

Important information – please read before completing the claim form

- You must report your claim to LG not later than 4 months after your employer was ordered bankrupt, or not later than 6 months after your employer ceased operating and became insolvent. If your employer dies or goes through a restructuring, you must submit the claim as soon as possible.
- Please remember to enclose **copies** of the following with your claim form:
 - Your employment contract and notice of termination.
 - Your last 6 payslips.
 - If you are also owed holiday pay, you should also enclose payslips for the period for which you are owed holiday pay.
 - Statement from your pension provider if you are owed employer pension contributions. The statement must show the last pension payments made by your employer. If your pension is with a bank, then you must also enclose a copy of your pension policy.
 - If you are entitled to any allowances, overtime pay, bonuses or the like, then you should also enclose copies of agreements proving your entitlement.
- We can only process your claim if:
 - you complete and sign the claim form and
 - you enclose documentation of the amounts you are claiming for.

Please photocopy your documentation and send in your claim and documentation by post to:

**Lønmodtagernes Garantifond
Kongens Vænge 8, DK-3400 Hillerød**

Phone +45 70 12 80 40 - www.lifeindenmark.dk/lg

The Employees' Guarantee Fund (LG) - Claim

To be completed if you are owed pay, holiday pay or pension contributions for work you have performed **AND** if you have also not received pay etc. during your period under notice.

You (claimant)

Your Danish Civil Registration Number (CPR no.)

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Name: _____

Street: _____ House/flat no.: _____

Country: _____ Postcode: _____

Town/City: _____

Your TIN (Tax Identification Number): _____

If you reside or move to an EU/EEA country or the Faroe Islands while you are receiving payments from LG, you are required to provide your TIN. Your TIN is used to identify you as a taxpayer in your country of residence.

Tel.: _____

E-mail: _____

Offshore bank: _____

IBAN: _____

BIC/SWIFT: _____

You only need to fill banking details if you have an offshore bank account. LG uses NemKonto regarding payments in Denmark.

I hereby certify by my signature that:

I relinquish my claim against my former employer, insolvent estate or employer during reconstruction to the extent that I receive payments from LG.

I have provided information on the claim form as a written declaration to a public authority; see Section 163 of the Danish Penal Code.

Date _____

Your (claimant's) signature

If a trade union, unemployment insurance fund or legal representative is handling your claim, you must authorise them to act on your behalf by signing here:

I hereby irrevocably authorise my trade union/unemployment insurance fund/legal representative (authorisee) as stated below to act on my behalf:

Name: _____

Address: _____

Direct. Tel. no.: _____

CVR no (company reg. no.).

The authorisation comprises:

- the right to serve my interests and to take receipt of any payments
- access via the internet to my payment details

Your (claimant's) signature

Your employer

The company's CVR no.: Company's name: _____

Employer's name: _____ Address: _____

Were you a member of the management / board of directors of the company? Yes No
(dd)-(mm)-(yyyy) (dd)-(mm)-(yyyy)

If 'Yes', period from _____ to _____

Were you an **ordinary** member of the board (not employee representative)? Yes No
(dd)-(mm)-(yyyy) (dd)-(mm)-(yyyy)

If 'Yes', period from _____ to _____

Do you or your next of kin hold shares in the company? Yes No

If 'Yes', please state the names of the shareholders and how you are related to each other:

What is the percentage split of the shares in the company? _____

Your employment

Your **employment status**: Salaried/non-manual worker Quasi-salaried Manual worker/paid by the hour Trainee

If you were employed under a collective agreement, please state which: _____

Your position/job title: _____

Contracted weekly hours of work: . Hourly pay: . DKK or Monthly pay: DKK

If you are a manual worker and you work according to timetable 8-8-8-8-5, please tick off:
(dd)-(mm)-(yyyy) (dd)-(mm)-(yyyy)

Starting date of your employment: _____ Termination date: _____
(dd)-(mm)-(yyyy) (dd)-(mm)-(yyyy)

Date of last day of work: _____ Date from which you were laid off: _____

If you did the majority of your work in Denmark, please tick off . If not, please state country: _____

Did you resign from your employment? Yes No

Have you worked for the insolvent estate or the employer during restructuring? Yes No
(dd)-(mm)-(yyyy) (dd)-(mm)-(yyyy)

If 'Yes', period from _____ to _____

If 'Yes', please state the pay you accrued during that period: _____ Amount DKK

If 'Yes' please state how many hours you worked during that period: _____

Enclose a copy of your employment contract and notice of termination and your payslip from the insolvent estate or the employer going through restructuring if you have worked for it.

New employment

Have you gained a new employment? Yes No If "yes". period from _____ (dd)-(mm)-(yyyy) to _____ (dd)-(mm)-(yyyy)

Name and address of your **new** employer: _____

Your new employer's CVR no.:

Pay owing to you

Pay for work you have performed (before tax and contributions to labour market funds). State period in which you earned this pay and the amount: _____ (dd)-(mm)-(yyyy) _____ (dd)-(mm)-(yyyy)

I am owed pay from: _____ to _____ Amount: DKK

Hours worked for which I have **not** received pay: , no. hours

If you received **part payment** from your employer, state the: _____ Amount: DKK

Notice period

Pay (compensation) for your period under notice (before tax and contributions to labour market funds). State the following:

How long is your period under notice? (Write days, weeks or months): _____ (dd)-(mm)-(yyyy) _____ (dd)-(mm)-(yyyy)

The period under notice runs from: _____ to _____

Pay owing to you for your period under notice: _____ Amount: DKK

Enclose copies of your last 6 payslips.

In order for LG to be able to pay you wages/salary etc. for your period under notice, you must have been actively seeking employment throughout your period under notice, i.e. demonstrated that you have personally made every effort to minimise your financial loss. You must apply for at least 3 to 4 jobs per month.

Pension owing to you

If you have **employer pension contributions** owing to you, state:

Name and address of your pension provider: _____

Your personal pension contribution: % (percentage)

Your employer's pension contribution: % (percentage)

If your pension is with a bank, please enclose a copy of your pension policy.

If your employer has not paid in pension for you to your pension provider for **0-6 months** before your employer went into liquidation or began restructuring (counted from the 'deadline date'), then please state the period and amount:

_____ (dd)-(mm)-(yyyy) _____ (dd)-(mm)-(yyyy)

Period from: _____ to _____ Amount: DKK

Enclose pension statement showing the most recent contributions paid.

If your employer has not paid in pension for you to your pension provider for **more than 6 months** before your employer went into liquidation or began restructuring (counted from the 'deadline date'), then please state the period and amount:

(dd)-(mm)-(yyyy)

(dd)-(mm)-(yyyy)

Period from: _____ to _____

Amount: DKK

Enclose documentation to prove that you have applied to have your pension paid out to you from your pension provider, along with a statement of the most recent contributions paid.

Holiday allowance

If your employer has paid holiday allowance for you to your holiday account with FerieKonto or if you have holiday allowance owing to you from a different holiday pay scheme, you must apply for holiday pay from FerieKonto or the other scheme, not from LG (the Employees' Guarantee Fund).

Do you have holiday allowance owing to you? State the pay (before tax and labour market contributions) on which the holiday pay you are owed is based (pay with holiday-entitlement):

(dd)-(mm)

(dd)-(mm)

Pay w/holiday entitlement

Pay with holiday entitlement **this year:** From _____ to _____ DKKPay with holiday entitlement **last year:** From _____ to _____ DKKPay with holiday entitlement **the year before last:** From _____ to _____ DKKHave you **taken holiday** accrued while working for your previous employer? Yes No

If 'Yes', state when you took holiday while you were employed:

From 1 September **this year:** _____From 1 September to 31 August **last year:** _____From 1 September to 31 August **year before last:** _____Are you entitled to holiday with pay **or** holiday with holiday pay?Holiday with pay **or** Holiday with holiday pay

Please enclose a copy of your payslips for the period for which you have holiday pay owing to you (with balance statement for the year).

Additional holidays (feriefridage)

If you have **earned additional holiday days**, which you have **not yet taken**, please state how many days:

number of days

Additional days of holidays owing to you from **this year:** State additional days of holiday in DKK:

number of days

Additional days of holidays owing to you from **last year:** State additional days of holiday in DKK:

Enclose copy of your last payslip and your employment contract or collective agreement.

Sunday and public/bank holiday payments and elective pay/holiday/pension remuneration (fritvalgsordning)

If you are owed pay for work on **Sundays and on public holidays (SH)**, please state SH rate: , % (percentage)

Current qualifying year: SH balance (on your latest payslip): DKK

Final qualifying year: SH balance (on your last payslip of the year): DKK

If you are owed pay as **fritvalg** (elective pay/holiday/pension scheme), please state:

Elective pay rate: , % (percentage) Elective balance (on your last payslip): DKK

Please enclose copies of your payslips of this year as well as last year.

Other claims

Company car/company phone. If you had a company phone or company car during your employment, please state:
(dd)-(mm)-(yyyy) (dd)-(mm)-(yyyy)

When did you hand in the phone: _____ and the car: _____

Monthly value of company car: DKK

Counterclaims. If your employer has a counterclaim against you e.g. for goods purchases or home PC, please state the nature of the counterclaim: _____ Amount: DKK

Enclose copies of all agreements concluded with your employer.

Severance pay. If you are entitled to severance pay, please state if this is pursuant to:

Section 2a of the Salaried Employees Act (disemployment after many years' service)

Section 2b of the Salaried Employees Act (wrongful dismissal) or Other severance pay

If "Other severance pay", please state which: _____ Amount: DKK

Enclose copy of documentation of your severance pay claim.

Other income. If you have any overtime pay, pay supplement, commission, piecework surplus or bonus owing to you, please state details:

(dd)-(mm)-(yyyy) (dd)-(mm)-(yyyy)
Period from _____ to _____ Amount: DKK

Enclose copies of agreements on all your other sources of income or pay supplements.

Legal costs and interest charges. If you have other claims, legal costs or interest charges, please state details:

Legal costs: Amount: DKK

Interest charges: Amount: DKK

Enclose copy of documentation of other claims.

How LG processes your personal data

Here you can learn about what data LG processes, how the data is processed and what rights you have when we process cases and inquiries concerning:

- Salary for work performed
- Salary during the termination period
- Legal costs and interest
- Pension
- Holiday pay
- Allowance
- Outstanding holiday pay for the transition year
- Any other potential salary claims.

LG is responsible for the processing of the personal data that we have about you.

Why LG is processing your personal data

We process your personal data for the following purposes:

- To ensure that you get paid the claims you are entitled to for owed salary, compensation and payment in lieu of untaken days of holiday and for reporting owed holiday pay to Lønmodtagernes Feriemidler, etc. in the event of your employer's bankruptcy, shutdown and insolvency or death and insolvency or the employer's ongoing restructuring.
- Recovery of paid holiday funds from your employer.
- To collect the unpaid claims from dissolved and/or solvent employers and/or their bankruptcy estates and in some situations the new employer when a company has been acquired by a public buyer or a private buyer covered by a public guarantee.
- To ensure that you get paid salary from your employer during the employer's restructuring when LG, upon being requested, provides loans to the employer to pay salaries.
- To support an effective, correct and uniform case processing by transferring certain data to a knowledge base database.
- To support an appropriate, effective and financially sound operation and to administer the scheme by transferring, storing and comparing certain information in a data warehouse and thereby ensure available and specified data about the operation and administration of the scheme.
- To train our employees and improve the customer experience (if you call us and accept that we can record the conversation).
- To test our systems in connection with development, optimisation of operations and, if relevant, fixing errors.

What data do we process?

We only collect information about you that we need to process your case.

We collect the following types of personal data about you:

Common personal data

- We receive civil registration numbers and other basic data from the Danish Civil Register.
- We receive information about income, etc. from the Danish Tax Agency.

- We receive information about account numbers/NemKonto from the Danish Agency for Digitisation.
- We receive information about your employment conditions from your employer.
- We receive information about employment conditions from the curator/bankruptcy estates/estate of a deceased person/restructuring agent.
- In some cases we receive information about payments from other guarantee schemes from foreign authorities.
- We receive information about owed holiday pay and holiday funds from holiday guarantee funds/holiday funds, FerieKonto and Lønmodtagernes Feriemidler.
- In special cases, we receive information about benefits that are relevant to the processing of your case from a municipality.

Sensitive personal data

- In special cases we receive health information that is relevant to the processing of your case from a municipality.
- We receive information about memberships in labour unions/unemployment insurance funds from labour unions and unemployment insurance funds.

Convictions and violations of the law

- In special cases, we receive information about convictions and violations of the law that are relevant to the processing of your case from the police.

How do we process your personal data?

We process your data on the basis of the Danish Act on the Employees' Guarantee Fund (bekendtgørelse af lov om Lønmodtagernes Garantifond).

LG can obtain and coordinate data for case processing and for checking payments, etc. This can be done with the help of Udbetaling Danmark – Public Benefits Administration on the basis of special provisions in the Danish Udbetaling Danmark Act and established guidelines, including those for erasure of data.

We may pass on information about you to other public authorities such as the Danish Tax Agency, Udbetaling Danmark – Public Benefits Administration or the police that pursuant to the law are entitled to receive the information or which LG works together with.

Who do we pass on your personal data to?

We can pass on information about you to others who are entitled to receive the information, such as authorities, institutions and relevant private companies (see below). We pass on the following types of personal data about you:

Common personal data

- We pass on information about payments, etc. to the Danish Tax Agency.
- We pass on information about payments and the reason for the payments to your employer or your employer's representative.
- We pass on information about payments to foreign authorities.
- We pass on information about payments, etc. to curators/bankruptcy estates/estate of a deceased person/restructuring agents.
- We pass on information about payments and the related calculations to the entity acquiring a company.

- We pass on information about you receive a non-income dependent benefit (but not which type of benefit) to pension companies.
- We pass on information about the payment of holiday pay in the transition year, etc. to holiday pay guarantee funds, holiday funds, FerieKonto and Lønmodtagernes Feriemidler.
- In some cases, we have to pass on your case to the Danish National Archives.

Sensitive personal data

- In special cases and in connection with a specific case processing, we pass on health information to municipalities.

Convictions and violations of the law

- In special cases and in connection with a specific case processing we pass on information about potentially illegal matters and violations of the law to the police.

How long do we store your personal data?

We store your information while processing the case and delete it 10 years after the bankruptcy estate has been terminated. If the estate is shut down before the payments to employees have been completed, we delete the data 10 years after the final decision/payment was made. The time of deletion is defined based on the latest decision/payment for the whole bankruptcy process. The information is stored after the case has been closed due to rules in the Danish Limitation Act, the Danish Bookkeeping Act and the Danish Archiving Act.

If you have consented to LG recording a conversation, LG deletes this conversation after two months. You can always have the conversation deleted earlier by contacting LG.

What are your rights?

You may object to LG's keeping personal data about you.

You can receive a copy of the data, which LG keeps about you.

You may also request:

- to have your personal data rectified or erased
- to have the data sent to you or someone else
- to have LG suspend the processing of your data

Finally, you may object to LG making automated decisions.

If you ask to have your personal data erased, LG may not be able to comply with your request. There may be conditions or limitations to the rights mentioned above. It is therefore not guaranteed that, for example, you have the right to have your personal data deleted in a specific context - this will depend on the specific circumstances in connection with the data processing. Among other things, this may be due to your personal data being used in a case involving a payment to a third party or for legal compliance reasons.

If you have questions

If you have questions concerning LG's processing of your personal data or if you want to exercise your rights to, for example, get access to or erase your personal data, you can contact LG.

You may contact us on tel. 70 12 80 40 or write to LG, Kongens Vænge 8, 3400 Hillerød. If you write to LG, please write 'Personal data' in the subject line.

Are you unsatisfied with the processing of your personal data?

You can contact the Data Protection Officer, if you think

- that you have not received a satisfactory response to your request for access to your personal data
- that LG has not respected your rights

Contact the Data Protection Officer (DPO) at lifeindenmark.dk/atp-dpo-contact or on tel. + 45 70 11 12 13.

If you disagree with the way in which LG processes your personal data, you may submit a complaint to the Danish Data Protection Agency.

Please note that the Danish Data Protection Agency is only a complaints body in respect LG's processing of personal data and not the handling of your case.

If you disagree with the way in which LG is handling your case, you should contact LG.

Data Controller

Lønmodtagernes Garantifond, LG
Kongens Vænge 8, 3400 Hillerød
Central business registration number: 11043739

Lovgrundlag

- Article 6(1)(e) of the General Data Protection Regulation (common personal data)
- Article 9(2)(f)(1) of the General Data Protection Regulation (sensitive personal data)
- Article 10 of the General Data Protection Regulation (convictions and violations of the law)
- Section 11(1) of the Danish Data Protection Act (civil registration no.)
- The Danish Act on Employees' Guarantee Fund (Lov om Lønmodtagernes Garantifond)
- Article 45(1) of the General Data Protection Regulation (transfers to safe non-EU/EEA countries)
- Article 46(2)(a) of the General Data Protection Regulation (transfers to an unsafe non-EU/EEA country)
- Article 49(1)(e) of the General Data Protection Regulation (transfers take place for legal compliance reasons)

The acts and regulations are available at www.retsinformation.dk and www.eur-lex.eu.