

Id-Direttur tal-Impjegi u r-Relazzjonijiet Industrijali qabel jgħaddu tletin ġurnata min-notifika msemija. F'ċirkostanzi eċċezzjonali madankollu, id-Direttur jista' jippermetti li l-prinċipal jagħti perjodu iqsar ta' notifika. Id-Direttur jista' wkoll jestendi l-perjodu msemmi b'perjodu ieħor ta' tletin ġurnata jekk jinħass li t-tali estensjoni toffri opportunità ulterjuri għas-soluzzjoni tar-raġunijiet tas-sensji jew għall-identifikazzjoni ta' soluzzjonijiet għall-benefiċċju tal-impjegati li jkunu qed jiġu ddikjarati żejda. Il-prinċipal għandu jkun informat b'tali estensjoni b'avviż bil-miktub li għandu jirċevieh qabel ma jiskadi l-perjodu inizjali.

### Reati

Kull min jikser id-dispożizzjonijiet ta' dawn ir-regolamenti jkun ħati ta' reat u jeħel, meta jinstab ħati, multa ta' mhux inqas minn €1,164.69 għal kull impjegat li jkun iddikjarat żejjed.

by any projected collective redundancy notified to the Director responsible for Industrial and Employment Relations before the lapse of thirty days from notification. In exceptional circumstances however, the Director may grant the employer a shorter period of notification. Nevertheless, the Director may also extend the said period by a second period of thirty days if it is deemed that such extension may provide further opportunity for the resolution of the reasons for redundancies or for the identification of solutions to the benefit of those employees who are being declared redundant. The employer shall be informed of such extension by notice in writing, prior to the lapse of the initial period.

### Offences

Any person contravening the provisions of the applicable regulations shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than €1,164.69 for every employee that is declared redundant.



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# COLLECTIVE redundancies

#### Disclaimer:

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## X'jikkostitwixxi sensja kollettiva?

Hija it-terminazzjoni tal-impieg minn prinċipal għal raġunijiet ta' għadd żejjed ta' impjegati, fuq perjodu ta' tletin ġurnata, ta':

- 10 impjegati jew aktar fi stabbilimenti li normalment jimpjegaw minn 20 impjegat sa 99 impjegat;
- 10% jew aktar tan-numru tal-impjegati fi stabbilimenti li jimpjegaw minn 100 impjegat sa 299 impjegat; u
- 30 impjegat jew aktar fi stabbilimenti li jimpjegaw 300 impjegat jew aktar

Sensji kollettivi huma regolati bl-Avviz Legali 428 tal-2002 Regolamenti dwar Sensji Kollettivi (Farsien tal-Impiegi)

## Konsultazzjoni mar-Rappreżentanti tal-Impjegati

Il-prinċipal li jkun qed jipproponi li jiddikjara sensja kollettiva huwa obligat li jinnotifika bil-miktub lir-rappreżentanti tal-impjegati, kif ukoll jgħaddi kopja lid-Direttur tal-Impiegi u r-Relazzjonijiet Industrijali dwar it-tali intenzjoni filwaqt li jagħti opportunita' ta' konsultazzjoni lir-rappreżentanti msemmija. Tali konsultazzjonijiet bejn il-prinċipal u r-rappreżentanti tal-ħaddiema għandhom jibdeu fi żmien sebat ijiem tax-xogħol mill-ġurnata tan-notifika u huma intiżi sabiex ikopru kif jista' jiġu evitati s-sensji kollettivi jew it-tnaqqis tan-numru ta' impjegati milqutin minn tali sensji u biex jimmitigaw il-konsegwenzi tagħhom.

## Informazzjoni lir-Rappreżentanti tal-Impjegati

Fi żmien il-perjodu ta' sebat ijiem msemmi hawn fuq il-prinċipal għandu l-obbligu li jgħaddi lir-rappreżentanti tal-impjegati dikjarazzjoni bil-miktub, kif ukoll jgħaddi kopja lid-Direttur tal-Impiegi u r-Relazzjonijiet Industrijali li tipprovdi:

- Ir-raġunijiet għas-sensji
- In-numru ta' impjegati li bi f'siebu jagħtihom is-sensja
- In-numru ta' impjegati li normalment jimpjega
- Il-kriterji proposti għall-għażla tal-impjegati li ser jiġu ssensjati
- Id-dettalji dwar xi kumpens dovut għal temm tal-kuntratt tas-servizz li huma dovuti
- Il-perjodu li matulu ser jingħataw is-sensji

## Meta s-sensji jibdeu joperaw

L-avviż tas-sensja jista' jibda jopera mid-data li fiha jibdeu il-konsultazzjonijiet mar-rappreżentanti tal-ħaddiema. Madankollu il-prinċipal ma jistax itemm l-impjeg tal-impjegati milquta bi kwalunkwe sensja kollettiva pjanata u notifikata

## What constitutes a collective redundancy?

It is the termination of the employment by an employer on grounds of redundancy, over a period of thirty days, of:

- 10 or more employees in establishments normally employing 20 to 99 employees;
- 10% or more of the number of employees in establishments employing 100 to 299 employees; and
- 30 or more in establishments employing at least 300 employees

Collective Redundancies are regulated by Legal Notice 428 of 2002 – Collective Redundancies (Protection of Employment) Regulations

## Consultation with Employees' Representatives

The Employer proposing to declare the collective redundancy has the duty to notify in writing the employees' representatives, also forwarding a copy to the Director of Industrial and Employment Relations, about such intention while giving the said representatives an opportunity to consult. Such consultations between the employer and the employees' representatives should commence within seven working days from the day of notification and are intended to cover ways and means of avoiding the collective redundancies or reducing the number of employees affected by such redundancies and for mitigating the consequences thereof.

## Information to the Employees' Representatives

Within the period of seven days mentioned above the employer has the duty to supply the employees' representatives with a written statement, also forwarding a copy to the Director of Industrial and Employment Relations, providing:

- The reasons for the redundancies
- Number of employees intended to be made redundant
- Number of employees normally employed
- The criteria proposed for the selection of the employees to be made redundant
- Details regarding any redundancy payments which are due
- The period over which redundancies are to be effected.

## When redundancies are to take effect

The notice of termination of employment may begin to run from the date of the commencement of the consultations with the employees' representatives. However, the employer cannot terminate the employment of employees effected