



EMCC

European Monitoring Centre on Change

## Slovakia: Public authorities information and consultation on dismissals

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Slovakia

Phase:

Anticipation

Type:

Public authorities information and consultation on dismissals

Last modified: 16 May, 2019

Native name:

Zákonník práce; Zákon o službách zamestnanosti

English name:

Labour Code; Act on employment services

### Article

Article 73 of the Labour Code; Article 13 of the Act on employment services

### Description

The employer who envisages 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 worker, within 30 days) is obliged, at least 30 days before dismissals take place, to consult employees' representatives (or directly with the employees concerned if there are no employees' representatives) on planned dismissals and the matter of finding out if any other solution or the minimisation of redundancies is possible. At the same time, the employer is obliged to submit a copy of information about planned dismissals with an attached list of redundant employees and their contacts to the Labour Office ([ÚPSVaR](#)). Subsequent to consultations with employees' representatives (trade unions or work councils/employee trustees), the employer is obliged to submit written information on outcomes of consultations to the Labour Office and employees' representatives.

Not earlier than one month after the delivery of the information to the Labour Office, the employer can give the employees notice or a proposal to terminate the employment contract by agreement. During this period the employer discusses with the Labour Office any measures that could enable mitigation of the negative effects of collective redundancies.

Some measures are discussed at the regional level because Labour Offices operate in the various areas and districts.

### Comments

According to trade unions, to avoid procedures related to collective dismissals some employers frequently dismiss fewer employees within 30 days than what the Labour Code thresholds specify in terms of what counts as a collective dismissal.

#### Cost covered by

Not applicable

#### Involved actors other than national government

Public employment service

#### Thresholds

Company size by number of employees:

21


Number of affected employees:

10


#### Sources

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

restructuring

 Ius Laboris (2009), Collective Redundancies Guide, Ius Laboris, Brussels

 EMCC: Legal framework of restructuring

 Ministry of Labour, Social Affairs and Family of the Slovak Republic (MPSVR SR) (Labour Code)

 Zákon č. 5/2004 o službách zamestnanosti a o zmene a doplnení niektorých zákonov (Act on employment services)

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