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EMCC

European Monitoring Centre on Change

## Slovenia: Staff information and consultation on business transfers

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Slovenia

Phase:

Anticipation

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

Last modified: 25 September, 2019

Native name:	Zakon o delovnih razmerjih (ZDR-1); Zakon o sodelovanju delavcev pri upravljanju (ZSDU); Zakon o poslovni skrivnosti (ZPosS)
English name:	Employment Relationship Act (ZDR-1); Worker Participation in Management Act (ZSDU); Trade Secrets Act (ZPosS)

### Article

Article 76 of the Employment Relationship Act (ZDR-1); Articles 91, 92 and 93 of the Worker Participation in Management Act (ZSDU); Articles 4 and 7 of the Trade Secrets Act

### Description

The transferor and the transferee employer, at least 30 days prior to the transfer, must inform the trade unions, the works council or a labour representative (if applicable) about the date or the proposed date of the transfer of the company or major parts of it, the reasons for the transfer, the legal, economic and social implications of the transfer for workers, and the measures envisaged for workers at least 30 days prior to the decision.

The transferor employer and the transferee employer, with the intention of achieving an agreement, must consult the trade unions at least 15 days prior to the transfer about the legal, economic and social implications of the transfer and about the envisaged measures for workers. If there is no trade union present at the workplace, the workers affected by the transfer must be informed in a manner customary to the employer on the circumstances of the transfer. However, the employer is not required to take explicit account of workers' views.

The Trade Secrets Act stipulates that trade secrets disclosed during the obligatory consultations with the trade union, works council or labour representative are legally obtained. It is also not unlawful disclosure of trade secrets if a worker gives information to his or her representative for protecting the interests of worker(s). The exemption applies to the exercise of workers' rights, which must follow the rules on the activities and protection of trade union representatives.

### Comments

No information available.

#### Cost covered by

Not applicable

#### Involved actors other than national government

Trade union  
Works council

#### Thresholds

No, applicable in all circumstances

### Sources

DG Employment, Social Affairs and Equal Opportunities/Héra (2011), Selected companies' legal obligations regarding restructuring

- EMCC - Social partner and government agency involvement in the restructuring process
- Worker Participation in Management Act (Zakon o sodelovanju delavcev pri upravljanju, ZSDU) (SL)
- Zakon o delovnih razmerjih (ZDR-1) (SL)
- Employment Relationship Act (ZDR-1) (EN)
- Zakon o poslovni skrivnosti (Trade Secrets Act, ZPosS) (SL),

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