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## Slovenia: Working time flexibility

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Slovenia

Phase:

Management

Type:

Working time flexibility

Last modified: 29 April, 2020

Native name: Zakon o delovnih razmerjih (ZDR-1)

English name: Employment Relationship Act (ZDR-1)

### Article

49, 54, 65-67, 138, 144-146 and 148-149

### Description

**Overtime** work may not exceed 8 hours a week, 20 hours a month or 170 hours a year. A working day may not exceed 10 hours. With the worker's consent, overtime work may exceed the annual time limitation, but may not exceed 230 hours a year and the worker has a right to refuse such a request without being exposed to unfavourable consequences due to refusal. Upon the employer's request, the worker is obliged to perform overtime work:

- in cases of an exceptionally increased amount of work,
- if the working or production process requires continuation in order to prevent material damage or threat to the life and health of people,
- if this is necessary to avert damage to means of work,
- if this is necessary in order to ensure the safety of people and property or traffic safety,
- in other exceptional, urgent and unforeseen cases stipulated in an act or by a branch collective agreement.

As a rule, the employer must require the worker to carry out overtime work in writing prior to the commencement of the work. Should it not be possible, due to the urgency of the overtime work to be performed, the worker may be allocated overtime work orally and a written order shall subsequently be given to the worker no later than by the end of the working week after the completion of the overtime work.

Overtime work may not be imposed if the work can be performed within the full working time by means of appropriate organisation and distribution of work, distribution of working time by introducing new shifts or employing new workers.

An employer may not impose work exceeding full-time work on:

- a female or male worker in order to protect them during pregnancy or parenthood,
- workers aged 55 or more,
- a worker under the age of 18,
- a worker whose health condition might deteriorate according to the written opinion of a doctor,
- a worker whose full working time is shorter than 36 hours a week due to a job that involves higher risk of injuries or health impairment,
- a worker who works part-time in accordance with the regulations on pension and disability insurance, regulations on health insurance or other regulations.

The **distribution and the conditions for temporary redistribution of working time** are to be defined in the employment contract. Before the beginning of a calendar or business year, the employer shall provide the yearly distribution of working time and notify the workers as well as the company trade union. In the case of regular distribution, full working time may not be distributed to fewer than four days a week. If a worker proposes a different distribution of working time, the employer must justify his decision in writing.

The working time may be distributed **temporarily** and **irregularly**. The employer must inform the workers in writing of the temporary redistribution of working time no later than one day prior to the distribution of the working time. In the case of irregular distribution and temporary redistribution of full working time, the working time may not exceed 56 hours a week.

In the case of irregular distribution and temporary redistribution of working time, full working time is considered as an average working obligation during a period that may not exceed six months. Trade unions, the works council or the workers' representative at the employer have a right to be informed once a year about the distribution of working time, the performance of overtime work or the temporary redistribution of working time.

A worker who performed more working hours during a calendar year than are laid down for full-time work may, upon his/her request, have his/her surplus hours converted into full-time working days.

Prohibition of overtime work for certain groups also applies to redistribution of working time.

In the event that the employer temporarily cannot provide work to the worker, with the aim of preserving employment, the employer may **temporarily lay-off** the worker by written notice, but this period may not exceed six months in one calendar year. In this case, the worker is entitled to wage compensation in the amount of 80% of the wage basis (e.g. the average monthly salary which the worker received or which the worker would have received if working during the last three months).

If workers cannot work due to force majeure, they are entitled to 50% of the payment they would have received while working, but not less than 70% of the minimum wage.

During the time of a temporary lay-off the worker is obliged to respond to the employer's invitation to come to work in a manner and under the conditions laid down in the lay-off letter. If requested by the employer during the time of temporary lay-off, the worker is obliged to undergo education in accordance with the requirements of the working process with the purpose of maintaining and/or improving the skills to perform the work under the employment contract, to keep employment and increase employability.

As a response to the COVID-19 crisis, between March and May 2020, employers who are suffering from a 20% lower income in the first half of 2020 are reimbursed by the government with 80% of the sums paid to the workers during temporary lay-off. Furthermore, they are exempt from paying social contributions.

## Comments

Employers' organisations and trade unions can define the distribution and the conditions for temporary redistribution of working time in collective agreements.

### Cost covered by

Employer  
National government








### Involved actors other than national government

Employer organisation  
Trade union  
Works council

### Thresholds

No, applicable in all circumstances

### Sources

-  [Zakon o delovnih razmerjih \(ZDR-1\) \(SL\)](#)
-  [Employment Relationship Act \(ZDR-1\) \(EN\)](#)
-  [Zakon o interventnih ukrepih za zajezitev epidemije COVID-19 in omilitv](#)
-  [Zakon o interventnih ukrepih na področju plač in prispevkov, ZIUPPP](#)
-  [Financial Administration, 'Preglednica ukrepov'](#)
-  [Borut Mekina, 'Pravljica o mega protikoronskem paketu'](#)
-  [OECD overview of policy responses to COVID-19](#)

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