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# Provisions on Enterprise Mass Layoffs Published for Public Comment

[CHINA REGULATION WATCH](#)<sup>1</sup>

March 6, 2015

By: Greg Pilarowski

On December 31, 2014, the Ministry of Human Resources and Social Security (人力资源部与社会保障部) (“[MOHRSS](#)”) issued the “The Draft of Provisions on Enterprise Mass Layoff (企业裁减人员规定 (征求意见稿))”<sup>2</sup> to solicit public comments. The deadline to submit comments was January 31, 2015.

The draft relates to situations where an employer proposes to dismiss more than 20 employees or a number of employees that is equal to or exceeds 10% of the workforce. Currently these mass layoff situations are addressed under Section 41 of the PRC Labor Contract Law. The proposed regulation adds new requirements that an employer must satisfy before implementing a mass layoff. For example, the proposed rules would require employers to make efforts to avoid such mass layoffs, and require employers to submit to the local MOHRSS evidence demonstrating the actions taken by the employer to avoid the mass layoffs.

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<sup>2</sup> See [MOHRSS website](#) for reference.