

Working in Denmark

Information about the Danish labour market



The United Federation of Workers in Denmark

Supported by Arbejdstilsynet

This booklet is designed for you to find information about the Danish labour market including the role of the union.

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About 3F - United Federation of Workers in Denmark

In Denmark the majority of workers are members of a trade union. The largest trade union in Denmark is 3F—United Federation of Workers in Denmark who has over 320.000 members and is Denmark's strongest union, with collective agreements at more workplaces than any other union.

When you are a member of 3F the union can help with the following:

- Securing good wages and conditions of employment
- Advice about Danish working conditions and working in Denmark
- Examination of your contract of employment and advice concerning your conditions of employment
- Help and legal aid for resolving employment-related issues
- Negotiating collective agreements
- Strike pay during official industrial disputes
- Help and advice about your wages, pensions and working conditions
- Help for the improvement of your working environment
- Advice and help in relation to education and in-service training

Who does 3F organise?

3F organises skilled and unskilled workers in many sectors and industries in the private as well as the public sector. Members work in the following sectors:

- Transport
- Building & Construction
- Manufacturing industries
- Agriculture
- Forestry
- Horticulture/Market Gardens
- Cleaning
- Hotel & Restaurants
- Delivery and distribution of newspapers and magazines

Join the union

If you want to get further information and join the union don't hesitate to call +45 70 300 300 today or visit www.3f.dk/optagelse/en

Bankruptcy

If your employer does not have the money to pay your wages or other expenses, then he can file a petition for suspension of payments.

Suspension of payments

If your employer does not have the money to pay your wages or other expenses, then he can file a petition for suspension of payments.

If this happens then you must contact your local 3F branch immediately and ask them to ensure that there is money to pay your wages and find out how you should otherwise tackle the situation.

Bankruptcy

Bankruptcy is the permanent closing-down of a company due to the fact that it no longer can pay its debts.

If your employer goes bankrupt, then you should go to your local 3F branch immediately. They will help you to get your wages, and if necessary put in a claim for wages with the Employees' Guarantee Fund (LG).



Boycott

If an employer refuses to enter into a collective agreement with 3F, then the union can, after giving due notice, initiate a boycott.

If a company is being boycotted then members of 3F must not work for the company until a collective agreement has been signed.

Sympathy action

If a boycott does not result in a collective agreement sympathy action will be established against the company from the other LO affiliated unions so that the company will be completely prevented from receiving supplies and services from the outside.

Collective Agreements

A collective agreement is a collective contract between the employer and the employees' organisation (3F) which determines working conditions. The collective agreement has to be adhered to by both parties, if disagreements arise as to how the collective agreement should be interpreted 3F can help you.

A collective agreement may be drawn up very differently and with very different contents, dependent upon the nature of the work, but as a minimum it will include provisions on wages and working hours.

Read more about the collective agreement within your sector or industry on our website:

<http://www.3f.dk/english/working-conditions/collective-agreements>

If you are in doubt about the conditions in force at your workplace, then contact the shop steward or your local 3F branch.

Adoption agreement

An adoption agreement is an agreement which your union may enter into with your employer if he is not a member of an employer's organisation.

The agreement specifies which collective agreement regulates wages and working conditions at your workplace. Over and above this special terms and conditions may have been incorporated into the adoption agreement. Ask your shop steward or your local 3F branch, if you want to know whether there is an adoption agreement and what it contains.

Disease

If you become ill, you must contact your employer as soon as possible and not later than two hours after the time you should have been to work.

Ask your health and safety representative, your employee representative or your local 3F branch about other rules on your work place.

If you become ill and you are unemployed

If you are unemployed and you receive unemployment benefits, you must report in sick to the local authorities, the unemployment insurance fund (A-kasse) and the job centre. The unemployment insurance fund and the job centre must be informed on your first sick day.

If your child becomes ill

Usually, you have the right to stay home on your child's first sick day after which you must find other means of care. You must inform your employer as soon as possible and not later than two hours after the time you should have been to work.

Some collective agreements give you the right to a number of additional family days which you can use if your child is ill for more than one day.

Holidays

The Danish Holiday Act gives you the right to 5 weeks' holiday a year when you are in employment. You accrue the right to 2.08 days' holiday for every month you work.

Holidays are accrued in the calendar year, i.e. from 1st January - 31st December. Holidays shall be taken in the holiday year which is from 1st May - 30th April of the following year.

You have a right to three consecutive weeks' holiday between 1st May and 30th September (main holiday). The rest of your holiday may be placed throughout the year. You can make an agreement with your employer as to when the rest of your holiday is to be taken. If the company closes down for the holidays, or you cannot come to an agreement with your employer, then it is the employer who draws up the holiday plan.

Even though you have not accrued holiday money from an employer, you have the right to go on holiday at "your own expense". If your employer does not pay your holiday, then you must contact your local 3F branch. If you leave your job, then your employer must pay you a holiday allowance corresponding to 12.5% of your earnings up until you leave into a holiday account. You can obtain more information from your shop steward or your local 3F branch.

Discretionary holidays

In the majority of collective agreements you have a right to one or more discretionary holidays. Discretionary holidays are extra days off over and above the 25 days which are stipulated in the Holiday Act.

There are also special conditions you have to fulfill in order to get discretionary holidays. It depends on the collective agreement. Ask your shop steward or your local 3F branch whether you are entitled to discretionary holidays.

Illness

If you are ill, you must immediately inform your employer.

Usually, you can receive sickness benefit or pay during illness. It depends on how long you have been employed and if there is a collective agreement in your work place.

You can always obtain help from your trade union representative or in your local 3F branch if you are ill and need more knowledge about your possibilities, rights and duties.

Retention plan-partly back to work

If you do not think you will be able to return to work within eight weeks from your first day of absence, you may ask your immediate superior to prepare a Retention Plan (fastholdelsesplan). This plan must be in writing.

You may ask for such a plan to be prepared at any point during your period of absence, for example during the Return to Work Interview. However, your employer is entitled to refuse to prepare such a plan if he or she does not believe it is possible to make a realistic plan at that time.

You and your employer prepare the plan together. The purpose of the plan is to express in words how you can return to work as soon as possible, either on a full-time or a part-time basis.

You have the right to have an assistant present during the interview, for example your union or safety representative.

Solemn declaration

Your employer may still ask you to submit a solemn declaration from your first day of absence.

Doctor's certificate

Instead of the Capacity for Work Statement, or as a supplement to it, your employer may ask you for a medical certificate called a „friattest from your doctor to document long-term sickness that makes you unable to work.

The local authority

Your local authority will follow you from the sidelines when you become unable to work due to illness. The local authority may be involved in the dialogue between you and your employer and can offer advice as to how it can be made possible for you to return to work.

Also, when you have been absent from work for about eight weeks, your local municipal job centre will assess your ability to gradually return to work.

Read more at these websites

You can download the Capacity for Work Statement from several websites:

www.sygeguide.dk.

www.3f.dk

www.rasksnak.dk

www.arbejdsmilijoweb.dk

Injury

If you or your co-worker suffer an injury at work.

If it is a serious injury, you must call an ambulance by dialing 112. You must also call in the police and the Danish Working Environment Service.

If it is a minor injury, you must go to a casualty ward or a doctor. You will then have documentation for the incidence. Notify your health and safety representative if such person works at your work place.

The employer must report the injury

It is your employer's duty to report the injury on your work place, if you are absent for one day or more due to the injury.

Once your employer has reported the industrial injury, you must contact your local 3F branch. They can assist you if you are entitled for a compensation for the injury.

Pension

3F's collective agreements also include the employer's payment of a sum of money into a pension scheme for you. Typically the employer will pay 2/3 and you will pay 1/3 of the pension contributions.

It is important that you check your wage slip when you receive it to make sure that payments are being made to your pension scheme.

If you are in doubt, then go to your local 3F branch or your pension fund. Both are more than ready to help and advise you.

Read more about the pension scheme for your sector or industry here on our website:

<http://www.3f.dk/english/working-conditions/pension>

No collective agreement

If there is no collective agreement with your employer, then you will have to negotiate your pension yourself, but 3F is willing to help you.

The pension has to be stated in your statement of terms and conditions.

Insurance

Attached to the pension schemes are a range of different types of insurance. They take effect if you become disabled, struck down by a critical illness or as assistance to your family if you die before pensionable age.

Pregnancy

If you or your partner is pregnant. The father and the mother have the right to a total of 52 weeks of parental leave. You must inform your employer about the pregnancy as soon as possible.

The mother's rights

Before the birth, the mother has the right to take time off work for four weeks before expected birth.

After the birth the mother has the right to 14 weeks of maternity leave after which the mother and the father can divide the additional 32 weeks of parental leave between them. The parents can freely choose if only one of the parents take time off for all 32 weeks or if they will divide the parental leave between them.

The father's rights

The new father is entitled to two weeks of paternity leave within the initial 14 weeks after the birth.

14 weeks after the birth, the mother and the father are entitled to divide the additional 32 weeks of parental leave between them. The parents can freely choose if only one of the parents take time off for all 32 weeks or if they will divide the parental leave between them.



Protection against dismissal

Once you have notified your employer of your pregnancy, you will have additional protection against dismissal. It is illegal to dismiss a woman if she is pregnant or on maternity leave. The father is also protected as well.

If you are dismissed during pregnancy or parental leave, the employer must prove that the dismissal is not due to your pregnancy or parental leave.

Pay or benefits during parental leave

Generally, you have the right to receive pay for part of the parental leave and the right to collect state funded benefits for the rest of the parental leave.

Ask your employee representative or your local 3F branch about the rules which apply to you.

Shop Stewards & Trade Union Representatives

At many workplaces 3F members have elected a shop steward and safety representative to look after their interests.

Shop stewards

At workplaces where there is a collective agreement colleagues elect a shop steward to be their spokesman in relation to management, the union and other occupational groups. Your shop steward is your immediate link and helper in questions relating to the employer as well as the union.

It is important that the shop steward gets as much support as possible from the members. Therefore, you should always be open about things and go to the shop steward if you think there is something wrong at your workplace.

The rules for electing shop stewards are to be found in the collective agreement. If you are in doubt about the election rules, then you can ask about them in your local 3F branch.



Safety representatives

Employees have a right and a duty to elect a safety representative to look after their interests in matters of health and safety. A safety representative shall be elected at all workplaces where there are more than 10 employees. It also applies to workplaces where there is no collective agreement. It is to be found in the Working Environment Act.

All employees are eligible to vote at elections. The employer and any foremen/supervisors are not eligible to vote.

Safety representatives are normally elected for a period of two years according to the same rules which apply to the election of shop stewards under the collective agreement covering your workplace.

If you are in doubt about the election rules, then you can ask your shop steward or your local 3F branch.

Protection

The local branch must be notified of the election in order to ensure protection against dismissal.

Shop stewards and safety representatives are protected against dismissal and the worsening of their working conditions.

This means that there has to be a compelling reason for their dismissal, and the employer has the obligation to give them a longer period of notice than other employee.

Statement of Terms & Conditions

You have the right to receive a statement of terms of conditions if you work more than 8 hours a week. You must receive it at the latest 1 month after starting employment. That is the law.

Your statement of terms and conditions must include the following:

- your employer's name and your name
- your employer's address and your address
- the address of your workplace
- your position
- a work description
- when you commence work
- how long you are employed, if it is only for a certain length of time
- your right to holidays with pay
- the rules concerning termination of employment
- the length of the notice of termination of employment
- your wages, allowances and other forms of remuneration e.g. pension
- on which date of the month you receive your wages
- your daily and weekly working hours
- the collective agreements and agreements which cover your job



Apart from this information the statement of terms and conditions shall also stipulate other important conditions concerning your job. E.g. it could be that the employer issues you with working clothes or makes accommodation available to you and there could be agreements concerning these matters.

If you have not received a statement of terms and conditions, or if you think it is incorrect, then you must ask your employer to issue you with a new one. If you have got any questions, then you can get help from your shop steward or you can go to your local 3F branch.

Termination of employment

You or your employer can announce that you do not wish to continue working together.

If there is a collective agreement at your workplace, then there are also rules for giving notice, from you as well as from your employer.

If the employer does not adhere to the time limit for giving notice, then you can get help in 3F to take up your case.

Dismissal

Your employer has to inform you that you have been dismissed. It should be done in writing and with a reason.

As a rule you have a time limit for being given your notice, but it is dependent upon how long you have been employed and to which collective agreement you are working under.

You must work in the period of notice. If you do not, then you can risk your employer demanding a penalty because you did not turn in for work.

If you believe your dismissal is unfair, then you should immediately go to your shop steward or your local 3F branch. Dismissals must not be unfair and arbitrary. A complaint about a dismissal must be undertaken immediately, and in certain instances within a 14 day period.

Your shop steward or your local 3F branch can also give you more information.



Summary dismissal

There has to be a very good and compelling reason to summarily dismiss you from your workplace. A summary dismissal may in the first instance be verbal and it means that your employment terminates immediately, and that you no longer receive your wages.

If you experience this, then you must contact your local 3F branch immediately and ask them to take up your case. If your dismissal is unfair, then your local 3F branch will help you to conduct your case.

Warning

A warning is a complaint made about you by the employer if you have done something which is in contravention of the rules at your workplace. It could be that you have not had time to call in sick, or you have left your workplace before the end of the official working day.

A warning can be verbal as well as written. But for an employer to be able to use it in any later dismissal case, it has to be given in writing. And it must state what your employer thinks you have done wrong and what the consequences will be if, within a reasonable period of time, it happens again.

As a rule one of the consequences is that you will be dismissed; and in the worst instance you will be summarily dismissed. There can be agreements in the company which stipulate guidelines for warnings, dismissals etc.

If you believe the dismissal to be unfair, then you must go immediately to your shop steward or your local 3F branch and ask them to take up the case.

Wages

Your wage can be made up of different components, dependent upon which collective agreement you are covered by, or if you have an individual agreement.

Wages may consist of a basic wage rate, bonus systems, allowances etc. If 3F has an agreement with your employer, then your wages have been negotiated by 3F. It might be the case that you can negotiate parts of your wage at your workplace in the form of a local agreement.

Read more about the wages in your sector or industry here on the website: <http://www.3f.dk/english/working-conditions/wages>

No collective agreement

If there is no collective agreement with your employer, then you will have to negotiate your wages yourself, but 3F is on hand to help you. Wages have to be stated in your statement of terms and conditions.

If your wages are not paid

If you do not receive your wages at the correct time, then you must ask your employer what the reason for this is. If you do not receive them immediately afterwards, then you must go to your local 3F branch. If you do not do anything about it, you could risk losing your wages. You can get help from your shop steward or at your local 3F branch.

Working conditions in Denmark

In Denmark the majority of workers are members of a trade union. Trade union density is one of the highest in the world. Your Danish colleagues expect you to be a member of a trade union.

3F and the other trade unions have been instrumental in creating good wages and working conditions in Denmark by way of collective agreements.

The workers in Denmark have fought hard to obtain the right to enter into collective agreements at the workplace.

It is the collective agreements which determine the rules in regard to wages, pensions and working hours etc. Consequently, it is important that there is a collective agreement with your employer. If you are in doubt as to whether there is a collective agreement at your workplace, or if you want to know which rules apply to you, then you can contact your local 3F branch.

Working Environment

In Denmark the working environment is regulated by the Working Environment Act.

Your working environment must be safe and secure, so that your work does not harm you. This is the employer's responsibility – but it is also a common concern of the entire workplace. Working environment legislation must therefore be complied with.

Your employer must pay for personal protection equipment such as masks and ear protectors.

If you are in doubt about your working environment you can contact your working environment representative or your local 3F branch.

Health and safety representatives

Employees have the right and the obligation to elect a health and safety representative to protect their interests in safety and health matters. Read more about health and safety representatives [here](#).

Occupational injury

If you are injured at work 3F can help you to report your occupational injury correctly and in due time so that you can receive the compensation you are entitled to. Your local 3F branch can assist with help and guidance concerning occupational injuries.

Working Hours

Weekly working hours are determined by the collective agreement. They are normally 37 hours per week.

Your working hours must be stated in the statement of terms and conditions. This also applies if there is no collective agreement at your workplace. Working hours must never exceed 48 hours per week. This is to be found in the Working Environment Act.

Part-time

If you are employed part-time, then the working hours must be stated in the statement of terms and conditions. In many collective agreements there are regulations stating that you must have at least 15 hours per week.

Overtime

Work over and above normal working hours shall normally be paid as overtime. The rules regarding overtime payment and notice of overtime are different from agreement to agreement. Apart from this there may be rules for time off in lieu. Ask your shop steward or your local 3F branch which rules are in force at your workplace.



11 hour rest period

Working hours shall be organised so that you get a rest period of at least 11 consecutive hours within a 24 hour period.

Your daily working hours may, therefore, amount to a maximum of 13 hours including breaks. This is to be found in the Working Environment Act.

The rest period may be reduced if you work different shift patterns, however, never under 8 hours.

24 hours off

Within every 7-day period you shall have 24 hours off weekly. It is to be found in the Working Environment Act.

Working on days off

If you work on your day off, then you shall be compensated in accordance with the collective agreement.

Ask your shop steward or your local 3F branch about how the rules affect you.



Need more information?

- Visit www.3f.dk/english
- Contact Anthony Sylvester

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The United Federation of Workers in Denmark