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Slovenia: Employers obligation to support redundant employees

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Slovenia

Phase:

Management

Type:

Employers obligation to support redundant employees

Last modified: 19 July, 2017

Native name:

Zakon o delovnih razmerjih (ZDR-1)

English name:

Employment Relationship Act (ZDR-1)

Article

101

Description

The dismissal programme, drawn up by the employer in a collective dismissal procedure (within 30 days, dismissals of at least 10 employees in companies with 21-99 workers, at least 10% in companies with 100-299 workers and at least 30 dismissals in larger firms), shall among others contain the measures and criteria for the selection of measures to mitigate the harmful consequences of the termination of employment relationships, such as an offer for employment with another employer, assurance of financial assistance, assistance for starting an independent activity or purchase of pension qualifying period.

The dismissal programme is the employer's obligation only in cases of collective dismissals.

With a view to reaching an agreement, the employer has to consult the trade union about the dismissal programme for redundant workers. However, the employer is not required to take explicit account of the trade union's views.

The employer must inform the Employment Service in writing about the procedure of establishing redundancies of a larger number of workers and the performed consultation with the trade union. The employer is obliged to consider and to take into account any proposals submitted by the Employment Service regarding possible measures for preventing or limiting to the greatest possible extent the termination of employment relationships of workers and the measures for the mitigation of harmful consequences of the termination of employment relationships.

Comments

A study on the role of HRM in crisis management (Trebše, 2006) examined alternative solutions to dismissals undertaken by the management. The examples given in the study of how the management tried to reduce the harmful consequences of dismissals were the following:

- explored possibilities for employment with business partners,
- financed early retirement,
- offered interest-free loans to employees, who decided to become self-employed,
- explored possibilities for employment with temporary work agencies,
- extended the period of notice,
- dismissed only one family member if both were employed with the company, so that the family kept one source of revenue,
- offered scholarships with no repayment obligation,
- offered a higher severance pay than the payment to which the worker was entitled by the law.

However, not all companies included in the study offered such possibilities to excess workers.

Cost covered by

Employer

Involved actors other than national government

Public employment service
Trade union

Thresholds





Company size by number of employees:

21

Number of affected employees:

10

Sources

-  EMCC - Restructuring: support measures for affected workers
-  Zakon o delovnih razmerjih (ZDR-1) (SL)
-  Employment Relationship Act (ZDR-1) (EN)
-  Trebše, M. (2006), Analysis of good and bad practice in the field of collective redundancies in Slovenia, Industrijska demokracija, No. 9

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