

Austria

Time off for job search

Phase	General Civil Code (ABGB); Employees Act (AngG)
Native name	Allgemeines Bürgerliches Gesetzbuch (ABGB); Angestelltengesetz (AngG)
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

1160 (ABGB); 22 (AngG)

Description

In case of redundancy, every employee is entitled to make use of time off for job search (this is not applicable when employees themselves terminate a contract). Employees can demand at least one fifth of their weekly working time off during the notice period (Kündigungsfrist, for details also see: '[Notice periods to employees](#)'), without reduction of income. Time off does not have to be dedicated to job search. The employee is entitled to this, even if s/he has already found a new job.

Commentary

Collective agreements can determine the extent, timing and preconditions for the entitlement to time off for job search. The extent varies considerably across collective agreements. Collective agreements can also foresee that the time off should exclusively be dedicated to job search. Some collective agreements (e.g. [metal and iron processing industry](#), [hotel and catering industry](#)) also grant employees the right to take time off for job search in cases when employees themselves terminate the contract.

The timing of the time off has to be agreed upon with the employer.

According to a [judgement](#) of the Austrian Supreme Court (2012) dismissed employees are not entitled to additional time off for job search in cases where s/he is already consuming paid leave during the period of notice (Kündigungsfrist).

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Austria: Time off for job search, Restructuring legislation database, Dublin

Belgium

Time off for job search

Phase	Law on Employment Contracts of 3 July 1978
Native name	Loi sur le contrat de travail du 3 juillet 1978/Wet betreffende de arbeidsovereenkomsten (3 Juli 1978)
Type	Time off for job search
Added to database	13 May 2015
Access online	Click here to access online

Article

41, 64, 85 and 115

Description

Following the harmonisation of both blue-collar and white-collar status (in 2014), all workers are allowed to be absent once or twice a week (for a maximum number of hours corresponding to the hours usually worked in one day) during the notice period in order to look for a new job. In this case, the workers are entitled to their salary for the unworked period.

The general rule sets that workers may be absent half a day per week during the notice period. The permitted period of absence is extended to one day or two half days per week in some cases:

- During the last 26 weeks of the notice period if the duration thereof exceeds 26 weeks;
- Throughout the period of notice if it is less than or equal to 26 weeks; and
- During the whole notice period for workers in an outplacement scheme.

Commentary

For part-time workers, the right to be absent for job search is granted in proportion to the number of hours worked.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Belgium: Time off for job search, Restructuring legislation database, Dublin

Bulgaria

Time off for job search

Phase	Labour Code
Native name	Кодекс на труда
Type	Time off for job search
Added to database	15 July 2015
Access online	Click here to access online

Article

Article 157, p. 6

Description

The Labour Code states that in case of written notice of termination of the labour contract, the employer is obliged to exempt the employee from working for 1 hour per day for the duration of the notice period for the purpose of finding new employment. Employees working 7 or fewer hours per day are not entitled to this right.

Commentary

This legislative provision could be used for finding a job, although it is not explicitly mentioned. Collective labour agreements could extend the time off for job search, as well as foresee the provision of providing references and redirecting the employee to other enterprises of the same employer.

Additional metadata

Cost covered by	Employer
------------------------	----------

Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Bulgaria: Time off for job search, Restructuring legislation database, Dublin

Croatia

Time off for job search

Phase	Labor Act 93/2014, 127/17, 98/19, 151/22, 64/23
Native name	Zakon o radu 93/2014, 127/17, 98/19, 151/22, 64/23
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

Article 122 (5)

Description

During the notice period, the employee is entitled to be absent from work for at least four hours a week for the purpose of seeking new employment. Employees are entitled to be paid for this time off. The law does not specify or exempt any particular groups of workers, so it can be deemed that all workers have this right. There is no specific provision for part-time workers.

Commentary

It is a general regulation, not specific to collective dismissals. This provision applies even if the worker has terminated the employment contract.

The law does not specify what is considered as 'seeking new employment' and there are no specific provisions on the use of time off for training; the practice may differ from one employer to another. Rozman (2023) points out that, as a rule, the worker would not have the right to determine by himself or herself when he or she will use those four hours. Rozman believes that the employer should meet the worker in terms of timing.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Croatia: Time off for job search, Restructuring legislation database, Dublin

Cyprus

Time off for job search

Phase	Termination of Employment Law, 1967 (Law 24/1967)
Native name	N. 24/1967 - Ο περί Τερματισμού Απασχόλησης Νόμος του 1967
Type	Time off for job search
Added to database	01 September 2015
Access online	Click here to access online

Article

Article 12 of the Termination of Employment Law, 1967 (Law 24/1967)

Description

An employer who intends to terminate the employment of an employee who has completed at least 26 weeks of employment has to give a minimum period of notice depending on the employees' duration of service.

Article 12 of the Termination of Employment Law provides that during the notice period a redundant employee is entitled to take time off from normal working time for seeking new employment, without loss of pay. The time off is taken in agreement with the employer and cannot exceed 8 hours per week. The total time off for seeking new employment cannot exceed 40 hours from the date of the notice until the termination of employment.

Commentary

No information available.

Additional metadata

Cost covered by	Employer
------------------------	----------

Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Cyprus: Time off for job search, Restructuring legislation database, Dublin

Czechia

Time off for job search

Phase	Government Regulation No. 590/2006 Coll., on the range and extent of other important personal obstacles to work Act No. 262/2006, Coll. Labor Code
Native name	Nařízení vlády č. 590/2006 Sb., kterým se stanoví okruh a rozsah jiných důležitých osobních překážek v práci zákon č. 262/2006 Sb., zákoník práce
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

Point 11 of the annex §199 of Act No. 262/2006, Coll. Labor Code

Description

Time off for job search with refund of wages is provided to a maximum of one half day per week before the termination of employment due to reorganisation, during the notice period of two months. Time off may be accumulated and taken in 'one-go' with the consent of the employer.

This article is valid both for individual and for collective dismissals (within 30 days dismissals of at least 10 workers in companies with 20-100 employees, at least 10% in companies with 101-300 employees, or at least 30 workers in companies with more than 300 workers) and for all types of contracts (fixed-term contracts, permanent contracts, full-time and part-time contracts).

Commentary

Government Regulation No. 590/2006 Coll. provides further details on specific cases mentioned in the paragraph 199 of Act No. 262/2006 Coll., Labour Code, which regulates

personal obstacles to work.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: 10 Company size: 20 Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Czechia: Time off for job search, Restructuring legislation database, Dublin

Estonia

Time off for job search

Phase	Employment Contracts Act
Native name	Töölepingu seadus
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

Employment Contracts Act § 99

Description

After the announcement of redundancy, the employer must give the employee time off to find new employment. However, the amount of time is not specified, but the time off must be feasible for the employer and not entail unreasonably high expense.

Commentary

Before the Employment Contract Act reform went into force on 1 June 2009, the employer did not have this obligation.

According to the Employment Contract Act survey (Masso et al, 2013), 68-81% of employees made redundant did not ask for free time to find new employment. Of those employees that asked time off, 58-85% estimate that they got enough time off.

Additional metadata

Cost covered by	Employer
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Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Estonia: Time off for job search, Restructuring legislation database, Dublin

Finland

Time off for job search

Phase	The Employment Contracts Act (55/2001)
Native name	Työsopimuslaki (55/2001)
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

Ch. 7, Sec. 12 and 12a.

Description

Unless otherwise agreed by the employer and the employee, the employee is entitled during the period of notice to take fully paid leave in order to draw up an employment plan with the employment services, to participate in training, or to look for work or attend job interviews. The length of the leave depends on the length of the period of notice:

- a maximum of five working days, if the period of notice is less than one month;
- a maximum of ten working days, if the period of notice is longer than one month but less than four months; and
- a maximum of 20 working days, if the period of notice is longer than four months.

From 1 January 2023, an employee who has turned 55 and has had an employment for a minimum of five consecutive years at the time of notice is entitled to paid leave for:

- a maximum of five working days, if the period of notice is less than one month;
- a maximum of 15 working days, if the period of notice is longer than one month but less than four months; and
- a maximum of 25 working days, if the period of notice is longer than four months.

The employee must notify the employer as early as possible of any plans of and reasons for taking time off. The leave must not cause substantial inconvenience to the employer, and, upon request, the employee is obliged to present an account for each leave.

Commentary

The right to leave for job search does not apply in cases where the employer goes bankrupt. This can cause significant trouble for employees in cases of unexpected bankruptcies.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Finland: Time off for job search, Restructuring legislation database, Dublin

France

Time off for job search

Phase	Labour code
Native name	Code du travail
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

L. 1233-71 to L. 1233-76, R1233-17 to R1233-21, and R1233-22 to R1233-36

Description

In general, there is no legal provision which grants employees time off for job search during the notice period. Such provisions, however, may be part of a sectoral or a company-level agreement, or they are stipulated by common practice in the company or the unilateral agreement of the employer.

An exception to this rule applies for workers in large companies (more than 1,000 staff) who have been dismissed on economic grounds. They are eligible for time off for job search, so called [redeployment leave](#) (congé de reclassement). It is the employers' responsibility to inform the employees concerned about the possibility to take redeployment leave and about the conditions of the suggested action (purpose, remuneration and benefits, status).

This information is provided :

- either at the employee's prior dismissal interview, when the redundancy concerns fewer than 10 employees over a 30-day period;
- Or at the last meeting of the work council (social and economic committee - CSE), when the redundancy involves at least 10 employees over a 30-day period.

The employer must offer the employee redeployment leave in the letter of dismissal.

Employees are given eight days to reply to this proposition. The employer is not obliged to offer redeployment leave if the company is in receivership or compulsory liquidation. In case of a positive reply, the employee's file is treated by a specialised agency in charge of analysing the candidate's profile, conducting an interview and suggesting suitable measures. The agency will support the employee to find a new job and can also propose some training.

The leave may last 4 to 12 months and is taken during the notice period. If the employee undergoes retraining, the duration of the redeployment leave may be extended to 24 months (instead of 12 months). If the employee is undergoing training or validation of acquired experience (VAE), the duration of the redeployment leave cannot be less than the duration of these actions, up to a maximum of 12 months.

The employee is released from any other tasks during that time. The employment contract with the employer terminates at the end of the leave or when the employee finds a new job. During this leave, employees receive their regular remuneration from the employer.

If the training leave exceeds the notice period, the employer continues to pay a part of the employee's original wage, which may not be less than 65% of their last gross salary over a 12-month reference period and not below 85% of the [current national minimum wage](#).

The allowance is exempt from social security contributions. However, it is subject to social security contributions (CSG at a rate of 6.20% and CRDS at a rate of 0.5%).

Commentary

In the absence of statistical monitoring by the Ministry of Labour, as indicated by the Cour des Comptes (June 2020), it is impossible to know the number of employees placed on redeployment leave, the support measures they receive or the effectiveness of the scheme in terms of a return to employment.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	Works council

Involvement (others) The employers has to inform the works council (CSE) that dismissed employees may ask for the redeployment leave.

Thresholds Affected employees: 1000
Company size: No, applicable in all circumstances
Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), France: Time off for job search, Restructuring legislation database, Dublin

Germany

Time off for job search

Phase	Civil Code
Native name	Bürgerliches Gesetzbuch
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

Civil code, § 629

Description

In case of dismissal or termination of a fixed-term contract, the employer has to agree to 'adequate' time off for the affected employee to search for new employment. The right applies to workers on a permanent and fixed-term contract, but not to casual workers and interns. The Civil Code does not specify any requirements regarding the time off for job search or its duration. In practice, the employee has to apply for time off for job search at least two days in advance and in written form. Specific information of the name of a potential employer does not have to be given. The employer is prohibited from asking the employee to use holidays for job search.

Commentary

Because the Civil Code does not specify any requirements, standard practice is outlined by, for example, law firms, trade unions and insurers.

Typically, time off is granted from a few hours to a maximum of one whole day. Time off is allowed for interviews with potential employers, for consultations with the Federal Employment Agency (Bundesagentur für Arbeit) as well as for participation in assessments by private centres/employers.

In establishments with works councils, works agreements may set out specific regulations regarding time off for job search. For example, they may stipulate the maximum duration of the time off for job search and the remuneration the employee is entitled to during this time.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	Trade union Works council
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Germany: Time off for job search, Restructuring legislation database, Dublin

Greece

Time off for job search

Phase

-Law 4808/2021 (Official Government Gazette A' 101/19.06.2021), "For Labour Protection - Establishment of an Independent Authority 'Labour Inspection' - Ratification of Convention 190 of the International Labour Organization on the Elimination of Violence and Harassment in the World of Work - Ratification of Convention 187 of the International Labour Organization on the Framework for the Promotion of Safety and Health at Work - Incorporation of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on the balance between professional and private life, other provisions of the Ministry of Labour and Social Affairs and other urgent regulations", as amended by Law 5053/2023 (Official Government Gazette A' 158/26.09.2023), "To strengthen work - Integration of Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 - Simplification of digital processes and strengthening of the Work Card - Upgrading the operational function of the Ministry of Labour and Social Security and the Labour Inspectorate" -Civil Code (OGG A 164/19841024/23.02.1946), as codified by Presidential Decree 456 (OGG A' 164/24.10.1984, and Law 5023 (OGG A 34/17.02.2023).

Native name	-Νόμος 4808/2021 (ΦΕΚ Α' 101/19.06.2021), "Για την Προστασία της Εργασίας - Σύσταση Ανεξάρτητης Αρχής «Επιθεώρηση Εργασίας» - Κύρωση της Σύμβασης 190 της Διεθνούς Οργάνωσης Εργασίας για την εξάλειψη της βίας και παρενόχλησης στον κόσμο της εργασίας - Κύρωση της Σύμβασης 187 της Διεθνούς Οργάνωσης Εργασίας για το Πλαίσιο Προώθησης της Ασφάλειας και της Υγείας στην Εργασία - Ενσωμάτωση της Οδηγίας (ΕΕ) 2019/1158 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 20ής Ιουνίου 2019 για την ισορροπία μεταξύ της επαγγελματικής και της ιδιωτικής ζωής, άλλες διατάξεις του Υπουργείου Εργασίας και Κοινωνικών Υποθέσεων και λοιπές επείγουσες ρυθμίσεις", όπως τροποποιήθηκε από το Νόμο 5053/2023 (ΦΕΚ Α' 158.09.2023), "Για την ενίσχυση της εργασίας - Ενσωμάτωση της Οδηγίας (ΕΕ) 2019/1152 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 20ής Ιουνίου 2019 - Απλοποίηση ψηφιακών διαδικασιών και ενίσχυση της Κάρτας Εργασίας - Αναβάθμιση της επιχειρησιακής λειτουργίας του Υπουργείου Εργασίας και Κοινωνικής Ασφάλισης και της Επιθεώρησης Εργασίας" -Αστικός Κώδικας (ΦΕΚ Α 164/19841024/23.02.1946), όπως κωδικοποιήθηκε με το Προεδρικό Διάταγμα 456 (ΦΕΚ Α' 164/24.10.1984), και το Νόμο 5023 (ΦΕΚ Α 34/17.02.2023).
Type	Time off for job search
Added to database	15 September 2015
Access online	Click here to access online

Article

-Law 4808/2021, Article 65: 'Exemption from the obligation to provide work after notice of termination (garden leave)' -art. 677, Civil Code, Permissions to find another job.

Description

By virtue of art. 65, Law 4808/2021 following termination with prior notice, the employer may, wholly or partially, release the employee from their obligation to provide work up to the effective termination date, while paying their full remuneration. During that period, the

employee may be absent from work, and at the same time, continue to be paid the respective salary amount. It is also provided that the employee may be employed by another employer during 'garden leave', without affecting the termination of the employment relationship, or the employee's entitlement to the severance amount.

By virtue of art. 677 of Civil Code: when an employment agreement of indefinite duration is terminated (under any condition), the employee has the right to request the necessary free time to look for another job before the date of termination of the employment relationship, if he/she does not otherwise have enough time to do so. The amount of time off which is necessary is decided on a case-by-case basis.

Commentary

"Garden Leave" is introduced, for the first time, in Greek legislation allowing the employer, in case of ordinary termination, to refuse the employees' services during the period of notice prior to the termination of the employment relationship, subject to the condition that the employer continues to pay their salary, during said period of notice.

Concerning art. 677 of Greek Civil Code, the right is not particularly well known or utilised and it does not feature in the case law.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government Other
Involvement (others)	Employer, Employee
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Greece: Time off for job search, Restructuring legislation database, Dublin

Hungary

Time off for job search

Phase	Act I of 2012 on the Labour Code
Native name	2012. évi I. törvény a Munka Törvénykönyvéről
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

Articles 70 and 85

Description

In the event of dismissal, the employer shall exempt the employee concerned from work duty for at least half of the notice period. The notice period is set as follows:

- 0-3 years spent at the workplace: 30 days;
- 3-5 years: 35 days;
- 5-8 years: 45 days;
- 8-10 years: 50 days;
- 10-15 years: 55 days;
- 15-18 years: 60 days;
- 18-20 years: 70 days;
- 21 or more years: 90 days.

Any fraction of a day shall be applied as a full day. This time off work after dismissal should be allocated in not more than two parts, at the employee's discretion.

For the period of being exempted from work duties, the employee shall be entitled to absentee pay, except if he/she was not eligible for any wages otherwise.

If the employee was exempted from work permanently prior to the end of the notice period, and a circumstance occurred that prevents the payment of wages (such as illness making the employee unfit for work) after this time, the wages already paid may not be reclaimed by the employer.

The above provisions do not apply under fixed-term contracts, trial periods or in the case of immediate dismissals, where wrongdoing by either party is alleged. In these cases no time off or notice period is offered by law.

Commentary

Collective agreements can deviate from the above provisions on exemption from work duty during the notice period, also to the detriment of workers concerned (the collective agreement could set, at least in principle, shorter exemption period than stipulated by legislation).

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Hungary: Time off for job search, Restructuring legislation database, Dublin

Ireland

Time off for job search

Phase	Redundancy Payments Act 1979
Native name	Redundancy Payments Act 1979
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

7

Description

An employee being made redundant is entitled, during the two weeks ending on the expiration of the notice of dismissal, to 'reasonable time off during the employee's working hours', in order to look for new employment or make arrangements for training for future employment. An employee is entitled to be paid for this time off but must have at least two years' service to enable this provision. The employer is entitled to request evidence from the employee to show that the time off is for the purpose prescribed.

Any dispute arising from this entitlement can be referred to the Workplace Relations Commission.

Commentary

Time off for job search applies to anyone being made redundant (not only to employees laid off as part of collective redundancies). There are known cases under this subsection that have led to a published decision at the Workplace Relations Commission

Additional metadata

Cost covered by	Employer
Involved actors other than national government	Other
Involvement (others)	Any dispute arising from this entitlement can be referred to the Workplace Relations Commission.
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Ireland: Time off for job search, Restructuring legislation database, Dublin

Latvia

Time off for job search

Phase	Labour law
Native name	Darba likums
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

101, 111

Description

If an employee is made redundant (both in individual and collective dismissal) due to restructuring of the company, the employer at the written request of the employee has to grant sufficient time to the employee for seeking other work. The collective agreement or the employment contract shall specify the length of such time and the earnings to be maintained for the employee during this time period.

Commentary

No information available.

Additional metadata

Cost covered by	Employee Employer
Involved actors other than national government	Trade union Works council

Involvement (others) None

Thresholds Affected employees: No, applicable in all circumstances
Company size: No, applicable in all circumstances
Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Latvia: Time off for job search, Restructuring legislation database, Dublin

Lithuania

Time off for job search

Phase	Labour code No XII-2603
Native name	Darbo kodeksas Nr. XII-2603
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

Labour code (64)

Description

During the notice period, the employee can request and must be given at least 10% of the former standard working hours to look for a new job, during which the employee retains her remuneration. If the parties agree on more than 10%, payment for the additional part of the working time is decided by mutual agreement.

Commentary

The labour code does not provide for differences between individual and collective dismissals as well as between full-time and part-time employees. Thus, time off for job search should be given in all the mentioned cases (at least 10% of the former working time).

Additional metadata

Cost covered by	Employer
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Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Lithuania: Time off for job search, Restructuring legislation database, Dublin

Luxembourg

Time off for job search

Phase	Labour Code
Native name	Code du travail
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

Art.L.124-8

Description

During the notice period, the employee can request a special leave of a maximum of six days in order to look for a new job.

Employees are entitled to be paid during this special leave if they register with the public employment service (ADEM) and prove that they have applied for an available job offer.

Commentary

According to interviews with social partners, the use of a leave for job search purposes seems not to be discouraged by employers. However, in some sectors, as the financial sector, dismissed employees who are entitled to a notice period are often invited by the employer to stay at home during the notice period instead of working. In other cases, some employers may ask the employee for proof that he/she was job hunting during leave period (for example by asking a written statement from potential employers with whom the employee on leave has done a job interview). Additionally, the arrangement of being granted leave for job search figures often as a condition in the social plan in cases of collective dismissals (dismissal of 7 employees within 30 days, or 15 employees within 90 days).

Additional metadata

Cost covered by	Employer
Involved actors other than national government	Public employment service National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Luxembourg: Time off for job search, Restructuring legislation database, Dublin

Poland

Time off for job search

Phase	Act of 26.06.1974 - Labour Code
Native name	Ustawa z dnia 26.06.1974 - Kodeks Pracy
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

37

Description

Upon termination of an employment contract by the employer with a notice period of at least two weeks, the employee is entitled to time off for the purpose of seeking other employment. Remuneration for this time remains unaffected.

Employees will be entitled to two days off if their notice period is between two weeks and one month, and to three days off if the notice period is three months, also in case of redundancy due to bankruptcy of employer. Employees do not need to prove what kind of activity they perform during this time.

Commentary

No information available.

Additional metadata

Cost covered by	Employer
------------------------	----------

Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Poland: Time off for job search, Restructuring legislation database, Dublin

Portugal

Time off for job search

Phase	Labour Code (Law 7/2009 of 12 February)
Native name	Código do Trabalho (Lei 7/2009 de 12 de fevereiro)
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

364

Description

During the prior notice period following the redundancy decision, the employee is entitled to a time credit in order to look for a new job (a time credit of two days per week without reduction of salary until the effective date of the redundancy).

These hours can be used by the worker whenever it is convenient as long as three days' notice about his or her intention to use this time is given to the employer.

Commentary

No information available.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government

Involvement (others) None

Thresholds Affected employees: No, applicable in all circumstances
Company size: No, applicable in all circumstances
Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Portugal: Time off for job search, Restructuring legislation database, Dublin

Slovakia

Time off for job search

Phase	Labour Code
Native name	Zákonník práce
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

63, 141

Description

An employee who will be dismissed is entitled to time off without salary for the purpose of seeking a new job prior to the termination of the employment. This can be up to a maximum of half a day per week during the notice period.

Where the employer has given notice or an agreement of termination of employment is due to the following reasons, the employee is entitled to the same time off with salary compensation:

- if the company or business is dissolved or relocated and the employee does not agree with the change;
- if an employee becomes redundant due to change in his or her duties, technical equipment or the reduction in the number of employees is aimed at securing work efficiency, or due to other organisational changes having an impact on employment;
- if the employee has lost his or her ability to perform the work due to changes in health conditions as a result of an occupational disease or the threat of such a disease.

With the employer's consent, the time off with and without salary compensation can be integrated.

An employer may provide an employee with additional time off with or without wage compensation.

Commentary

According to available information, there were no problems reported in practical application of the instrument.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Slovakia: Time off for job search, Restructuring legislation database, Dublin

Slovenia

Time off for job search

Phase	Employment Relationship Act (ZDR-1)
Native name	Zakon o delovnih razmerjih (ZDR-1)
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

97

Description

If the employer gives notice of cancellation of the employment contract, the worker shall be entitled to absence from work during the period of notice to search for new employment and to wage compensation for a minimum of two hours per week.

In the event of termination of the employment contract for business reasons, an employer who does not offer the worker a new employment contract for another job and informs the employment service of the cancellation of the employment contract must allow the worker to be absent from work for at least one day per week to integrate into activities in the labour market in accordance with existing labour market regulations.

The employer shall be obliged to pay wage compensation for the time of absence from work for job search in the amount of 70% of the average monthly wage for full-time work during the past three months.

Commentary

The employer has the right to reimbursement of wage compensation from the employment service for the time the worker is absent from work that enables the worker to participate in active labour market programmes. The worker indirectly carries the costs

because the period in which the worker receives unemployment benefits is proportionally shorter for his time off from work.

Recent studies on the deployment of active labour market reforms have omitted data on how much time redundant people spend looking for work during their notice period. They neither provided data on employers who demanded wage compensation for time away from work for job searching. The low take-up rate is primarily due to exceptional circumstances during the COVID-19 pandemic. On the one hand, companies might keep jobs through temporary layoffs and a short-time support system. On the other hand, there were fewer active labour market activities until March 2022 due to physical distance constraints, and, subsequently, the end of activities sponsored by the European Cohesion Fund (MDDSZ, 2023).

Additional metadata

Cost covered by	National government
Involved actors other than national government	Public employment service
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Slovenia: Time off for job search, Restructuring legislation database, Dublin

Spain

Time off for job search

Phase	Statute of Workers' Rights; Royal Decree law 10/2010 of 16 June on urgent measures to reform the labour market
Native name	Estatuto de los Trabajadores (ET); Real Decreto-ley 10/2010, de 16 de junio, de medidas urgentes para la reforma del mercado de trabajo
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

Article 53.2 of Statute of Workers' Rights, modified by article 2.4 of Royal Decree law 10/2010

Description

The employee is entitled to paid leave of six hours per week during the notice period to look for alternative employment when there is an 'objective' (justified by external circumstances) dismissal. These conditions apply to both individual and collective dismissals. This right is limited to the notice period which in 2010 was reduced from 30 to 15 days.

According to Law 3/2012, objective dismissal due to economic reasons is considered valid 'if a negative economic situation arises from the results of the enterprise, in cases such as the existence of current or foreseeable losses, or the persistent drop in its revenues or sales. In this case, a drop in revenue or sales is considered persistent when occurring during 9 consecutive months'.

Commentary

As described, workers are entitled to paid leave of six hours per week during the notice period to look for alternative employment, that is during the 15 days of notice period. There is, however, no evidence or data to assess to what extent workers actually avail of this right or to what extent this may improve their employment opportunities.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Spain: Time off for job search, Restructuring legislation database, Dublin

Sweden

Time off for job search

Phase	Employment protection act (1982:80)
Native name	Lag (1982:80) om Anställningsskydd
Type	Time off for job search
Added to database	08 May 2015
Access online	Click here to access online

Article

14

Description

Any employee who has received notice of termination is entitled, during the period of notice, to reasonable leave of absence from the employment with full employment benefits in order to visit an employment agency or otherwise to seek work. There are no specific rules quantifying what a reasonable leave is.

Commentary

In practice, the time off is meant to be used for job interviews or activities/meeting with the Public Employment Service. The time off cannot be used for looking for other jobs or writing applications.

The reform of the Employment protection act did not affect the right to take time off for job seeking activities.

Additional metadata

Cost covered by	Employer
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Involved actors other than national government	National government
Involvement (others)	None
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Sweden: Time off for job search, Restructuring legislation database, Dublin