

SUMMARY

ECJ 13 July 2023, case C-134/22 (G GmbH), Collective Redundancies

MO – v – SM as liquidator of G GmbH, German case

Summary

The requirement to notify a public authority about upcoming collective redundancies is not intended to grant individual protection on the workers affected.

Question

Must the second subparagraph of Article 2(3) of Directive 98/59 be interpreted as meaning that the employer's obligation to forward to the competent public authority a copy of, at least, the elements of the written communication which are provided for in the first subparagraph of Article 2(3), point (b), subpoints (i) to (v) of that directive is intended to confer individual protection on the workers affected by collective redundancies?

Ruling

The second subparagraph of Article 2(3) of Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies must be interpreted as meaning that the employer's obligation to forward to the competent public authority a copy of, at least, the elements of the written communication which are provided for in the first subparagraph of Article 2(3), point (b), subpoints (i) to (v) of that directive is not intended to confer individual protection on the workers affected by collective redundancies.

Creator: European Court of Justice (ECJ)

Verdict at: 2023-07-13

Case number: C-765/21