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Slovakia: Definition of collective dismissal

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Slovakia

Phase:

Management

Type:

Definition of collective dismissal

Last modified: 22 September, 2019

Native name: **Zákonník práce**

English name: **Labour code**

Article

73

Description

To fall within the scope of the legislation and qualify as collective dismissal, an employer must plan to dismiss within 30 days at least 10 employees in companies with 21-99 workers, or at least 10% of staff in companies with 100-299 workers, or at least 30 employees in companies with 300 or more workers.

Legal grounds must be that the organisation, or a part of it, is shutting down or relocating, or that the employer decided to make organisational or technical changes to increase efficiency. Employers are required to justify redundancies for reasons of closure, or for technical or organisational changes as specified by the Labour Code. According the Labour Code, only a closure or a transfer of business as well as technical or organisational reasons are legitimate reasons for carrying out collective dismissals.

Crew members of vessels flying the flag of the Slovak Republic and employees working under fixed-term contracts are excluded from the legislation.

Comments

Some employers avoid being subject to collective dismissal legislation by frequently dismissing fewer employees within 30 days than specified by the labour code thresholds (10 employees, 10% of staff or 30 employees, depending on the size of the company).

Cost covered by

Not applicable

Involved actors other than national government

National goverment only

Thresholds

Company size by number of employees:

21

Number of affected employees:

10

Sources

- Ius Laboris (2009), Collective Redundancies Guide, Ius Laboris, Brussels
- EMCC - Legal framework for restructuring
- The Ministry of Labour, Social Affairs and Family (MPSVR SR) (Labour Code)

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