RiseSmart
a Randstad company

Dismissal employee

Notice period < 30 weeks

≥ 45 with at least 1 year of seniority

Special ruling: CLA 82 bis

Compulsory offer of OP by the employer within 15 days after rupture of employment contract.

Employee can take a maximum of 4 weeks to accept or reject the offer.

Possibility of penalty for both employer and employee in case of not respecting these obligations.

< 45 years

job/career transition: no legal obligations

Notice period ≥ 30 weeks

General ruling: regardless of age

Obliged to work during the notice period

Offer OP according to the 'general ruling'

60 hours – 12 months

OP during the weekly day off during the notice period.

Employer funds the cost of the OP program.

Employer is obliged to offer OP within 4 weeks after the start of the notice period.

Employee can take a maximum of 4 weeks to reject or accept the offer.

Employee is 'currently' not obliged to accept the OP offer.

Redundancy package without working the notice period

Offer OP according to the 'general ruling'

60 hours – 12 months

OP fee equals 1/12 of the annual salary of the calendar year prior to the dismissal, with a minimum value of 1800 EUR and a max. of 5500 EUR .

The redundancy package has to be reduced by 4 weeks to fund the OP cost.

Employer is obliged to offer OP within 15 days of the rupture of the employment contract.

Employee can take a maximum of 4 weeks to reject or accept the offer.

Employee is 'currently' not obliged to accept the OP offer.

Even if the Employee does not accept the OP offer, the redundancy package will still be reduced by 4 weeks.

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