



European Monitoring Centre on Change

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

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Slovakia

Phase:

Management

Type:

Effects of non-compliance with dismissal regulations

Last modified: 07 June, 2019

Native name:

Zákonník práce

English name:

Labour Code

### Article

63, 64, 73, 77

### Description

Legislation specifies that employees are entitled to compensation in the amount of at least two times their average salary if the employer:

- gives notice in conflict with reasons defined in the Labour Code: for instance, reasons related to the employer (like the economic performance, effectiveness of production or provided services) or reasons related to the employee (like the health condition, unsatisfactory work performance, labour discipline);
- gives notice to the employee despite of prohibited reasons related to protected periods (like disease or accident, pregnancy, maternity/parental leave).

In case of collective redundancies (dismissals of at least 10 employees in companies with 21-99 workers, at least 10% of staff in companies with 100-299 workers, or at least 30 employees in companies with 300 or more workers, **within 30 days**), employees are entitled to compensation if:

- employee representatives (trade unions or works councils) were not informed and the consultation did not take place;
- a final consultation report was not delivered to the workers' representatives or the local public employment office;
- the employer gives notice prior to one month from the date when the final report was delivered to the workers' representatives or the employment office.

Employees can take action through the court within two months of the termination of their employment contracts.

### Comments

According to [Statistická ročenka Ministerstva spravodlivosti SR](#) (Annual Statistics of the Ministry of Justice) the numbers of cases brought forward are relatively low (less than 10% of individual labour disputes).

#### Cost covered by

Employer

#### Involved actors other than national government

Public employment service

Trade union

Works council

Other

#### Involvement others

Court

#### 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 of restructuring](#)
-  [The Ministry of Labour, Social Affairs and Family \(MPSVR SR\) \(Labour Code\)](#)
-  [Statisticka rocenska Ministerstva spravodlivosti SR](#)

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