



► Policy Brief

June 2020

Employment Protection throughout the World: A roundup of a decade of reforms (2009-2019)¹

Key points

- Since 2009, the ILO has been monitoring legal changes in employment protection for over a hundred countries, recording the information in the ILO EPLex database.
- Using these data, this brief shows that the past decade was rich in reforms of employment protection in case of individual dismissals.² Some countries decreased their level of employment protection, while others increased it.
- Overall, the world has moved to a more uniform level of employment protection.
- Despite this, there remains a variety of legal approaches for achieving such seemingly similar levels of protection.

What is employment protection and how can it be measured?

Employment protection legislation (EPL) is a key labour market institution. It is an institution, because it consists of a series of legal rules and practices that govern employment termination, as well as rules assigning particular rights and obligations to various actors and competent bodies in the process of employment termination, beyond a worker and an employer. The vast majority of countries throughout the world have this institution in place, though its form and the level of

protection afforded by it are heterogeneous. The heterogeneity reflects legal traditions, practices, and the articulation of EPL with other labour market policies and institutions.

The role of the EPL institution, however, is often contested. The contestation becomes particularly pronounced during economic downturns, when some employers perceive a need to shed workers. Some governments respond by allowing for easier dismissals, which often translate into lower employment protection,³ even if the evidence on the effectiveness of such measures to reach the stated objectives remains

¹ This brief was prepared by Mariya Aleksynska, lecturer at IEDES Paris 1 Sorbonne University and independent consultant.

² ILO EPLex database also includes information on the regulation of fixed-term contracts, and on collective dismissals. These aspects are not covered by this brief.

³ Employment protection embraces the notions of both worker protection against dismissal, and ease or costs of dismissal for employers. Lower employment protection, afforded by employment protection legislation, is often associated with easier possibility of dismissal, while higher employment protection often means that a worker is less easily dismissed. However, from a legal viewpoint, worker protection and the ease of dismissal are not necessarily mirror images of each other: higher level of worker protection against dismissal may sometimes be achieved without proportionally raising the dismissal “costs” for employers. In this brief, we speak only about the worker protection aspect of employment protection legislation. It is also important to note that a pure ordering of worker protection levels should not be interpreted in a sense that a “higher” value is a “better” value: whether it is better, from whom it is better, and under which circumstances, can only be confirmed by an empirical analysis.

questionable (for reviews, see Betcherman 2012, 2014). At the same time, other countries see a beneficial role of having employment protection during crises, as it can serve as an automatic stabilizer that prevents avoidable dismissals and encourages “internal flexibility” measures (Boeri and van Ours 2008). Outside of crises, employment protection is valued as an institution that can ensure the respect of other labour rights such as freedom of association: workers fear less to exercise such rights when they know that they cannot be dismissed arbitrarily (De Stefano 2014). Moreover, in developing countries, in the absence of effective collective bargaining and comprehensive social protection systems, employment protection can play a broader role of a developmental institution, which, by redressing the inequality of bargaining power between workers and employers, can promote equality, efficiency, and more inclusive development (Deakin 2014). The question, therefore, is how to find the best balance in providing the “right amount” of worker protection and flexibility, and at the same time render workplaces and societies more equitable.

In view of its complexity, how can the level of employment protection, afforded by national legislation, be compared across countries? How can one determine whether reforms of EPL increase, or decrease, the level of protection, and by how much? Answering these questions may help understanding whether EPL reforms do in fact reach their stated objectives, such as, for example, effectively preserving employment.

In 2015, the ILO launched a series of indicators — Employment Protection Legislation Summary Indicators in the Area of Terminating Regular Contracts, Individual Dismissals. They are referred to as EPLex indicators (ILO 2015, 2016). These indicators, like other indicators in this field, aim at summarizing the legal information on employment termination. The indicators show the level of protection afforded to workers by specific national labour laws on employment protection, regardless of effective implementation. As such, they allow for cross-country comparisons of de jure employment protection levels, and also for an analysis of reforms. They do not, however, reflect the de facto level of employment protection, and in an empirical analysis they should ideally be

complemented with measures of enforcement, compliance, and coverage (Aleksynska and Eberlein 2016).

The EPLex indicators differ from other well-known indicators (e.g., the OECD’s Indicators of Employment Protection (OECD 1999, 2013) or Labour Regulation Index of Deakin, Lele and Siems 2007) in that they take as their benchmark relevant international labour standards. These standards include the ILO’s Termination of Employment Convention, 1982 (No. 158), which is central to the topic of employment protection, but also a range of other standards that are of relevance to employment termination (for the full list, see ILO 2015). International labour standards are international treaties which, once ratified by ILO member States, are legally binding. They serve as benchmarks for harmonizing national law and practice in a particular field. They reflect the outcome of international tripartite negotiations. By benchmarking to international labour standards — as opposed to “no regulation” as is done by the other indicators — EPLex provides a more legitimate reflection of international legal thought on employment protection.⁴

The ILO EPLex indicators are summary indicators of eight topical sub-components, each capturing a particular aspect of worker termination at the initiative of an employer. These sub-components include: (1) valid grounds for dismissals; (2) prohibited grounds for dismissals; (3) probationary period; (4) procedural notification requirements for dismissals; (5) notice periods; (6) severance pay; (7) redundancy pay; and (8) avenues for redress when workers wish to contest the dismissal. These components and the composite indicators are distributed on a 0-1 scale, with higher values measuring higher levels of de jure protection afforded to workers. The ILO summary EPLex indicator is a simple average of its sub-components (see Appendix 1 for the detailed methodology).

What’s new since 2009?

During 2009-2019, over a third of EPLex database’s countries with available information undertook legal changes of employment protection, with some countries experiencing several rounds of reforms (see Appendix 2 for a selected review).

⁴ International labour standards are not the only international legal regulation. There are also examples of regulation at the regional level, such as the EU Directives. They may also serve as a benchmark at the regional level.

The reasons for these legal changes, the timing, and their direction varied across countries. A relatively large share of legal changes occurred in the aftermath of the global economic recession of 2008-2012. At that time, several countries sought to revive their labour markets by adopting external flexibility measures⁵ that lowered employment protection (e.g.: Greece, Italy, Portugal). However, some of these countries subsequently reversed some of these reforms, in cases when the reduction of worker protection resulted in constitutionally or socially unacceptable provisions (e.g.: Portugal, 2014; Italy, 2014; but also Georgia 2013).

In other instances, rather than being far-reaching reforms, legal changes to employment protection were part of longer-term legal, political, and social processes (e.g.: Greece, 2016: transposition in its law of the EU Directives). As such, several countries increased employment protection, for example by introducing previously inexistent severance pay (e.g.: the Netherlands, 2015), increasing notice periods (e.g.: Romania, 2011), or reducing the duration of probationary periods (e.g.: Mongolia, 2017). Several countries strengthened worker protection by adding more comprehensive prohibited grounds for dismissal (e.g.: Canada, Chile, Comoros, France, Japan, Mexico, Montenegro, Niger, Philippines, Slovakia, the USA, or Zambia). Often, the adoption of such

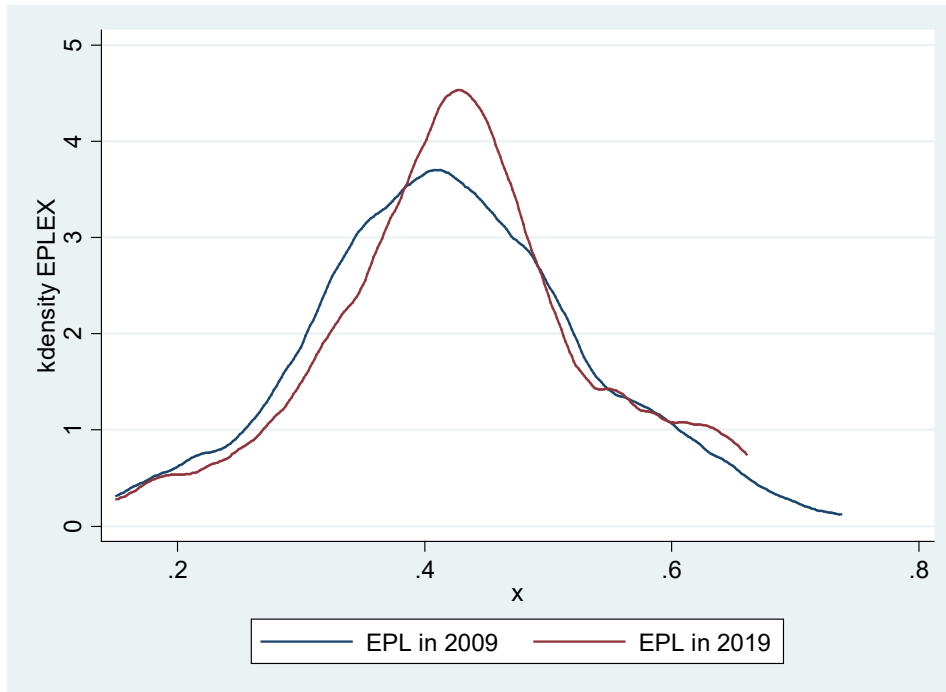
new rules was seen by the concerned governments as a necessary part of development and cultural changes, with the objective of bringing greater fairness to workplaces.

Some reforms also modified the rules of the game for different labour market actors or different dismissal types. For example, Belgium abolished the distinctions of some of the dismissal rules between blue-collar and white-collar workers. In Montenegro, severance pay (relevant for worker-related dismissals) was instituted, but at the same time, redundancy pay (relevant for economic dismissals) was lowered.

The total effect of these legal changes can be seen in Figure 1 and in Table 1. Figure 1 shows the distribution of employment protection in case of individual dismissals, afforded by national legislations, in 2009 and in 2019, for all countries with available information. Table 1 reports the descriptive statistics of these two distributions. Based on those, it is apparent that, over the decade, the world has moved towards a more uniform level of employment protection. The range of the EPL distribution has narrowed: the number of countries with “low” level of protection shrunk, but so did the number of countries with “medium-to-high” levels of protection. On average, employment protection has slightly increased, even if there is a lower maximum in 2019 as compared to 2009.

⁵ External flexibility refers to the numerical adjustment of the existing workforce to the production needs. In contrast, internal flexibility is the adjustment of the existing workforce through a temporary reduction of working time, through shifting the responsibilities of different staff, or through other measures that do not reduce workforce numerically.

► **Figure 1. Evolution of the distribution of employment protection between 2009 and 2019**



Note: Sub-sample of 76 countries for which information is available on a yearly basis in the 2009-2019 period.
 Source: own compilation, based on ILO EPLex.

► **Table 1. Descriptive statistics of employment protection levels in 2009 and in 2010**

	Mean	Median	Standard Deviation	Minimum	Maximum	Distribution's Skewedness
2009	0,420	0,418	0,114	0,150	0,737	0,145
2010	0,429	0,432	0,109	0,150	0,661	-0,075

Note: Sub-sample of 76 countries for which information is available on a yearly basis in the 2009-2019 period.
 Source: own compilation, based on ILO EPLex.

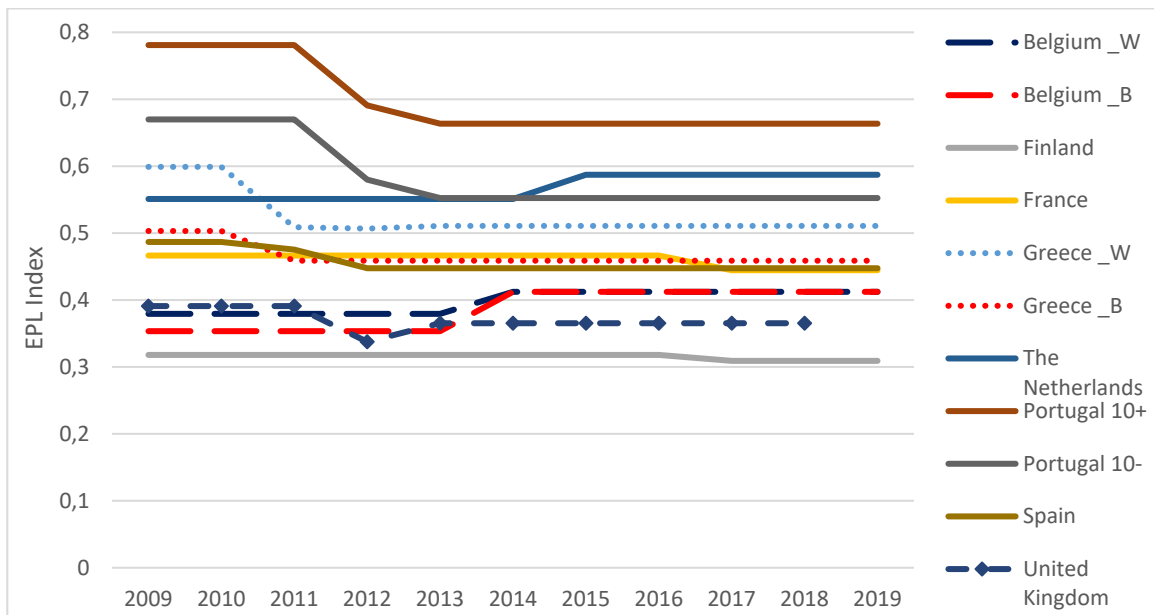
Figures 2-5 show the evolution of employment protection by region, for selected countries that experienced reforms.

The region that experienced most of the reforms is Europe. In Western Europe in particular (Figure 2), the majority of reforms went in the direction of decreasing employment protection levels.

The region that witnessed most of the increase in the employment protection is Africa (Figure 4). This corresponds with the view that a more comprehensive and strong employment protection has been largely seen as part of development, compatible with longer-term developmental objectives. For example, Niger added HIV-AIDS and sickle cell disease as prohibited grounds for

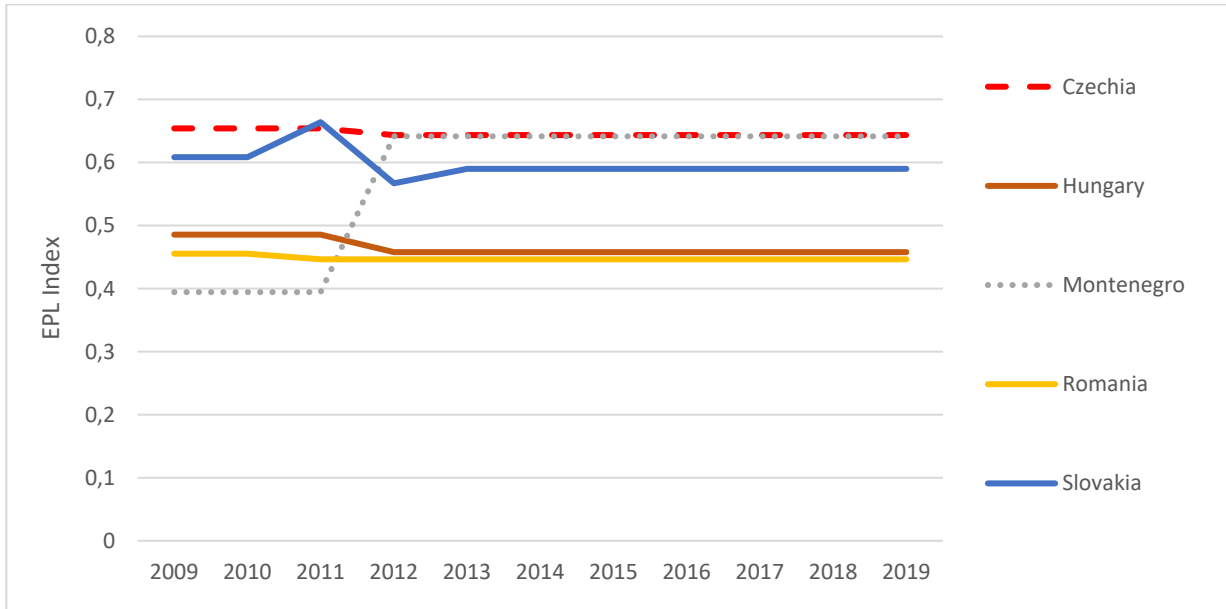
dismissal, thereby sending an overall strong signal to the society that health status should not be an impediment to more equitable outcomes in the world of work. Zambia generalized the obligation to have valid reasons for dismissals, and to provide them to an employee. It also added new prohibited grounds for dismissals, including absence from work during leave or a rest period in accordance with a written law. Such new regulations, while creating little extra “dismissal cost” to the employer, help provide fairer and clearer “rules of the game”, which in their turn favor the culture of trust. In fact, similar regulations have been set in most of the developed countries throughout the first part of the 20th century, when employment protection regulation emerged (Aleksynska and Schmidt 2014).

► **Figure 2. Evolution of employment protection, selected Western European countries**



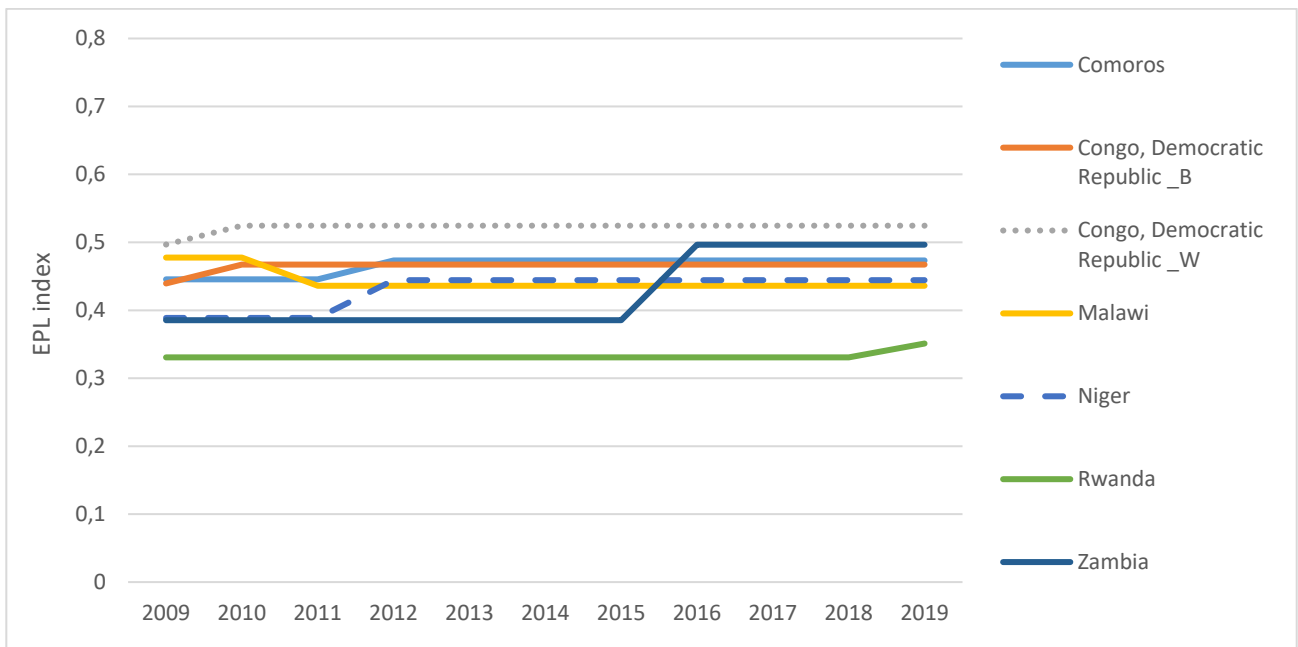
Note: B: blue-collar workers, W: white-collar workers. 10+ enterprises with 10 or more workers; 10- enterprises with less than 10 workers. Source: own compilation, based on ILO EPLex

► **Figure 3. Evolution of employment protection, selected Eastern European countries**



Source: own compilation, based on ILO EPLex

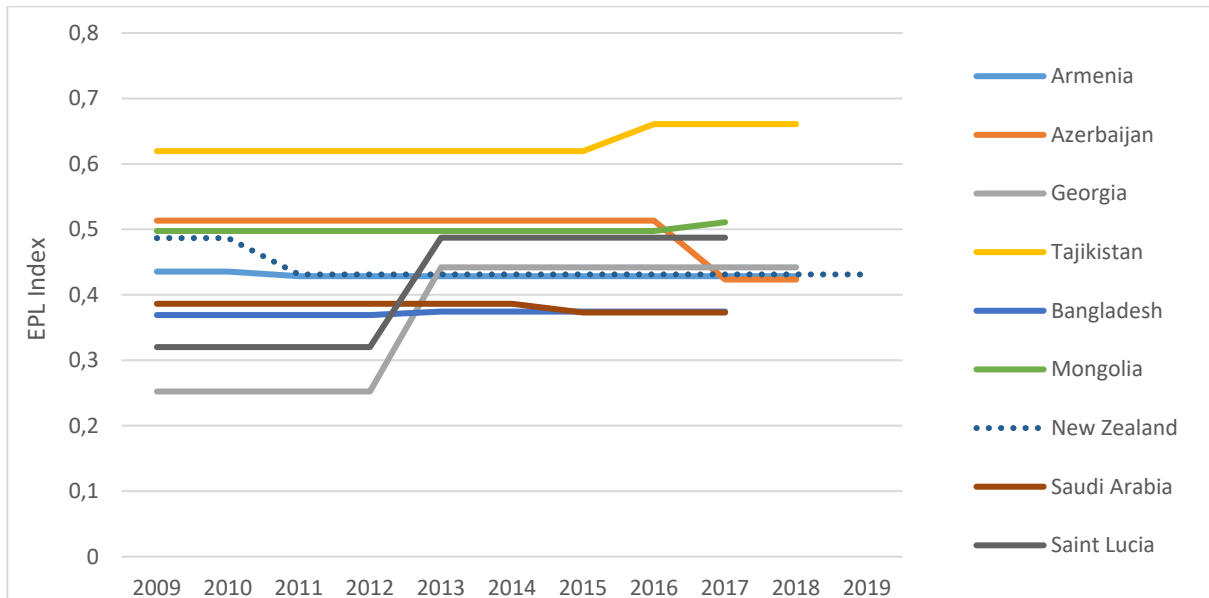
► **Figure 4. Evolution of employment protection, selected African countries**



Note: B: blue-collar workers, W: white-collar workers.

Source: own compilation, based on ILO EPLex

► **Figure 5. Evolution of employment protection, rest of the world**



Source: own compilation, based on ILO EPLex

Even if the world has moved, as a whole, towards a more uniform level of employment protection, there remain various ways to achieve these seemingly similar protections. Indeed, as can be seen from Table 3, the correlations between various EPL sub-components are generally low (except for severance pay and redundancy pay) and sometimes negative. Negative correlations suggest that the same, or similar, overall EPLex score can be reached through combination of different policy packages. The choice of these packages depends on historical and societal preferences of each individual country (ILO 2015; Verkerke and Freyens 2017). In fact, this outcome also reflects the principle of the ILO Employment Termination Convention, 1982 (No. 158) which affords considerable flexibility in applying the instrument by leaving the ratifying States the choice

between different methods of implementation. It also reflects the spirit of other legal instruments, such as for example the Promotion of Employment and Protection Against Unemployment Convention, 1988 (No. 168), or the Social Security (Minimum Standards) Convention, 1957 (No. 102), which suggest that worker protection more generally is best achieved by a combination of interconnected areas of policy. Low correlations between the EPLex sub-components suggest that each EPL component is important in its own right and measures a different aspect of EPL. Being a system, employment protection legislation rests on each of its pillars, and leaving one of the pillars aside from an EPL analysis may result in a loss of comprehensiveness. Given this, policy advice should always consider different EPL aspects jointly, taking into account all aspects of EPL provisions.

► **Table 3. Correlations between EPLex components, all years and countries**

	EPL total	Valid grounds	Prohibited grounds	Trial period	Procedural requirements	Notification requirements	Severance pay	Redundancy pay	Redress
EPL total	1,000								
Valid grounds	0,515	1,000							
Prohibited grounds	0,261	-0,140	1,000						
Trial period	0,592	0,285	-0,014	1,000					
Procedural requirements	0,523	0,144	-0,010	0,191	1,000				
Notification requirements	0,174	-0,054	0,100	0,207	0,004	1,000			
Severance pay	0,252	0,092	-0,170	0,124	0,049	-0,052	1,000		
Redundancy pay	0,276	0,201	-0,184	0,074	0,133	-0,145	0,571	1,000	
Redress	0,695	0,239	0,063	0,152	0,272	-0,144	0,083	0,067	1,000

Note: 103 countries of the ILO EPLex database, unbalanced panel, 2009-2019.

Source: own compilation, based on ILO EPLex

Bibliography

Aleksynska, M., Eberlein, F. 2016. "Coverage of employment protection legislation." *IZA Journal of Labor Policy*, Vol. 5(1), pp. 1-20.

—. Schmidt, A. 2014. *A chronology of employment protection legislation in some selected European countries*. ILO Conditions of Work and Employment Series No. 53.

Betcherman, G. 2014. *Labor Market Regulations: What do we know about their Impacts in Developing Countries?* World Bank Policy Research Working Paper 6819.

—. 2012. *Labor Market Institutions: A Review of the Literature*. World Bank Policy Research Working Paper 6276.

Boeri, T., van Ours, J., 2008. *The Economics of Imperfect Labor Markets*. Princeton, NJ: Princeton University Press.

Deakin, S. 2014. *Labour Law and Inclusive Development*, CBR Working Paper No. 458, University of Cambridge.

—. Lele, P., Siems, M. 2007. "The evolution of Labour Law: Calibrating and Comparing Regulatory Regimes". *International Labour Review*, Vol. 156, pp. 133-62.

De Stefano, V. 2014. "A Tale of Oversimplification and Deregulation: The Mainstream Approach to Labour Market Segmentation and the Recent Responses to the Crisis in European Countries." *Industrial Law Journal*, Vol. 43. Doi:10.1093/indlaw/dwu014.

ILO, 2015. *Employment protection legislation: Summary indicators in the area of terminating regular contracts (individual dismissals)*. Geneva.

—. 2016. *Employment Protection Legislation: New Approaches to Measuring the Institution*. INWORK Policy Brief No. 8. Geneva.

—. n.d. EPLex Database. Available at: https://www.ilo.org/dyn/eplex/termmain.home?p_lang=en. Accessed: April 2020.

OECD (Organisation for Economic Cooperation and Development). 1999. *Employment Outlook*. Paris.

—. 2013. *Employment Outlook*. Paris.

Verkerke, H., Freyens, B. 2017. *Mapping employment dismissal law: A leximetric investigation of EPL stringency and regulatory style*. ILO Conditions of Work and Employment Series Paper No. 88.

Appendix 1. Methodology for coding the ILO EPLex qualitative data

Area 1. Substantive requirements for dismissal

Area 1.1. Valid grounds for dismissal, in light of prohibited grounds

0 – when there is no obligation to have a reason for dismissal (understood in light of prohibited grounds)

0.5 – when there is an obligation to have a reason for dismissal, and valid grounds (justified dismissal) are any fair reason

0.75 – when there is an obligation to have a reason for dismissal, and valid grounds (justified dismissal) are economic reasons, worker’s conduct, and worker’s capacity

1 – when there is an obligation to have a reason for dismissal, and valid grounds (justified dismissal) are only worker’s conduct

Subtract 0.25 if there is no obligation to give a reason for dismissal, for a minimum of 0

Area 1.2. Prohibited grounds for dismissals

0 – when national labour legislation contains a list of prohibited grounds for dismissal / discrimination cases that partly meets the ILO fundamental principles and rights at work

0.25 – when national labour legislation contains a list of prohibited grounds for dismissal / discrimination cases that fully meets the ILO fundamental principles and rights at work

0.5 – when national labour legislation contains a list of prohibited grounds for dismissal / discrimination cases that at least partly meets the ILO fundamental principles and rights at work; and partly meets the principles established by specific ILO Standards governing employment termination

0.75 – when national labour legislation contains a list of prohibited grounds for dismissal / discrimination cases that fully meets the ILO fundamental principles and rights at work; and fully meets the principles established by specific ILO Standards governing employment termination

1 – when national labour legislation contains a list of prohibited grounds for dismissal / discrimination cases that fully meet the ILO fundamental principles and rights at work; and exceeds the principles established by specific ILO Standards governing employment termination

Area 2. Maximum probationary period, including all possible renewals

Use normalization: no limitation = 0; less than 1 month= 1

Area 3. Procedural requirements for dismissals

Area 3.1. Procedural notification requirements for individual dismissals

0 – when employer notifies a worker orally of a decision to terminate his employment

0.25 – when employer notifies a worker in writing of a decision to terminate his employment

0.5 – when employer must notify a third party (such as works council or the competent labour authority)

For categories from 0 to 0.5, add 0.25 if pay in lieu of notice is not allowed

1 – when employer cannot proceed to dismissal without authorization from a third party

Area 3.2. Notice period at different tenures

Normalize notice periods at seven different tenures. Normalization: minimum, including zero = 0; sample maximum = 1. To avoid sample-dependence and changing values when the maximum notice period in the sample changes, adopt the following caps (data-based: cutting off approximately 3% of the sample):

Assigned Value	Tenure, months notice						
	6 months	9 months	2 years	4 years	5 years	10 years	20 years
1	>=3	>=3	>3	>3	>4	>6	>7

Take the average of notice periods at 7 tenures, to obtain area 3.2 component, scale 0-1

Area 4. Severance and redundancy pay

Normalize severance and redundancy periods at seven different tenures. Normalization: minimum, including zero = 0; sample maximum = 1.

Use normalization: minimum, including zero = 0; sample maximum = 1. To avoid sample-dependence and changing values when the maximum notice period in the sample changes, adopt the following caps (data-based: cutting off approximately 3% of the sample).

Area 4.1. Dismissals for economic reasons: redundancy pay at different tenures

Assigned Value	Tenure, months notice						
	6 months	9 months	2 years	4 years	5 years	10 years	20 years
1	>=3	>=3	>3	>=5	>=6	>10	>20

Take the average of redundancy payments at 7 tenures, to obtain area 4.1 component, scale 0-1

Area 4.2. Dismissals for worker-related reasons: severance pay at different tenures

Assigned Value	Tenure, months notice						
	6 months	9 months	2 years	4 years	5 years	10 years	20 years
1	>3	>3	>=4	>=6	>6	>12	>20

Take the average of redundancy payments at 7 tenures, to obtain area 4.2 component, scale 0-1

Area 5. Redress

0 – no remedy is available as of right

0.25 – no reinstatement is available as of right; compensation determined as follows: legal text sets an exact amount or a maximum amount to be paid

0.50 – no reinstatement is available as of right; compensation determined as follows: legal text sets a minimum amount to be paid, or compensation is freely determined by court

0.75 – reinstatement is available as of right but is limited to specific cases, such as terminating on prohibited grounds (such as unlawful terminating worker representatives or discriminative dismissals)

1 – reinstatement is available as of right and is an alternative measure to compensation; compensation is determined as follows: legal text sets an exact amount or the maximum amount to be paid

1.25 – reinstatement is available as of right and is an alternative measure to compensation; compensation is determined as follows: legal text sets a minimum amount to be paid, or compensation is freely determined by the courts

Add 0.25 to any of these categories, if, in addition to the compensation, full back pay shall be paid by the employer even if no reinstatement takes place

1.75 – reinstatement is available in case of unfair dismissal and is the primary remedy for unfair dismissal, as prescribed by the law

2 – reinstatement is available in case of unfair dismissal and is the primary remedy for unfair dismissal; legal text explicitly mentions award of back pay and/or other additional payments

Rescale: Divide the score by two. In aggregation, assign a double weight to this area.

Aggregation scheme

Area	Weight
Area 1: Substantive requirements	
Area 1.1 Valid grounds	1/9
Area 1.2 Prohibited grounds	1/9
Area 2: Probationary period	1/9
Area 3: Procedural requirements	
Area 3.1 Procedural notification requirements	1/9
Area 3.2 Notice periods (averaged across tenures)	1/9
Area 4: Severance and redundancy	
Area 4.1 Severance pay (averaged across tenures)	1/9
Area 4.2 Redundancy pay (averaged across tenures)	1/9
Area 5: Redress	2/9

Weighted average of all individual areas. Equal weights are assigned to all areas, except “Redress”. “Redress” is assigned a double weight because it contains provisions on compensation for unfair dismissal and reinstatement; the two items being treated jointly.

Note: For all details and explanations of assumptions, see ILO (2015).

Source: ILO, 2015.

Appendix 2. Examples of legal changes over the 2009-2019 period

Employment Protection, by Area	Year
<i>Valid grounds for dismissal</i>	
Georgia: introduced valid grounds for dismissal (none were listed under the previous legislation)	2013
** Portugal: conditions of dismissal for unsuitability relaxed (some grounds eliminated)	2012
** Portugal: legal change of 2012 rules as unconstitutional by the Constitutional Court of Portugal, and hence reversed	2014
Saint Lucia: introduced a list of valid grounds for dismissal	2013
Zambia: generalized the obligation to have valid reasons for dismissals, and to provide them to an employee	2016
<i>Prohibited grounds for dismissal</i>	
Comoros: added new prohibited grounds: HIV status, whether real or perceived; having reported or testified about sexual or psychological harassment (workplace bullying) by an employer or his representative.	2012
Mexico: amendment of prohibited grounds; new prohibited grounds added: Fulfilling state duties and performing jury services	2012
Montenegro: introduction of a comprehensive provision on prohibited grounds for dismissal in addition to scattered provisions on discrimination or specific protection against dismissal in certain situations	2012
Niger: added new prohibited grounds: HIV-AIDS and sickle cell disease (drepanocytosis)	2012
Philippines: added new prohibited grounds: forcible layoff because of old age	2015
Slovakia: expressly prohibited discrimination based on sexual orientation, disability and ethnic origin. Two new grounds added: unfavorable state of health and genetic features.	2011
Zambia: added new prohibited grounds, including absence from work during leave or a rest period in accordance with a written law	2015
**Canada: added new prohibited grounds (discrimination based on genetic information)	2017
**Japan: added new prohibited grounds (discrimination of persons with disabilities)	2013
**Chile: added new prohibited grounds, including sexual orientation, language	2017
**USA: added sexual orientation and gender identity as new prohibited grounds	2014
**Italy: added new prohibited grounds, notably filing a complaint against the employer and whistle blowing	2012
**France: added holding a local elective office	2019
**France: added bank domiciliation	2017
**France: added as prohibited grounds: ability to express himself or herself in a language other than French, and particular vulnerability resulting from the worker’s economic situation, when it is apparent or known to the perpetrator.	2016
**France: added place of residence	2014
**France: added as prohibited grounds: refusal, because of one’s sexual orientation, a job transfer to a country that criminalizes homosexuality; having reported or testified, in good faith, to facts constituting a misdemeanor or a crime of which the employee would have become aware in the performance of his or her duties	2013
**France: added sexual identity as a prohibited ground	2012
**France: added performing jury service as a prohibited ground	2011

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Employment Protection, by Area	Year
**Greece: transposed in its law the EU Directives 2000/43/EC and 2000/78/EC; however, the grounds contained therein were already part of the previous legislation	2016
** Saint Lucia: expanded and detailed the list of prohibited grounds, in particular for pregnancy and pregnancy-related reasons	2013
<i>Maximum probationary period, including all possible renewals</i>	
Belgium: the distinction between the maximum probationary periods of blue-collar and white-collar workers has been abolished; probationary period eliminated	2014
Finland: modifications of the modalities of probationary periods	2017
Greece: introduction of an explicit 12-month probationary period	2011
Mongolia: decreased probationary period	2017
Saudi Arabia: probationary period is extended from 90 to up to 180 days	2015
United Kingdom: qualifying period of employment extended from 1 year to 2 years	2012
<i>Procedural notification requirements for individual dismissals</i>	
Angola: dropped the requirement to notify workers' representatives and seek their approval	2016
Congo, Democratic Republic: requirement to notify the administration in event of a dismissal for all dismissals (previously applied only to economic dismissals)	2010
Italy: new rules of notifying public authorities for employers with more than 15 employees (or five in the agricultural sector) in one production work unit, or more than one in the same municipality, and employers employing more than 60 workers wherever located	2012
Kazakhstan: notification to worker's representatives no longer required, though the trade union can submit an opinion regarding the termination of the contract of its members	2017
Slovakia: worker is now entitled to either notice or severance pay but no longer both	2011
**Bangladesh: change in the procedure for conduct-based and capacity-related dismissals	2013
<i>Notice period at different tenures</i>	
Azerbaijan: reduction of notice	2017
Armenia: reduction of notice for economic dismissals; increase for other types of dismissals	2011
Georgia: (re)-introduced notice period	2013
Greece: shortened notice period for white-collar workers	2011
Greece: shortened further notice period for white-collar workers	2012
Kazakhstan: modifications to notice periods, depending on the reasons for dismissals	2017
Montenegro: increased notice period	2011
Romania: increased notice period	2011
Slovakia: different notice period depending on the dismissal's cause, reduction of notice	2012
Spain: reduced notice period	2010
Belgium (no longer distinguishes between white collar / blue collar workers)	2014
**Angola (a change affecting only the executives)	2016
<i>Severance and redundancy pay</i>	
Azerbaijan: reduction in redundancy pay, severance pay suppressed	2017
Bangladesh: introduction of severance and redundancy pay for short tenures	2013
Czechia: reduction of redundancy pay for short tenures	2012
The Netherlands: introduction of severance and redundancy pay	2015
Greece: changes for white-collar workers	2011
Greece: changes for white-collar workers	2012
France: change in the calculation of severance pay, depending on tenure (increase for some, reduction for others)	2017
Malawi: elimination of severance pay, reduction in redundancy pay	2011
Montenegro: introduction of severance pay, reduction of redundancy pay	2012
Portugal: reduction of severance and redundancy pay	2012
Portugal: further reduction of severance and redundancy pay	2013
Romania: elimination of redundancy pay	2011
Rwanda: changes in severance pay, depending on the tenure	2019
Tajikistan: increase in severance pay, abolition of redundancy pay	2016
Saint Lucia: modifications of the rules of redundancy pay (slight increase for some tenures)	2013
Slovakia: rules (but not the amount) are modified. Severance/redundancy pay became interchangeable with notice	2012
Slovenia: increase of redundancy and of severance pay for some tenures	2014
<i>Redress</i>	
Georgia: reinstatement became available as an option, alternative to compensation	2013
Hungary: Previous Labour Code provided for a minimum 3 months' pay of compensation, while the Labour Code of 2012 does not contain a minimum limit.	2012
Montenegro: introduced explicit rules on compensation to be awarded to an employee in the event of unfair and unlawful dismissal. Reinstatement is introduced as the primary remedy for unfair dismissals.	2011
Niger: any dismissal of a workers' representative carried out without the prior consent of the labour inspector or despite the application for authorization being rejected /dismissed is null and void and will therefore entail reinstatement of the worker	2012

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Employment Protection, by Area	Year
Spain: The employer can choose between reinstatement and the payment of compensation instead of mandatory reinstatement required by the nullity of the dismissal. Compensation reduced.	2012
France: provision of a table defining the exact minimum and maximum compensation, depending on the length of service of the employee.	2017
New Zealand: modified provisions on reinstatement	2011
United Kingdom: Changes to the determination of compensation by court. Secretary of State may propose the amendments to the art. 124 of the Employment Rights Act, so as to decrease or increase the amount of the compensation for unfair dismissal. Changes to preliminary mandatory conciliation procedure.	2013
**Belgium: Win case of "manifestly unreasonable" termination of employment, the employer shall grant a compensation to the worker of minimum 3 weeks and maximum 17 weeks of remuneration (before: free determination by court). Previous rules still apply for some blue-collar workers.	2014
**France: introduction of an indicative scale of compensation for unfair dismissal	2016
** France: modification to the reinstatement rule, depending on tenure and the enterprise size	2017
** North Macedonia: modifications to the back-pay	2012

Note: **legal change is not reflected in the change of the EPLex indicator. For countries, in which the legal change occurred after June 30 of a given year, the "year" column states the year that follows, to allow the value of the EPLex indicator reflect the level of protection that predominated in a given calendar year. For the exact date of the reform, see the ILO EPLex database.
 Source: own compilation, based on ILO EPLex.

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