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EMCC

European Monitoring Centre on Change

## Slovenia: Effects of non-compliance with dismissal regulations

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Slovenia

Phase:

Management

Type:

Effects of non-compliance with dismissal regulations

Last modified: 25 September, 2019

Native name:

Zakon o delovnih razmerjih (ZDR-1); Kazenski zakonik (KZ-1)

English name:

Employment Relationship Act (ZDR-1); Criminal Code (KZ-1)

### Article

Article 217 of the Employment Relationships Act (ZDR-1); Article 196 of the Criminal Code (KZ-1)

### Description

A fine of between €3,000 and €20,000 shall be imposed on an employer – a legal person, a sole proprietor or a self-employed person – if the employer carries out the procedure of giving notice to a larger number of workers for business reasons contrary to statutory provisions regarding collective dismissals (within 30 days, dismissal of at least 10 workers in companies with 21-99 employees, at least 10% in companies with 100-299 employees and 30 dismissals in larger firms).

Employees can take action through the labour inspectorate.

Violation of workers' rights in the process of collective dismissal constitutes a criminal offence in the following circumstances. Whoever acts contrary to regulations governing the conclusion and termination of employment contracts, thereby depriving or restraining the labour rights of one or more workers, is punished by a fine and sentenced to imprisonment for a maximum of three years. If this action results in unlawful termination of the employment relationship of at least 20 workers, the perpetrator is sentenced to imprisonment for a maximum of five years and ordered to pay a fine.

### Comments

Cases of non-compliance are only infrequently brought forward. The labour inspectorate did not report on any such violations in its annual reports for 2017 and 2018.

#### Cost covered by

Employer

#### Involved actors other than national government

Other

#### Involvement others

Labour inspectorate, criminal court

#### Thresholds

Company size by number of employees:




21

Number of affected employees:

10

### Sources

EMCC - Legal framework for restructuring

-  Zakon o delovnih razmerjih (ZDR-1) (SL)
-  Employment Relationship Act (ZDR-1) (EN)
-  Kazenski zakonik (KZ-1) (SL)

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