

# Practical information from DM in cases of proposed dismissal

An overview of the process and your options.

## How to contact DM

If you have a specific question and need a quick answer, you are welcome to contact us by phone on +45 38 15 66 00. Our phone lines are open from 9:00-16:00 (Fridays until 15:00).

If you need more in-depth advice or would like us to look into your situation, please contact us via Mit DM. We ask you to submit a copy of your employment contract, the consultation letter and your most recent payslip. Once we have received the material, we will prepare for a thorough conversation with you about your situation.

## The process going forward

**You have the option to submit a written response** as part of the consultation process. If you choose to do so, it may be helpful to keep the following in mind:

- The purpose may be to correct any factual inaccuracies.
- The response may also aim to encourage management to reconsider the planned dismissal.
- Focus on your own situation and avoid making accusations.
- Ask questions if there is anything you or your union representative do not understand.
- You may reserve the right to submit additional comments if new information becomes available.
- Keep your response short and to the point.

You are welcome to send a draft of your response to DM. We will review it and may provide comments as well as suggestions for changes or additions. To allow time for feedback, please submit your draft well before the consultation deadline.

## Legal basis for objective justification in dismissals due to employer-related circumstances

If an employer reduces the number of employees due to a lack of work or financial cutbacks, the circumstances at the time of dismissal are decisive in determining whether the dismissal is considered reasonable.

Case law shows that employers have wide discretion when making dismissals based on financial

considerations, including in the selection of which employees are dismissed. Employees are not entitled to a detailed explanation comparing them with other employees, as such a requirement goes beyond the duty to give reasons under the Danish Public Administration Act.

## Final notice of dismissal

You will usually receive the final notice of dismissal a few days after the consultation deadline has passed. Once you have received it, please send the notice to DM via Mit DM, together with a copy of your employment contract, the consultation letter, your response, and your most recent payslip.

DM will assess whether the dismissal is objectively justified and whether there is any room for negotiating the terms applicable during the notice period.

## Your terms following dismissal

If you are dismissed, you are entitled to a notice period. The length of the notice period depends on how long you have been employed.

Your union representative may have negotiated additional terms for employees who have been dismissed. These terms must be stated in the final notice of dismissal. When you submit your notice to DM, we will also check that any agreed terms are included.

Under the collective agreement, DM has one month from the date of the final notice of dismissal to raise a case with your employer if we assess that the dismissal is not objectively justified.

## Illness

As a general rule, you are expected to continue working during both the consultation period and the notice period. However, it is not uncommon for a dismissal to affect your ability to work for a shorter or longer period.

If you experience symptoms of stress or other strain, it is important to take this seriously and contact your general practitioner to assess whether sick leave may be appropriate.

## DM services for job search and career advice

DM offers a range of services related to job search, including reviews of CVs and job applications. You can receive feedback on your CV, your job application, and your LinkedIn profile.

During DM's opening hours, you can call +45 38 15 66 00 to be put in touch with a career adviser who is ready to discuss your career considerations with you.



## Career consultation – when you are ready to move on

If you would like a career consultation, you can book a one-hour individual consultation. When booking, you will be asked to upload your CV so the adviser can prepare in advance. You can book a consultation here.



## Psychological support through your pension fund

Facing a dismissal can lead to many thoughts and emotions, and it can be difficult to put into words what comes next.

Akademikerpension offers a health scheme that provides fast access to psychological support. Contact Akademikerpension to learn more about the scheme.



## Non-members

You can join DM and obtain full membership rights from the date your membership begins. This means that we can provide advice and assess matters that arise while you are a member.

If you are facing a proposed dismissal and are considering membership, it may be beneficial to join as early as possible.

Read more about DM membership

