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## **TRANSFER OF BUSINESS - PROPORTIONATE TRANSFER OF AN EMPLOYMENT RELATIONSHIP TO SEVERAL ACQUIRERS?**

WHEN BUSINESSES OR PARTS OF BUSINESSES ARE TRANSFERRED, THERE IS REGULARLY AN “AUTOMATIC” TRANSFER OF EXISTING EMPLOYMENT RELATIONSHIPS TO THE ACQUIRER. THE TRANSFER OF EMPLOYMENT RELATIONSHIPS ON THE OCCASION OF A TRANSFER OF BUSINESS IS OF GREAT PRACTICAL RELEVANCE AND REPEATEDLY THE SUBJECT OF COURT DECISIONS. IN INDIVIDUAL CASES, DIFFICULT QUESTIONS MAY ARISE REGARDING THE ALLOCATION OF EXISTING EMPLOYMENT RELATIONSHIPS. THE EUROPEAN COURT OF JUSTICE (“ECJ”) HAS NOW RULED THAT THE PROPORTIONAL TRANSFER OF AN EMPLOYMENT RELATIONSHIP TO SEVERAL ACQUIRERS IS ALSO POSSIBLE IN PRINCIPLE. [\(more...\)](#)