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European Monitoring Centre on Change

Slovenia: Reemployment obligation after restructuring

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Slovenia

Phase:

Management

Type:

Reemployment obligation after restructuring

Last modified: 11 April, 2019

Native name: Zakon o javnih uslužbencih (ZJU)

English name: Civil Servants Act (ZJU)

Article

158, paragraph 7

Description

The employer's obligation to reemploy workers after restructuring is laid down in a law covering civil servants (Civil Servants Act). According to article 158, paragraph 7 of the Act, civil servants whose employment contract has been terminated for business reasons have a priority right to reemployment for two years after the termination of his or her employment contract.

Comments

Article 102 of the old Employment Relationship Act (Official Gazette of RS, No. 42/2002) stipulated a sort of employer's obligation to reemploy workers after restructuring. According to this act, workers whose employment contracts had been terminated for business reasons had a priority right to reemployment (under the condition that they fulfilled requirements for carrying out the work) if the employer hired new employees within a period of one year after the restructuring. This article was left out in the new Employment Relationship Act in 2013, because, as it was explained in the law proposal, it would put workers/candidates in an unequal position. Currently, only civil servants have reemployment priority in the event of a restructuring initiated on the account of business reasons.

Cost covered by

Not applicable

Involved actors other than national government

National government only

Thresholds

No, applicable in all circumstances

Sources

- Civil Servants Act (ZJU, Official Gazette of the RS, No. 63/2007) (SL)
- Employment Relationship Act (ZDR, Official Gazette of the RS, No. 42/2002) (SL)
- Employment Relationships Act (ZDR-1, Official Gazette of the RS, No. 21/2013) (SL)
- Employment Relationships Act (ZDR-1, Official Gazette of the RS, No. 21/2013) (EN)

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Contact us

Eurofound, Wyattville Road, Loughlinstown, Co. Dublin, D18 KP65, Ireland

Phone: (00) 353 1 2043100

E-Mail: information@eurofound.europa.eu

Press: media@eurofound.europa.eu



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