

Notice of termination

It is important that you notify the Swedish Public Employment Service (Arbetsförmedlingen) if you need to implement operational restrictions that affect at least five employees in a county (län). The rules for redundancies are there to give Arbetsförmedlingen time to plan and facilitate the transition for staff affected by the notice.

When am I obliged to give notice of termination?

You are required to report a redundancy notice to Arbetsförmedlingen if at least five employees in a county may have their employment terminated or be temporarily laid off (permitteras). This means that the notice period is determined based on the number of employees who may have their employment terminated or be laid off when the redundancy notice is submitted to Arbetsförmedlingen. Notification must also be sent to Arbetsförmedlingen if the operational restriction may result in the termination of at least 20 employees within a 90-day period.

How far in advance should I give notice?

You must always give notice in good time if termination is impending. How far in advance you should report depends on the type of employment.

For permanent employees (tillsvidareanställda):

- If up to 25 people are affected, you must give notice at least two months before the first person's employment is terminated.
- If 26–100 people are affected, you must give notice at least four months before the first person's employment is terminated.
- If more than 100 people are affected, you must give notice at least six months before the first person's employment is terminated.

For fixed-term employees (visstidsanställda),

- If the employment is terminated prematurely, you must give notice at least six weeks before the first person's employment is terminated.

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If the operational restriction instead means that you have to temporarily lay off employees, you must give notice of the temporary layoff. This must be done at least one month before the layoff takes effect.

If you could not have foreseen the operational restriction (for example, in the case of a fire or other force majeure), you must inform Arbetsförmedlingen as soon as possible. We need your notice at least one month before the first person's employment is terminated. In these cases, §4 of the Act (1974:13) concerning certain Measures to Promote Employment can be invoked.

What do I do when I have to give notice?

You register notice of termination on arbetsformedlingen.se. If you have any questions, please contact Arbetsförmedlingen Varsel on 0771 - 508 508 or email varsel@arbetsformedlingen.se.

What should the notice contain?

Termination of employment

The notice of termination shall contain all relevant information relating to the planned redundancies, in particular:

- Address of the establishment concerned.
- Contact information for the company's contact person.
- The reason for the planned redundancies.
- How many employees are expected to be made redundant and which occupational categories they belong to.
- How many employees normally work at the workplace and which occupational categories they belong to.
- The date on which the first person concerned will leave their employment (date of implementation of operational restrictions).

You must provide the following information with the notice, no later than one month before the operational restrictions are implemented:

- A list of personnel with information about which employees are being made redundant (report this at arbetsformedlingen.se).

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- Information on the negotiations leading up to the redundancies (copy of minutes from the negotiations: send by post or by e-mail).

Temporary layoff

Temporary layoff notices must include the following information:

- Why you need to temporarily lay off employees.
- When the operational restrictions are going to be implemented.
- How many employees are affected and which occupational groups they belong to.

With the notice, you must provide information about which employees are affected by the operational restrictions, as soon as possible.

What happens if I don't give notice in time?

Arbetsförmedlingen has the right to file a lawsuit with the court if you do not give notice in due time or do not give notice at all. You may then have to pay a special notice fine (varselavgift) to the State.

Are there any exceptions to the obligation to give notice?

Certain occupational groups in the construction industry comply with the agreement on employment planning and are covered by a special statute, AMSFS 1996:7. The statute applies to operational restrictions affecting employees in the construction and road construction industries, and which are covered by the agreement on employment protection of 14 March 1988 between the Swedish Construction Union (Byggförbundet), the Swedish Construction Workers' Union (Svenska Byggnadsarbetareförbundet) and Swedish Union for Service and Communications Employees (SEKO).

If you as an employer are covered by this agreement, you may adhere to the following time frames for informing Arbetsförmedlingen of notices of termination:

- You do not need to give notice if the operational restrictions in one county mean that a maximum of 19 employees in each priority area are affected during a 90-day period.
- You must notify us at least two months before the first operational restriction if the change in one county means that 20 employees or more in each priority area are affected during a 90-day period.

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The rules only apply to the termination of employment affecting permanent blue-collar workers. White-collar workers are not covered by the exemption.

According to the agreement above, you do not need to notify Arbetsförmedlingen if the operational restrictions only lead to temporary layoffs or if a fixed-term employment is terminated. You also do not have to give notice for apprentices.

Confidentiality and professional secrecy

We treat all notices confidentially, and staff working with notices are bound by confidentiality obligations in accordance with the Act (1974:13) concerning Certain Measures to Promote Employment and the Public Access to Information and Secrecy Act (2009:400).

Rules

The Act (1974:13) concerning Certain Measures to Promote Employment.

Want to learn more?

You can visit our website at arbetsformedlingen.se. If you have any questions regarding your notice of termination, please call us on 0771-508 508 or send an e-mail to varsel@arbetsformedlingen.se.