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Blockades
If you are not involved in the industrial action, and you need to go to work, you may find that you are faced with a blockade.
This is when your colleagues affected by the action prevent you from performing your duties by stopping you entering your workplace. This is illegal and if your colleagues prevent you from doing your job by blocking your access, you must contact your employer and notify him or her that you cannot gain entrance to your workplace. Your employer must then contact the police.

Business trips
If you are included in the industrial action, you are not permitted to travel on business trips after commencement of the industrial action. If you are on a business trip when the industrial action commences, you must abandon the trip and return as soon as possible.
In principle, you must travel back in the same way as you travelled on the outward journey, unless otherwise agreed with your employer and IDA.

Whether your employer or IDA covers the expense of the return journey depends on the specific situation – but you will not need to cover the cost yourself.

Cancellation of IDA membership
You may cancel your IDA membership with three months’ written notice, ending at the end of the month.

Cessation of industrial action
Industrial action includes both strikes and lockouts.

Industrial action may be ended in the following three ways:
- The parties agree on a settlement
- The arbitrator’s arbitration proposals are accepted by the parties
- The government intervenes and stops the industrial action through legislation

If you are involved in the industrial action, your employment relationship will only be suspended during the industrial action. This means that it will not be necessary to issue a new Letter of Employment when you return to work after the industrial action ends.

Employees affected by industrial action are obliged to return to work ‘without undue delay’ when industrial action ends. If you do not return to work without undue delay, you risk instant dismissal.

As an employee, you are entitled to return to the same job as you had before the industrial action.

If you were involved in the industrial action but are not able to return to work due to illness, etc. you must immediately notify your employer according to the rules for sick leave which normally apply to your
workplace. This is important in order to ensure that you are treated as having returned to work and to ensure that you again are entitled to salary from your employer.

**Child's illness**
You are not entitled to leave with pay on your child’s first and second day of illness if you are included in the industrial action. However, you are entitled to financial support during the industrial action, see the section on financial support.

**Civil servants**
If you are employed as a civil servant or on similar terms, you will not be included in industrial action.

**Courses**
If you are included in the industrial action, you are not permitted to participate in courses, etc. after commencement of the industrial action. If you are on a course when the industrial action commences, you must abandon the course and return as soon as possible.
You must travel back in the same way as you travelled to the course, unless otherwise agreed with your employer and IDA.

Whether your employer or IDA covers the expense of the return journey depends on the specific situation – but you will not need to cover the cost yourself.

**Early retirement pension**
Early retirement certificates can still be issued during industrial action. This means that you are entitled to take flexible early retirement, even if you are involved in industrial action.
Those receiving early retirement benefit, who have chosen to combine their early retirement with work, will be included in the industrial action if their workplace is, although only for the number of hours they would have worked during the action.

**Emergency preparedness**
Emergency procedures may be required if the work is vital, urgent or necessary to prevent health risks for citizens and patients. Agreements on establishment of emergency procedures must be entered into between employers and the Danish Confederation of Professional Associations. You are therefore not permitted to participate in emergency procedures without having contacted IDA in advance.
Family days

Family days which you have agreed upon but have not commenced cannot be taken during industrial action.

Family days which have not been used due to the industrial action may be used at a later date.

Financial support

If you are included in industrial action, you will not receive salary during the period when you are not at work. Instead, you will receive financial support from IDA if you meet the following conditions:

- You are registered with IDA, in membership category 2 (employees), as a paying member (you should, however, note that there may be a qualifying period, see below),
- You are employed under the Danish Confederation of Professional Associations collective agreement, to which IDA is party, and
- Your workplace has been selected for industrial action.

If you did not belong to membership category 2 (employees) before 13 March 2018, you will not be entitled to financial support until the qualifying period – current month plus two months – has expired.

For example, if you join membership category 2 (employees) on 14 March, you will be entitled to financial support from 1 June.
Example 2: If you join membership category 2 (employees) on 13 March, you will be entitled to financial support from 1 April.

If you were registered as unemployed on 13 March 2018, but obtain employment before the industrial action commences, and therefore change your registration to “employed”, you will be entitled to strike loans even though you make the change after 13 March.

All of the member organisations of the Danish Confederation of Professional Associations have decided that financial support may be provided during industrial action in the form of strike loans (see the section on strike loans).

Fixed-term employment

During industrial action, the same rules apply to fixed-term employees/temporary employees/project-based employees as to permanent staff.

If you are employed on a fixed-term contract which terminates during the industrial action, you are entitled to unemployment benefits when your employment ends – provided that you are a member of an unemployment fund and you meet the general conditions for receiving unemployment benefit.

An employer is not permitted to dismiss an employee on a fixed-term contract on the grounds of the industrial action.
**Foreign employees**

Members of IDA who are citizens of the Nordic region or EU/EEA countries will be included in the industrial action in the same way as Danish citizens.

Members who are so-called third country nationals, i.e. citizens of countries outside the Nordic region and the EU/EEA, should contact IDA for advice.

If you have a residence and work permit due to employment, you should know that:

- Your permit will not be withdrawn if you are affected by a strike or lockout due to legal industrial action during the period in which your permit is valid.
- It is a condition that you return to your job once the legal industrial action has ended.
- It is not possible to acquire a new residence and work permit based on employment if you are offered employment in a company or institution affected by legal industrial action.

Third country nationals with questions about their residence permit must write to SIRI (Danish Agency for International Recruitment and Integration) at work@siri.dk.

**Garden leave**

If you were dismissed with immediate release from duties (garden leave) before the industrial action started, you will be included in the industrial action and will be entitled to financial support during the industrial action in the same way as other members – however only until the end of the garden leave.

**Holidays**

As a rule, you may not take holiday if you are included in the industrial action. In practical terms, your holidays will be postponed with the right to replacement holidays.

If industrial action has already begun at your workplace when your holiday should have started, you are not entitled to take holiday as planned if you are included in the action. This applies for the duration of the industrial action.

If you have already begun your holiday when the industrial action commences, you can continue taking your holiday. You are entitled to receive your salary during your holiday (provided that you meet the required conditions) – even if it is payable during the industrial action.

You should particularly note that, as a general rule, industrial action commences at the beginning of a calendar day and holiday commences at the beginning of working hours on the first day of holiday. In order to be entitled to take holiday during industrial action, your holiday must therefore start no later than the day before industrial action begins.

You are obliged to go to work on the first working day after industrial action ends. Otherwise, you risk instant dismissal. For this reason, you cannot travel away on a private holiday during industrial action.
However, you and your employer may agree that holiday planned before the commencement of industrial action, and which falls immediately after the end of the action, can be taken as planned. This must be specifically arranged in writing between you and your employer.

If you are not able to take holiday due to industrial action, you are entitled to replacement holiday. Unless otherwise agreed between you and your employer, your employer schedules a new time for the postponed holiday. In the case of main holiday, notice must be given no later than one month in advance. In the case of residual holiday, notice must be given at least 14 days in advance.

In principle, organised holiday, which is not affected by the industrial action, may not be changed.

If, due to the industrial action, you are not able to take your holiday before the end of the holiday year (30 April), the untaken holidays may be paid out no later than at the end of the holiday year. However, you are also entitled to agree with your employer that untaken holidays will be transferred to the subsequent holiday year.

If you are included in the industrial action and have booked a holiday which you are required to cancel due to the action, please contact IDA Forsikring for further information about the conditions for compensation for cancellation. IDA Forsikring: 7021 0191

If you are not a customer of IDA Forsikring, please contact your own insurance company.

**Holidays – accrual of holiday**

If you are included in the industrial action, you do not accrue the right to holiday with pay during the action. Nor do you accrue the right to holidays that are part of the sixth week of holiday during industrial action.

**Illness**

If you are completely or partially absent due to illness when the industrial action commences, you will also be included in the industrial action, and you will also be entitled to financial support. If the illness lasts for more than 30 days, you must apply for sickness benefits at borger.dk, but you will also be entitled to receive supplementary financial support from IDA. Absence due to illness during the industrial action is not included in the calculation of sickness benefits.

If you are declared fit to work after a prolonged illness, we recommend that you notify your employer during the industrial action.

If you fall ill during the industrial action, you do not need to notify your employer unless you are participating in emergency procedures.
Labour market contributions and Supplementary Labour Market Pension (ATP)

Labour market contributions and ATP are not paid on strike benefits.

Nor do you pay labour market contributions on benefits received according to the Danish Sickness Benefit Act or the Danish Act on Entitlement to Leave and Benefits in the Event of Childbirth during industrial action. On the other hand, ATP is paid on benefits received in connection with long-term sick leave or maternity leave during industrial action.

Lockout

A lockout is collective industrial action on the part of the employer whereby the employer excludes the employees from the workplace and prevents employees from doing their jobs.
A lockout may be established if a new collective agreement cannot be reached. In the same way as a strike, a lockout must be announced one month before it can commence.

The consequences are the same for the individual member as in the case of a strike. You must leave your workplace and you will not receive salary from commencement of the lockout. You will be entitled to financial support from IDA. For further details, see the section on financial support.

A lockout may affect a small group or all members at a workplace.

Managers

If you are a manager with staff responsibility, you will not normally be involved in industrial action. However, this depends on a specific evaluation of your areas of work and responsibility and of your salary level.

This means:

(1) managers with independent responsibility for a budget and personnel management and authority to employ, provided that they

(2) are at least on government sector salary grade 36, municipal or regional sector salary grade 50 or a similar salary grade.

All conditions must therefore be met before you are exempt from industrial action.

Government sector

In the government sector, the following managers therefore will not be given notice of industrial action:

- Managers with actual staff responsibility, and
- With a salary (basic salary) before pension contribution at least equivalent to salary grade 36, i.e. DKK 41,583.67 a month.
If you are a senior consultant, employed on salary grade 35, or on the starting grade under the Danish Confederation of Professional Associations collective agreement, you will therefore be included in the industrial action, regardless of whether your actual total salary is higher and you have actual responsibility for staff and budgets.

**Municipal sector**

In the municipal sector, the following managers will therefore not be given notice of industrial action:

- Managers with actual staff responsibility, and
- Employed according to the Managers’ Agreement, or
- With a salary (basic salary) before pension contribution at least equivalent to salary grade 50, i.e. DKK 43,135.92 a month.

If you are a senior consultant, or are employed on the starting grade under the Danish Confederation of Professional Associations collective agreement, you will therefore be included in the industrial action, regardless of whether your actual total salary is higher and you have actual responsibility for staff and budgets.

**Regional sector**

In the regional sector, the following managers will therefore not be given notice of industrial action:

- Managers responsible for staff, and
- Employed according to the Managers’ Agreement, or
- With a salary (basic salary) before pension contribution at least equivalent to salary grade 50, i.e. DKK 43,047.67 a month.

If you are a senior consultant, employed on the starting grade under the Danish Confederation of Professional Associations collective agreement, you will therefore be included in the industrial action, regardless of whether your actual total salary is higher and you have actual responsibility for staff and budgets.

You are very welcome to call us on 33 18 47 53 if you are in any doubt.

**Maternity and paternity leave**

If you have commenced – or are about to commence – paid leave (pregnancy leave, maternity leave, paternity leave or parental leave), you will not receive salary from your employer during the industrial action.

The period during which your employer is obliged to pay your salary due to leave will not be extended by the number of days of industrial action. Similarly, any right to benefits from the municipality will not be
extended. Therefore, you are entitled to neither more nor less leave of absence if you are involved in the industrial action.
If you are affected by industrial action, IDA recommends that you comply with the applicable deadlines for giving your employer notice of maternity or paternity leave as if you were at work.
When the industrial action has ended, the general provisions of the collective agreement on full salary during maternity or paternity leave will again apply.

*Leave begun before industrial action:*
If you are on paid pregnancy leave, maternity leave, paternity leave or parental leave when the industrial action commences, you must contact Udbetaling Danmark (https://www.borger.dk/familie-og-boern/Barsel-oversigt/Barsel-kontakt) for payment of maternity or paternity benefits. You also have the right to supplementary financial support from IDA during the industrial action for the part of the pregnancy leave, maternity leave, paternity leave or parental leave when you are entitled to salary.

*Leave begun during industrial action:*
Members who begin their pregnancy leave, paternity leave, maternity leave, etc. during the industrial action are entitled to parental benefits and must contact Udbetaling Danmark. You also have the right to supplementary financial support from IDA during the industrial action for the part of the pregnancy leave, maternity leave, paternity leave or parental leave when you are entitled to salary. You are entitled to financial support during the industrial action in the same way as all other members.
If you start your paternity or maternity leave during the industrial action, you must immediately notify your employer when the industrial action ends.

**Mobile telephones**
If your employer has provided you with a mobile phone, your employer is at liberty to confiscate the phone during industrial action – even if you and your employer have agreed that you may use the mobile phone for private purposes and are taxed on it. This is because it is still work equipment. If your employer confiscates your phone, your employer must ensure that the Danish tax authorities (SKAT) are notified of the corrected figures, since you should not be taxed during the period in which you are involved in the industrial action.

**Not affected by the industrial action**
You are not included in the industrial action – neither strikes nor lockouts – if you are employed under a non-academic collective agreement. You may, for example, be employed under a National Union of Commercial and Clerical Employees (HK) collective agreement.

However, you may be included in industrial action if you are a member of both IDA and the organisation under whose collective agreement you are employed.

You must therefore continue to go to work during the industrial action and perform your usual duties. During the industrial action, you must not do other work affected by the action. If you are in any doubt about whether a specific work situation is affected by industrial action, and you are ordered to perform work which you believe to be covered by the industrial action, you should contact IDA.
Obligations during industrial action

If you are included in industrial action, you must leave your place of work when the industrial action commences. You must not be present at your place of work or carry out any work for your employer for the duration of the industrial action.

Other work/secondary employment

Regardless of whether you are included in the industrial action, you must not take on other work that is affected by the action. If you are in any doubt about whether a specific work situation is affected by industrial action, and you are ordered to perform work which you believe to be covered by the industrial action, you should contact IDA.

If you have already agreed or embarked on secondary employment at a place of work that is not affected by the industrial action, you may continue with this.

The ban on work affected by industrial action also applies to temporary employment and self-employed work.

Pension

Both DIP (Danish Pension Fund for Engineers) and ISP (pension fund for BScs in engineering) have collected a lot of interesting information on their websites about the impact the industrial action will have on you and how they will ensure that your insurance benefits are kept to approximately the same level. If you are not covered by the DIP or ISP pension schemes, you should contact your own pension company.

DIP: http://www.dip.dk/Vejledning/Konflikt


PhDs

You are included in the industrial action if the workplace at which you are employed as a PhD is included in the action. You must leave your place of work when the industrial action commences. You must not be present at your place of work or carry out any work for your employer (including research) for the duration of the industrial action.

You may apply for an extension of your employment after the industrial action ends. Your employer decides whether your employment can be extended. If you have any questions about this, you are welcome to contact IDA.
Presence in the workplace

If you are included in the industrial action, you must leave the workplace as soon as industrial action commences. You must not be present at your place of work or carry out any work for your employer for the duration of the industrial action.

If you are on a business trip or a course when the industrial action commences, you must abandon the trip or course.

Project-based employment – see Fixed-term employment

Reduced-hours jobs / jobs on special terms / jobs with wage subsidies

If you have a reduced-hours job or a job on special terms or with a wage subsidy, you are included in the industrial action on the same terms as other employees.

Special conditions for reduced-hours jobs

If you are included in industrial action, your allowance from the local authority will be stopped, since this is connected to your reduced-hours job. However, you are entitled to financial support from IDA instead, see the section on financial support.

You will return to your previous position after the industrial action ends. Therefore, there is no question of a new reduced-hours job or a new reduced-hours scheme.

Resignation and dismissal

Your employer is entitled to dismiss you from your job both before industrial action commences and during the industrial action. However, the usual period of notice and usual terms must be applied.

It would not be judicious to dismiss an employee on the grounds of industrial action.

If you wish to resign during the industrial action, you must give the usual notice of termination.

Secondary employment – see Other work
Seconded employees
You will also be included in the industrial action if you are – or become – seconded to the workplaces affected by the industrial action. This therefore includes members who are employed in other locations but who are temporarily working at the workplace affected by the industrial action when the action commences.

Secondment
If you are seconded to another employer, you will be included in industrial action if the employer who pays your salary is included in industrial action.

Self-employed – see Other work

Senior days
You are not entitled to take the extra holiday entitlements allocated to older employees (senior days) during industrial action.

Seniority
You do not accrue seniority during the industrial action. This applies to both your notice period and your salary. Once the action ends, the rights and obligations you have accrued will continue as before the industrial action. You will therefore return to the seniority for salary and notice period applicable before the action commenced. This means that your seniority will be postponed by the number of days of the industrial action.

If, however, you participate in emergency work during the industrial action, this will be included in the calculation of seniority.

Sixth week of holiday
The rules for taking your sixth week of holiday are the same as for the rest of your holiday, see the section on holidays.
If you are unable to take a planned holiday, accrued as part of the sixth week of holiday, you are entitled to take this day at a later date during the holiday year, to have it paid out or to have it transferred.
Strike loans
Most of the member organisations of the Danish Confederation of Professional Associations have decided that financial support may be provided during industrial action in the form of strike loans. You will have the option to borrow an amount approximately equivalent to the net salary you will lose by not working.

If you have been selected for industrial action and have taken a loan, your membership fees will be reduced after the action while you pay off the loan.

For further details about strike loans visit: http://ida.dk/content/hvordan-er-du-stillet-ved-eventuel-konflikt

Strikes
A strike is collective industrial action on the part of the employees whereby employees refuse to perform their duties. Strikes may be organised if a new collective agreement cannot be reached and must be announced one month before they can commence.

If you are affected by a strike, you must leave your workplace and you will not receive your salary from the date on which the strike begins. You will be entitled to financial support from IDA. For further details, see the section on financial support.

A strike may affect a small group or all members at a workplace.

Students
If you are a member of IDA and have a student job at a workplace affected by industrial action, it is important that you check which collective agreement you are employed under. This will be specified in your employment contract.

If you are employed as a Bachelors graduate under the Danish Confederation of Professional Associations collective agreement, you will be included in industrial action at your workplace. This means that you must not go to work and that you will not receive a salary. Since you are a student member of IDA, you will not be entitled to financial support. This is due to the fact that members in this category do not pay towards the reserve fund from which loans are paid out during industrial action.

If you are employed under the terms of the National Union of Commercial and Clerical Employees (HK), you will not be included in industrial action – neither strike nor lockout – unless you are a member of HK in addition to IDA. This means that you must continue to work as usual. However, you should note that you must not take on work affected by industrial action, i.e. work usually performed by your colleagues affected by the action.

With respect to missed tuition, examinations, etc. due to industrial action, your university or institute must decide how you should act.
Supplementary unemployment benefit
If you receive supplementary unemployment benefit and, at the same time, are affected by industrial action, you will not be able to receive unemployment benefit from your unemployment fund for the duration of the action. You are instead entitled to financial support during the industrial action in the same way as all other members affected by the action.

Temporary appointment to a higher-level position
If you have temporarily been appointed to a higher-level position, you are included in the industrial action if the position in question would be included in the industrial action. If the position is exempt from the industrial action, you will not be included in the industrial action.

However, in any event, an evaluation must be made of the specific situation.

Temporary employees – see Fixed-term employment

Time off in lieu
If you have been included in the industrial action, you cannot take time off in lieu of overtime pay as long as the action lasts.

Time off in lieu must be suspended when the action commences, and if you have agreed on lieu days to be taken during the industrial action, you will not be able to take these either. You will need to make a new agreement once industrial action has ended.

Trade union representatives
In principle, union representatives at workplaces affected by industrial action are also included in the action.

Union representatives will play an important role as mediator between the members and the organisation.

As a union representative, you are not permitted to enter into agreements on emergency procedures without having contacted IDA in advance.
**Unemployed members**

If you are unemployed when the industrial action commences, and if your unemployment is not due to the industrial action, you will not be involved in the action and are eligible to apply for unemployment benefit from the unemployment fund as usual. You must not take on work affected by industrial action.

**Unemployment benefit**

If you are included in industrial action you will not be able to draw unemployment benefits, even though, in principle, the employment relationship is regarded as terminated.

If you become unemployed during the industrial action because your fixed-term employment ends during the action period, you will be entitled to benefits because your unemployment is not due to the industrial action.

Please contact your unemployment fund if you have any further questions about benefits.

**Unpaid leave**

If you commenced unpaid leave before the industrial action began, you are not included in the industrial action. You may therefore continue your leave.

Unpaid leave may be neither granted nor commenced during industrial action.

If your leave period ends during the industrial action, you will then participate in the action in the same way as everyone else, and you will be entitled to financial support from IDA.

**Work affected by industrial action – see Other work/secondary employment**