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EMCC

European Monitoring Centre on Change

Croatia: Staff information and consultation on business transfers

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Croatia

Phase:

Anticipation

Type: [Staff information and consultation on business transfers](#)

Last modified: 17 June, 2021

Native name: **Zakon o radu 93/2014, 127/17, 98/19**

English name: **Labour Act 93/2014, 127/17, 98/19**

Article

Article 137 (6, 7, 9)

Description

If there is a statutory business transfer, a new employer takes over all employees and their employment contracts, including all rights and obligations associated with these contracts with the previous employer. Previous employers are obliged to inform employees, the works council and the new employer of all employees' employment contracts which the new employer will take over in writing before the day of the statutory business transfer.

The notice shall contain data on:

- the date of transfer;
- reasons for transferring employment contracts;
- the impact of the transfer on legal, business and social conditions of employees;
- support measures for employees whose employment contracts are transferred.

The measures may concern training, upskilling, requalification and/or other specific measures for employees with special needs. If the business transfer is done within a bankruptcy process or business rehabilitation, employees' rights transferred to the new employer can be reduced in accordance with special regulations, collective agreements or agreements between the works council and the employer. Reducing employees' rights only applies in special cases, that is in the event of bankruptcy and liquidation of the business activity.

Comments

Employees whose employment contract has been transferred retain all rights arising from the employment relationship and acquired until the date of transfer. The purpose of this provision is to preserve the continuity of employment and all employees' rights in the current employment contract, including the ban on terminating contracts due to the transfer of economic activities to a new employer.

Cost covered by

Not applicable

Involved actors other than national government

Works council

Thresholds

Company size by number of employees:

20

Number of affected employees:

20

Sources

 [Labour Act 93/2014](#)

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