

CHANGES IN SLOVENIAN LABOUR LAW

This year, changes to three Slovenian labour-law-related acts were proposed, aiming, *inter alia*, to reduce disguised employment (i.e. performance of services based on a civil law contract instead of entering into an employment relationship for which the basic elements of employment are provided). On the other hand, many initiatives are pointing out that several freelancers choose to work based on civil law contracts because of the nature of their work and a need to maintain flexibility on the market.

On Friday, 6 October 2017, amendments to the Labour Inspection Act and the Labour Market Regulation Act that will enter into force within 15 days were published in the Official Gazette. The proposed changes to the Employment Relationship Act have not yet been agreed upon, mainly because of opposition on the part of employers to the proposed mandatory severance payment in case of a consensual termination of employment contract and opposition on the part of labour unions to the proposed monetary sanction of employees who do not report their disguised employment to the labour inspectorate.

The most important amendment to the Labour Inspection Act enhances the competences of the labour inspector and authorises him to issue an order to an employer to offer an employment contract to a disguised employee. Should the employer not comply with the respective order, the labour inspector could impose a fine of up to EUR 20,000.

The amendment to the Labour Market Regulation Act stipulates a more active role for the employee, since it obliges the employee to register to the employment seekers evidence during his notice period (no later than three business days after receipt of the termination letter). The sanction for not complying with this obligation is that the employee's monetary compensation for unemployment is reduced by 40% in the first three months (with the limitation that the reduced amount is not less than EUR 350).

Please do not hesitate to contact us with any questions you might have.

About WOLF THEISS

Wolf Theiss is one of the leading law firms in Central, Eastern and Southeastern Europe (CEE/SEE). We have built our reputation on a combination of unrivalled local knowledge and strong international capability. We opened our first office in Vienna almost 60 years ago. Our team now brings together over 340 lawyers from a diverse range of backgrounds, working in offices in 13 countries throughout the CEE/SEE region.

For more information about our services, please contact:



Markus Bruckmüller

Partner

markus.bruckmueller@wolftheiss.com

T: +386 1 438 00 00



Žiga Dolhar

Associate

ziga.dolhar@wolftheiss.com

T: +386 1 438 00 00

This memorandum has been prepared solely for the purpose of general information and is not a substitute for legal advice.

Therefore, WOLF THEISS accepts no responsibility if – in reliance on the information contained in this memorandum – you act, or fail to act, in any particular way.

If you would like to know more about the topics covered in this memorandum or our services in general, please get in touch with your usual WOLF THEISS contact or with:

WOLF THEISS Attorneys at law – Slovenian Branch
Bleiweisova cesta 30
1000 Ljubljana
Slovenia