



## Unpaid leave for training

The interprofessional social dialogue agreement of 2 May 2003 on personal access to continuing vocational training, which was declared a general obligation by the Grand-Ducal Regulation of 30 March 2006, introduced a system of unpaid leave for training.

This leave consequently enables private sector employees to relinquish their professional commitments in order to undergo long-term training on a personal basis for a certain period of time. At the end of this unpaid leave, they can return to their company without loss of their acquired rights.

### I. Eligibility conditions

In order to qualify for this leave, an employee must be able to prove at least **2 years of seniority** with his employer, irrespective of his or her type of employment contract with the company.

### II. Steps to be taken

The employee must submit the application to his or her employer by registered or hand-delivered letter with acknowledgement of receipt in either case. The application must indicate the type and duration of training, the training organization and the period(s) of leave requested.

The employee applying for leave must respect a period of notice of:

- 2 months for a leave of less than 3 months;
- 4 months for a leave of 3 months or more;

When the employer receives such a request, he has one month to respond. Failure to do so shall be deemed to be acceptance of the request.

The employer may refuse only if the employee is a senior manager or if the company has fewer than 15 employees.

Conversely, the employer may, under certain conditions, request a postponement of the leave. The leave may not exceed:

- 1 year when leave is requested for less than or equal to 3 months;
- 2 years when leave is requested for more than 3 months.



### III. Duration of unpaid training leave

Unpaid leave for training purposes shall be for a minimum of four weeks and a maximum of six consecutive months. The **cumulative** length of such leaves shall not exceed **two years per employer**.

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