment and Vocational Training (Direction Départementale du travail, de l'emploi et de la formation professionnelle, DDTEFP). The PES has a deadline of 15 calendar days; if it makes no interjection within that period, its silence means validation. The employee is then entitled to a lump sum on contract termination, equivalent to a fifth of a month's pay for each year of service, as well as unemployment benefit.

2010 Policy domain: Job protection (EPL) Policy field: Collective dismissals **New rules on employee relocation** Source: LABREF **Not coded**	When the company/ group has operations outside France, the employer must ask employees, prior to their dismissal, whether they agree to receive offers of reinstatement abroad, and under what restrictions in terms of location and remuneration. The employees must express their agreement within 6 days from receiving the offers; failure to reply is taken as a decline of the offers of reinstatement to another company location abroad. Such offers (when the employee agree to receive them) must be in writing and clearly defined and must take into account the objections expressed by the employee. Reinstatement must be in the form of a job of 'the same category' or an 'equivalent job' with 'equivalent remuneration'. When equivalent offers are not available, the reinstatement can apply to jobs of an 'inferior category' with the agreement of the employee. These rules also apply to offers of reinstatement within French territory.
2011 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Companies that have not taken steps to close the pay gap may be fined** Source: LABREF **Code: d1**	French companies that have not taken steps to close the pay gap between women and men, through a collective agreement or unilateral action plan, may be fined up to 1% of their payroll costs from 1 January 2012. Despite much legislation on this issue over the past decade, there are still inequalities. It is hoped sanctions will remedy this in companies with 50 or more workers, which will also have to report annually on the comparative status of employment and training for both sexes.
2013 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Alternatives to redundancy in case of hard economic times** Source: LABREF **Not coded**	"Employment adjustment programmes (Accord de maintien de l'emploi)" - Employers who face "economic difficulties" will be able to enter into majority agreements with trade unions under which employees agree to changes that have an adverse effect on their terms and conditions (such as a reduction of wages or an increase of work hours) in return for a commitment by the employer not to implement any redundancies during the term of the agreement. This may not exceed two years. Refusal of the agreement by an employee leads to its individual dismissal on economic reasons.
2013 Policy domain: Job protection (EPL) Policy field: Collective dismissals **New Procedures for Implementing Collective Redundancies** Source: LABREF **Not coded**	An employer with at least 50 employees who declares a minimum of ten employees redundant within a 30-day period must present a "social plan" designed to mitigate the impact of the proposed redundancies. The new legislation provides shortening delays, more predictability and legal certainty. It promotes collective negotiation of the ""social plan"" validated by the administration. Employers will now be able to (a) negotiate a majority agreement with the relevant trade union validated by administration within 8 days; or (b) unilaterally implement a social plan approved by administration within 21 days.

	The law also shorten dramatically the delay to contest the ""social plan"" before the judge: 3 months instead of 12 months previously.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Voluntary mobility period** Source: LABREF **Code: d1**	Employees with at least two years' service in a enterprise with more than 300 employees will have a new right to go and work for a different company for a fixed period, subject to obtaining an agreement from their actual employer.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **General application of healthcare coverage for employees** Source: LABREF **Code: d1**	The Act stipulates general application of healthcare and welfare coverage for employees who do not yet benefit from such mandatory collective coverage within their company.
2013 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Reduction of the prescription period for employee claims** Source: LABREF **Code: a2**	Reducing the prescription period from 5 years to 2 years (from the termination of the employment contract). However, for claims relating to salary, which have been made during the applicability of an employment contract, the prescription period is fixed at 36 months.
2013 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Information and consultation of the works council** Source: LABREF **Code: a1**	1) In the event of collective redundancy, timetable for Exchanging Information. In a collective redundancy exercise, the Works Council has the right to appoint a chartered accountant to advise it on such matters as the content of the social plan. 2) New annual mandatory consultation of the works council on strategic direction of the firm; 3) Provision of additional information by the company to the works council – setting up a permanently accessible information database gathering all economic information useful in the context of the consultation of works council on strategic direction.
2013 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Interprofessional agreement on temporary agency workers** Source: LABREF	A temporary work agency can either conclude (i) a temporary employment contract with a temporary worker, in compliance with Article L.1251-1 of Labour Code (as was previously the case), or (ii) an indefinite contract to assign a temporary worker to a user undertaking to perform successive assignments. Indefinite employment contracts include periods of working time during which an employer is posted to a user undertaking. This permanent contract for

Code: g3	temporary agency worker includes respectively times of execution of the temporary work mission and times between two missions. A guarantee of a monthly minimum remuneration is established, allowing a total level of remuneration by month corresponding at least to the minimum wage (= 1445,38 € gross salary). During these particular periods, which are paid as working time, the temporary agency worker must be at the disposal of the temporary working agency and can be called at any time during the agency's opening hours to perform an assignment in a user undertaking.
2014 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Imposing a new obligation on businesses with at least 1,000 employees** Source: LABREF **Not coded**	Imposing a new obligation on businesses with at least 1,000 employees after 1 April that wish to close down their establishment to find a buyer. A company that fails to comply with this obligation will have to pay a penalty of up to 20 times the monthly value of the French minimum wage per job lost.
2014 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Place of residence cannot serve as reason for not hiring or firing** Source: LABREF **Code: c1**	Creating a new legal criteria of discrimination: place of residence. Article L. 1132-1 of the Labor Code has consequently been modified.
2014 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Posting of workers** Source: LABREF **Code: d1**	Specifying repressive measures in case of illegal work of foreign service providers. It also specifies administrative sanctions applicable in case of failure to comply with sanctions, the possibility to implement special inquiries for complex crimes, the creation of a blacklist published on the web after the publication of a decree (which has yet to be published), the introduction of sanctions involving the road transport sector and the possibility for associations and unions to bring civil actions.
2014 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **A temporary contract type for a specific project (CDD à objet défini) is made a permanent part of labour law** Source: LABREF **Code: i4**	A special type of temporary contract for the realisation of a project (CDD à objet défini) was introduced in the labour law reform of 2008 (Law nr. 2008-596 of June 25, 2008) for a 5-year trial basis, later extended to 6 years. A law in December 2014 has made it a permanent part of the labour law. The contract is designed for employing a workers in certain occupations (in particular, engineers) for a specific project. Its duration can be between 18 and 36 months. It must be based on a sectoral or firm-level agreement.

2015 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Professional Safeguard Agreement** Source: LABREF **Not coded**	The agreement amends the Professional Safeguard Agreement on collective dismissal for economic reasons, introducing a number of innovations: possibility to extend its duration in the event of recovery of a paid activity; access to trainings that are admissible within the Professional Safeguard Agreement when they correspond to the professional profile; reduction of the compensation of the reference gross daily wage to 75% instead of 80%; creation of a bonus of reclassification; easing of conditions of access to the differential allowance of reclassification, with the removal of the 15% threshold; the lowering to three days of the minimum duration of the paid activity period within the scope of the Professional Safeguard Agreement (instead of 15 days).
2015 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Renewal of short-term contracts - Rebsamen Law** Source: LABREF **Code: e4**	It allows for 2 renewals of short-term contracts (CDD) instead of one, even if total duration remains 18 months. It aims at encouraging flexibility.
2015 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Social plans - Loi Macron** Source: LABREF **Code: d2**	The law introduces the the possibility to allow companies to fix, by agreement or unilateral document, the social criteria on the order of redundancies (The French law asks for social criteria to determine which employees must go first out of the company in case of economic redundancies) at a level below the company. Moreover, if a “plan de sauvegarde de l’emploi” (employment protection plan in case of a collective layoff project) is rejected by the administrative court because of lack of reasoning (“insuffisance demotivation”), it will not invalidate the layoffs. Finally, it foresees the suppression of administrative control for “small economic layoffs” (less than 10 employees in 30 days) in companies below 50 employees.
2015 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Prud'hommes - Loi Macron** Source: LABREF **Code: d2**	The law reforms the tribunal prud'homale to make it "simpler and faster" by shortening the time of procedure. "Conciliation and Guidance Offices" will also be created to guide the complainant according to his needs. In addition, a predefined cost schedule will be set up so that the complainant knows what will cost the procedure.

2015 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Compensation unfair dismissal - Macron Law** Source: LABREF **Code: d1**	Labour court judges will now be encouraged to use a defined scale with respect to the range of damages to be awarded to employees in cases of wrongful dismissal ("licenciement sans cause réelle et sérieuse"). An indicative baseline for compensation (Référentiel Indicatif) in case of litigation linked to a dismissal will be proposed to employment tribunals during the conciliation phase.
2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Accords de maintien de l'emploi - Loi Macron** Source: LABREF **Code: a2**	The existing accords de maintien de l'emploi have been reformed along two dimensions. First, the maximum duration of the contract was extended from 2 to 5 years. Second, the conditions in case of individual refusal to take part in the agreement have been changed. In the original version, an employee would be subject to the same rules that would apply in the case of economic dismissal plus accompanying conditions specified in the agreement. In the new framework, the layoff conditions are sui generis giving right just to legal and conventional indemnities, which will be less costly for firms.
2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements **External redeployment in case of redundancies** Source: LABREF **Code: a1**	Pursuant to the law, companies that are not under judicial redress or liquidation, have over 1,000 employees and are contemplating collective dismissals, are obliged to look for an investor before shutting down the establishment. The decree specifies the scope and requirements to comply with this legal obligation. The closing of an establishment is defined as (i) the complete closing of the establishment which would require elaboration of a social plan with envisaged collective dismissals at the establishment or the company level, or (ii) the merging of several establishments outside their employment area, or (iii) the transfer of an establishment outside its employment area, which would require elaboration of a social plan with envisaged collective dismissals.
2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Obligation to inform in case of a company sale** Source: LABREF **Code: a2**	Pursuant to the Law of 6 August 2015 related to economic growth and activity, in companies with fewer than 250 employees, the employer is no longer obliged to inform the employees in case of a transfer of undertaking, but only in case of a sale of the company. This new decree applies this amendment by integrating it into the regulatory section of the Commercial Code and determines the date of receipt by the employee of the relevant in-formation as being that on which a registered letter with acknowledgment of receipt was received.
2015 Policy domain: Job protection (EPL) Policy field: Temporary agency work	User companies must transmit to the temporary work agency relevant information for the latter to establish the individual card of exposure to occupational risk prevention.

Prevention of temporary workers' exposure Source: LABREF **Code: g3**	
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Administrative formalities for SMEs - Small Business Act** Source: LABREF **Code: i4**	The "employment services voucher for enterprise" which simplifies declarations of occasional work for very small enterprises (1 to 9) are now opened to the SMEs (10 to 20) in the mainland and in January 2017 for ultra-peripheral regions.
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Measures for older workers - Rebsamen Law** Source: LABREF **Code: i4**	It becomes possible for employers to use the Insertion Contract (CUI) for work of less than 20 hours weekly working time when recruiting unemployed of 60 years old and more. Secondly, two options are offered for the use of professionalization contracts: unemployed of 50 years old, with a short training period (150 hours) and for unemployed with low or nil qualification up to 24 months .
2016 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Labour Law (El Khomri Law) broadening the definition of economic redundancy** Source: LABREF **Code: c2**	The new legislation clarifies and broadens the definition of the economic grounds that can justify redundancies to include the selling of the business activities and the reorganisation of the company. It also includes the motives sustained by the French Supreme Court, which include the termination of a business activity and the reorganisation of the company in order to protect its competitiveness. These measures will be applied to the procedures opened from 1.12.2016.
2016 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Establishment of an indicative scale for the labour courts** Source: LABREF **Code: b1**	Fixing of the elements of the indicative reference system (amount of compensation likely to be allocated, in particular according to the seniority, the age and the situation of the applicant in relation to the job) and updating the scale of allowances allowing to fix the fixed compensation in case of conciliation with the industrial tribunals.
2016 Policy domain: Job protection (EPL) Policy field: Procedural requirements	The decree establishes the mandatory representation of parties for appealing on employment matters and requires them to comply with binding provisions. For any appeal filed as of 1. 8. 2016, the parties will have to

Establishing mandatory representation of parties to employment disputes by a lawyer or union representative Source: LABREF **Code: a2**	be represented by a lawyer or a union representative. In case of representation by a lawyer, strict rules of territoriality will apply, whereby the parties will be required to appoint a local lawyer reporting to the competent Court of Appeal, or a pleading lawyer not required to report to the Court of Appeal. In case of representation by a union representative, the rules of territoriality will not apply. The procedure will be controlled by a pretrial judge, who may set shorter time limits than those required by the Civil Procedure Code, and will ensure compliance by all the parties with all procedural requirements.
2016 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Law on modernisation of the justice system in the 21st century enabling class action against workplace discrimination** Source: LABREF **Code: a1**	The new legislation aims to enable class actions against workplace discrimination, whereby a claimant can sue on behalf of several persons in a similar situation. The claimant must be an established association, such as a company-level trade union. The trade union must first request the employer to terminate the collective discrimination. Then, the employer has one month to inform the Works Council of the trade union's demand and initiate a discussion to find a solution. The trade union can initiate legal proceedings after the expiry of a period of six months following the request in order to find an agreement between the parties. On 17. 11. 2016, the Constitutional Council confirmed that company-level trade unions can act in order to protect the collective interests of the employees.
2017 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Macron Ordinance #3b: predictability and security of labour relations (severance payments)** Source: LABREF **Code: b1**	Before, if the reinstatement of the employee in the company was not possible, the judge granted a financial compensation for unlawful dismissal not lower than the salaries of the last six months to be paid by the employer. Now, the compensation is given by a binding scale including minimum and maximum amounts depending on the worker's job tenure in the company (in full years). Regarding severance pay, now the employee must have eight months of seniority to benefit from the severance pay provided by law, which may not be lower than: (i) 1/4 of one-month salary per year of seniority in case of less than ten years of seniority; (ii) 1/3 of one-month salary per year of seniority in case of over ten years of seniority. The reference salary to be taken into account is the most profitable for the worker, i.e. either (i) the monthly average of the last twelve months, (ii) the monthly average of the salary prior to the redundancy; or (iii) 1/3 of the last three months. The reference salary that is the most profitable for the worker is considered.
2017 Policy domain: Job protection (EPL) Policy field: Procedural requirements	This decree updates a law previously introduced in late 2016 to: (i) fight against discrimination at the workplace; (ii) promote health and safety of employees, (iii) protect personal data collectively.

Updates in package of modernization of justice to increase workers' rights Source: LABREF **Code: a1**	
2017 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Clarification of financial penalties regarding gender equality legislation introduced in 2016** Source: LABREF **Code: a1**	This decree updates a law previously introduced in late 2016 to: (i) fight against discrimination at the workplace; (ii) promote health and safety of employees, (iii) protect personal data collectively.
2017 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Macron Ordinance #3a: predictability and security of labour relations (dismissal procedures)** Source: LABREF **Code: a2**	"This ordinance eases dismissal procedures to promote and increase hiring through the following rules: 1) Reasons of dismissal can be clarified or supplemented after the notification, either on the initiative of the employer or at the request of the employee. 1) The scope of assessment of economic reasons for collective redundancies will be limited to companies which, within the same group, are part of the same business sector and situated in France, only. Also, the obligation to seek redeployment opportunities will be limited to national establishments. 3) In case of a collective redundancy of less than 10 employees within a 30 day-period, the scope of application of the redundancy order criteria will be limited to the employment zone (and no longer the whole company). The latter is defined as a geographical area within which most of the workforce lives and works and where establishments can find the workforce needed to hold the posts offered."
2017 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Attribution of social responsibility to platforms** Source: LABREF **Code: i3**	New legal framework imposing a minimum level of social protection for service providers -- self-employed workers -- who depend on platforms that connect service providers and customers by electronic means (as defined by the "El Khomri" Law). More specifically, the formers are responsible for social contributions regarding occupational accidents and occupational trainings.

Table P10 – Job protection (EPL) policies in Germany (2008−2017).

2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Mandatory gender quota** Source: LABREF **Code: d1**	In late 2013, the new government announced in their coalition agreement that a mandatory quota would be introduced. This comes 12 years after policy makers and business leaders first made a voluntary commitment to increase the number of women on boards, and four years after the issue of diversity was first included in the German Corporate Governance Code. The new legislation will oblige companies to ensure that, by 2016, at least 30% of directors on newly established supervisory boards are female. From 2015, companies must also set public targets for an increase in the proportion of female managers**.**
2016 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Restriction of contract duration and application of equal pay principle in agency work** Source: LABREF **Code: g3**	Since April 2017, the assignment of temporary agency workers to a user undertaking has been restricted to a maximum period of 18 months. However, deviant regulations can be negotiated and included in a collective agreement covering the sector of the user undertaking. In addition, after nine months temporary agency workers must receive the same pay as the workers employed directly by the user company. A longer derogation from equal pay is only possible if there are industry supplemental wage agreements in the temporary employment sector that meet specific social requirements. Temporary agency workers must gradually be paid at a level established by the collective bargaining parties in the temporary employment sector and which they set to be equivalent to the collectively agreed pay of comparable workers in the sector. The phasing-in of this salary must begin at the latest after a period of no more than six weeks and reach the equivalent salary after a maximum of 15 months of assignment. Temporary agency workers may not be used as strike breakers by the user undertaking. However, their use is not completely ruled out in companies experiencing strike action (temporary agency workers may not undertake tasks that were previously carried out by striking workers). Following the case law established by the Federal Labour Court, an employment relationship shall be deemed by law to exist (regardless of the name and formal content) if this corresponds to the actual execution of the contract.
2017 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Improving conditions for temporary agency workers**	Since April 2017, the assignment of temporary agency workers to a user undertaking has been restricted to a maximum period of 18 months. However, deviant regulations can be negotiated and included in a collective agreement covering the sector of the user undertaking. In addition, after nine months temporary agency workers must

Source: LABREF **Code: g3**	receive the same pay as the workers employed directly by the user company. A longer derogation from equal pay is only possible if there are industry supplemental wage agreements in the temporary employment sector that meet specific social requirements. Temporary agency workers must gradually be paid at a level established by the collective bargaining parties in the temporary employment sector and which they set to be equivalent to the collectively agreed pay of comparable workers in the sector. The phasing-in of this salary must begin at the latest after a period of no more than six weeks and reach the equivalent salary after a maximum of 15 months of assignment. Temporary agency workers may not be used as strike breakers by the user undertaking. However, their use is not completely ruled out in companies experiencing strike action (temporary agency workers may not undertake tasks that were previously carried out by striking workers). In the contract between the temporary work agency and the user undertaking the provision of temporary agency workers must expressly be referred to as temporary agency work (Arbeitnehmerüberlassung in German) before the temporary agency workers can start their work. Before the assignment, the name of the temporary agency worker must be specified with reference to the contract. This disclosure requirement serves to distinguish between temporary agency work and other forms of external staff deployment such as contracts to produce a work (Werkverträge in German). If the temporary work agency and the user undertaking violate these disclosure and specification requirements, the employment contracts between the temporary work agency and the temporary agency workers are null and void, and the law automatically assumes an employment relationship between the user undertaking and the temporary agency worker.

Table P11 – Job protection (EPL) policies in Greece (2008−2017).

2008 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Change in the labour relations of employees in state-run utilities and...** Source: LABREF **Code: a2**	Change in the labour relations of employees in state-run utilities and enterprises (DEKOs) 1) Employment status of newly-hired staff may deviate from that provided for by any other collective regulation and by joint ministerial decision. 2) Eliminating the possibility of unilateral application on behalf of employees, in cases where the two sides in DEKOs fail to agree.
2010 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Raising the limit of legitimate redundancies in the event of collective redundancies** Source: LABREF **Not coded**	The limit of legitimate redundancies in the event of collective redundancies will be raised by presidential decree. At the same time, redundancy compensation will be reduced by presidential decree.
2010 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Lowering the thresholds for collective dismissals** Source: LABREF **Not coded**	Lowering the thresholds for collective dismissals. Dismissals are now considered to be collective where more than six employees lose their jobs with companies which have between 20 and 150 employees, compared with the previous threshold of four employees for companies with 20–200 employees. The threshold is set at 5% of staff or more than 30 employees for companies with more than 150 employees, compared with the previous level of 2%–3% of staff and 30 employees for companies with more than 200 employees.
2010 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Abolishing the principle of the implementation of more favourable provision** Source: LABREF **Code: c2**	The principle of the 'implementation of more favourable provision' is to be abolished. According to this principle, the terms of company agreements apply only when they are more favourable than the terms of sectoral agreements, which, in turn, apply only when they are more favourable than the terms of the GSEE. Meanwhile, the mediation and arbitration procedure in the case of collective labour disputes will be altered by presidential decree.
2010 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Shortening the notice period for terminating white-collar workers contracts**	Shortening significantly the notice period for terminating white-collar workers' open-ended employment agreements. This amounts to an indirect reduction of white-collar workers' severance pay by 50%.

Source: LABREF **Code: b2**	
2010 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Requiring consultation between the employer and unions before any layoffs** Source: LABREF **Code:**	Previously, employers could lay-off staff just by making a statement. However, this was not the case for companies in public utilities and services employing over 5,000 people, where permission to implement employee layoffs was required from the Ministry of Labour. The new law requires consultation between the employer and unions before any layoffs. No employee may be laid off for more than 3 months each year, and after this, another three months must go by before the same employee can be laid off again.
2010 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Extension of probationary period** Source: LABREF **Code: a1**	Extension of probationary period for staff joining firms from 2 months to 1 year.
2010 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Restricting the use of temporary agency work** Source: LABREF **Code: a2**	The principle of non-discrimination is extended to all terms and conditions of employment, whereas before it applied only to pay. Temporary agency work may be used only for specific reasons justified by exceptional, temporary or seasonal needs. The use of temporary agency work is prohibited under the following circumstances: 1) when the indirect employer has, during the previous six months, dismissed employees in the same occupation for economic or technical reasons; 2) when due to its nature the work entails particular risks to workers' health and safety; 3) for construction workers. A person working on a temporary basis at a company for more than 18 months is entitled under the new law to an open-ended contract of dependent employment. It is proposed to reduce this figure, as a general rule, to 12 months.
2010 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Extension of maximum work period under temporary work agencies** Source: LABREF **Code: g3**	Extension from 12 months to 3 years of maximum work period under temporary work agencies. Moreover, the prohibition on placing employees in the public sector through temporary employment agencies is lifted for 3 years, while provision is made for OAED to subsidise temporary employment agencies in hiring unemployed persons aged 55–64 years to work in the public sector. The age restriction does not apply for the placement of employees through temporary employment agencies to organisations

	supervised by the Ministry of Health and Social Solidarity – such as welfare institutions, mental health structures and centres for prevention.
2010 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Putting the burden of proof on economically dependent work on the employer** Source: LABREF **Code: i4**	Previously, the onus was on employees with 'independent contracts' to prove that they were in fact employed by a company and entitled to the rights that this brought. The burden of proof is now on the employer, providing 'the employee works only or mainly for the same employer for at least nine months.
2011 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Expanding use of fixed-term contracts** Source: LABREF **Code: f4**	Changes in regualtion of fixed-term contract: 1) May be renewed without time limitation if concluded for objective reasons;2) Can go up to 3 (instead of 2) years if there are no objective reasons for the celebration of a fixed-term contract of employment. If, over the 3 year period, the number of renewals of successive contracts of employment or employment relationships exceeds 3, it is presumed that they are intended to satisfy permanent needs of the employer and they shall therefore be converted to open ended contracts.
2011 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Abolition of administrative license as well as of specific corporate form for the operation of Temporary Working Agency** Source: LABREF **Code: g4**	Until 2/07/2011, in order to engage in this particular activity the granting of a license to set up and operate a Temporary Working Agency was required, in accordance with specific terms and conditions. From 2/07/2011 and onwards, with the national law 3919/2011 regarding "the principle of freedom in practicing professions and the abolishment of unjustified constraints in accessing and practicing a profession" the administrative license that was issued for the operation of a Temporary Working Agency is abolished as well as the requirement for certain corporate form (that of SA). Nowadays, the service providers that wish to operate a Temporary Working Agency should notify the Directorate of Employment of Ministry of Labour and Social Security the "announcement of practicing the Temporary Working Agency's activity". Nonetheless, the applicant should prove that fulfils the specific preconditions and rules of functioning. In this case, the public administration can –in three months period-verify if the applicant fulfils the necessary requirements and permit the exercise of this activity. If the applicant does not meet the necessary criteria, the competent authority can ban the operation of the

	Temporary Working Agency. Thus, under the spectrum of the new law, the administrative procedure of issuing the necessary license is abolished, though, the specific preconditions and rules of functioning are maintained in order to safeguard the public order, public security and the protection of service recipients.
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction of severance pay on dismissal** Source: LABREF **Code: b2**	The statutory severance pay was capped at a maximum of 12 months (due for tenures with the dismissing employer of at least 16 years) in case no notice is given to the employee. Two separate measures have been introduced for employees with more than 16 years of service in order to preserve the acquired entitlements to severance (up to certain amount): 1) a limit has been set on severance pay, which will be calculated only for the part of their salary up to €2,000 for those employees with more than 16 years of experience; 2) length of service shall be capped at 12 November 2012, the date the law came into force, and no further months will be taken into consideration for the purposes of calculating severance pay in case of redundancy.
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Shorter notice periods for terminating an employment contract** Source: LABREF **Code: b2**	The length of the periods of notice for terminating an open-ended employment contract have been reduced. Namely, the maximum notice period for employees is reduced from six to four months. That means that for employees whose tenure with the dismissing employer is between 15 and 19 years have now a noticed period reduced by 1 month (from 5 to 4); for those with 20 years or more the reduction is by 2 months (from 6 to 4). Tenures shorter than 15 were unaffected**.**
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements **All rules providing special protection against dismissal are to be abolished** Source: LABREF **Code: a2**	All rules providing special protection against dismissal are to be abolished and only the common regulations of dismissal shall apply in future. Hence the work rules of some companies (banks, public sector companies) which used to provide more effective protection than that provided by law will no longer count.
2012 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Partially amending the rules regulating temporary agency employment** Source: LABREF	The new legislation partially amends the rules regulating temporary employment agency. Some provisions of Temporary Employment Agency Directive (2008/104/EC) had already been implemented in Greek legislation by Law 3846/2010. The new legislation concludes this implementation. The changes primarily concern the legal status of the temporary employment

Code: g3	agency, the authorisation procedure, the exclusivity of the purpose of the temporary employment agency and the representation of employees. Pursuant to the modified rules, the activity of temporary employment agency no longer requires the issuance of a Ministerial Decision as a condition. According to the new legislation only a limited number of companies may supply temporary workers. It also provides that individuals may also establish a temporary employment agency while removes the requirement of a natural or legal person wishing to engage in the activity of Temporary Employment Agencies to have available capital of 176,083 €. Moreover, the new legislation adds activities that can be performed by a temporary employment agency as manpower training, counseling and professional guidance. Concerning the representation of temporary agency workers, the new legislation provides that temporary agency workers shall be included when calculating the threshold above which bodies representing workers are formed at the temporary employment agency. Finally, the new legislation establishes regulations concerning employment hours of the safety officer and the works doctor in the temporary employment agency.
2013 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Further amendments to the rules regulating temporary employment agency** Source: LABREF **Code: g4**	1. Changes in the process regarding the enforcement of administrative and criminal sanctions to illegally operating T.E.A 2. Provisions for permanent staff requirement, minimum area and equipment to be available by the T.E.A are repealed. 3. Reduction in the amount of guarantee letters from a bank from 146,700 € to 60,000 € for that which is filled with the Employment Directorate of the Ministry of Labour, Social Security and Welfare and from 58,700 € to 30,000 € for that which is filed with the Directorate of Financial Services of Social Insurance Institute (IKA).
2014 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Employees of public entities under private law are considered automatically dismissed** Source: LABREF **Not coded.**	A law recently adopted by the Greek Parliament (Law 4250/2014) provides for the closure of a significant number of public sector entities governed by private law, not public administrative bodies or establishments governed by public law. Employees of such entities are considered automatically dismissed by the enactment of the law, regardless of their number. Only the severance pay provided by law will be paid to them. No procedure of information or consultation is provided.

2014 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Reduction of the bureaucracy concerning the books of newly hired personnel** Source: LABREF **Code: d2**	From 1 June 2014, it will be not any more compulsory to keep and maintain updated the book of newly hired personnel, i.e. an official register, certified by the authorities, where all recruitments needed to be registered as of the first day of employment. Nevertheless, the data should be properly collected until 31 May 2014 and be available until 31 May 2024.
2014 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Lifting limits to use of TAW for specific company reasons** Source: LABREF **Code: g4**	Abrogating the provision to limits the use of temporary workers for specific reasons pertaining to the company's functional operations. Hence, now the employer can resort to temporary agency work at any time, without having to provide specific reasons.
2014 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Lifting prohibition of TAW in the construction sector** Source: LABREF **Code: g4**	According to the previous law (4052/2012), the use of temporary agency workers was limited by several prohibitions, among which the use of temporary workers was prohibited in the construction sector. The new law provides that these prohibitions no longer apply to construction work of an initial budget of more than EUR 10 million carried out on account of the State, public entities, local authorities and other public sector companies.
2016 Policy domain: Job protection (EPL) Policy field: Temporary agency work **New law allowing the Ministry of Employment and other public agencies to directly recruit cleaners and security guards to prevent their exploitation by subcontracting companies** Source: LABREF **Code: g3**	The new law passed by the Greek Parliament allows the Ministry of Employment and other public agencies to directly recruit cleaners or security guards previously employed by subcontracting companies to perform activities in the same Ministry. This approach is going to be extended to other public entities as a measure that aims to prevent the exploitation of such employees by subcontracting companies. These workers will be insured by the Social insurance Institute (IKA) for employees, however, they will not be protected by the labour law, as they will not be considered as employees but as contractors.
2017 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Abolition of the ministerial veto on collective redundancies** Source: LABREF	The new law abolishes the ministerial veto on collective redundancies, along with the pre-approval by the State. According to the new law, the period of consultation between the workers and the employer shall last 30 days, and if there is no agreement between the parties, the Supreme Labour Council, by reasoned decision issued within 10 days only examines whether the

Not coded	employer's obligation to inform and consult employee representatives has been observed. If the Council determines that the employer has fulfilled his/her obligations, the dismissals take effect 20 days from the date of issuance of the decision. By contrast, if the employer has not complied with his/her obligations, the Council may extend the period of consultation with the employee representatives or set a deadline for the employer to fulfil his/her obligations. In any case, the dismissals will take effect 60 days from the date on which the Supreme Labour Council was contacted.
2017 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Extension of the protection in case of dismissal to surrogate mothers and women who adopt a child until the age of two** Source: LABREF **Code: c1**	According to Article 46, protection in case of dismissal is also now applicable to surrogate mothers and mothers who have adopted a child (extension of Law 1483/1984, Article 15). More precisely, until the age of six (6), the termination of the employment contract by the employer is not permitted within a period of 18 months, which start from the day of birth or from the day of the adoption and the child's accession from the new family.
2017 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Compulsory declaration of termination of work at the official electronic information database («ΕΡΓΑΝΗ»«ERGANI»)** Source: LABREF **Code: a1**	According to Article 38 of Law No. 4488/2017, the employer is required to electronically declare any termination of the work contract (including voluntary termination on the part of the employee) within 4 days from the day the termination is decide. If the employer fails to fulfil this obligation, the contract is deemed to have been terminated unlawfully by the employer and the employee is entitled to severance pay.

Table P12 – Job protection (EPL) policies in Hungary (2008−2017).

2009 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Amendment to Labour Code - Dismissal Protection of Employees** Source: LABREF **Code: c1**	New article states that an employee shall not be dismissed until his or her child reaches the age of three (prohibition of dismissal). This also applies in cases where the employee does not use the non-paid holidays.
2011 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **The default length of the probationary period is 30 days** Source: LABREF **Code: c2**	The duration of the probationary period shall be thirty days. Probationary periods for less than thirty days may be elaborated in the collective agreement or may be agreed upon by the parties. A probationary period for a duration between thirty days and three months may be agreed upon by the parties or may be provided for in the collective agreement for a duration of up to six months. The probationary period may not be extended; no deviation from this provision shall be considered valid.
2011 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Temporary agency work was defined more clearly** Source: LABREF **Code: g3**	Temporary agency work was defined more clearly emphasising the temporary nature of work and the obligation of equal pay for work of equal value. Accordingly, definitions apply as follows a) hiring-out of workers shall mean when an employee is hired out by a temporary-work agency to a user enterprise to work there temporarily (hereinafter referred to as placement), provided there is an employment relationship between the worker and the temporary-work agency; b) temporary-work agency shall mean any employer who places an employee, with whom it has an employment relationship, under contract to a user enterprise to work there temporarily and exercises employer's rights and obligations jointly with the user enterprise (hereinafter referred to as temporary-work agency); c) 'user enterprise' shall mean any employer who temporarily employs a worker assigned by a temporary-work agency and exercises employer's rights and obligations jointly with the temporary-work agency; d) temporary agency worker shall mean a worker with a contract of employment or an employment relationship with a temporary-work agency with a view to being assigned to a user enterprise to work temporarily, where employer's rights and obligations are exercised jointly by the

	temporary-work agency and the user enterprise; e) assignment shall mean the period during which the temporary agency worker is placed at the user enterprise to work temporarily under its supervision and direction as per Section 104; f) time limit of assignment shall mean a period fixed in the agreement between the temporary-work agency and the temporary agency worker in consideration of the nature of work to be performed at the user enterprise, working conditions, previous statements of the parties, and the rights and obligations stemming from the employment relationship between the parties, where such period may not exceed five years.
2012 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Relaxation of ban on dismissing women with young children** Source: LABREF **Code: c2**	It becomes easier for the employer to terminate the work contract of women with young children. As before, the contract cannot be terminated until the third birthday of the child if the woman is on maternity leave. The protection from firing is lifted, however, if the woman returns to work. Some restrictions remain if the work contract is temporary.
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Restrictions related to severance payments in new Labour Code** Source: LABREF **Code: b2**	(a) The new Labour Code somewhat restricts the cases in which the employee is entitled for severance payment. As a change from previous law, employees will not be entitled to a severance payment if the employer terminates the contract based on the behaviour of the employee or based on the employee's (non-health-related) abilities. (b) The amount of severance payment will be reduced as it will be based not on the average of past wages earned but based on the basic salary. Other basic rules related to severance payments are unchanged: the entitlement starts after 3 years of employment and increases with tenure. (c) The code now makes it possible for employees to be told about the termination of their employment during a period of sick leave. However, the 30-day notice period starts only from the first day back at work.
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Relaxed criteria of reinstatement** Source: LABREF **Code: a2**	(a) It is no longer the duty of employers to reinstate unlawfully dismissed employees at the employee's request, except in special cases (cases related to equal treatment, maternity leave or employee representatives). With previous Labour Codes, reinstatement has always been within the power of a court. (b) Probation period: the Labour Code does not state any longer that the regular probation period is 1 month. It states (unchanged) that the parties can agree in a probation period of

	up to 3 months, while collective agreements can determine a probation period of up to 6 months (para 81 of old LC vs para 45 of new LC).
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Relaxation of rules regarding termination of fixed-term contracts** Source: LABREF **Code: i4**	The old Labour Code prescribed that if the employer terminated a fixed-term contract, it had to pay the employee their average earning for the remaining duration of the contract (but not more than 1 year). The new Labour Code allows the employer, under proper reasons, to terminate the fixed-term contract without having to pay this amount.
2016 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Work in the framework of school cooperatives is not employment** Source: LABREF **Code: i4**	The regulation of the activities of members in school cooperatives has changed. In order for the students to gain work experience and income, schools can form school cooperatives, in which membership is voluntary for the students. These cooperatives can provide services to a third party, while the students (members of the cooperative) are primarily in a legal relationship with the school cooperative, and only secondarily with the costumer. Previously, under the 1992 and 2012 Labour Codes, work in a school cooperative was defined as an atypical employment relationship, similar to work in a temporary work agency. The previous regulation was disputed both by the Hungarian temporary work agencies and by the European Commission. A new regulation places school cooperatives under the law on cooperatives, and redefines the work relationship as a contract of assignment. The Labour Code applies to this legal relationship: e.g., the minimum wage applies, and students are entitled to annual leave proportional to the duration of the assignment.

Table P13 – Job protection (EPL) policies in Ireland (2008−2017).

2011 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Reduced State rebate on statutory redundancy lump sums** Source: LABREF **Not coded**	Statutory redundancy lump sums are generally paid by employers who are currently entitled to a rebate from the State of 60% of the relevant amount. From 1 January 2012 this rebate will be reduced from 60% to 15%.
2013 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Double insolvency situation: fund for pensioners** Source: LABREF **Code: a1**	The Social Welfare and Pensions (No. 2) Bill 2013 has passed all stages in the Irish Parliament and was signed into law by the President of Ireland on the 25 December 2013. The sections relevant to the finding by the Court of Justice, in Case C-398/11, Hogan that Ireland had not adequately transposed Article 8 of Directive 2008/94/EC, are sections 9 and 10. These sections apply to so-called "double insolvency" situations, where the employer becomes insolvent and the pension scheme is underfunded. Section 9 ensures that scheme funds are distributed in a way that ensures that all members, including pensioners, receive 50% of their benefits and then priority is given to protecting pension benefits up to €12,000. Section 10 provides that, where a scheme has insufficient resources to provide the 50% of benefits and protect €12,000 of pensioner benefits, the Minister for Finance shall provide for the shortfall in scheme assets. The Act does not operate retrospectively and therefore does not apply to the Waterford Crystal workers whose case is listed For Mention in the High Court on the 4th February 2014. It is anticipated that a date for the resumed hearing of the case will then be fixed.
2014 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal Increased protection of wistleblowers Source: LABREF **Code: c1**	Employers may not dismiss or otherwise penalise a worker for having made a "protected disclosure". The Unfair Dismissals Act 1977 has been amended so as to provide that the dismissal of a worker for having made a "protected disclosure" is automatically unfair and can be objected to, notwithstanding that the worker has less than one year of continuous service. Moreover, the ceiling on any compensation that might be awarded in respect of such a dismissal is increased from two to five years of remuneration. The 2014 Act also provides for "interim relief" in cases where a claim of unfair dismissal is made

	for making a protected disclosure. This involves submitting an application to the Circuit Court which is empowered, inter alia, to make an order for the continuation of the worker's contract of employment. For the purposes of the 2014 Act, a "protected disclosure" is a disclosure of "relevant information" made in a specified manner. The term "relevant information" is defined in section 5 as being information which, in the reasonable belief of the worker, tends to show one or more relevant "wrongdoings" - such as that an offence has been, is being or is likely to be committed; that the environment has been, is being or is likely to be damaged; or that an unlawful or otherwise improper use of funds or resources of a public body has occurred, is occurring or is likely to occur - and which came to the worker in connection with his or her employment.
2015 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Overhaul of bodies and procedures dealing with adjudication of labour disputes** Source: LABREF **Code: d2**	The Workplace Relations Act 2015 streamlines the bodies and procedures which deal with the adjudication of industrial disputes and the resolution of complaints about breaches of employment legislation. The legislation provides for a two tier Workplace Relations structure by merging the activities of the National Employment Rights Authority, the Labour Relations Commission (LRC), the Equality Tribunal and the first instance functions of the Labour Court and the Employment Appeals Tribunal (EAT) into a new body of first instance - the Workplace Relations Commission (WRC). The appellate functions of the EAT will be incorporated into an expanded Labour Court. The WRC will consist of an eight member board comprising a chairperson, representatives from employer and employee bodies and industrial relations experts. The LRC, established in 1990, and the EAT, established in 1967, will be dissolved.

Table P14 – Job protection (EPL) policies in Italy (2008−2017).

2008 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **Renewed possibility for companies to use on-call work** Source: LABREF **Code: h4**	Renewed possibility for companies to use on-call work – this option had been abolished by the last government, following the agreement reached on 23 July 2007 between the government and social partners known as the 'Welfare Protocol'.
2008 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Restriction of the repetitive use of fixed-term employment contracts in the metalworking sector** Source: LABREF **Not coded**	The total sum of employment periods, even if not continuous, of a worker who is hired in the metalworking sector by the same company and for the same job under a temporary agency or fixed-term contract cannot exceed 44 months.
Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Increase in the maximum duration of fixed-term employment** Source: LABREF **Code: f4**	Increase in the maximum duration of fixed-term employment: making it is possible to exceed the time limit of 36 months for stabilising employment relationships. Assigning to collective bargaining the task of determining the terms of renewalof fixed-term employment contracts beyond the 36-month time limit.
2008 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Abolishing online procedure of voluntary resignations** Source: LABREF **Code: a2**	Abolishment of the online procedure for the registration of voluntary resignations by workers. This innovation was introduced by the previous government, and it established that voluntary resignations were to be recorded by completing a special form downloaded from the website of the Ministry of Labour and Social Security (Ministero del Lavoro e delle Previdenza Sociale). The form is assigned an alphanumerical code, which ensures that it is unique, thus making illegal duplication impossible. The purpose was to combat the practice of 'white resignations', or unlawful dismissals disguised as voluntary resignations.
2009 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other	Under Italian employment law, workforce supply from one employer to another for an open-ended term such supply can only be made by specifically authorised entities and companies and for specific jobs and

Raising the scope of activities where staff leasing is allowed Source: LABREF **Code: d2**	activities. Open-ended contracts for workforce supplying can now be signed with reference to following activities: IT services and consultancy; cleaning and custody services; carriage services; marketing and business consultancy; human resources consultancy and recruitment; and other cases expressly provided by collective agreements.
2009 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Voucher scheme for occasional work** Source: LABREF **Code: i3**	Creation of a full voucher scheme for occasional job opportunities. Voucher incorporates social security contributions for the employer.
2010 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Less generous computation of end-of-service allowance for public sector employees** Source: LABREF **Code: b2**	Harmonisation of public sector computation of end-of-service allowance on the same level of private sector.
2010 Policy domain: Job protection (EPL) Policy field: Procedural requirements **New rules on certification of labour contracts and conciliation procedures** Source: LABREF **Code: a2**	Certification means that any kind of labour contract (employment – fixed-term or open-ended – part-time, self-employed, project work, temporary agency work, etc.) can be certified as far as its juridical status is concerned by a public or private certification commission authorised by the law. Conciliation for the settling of labour disputes, which used to be mandatory before taking the case to court, is now optional and only required in case of disputes arising on certified contracts. Voluntary conciliation is always possible on request of one of the parties of the contract to the provincial labour office, to the certification commission or to an ad-hoc conciliation and arbitration body established by the parties. Conciliation is immediately executing. During conciliation, the parties may also devolve the dispute to arbitration by the same body. The result of certification can be challenged before court only in case of wrong qualification of the contract, forced consensus and differences between the certified contract and the effective functioning of the underlying labour relationship. In any case, if a dispute arises on the certified contract, before going to court, conciliation has to be tried in front of the relevant certification commission.
2010	For various types of contracts - also see ""New rules on

Policy domain: Job protection (EPL) Policy field: Procedural requirements **New arbitration procedure** Source: LABREF **Code: a1**	certification of labour contracts and conciliation procedures. Introducing the possibility to decide to settle individual labour disputes through an arbitrator rather than a judge. The decision on whether to opt for arbitration will have to be foreseen in the individual contract of employment and be implemented after the trial period or alternatively 30 days following the stipulation of the contract. In cases where the dispute is over dismissal, arbitration will not be possible and such cases must be referred to a court. Most relevant employer's decisions (dismissal included) must be contested in writing by the employee within 60 days. From the contestation, the employee has 270 days to go to court. If conciliation is proposed by the employer further 60 days have to be added to the 270 days period. In applying general clauses related to the exercise of employer's powers (for instance, technical, productive or organisational reasons in case of transfer of the worker or justified economic motivation of dismissal), the judge cannot assess the grounds of employer's decisions but he/she has just to verify that legal requirements are fulfilled. In assessing the lawfulness of a dismissal for economic or subjective reasons, the judge has to take into account criteria in cases provided by collective agreements or by certified individual employment contracts.
2010 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Stricter conditions for temporary-work agencies and intermediation of labour** Source: LABREF **Code: g3**	Stricter requirements for the authorisation of temporary-work agencies, but also shorter term for the ministry of labour to provide or deny the authorisation (90 days). Authorisation for temporary-work agency is conditional on work agencies' contribution to a professional fund in favour of agency workers, for training and income support for agency workers. This fund is aimed to finance training and income support benefits for agency workers. Temporary-work agencies must communicate any relevant information on the labour market to public employment services. Intermediation of labour may be performed by the following bodies: directly, by public and private universities, employers association and trade unions, bilateral bodies; under authorisation, by chambers of commerce, high-schools, local administrations.
2010 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Indemnity for employee in case of judicial rescission of a fixed-term contract** Source: LABREF	In case a fixed-term contract is declared null and void by the judge, the employee has the right to get an indemnity from 2,5 months up to 12 of wage.

Code: i3	
2012 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Changes to clarify the rules judges have to apply when ascertaining the unlawfulness of a collective dismissal.** Source: LABREF **Not coded**	Amending Act No. 223/1991, three different options are provided: a) the judge declares the dismissal to be unlawful due to the lack of a written notification (oral dismissal): the employer must reinstate and compensate the employee (the indemnity amounts to the wages the worker would have received from the date of dismissal until the date of effective reinstatement); b) the judge declares the dismissal to be unlawful because of a violation of the procedural rules (e.g., prior information and consultation with trade unions): the same rules on individual dismissals for economic or objective reasons have to be applied, implying that the sanction is not reinstatement, but only compensation by an indemnity amounting to between 12 to 24 months of wages (at present, the employer must reinstate and compensate the employee - the indemnity amounts to the wages the worker would have received from the date of dismissal until the date of effective reinstatement); c) the judge ascertains the dismissal to be unlawful because of a violation of the criteria to select the redundant employees provided by law or by collective agreement: the employee must be reinstated and compensated by an indemnity that amounts to the wages the worker would have received from the date of dismissal until the date of effective reinstatement, but this indemnity may not, in any case, exceed 12 months of wages (at present, there is no ceiling and the indemnity amounts to all the wages the worker would have received from the date of dismissal until the date of effective reinstatement). It is worth noting that the violation of substantive or formal requirements of the communication to workers' representatives of the intention to dismiss employees can be omitted if the parties involved agree.
2012 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Revision Art 18 of Law 300/1970, requiring employers with more than 15 employees to reinstate workers unlawfully dismissed** Source: LABREF **Code: c2**	There are 3 cases for unlawful dismissal: a) discriminatory; b) disciplinary (just cause); c) economic (objective reasons). a) Discriminatory dismissals nothing changes: Regardless of the firm's size, reinstatement and payment to the employee of the indemnity amounts to the wages the worker would have received from the date of dismissal until the date of the effective reinstatement. The same apply if dismissal is declared unlawful due to the lack of a written notification (oral dismissal). b) Disciplinary dismissals: 1) if the judge ascertains a lack of such reasons, the dismissal is invalid and the employee reinstated and compensated, however, the indemnity may not exceed 12 months of wages (previously there was no ceiling); 2) if the judge declares the dismissal to be unlawful, but the

	circumstances are less severe, the employer will not have to reinstate the employee, but will have to compensate by an indemnity amounting between 12 to 24 months of wages (mainly depending on the worker's seniority and the size of the employer); 3) if the dismissal is unlawful due to a violation of procedural rules, the employer will not have to reinstate the employee, but will have to compensate by an indemnity amounting between 6 to 12 months of wages. With previous legislation, the sanction for violating procedural rules for individuals and collective dismissals was reinstatement and compensation. c) Economic dismissals: 1) in extreme cases, where the economic or other objective reasons were found to be "patently non-existent", the judge may decide in favour of reinstatement and for compensation, however, the indemnity may not exceed 12 months of wages (previously there was no ceiling; 2) in all other cases where the judge ascertains that the economic dismissal is simply not justified, the sanction is not reinstatement but only compensation by an indemnity between 12 to 24 months of wages. For disciplinary and economic dismissals, the judge decides.
2012 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **Reason for the use of the first contract** Source: LABREF **Code: h4**	"The first fixed-term contract, i.e., the fist fixed-term contract between a worker and a given company for any type of job or the first mission in case of agency work, shall no longer be justified based on the reasons as provided in Art. 1 of the Legislative Decree 368/01 if the contract is longer than 6 months. Exceptions are allowed through collective agreements. The conclusion of fixed-term contracts not justified by reasons usually recognised by law, can be included by collective agreement signed by the (comparatively) most representative social partners at inter-sectoral level in case of: a) start-up of new activities, products or services; b) substantive technological changes; c) extension of high valuable research projects; d) renewal or extension of large job orders. "
2012 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Duration of temporary contract in Start-ups** Source: LABREF **Code: f3**	According to Article 28, fixed-term contract in start-up can last from a minimum of 6 months to a maximum of 36 months and can be extended to 48 months if this is decided in the Local Office of the Ministry of Labour. If the total duration of the fixed-term contracts concluded with the same worker exceeds 36 or 48 months, the judge will transform the employment relationship into an open-ended one.
2012 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts	Law 28 June 2012 n. 92 introduces the possibility of signing a temporary contracts (both FTCs, and Temporary Work Agency employment) without a specific organisation or technical reason. This contract

A contract that is concluded without specification of reasons may not last more than 12 months Source: LABREF **Code: f4**	can be signed by workers in their first access to the labour market, as well as in other circumstances (i.e. development/crisis of the firm) as defined by trade unions. This contract has a maxiumum length of 1 year and the employer cannot prorogate it.
2012 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **The period during which the fixed-term contract may continue beyond its original deadline** Source: LABREF **Code: f3**	The period during which the fixed-term contract may continue beyond its original deadline to meet organisational needs has been extended from 20 to 30 days for contracts lasting less than 6 months and from 30 to 50 days for those exceeding 6 months. If the work relationship continues after the maximum extension, the employer must pay a premium of 20% for an additional day of work for the first ten days and 40% for the following days. If the contract continues for further 30 days (20 with the previous legislation) in case of contracts of duration of six months or 50 days (30 with the previous legislation) in the other cases, the temporary contract is automatically transformed in permanent.
2012 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Renewal of temporary contract in Start-ups** Source: LABREF **Code: e3**	Within the abovementioned period of 36 months, more than one fixed-term contract can be concluded with the same worker without respecting the break periods usually provided for in legislative Decree No. 368/2001.
2012 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Waiting period between two fixed-term contracts** Source: LABREF **Code: e4**	The waiting period between a fixed-term contract and a new one has been extended to 60 days (previously 10) in case of contracts lasting less than 6 months and to 90 days (previously 20) in case of contracts lasting more than 6 months. Collective contracts can reduce these terms to the previous levels in case of economic crisis/development of firms; these changes will be introduced through a ministerial decree in case of inaction by collective bargaining within 18th July 2013.
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Special judicial procedure for disputes related to dismissals** Source: LABREF **Code: a2**	A special and faster judicial procedure has been introduced for disputes related to dismissals falling within the scope of the application of Article 18 of Act No. 300/1970. An essential and quick inquiry by the judge is provided. This stage ends with a court order that produces immediate effects. The employer or employee may, within 30 days from the notification of the court order, present his/her case to the same court. This second stage is characterised by a more detailed examination of the case, but at the same time it is conceived to be faster than an ordinary procedure. A

	fast procedure is also provided when the case is brought to the Court of Appeal and, finally, to the Supreme Court after the ruling concludes the trial (opposition). Disputes related to dismissals falling under the scope of the fast procedure shall have priority over disputes relating to other employment issues.
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Faster, compulsory, out-of-court settlement procedure** Source: LABREF **Code: a2**	If an employer (employing more than 15 workers in a single working unit or more than 15 employees in the same district or more than 60 employees nationwide) intends to dismiss an employee for economic or other objective reasons, a new, fast, compulsory, out-of-court settlement procedure must be followed at local level (Commissione Provinciale di Conciliazione). If conciliation fails, the employer may communicate the dismissal to the employee and the employee can bring the case to court. The dismissal will be effective from the day the notice based on the above described procedure is issued by the employer. The notice's effects are suspended for workers who are on maternity, parental or work accident leave, but not in case of sick leave. This is to prevent workers' abuse.
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Procedure on individual dismissals** Source: LABREF **Code: a2**	The employer's written notification of individual dismissal must specify the reasons for the dismissal. Dismissed workers will have to bring the case to court within a shorter time period: dismissed employees must contest the dismissal by sending a written communication to the employer within 60 days from the date the notice of dismissal was received. This communication has to be followed, within 180 days, by the initiation of court procedures against the employer. With previous law 1) the employer had to communicate the reasons for dismissal only if requested by the employee. 2) the employees must bring the case to court within 270 days.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Reason for the use of temporary contract in Start-ups** Source: LABREF **Code: i3**	According to Article 28, within 4 years from its establishment, fixed-term contracts concluded by the innovative start-up company are deemed ipso facto to be in line with the objective reasons required by legislative Decree No. 368/2001, if they refer directly or indirectly to the type of activity of the company. Article 25 defines start-up companies as innovative when they meet the following requirements: a. corporate (also cooperative) company based in Italy; b. the majority of shares are owned by physical persons; c. if it was established and has been operating for no longer than 48 months; d. if it is established and principally operates in Italy; e. if from the second year of activity, the total value of its annual production does not exceed EUR 5 million;

	f. if it did not and does not distribute earnings per share; g. its type of activity refers exclusively to the development, production and sale of high-tech innovative products or services; h. it has not been established following a merger, a corporate breakdown or a transfer of undertaking or part of an undertaking; i. it meets one of the following requirements: 1. research and development expenses are higher than a certain percentage of the total costs; 2. at least one third of its employees are PhD holders, PhD students or graduates who have conducted research in the field for at least 3 years; 3. if it owns at least one high-tech industrial property right. Wages paid by the innovative start-up company shall consist of a fixed part which cannot fall below the minimum pay provided by the applicable sectoral collective agreement, and of a variable part linked to the productivity of the company. The latter can also be paid through stock options or the transfer of the stocks free of charge.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Limitation to Accessory work (addendum)** Source: LABREF **Code: i3**	In addition to what foreseen by the law of 28 June 2012 the new law establishes that only for 2013 those already receiving income or wage support may have accessory work in all sectors (including local authorities) up to a maximum of 3000 euro yearly.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Limitation to On-call duty** Source: LABREF **Code: i3**	Employers are allowed to make use of on-call duty only if specific conditions provided for in collective agreements are met or without restrictions if the employee is younger than 24 or older than 55 years. The employer shall inform the Local Labour Authority (Direzione Provinciale del Lavoro) about the length of each working period in advance. If the employer does not comply with the information requirement a fine between 400 and 2400 eur should be paid.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Unlawful fixed-term contract** Source: LABREF **Code: i3**	In case a fixed-term contract has been declared unlawful due to a lack of formal or substantial requirements, the employment relationship will be considered indefinite and the employee will receive a comprehensive compensation of between 2,5 up to 12 months of his or her previous wage.

2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **New terms of appeal and decadence of the contract** Source: LABREF **Code: i3**	In case of invalidity of the clause of the term in FTCs, the term of court of appeal is increased form 60 to 120 days after termination of the relationship and the period within which the employee must file documents in court is fixed in an additional 180 days (before 270 days) for a total of 300 days.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Limitation to Accessory work (addendum)** Source: LABREF **Code: i4**	Article 46-bis paragraph 1 let. d) modifies Article 1 paragraph 32 let. a) of Act No. 92/2012, which in turn modifies Article 70 paragraph 1 of Legislative Decree No. 276/2003 which regulates the use of accessory autonomous work and relaxes the conditions for using such a contract in 2013.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Limitation of other type of self-employment activities** Source: LABREF **Code: i3**	Self-employed persons with a VAT number are considered, unless proven otherwise, as being in a continuous and coordinated self-employed relationship (project work), if at least two out of the following conditions apply: 1) the relationship lasts for at least eight months per year for two consective years; 2) the worker obtains more than 80% of his or her income from this employment relationship for 2 consecutive years; 3) the position includes a permanent workplace at the company's premises. This presumption does not apply in case the job: a) is characterised by theoretical knowledge acquired by specific training or by practical skills acquired on the job; b) is carried out by someone whose annual income from self-employed work is no lower than 1,25 times the minimum income level taken into account to determine whether someone is subjected to social security contributions; c) is carried out within the execution of professional activities which require registration in public registries (barristers, accountants, etc.). The conversion of a self-employed into a coordinated and continuous self-employed relationship implies the application of all regulations applicable to project work (Article 61-69 of Legislative Decree No. 276/2003), including the conversion into an indefinite employment contract in case of lack of a specific project. Moreover, in case of violations of legal requirements, companies shall pay the social security contributions provided by law for project workers, which are higher than those due for self-employed persons.
2012 Policy domain: Job protection (EPL)	When associated partners support the venture with their own work, the law provides that: a) no more than 3

Policy field: Temporary contracts – Other **Limitation to Joint ventures with working partners** Source: LABREF **Code: i3**	workers may be associated with the business, unless they are the manager's relatives. In case of violation of this rule, all associated partners' contracts will be converted into an indefinite employment contract; b) if associated partners do not participate in the profits of the venture or if they do not have the right to periodically check the accounts, their contract is presumed to be an indefinite employment contract, unless proven otherwise by the manager. The same applies if the job performed to support the business is neither characterised by theoretical knowledge acquired by specific training nor by practical skills acquired on the same job.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Waiting period between two fixed-term contracts (addendum)** Source: LABREF **Code: i3**	Article 46-bis paragraph 1 a) modifies Article 1 paragraph 9 h) of Act No. 92/2012, by extending the provision allowing the social partners to derogate from the required period between one fixed-term contract and the subsequent one signed by the employer with the same worker (Article 5 paragraph 3 of Legislative Decree No. 368/2001) for seasonal activities regulated by Article 5 paragraph 4-ter of the same legislative decree.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Limitation to Project work coordinated self-employment (addendum)** Source: LABREF **Code: i4**	Article 46-bis paragraph 1), letter c) modifies Article 1 paragraph 26 of Act No. 92/2012, which in Legislative Decree No. 276/2003 Article 69-bis introduces a regulation of the work relationship of self-employed persons with a VAT number (partite IVA) and relaxes the conditions under which such relationships are regarded as coordinated work.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Limitation to Project work (quasi - employees)** Source: LABREF **Code: i3**	The law provides that: 1) the given project/s shall be specified and the final result clearly denoted; 2) the project may not coincide with the employer's core business; 3) project worker's activities may not be repetitive or require very low skills; 4) when project workers hold a position which is de facto equivalent to that of an employee, the self-employment contract has to be reclassified into an employment contract from the beginning of the employment relationship; 5) the lack of a specific project will lead to the conversion of the project work relationship into an indefinite employment contract; 6) remuneration to be paid to project workers may not be lower than sectoral minimum wages fixed by the collective agreements signed by the (comparatively) most representative social partners at inter-sectoral, sectoral and even local level, if thus decided by inter-sectoral or sectoral agreement.
2012	The law provides a definition for accessory work as an

Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Limitation to Accessory work** Source: LABREF **Code: i4**	occasional employment contract, meaning that accessory workers may not earn more than EUR 5.000 per year and in case accessory work is performed for a firm or for professional service providers, the individual contract may not exceed EUR 2.000. Moreover, to discourage abuse of this form of contract, social security contributions on the part of the employer have been increased. These provisions will be applied to the agricultural sector for seasonal activities made by retired and young people under 25 years.
2013 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Renewal of the first temporary contract** Source: LABREF **Code: e4**	Permits the renewal of a temporary contract that was started without specifying the technical or productive reason justifying the fact that the contract was not open ended.
2013 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Exception to mandatory and preventive conciliation in case of economic dismissals** Source: LABREF **Code: a2**	The mandatory and preventive conciliation and mediation procedure provided in case of dismissal for economic reasons does not apply to: a) dismissals on the ground of illness which exceeds the maximum period established in collective agreements (periodo di comporto); b) dismissals or work interruptions due to changes at the subcontractor, followed by the hiring of the dismissed workers by the new subcontractor; c) interruptions of work in open-ended employment relationships in the construction sector due to the end of the activity or to the closure of the construction site.
2013 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Joint ventures with working partners (Associazione in partecipazione)** Source: LABREF **Code: i3**	– Paragraphs 133-4 extend the period (initially 30 September 2013, now 31 March 2014) within which, by making reference to Article 7-bis of Law Decree No. 76 of 2013, false joint ventures with working partners may be transformed by the user company (i.e., the actual employer) via a collective agreement signed with the comparatively most representative trade unions at any level, into an employment relationship by paying to the relevant social security body (Istituto Nazionale per la Previdenza sociale – INPS) a lump sum which amounts to 5% of the social insurance contributions due by each joint venture for a maximum period of six months, whatever the period during which the joint ventured has been operating under such a working arrangement.
2013 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Jobs on call**	An employee may be requested to be on call for no more than 400 days within 3 calendar years. Thereafter, the work relationship will be regarded as full-time and open-ended. Amendments to Legislative Decree No. 276/2003.

Source: LABREF **Code: i3**	
2013 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Restitution of additional contribution in case the employment is transformed in permanent** Source: LABREF **Code: i4**	According to Article 2 Paragraph 28 Act No. 92 of 2012, employers are obliged to pay an additional social insurance contribution of 1.4% of the monthly income for each worker employed under a fixed-term contract. Article 2 Paragraph 30 Act No. 92 of 2012 provides for the restitution of six months of the additional contribution in case the employment relationship is transformed into an open-ended one. Paragraph 135 of the State Budget Act 2014 extends the restitution to the entire period the worker has been employed under the fixed-term contract.
2014 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **No reason required for temporary contracts** Source: LABREF **Code: h4**	Fixed-term contracts may be signed without reasons and for any type of task.
2014 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Increased maximum duration of temporary contract** Source: LABREF **Code: f4**	The maximum duration of fixed term employment contract is raised from 12 to 36 months.
2014 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Maximum renewals of a temporary contract** Source: LABREF **Code: e4**	Fixed-term contracts may be renewed within a maximum period of 36 months up to a maximum of 5 times. Renewals are possible with the consent of the worker and only if the individual is required to perform the same tasks for which the relevant fixed-term contract has been singed (objective reason). Fixed-term contracts which exceed the 36-month limit of more than 20 days are converted into contracts of indefinite duration. The same employer and employee may sign successive fixed-term contracts after a time lapse of 10 or 20 days according to the duration of the new fixed-term contract (less or more than 6 months) under the condition that such contracts refer to different tasks.
2014 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other	The number of fixed-term contracts subscribed by the company without reason cannot exceed the 20% of the number of workers employed under an open-ended

Constraints to the number of fixed-term contracts Source: LABREF **Code: i3**	contract at 1 January of the year in which the fixed-term worker(s) has been hired. Such a limitation does not affect companies that employ less than five workers. Also, such a limit can be derogated by branch collective agreements signed by comparatively representative trade unions. In case a company has exceeded the above mentioned limit, a sanction of 20% of wage paid to the fixed-term worker will apply for each month or part of the month exceeding 15 days, if the number of fixed-term workers hired above the limit does not exceed 1; a sanction of 50% of wage paid to the fixed-term worker will apply to the company for each month or part of the month exceeding 15 days, if the number of fixed-term workers hired above the limit does exceed 1 (article 5 paragraph 4-septies Legislative decree n. 368 of 2001). For firms with less than 5 employees it is always there are no limits to the number of temporary contracts. Fixed-term contracts excluded from any quantitative limitation include: •Start-up companies for periods of time defined by branch collective agreements; •In case of substitution of absent workers; •In case of seasonal jobs; •In case of specific TV or radio broadcasts; •With workers over 55. The 20% limit does not apply to public institutions or private bodies operating in the research sector; fixed-term contracts exceeding the 36 months limit can be signed in case the research project they refer to does exceed that limit. The 36-month maximum duration period and the 20% threshold may be derogated by collective agreement.
2015 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Reduced scope for reinstatement - Collective dismissals** Source: LABREF **Not coded**	In case of oral collective dismissal, the judge will order the employer to reinstate the workers. The employer will also be ordered to pay the workers a backpay. The amount of the indemnity depends on the duration of the period starting from the date of dismissal and ending on the date of reinstatement. Any wage earned by the worker during that period shall be deducted from the calculation of the indemnity. In any case, the total indemnity shall amount to no less than 5 months of wages, excluding occasional grants and reimbursements. The employer is obliged to pay social security contributions on the indemnity. The worker, within 30 days from the court's decision providing for his/her reinstatement or from the employer's invitation to resume work, may request the employer to pay an indemnity in lieu of reinstatement, amounting to 15 months of wages based on the above calculation. In this case, no social security contribution is due. That request, if accepted by the employer,

	terminates the employment relationship. The employment relationship will also terminate if the worker rejects the employer's invitation to resume work. In case of a collective dismissal in violation of the information and consultation procedure or of the legal or contractual criteria to select the workers to be dismissed, the judge will declare the termination of the employment relationship null and void from the day of the dismissal and order the employer to pay an indemnity amounting to two months of wages for each year of work. The total amount of indemnity shall not be lower than four but may not exceed 24 months of wages based on the above calculation. In this case, no social security contribution is due.
2015 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduced scope for reinstatement - New contract with increasing levels of protection** Source: LABREF **Code: b2**	The term "tutele crescenti" (increasing levels of protection) means that the amount of indemnity an employer must pay in case of unlawful dismissal increases in accordance with the worker's seniority within the company. The decree introduces a new regime for the consequences of unlawful redundancies, individual and collective, for employees hired on permanent contracts, eliminating any possibility of reintegration into the workplace in the event of economic redundancies and restrict it in the case of disciplinary layoffs. In the latter case the reinstatement of the worker will be possible only in the case of non-existence of material fact, directly proven in court.The judge will declare the dismissal null and void and order the employer to reinstate the worker. The employer will also be ordered to pay to the worker a backpay equivalent to the wage lost from the date of dismissal until the date of reinstatement. Any wage earned by the worker during that period, as well as any wage the worker could have earned by accepting a suitable job offer from the Employment Services, shall be deducted from the calculation of the indemnity. The backpay is capped at 12 months. In all other cases the unfair dismissal is deemed to be valid and a compensation raising with tenure equivalent to 2 months per year of services (y.o.s.) up to a max of 24 months (min 4 months) is paid to the worker. The compensation is exempt from payment of social security contributions. The assessment of the lack of material facts on which the employer has grounded the dismissal does not allow the judge to test the proportionality between the infraction and the penalty In cases in which the worker has been dismissed without cause or without following the procedure provided in Article 7 of Act No. 300 of 1970 (disciplinary procedure), the judge will declare the

	termination of the employment relationship null and void from the day of the dismissal and order the employer to pay an indemnity amounting to 1 month of wage per y.o.s. up to a maximum of 12 months (min 2 months). In this case, no social security contribution is due. In case of dismissal of workers falling under the scope of the new regulation, and to avoid judicial review and leave open the possibility to follow other conciliation and arbitration procedures, the employer, within 60 days from the dismissal, may offer the worker a sum amounting to 1 month of salary per y.o.s. up to a maximum of 18 months (min 2 months). The acceptance of the payment terminates the employment relationship and the worker renounces the claim lodged against the dismissal. Any other sum agreed within the conciliation procedure is taxed. Furthermore, for employers that employ less than 15 workers, only half of the amount of the above-mentioned indemnity applies and shall, in any case, not exceed 6 months of wage, excluding occasional grants and reimbursements. The decree applies to all permanent contracts signed before its entry into force and to all transformation from temporary or from apprenticeship contract into permanent contract occurring after the entry into force of the decree.
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Legislative Decree on work relationships: Casual work (Lavoro accessorio)** Source: LABREF **Code: i4**	The casual work is allowed for discontinuous and occasional work activities in the productive sectors, without prejudice to the full traceability of the voucher purchased. The maximum earning limit for being hired with a casual work is raised from 5000 to 7000 euro within a year. Unemployment benefits recipients are allowed to be hired with a casual work with a salary up to maximum of 3000 euro.
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Legislative Decree on work relationships: Repeal of collaboration contracts** Source: LABREF **Code: i3**	The decree repeals coordinated self-employed work relationship. The regulation of the employment relationship (including dismissal law) applies to coordinated work relationships consisting mainly of personally and continuously performed activities, organised by the client (i.e., the employer), with reference also to the time and place of work. On the other hand, the parties to a coordinated work relationship may request the Certification Commission to exclude that relationship from falling within the scope of article. Cases excluded are: (i) coordinated work relationships for which collective agreements, taking into account the productive and needs of that sector, provide specific regulations; (ii) coordinated work relationships performed within

	the framework of professional activities exercised by registering to a register; (iii) coordinated work relationships performed by members of boards of directors; (iv) coordinated work relationships performed in favour of clubs organising amateur sport activities. From 1st of January 2017 coordinated worker are forbidden in the public sector.
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Legislative Decree on work relationships: Numerical limits to Interim jobs** Source: LABREF **Code: i3**	The maximum number of interim workers with a permanent contract cannot represent more than 10% of the workers with permanent contracts within the firm. The list of specific occupations for which interim contracts are admissible has been repealed. The limit of interim workers with temporary contracts are set by collective agreements. Unemployed for at least 6 months eligible for some form of safety net and ""disadvantaged"" workers are excluded from these limits (for temporary interim).
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Legislative Decree on work relationships: repeal of the collaboration contracts** Source: LABREF **Code: i4**	The decree repeals coordinated self-employed work relationship. The regulation of the employment relationship (including dismissal law) applies to coordinated work relationships consisting mainly of personally and continuously performed activities, organised by the client (i.e., the employer), with reference also to the time and place of work. On the other hand, the parties to a coordinated work relationship may request the Certification Commission to exclude that relationship from falling within the scope of article. Cases excluded are: (i) coordinated work relationships for which collective agreements, taking into account the productive and needs of that sector, provide specific regulations; (ii) coordinated work relationships performed within the framework of professional activities exercised by registering to a professional register ; (iii) coordinated work relationships performed by members of boards of directors; (iv) coordinated work relationships performed in favour of clubs organising amateur sport activities. From 1st of January 2017 coordinated worker are forbidden in the public sector.

Table P15 – Job protection (EPL) policies in Latvia (2008−2017).

2010 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Amendments to Worker Protection in Case of Collective Redundancies** Source: LABREF **Not coded**	Amendments with regard to the notification terms in case of collective redundancies. Article 106(4) of the Labour Law provides an information obligation in case of collective redundancies 45 days prior to the planned redundancies (instead of 60 days); Article 107(1) of the Labour Law provides for a right starting collective redundancies 45 days after the notification (instead of 60 days); Article 107(2) of the Labour Law provides for the right of the State Employment Agency to extend the term of notification up to 60 days prior to redundancies (instead of 75 days).
2010 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Sanctions in case of temporary employment contract not concluded in writing** Source: LABREF **Code: g3**	Amended Article 41(3) of the Labour Law provides for a new remedy in case an employment contract is not concluded in writing as required under Article 40(2) of the Labour Law. In case there is no written employment contract and the employer or employee may not prove the length of the employment relationship, the working-time and the remuneration, it is presumed that the employee is employed for three months under normal working time in return of the minimum wage.
2012 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Reduction mandatory training requirements for employees** Source: LABREF **Code: d2**	In order to reduce the administrative burden on companies of mandatory employee training, the minimum time required for basic occupational health and safety training is reduced from 160h to 60h. This measure aims at improving the conditions for employment creation, but may lead to less effective health and safety in the workplace. It was approved by CoM on 18.12.2012; and will be effective as of 01.07.2013.
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Expanded eligibility for recovery of unpaid salaries in case of employer insolvency** Source: LABREF **Code: a1**	The amendment provides the right for ex-employees to claim outstanding payments from the Guarantee Fund if a national court decision obliges the employer to reimburse unpaid salaries. This applies in particular if the employer is declared insolvent for not having the financial resources to comply with the court's decision. Previously, only employees who had worked for the employer in the 12 months preceding the insolvency declaration were considered as privileged claimants and hence had a good chance of recovering their unpaid salaries. Now also employees whose contract ended earlier obtain this right.
2013 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Ceiling on outstanding employee claims for employers in other MS**	The amendment introduces a uniform calculation procedure for outstanding employee claims from employers declared in Latvia and in other MS. Previously, the amount of claims from employers declared bankrupt in other MS were not restricted; the amount was based on the average salary. With the new

Source: LABREF **Code: a2**	amendment, the amount of claims is restricted to the monthly statutory salary, as was already the case for employee claims in case of employers declared bankrupt in Latvia.
2014 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Facilitate collective dismissal procedure** Source: LABREF **Not coded**	Articles 106(4) and 107(1) of the Labour Code regulating collective redundancy procedures (and transposing Directive 98/59/EC) have been changed to shorten the term between notification of the State Employment Agency (SEA) and initiation of the dismissal procedure from 45 to 30 days, the minimum foreseen in Directive 98/59/EC. This term is meant to give the SEA the opportunity to seek solutions to the problems raised by the projected collective redundancy. Effective as of 01.01.2015.
2014 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Increase max. duration of fixed-term contracts** Source: LABREF **Code: f4**	Article 45 of the Labour Code has been changed to increase the maximum duration of fixed-term contracts from three to five years. At the same time, a new employment contract is considered to be a continuation of a previous contract if the period of interruption is less than 60 days (previously: 30 days).
2014 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Recovery of training costs upon dismissal** Source: LABREF **Code: b2**	Article 96 of the Labour Code is expanded, to include more detailed rules for vocational training or retraining of employees. This includes provisions on cost-sharing, including in the case in which the employment relationship is terminated.
2015 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Adoption of new law regulating volunteering** Source: LABREF **Code: d1**	As there were concerns about possible abuse of volunteers to substitute regular workers, there was a call for better regulation of volunteering work. To this purpose, the Law on Voluntary work (Brīvprātīgā darba likums) was adopted on 18 June 2015, entering into force on 1st January 2016. The law stipulates, among other issues, that volunteers cannot be made to work for profit; that voluntary work cannot substitute for regular employment; that a volunteer must be at least 13 years, and have signed permission from his/her legal representatives until the age of 16. Each of the involved parties has the right to request the conclusion of a written volunteering contract. Finally, the volunteer has the right to safe and healthy working conditions and to refuse to carry out voluntary work that is not acceptable to him/her. There are also some changes in the law on Personal Income Tax which allow volunteers to deduct from their taxable income

	personal compensation for work-related expenses such as food, accommodation and travel expenses (up to EUR 1000) and expenses for health (checks) and life and third party liability insurance in so far as these are compulsory by law.
2017 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Increased threshold for payments in case of employer insolvency** Source: LABREF **Code: a1**	Increase in maximum monthly amount of payment provided by guarantee institution in case of employer insolvency, from one to one and a half times the statutory minimum wage.

Table P16 – Job protection (EPL) policies in Lithuania (2008−2017).

2010 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Restriction of dismissals for pregnant women** Source: LABREF **Code: c1**	The employment contract cannot be terminated with a pregnant woman from the date on which the employer receives a medical certificate confirming her pregnancy and one month after the end of pregnancy and maternity leave.
2010 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Definition of fair dismissal** Source: LABREF **Code: c1**	Provisions of the Labour Code regulating termination of the employment contract when the location of the employer (or his representative) is not known and the employment contract with employees cannot be terminated were revised and Resolution of the Government of the Republic of Lithuania establishing that employees' requests regarding the termination of labour relations shall be accepted, publicly announced by the State Labour Inspectorate, which will also provide information on the termination of labour relations. Up to the present moment, such workers could not address the Labour Exchange without identifying the location of the employer or his representative, and such contracts were left unterminated.
2010 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Modifying maximum duration of short-term employment contracts** Source: LABREF **Code: f3**	Modifying maximum duration of short-term employment contracts.
2010 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Suspension of employment contract in case of fault of the employer** Source: LABREF **Code: d1**	If the employer fails to perform its legal obligations to the employee, the employment contrat is suspended.
2011 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Collective dismissals**	After the Article 88 of the Labour Code contains a provision regulating employment through Temporary Employment Agencies, the Article 130(1) of the Labour Code was changed to determine that Collective redundancies shall not cover cases where redundancies take place upon the expiry of the term of the

Source: LABREF **Not coded**	employment contract (fixed-term, seasonal, short term).
2011 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Definition of fair dismissal** Source: LABREF **Code: c1**	After the Article 88 of the Labour Code had started containing a provision regulating employment through Temporary Employment Agencies, the Article 132 of the Labour Code was changed to determine that the employment contract may not be terminated with a pregnant woman from the day her employer receives a medical certificate confirming pregnancy, and for another month after maternity leave, except for the cases specified in paragraphs 1 and 2 of Article 136 of this Code and a short-term employment contract upon its expiry.
2011 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Notice and severance payments** Source: LABREF **Code: b1**	The aim of amendment of 140, 141 of the Labour Code of the Republic of Lithuania is create legal conditions for the economic use of the state budget allocations: The new regulation foresees that employees who are dismissed from public (or related) institutions will no longer have their accounts settled on the day of dismissal (which was the default option specified in Article 141); but instead receive their severance pay in monthly instalments. These instalments would cease the moment that the concerned individual is hired again by a public (or related) institution; resulting in a reduced cost of dismissal for the public sector.
2011 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Law on temporary agency work adopted** Source: LABREF **Code: g3**	The Law on Temporary Agency Employment lays down the peculiarities of employment relationship between temporary agency workers and a temporary-work agency, such as remuneration during non-working periods between employment; working and employment conditions during the period at the user undertaking; rights and duties to ensure safe and healthy working conditions; responsibility for the damage caused, etc. Employment agencies will provide temporary agency workers with social insurance under the same conditions as other workers are insured. Temporary agency workers will be subject to the same conditions as permanent workers of employment agency clients are regarding working and leisure time regime and work safety. Temporary agency workers will also be able to use all conveniences or infrastructure present in the workplace (for instance, cafeteria, child care and transportation services) and will have access to the same conditions as other workers.
2011 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **New short-term contracts**	Article 88 of the Labour Code of the Republic of Lithuania contains a provision regulating employment through Temporary Employment Agencies. In order to avoid ambiguity, changes have been made to the Articles 108 and 113 of the Labour Code by removing temporary employment contracts and establishing new

Source: LABREF **Code: i4**	type of contract 'short term employment contract.
2012 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **Expansion of scope for fixed-term contracts to interim managers and specialists** Source: LABREF **Code: h4**	Article 101 § 3 was amended to liberalize the conditions under which fixed-term contracts may be used in the private sector. There are some jobs (for managers and specialists) in the private sector which by law need to be filled through a formal competition procedure. Previously, one could only hire someone temporarily (for max. 1 year) in such a vacancy (before the competition would take place) only if this was provided for in specific competition regulations. This proved to be very constraining for companies, as specific regulations were hardly in place. With the amendment, the requirement that it should be provided for in specific competition regulations is abolished. This amendment supports the transposition of Directive 1999/70/EC.
2012 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **Temporary expansion of valid reasons** Source: LABREF **Code: h4**	Article 109 of the Labour Code defines what are valid reasons for concluding fixed-term employment contracts. It prohibits fixed-term contracts if work is of a permanent nature. However, in the context of the crisis, a few temporary crisis-related measures were introduced in 22.06.2010, allowing fixed-term contracts also to be concluded if an employee is recruited to a new job opening. At the time, this measure was set to be valid until 31.07.2012. However, on 07.07.12, the Parliament extended this temporary measure until 31.07.2015 – albeit under strict conditions (e.g. up to 50% of all posts, not with former employees, not for previously existing posts, and for a maximum period of 2 years).
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements **New regulations on Transfer of Undertakings** Source: LABREF **Code: a1**	On 06.11.2012, two new regulations were introduced in order to regulate employee rights in case of Transfer of Undertakings. With these new regulations, one of the major gaps in the transposition of Directive 2001/23/EC has been closed. Article 47 § 4 of the Labour Code was amended. While the Code already stipulated that employers have to consult with employees' representatives in case of reorganisation of the enterprise, as of now they also need to do this in case of transfers of undertakings (or parts thereof). In addition, Article 138 of the Labour Code was amended by introducing a new section dealing with the consequences of a transfer of undertakings (or parts thereof). This amendment protects the employee in case of transfer of undertakings by stipulating that "modifying or terminating the employment contract shall be prohibited. The employee shall be notified of the transfer no later than 10 days in advance, providing information about the date, the legal grounds, and the social and economic consequences for the employee.
2012	In June 2012, the Labour Code was amended to instate

Policy domain: Job protection (EPL) Policy field: Procedural requirements **Introduction new labour dispute resolution system** Source: LABREF **Code: a1**	a new labour dispute resolution system for employees who find their rights to be violated (excluding dismissals and suspensions from work). As of January 1, 2013, disputes will have to be resolved under the aegis of a mandatory trilateral commission (rather than the previous enterprise-level bipartite commission), consisting of a labour inspector with a university education in law (from the State Labour Inspectorate) and two designated representatives from both sides of the industry. Employees have to apply to the Labour Disputes Commission within three months from the day of presumed right violation. The maximum length of investigation is set to one month. The commission's decision is subject to appeal to the ordinary court.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **The Law on Agriculture and Forestry Services Provision** Source: LABREF **Code: i4**	The Law on Agriculture and Forestry Services Provision. It establishes that agriculture and forestry services, which are of temporary nature, single acted and do not require any special abilities, qualifications, permissions, teaching or courses, can be provided under the service voucher. It should be noted that only services determined by the resolution of the Government of Lithuania, and where the focus is paid on the result of the service provided, can be provided using in the above mentioned law described form. The list of agricultural and forestry services under the service vouchers was approved by the Resolution No. 218 of the Government of the Republic of Lithuania on 13 March 2013. While the Ministry of Social Security and Labour along with the Ministry of Agriculture have adopted the form of the service voucher for agricultural and forestry services under the service vouchers and its filling procedures. Income from these service vouchers is exempted from PIT up to a certain income (6000 litas), which is equivalent to working for 6 months full time at the minimum wage (1000 litas).
2013 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Increase flexibility for temporary work agencies** Source: LABREF **Code: g4**	A measure was introduced to increase flexibility for temporary work agencies. Prior to the introduction of this measure, employers were required to notify the Social Insurance Fund (SODRA) about employment of a person in a temporary contract at least 1 working day before the scheduled commencement of work. This restricted the flexibility of companies to hire workers on the same day (e.g. in case of unexpected absence of a permanent employee). The new measure allows employers to notify SODRA before the start of work, hence latest on the first day of employment itself.
2014 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Limiting right to unused leave at dismissal** Source: LABREF	Limiting the rights of employees to take up unused annual leave at the end of a contract. It was already the case that unused annual leave could be granted by carrying forward the date of dismissal by the number of remaining annual leave days. Now, this right is limited to leave accumulated over at most the preceding three years (at least, if the employee could use the annual leave, and if not provided otherwise in a collective

Code: b2	agreement).
2014 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Abolition standard requirements for employment contracts** Source: LABREF **Code: a2**	Several amendments of the Labour Code aiming to ease the administrative burden on businesses by abolishing standard requirements for employment contracts. The amendments imply: (a) abolition of the standard employment contract template which was introduced in 2003 in the context of the transposition of Directive 91/533/EEC, which requires the specification of applicable working conditions in the employment contract (Article 99(2) of Labour Code). This requirement is now abolished; employers can use free form contracts. (b) abolition of the standard timesheet template for recording working time (Article 147(6) of the Labour Code). Employers can now use timesheet templates they like.
2016 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Reduction of dismissal costs** Source: LABREF **Code: c2**	Lithuania adopted a new Labour Code (Law XII-2603) on 14.09.2016. It revises, consolidates and modernizes provisions from the old Labour Code (Law IX-926), the Law on Works Councils (Law IX-2500), the Law on Temporary Agency Employment (Law XI-1379), the Law on Guarantees for Posted Workers (Law X-199) and the Law on Establishing Default Payments in Labour Relations (Law I-1214); and was set to enter into force on 01.01.2017. The new Labour Code also aims to transpose Directives 91/533, 91/383, 96/71, 97/81, 98/59, 1999/70, 2001/23, 2003/88, 2008/94, 2008/104, 2010/18. However, as it proved to be rather controversial (the President vetoed the Law; the Prime Minister then got the mandate of the Parliament to reject this veto conditional on the fact that several amendments would be made before implementation. Some amendments were adopted on 03.11.2016 (Law XII-2688) and on 20.12.2016 (Law XIII-130); the implementation of the Law was delayed to 01.07.2017. The new Labour code eases dismissal by providing additional grounds for dismissal. Previously, dismissal needed to be grounded on 'fair reasons' such as qualifications, conduct of the employee or economic/technological grounds. Now, dismissal is possible at the employers' will, in return for higher severance pay, or based on an employee's bad performance (if an improvement plan was proposed and was not successful).
2016 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **Liberalization of fixed-term employment** Source: LABREF	Whereas the previous Labour Code prohibited the use of fixed-term contracts if work was of a permanent nature; the new Labour Code introduces the freedom to conclude fixed-term contracts for period not exceeding 2 years (except in case of a temporary replacement contract; or if there is a change in function, in which case the maximum aggregate duration is 5 years), at the condition that the share of fixed-term contracts out of all contracts concluded by an employer does not

Code: h4	exceed 20%.
2016 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction of regular notice periods and severance payments** Source: LABREF **Code: b2**	Severance payments in case of dismissal on the initiative of the employer (with valid reasons) are decreased from 1-6 monthly wages, depending on seniority, to 2 monthly wages (0,5 monthly wage for those with less than one year seniority). The notification period decreases from 2 months (4 months for some categories of workers) to a general term of 1 month (2 weeks for those with less than one year seniority). For employees with kids < 14 and those less than 5 years from retirement, the right is doubled; for employees with disabilities and those less than 2 years from retirement, the right is tripled.
2016 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction of regular notice periods and severance payments** Source: LABREF **Code: b2**	Severance payments in case of dismissal on the initiative of the employee (for idle time, non- respect of working conditions by the employer, for illness, disability, retirement, or family care responsibilities) is increased from 1 to 2 monthly wages (from 0,5 to 1 monthly wage for those with less than one year seniority). The notice period (for dismissals without a fault of the employee) is doubled for employees with a disabled kid younger than 18.
2016 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Collective Fund for additional severance pay for workers with long tenure** Source: LABREF **Code: b1**	The new Law on Guarantees to Employees in case of Employer Insolvency and on Long-Service payments (Law XII-2604 which replaces the Guarantee Fund Law VIII-1926) provides that as of 01.01.2017 the payments to the Guarantee Fund will be paid to the Social Security Authority budget (rather than to the Tax Authority). It establishes a Fund for long-service payments. All employers (except for public authorities and the Bank of Lithuania) will need to pay contributions of 0.5% on the base on which social security contributions are calculated. This Fund will provide additional payments to workers with long tenure (at least 5 years) who are dismissed and have not found a new job within three months from becoming unemployed. Those with 5-10 years tenure get 1 additional monthly wage severance pay. Those with 10-20 years tenure get 2 and those with more than 20 years tenure 3 additional monthly wages severance pay.
2016 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Introduction of new types of employment contracts** Source: LABREF **Code: d2**	Chapter VI (§66-100) of the new Labour Code introduces several new types of employment contracts, such as apprenticeship contracts, 'undetermined volume' contracts (also referred to as 8-hours-contracts), project-based work contracts (where individuals agree to perform a certain assignment according to their own time schedule and outside of the workplace), job sharing contracts, multiple-employer contracts. The intention is to allow for more flexibility in contract types, within a set of conditions and

	regulations.
2016 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Abolishment of 'undetermined volume' contract** Source: LABREF **Code: d1**	Amendment XII-2688 of 03.11.2016 abolishes the possibility of concluding 'undetermined volume' contracts (also referred to as 8-hours-contracts) before the entry into force of the new Labour Code.
2016 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **No interference of Labour Code in taxi service provision** Source: LABREF **Code: d2**	The "Uber Law" of 27.09.2016 (Law XII-2653, an amendment of the Road Transport Code) liberalizes taxi services by stipulating that passengers can be transported not only by taxis but also by conventional cars. This sets the scene for the expansion of ridesharing services such as Uber and Taxify, who are considered to operate under less restrictive regulations (e.g. taxi drivers in Lithuania used to need a permit, 3 years of driving experience, a qualification certificate, and cars complying with certain standards in order to carry passengers). The law also implies that relations between taxi-drivers and their organizers/platforms can be of a civil nature and are not regulated under the Labour Code.
2016 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Strengthening information requirements of employment contracts** Source: LABREF **Code: a1**	The new Labour Code establishes again the conditions that must be specified in a contract; including the identity of the employer, the location of work (with indication whether this is fixed or not), the type of employment contract, the description of the work, the start (and if applicable the end) date, the duration of annual leave, the period of notice, the remuneration, the duration of the working day or week; information on collective agreements that apply in the company and so on. Earlier, in 2014, these informational requirements for employment contracts were withdrawn in a move to less administrative burdens for employers. This was however not in line with the Directive 91/533/EEC. Employment contracts do not need to follow all these rules if employees are paid high salaries (more than 2x average salary – currently around 2 x 700 EUR).
2016 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Changes in dispute resolution framework** Source: LABREF **Code: a2**	The Labour Disputes Commission (a tripartite commission made up of a civil servant of the State Labour Inspectorate, a representative of employer organizations and a representative of trade unions) already existed as a pre-judicial system for labour dispute settlement outside of the court. The New Labour Code makes this Commission the standard body for the hearing of individual and collective labour disputes, excluding those concerning law in relation to strikes or lockouts which are to be heard directly at court
2017	The law No. XIII-413 encompasses the compromises

Policy domain: Job protection (EPL) Policy field: Procedural requirements **Compromise between social partners in the Tripartite Council on Labour Code** Source: LABREF **Code: a1**	reached between social partners in the Tripartite Council, before the entry into force of the Labour Code of 2016. The bill contains all the agreements of the social partners, and only few additional initiatives of individual members of Parliament were accepted, notably linked to on-competition agreements and lockouts.

Table P17 – Job protection (EPL) policies in Luxembourg (2008−2017).

2010 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Obligation to focus on older workers in retention plans by companies** Source: LABREF **Not coded**	Obligation to focus on older workers in retention plans by companies: special section on older workers to be implemented in future retention-plans by companies.
2013 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Employees under a fixed-term contract must be informed about permanent openings** Source: LABREF **Code: i3**	An Act of 23 December takes the letter of formal notice into consideration issued by the European Commission on potential non-conformity with Clause 6 of the Framework Agreement on Fixed-Term Work (Directive 1999/70/CE). National law now provides that: “In case an employer opens a permanent post in the undertaking, the employees working in that undertaking under a fixed-term contract must be informed about the vacancy as soon as it becomes available”.
2015 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Restrictions on the protection against dismissal in the context of fighting abuse of sick leave** Source: LABREF **Code: c2**	The Social Security Code already stipulated that – either on the employee’s own initiative or upon the employer’s request – a medical examination carried out by the Medical Control Service can be required from any employee. However, only now the implications for labour law are made clear. The law now states that if the Medical Control Service deems an employee fit for work, protection against dismissal (minimum during the first 26 weeks of sick leave) will come to an end (after expiration of the period for filing a claim against the Medical Control Service’s decision).
2015 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Law on reclassification of workers with working disabilities -** Source: LABREF	The law aims to keep workers with disabilities in the labour market. Workers who are no longer able to do their current job but are not completely unable to perform work have to follow a trajectory of "professional reintegration". A distinction has to be made between “internal reintegration” where the undertaking is required to keep the worker and to find an adequate job for him/her, and “external reintegration” meaning that the employment relationship ends, that the worker will be entitled to

Code: d1	unemployment benefits and consequently a special "interim compensation" until a suitable job can be found for him/her. The law introduces several procedural changes regarding the "professional reintegration" of workers. First, the requirement for firms to provide "internal reintegration" has been strengthened (through faster recognition of workers as a "reintegrated worker" and less exemptions). Second, there will be more regular reviews of the employee's ability to work and when the occupational physician considers that the employee has recovered his/her full working capacity, the status of 'reintegrated worker' will come to an end. Third, there are more anti-abuse rules for employees who refuse work. Finally, it was decided that the occupational physician will evaluate the new job offered to judge whether it is suitable for the employee.
2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Redefinition of the rules on social dialogue within companies: Protection of dismissal of employee's delegates** Source: LABREF **Code: a1**	The procedure an employer can initiate in case of serious misconduct of a delegate has been adapted. As in the past, the employer has to file a claim at the Labour Court, requesting the termination of the contract. Many problems, however, arose due to the duration of this procedure and the question of wage continuation; the delegate could ask for provisional wage continuation, but if the Labour Court confirmed a serious misconduct, he/she had to fully reimburse the advance payments. In the future, the delegate will automatically be entitled to wage continuation for 3 months. Thereafter, the delegate can ask for additional wage continuation. If serious misconduct is confirmed and the contract terminated by a court decision, he/she has to reimburse the employer but he/she can also, in most cases, retroactively benefit from unemployment benefits which (partially) compensate the back payment obligation. Furthermore, most procedural deadlines have been increased.

Table P18 – Job protection (EPL) policies in Malta (2008−2017).

2012 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **New rules to combat bogus self-employment** Source: LABREF **Code: d1**	When considering a person's employment status, who is nominally self-employed and is prima facie not considered an employee, it shall be presumed that there is an employment relationship if at least five criteria of the eight stipulated in the Order are met. The criteria are: (1) the person depends on one single individual for whom he/she provides services for at least 75 per cent of his/her annual income; (2) he/she uses equipment provided by the service beneficiary; (3) he/she cannot sub-contract his/her work to other individuals to substitute him- or herself; (4) he/she is subject to a working time schedule or minimum work periods established by the service beneficiary; (5) he/she carries out the duties assigned to him/her by the service beneficiary; (6) The person is integrated in the structure of the production process, the work organisation or the organisation's hierarchy; (7) he/she carries out similar tasks for existing employees, or, in the case work is outsourced, he/she performs tasks similar to those formerly undertaken by employees; (8) the person's activity is a core element in the organisation and pursuit of the objectives of the person for whom the service is provided. Consequently, the Order (Article 7) states that the employer shall be bound to give or send a letter of engagement or a signed statement to the employee, which shall include the information laid down in the Information to Employees Regulations 2002.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **New measures to combat precarious work in government sector** Source: LABREF **Code: d1**	Number of mandatory conditions for all government contracts. These conditions, which came into force on 1 July 2013, also apply to current contracts that may be terminated if work practices do not conform to the new conditions. The new government contract conditions stipulate that:1) no subcontracted to third parties;2) work will be done only by people directly employed by the contract-holder 3) written employment contract and be registered with the Employment and Training Corporation (ETC); 4) when a contract is awarded, the tenderer must provide a list of employees who will be delivering services to the contracting authority,5) payslip that details wages, hours worked, any overtime,6) wages must be paid directly into the employee's bank account; 7) payslips available for inspection when required by the Director of Industrial and Employment Relations; 8) clear about the minimum wage being paid to workers, 9) guidance about the hourly wage for the work in the specific sector being tendered.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other	Amendment to the definition of "contract of service" and "contract of employment": an agreement (other than service as a member of a disciplined force),

Amendment to the definition of "contract of service" and "contract of employment" Source: LABREF **Code: d1**	whether oral or in writing, in any form, whereby a person binds himself to render service to or to do work for an employer, in return for wages, and, in so far as conditions of employment are concerned, includes an agreement of apprenticeship". This amendment has arguably widened the scope of the original definition. It has, however, made clear that the existence or otherwise of a legal relationship does not depend on the form of agreement. Clearly seeks to eliminate any loopholes in the definitions of "contract of employment" and "contract of service" which may create precarious work situations.
2015 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Establishment of blacklisting to fight precarious employment** Source: LABREF **Code: d1**	Establishment of the blacklisting procedure to increase compliance with the Employment and Industrial Relations Act. The aim of these measures is to block the blacklisted entities - whether directly or as a sub-contractor or as a member of a consortium and, or joint venture - from the award of public contracts if: 1) guilty of violating of the Employment and Industrial Relations Act or any subsidiary legislation made under it; 2) has failed to provide his employees with a written contract of service; 3) has failed to provide his employees with a detailed pay slip; 4) has failed to deposit wages or salaries by direct payment in the employees' bank account; 5) has failed to provide the relevant bank statements of wages and salaries' deposit when required by the Director of Industrial and Employment Relations; 6) has subcontracted a public contract to another person employing the same employees of the principal contractor to carry out the same or similar duties for the execution of the said public contract. All existing contracts with blacklisted persons shall be terminated ipso jure without any compensation for actual and future losses from the date on which the decision regarding the black listing becomes final.

Table P19 – Job protection (EPL) policies in the Netherlands (2008−2017).

2008 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reducing maximum dismissal compensation for employees earning more than 75,000 a year** Source: LABREF **Code: b2**	Employees who earn a gross income of more than €75,000 a year will see their dismissal compensation subject to a maximum limit of one year's salary. Thus, it will become cheaper for employers to dismiss employees earning a gross annual income of more than €75,000.0.
2010 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Extension of duration of fixed-term employment contract for youth** Source: LABREF **Code: e4**	Extension of duration of fixed-term employment contract for youth (up to 27) up to 4 consecutive fixed-term contracts, instead of 3. Moreover, for young people, only if consecutive fixed-term contracts exeed 48 months, they will be converted into an open-ended contract. This temporary measure expired on 1 January 2012 and the Government decided not to extend it, following an evaluation of its effectiveness.
2012 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Stricter enforcement of collective dismissal procedures** Source: LABREF **Not coded**	At least 20 dismissals have to occur within a period of 3 months for the procedure of collective dismissals to apply. In this computation, employment contracts terminated by agreement were not taken into consideration (and requests to the Subdistrict Court to dissolve the employment contract were counted after the 5th one), creating the scope for firms to avoid the application of the collective dismissals procedure. The amendment fixes this problem, by including contracts dissolved by court and terminated by mutual agreement in the computation. Also, it is no longer sufficient that employers notify the unions of the intended redundancies and invite them for consultation: the consultation must in fact take place, and there is a waiting period of 1 month following the notification before the dismissals can actually take place.
2012 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Higher sanctions for breaches of regulations on labour conditions** Source: LABREF **Code: d1**	Higher sanctions (fines) for breaches of regulations on labour conditions (health and safety rules, working time, work permits) and benefit fraud.
2012 Policy domain: Job protection (EPL) Policy field: Temporary agency work	Given the fact that the Dutch legislation is largely already in conformity with the TAW Directive, only three articles of the directive (5, 6 and 8) required

Implementing Temporary Agency Work Directive Source: LABREF **Code: g3**	changes in the Dutch laws. This involves amendments of the Temporary Working Agencies Act (Wet Allocatie Arbeidskrachten door Intermediaris; WAADI) and the Works Council Act (Wet op de Ondernemingsraden; WOR).
2012 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Registration requirement for temporary employment agencies** Source: LABREF **Code: g3**	To better monitor temporary agency work and the enforcement of labour standards, a registration requirement has been introduced for temporary employment agencies with effect from 1 July 2012. Agencies that are not registered with the trade register held by the Netherlands Chamber of Commerce will be fined, as will companies that hire staff from such agencies.
2013 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Abolishing mandatory mediation by an Industrial Committee in works council cases** Source: LABREF **Code: a2**	Abolishing mandatory mediation by an Industrial Committee in works council cases before parties can take their dispute to the Cantonal Judge. Mediation is still possible on a voluntary basis.
2014 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **New max duration of 2 years** Source: LABREF **Code: f3**	The old 3*3*3 rule (needing to get an open ended contract after having 3 consecutive temporary contracts for a maximum of 3 years, and with the option of a new chain beginning if the employment relation has been stopped for at least 3 month) is converted into a 2*2*6 rule: now max duration of 2 years.
2014 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Maximum of 2 consecutive contracts instead of 3** Source: LABREF **Code: e3**	The old 3*3*3 rule (needing to get an open ended contract after having 3 consecutive temporary contracts for a maximum of 3 years, and with the option of a new chain beginning if the employment relation has been stopped for at least 3 month) is converted into a 2*2*6 rule: now, maximum of 2 consecutive contracts. Some political parties fear that people with temporary jobs will become redundant after two years (and two contracts) instead of three. Following the latter concern, the implementation of the reduction in the maximum amount of consecutive temporary contracts, has been postponed until July 2015.
2014 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of	The old 3*3*3 rule (needing to get an open ended contract after having 3 consecutive temporary contracts for a maximum of 3 years, and with the option of a new chain beginning if the employment relation has been

fixed-term contracts **An interval of at least 6 months is needed between the contracts.** Source: LABREF **Code: e3**	stopped for at least 3 month) is converted into a 2*2*6 rule: now, an interval of 6 months to restart the chain is needed between the contracts.
2014 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Capping severance payments and damages for unfair dismissal** Source: LABREF **Code: b2**	Severance payments and damages for unfair dismissal are capped.
2014 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Transition benefit fee for workers who lose their job to be used for training or to transfers** Source: LABREF **Code: b1**	New transition benefit fee for workers who lose their job, which can be used for training or to transfer to another job or profession. Transitional regime for small businesses: until 2020, small businesses will be allowed to pay a lower transition fee in case of layoffs resulting from a poor financial situation. To reduce inequality between the different routes of severance, employers can no longer choose via which 'route' (PES or court) the worker is made redundant. In court employees often get severance pay, whereas PES hardly ever decides on severance payment. Dismissals on economic grounds will be viewed by PES (UWV), whereas individual redundancies will appear before court. In all cases employees get the right to a transition allowance. The idea is that processes of redundancies will be faster as well as less costly (on average).
2014 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Adapting judicial review of dismissals** Source: LABREF **Code: a1**	More room for judicial review of dismissals, even though the requirement to seek a permit from social insurance authorities (“UWV”, consisting of a public employment service branch and a social insurance branch) will be retained in case of dismissals for economic reasons. Cantonal Judges will have competence over dismissals for individual reasons.
2014 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Cooling-off period of one month, during which an employee may revoke his consent without cause** Source: LABREF	The bill proposed cooling-off period of one month, during which an employee may revoke his consent without cause, in case of a termination agreement, has been reduced to three weeks. If the employer fails to notify the employee in writing of the cooling-off period, the statutory period of 14 days will be extended to three weeks.

Code: a2	
2014 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Increased protection for workers with flexible contracts** Source: LABREF **Code: i3**	Workers with flexible types of contracts will enjoy increased protection. In the health care sector, zero-hours contracts will be abolished and the number of contracts of fixed-term duration will be reduced.
2015 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Rules on reasonable causes for dismissal, suitable reassignment, redundancy criteria for dismissal and equal treatment of payroll workers** Source: LABREF **Code: c1**	The Regulation contains: -Rules on reasonable causes for dismissal, including the provision that an employer cannot dismiss employees on a permanent contract with the aim of replacing them by employees on a non-permanent contract or employees who work for a lower remuneration. In addition, there are restrictions on the dismissal of employees in case they will be replaced by self-employed; -Suitable reassignment of employees, including jobs for which there is a vacancy in one of the companies within the holding that is in line with the education, experience and capacities of the employee; -Redundancy criteria for dismissal due to economic reasons, including provisions on the "mirroring principle" (i.e. dismissals should reflect the structure of the work force e.g. in terms of age) and within each age group the employers with the shortest tenure in the company will be dismissed. -Equal treatment of pay roll workers and 'regular' employees in case of dismissal.
2015 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Increase in the maximum duration of fixed-term contracts for employees who have reached the statutory pension age** Source: LABREF **Code: f4**	The maximum duration of fixed-term contracts for employees who have reached the statutory pension age is been increased from 24 months to 48 months. In case the maximum duration is been exceeded, the temporary contract will be transformed into a permanent contract
2015 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Rules on the deduction of transition costs and employability costs from the transition fee**	Under specific circumstances, so-called transition costs and employability costs can be deducted from the transition fee. Transition costs are the costs of measures related to the termination of the employment contract, aimed at the prevention of unemployment (for example, costs for (re)training or an outplacement program). Employability costs are costs related to the

Source: LABREF **Code: b2**	enhancement of the employability of employees, outside of the organisation of the employer, that were incurred earlier in the course of the employment relationship.
2015 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction of notice period for employees who have reached the statutory pension age** Source: LABREF **Code: b2**	There is only one month of notice period for employees that have reached the statutory pension age.
2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Changes in the rules on the procedure for dismissal** Source: LABREF **Code: a1**	The regulation clarifies some uncertainties regarding the procedure for dismissal, including on the rules that establish the order of dismissals (e.g. first workers that have reached the statutory retirement age will be dismissed). In addition, there are some (technical) changes regarding the dismissal procedure by the Public Employment Agency (UWV).
2015 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Introduction of chain liability for employers and companies receiving posted workers with respect to wages paid** Source: LABREF **Code: g3**	The Act aims to fight unfair competition and the exploitation and underpayment of employees. The main part of the Act enters into force on 1 July 2015 and includes the introduction of chain liability for employers and companies receiving posted workers to pay the wages specified in the relevant collective agreements. Employee and employer organisations will exchange information when they suspect that the negotiated wages are not being paid and collaborate better with the labour inspectorate.
2016 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Separate status for most civil servants abolished** Source: LABREF **Code: d2**	The objective of the bill is to establish as much uniformity as possible between the legal status of civil servants and employees in the private sector. Under this new Act, civil service appointments under public law will be replaced by 'normal' civil service employment contracts under private law. Hence, the employment relationship will be governed by 'normal' rules, e.g., dismissal protection and collective agreements. Administrative procedural law will no longer apply to cases between public employers and their employees; instead, civil procedural law will apply. The armed forces, the police and the judiciary are exempt from this 'normalisation' and will retain their current status.

2016 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Change in the way that the tax authorities assess whether a person is an employee or a self-employed in order to fight bogus self-employment** Source: LABREF **Code: d1**	The act alters the way the tax authority assesses whether a person performing work is a self-employed or an employee. If he or she is an employee than the person must be insured under public unemployment insurance, disability and sick pay insurance, while if he or she is self-employed then the person is not insured and is exempt from social insurance contributions. Before the tax authority provided a statement on the employment relationship (VAR; Verklaring Arbeidsrelatie), which were based on the expectations of the workers involved and often also covered bogus self-employment. The tax authority will now rule on specific contracts provided. If the parties involved deviate from the contract – i.e. act differently in actual fact – the ruling is not valid anymore, and the tax authority may conclude that a contract of employment was present after all, and that social security payments are due.The act alters the way the tax authority assesses whether a person performing work is a self-employed or an employee. If he or she is an employee than the person must be insured under public unemployment insurance, disability and sick pay insurance, while if he or she is self-employed then the person is not insured and is exempt from social insurance contributions. Before the tax authority provided a statement on the employment relationship (VAR; Verklaring Arbeidsrelatie), which were based on the expectations of the workers involved and often also covered bogus self-employment. The tax authority will now rule on specific contracts provided. If the parties involved deviate from the contract – i.e. act differently in actual fact – the ruling is not valid anymore, and the tax authority may conclude that a contract of employment was present after all, and that social security payments are due.
2017 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Temporary freeze on categorization of temporary employment agencies by sector** Source: LABREF **Code: i4**	The Ministerial Decree imposes a temporary freeze on the categorisation of temporary employment agencies in temporary employment sectors. The decision aims to combat the practice of some agencies who categorised themselves in “occupational sectors” to obtain relatively higher unemployment insurance (WW) and sickness benefits (ZW) premiums due to the higher risk of claims. As a result of such practice, companies in sectors that are not temporary employment agencies were paying much higher premium than they used to.

Table P20 – Job protection (EPL) policies in Poland (2008−2017).

2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Large scale deregulation programme concerning some 250 professions** Source: LABREF **Code: d2**	As a result of screening of professions regulations many restrictions were found to be unjustified. Thus, the government decided to implement the large scale deregulation programme concerning some 250 professions accounting for 6% of the labour force (more than 1 million people) that would be conducted in three tranches. The first tranche comprised 51 professions such as advocates, legal counsellors, bailiffs, notaries, land surveyors, real estate agents, managers and valuers, physical protection and technical protection workers, detectives, driving instructors, taxi drivers, tour leaders and guides, vocational counsellors and placement officers, librarians. The act provides for such facilitations in the access to professions as simplification of entry examinations, extending eligibility for given legal professions, shortening the duration of the compulsory apprenticeship or even abolishment of all the entry requirements in case of certain professions. Part of regulations came into force on 23rd August 2013, and the remaining ones on 1st January 2014.
2015 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **The maximum duration of fixed term contracts is 33 months or three years with a probation period** Source: LABREF **Code: f3**	Amendments to the Labour Code provides that the period of employment under a fixed-term contract(s) may not exceed 33 months, and the total number of such contracts cannot exceed three (Paragraph 1). If the parties agree on a longer period of employment, it is deemed that the parties have concluded a subsequent fixed-term contract (Paragraph 2). When this period exceeds 33 months or the number of employment contracts is more than 3, it is deemed that the employee is employed under a contract of indefinite duration (Paragraph 3). Thus, after 3 years (3-months long probation contracts and 33 months of fixed-term contracts), an employee will automatically be employed under an employment contract indefinite duration. There are exceptions listed in Article 251 Paragraph 4 (replacement of a worker, occasional or seasonal work, objective temporary needs of the employer). In any of these cases, the employer is required to notify the relevant district labour inspectorate, and state the reasons for concluding a fixed-term contract within 5 days from its conclusion (Article 251 Paragraph 5). In addition, where a fixed-term contract exceeds 33 months or is concluded for the fourth time, the reasons that justify such action should be indicated in a contract (Article 29 Paragraph 11 LC).
2015 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts	The regulation of temporary contracts has been reviewed. Among other provisions, temporary contracts can only be renewed three times. If the contract is renewed a fourth time, it is deemed as an

The maximum number of renewals of a temporary contract is three (with exceptions) Source: LABREF **Code: e3**	indefinite contract (Article 251 of the Labour Code, Para 3). There are some exceptions defined by Article 251, Paragraph 4, including when the worker is replacing another worker with justified absence, the case of occasional or seasonal work, or if the employer has objective reasons to justify fixed-term employment due to temporary needs. In any of these cases, the employer must notify the relevant district labour inspectorate, and state the reasons for concluding a fixed-term contract within 5 days from its conclusion (Article 251 Paragraph 5). In addition, where a fixed-term contract exceeds 33 months or is concluded for the fourth time, the reasons that justify such action should be indicated in a contract (Article 29 Paragraph 11 LC).
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Overhaul of rules of fixed-term employment: fewer contract types, easier termination** Source: LABREF **Code: i4**	A number of changes in the regulation of temporary contracts has been passed. (a) The number of temporary contract types has been reduced: contracts for completing a specific task and replacement contracts have been abolished as separate types of contracts. (b) The conclusion of a second probation contract between the same partied is made possible by the amendments under certain conditions: if the employee will carry out a new type of work, or if 3 years elapsed since the termination of the last employment contract between the parties. (c) The number of admissible renewals is 3 and the maximum duration of successive contracts is 3 years (see separate measures). (d) Temporary contracts will be easier to terminate. Previously, most temporary contracts could be terminated only under exceptional circumstances. Now each party can terminate any type of employment contract with notice. (e) The notice period of a fixed-term contract and a contract of indefinite duration will be the same. (f) Within a period of notice, an employee can be exempt from the duty to perform work while retaining the right to remuneration.
2016 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Written information on the conditions of employment for new employees** Source: LABREF **Code: i3**	The amendment to the Labour Code introduced the employer's obligation to provide an employee with written information on his employment conditions before allowing the employee to commence work (art. 29 § 2 LC). Under previous regulations, the employer was obliged to provide the relevant information at the latest on the day when the employee commences work. Thus, it was possible to provide the information by the end of the first working day of the new employee. As a result, in case of a control by the Labour Inspectorate, the employer could claim that the new candidate had just been employed and that the written information would be provided to the employee by the end of the day. In practice it could encourage undeclared work. New regulations enhance employee protection and the effectiveness of labour law, as well as addressing the

	issue of undeclared work.
2017 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Amendment to the Law of 13 July 2006 on the Protection of Employees' Claims in the Event of Employer's Insolvency** Source: LABREF **Code: d1**	The amendment clarifies the definition of "employee" in the law. It expands the material scope of employees claims covered by State guarantees, by including the cash equivalent for holiday leave not used, also in the previous calendar year. The reference period for any outstanding remuneration and other claims is extended from nine to twelve months. The term "actual cessation of activities" by the employer is defined. The procedure for the employee of an insolvent employer to demand advance payment to cover his or her outstanding claims has been modified.
2017 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Regulation of temporary work agencies** Source: LABREF **Code: g4**	Limitation of use of temporary employment contracts, regulation of fixed-term, part-time and temporary agency contracts (e.g. valid reasons, maximum duration, maximum number of renewals). Previously, Polish regulations on temporary agency work left room for abuses. With this regulation, a temporary worker cannot be hired to perform the same type of work carried out by an employee who was dismissed within the last three months. It is prohibited to employ a temporary worker in another establishment located on the territory of the same community. Temporary workers cannot work with guns (e.g. be security agents). For pregnant temporary workers, any contract that comes to the end of the third month of pregnancy automatically extends till the day of delivery. The remuneration of paid holidays has been amended. The maximum period of temporary work has been legislated (18 months within a 36 month time period, applying to the worker, even if he or she worked at different temporary work agencies. Temporary workers have the choice to initiate court proceedings not only on the basis of the location of the temporary work agency but also where the work was actually performed. Temporary workers have a right to a written statement indicating the period of performance of temporary work. It will be prohibited to stipulate a contractual clause that allows entering into a subsequent employment relationship between the worker and the user undertaking. The list of offences against rights of temporary workers will be extended and enforced by the State Labour Inspectorate. There will be two types of employment agencies: for outplacement services (personal and professional advice) and for temporary work. This will also apply to agencies that post foreign nationals to work at entities located in Poland which will be obliged to inform the relevant authorities about the posting of foreign workers. The Marshall of the Voivodship (regional territorial unit) will be obliged to register agencies that post foreign temporary workers to Poland (as is the case with agencies dealing with Polish nationals).

	The changes also serve to transpose Directive 2008/104 on temporary agency work.

Table P21 – Job protection (EPL) policies in Portugal (2008−2017).

2008 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Defining a new employment contract system in the public sector** Source: LABREF **Code: c2**	Making the regulations regarding public sector employment much closer to the ones that govern the private sector. From January 2009, the only difference between the public sector dismissal based on the 'failure to adapt' and the private system as defined by the Labour Code (before revision) is that when it comes to technicians and senior technicians who have not met 'the goals fixed in advance and formally accepted', this dismissal in the public sector takes into account performance evaluation.
2009 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Reducing the notice periods** Source: LABREF **Not coded**	Reduction on the notice period for collective redundancy, redundancy due to abolition of post of employement and dismissal due to unsuitability for employees with less than 5 years tenure. The minimum notice period for collective redundancy is now of 15, 30, 60 or 75 days if the lenght of service of the worker is respectively inferior to one year, from one to five years, from five to ten years or equal or superior to 10 years respectively.
2009 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Facilitating dismissal procedures and distinguishing between irregular and illegal dismissal** Source: LABREF **Code: c2**	Although the reasons for dismissal remain unchanged, significant changes in terms of deadlines, steps involved and consequences related to dismissals. In the event of dismissal, the employer still has to explain the reasons for dismissal and send a 'disciplinary note' to the worker. However, during the disciplinary proceedings, the employer will choose whether or not to hear the witnesses listed by the employee – except in the case of pregnant women or workers on parental leave. Moreover, procedural errors will be considered irrelevant, provided that the cause for dismissal is justified, and the employer will no longer be obliged to reintegrate the employee. The time available to employees to contest the dismissal decision will be reduced from 12 months to two months. Employees will not be obliged to take legal action requiring a lawyer, as was previously the case, and it will be sufficient to put forward a claim. Distinction introduced between irregular and illegal dismissal.
2009 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts	The maximum duration of fixed-term contracts is reduced from six to three years, and this limit also applies to temporary contracts or service agreements with the same employer. Moreover, a job cannot have been previously occupied by another short-term or

Extending the restrictions on the use fixed-term employment contracts Source: LABREF **Code: f3**	temporary worker, or by a services provider. In addition, the use of fixed-term contracts will be restricted when launching new activities or creating new companies.
2009 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Reduction of the length of time employees have to launch an unfair dismissal claim** Source: LABREF **Code: a2**	Reduction from 1 year to 60 days on the length of time that employees have to launch an unfair dismissal claim.
2009 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **New contracts 'term employment contracts' to meet the transitory needs of enterprises** Source: LABREF **Code: i4**	In addition to the standard employment contract for full-time work and an indefinite duration, the Portuguese Labour Code, approved by Law No. 7/2009 of February 12 includes term employment contracts to meet the transitory needs of enterprises for the required period of time (Articles 139 to 149 of PLC). According to PLC, "term employment contracts" may be entered into (i) for a "fixed term", determined by a specific date or (ii) for an "unfixed term" determined by the completion of a specific task or by the occurrence of a specific event. Can only be entered into under certain grounds expressly provided by law. These grounds usually relate to situations which are transitory and/or unpredictable (such as replacement of a sick employee, sudden increase of work, etc.).
2011 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction in severance payments** Source: LABREF **Code: b2**	Severance payments for new hires were reduced from 30 days to 20 days per year of service. The 3 month minimum severance payment was abolished. Maximum severance payment limited to 12 months or 240 times the minimum wage (the minimum of the two).
2011 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Reduction in severance payments** Source: LABREF **Code: i4**	Severance payments for new hires were reduced from 36 days (in case of contracts whose duration < 6 months) or 24 days (in case of contract whose duration >=6 months) to 20 days per year of service.
2012 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal	1)For redundancies - elimination of the need to follow a specific order of dismissal in case of elimination of a work position. Elimination of the need to search for a transfer for another position in the aforementioned

Ease of the definiton of fair dismissals Source: LABREF **Code: c2**	cases. 2)For unsuitability - possibility of a fair dismissal based on unsuitability without previous changes to the job post being introduced 3)For both types of dismissals - end of the obligation for the employer to show that no other compatible post exists in the firm. Measure 1 and 2 were ruled unconstitutional. Replacement measures are being prepared.
2012 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Extending the duration of fixed-term employment contracts that would be terminated by 30 June 2013** Source: LABREF **Code: e4**	Extending the duration of fixed-term employment contracts that would be terminated by 30 June 2013. According to this special regime, fixed-term employment contracts would be object to 2 additional renovations, provided that: (i) the total duration of these 2 additional renovations do not exceed 18 months; (ii) each renovation does not last less than 1/6 of the maximum possible duration of the contract or of its effective duration, depending on which would be shorter, and (iii) these contracts would not be in force after 31 December 2014.
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction of severance payments** Source: LABREF **Code: b2**	Reduction of severance payments: a) Employers hired after November 1, 2011: severance payments for 20 days per year of work for both permanent and fixed-term contracts; cap of 12 months of pay; eliminated the 3 months of pay irrespective of tenure for permanent contracts; b) Employers hired before November 1, 2011: severance payments for 30 days per year of work until November 1st; severance payments for 20 days per year of work after November 1st, with a cap of 12 months pf pay.
2013 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Previous changes to ease the definition of fair dismissals ruled unconstitutional** Source: LABREF **Code: c1**	The end of the tenure rule in cases of redundancy and the end of the obligation for the employer to show that no other job posts are available to employees at risk of redundancy or unsuitability were ruled unconstitutional . The governement is working on new measures to ease the definiton of dismissal rules
2013 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **New exceptional and temporary regime of renewal of fixed-term contracts** Source: LABREF	The fixed-term contracts that achieve their maximum duration until two years after the entry into force of the Decree-law, may be subject to two extraordinary renovations. The total duration of the renovations must not exceed 12 months. The duration of each extraordinary renewal can not be less than one-sixth of the maximum duration of the fixed-term contract or its effective duration, whichever is lower. The limit of effectiveness of the fixed-term contract object extraordinary renewal is

Code: e4	December 31, 2016.
2013 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction in severance payments** Source: LABREF **Code: b2**	Reducing severance payments for new hires (i.e., for employment contracts entered into force after 1 October 2013), from currently 20 days of base remuneration and seniority per year of work, as follows: 1) Open-ended contracts: 12 days of base remuneration and seniority per year of work. 2) Fixed-term employment contracts: 18 days of base remuneration and seniority per year of work. 3) Permanent contracts: 18 days of base remuneration and seniority for the first 3 years of the contract's performance + 12 days for the following years. 4) Accrued to date rights were preserved. New accumulation rules apply to all workers.
2013 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Creation of a "compensation fund" to partly finance severance payments** Source: LABREF **Code: b1**	Creation of a "compensation fund" to partly finance severance payments due to employees in case of termination of their employment contracts (e.g., in case of termination of a term employment contract, collective dismissal, redundancy of the position, dismissal for unsuitability, etc.), as well as the equivalent mechanism and the guarantee fund for compensation. Later where defined the procedures and elements necessary to operationalize the funds.
2014 Policy domain: Job protection (EPL) Policy field: Procedural requirements **New selection criteria for dismissal in case of extinction of work position** Source: LABREF **Code: a2**	On 20 September 2013, through its ruling No. 602/2013, the Costitutional Court held unconstitutional the provision that eliminated the need for the employer to follow specific criteria (seniority-based) when selecting employees to be made redundant in case of extinction of a work position. Accordingly, on 13 February 2014, the government presented Law Proposal No. 207/XII to Parliament, which provided for the following: 1) New extinction of work position following the new selection criteria: Inferior performance, according to evaluation criteria previously disclosed to the employee; Lower academic and professional qualifications; Increased costs for maintaining the employment relationship; Less work experience in the functions performed; Less seniority in the enterprise". 2) Extinction of work position and dismissal for unsuitability: Duty of employee's reallocation to another suitable position: reintroduced the former reallocation obligation for the extinction of work post provisions, stating as follows: "in reference to no. 1, b), once the labour post is extinct, the employment relation is considered «impossible to maintain» if there is no alternative labour post available, in line with the employee's professional category, and to which it may be possible to readdress the employee".
2016 Policy domain: Job protection (EPL)	The regime establishes a transverse responsibility for all actors in the labour relationship: subsidiary

Policy field: Temporary agency work **Extended responsibilities for bodies responsible for temporary workers payment** Source: LABREF **Code: g3**	responsibility of the temporary employment agency, the user company, and their respective managers, managers or directors, for all employee credits, corresponding social charges and payment of possible subsequent fines.
2017 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Reinforcing mechanisms to fight bogus employment** Source: LABREF **Code: i3**	Law 55/2017 extends the special judicial procedure Introduced by Law 63/2013 to assess the qualification of contracts as service agreements or employment contracts, and to monitor frauds on suspicion of bogus self-employment ("falsos recibos verdes"). Now, the Authority for Labour Conditions shall also inspect possible bogus traineeships, volunteer work and other types of undeclared work, expediting such cases in court when not corrected within the deadline set forth by law.

Table P22 – Job protection (EPL) policies in Romania (2008−2017).

2011 Policy domain: Job protection (EPL) Policy field: Collective dismissals **New criteria for collective dismissals** Source: LABREF **Not coded**	Setting work performance as the first criterion for the selection of staff to be made redundant (opposed to seniority, social criteria). The ban on employers hiring new people for the positions previously held by the dismissed staff is reduced from nine months to 45 days following the collective dismissal.
2011 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Dismissal during parental leave** Source: LABREF **Code: c1**	During the child-rearing leave or during the time when the parent receives the insertion incentive, the employer shall not dismiss the parent employee. As an exception, dismissal shall be allowed for reasons that are related to judicial reorganization of bankruptcy of the employer, under terms and conditions stipulated by laws. Failure to comply with these interdictions to dismiss shall be considered offences and shall be punished with fines from 1.000 lei to 2.500 lei.
2011 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **Expanded objective reasons allowing for the use of fixed-term contracts** Source: LABREF **Code: h4**	The set of objective reasons allowing for the use of fixed-term contracts is expanded, making it easier to hire workers with fixed-term contracts.
2011 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Extended maximum duration of fixed-term contracts** Source: LABREF **Code: f4**	Maximum duration of fixed-term contracts increased from 24 to 36 months.
2011 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Extention of probationary period** Source: LABREF **Code: a2**	The probationary period for permanent contracts was extended, from 30 to 90 days days for workers and from 90 to 120 days for management staff.
2011	All labour contracts must be in written form.

Policy domain: Job protection (EPL) Policy field: Procedural requirements **Obligation of labour contracts in written form** Source: LABREF **Code: a1**	
2011 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Removal of restrictions for temporary agency work** Source: LABREF **Code: g4**	Removal of restrictions on the use of temporary agency work, in line with the EU Directive 2008/104/EC.
2012 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Employees of public companies who are dismissed through collective dismissal shall enjoy special protection.** Source: LABREF **Not coded**	By derogation of the general provisions of the Labour Code, employees of public companies who are dismissed through collective dismissal shall enjoy special protection. Governmental Decision No. 926 of 12 September 2012 provided that these provisions would be enforced for 200 employees who were dismissed as a result of the restructuring of the company.
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Resolve labour conflicts through mediation and to ease overburdened courts** Source: LABREF **Code: a2**	To resolve labour conflicts through mediation and to ease overburdened courts, an obligation has been introduced to inform parties about the usefulness of this alternative means to resolve conflicts. As of 12 July 2012 parties and/or the interested party must prove that they took part in the briefing about the advantages of mediation, the implementation and termination of individual labour contracts.
2013 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Social protection measures for employees laid-off as result of collective dismissals in companies with public equity majority** Source: LABREF **Not coded**	Introducing social protection measures for employees laid-off as a result of collective dismissals in companies with a public equity majority or subordinated to local public administration. The employees dismissed as a result of collective dismissals in such companies shall be entitled to the following rights: unemployment benefit; monthly compensatory income, which is basically the difference between the employee's former salary and the unemployment benefit; additional payments provided to economic operators derived from their revenue-and-expenditure budgets. The employees dismissed as a result of collective dismissals in private companies are only entitled to compensatory payments in amounts

	stipulated in the collective labour contracts concluded, much lower than for employees dismissed in public companies.
2013 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Internship contract for graduates** Source: LABREF **Code: i4**	The Labour Code has stipulated since 2011 that graduates from higher education institutions shall conclude a 6-month internship after starting their jobs; how such an internship was to be carried out was to be regulated by a special Act. This legislative vacuum was recently filled by Act No. 335/2013 on the internship of graduates of higher education institutions. The Act includes provisions on the internship, the assessment of the intern, the internship contract, the rights and obligations of the parties, the funds for the internship, and the sanctions. The intern performs his/her work under 2 contracts during the internship, namely under the individual labour contract and the internship agreement. According to Romanian law, the internship assumes the legal nature of a trial period. The intern who has enjoyed professional training at the employer's expense shall not be entitled to resign for a certain period of time, stipulated in an annex to the individual labour agreement. Otherwise, he/she will have to return the money the employer has invested in his/her training.
2014 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Hourly wage that may not be less than the minimum hourly wage for day labourer** Source: LABREF **Code: i3**	New Act on the work of occasional labourers, stipulating an hourly wage that may not be less than the minimum hourly wage, an improvement of the registration system of workers and additional obligations in the areas of health and safety at work for occasional labourers. New sanctions for non-compliance with the provisions have been introduced. This is the second amendment of the Act. An analysis of the labour market and of the number of registered occasional labourers revealed that the current legislation on day labourers has increased the employment rate (especially of unskilled workers), but has raised issues on the health and safety of day labourers, their remuneration and the areas of activity where occasional work can be performed.
2015 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Unpaid leave not counting towards seniority record** Source: LABREF **Code: d2**	Periods representing unjustified absences from work, as well as unpaid leaves (except for unpaid leaves for professional training) will be deducted from work seniority. Thus, upon calculating any rights of the employees/ former employees based on work seniority (i.e. bonuses, pension rights, etc.) such periods shall not be considered.
2015 Policy domain: Job protection (EPL) Policy field: Procedural requirements	The definition of dependent work has been reversed: the criteria for identifying independent work have been clearly defined and work that does not meet these

Re-qualification of contracts for dependent and independent work Source: LABREF **Code: a1**	criteria is considered dependent work. Another change introduced by the new regulation is that the re-qualification of contracts even applies to freelancers (lawyers, pharmacists, architects, etc.), which was previously not possible.
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Widening the list of activities valid for day labour contracts** Source: LABREF **Code: i4**	Day laborers can perform new occasional activities, i.e. research in bio-technology, landscape maintenance activities, catering, etc. Also, occasional unqualified labor can be performed in the following areas provided in the updated Classification of activities in the national economy.
2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Sanctions for the lack of written agreement for the temporary (day) work** Source: LABREF **Code: i3**	A new sanction has been introduced: the infringement of the provisions, constituted by the lack of written agreement between the day laborer and the beneficiary, agreeing for the payment of the remuneration to be made at latest by the end of the week or the activity period, is sanctioned with a fine from 1.000 to 5.000 lei.
2016 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Constitutional Court declaring unconstitutional a provision of the Labour Code allowing for dismissal of the worker during the disciplinary investigation** Source: LABREF **Code: c1**	In Romanian labour law, disciplinary dismissal is regulated by a procedure that contains a mandatory phase for the disciplinary investigation of the misconduct, during which the employee has the opportunity to defend themselves. However, during that phase, the employment contract could have been suspended under art. 52 lett. a) of the Labour Code. On 5. 5. 2016, the Constitutional Court declared this provision unconstitutional, holding that the suspension of the individual employment contract, at the employer's will, during the preliminary disciplinary investigation constitutes a disproportionate restriction of the right to work, protected by art. 41 para. (1) of the Constitution. As a result, no matter how serious the allegations that the employee has committed a disciplinary offense, the employer must allow them further access to the workplace and continue the employment relationship in parallel with conducting disciplinary proceedings.
2016 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Solution of the High Court that the decision of the occupational physician is sufficient for a valid**	According to art. 61 let. c) of the Labour Code, the employee may be dismissed in case of physical and/or mental health unsuitability, based on medical certification from the relevant bodies. For years, however, there was an uneven practice concerning the identity of these bodies. Some courts invalidated

dismissal of the employee Source: LABREF **Code: a2**	dismissals, unless a special committee was set up for this purpose, while others held that the skills sheet issued by the occupational physician is enough. By Decision no. 7/2016, published in the Official Gazette no. 399 of 26 May 2016, the High Court upheld an appeal on points of law on this subject. It embraced the less formalist point of view and considered the occupational physician's decision enough for a valid dismissal of the employee. The Solution of the High Court given on appeal on points of law is binding for all courts in the country.
2016 Policy domain: Job protection (EPL) Policy field: Procedural requirements **The Constitutional Court striking as unconstitutional the ban on dismissal of trade union leaders** Source: LABREF **Code: a2**	The Constitutional Court ruled that the ban on dismissal of trade union leaders, for reasons related to union activity but also any other reason, during and after their mandate, is unconstitutional because it prejudices the right of property as a constitutional right.
2017 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Definition and punishment of undeclared work** Source: LABREF **Code: i3**	Labour and Fiscal Codes were amended to broaden the definition of undeclared work and to introduce more coercive measures against undeclared work, by increasing fines.

Table P23 – Job protection (EPL) policies in Slovakia (2008−2017).

2011 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Definition of collective dismissal** Source: LABREF **Not coded**	Collective dismissal shall occur if an employer terminates within 30 days the employment contract by notice for the reasons stated in § 63 paragraph (1) letter (a) and (b), or by another method or reason unrelated to personal characteristics of the employees, of a) at least ten employees of an employer who employs more than 20 and less than 100 employees, b) at least 10% of total amount of employees of an employer who employs at least 100 and less than 300 employees, c) at least 30 employees of an employer who employs at least than 300 employees. The 2011 Labour Code changes the previous definition: Collective dismissal shall occur if an employer terminates within 90 days the employment contract by notice for the reasons stated in § 63 paragraph (1) letter (a) and (b), or by another method or reason unrelated to personal characteristics of the employees, of at least 20 employees. The reform also reduces the administrative burden of an employer stemming from collective dismissal.
2011 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Maximum duration of fixed-term contracts increased to 3 years** Source: LABREF **Code: f4**	Maximum duration of fixed-term contracts was increased to 3 years from 2 years.
2011 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Maximum number of renewals of fixed-term contracts increased to 3** Source: LABREF **Code: e4**	The maximum number of renewals of fixed-term contracts was increased to 3 from 2.
2011 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction of dismissal costs** Source: LABREF	Reduction of dismissal costs by way of abolishing the cumulation of paid notice period with severance pay and reducing the notice period for tenure shorter than 1 year. New regulation foresees the application of only one protective instrument and/or the combination of both, but only up to the sum of the applicable notice period, which ranges from 1 to 3 months, depending on job tenure (1m for < 1y; 2m for ≥1 and <5y; 3m for ≥

Code: b2	5y). The cost of redundancy dismissal per employee was thereby reduced from 4-6 monthly wages to 1-3 monthly wages, depending on job tenure. NB: this reform was reversed in the course of 2012.
2011 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Compensation following unfair dismissal** Source: LABREF **Code: b2**	The employee shall be entitled to a wage compensation amounting up to maximum 9 months, even if the overall time for which an employee should be paid wage compensation is greater than 9 months. In the previous legislation the court might have lowered wage compensation above 12 months, or even might have decided that the worker would not get wage compensation above 12 months.
2011 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Longer probation period for executive employees** Source: LABREF **Code: a2**	The probation period for an executive employee who reports directly to the statutory body or a member of the statutory body and in the case of an executive employee who reports directly to such an executive employee shall be a maximum of six months (compared with the universal 3 months before). Under collective agreements the probation period for an executive employee can be raised to a maximum of nine months.
2012 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Restriction of maximum duration and number of successive fixed-term contracts** Source: LABREF **Code: e3**	Restriction of maximum duration and number of successive fixed-term contracts. Two renewals during a maximum duration of two years will be possible instead of three renewals in three years. Temporary work agencies will continue to be exempted from restrictions on successive fixed-term contracts.
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reintroduction of the concurrent claims for a salaried notice period and severance pay.** Source: LABREF **Code: b1**	Reintroduction of the concurrent claims for a salaried notice period and severance pay. Dismissed employees are entitled to a severance payment on top of the salaried notice period (1-3 months of notice period depending on years of service; 1 m for < 1 y; 2 m for >= 1 and < 5 y; 3 m for >= 5) in the amount of 1 to 4 average monthly salaries, depending on job tenure (2 years at least; 1 m for >= 2 y and < 5 y; 2 m for >= 5 and < 10 y; 3 m for >= 10 and < 20 y; 4 m for >= 20 y). Workers whose employment ended based on an agreement with the employer shall be entitled to 1-5 salaries (no lower limit on required job tenure; 1 m for < 2 y; 2 m for >= 2 and < 5 y; 3 m for >= 5 and < 10 y; 4 m for >= 10 y and < 20 y; 5 m for >= 20 y).
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements	Probationary periods may no longer be extended in collective agreement.

Probationary periods may no longer be extended in collective agreement Source: LABREF **Code: a1**	
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Change of definition of dependent work** Source: LABREF **Code: i3**	Changed definition of dependent work to minimise use of other forms of work as disguised employment was adopted.
2012 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Higher protection of contractual work** Source: LABREF **Code: i3**	Higher protection of contractual work: Contractual workers will be covered with several protective provisions applied to paid employees, such as minimum wage claims, specified working time regulations in line with working time directive, protection in case of night work etc.
2013 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Limitation on temporary Agency work** Source: LABREF **Code: g3**	Limitation on successive placement of the same employee to the same employer by one or more temporary employment Agencies within 24 months. Presumption of placement in case of aplicable rules avoiding (e.g. comparable working conditions of placed employees).
2014 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Maximum temporary assignments of 24 months for temporary agencies** Source: LABREF **Code: g3**	The new Labour Code Article 58/6 stipulates that temporary assignments can last for a maximum period of 2 years. Temporary assignments of an employee with the same employer may be extended or renewed at most four times within a 24-month period. If an employee's temporary assignment lasts longer than the maximum period, the employment relationship between the employee and the employer or temporary employment agency is terminated and an employment relationship for an indefinite duration is established between the employee and the employer. The reform moreover: • prohibits the temporary assignment of already assigned employees to another user employer; • introduces so-called shared responsibility of the user employer to pay temporary workers a comparable wage (namely the difference) to that of its own workers, if this is not paid by the temporary employment agency or the employer.

2014 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Maximum one year duration for work agreements outside an employment relationship** Source: LABREF **Code: i3**	Starting from July 1st 2014, any agreement on performance of work, agreement on student temporary work and agreement on working activity can be conducted for maximum 1 year. Agreements conducted before July 1st 2014 will be terminated till June 30th 2014. The remuneration has to be paid before the end of the month after the work performance.
2015 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Changes in temporary agency employment including maximum duration of assignment and number of renewals** Source: LABREF **Code: g3**	There are several changes with respect to temporary agency employment. First, the amendment specifies that a temporary assignment may be agreed upon for a period of maximum 24 months. Temporary assignment of an employee to the same user employer may be extended or renewed four times within the 24 month period. This shall also apply in case of temporary assignment of the employee by another temporary employment agency to the same user employer. In case of breach of the provision regarding the maximum duration of temporary assignment, the employment relationship between the employee and the employer or the temporary employment agency shall terminate and a new employment relationship for indefinite period between the employee and the user employer shall be established. Second, in this respect, a new reason for employment termination has been included into the Labour Code, under which an employer, who is a temporary employment agency, may give an employee a notice even if the employee becomes redundant due to termination of temporary assignment prior to the lapse of the period for which the temporary employment relationship was agreed to. In regard to this reason for employment termination, the job offer obligation shall not be applied, i.e. neither the employer nor the temporary employment agency shall be obliged to offer the employee another appropriate job. Third, the amendment includes the responsibility of the user employer to pay an equivalent salary to an employee of a temporary employment agency. In case that an employer or a temporary employment agency did not provide a temporarily assigned employee with a salary equivalent to the salary of a comparable employee of the user employer, the user employer is obliged to provide the employee with the salary or with the difference between the salary of a comparable employee of the user employer and the salary provided by the employer or the temporary employment agency within 15 days from the pay day agreed between the employer or the temporary employment agency and the

	temporarily assigned employee. Fourth, the amendment stipulates that the agreement between an employee and the temporary agency should include the date of its termination. However, this shall not apply to temporary assignment for the purpose of substitution of an employee on maternity leave, parental leave, leave immediately following the maternity leave or the parental leave, temporary incapacity for work, or long term leave for performance of a public function or a trade union function. Fifth, the amendment introduces a provision that prohibits temporary agency workers from carrying out risky jobs (category 4), such as steelmaking, asphalting roads or using jackhammers. Sixth, the amendment specifies that a user employer is obliged to keep a record of the assigned employees. It is obligatory to keep the record of working time, overtime, night work, active part and inactive part of the standby duty at the place of work performance of the temporarily assigned employee. Finally, the amendment has also introduced a stricter restriction with regard to temporary assignment of an employee by an employer who is not a temporary employment agency.

Table P24 – Job protection (EPL) policies in Slovenia (2008−2017).

2013 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Allowing employees to leave if employer does not pay social contributions** Source: LABREF **Code: c1**	Allowing employees to extraordinarily terminate an employment contract if their employer does not pay social security contributions for three consecutive months keeping the same rights as in case of terminating an employment contract for bussiness reasons by an employer.
2013 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Prevents multiplication of fixed-term contracts for the same work for longer than two years** Source: LABREF **Code: f3**	The reform prevents multiplication of (one or several) successive fixed-term contracts for the same work, the uninterrupted duration of which would exceed two years.
2013 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Shorter notice period and lower severance pay** Source: LABREF **Code: b2**	1) The maximum notice period has been reduced from 120 to 80 days, a compromise made in exchange for the preservation of unemployment benefits at 80%. A longer notice period (80 days) applies only when the employee completed 25 years of service with the same employer and if the collective agreement at the sectoral level does not specify different notice period (but not less than 60 days). 2) Severance pay is reduced on a graded scale depending on years of service: Pay in the amount of 1/5 of the basis for the employment of one to ten years, 1/4 of the basis for the employment of ten to twenty years, and 1/3 of the basis for more than twenty years of service with the employer. The retirement allowance, a special payment that employees are entitled to when they retire, is restricted to those who have been employed by a company for at least five years and can be agreed othervise by collective agreements.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **The Inspectorate is gaining new powers** Source: LABREF **Code: d1**	The regulatory framework regarding the powers and tasks of the Labour Inspectorate, the powers of inspectors, the inspection procedure, and inspection measures18 has been improved. The objective is to increase the effectiveness of the Labour Inspectorate through appropriate punitive policies, staff capacity building and greater cooperation with social partners. The Inspectorate is gaining new powers to take action in the event of more serious or repeated violations of regulations.
2013	1) Temporary layoff: Employers can now temporarily

Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Employers can temporarily lay off workers, paying 80% of pay, or order carrying out alternative work** Source: LABREF **Code: d2**	lay off workers, paying them 80% of their usual pay during that period instead of their full wages, as they were previously obliged to do. While laid off in this way, workers are obliged to take part in any training required by their employer. An employer may put worker on temporary layoff for no longer than six months in one calendar year. 2) The ERA-1 defines cases (with the purpose of preserving the employment or providing the smooth running of the working process) and conditions (adequacy of alternative work, restriction to a period of three months, preservation of a more favourable payment for the work) under which an employer can order carrying out alternative work.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Legal protection of economic dependants within Labour Relations Act Amendment to Employment Relations Act -ERA – ERA-1** Source: LABREF **Code: d1**	ERA-1 defines an economic dependant as a self-employed person who on the basis of a civil law contract performs work in person; independently and for remuneration for a longer period of time in circumstances of economic dependency and does not employ workers. Economic dependency means that a person obtains at least 80% of his or her annual income from the same contracting authority (Article 2013 of ERA-1). The objective of this provision is to provide a legal path to the person that is an economic dependant for exercising limited labour law protection against the contracting authority.According to Article 214 of ERA-1 the economic dependant can claim prohibition of discrimination, minimum notice periods in the event of termination of a contract, prohibition of termination of a contract in cases of unfounded reasons for termination according to ERA-1 and enforcement of liability for damage.
2013 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Simplifying the procedures and reducing administrative barriers** Source: LABREF **Code: a2**	In order to simplify the procedures and reduce administrative barriers, the new ERA-1 introduces several simplifications of the procedures: 1) The obligation to register every job vacancy with the Employment Service has been removed. 2) In the case of termination of employment due to the business reasons the ERA-1 omits the obligation of prior notification of employees of the intended termination of the employment contract. 3) In cases of termination of employment due to incompetence and a business reason it omits current legal obligation for an employer to offer an equivalent job to the employee, but simultaneously, it encourages employers to do so by determining consequences for the worker, if he/she accepts an offer for a new employment contract to take another work, or he/she does not accept the offer. 4) The new ERA-1 simplifies the defence procedure in the case of termination of the employment contract for the reason of incapacity and culpability and in the case of extraordinary termination of employment contract. 5) Reducing special legal protection against dismissal for special categories of workers.

2013 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Employers' responsibility for agency work and stricter conditions for employment agencies** Source: LABREF **Code: g3**	1) It caps the number of temporary agency workers employed by a company through temporary work agencies at no more 25%, a solution that was hotly contested by employers during negotiations. However, small employers are exempt from this provision. 2) Employers will be jointly liable for making sure wages are paid with the agency supplying temporary workers, to curtail this form of abuse of temporary workers. 3) Stricter conditions for obtaining a permit for carrying out the activity of providing work of workers for another employer (employment agency).
2013 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Introducing severance pay for temporary contracts** Source: LABREF **Code: i3**	Introducing severance pay for fixed-term contracts. The amount of severance pay is specificaly defined for fixed-term contracts.
2014 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Improving the regulations on the organisation, competences and tasks of the Labour Inspectorate** Source: LABREF **Code: d1**	Providing greater flexibility and efficiency of inspectors and thereby creating greater legal certainty for workers. Also giving greater role to the social partners, acting within the framework of the Tripartite Council. The more precise regulation is intended to contribute to more effective supervision carried out by labour inspections in general and in relation to more effective implementation of the Employment Relationships Act. The Act introduces the "professional assistant", an official person who shall provide expert advice to employers and workers in implementing labour legislation and other regulations, collective agreements and general acts that fall under the competence of the Labour Inspectorate. Fines prescribed by the Act have been raised in comparison to the previous Inspection Act. The new institution of "expert assistant" should relieve inspectors from overload with administrative tasks. But, on the other hand, the number of labour inspectors is decreasing – at the moment there are 80 labour inspectors.
2014 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **The Prevention of Undeclared Work and Employment Act** Source: LABREF **Code: d1**	Better definitions of terms used by the Act, namely undeclared work and undeclared employment, amendments to the concept of personal supplementary work, the introduction of new supervisory bodies (the replacement of labour inspectors by the customs officers in cases of personal supplementary work), supervisory procedures and higher fines, the possibility to claim any profit/proceeds arising from undeclared employment to the introduction of sanctions to exclude employers that illegally employ third-country nationals from public procurement (they shall be blacklisted).

	Another important innovation is the proposal to introduce a voucher system for personal supplementary work.
2014 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Student Work Act** Source: LABREF **Code: i3**	Pay for student work per hour shall amount to EUR 3,8 and that students should be included in the old age and invalidity insurance and health insurance scheme.
2017 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Amendments to the Labour Inspection Act** Source: LABREF **Code: i3**	As part of the "mini labour market reform", the amendments to the Labour Inspection Act (ZID-1) prevent the illegal use of atypical forms of work (including work based on civil law contracts) and sanctions employers who do not pay wages in due time. The measure aims to fight the increase in self-employed and "other labour forms" at the expense of labour contracts, a consequence of the 2013 labour reform.

Table P25 – Job protection (EPL) policies in Spain (2008−2017).

2010 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Clarifying and broadening the causes for objective justified dismissals** Source: LABREF **Code: c2**	Clarifying and broadening the causes for objective justified dismissals (compensated with 20 days) and including among them the existence of current or projected losses within the company. The new articles include the case for economic (temporary fall in demand), technical (introduction of new ways of production) and organizational reasons. In this case, the employer pays 20 days' wages instead of 45 days' wages per year on seniority. Also reducing the notification period for justified dismissals to 15 days compared to 30 previously.
2010 Policy domain: Job protection (EPL) Policy field: Maximum duration of fixed-term contracts **Limiting maximum duration of temporary contracts and increasing firing costs** Source: LABREF **Code: f3**	1) Limitation of contracts 'for a specific job or services' to a maximum of three years, which may be extended for a further year through sectoral collective bargaining. 2) The duration of binding temporary contracts will be reduced and restricted to 24 months for workers who are taken on more than once by the same company or group of companies, even if the job they do changes. At the end of this period, the contract must be made permanent. Before there was no maximum duration for this contract. 3) In addition, compensation for dismissal will rise gradually for temporary contracts, increasing annually by one day per year of service, from the current eight days per year of service to 12 days as of 1 January 2015.
2010 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Extension of use of open-ended employment promotion contracts** Source: LABREF **Code: b2**	Widening the use of the 'permanent employment promotion contract' (the so-called 'Contrato de Fomento de la contratacion indefinida' or promotion of permanent employment contract (PEP), with lower redundancy pay in the case of wrongful dismissal (33 days as opposed to 45 days per year worked). This contract can now be applied to all workers with a temporary contract of less than three months in the same firm and to almost all unemployed, among them those unemployed (i) for one month or more, (ii) between 16 and 30 years old, (ii) of more than 45, (iii) with disabilities.
2010 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Temporary lower severance payments for objective dismissals** Source: LABREF **Code: b2**	Transitional coverage of 8 days per year of service will be provided by the Wage Guarantee Fund (FOGASA) in cases of termination of permanent contracts for objective reasons.

2010 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Creation of a capitalisation severance pay fund** Source: LABREF **Code: b1**	Creation of a lifelong individual capitalisation fund for workers, after consultation with the most representative trade union and employer organisations. The fund will be for an amount 'equal to the days of salary per year, to be determined'. The worker will be able to make use of the fund in cases of dismissal, transfer to another area, or on reaching retirement. It may also be used for training purposes. This fund, inspired by the austrian model could further reduce the costs of dismissal. The governement commited to present a draft law by mid-June 2011. This fund will come into force on 1 January 2012.
2010 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Definition and broadeining of sectors in which temporary agencies are allowed to operate** Source: LABREF **Code: g4**	Definition and broadeining of sectors in which temporary agencies are allowed to operate.
2011 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Regulation of collective redundancies regulation** Source: LABREF **Not coded**	Wider scope for collective redundancies claiming objective grounds, streamlined administrative procedure for filing collective redundancies, more accurate documentation to be provided by companies. Firms employing more than 50 workers must design a social plan including training, social or reallocation measures to ease the transition of dismissed workers. It also promotes the reduction of the working hours as alternative to collective dismissals in order to preserve employment in critical periods.
2011 Policy domain: Job protection (EPL) Policy field: Maximum number of renewals of fixed-term contracts **Limitations on the renewal of temporary contracts** Source: LABREF **Code: e3**	The current limitations to the renewal of temporary contracts are suspended until 31/12/2012. (The 2010 labour market reform had introduced a maximum duration of fixed-term contracts to 36 months in order to reduce the use temporary contracts relative to permanent contracts.)
2011 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Extention to various categories of workers of the permanent contract with reduced severance payments**	Two additional groups of workers are eligible to sign a permanent contract with reduced severance payments. First, temporary workers whose contract (which must have been signed before 28 August 2011) is transformed into a permanent contract with reduced severance payment before end-2011. Second, temporary workers whose

Source: LABREF **Code: b2**	contract (which must have been signed after 28 August 2011) is transformed into a permanent contract with reduced severance payment before end-2012. The original temporary contract's length cannot exceed 6 months. Severance payments amount to 33 days for year of service up to a maximum of 24 days instead of the 45 of the standard contract. The 33 days also applies in cases where firms prefer to declare the dismissal upfront as unjustified Firms which had terminated permanent contracts or carried out a collective dismissal after 18th June 2010 are not allowed to sign this contract.
2011 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Extension of the contribution by the Wage Guarantee fund (FOGASA)** Source: LABREF **Code: b2**	Law 35/2010 foresaw that FOGASA (Wage Guarantee Fund) partially funded severance payments (8 days of salary per year of service) under certain circumstances. More precisely, this measure was targeted at permanent contracts signed after 06/18/2010 in case of collective or objective dismissals before 12/31/2012. This Real Decreto-ley 10/2011 introduces two amendments. First, the 2010 measure is extended until end-2013. Second, objective dismissals cannot be partially funded by FOGASA for those contracts signed after 01/01/2012.
2012 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Collective dismissal for older workers** Source: LABREF **Not coded**	The labour reform has indeed introduced a couple of modifications to the Law 21/2011 (on the modernisation of the SS system), both in relation with collective dismissals affecting older workers (+50 years), namely: Transitional regulation on the contributions by profitable companies that have made a collective dismissal: the (profitable) companies which have been subject to collective dismissals authorised by the Labour authorities already before the entry into force of the RDL 3/2012, will have to made the contributions referred to in Law 27/2011, additional clause 17, ONLY when the collective dismissal affects, at least, 100 workers (Law 27/2011 established that the collective dismissals affected at least 100 workers in a reference period of 3 years, independently of the number of workers of 50 years and more affected).
2012 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Regulation of the procedures for collective dismissal and reduction of working hours** Source: LABREF **Not coded**	The Decree regulates the procedure employers must follow to take measures to restructure their staff for economic, technical, organisational or production reasons: collective dismissal, suspension of employment contracts and reduction in working hours. It specifies the requirements employers must observe. The employer must provide certain documentation to workers' representatives when initiating the mandatory consultation period detailing the economic situation of the company and

	evidencing his or her claims. The purpose of the mandatory consultation is to analyse options to avoid or reduce layoffs or mitigate their consequences, considering measures such as internal relocation, functional mobility, geographic mobility, changing working conditions (eg working hours, wages), derogating the conditions laid down in the collective agreement of reference, or training. The regulation supports the placing of workers in other companies or the promotion of self-employment and creation of cooperatives. Companies that provide for the dismissal of more than 50 workers must develop a specific ""relocation plan"". Documentation is also required when the employer proposes the suspension of employment contracts or a temporary reduction in working hours for those same reasons, but the requirements are less stringent. The labour authority advises and recommends. All procedures should be accompanied by a report of the Labour Inspectorate. The procedure can be used in the public sector. Public companies must follow the rules of private enterprises. Public Administration can use this procedure in case of supervening and persistent budget shortfalls, equivalent to a budget deficit in the previous year or reduction of funds available in the current year or in the previous two years. The consultation should also be used to propose measures designed to avoid dismissals, to reduce the number of workers affected or to mitigate its impact.
2012 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Clarification of collective dismisals rules for older workers** Source: LABREF **Not coded**	The scope of a special obligation imposed on companies in 2011 with more than 100 employees (or forming part of a group of companies with more than 100 employees) that include workers aged 50 and older in collective redundancy procedures has been specified. Profitable companies must make a contribution to the Treasury to offset the cost caused to the State by the dismissal (unemployment benefits). Such contributions are reduced when the dismissed workers are subject to relocation (within the same company, in another company within the same group or even any other company) within 6 months after the dismissal.
2012 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Removal of the administrative authorisation**	The administrative authorisation for collective dismissals and other business decisions, such as the suspension of contracts or the temporary reduction of working hours for economic or business-related reasons are no longer required (Art51 Statute of Workers). With the new rules,

required for collective dismissals Source: LABREF **Not coded**	after a non-binding consultation of workers' representatives of maximum 1 month, the employer takes unilaterally the final decision and decides the conditions of dismissal. Workers' may appeal against collective dismissals. The labour authorities may only challenge the agreement reached between the employer and the workers' representative during the period of consultation, when they deem that these consultations have being achieved by fraud or abuse of rights.The RDL 3/2012 announces (19th final provision) that the Government will issue a new RD setting the rules and procedures of collective dismissal and on the suspension of the contract and reduction of the working day that would promote an effective implementation of what established with the new reform. With the new provisions, failure by the employer to provide a plan of accompanying social measures in case of collective dismissal will be considered as a very serious infringement of the law. Finally, a new "fast track" procedure has been introduced to challenge in court the collective dismissal, which exempts from the requirements of conciliation and mediation. Labour authorities will provide mediation and assistance in the event that the employer initiates collective redundancy procedures.
2012 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Collective dismissals in the public sector** Source: LABREF **Not coded**	Public administration can make collective redundancies for economic or business-related reasons. These measures are permissible specifically in cases of "insufficient budget" or for other technical or organisational reasons.
2012 Policy domain: Job protection (EPL) Policy field: Definition of fair dismissal **Detailed specification of the conditions for justified dismissals and broadening of its scope** Source: LABREF **Code: c2**	The RDL has added "organisational reasons" to the existing valid cases (i.e. economic and technical) for collective and individual dismissals. With the new provisions, the dismissal is justified when the firm experiences or expects a persistent reduction in the level of sales (previously only revenues were considered). A persistent reduction of revenues or sales occurs when sales or revenues fall for 3 consecutive quarters. This clarification has the potential of reducing dismissal cost from 33 days (unjustified dismissal) to 20 days (justified dismissal). The reform introduces also the possibility of individual dismissal for absenteeism independently of the rate of absenteeism in the establishment where the worker is employed, which characterised the previous legislation.

	Thus, the absenteeism of the individual worker will be sufficient cause for justified dismissal (before only necessary).
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Measure to increase internal flexibility** Source: LABREF **Code: b2**	Substantial modifications of the working conditions. Firms are allowed to make substantial changes to individual or collective contracts. In case of changes to the individual contract, the notice period has been reduced from 30 to 15 days, and to 7 days in case of no agreement in the consultation with workers' representative on collective changes.
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction of contribution from the wage guarantee fund (FOGASA) in case of objective dismissals** Source: LABREF **Code: b2**	As a transitory measure, the 2010 reform allowed for a partial contribution from the Wage Guarantee fund (FOGASA) for the severance payment due in cases of objective dismissals. With the new reform, the FOGASA will no longer contribute with 8 days' salary per year of service to the severance payment, except for objective dismissals in firms of less than 25 workers up to a maximum of 1 year. The FOGASA will not any more cover 40% of the severance pay in case of objective dismissals.
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Reduction of the severance payment for unjustified dismissals** Source: LABREF **Code: b2**	Compensation for unfair dismissal has been limited to 33 days' salary per year of service with a maximum of 24 months of wages (Art.56.1 Statute of Workers). Previously, such compensation was set at 45 days per year of service with a maximum of 42 months of wages. The existing contracts will keep the right to 45 days for the period of work before the adoption of the reform, while severance pay will be at 33 days starting from the 11.02.2012. As a transitory measure, the 2010 reform allowed for a partial contribution from the Wage Guarantee fund (FOGASA) in cases of objective dismissals. With the new reform, the FOGASA will no longer contribute with 8 days' salary per year of service to the severance payment, except for objective dismissals in firms of less than 25 workers up to a maximum of 1 year. The FOGASA will not any more cover 40% of the severance pay in case of objective dismissals.
2012 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Removal of the worker's right to receive** Source: LABREF **Code: b2**	The reform eliminates worker's right to receive "processing wages" for all the duration of a process against unfair dismissal. Processing wages only apply when the decision is made to readmit the worker. Processing wages are equal to the wage the worker has lost for the days between the date of dismissal and the date the employer is notified of the ruling of unfair dismissal.
2012	Elimination of the "express dismissal" , under

Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Elimination of the "express dismissal"** Source: LABREF **Code: b1**	which employers were allowed (and preferred) to qualify a dismissal as unjustified, and thus, ready to pay 45 days per year of service of compensation to avoid the uncertainty and the costs of the judicial process, including the payment of interim wages when the judge accepted workers appeal against unfair dismissal.
2012 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **New contract for SMEs** Source: LABREF **Code: d2**	The reform introduces an indefinite contract for young and unemployed workers, called ""support to entrepreneurs"", which can be used by companies that have less than 50 employees. Such a contract brings economic benefits (tax breaks and reductions in social security contributions) as well as employment benefits (one-year probation period with the possibility to end the contract at will during that time). Hiring incentives up to 3000 euros are introduced for workers below 30 years of age hired for the first time. Firms are also granted tax deduction of 50% of the unemployment benefits that an unemployed would receive at the moment he is hired with the new permanent contract. Tax deductions are accompanied by additional hiring subsidies for young aged between 16 and 30 years and long-term unemployed aged more than 45 years. The unemployed hired with the new contract could choose to receive for 1 year 25% of the unemployment benefit on the top of his salary or keep unused unemployment benefit rights. Firms recruiting unemployed will be entitled to additional fiscal incentives in the form of further social contribution reductions: €1000, €1100 and €1200 per year in the first, second, and third year respectively for each young unemployed recruited (between 16 and 30 years old), and €1300 for each long-term unemployed over 45 years old over 3 years (€1500 if they are women). Incentives are conditional to keeping the worker at least 3 years in the firm (some exceptions are foreseen). The new contract will remain in force until the unemployment rate in Spain falls to under 15%.
2012 Policy domain: Job protection (EPL) Policy field: Permanent contracts – Other **Changes in professional classification** Source: LABREF **Code: d2**	An important change concerns the system of professional classification which will be defined, through collective bargaining, in terms of a professional group rather than through more narrowly defined professional categories. Thus, the worker will be assigned to a professional group and his task will be defined on the basis of all functions of this group. The individual contract will not refer any more to the income levels and functions collectively agreed for a

	narrowly defined professional category.
2013 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Rules dealing with the labour process** Source: LABREF **Not coded**	The Royal Decree Law amends the law 36/2011 that deals with the labour process to clarify certain aspects related to the resolution of claims that workers may have against the employer in the event of collective redundancies.
2013 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Regulation of the procedures to adopt restructuring measures** Source: LABREF **Not coded**	This Royal Decree Law contains several types of rules. Among them, it reviews the procedures to be followed to adopt workforce restructuring measures in enterprises (collective redundancies, suspension of employment contracts, reductions in working hours, changes in the conditions of employment or transfer of workers) regulated by RD 1483/2012. In particular, it identifies the representation of workers who must negotiate the introduction of such measures with the company's management, and to that end, preferably assigns this task to unions that meet certain conditions, but also provides for an alternative, because it admits the designation of a "negotiating body" constituted either by the legal representatives of the workers in the workplace affected or by those workers who are directly appointed by other workers to perform such functions. These new rules for the negotiation of restructuring measures also apply to derogation or modification of the existing collective agreement. Furthermore, the information and documentation obligation of the employer in the event of collective redundancies has been expanded.
2013 Policy domain: Job protection (EPL) Policy field: Definition of valid reasons for fixed-term contracts **Possiblity of hiring young with temporary cotnracts** Source: LABREF **Code: h4**	Companies also have the possibility of hiring young people without work experience through temporary contracts, even if the job is of a permanent nature (as opposed to the general rule that applies in the Spanish system). The "Primer Empleo Joven" scheme will no longer be applicable the moment the unemployment rate falls below 15%.
2013 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Elimination of contribution from FOGASA** Source: LABREF	The Law also eliminates the rule that requires the Wage Guarantee Fund (a public institution that pays salaries and allowances to workers in the event of insolvency of the employer) to pay 40% compensation in case of dismissal motivated by economic, technical, organisational or production grounds in firms with fewer than 25 employees.

Code: b2	
2013 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Temporary agencies** Source: LABREF **Code: g4**	Temporary agencies may conclude contracts with workers in practice and then transfer them to a user undertaking.
2013 Policy domain: Job protection (EPL) Policy field: Temporary contracts – Other **Protective measures for temporary workers** Source: LABREF **Code: i3**	The decree imposes the limit of one month for the probationary period for temporary contracts not exceeding six months (there used to be no specific limit for such contracts).
2013 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Increase of the number of additional hours for part-time contracts** Source: LABREF **Code: i4**	Royal Decree Act 16/2013 imposes the limit of one month for the probationary period for temporary contracts not exceeding six months
2014 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **Procedures to be followed by the employer to require the State to return processing wages** Source: LABREF **Code: b2**	The Royal Decree regulates the procedure to be followed by the employer in order to require the State to return the processing wages earned by the worker if the judgement (declaring that the dismissal was unfair) was issued after more than 90 working days from the filing of the complaint. This return of processing wages is intended to repair the damage caused to the employer as a result of excessive delays in the judicial process, which increases the cost of dismissal. Since the 2012 labour reform, the processing wages only accrue when the dismissal is declared unfair and the employer chooses to reinstate the worker or if the unfair dismissal involves a worker representative. The affected employee may directly request such compensation in case of insolvency of the employer.

Table P26 – Job protection (EPL) policies in the United Kingdom (2008−2017).

2008 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Flexibilising procedures for workplace dispute resolution** Source: LABREF **Code: a2**	Increasing compliance with the statury code of practice promoted by the Advisory, Conciliation and Arbitration Service (Acas) sets out principles and general guidance to encourage a more practical, less legalistic approach to dispute resolution at the workplace: expedient handling of issues without unreasonable delay; informing employees of the allegations against them; providing employees with an opportunity to put forward their case before decisions are reached; allowing employees to be accompanied at any formal grievance or disciplinary hearing; providing a right to appeal. Also, a procedural failure is likely to render a dismissal unfair; however, it is open to the employer to argue that, although there has been a failure to follow procedure, had they done so it would not have made any difference to the decision to dismiss.
2009 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Increasing the statutory redundancy entitlement** Source: LABREF **Not coded**	Increasing the statutory redundancy entitlement through raising the statutory maximum weekly pay limit (before tax) from GBP 350 to 380.
2010 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Capping redundancy payments for civil servants** Source: LABREF **Not coded**	In the Superannuation Act, redundancy payouts to civil servants were capped at 15 months' salary in case of voluntary redundancy, and in 12 months' salary in case of compulsory redundancy. As some trade unions protested, the Cabinet Office proceeded with capping redundancy payments to 21 months' salary for voluntary redundancies (and 12 months' salary for compulsory job losses). Even this decision faced legal challenge on the High Court.
2010 Policy domain: Job protection (EPL) Policy field: Temporary agency work **Equal treatment for agency workers** Source: LABREF **Code: g3**	Equal treatment of an agency worker who has been with the hirer for 12 weeks in a given job. The agency worker will be entitled to basic working and employment conditions that are equal to those of the hirer’s own employees regarding pay, duration of working time, night work, rest periods, rest breaks, annual leave. The 12-week qualifying period need not be a continuous period.
2011 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Exempting businesses with fewer than 10 employees and start-ups from all new domestic legislation for three years**	Plan for growth: The government, ‘recognising the particular burden that new regulation places on small businesses’, will exempt businesses with fewer than 10 employees and ‘genuine’ business start-ups from virtually all new domestic legislation for three years from 1 April 2011 (Plan for growth).

Source: LABREF **Code: d2**	
2011 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Harder for employees to make claims for unfair dismissal.** Source: LABREF **Code: a2**	Employment Regulation (Plan for growth –budget 2011): The UK government announced in October 2011 that, from April 2012, it will be harder for employees to make claims for unfair dismissal. The qualifying period of employment required before an employee can claim unfair dismissal in an employment tribunal will double, from one to two years. The government has also introduced a fee for bringing a case to a tribunal. The changes are intended to make it less risky for businesses to hire staff, but unions are highly critical.
2012 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **'Shares for rights' employment status** Source: LABREF **Code: d2**	Employees who agree to become employee shareholders receive shares in their company worth at least GBP 2,000 (€2,330 as at 31 January 2013) but have fewer than normal statutory employment rights. In particular, they do not have statutory rights to: request training and flexible working; claim unfair dismissal (apart from where dismissal is automatically unfair or discriminatory); receive redundancy pay. They would also have to give longer notice of 16 weeks to their employer of their intention to return from maternity, paternity or adoption leave. Employees would be protected against detriment or dismissal on the grounds that they refused to become an employee shareholder.
2012 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Increasing the qualifying period for unfair dismissal claims** Source: LABREF **Code: a2**	The qualifying period for unfair dismissal claims has been increased from one to two years. This new rule will apply only to new joiners after 6 April 2012. Those who are already in employment before that date will retain the current one-year qualifying period. The right to claim unfair dismissal applies to employees only (i.e., those with a contract of employment). These changes are expected to cut the number of unfair dismissal claims by over 3,000 claims a year. In certain circumstances, however, dismissals will automatically be considered to be unfair, and employees will not be required to have two years' service before making a claim. These include dismissals for reasons such as pregnancy or maternity leave, trades union membership, whistleblowing, reporting health and safety risks or assertion of statutory rights. These exceptions are all set out in the Employment Rights Act 1996.
2013 Policy domain: Job protection (EPL) Policy field: Collective dismissals **Changes to collective redundancy: period for**	Changes to collective redundancy: period for taking effect reduced.

taking effect reduced Source: LABREF **Not coded**	
2013 Policy domain: Job protection (EPL) Policy field: Notice and severance payments **New cap on severance pay in case of unfair dismissals** Source: LABREF **Code: b2**	The Enterprise and Regulatory Reform Act 2013 introduces a 12 months' pay cap on the compensatory award for unfair dismissal, alongside the overall cap of £74,200, which had been in place already. The smaller of both caps is relevant.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Fee system for litigants planning to go to an Employment Tribunal** Source: LABREF **Code: d2**	Government introduce a fee system for litigants planning to go to an Employment Tribunal (ET) on 29 July 2013. There will be a system of fee remission. The new Tribunal Rules of Procedure will come into force at the same time.
2013 Policy domain: Job protection (EPL) Policy field: Permanent contracts - Other **Change to the Transfer of Undertakings Protection of Employment** Source: LABREF **Code: d2**	Transfer of Undertakings (Protection of Employment) Regulations, aimed at protecting the terms and conditions of employees when a business is sold to a new owner or the work taken over by a different form of organisation. Main changes concern: redundancy consultations can start before transfer; current restrictions on varying employment contracts where there is a relevant transfer are relaxed for variations; it is also expressly stated that a change in the place of work after a transfer should be regarded as included within the term "changes in the workforce"; collective agreed terms and conditions coming into force after transfer will not be transferred; the deadline for notification of employee liability information by the transferor to the transferee is extended; micro-businesses will be permitted to inform and consult directly with employees.
2013 Policy domain: Job protection (EPL) Policy field: Procedural requirements **Employment tribunals will have the power to order that a losing employer pay a penalty in specified circumstances** Source: LABREF **Code: a1**	This inserts a new Section 12A into the Employment Tribunals Act 1996 to give employment tribunals the power to order that a losing employer pay a financial penalty in specified circumstances. This will apply in cases presented on or after 6 April 2014.

2015 Policy domain: Job protection (EPL) Policy field: Temporary contracts - Other **Prohibition of exclusivity clauses in zero-hours contracts** Source: LABREF **Code: i3**	Among other measures, the Act puts an end to the use of exclusivity clauses in zero-hours contracts (these clauses prevent employees from working for another employer even when their main employer has not offered them work).