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REVISED EUROPEAN SOCIAL CHARTER

1st National Report on the implementation of
the Revised European Social Charter

submitted by

THE GOVERNMENT OF SLOVAKIA

(Articles 7, 8, 16, 17, 27 and 31
for the period 01/01/2005 – 31/12/2009)

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Report registered by the Secretariat on 10 November 2010

CYCLE 2011

MINISTRY OF LABOUR, SOCIAL AFFAIRS AND FAMILY OF THE SLOVAK REPUBLIC

The European Social Charter (revised)

The Report of the Slovak Republic

on the implementation of the European Social Charter (revised)

Submitted by

The Government of the Slovak Republic

(for the reference period of 1 January 2005 – 31 December 2009:
(Articles 7, 8, 16, 17, 19, 27 of the Charter)

REPORT

submitted in accordance with the provisions of Article 21 of the European Social Charter
by the Government of the Slovak Republic
for the reference period of 1 January 2005 to 31 December 2009

on the measures taken with a view to giving effect to the accepted provisions of the European Social Charter, the ratification instrument of which
was deposited on 23 April 2009

Within the meaning of Article 23 of the Charter a copy of this report was submitted to:

Employees' representative organisations:
- Confederation of Trade Unions of the Slovak Republic (KOZ SR)

Employers' representative organisations:
- Federation of Employers' Associations and Unions of the Slovak Republic (AZZZ SR),
- National Employers' Union (RÚZ).

CONTENTS

Article 7 – The right of children and young persons to protection

With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

1. to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education;
2. to provide that the minimum age of admission to employment shall be 18 years with respect to prescribed occupations regarded as dangerous or unhealthy;
3. to provide that persons who are still subject to compulsory education shall not be employed in such work as would deprive them of the full benefit of their education;
4. to provide that the working hours of persons under 18 years of age shall be limited in accordance with the needs of their development, and particularly with their need for vocational training;
5. to recognise the right of young workers and apprentices to a fair wage or other appropriate allowances;
6. to provide that the time spent by young persons in vocational training during the normal working hours with the consent of the employer shall be treated as forming part of the working day;
7. to provide that employed persons under 18 years of age shall be entitled to a minimum of four weeks´ annual holiday with pay;
8. to provide that persons under 18 years of age shall not be employed in night work with the exception of certain occupations provided for by national laws or regulations;
9. to provide that persons under 18 years of age employed in occupations prescribed by national laws or regulations shall be subject to regular medical control;
10. to ensure special protection of children and young people against physical dangers they face, especially against those directly or indirectly related to their work.

Information to be submitted

Article 7§1

Pursuant to Section 11 Par. 1 of the Labour Code, an employee is a natural person performing dependent work for an employer within employment, and if specified in a special regulation, also in similar relations.

Pursuant to Section 11 Par. 2 of the Labour Code, a natural person is capable of acquiring rights and duties of an employee in employment and the ability to acquire these rights through own legal acts and to accept these duties, if not provided otherwise, on the day of the 15th birthday. However, employer may not agree on a work commencement day occurring prior to a natural person completing compulsory school attendance.

Pursuant to Section 11 Par. 4 of the Labour Code, the work of a natural person younger than 15 years of age or the work of a natural person over 15 years of age until the completion of compulsory school attendance is prohibited. Exceptionally, these natural persons may perform easy work not threatening their health, safety, further development and school attendance with respect to character and scope. Such light work includes participation in cultural events or performances, sports events, promotional activities.

Pursuant to Section 11 Par. 5 of the Labour Code, the performance of light work referred to in Par 4 is permitted by the relevant Work Inspectorate based on an application of the employer in consultation with the relevant public health authority. The permit shall specify the number of hours and conditions applying to such light work. The relevant work inspectorate shall withdraw the permit, should the permit conditions be breached.

Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. on Illegal work and Illegal Employment and change and amendment of certain acts as amended, Work Inspectorate is responsible for the supervision of employment regulations observation. Pursuant to the data of National Work Inspectorate Košice, 21 violations of Section 11 of the Labour Code were identified between 1, January 2005 and 31, December 2009.

Article 7§2

Pursuant to Section 40 Par. 3 of Labour Code, juvenile employee is an employee under the age of 18.

Pursuant to Section 173 of the Labour Code, an employer may employ juveniles only for work adequate for their physical and mental development stage that does not pose a threat to their morals. At work, they are provided intensified care. The same applies for schools and civic associations pursuant to a special regulation, when organising juvenile work as part of their participation in juveniles' education.

Pursuant to Section 174 Par. 1 of Labour Code, an employer may not employ juveniles for overtime work, night time work and may not order them or agree with them on standby work. Exceptionally, employees below the age of 16 may engage in night time work limited to one hour, provided it is required for their professional education. Night time work of a juvenile employee has to continue his/her day time work according to the shift schedule.

Pursuant to Section 174 Par. 2 of Labour Code, employer may not apply a remuneration system that threatens the safety and health of juvenile employees in direct link to work performance increases.

Pursuant to Section 174 Par. 3 of Labour Code, should an employer be unable to employ a juvenile employee for a job he/she is qualified for, because the engagement in such job is prohibited for juveniles, or because, according to a doctor's opinion, it threatens his/her health, the employer is obliged to provide him/her with another adequate work relative to his/her qualification for the time, until such employee is able to perform the relevant job.

Pursuant to Section 175 Par. 1 of Labour Code, a juvenile may not be employed for work performed underground in the extraction of minerals or tunnelling.

Pursuant to Section 175 Par. 2 of Labour Code, a juvenile may not be employed for work inadequate, dangerous or detrimental to health with respect to anatomic, physiological and mental specifics of the given age.

Pursuant to Section 175 Par. 4 of Labour Code, an employer may not employ juveniles for work coupled with an increased risk of injury, or where they could seriously threaten the safety and health of co-workers or other persons.

Pursuant to Section 175 Par. 3 of Labour Code, the list of jobs and worksites restricted for juvenile employees is defined in the Slovak Republic (hereinafter "SR") Government Regulation No. 286/2004 Coll. defining the list of jobs and worksites restricted for juvenile employees and some employer duties in the employment of juveniles as amended by the SR Government Regulation No. 309/2010 Coll.

Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. on Illegal work and Illegal Employment and change and amendment of certain acts as amended, Work Inspectorate is responsible for the supervision of employment regulations observation. Pursuant to the data of National Work Inspectorate Košice, 32 violations of Sections 173 to 175 of the Labour Code were identified between 1, January 2005 and 31, December 2009.

Article 7§3

Pursuant to Section 19 Par. 2 of Act No. 245/2008 Coll. on Training and Education (the School Act) as amended, compulsory school attendance comprises ten years and does not exceed the end of school year, in which the student reaches the age of 16, if this act does not provide otherwise.

Pursuant to Section 11 Par. 4 of the Labour Code, the work of a natural person below the age of 15 or the work of a natural person over the age of 15 is prohibited until the completion of compulsory school attendance. Such persons may engage in easy work with character and scope that does not threaten their health, safety and further development or school attendance only in the scope of performances within cultural and artistic events, sports events and promotional activities.

Pursuant to Section 11 Par. 5 of the Labour Code, the performance of light work referred to in Par 4 is permitted by the relevant Work Inspectorate based on an application of the employer in consultation with the relevant public health authority. The permit shall specify the number of hours and conditions applying to such light work. The relevant work inspectorate shall withdraw the permit, should the permit conditions be breached.

Except for the above mentioned easy work, children above the age of 15 subject to compulsory school attendance may engage in work specified under Section 43 of Act No. 245/2008 Coll. on Training and Education (School Act) as amended.

Pursuant to Section 43 Par. 1 of Act No. 245/2008 Coll. on Training and Education (School Act) as amended, practical training forms and integral part of professional education and preparation in secondary vocational schools and music schools.

Pursuant to Section 43 Par. 2 of Act No. 245/2008 Coll. on Training and Education (the School Act) as amended, practical training creates conditions for profession and work related tasks performance.

Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. on Illegal work and Illegal Employment and change and amendment of certain acts as amended, Work Inspectorate is responsible for the supervision of employment regulations observation. Pursuant to the data of National Work Inspectorate

Košice, 21 violations of Section 11 of the Labour Code were identified between 1, January 2005 and 31, December 2009.

Article 7§4

Pursuant to Article 7 of the Labour Code general principles, juveniles are entitled to work and work conditions providing for their physical and mental abilities development.

Pursuant to Section 85 Par. 7 of Labour Code, working hours of a juvenile employee below the age of 16 are limited to 30 hours per week cumulatively, regardless of the number of employers. Working hours of a juvenile employee may not exceed eight hours over the period of 24 hours.

Pursuant to Section 174 Par. 1 of Labour Code, an employer may not employ juveniles for overtime work, night time work and may not order them or agree with them on standby work. Employer may not apply a remuneration system that threatens the safety and health of juvenile employees in direct link to work performance increases. Should an employer be unable to employ a juvenile employee for a job he/she is qualified for, because the engagement in such job is prohibited for juveniles, or because, according to a doctor's opinion, it threatens his/her health, the employer is obliged to provide him/her with another adequate work relative to his/her qualification for the time, until such employee is able to perform the relevant job.

Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. on Illegal work and Illegal Employment and change and amendment of certain acts as amended, Work Inspectorate is responsible for the supervision of employment regulations observation. Pursuant to data of the National Work Inspectorate Košice, 22 violations of Section 174 Par. 1 of Labour Code were identified between 1, January 2005 and 31, December 2009.

Article 7§5

Pursuant to Article 36 of the Constitution of the Slovak Republic, employees have the right to fair and satisfying work conditions. Especially, the law specifies their right to remuneration for work performed that needs to be sufficient for dignified living standard.

Pursuant to Article 3 of the Labour Code General Principles, employees are entitled to remuneration for performed work, for work health and safety, rest and recovery after work. Employers are obliged to pay their employees remuneration and establish work conditions enabling the employees to perform the given work in the best possible manner, respecting their skill and knowledge, development of creative initiative and extension of qualification.

Pursuant to Section 118 Par. 1 of Labour Code, employer is obliged to pay employee remuneration for work performed.

Pursuant to Section 174 Par. 2 of Labour Code, employer may not apply a remuneration system that threatens the safety and health of juvenile employees in direct link to work performance increases.

The Slovak training-education system does not recognise the term apprentice. There is the term secondary vocational school student.

Financial and material provisions related to secondary vocational school students are regulated in Act No. 184/2009 Coll. on Professional Training and Education and change and amendment of certain acts. A student performing productive work under the practical training pursuant to the school education program 21) is entitled to remuneration. Such remuneration is paid from the funds of the natural person or legal entity, for which the student performs the work. For the purpose of this act, productive work means the production of products and provision of services complying with the line of business of the natural person or legal entity, for which the student performs such work. Training work performed by the student in the course of practical training is not considered productive work. Productive work remuneration is paid for every hour of productive work and represents 50 to 100% of the amount specified in special regulation. 23) In its calculation, the work quality and student behaviour are considered too.

Article 7§6

Pursuant to Section 153 of Labour Code, employer is responsible for ongoing improvement of employee qualification.

Pursuant to Section 154 Par. 1 of Labour Code, an employee entering employment without qualification is provided qualification by the employer in the form of induction training or training. Following the completion of induction or training course, the employer shall issue the employee with a certificate in that respect.

Pursuant to Section 154 Par. 2 of Labour Code, an employee is obliged to requalify an employee changing to a new position or new type or method of work, where applicable, especially in case of organisational changes and other rationalisation measures.

Pursuant to Section 154 Par. 3 of Labour Code, an employee is obliged to continuously work on own qualification improvement with respect to the work agreed in the employment contract. Qualification improvement includes its maintenance and renewal. An employer may arrange for the employee to participate in further education with the aim of qualification improvement. Participation in training represents work performance and subject to remuneration entitlement.

Should the employee engage in qualification improvement (obtaining a higher level of education), e.g. through a secondary vocational school or university study, pursuant to Section 140 Par. 1 of the Labour Code, participation in further education providing the employee with conditions defined in legal regulations or helping to meet the conditions essential for the due performance of work agreed in the employment contract, represents a work obstruction on the employee side.

Pursuant to Section 140 Par. 2 of Labour Code, an employer may provide the employee with time off and refund of wages in the amount of one average wage, especially if the assumed qualification improvement respects the needs of the employer.

Pursuant to Section 43 Par. 1 of Act No. 245/2008 Coll. on Training and Education (School Act) as amended, practical training forms and integral part of professional education and preparation in secondary vocational schools and music schools.

Pursuant to Section 43 Par. 2 of Act No. 245/2008 Coll. on Training and Education (the School Act) as amended, practical training creates conditions for profession and work related tasks performance.

Article 7§7

Pursuant to Section 103 Par. 1 of Labour Code, the basic vacation duration represents four weeks. Minimum duration of annual paid vacation (four weeks) applies to all employees regardless of age, i.e. also to individuals under the age of 18, who worked for the same employer in uninterrupted employment for a minimum period of 60 days in a calendar year, as results from the provisions of Section 101 of Labour Code.

Pursuant to Section 101 of Labour Code, an employee engaged in uninterrupted employment with the same employer for a minimum period of 60 days in a calendar year is entitled to vacation for that calendar year, possibly its relative part, if the employment has not lasted throughout the entire calendar year. A day worked is any day, when the employee works most of his/her shift. Parts of shifts worked on various days are not added up.

Article 7§8

Pursuant to Section 98 Par. 1 of Labour Code, night time work is performed between 10 pm and 6 am.

Pursuant to Section 174 Par. 1 of Labour Code, an employer may not employ juveniles for overtime work, night time work and may not order them or agree with them on standby work. Exceptionally, employees below the age of 16 may engage in night time work limited to one hour, provided it is required for their professional education. Night time work of a juvenile employee has to continue his/her day time work according to the shift schedule.

Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. on Illegal work and Illegal Employment and change and amendment of certain acts as amended, Work Inspectorate is responsible for the supervision of employment regulations observation. Pursuant to the data of the National Work Inspectorate Košice, 22 violations of Section 174 Par. 1 of Labour Code were identified between 1, January 2005 and 31, December 2009.

Article 7§9

Pursuant to Section 41 Par. 3 of Labour Code, an employer may sign an employment contract with a juvenile only following a previous medical check of the juvenile.

Pursuant to Section 176 Par. 1 of Labour Code, an employer is obliged to provide for a medical check of the juvenile:
a) prior to relocation to other work,

b) regularly as needed, minimum once per year provided a special regulation does not provide otherwise (provided the Slovak Republic Ministry of Health does not order more frequent medical checks for certain jobs).

Pursuant to Section 176 Par. 2 of Labour Code, a juvenile is obliged to respect the specified medical checks.

Pursuant to Section 176 Par. 3 of Labour Code, when defining work duties for a juvenile employee, the employer also respects medical opinions.

The conditions of such checks are regulated in Act No. 577/2004 Coll. On the Scope of Health Care Covered from Public Health Insurance and on Payments for Services Related to Health Care Provision as amended. Pursuant to Section 6 Par. 11 of Act No. 124/2006 Coll. on Occupational Health and Safety and change and amendment of certain acts as amended, cost of occupational health and safety measures is born by the employer and such costs may not be transferred onto the employee.

The payment of employee preventive medical checks related to the job at hand is born by the employer pursuant to Act No. 355/2007 Coll. On Public Health Protection, Support and Furthering as amended.

Pursuant to Section 26 Par. 1 Letter h) of Act No. 124/2006 Coll. on Occupational Health and Safety as amended, work health services provide employers professional consulting services in the field of health protection at work in the form of health supervision including the performance of preventive checks with respect to work.

Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. On Illegal work and Illegal Employment and change and amendment of certain acts as amended, Work Inspectorate is responsible for the supervision of employment regulations observation. Pursuant to the data of the National Work Inspectorate Košice, 2 violations of Section 176 Par. 1 Letter b) of Labour Code were identified between 1, January 2005 and 31, December 2009.

Article 7§10

Pursuant to Section 173 of the Labour Code, an employer may employ juveniles only for work adequate for their physical and mental development stage that does not pose a threat to their morals. At work, they are provided intensified care. The same applies for schools and civic associations pursuant to a special regulation, when organising juvenile work as part of their participation in juveniles' education.

Pursuant to Section 174 Par. 1 of Labour Code, an employer may not employ juveniles for overtime work, night time work and may not order them or agree with them on standby work. Exceptionally, employees below the age of 16 may engage in night time work limited to one hour, provided it is required for their professional education. Night time work of a juvenile employee has to continue his/her day time work according to the shift schedule.

Pursuant to Section 174 Par. 2 of Labour Code, employer may not apply a remuneration system that threatens the safety and health of juvenile employees in direct link to work performance increases.

Pursuant to Section 174 Par. 3 of Labour Code, should an employer be unable to employ a juvenile employee for a job he/she is qualified for, because the engagement in such job is prohibited for juveniles, or because, according to a doctor's opinion, it threatens his/her health, the employer is obliged to provide him/her with another adequate work relative to his/her qualification for the time, until such employee is able to perform the relevant job.

Pursuant to Section 175 Par. 1 of Labour Code, a juvenile may not be employed for work performed underground in the extraction of minerals or tunnelling.

Pursuant to Section 175 Par. 2 of Labour Code, a juvenile may not be employed for work inadequate, dangerous or detrimental to health with respect to anatomic, physiological and mental specifics of the given age.

Pursuant to Section 175 Par. 4 of Labour Code, an employer may not employ juveniles for work coupled with an increased risk of injury, or where they could seriously threaten the safety and health of co-workers or other persons.

Pursuant to Section 69 Par. 2 of Labour Code, a juvenile employee may terminate employment without notice, if such work cannot be performed without compromising his/her morals.

Pursuant to Section 69 Par. 4 of Labour Code, an employee terminating employment without notice is entitled to refund of wages representing his/her average monthly wage for a two months notice period.

Supervision over the protection of children from work compromising their morals rests with municipal child and youth care authorities and criminal prosecution authorities – police and prosecution.

In employment, supervision and inspection of child and juvenile work is performed by work inspectorate.

Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of certain acts as amended, work inspectorates:

a) perform work inspection in the scope of Section 2 Par. 1 and supervision pursuant to a special regulation and especially, they monitor, if the following respect the requirements of work protection:
1. Selection, location, arrangement, use, maintenance and inspection of worksite, work environment, work means, protection means, chemical factors, physical factors, biological factors, factors impacting mental workload and social measures and
2. Work procedures, working hours, work protection organisation and its management system,
b) investigate the reasons of work related accidents resulting in death or serious bodily injury, immediate threat of serious industrial emergency, serious industrial emergency, safety, technical and organisational reasons of professional poisoning, occupational illnesses and threats of occupational illnesses; they keep their records and investigate reasons of other work related accidents as required,
c) in the form of a binding opinion, they implement occupational health and safety requirements in the permitting and inspection processes of new projects and their changes;

these will be used by the employer or natural person, who is an entrepreneur, but not an employer, in the performance of their tasks,
d) issue and withdraw permits for undemanding work performance by a natural person according to a special regulation,
e) withdraw:
1. License, certificate and cards issued to natural person or legal entity for the performance of activities according to special regulations,
2. License of a safety technician, which is immediately communicated to the legal entity issuing the license,
f) check the observation of the scope and conditions of licenses, certificates and cards issued according to this act and special regulations,
g) submit proposals to the National Work Inspectorate for the withdrawal of licenses or certificates issued pursuant to Section 6 Par. 1 Letter d),
h) participate in professional training and education of work inspectors,
i) decide on penalties pursuant to Sections 19, 20 and a special regulation,
j) discuss offences, decide on penalties for such offences and on the restriction of activity according to special regulations,
k) identify, collect, process and submit information on work protection for the work protection information system,
l) submit to the National Work Inspectorate proposals for work protection improvements,
m) communicate information on identified illegal work and illegal employment to the Social Insurance Company, Central Office of Labour, Social Affairs and Family, the relevant office of labour, social affairs and family, the relevant tax authority and the Police force in case of an illegally employed alien,
n) for the purpose of state aid and certification of the observation of public procurement participation conditions, issue confirmation on no illegal employment identification as of the given date; such confirmation is issued within seven days of application,
o) employs external experts with the preparation of expert opinions in special cases, where the character of work inspection implementation requires this,
p) grants exceptions pursuant to a special regulation.

Child and youth protection from any forms of violence, exploitation and poor treatment (including sexual abuse) is imbedded in the Convention on Children's Rights adopted 20, November 1989 in New York (comm. FMZV No. 104/1991 Coll.).

Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. on Illegal work and Illegal Employment and change and amendment of certain acts as amended, Work Inspectorate is responsible for the supervision of employment regulations observation. Pursuant to the data of National Work Inspectorate Košice, 32 violations of Sections 173 to 175 of the Labour Code were identified between 1, January 2005 and 31, December 2009.

Article 8 – Right of employed women to protection of maternity

With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake:

1. to provide either by paid leave, by adequate social security benefits or by benefits from public funds for employed women to take leave before and after childbirth up to a total of at least fourteen weeks;
2. to consider it as unlawful for an employer to give a woman notice of dismissal during the period from the time she notifies her employer that she is pregnant until the end of her maternity leave, or to give her notice of dismissal at such a time that the notice would expire during such a period;
3. to provide that mothers who are nursing their infants shall be entitled to sufficient time off for this purpose;
4. to regulate the employment in night work of pregnant women, women who have recently given birth and women nursing their infants;
5. to prohibit the employment of pregnant women, women who have recently given birth or who are nursing their infants in underground mining, and all other work which is unsuitable by reason of its dangerous, unhealthy, or arduous nature and to take appropriate measures to protect the employment rights of these women.

Appendix to 8§2

This provision shall not be interpreted as laying down an absolute prohibition. Exceptions could be made, for instance, in the following cases :

a. if an employed woman has been guilty of misconduct which justifies breaking off the employment relationship;
b. if the undertaking concerned ceases to operate;
c. if the period prescribed in the employment contract has expired.

Information to be submitted

Article 8§1

Entitlement conditions for pregnancy and motherhood related benefits, representing sickness benefits, are specified in Act No. 461/2003 Coll. On Social Insurance as amended (hereinafter only the “Social Insurance Act").

Pursuant to the Social Insurance Act, any insured pregnant woman or woman taking care of a born child is entitled to maternity benefit, provided she meets the conditions of minimum sickness insurance period representing 270 days over two years preceding the delivery. The sickness insurance period of the applicant includes all acquired period of sickness insurance over two years prior to the actual day of delivery defined by the doctor, thus the periods of sickness insurance of an employee, compulsorily insured self-employed person, the period of parent leave of an employee, as well as the period of voluntary sickness insurance provided, she used such insurance form.

The insured woman is entitled to maternity benefit from the beginning of the sixth week prior to the expected day of delivery, not earlier than eight weeks prior to the delivery. Should the delivery take place prematurely, from the day of delivery.

The insured woman is entitled to maternity benefits until the end of week 28 from the establishment of the benefit entitlement. In case of two and more children born at the same time, where the mother takes care of minimum two of them, the entitlement to maternity benefit continues till the end of week 37 from the establishment of this benefit entitlement. Lone insured mother is also entitled to maternity benefit for a period of 37 weeks. An insured woman, who gave birth to a dead child, is entitled to maternity benefit till the end of week 14 from the establishment of the maternity benefit entitlement. In this case, the entitlement to maternity benefit may not end earlier than 6 weeks from the delivery day.

The Social Insurance Act also regulates conditions of maternity benefit entitlement for insured women, whose sickness insurance ended during pregnancy. In this case, the insured woman is subject to a six month protection period, when she is entitled to maternity benefit, provided the protection period lasted on the first day of week six prior to the expected day of delivery defined by a doctor or the actual day of delivery.

The insured woman is entitled to maternity benefit from the start of week six prior to the expected day of delivery defined by the doctor, or, if delivering earlier, from the day of delivery, even if the sickness insurance ended during pregnancy and she was receiving sickness benefits, more precisely sickness or nursing benefits at the beginning of week six prior to the expected delivery day defined by the doctor or the actual delivery day.

The Social Insurance Act guarantees an insured woman delivering a child with an entitlement to maternity benefit the payment of maternity benefit over the period of 14 weeks, whereby, the entitlement to maternity benefit of such insured woman may not end earlier than six weeks from the day of delivery.

Maternity benefit is paid for days and its amount represents 55% of the daily calculation base or probable daily calculation base.

The Social Insurance Act also includes maternity benefit entitlement of other insured persons who accepted the child into their care and care for this child, provided they meet the entitlement conditions defined in the Social Security Act. Such other insured person may be the father of the child, provided the mother died.

Another insured person may also be the father of the child, provided the mother is unable to care for the child, or may not do so with respect to her unfavourable health condition continuing longer than one month and the mother does not temporarily receive any maternity or parent benefits, except for cases where the child was entrusted to the mother by a court decision.

Other insured person may also be the father of the child following an agreement with the mother, however, not earlier than six weeks from the delivery day and provided the mother does not receive any maternity or parent benefits. Other insured person may also be the wife of the child's father, whose mother died, or a natural person, provided the relevant court decided on such arrangement for the child care.

Other insured person is entitled to maternity benefit from the day of such child acceptance into care and lasts over 22 weeks. Should such insured person accept two and more children into his/her care and cares for minimum two of them, he/she is entitled to

maternity benefits over the period of 31 weeks. The same maternity benefit entitlement applies to a lone insured person caring for a child accepted into care.

Other insured person is entitled to maternity benefits maximum till the child's age of eight months, provided he/she was sickness insured minimum for 270 days prior to the acceptance of the child into care.

The following chart presents an overview of maternity benefit beneficiaries, the average amount of the benefit and the compensation rate for years 2005 to 2009:

Maternity benefit	**2005**	**2006**	**2007**	**2008**	**2009**
Compensation rate	67,0%	67,7%	68,5%	68,3%	71,7%
No. Of beneficiaries	16 382	16 808	17 114	18 184	19 774
Average benefit amount	SKK 5,965 (198.00 €)	SKK 6,245 (207.30 €)	SKK 6,800 (225.72 €)	SKK 7,716 (256.12 €)	286.30 €

Article 8§2

Pursuant to Section 64 Par. 1 Letter c) of Labour Code, an employer may not give notice to an employer within the protection period, namely when the female employee is pregnant, on maternity leave, or female or male employee is on parent leave, or when a lone female or male employee cares for a child below the age of three years.

An employer may terminate employment through notice of a pregnant woman and woman on maternity leave, or woman and man on parent leave and lone female or male employee caring for a child below the age of three years only in exceptional cases, namely when the employer or a part thereof is wound up or relocated (Section 63 Par. 1 Letter a) of Labour Code) And there is no legal or physical successor of the employer, and in cases when the employment could end immediately due to work discipline violation, except for female employee on maternity leave or employee on parent leave pursuant to Section 166 Par. 1 of Labour Code.

Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. on Illegal work and Illegal Employment and change and amendment of certain acts as amended, Work Inspectorate is responsible for the supervision of employment regulations observation. Pursuant to the data of the National Work Inspectorate Košice, 2 violations of Section 64 Par. 1 Letter b) of Labour Code were identified between 1, January 2005 and 31, December 2009.

Section 64 Par. 1 Letter c) of Labour Code applies adequately to civil servants within the delegated competence of Labour Code as provided for in Section 120 of Act No. 400/2009 Coll. on Civil Service and change and amendment of certain acts as amended by Act No. 151/2001 Coll. (hereinafter the "Civil Service Act").

Further, in Section 49, the Civil Service Act specifically defines a ban on notice served to a civil servant in a protection period, which for the purpose of this act means the allocation

of a female civil servant outside active civil service, due to pregnancy and maternity for nine months from delivery or lactation.

Pursuant to Section 51 of the Civil Service Act, the service office may not terminate employment of a civil servant without notice due to grave violation of service discipline in case of a pregnant woman, woman on maternity leave or parent leave, with a lone male or female civil servant caring for a child below the age of three years, or civil servant personally caring for a related person with a serious disability. However, except for a civil servant on maternity leave and civil servant on parent leave (Section 166 Par. 1 of Labour Code), it is possible to terminate the civil service through notice.

Article 8§3

Pursuant to Section 170 Par. 2 of Labour Code, a mother working the defined weekly hours is entitled to two half hour nursing breaks for each child below the age of six months. In the following six months, one half our nursing break per shift. Such breaks may be integrated and used at the beginning or end of shift. If working shorter hours, but minimum half of the defined weekly hours, she is entitled to one half hour nursing break for each child below the age of six months.

Pursuant to Section 170 Par. 3 of Labour Code, the nursing breaks form part of the working hours and they are subject to wage refund in the value of average wage. Section 170 of Labour Code, as part of Labour Code delegated effect for civil servants provided for in section 120 of the Civil Service Act, applies adequately to nursing civil servants (mothers).

Article 8§4

Pursuant to Section 164 Par. 1 of Labour Code, an employer is obliged to consider the needs of pregnant women and women and men caring for children, when allocating employees into shifts (i.e. including night time work).

Pursuant to Section 162 Par. 1 of Labour Code, should a pregnant woman be performing work prohibited to pregnant women, or, according to a medical opinion, threatening her pregnancy, her employer is obliged to modify the working conditions temporarily.

Pursuant to Section 55 Par. 2 Letter b) of Labour Code, employer is obliged to transfer an employee to different work, provided a pregnant woman or mother of a child below the age of nine months perform work prohibited for these women, or a medical assessment suggests it poses a threat to pregnancy or motherhood (more below).

Article 8§5

Pursuant to Section 164 Par. 2 of Labour Code, should a pregnant woman and woman or man permanently caring for a child below the age of 15 request shorter working hours or other suitable modification of defined weekly hours, the employer is obliged to accept their request, provided operational reasons do not make this impossible.

Pursuant to Section 55 Par. 2 Letter b) of Labour Code, employer is obliged to transfer an employee to different work, provided a pregnant woman or mother of a child below the age

of nine months perform work prohibited for these women, or a medical assessment suggests it poses a threat to pregnancy or motherhood.

Pursuant to Section 162 Par. 2 of Labour Code, should a modification of working hours pursuant to Par. 1 be impossible, the employer shall temporarily transfer the woman to a suitable job, where she may earn wages identical with her old job. Should this be impossible, based on mutual agreement, she can also be transferred to a job of a different character.

Pursuant to Section 162 Par. 3 of Labour Code, should a woman transferred to a different job without her culpability earn smaller wages compared to her previous job, she shall receive a pregnancy or maternity compensation according to a special regulation (i.e. Act No. 461/2003 Coll. on Social Insurance as amended).

Pursuant to Section 162 Par. 4 of Labour Code, should it be impossible to transfer a pregnant woman to a job with day time hours, or other suitable job, the employer is obliged to offer her paid time off.

Pursuant to Section 162 Par. 5, clauses 1 to 4 apply equally to mothers until the end of the ninth month after delivery and nursing women.

Pursuant to Section 161 Par. 1 of Labour Code, women may not be employed for work that is physically inadequate for them, or that harms their organism, especially work threatening their mother function. Lists of work and worksites prohibited for pregnant women, mothers until the completed ninth month from delivery and nursing women is included in the Government Regulation no. 272/2004 Coll. Defining the List of Jobs and Worksites Prohibited to Pregnant Women, Mothers until the completed ninth month from delivery and nursing women, and defining certain employer duties in the employment of such women as amended by Government Regulation No. 310/2010 Coll.

Pursuant to Section 161 Par. 2 of Labour Code, a pregnant woman may not be employed for work, which, according to a medical opinion, threatens her pregnancy for medical reasons on her side. This applies equally to mothers until the end of the ninth month after delivery and nursing women.

Pursuant to Section 162 Par. 1 of Labour Code, should a pregnant woman be performing work prohibited to pregnant women, or, according to a medical opinion, threatening her pregnancy, her employer is obliged to modify the working conditions temporarily.

Section 162, clauses 1 to 4 apply equally to mothers until the end of the ninth month after delivery and nursing women in the meaning of Section 162 Par. 5 of Labour Code.

Section 164 of Labour Code, as part of Labour Code delegated effect for civil servants provided for in section 120 of the Civil Service Act, applies adequately to pregnant civil servants, female and male civil servants caring for children.

Further, the Civil Service Act specifically defines service conditions for some civil servants. Pursuant to Section 71 of the Civil Service Act, should a civil servant, who is pregnant, mother until the completed ninth month from delivery or nursing civil servant be performing civil service prohibited to her pursuant to a special regulation or a medical opinion

suggesting medical reasons on her side, the service office is obliged to temporarily modify her working conditions to avoid any threat. Should it be impossible, the service office is obliged to transfer the civil servant to a suitable job within the civil service system. During such transfer, the civil servant is entitled to a functional salary not lower than her original salary. Should the modification of service conditions or transfer be impossible, the service office is obliged to put the civil servant outside active civil service pursuant to Section 41.

Pursuant to Section 41 of the Civil Service Act, should a civil servant, who is pregnant, mother until the completed ninth month from delivery or nursing perform civil service prohibited to her pursuant to a special regulation or a medical opinion suggesting medical reasons on her side, whereby such service threatens her pregnancy, health shortly after delivery or her health during nursing, and it is impossible to temporarily modify service conditions or relocate her to a different job within civil service, the service office has to put her outside active civil service. Classification outside active civil service ends through the start of maternity or parent leave. In the course of inactive civil service, the civil servant is entitled to functional salary, she would have received, if she was not classified outside active civil service.

Section 161 Par. 1 of Labour Code, as part of Labour Code delegated effect for civil servants provided for in section 120 of the Civil Service Act, applies adequately to civil servants. Pursuant to Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. on Illegal work and Illegal Employment and change and amendment of certain acts as amended, Work Inspectorate is responsible for the supervision of employment regulations observation. Pursuant to the data of National Work Inspectorate Košice, 58 violations of Section 161 of the Labour Code were identified between 1, January 2005 and 31, December 2009.

Article 16 – The right of the family to social, legal and economic protection

With a view to ensuring the necessary conditions for the full development of the family, which is a fundamental unit of society, the Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly married and other appropriate means.

Information to be submitted

Social Protection

Social protection of family life in the form of suitable temporary housing for persons in unfavourable social situation may be provided in line with Act No. 448/2008 Coll. On Social Service and change and amendment of Act No. 455/1991 Coll. on Trades (the Trades Licensing Act) as amended by Act No. 317/2009 Coll. Entering force 01/01/2009 and defining new conditions for social services provision.

For the purpose of the Social Service Act, unfavourable social situation is a status, when, for various reasons, a client is threatened by social exclusion, or already is excluded from society and is not able to solve own problems without help.

Temporary family housing may be provided especially in line with the provisions of Section 29 of the Social Services act in emergency housing facilities. The emergency housing facilities provide social services to natural persons subject to violence, trafficking, lone pregnant women and parent or parents with children without any housing arrangements, or if there are serious reasons preventing them from the use of their house, and natural persons in the pension age, who needs the help of another natural person and does not have any accommodation or may not use own housing for serious reasons. For the purpose of social service provision, a serious reason is especially a natural disaster, fire, ecologic and industrial emergencies.

The emergency housing facility provides accommodation for a limited period of time, social consultancy, support in the enforcement of rights and legally protected interests. There are conditions for the preparation of food and expedition of food stuffs, performance of basic personal hygiene, washing, ironing and maintenance of underwear and cloths, hobbies.

Should it be necessary to protect life and health of a natural person subjected to violence and of a natural person, who is a trafficking victim, the emergency housing facility keeps the accommodation and identity details of such person confidential.

As of 31/12/2009, there were 33 emergency housing facilities with a total of 917 places in the Slovak Republic. Until the end of 2009, social services were provided to 851 clients in this type of facilities. In 2009, the cost of senior facilities represented Euro 1,622,592.

Pursuant to Act No. 599/2003 Coll. on Aid in Material Distress and change and amendment of certain acts as amended, social aid provides for and supports the housing of socially threatened groups of population in the form of a housing contribution paid to citizens in material distress and natural persons assessed jointly with the citizen in material distress.

The housing contribution is not meant to cover all beneficiary's expenditure coupled with housing. The state only contributes to housing related expenditure, which creates for the citizen in material distress conditions for sustainability of adequate housing.

Legal Protection

Except for mediation pursuant to Act No. 420/2004 Coll. on Mediation and change and amendment of certain acts, where the mediation participants solve their dispute arising out of their legal relation with the help of a mediator, as amended, the conditions of mediation as a professional method of work easing the solution of family conflict situations were detailed in 2009. This professional method of work is regulated in Act No. 305/2005 Coll. on Social Legal Protection of Children and on Social Guardianship and change and amendment of certain acts as amended (hereinafter the "Act No. 305/2005 Coll."). In the course of social legal protection of children and social guardianship enforcement, should the authority for Social Legal Protection of Children and Social Guardianship (hereinafter "SLPCandSG authority") identify that a child, parent or person personally caring for a child need help in solving family problems or conflicts, as part of the implemented measures, it will propose the application or arrange for application of family conflict situations resolution method.

Mediation performed pursuant to this act does not represent out of court dispute solution pursuant to Act No. 420/2004 Coll. On mediation and the application or arrangement for application of mediation for the purpose of SLPCandSG does not compromise the rights and duties of other entities pursuant to Act No. 420/2004 Coll. on Mediation. Implementation of mediation as part of the social legal protection of children and social guardianship measures is regularly monitored in the form of reports.

An important institute for the protection of rights and legally protected interests of children is the institute of collision guardianship, since according to the Slovak family law, none of the parents may represent a minor in legal acts that could establish a conflict of interests between the parents and minors, or minors represented by the same parent. In this case, the court selects a so-called collision guardian, who shall represent the child in proceedings or specific legal action. The function of collision guardian is usually performed by SLPCandSG (state administration authorities). Except for minors' representation in court, SLPCandSG authorities also provide the necessary support to families unable to solve their specific problems, or conflicts. The said authorities also include consulting-psychological services organising the provision of necessary psychological support to children and their parents, including the solution of their specific problems or crises situations.

Pursuant to Act No. 305/2005 Coll., if the parents of a child are divorcing, the SLPCandSG authorities:

- Provide or mediate social consultancy to the child and its parents,
- Recommend the parents of the child psychological support in the interest of their spousal coexistence renewal and to prevent any unfavourable impacts on the child,
- Even after the divorce, they provide or organise the necessary psychological support for the child

In the system of social legal protection of children and social guardianship, legal and social protection of family life is secured via many other measures enforced pursuant to the said act. These are, e.g. a wide spectrum of measures preventing the occurrence of family crises situations and limiting and eliminating any negative impacts, including the already

mentioned psychological consultations for children and families, implementation of various educational measures; measures for the protection of life, health and favourable psychological, physical and social development, 24/7 availability of SLPCandSG authorities for cases, where the solution of child care calls for immediate action, etc.

Economic Protection

Family or child benefits have to provide for adequate additional income for a significant number of families in the meaning of net monthly income median, according to Eurostat calculations, and may be amended by other forms of economic protection.

In the field of direct financial support of families, the state supports families with children through a system of flat rate and repeated contributions contributing the parents for expenditure coupled with the care for unprovided for children, their education and nurturing. The system of state social support (family benefits) is one of the tools for the implementation of state family policy. In the provision of financial contributions, the family income is not considered. Focus is rather on life events, meaning especially the birth of a child and childcare. The state values the care of all parents for unprovided for children and also contributes to the improvement income situation in families with children. Along with the financial situation, attention is also focused on the establishment of conditions for the work of parents with minors, the reduction of family poverty risk and development and availability of social services for families with children.

Between 1, January 2005 and 31, December 2009, several new legislative standards were adopted for the provision of family benefits and new financial contributions were introduced: Bonus to the contribution provided with the birth of a child, bonus to the family benefit and contribution for child care. The provision of state social benefits supporting families with children is regulated by the following legal regulations:

1. Act No. 600/2003 Coll. On Child Contribution and change and amendment of Act No. 461/2003 Coll. On Social Insurance as amended,
2. Act No. 571/2009 Coll. On Parent Contribution and change and amendment of certain acts,
3. Act No. 235/1998 Coll. On the Contribution at Child Birth, Contribution for Parents with three or more children born simultaneously, or with twins born repeatedly within two years changing certain acts as amended.
4. Act No. 238/1998 Coll. On Burial Contribution as amended by Act No. 601/2003 Coll. On Subsistence Minimum and change and amendment of certain acts,
5. Act No. 627/2005 Coll. On Contributions for the Support of Alternate Child Care as amended,
6. Act No. 561/2008 Coll. On the Contribution for Child Care and change and amendment of certain acts as amended,
7. Act No. 201/2008 Coll. On Substitute Subsistence Allowance and change and amendment of Act No. 36/2005 Coll. On Family and change and amendment of certain acts as amended by the finding of the Slovak Republic Constitutional Court No. 615/2006 Coll.

The said legal regulations enable the provision of state social benefits (family benefits) also to the nationals of third countries residing in the SR. The conditions for entitlement to state social benefits for third country nationals is temporary, or permanent residence of the beneficiary, applicant or the unprovided for child within the territory of the SR.

Citizens of the European Union, European Economic Area and Swiss Confederation may apply for family benefits in the SR pursuant to the European Parliament and Council (EC) Regulations No. 883/2004 on Social Security Systems Coordination, No. 987/2009 defining the implementation of Regulation (EC) No. 883/2004 on Social Security Systems Coordination and No. 988/2009 changing and amending Regulation (EC) No. 883/2004 on Social Security Systems Coordination and defining the contents of its annexes entering force 1, May 2010.

Child Benefit

The most extensive form of direct financial state support for families with unprovided for children is the distribution of child benefit. Its purpose is to contribute monthly for the education and nurture of unprovided for children in families from their birth to the age of 25, provided the child is continuously preparing for a profession in the form of full time study at secondary school or university.

In the second half of 2007, the SR National Council adopted Act No. 532/2007 Coll. Changing and amending Act No. 600/2003 Coll. on Child Benefit introducing a new family benefit – bonus to the child benefit. Bonus to child benefit is paid to parents receiving old age pension, or invalid pension, who do not have income from economic activity for objective reasons, which disqualifies them for tax bonus for a dependent child. As of 1, January 2008, the bonus represented SKK 300 per month.

As of 1, January 2009, amendment of Act No. 600/2003 Coll. Increased the child benefit from SKK 540 to SKK 640 per month for each dependent child, this was the first time since 2004. Further, a new valorisation mechanism was introduced. It enables annual increases of child benefit and bonus to child benefit depending on changes of subsistence minimum as of 1, January. For the first time, the child benefit and bonus to child benefit increased according to the valorisation mechanism of the Ministry of Labour, Social Affairs and Family of the Slovak Republic (hereinafter the MLSAF SR) No. 516/2009 Coll. With effect as of 1, January 2010, when the amount per child changed from Euro 21.25 to Euro 21.99 per month and the bonus to child benefit from Euro 9.96 to Euro 10.31 per month.

Parent Benefit

As of 1990, when the parent benefit transformed to a state social benefit, its legislative norm changed several times. However, the purpose of this benefit remained unchanged, namely to financially support parents in their due care for minors until the age of three or six, in case of children with long term unfavourable health condition.

Beneficiary of such parent benefit has always been one of the parents of the child - mother or father, who personally or via another adult natural person provided the child due care, or placed the child in an institution, if the parent was economically active. Beneficiary may also be a "replacement parent", i.e. a person, whom the child was entrusted for replacement parent care based on a valid court ruling (e.g. adoptive parent, foster parent, guardian). Similarly, a parent – alien and his/her child having temporary or permanent residence within the territory of the SR may also apply for this state social benefit.

Between 2005 and 2009, the provision of parent benefit was regulated by Act No. 280/2002 Coll. on Parent Benefit as amended, which was subjected to amendments several

times, especially with respect to the possibility of parent to engage in economic activity during the period of attendance to a minor below the age of three.

Should a parent not be entitled to a sickness benefit – monetary support in maternity, or maternity benefit, the parent may apply for family benefit as of the birth of the child. At the end of maternity leave, should a parent decide to continue in parent leave pursuant to the Labour Code, he/she may apply for state parent benefit after the period on sickness benefit ends. Should the maternity benefit amount per calendar month be lower than the parent benefit, the parent had the opportunity to apply for maternity benefit gross up from parent benefit.

As of 2005, parent benefit changed always as of 1, September depending on subsistence minimum change, namely from SKK 4,230 per month in 2005 to SKK 4,947 (Euro 164.22) per month as of 1, September 2009.

Gradual increase in birth rates was also reflected in the growing number of parent benefit beneficiaries.

In 2009, a new legal regulation was prepared regulating the distribution of parent benefit, namely Act No. 571/2009 Coll. on Parent Benefit and change and amendment of certain acts, entering force 1, January 2010. The new act introduced several important changes. Personal care of parent for the child is stressed and the possibility of economic activity coupled with the personal care was limited and the provision of parent benefit in two amounts was introduced. A parent, who engaged in economic activity two years prior to the birth of child and therefore, the birth of a child represented for him/her a more significant decline of income, receives parent benefit in the amount of Euro 256 per month, until the age of two years and from two to three years, Euro 164.22 per month. A parent, who did not engage in economic activity two years prior to the birth of child and therefore, the birth of a child did not represent for him/her a decline of income, receives the original parent benefit of Euro 164,22 per month, until the age of three years.

A parent wishing to engage in economic activity along with the child care, or parent wishing to return to work before the child reaches the age of three years, may apply for a new social benefit - contribution for child care.

Contribution for Child Care

The provision of a contribution for child care is legislatively regulated in Act No. 561/2008 Coll. on Contribution for Child Care and change and amendment of certain acts, entering force 1, January 2009. The contribution is to financially contribute parents of children below the age of three, or six, in case of children with long term unfavourable health condition for expenditure coupled with the securing of child care via a legal entity or natural person in the time, when the parent engages in economic activity and is unable to personally care for the child. The contribution for child care is provided to parents in the amount of documented monthly costs, however not exceeding Euro 164.22 per month and child, provided the child is positioned in an institution, or individual care is provided via a natural person authorised to do so based on a small trade license. When securing individual child care via an adult person without a business license, the contribution for child care represents Euro 41.06 per month without and expenditure documentation requirement.

The parent may select the care provider individually according to own needs. The contribution establishes conditions for the harmonisation of family, work and personal life of parents and contributes to the improvement of young parents' employment rates and their positioning in the labour market. A parent may choose from the parent benefit and contribution for child care based on the suitability of the benefits for the needs of the child, or family.

Introduction of the financial contribution for child care increased the accessibility of child care services for young parents engage in economic activity with lower wages.

Contribution at the Birth of Child

Contribution at the birth of child is legislatively regulated in Act No. 235/1998 Coll., with effect as of 1, January 1999. It is provided as a flat rate state social support payment to all newly born children. Through this benefit, the state supports parents in the coverage of expenditure coupled with the securing of the necessary needs of a newly born. Beneficiary of this benefit is the mother, who gave birth to a child. The father only applies for the benefit, if the mother died or is searched for, or if a child below the age of 1 year was entrusted into the father's care based on a valid court ruling.

Regulation of the SR Government No. 394/2007 Coll. Increased the contribution at the birth of child from SKK 4,460 to SKK 4,560 (Euro 151.37) as of 1, September 2007. Should the mother give birth to more children simultaneously, the contribution increases by one half of the said amount per each child reaching the age of 28 days.

In the second half of 2006, amendment was adopted of Act No. 235/1998 Coll. On the Contribution at Child Birth, Contribution for Parents with three or more children born simultaneously, or with twins born repeatedly within two years changing certain acts as amended. As a result of this amendment, new flat rate states social benefit was introduced – bonus to the contribution at the birth of child. It is effective as of 1, January 2007. The bonus was provided to parents in the amount of SKK 11,000 at the birth of the first child in family. Should several children be born simultaneously, the bonus is provided for each child. With respect to the high expenditure coupled with a child arrival, the bonus to contribution at the birth of child increased from SKK 11,000 to SKK 20,440 as of 1, February 2008. Together with the contribution at the birth of child, the parent receives a total amount of SKK 25,000 (Euro 829.86). Further, as of 1, January 2009, the bonus to contribution at the birth of child is also provided for the second and third child. This increased the support of families with children at the child birth and positively impacted the decision making of young people when considering the foundation of a family.

To secure regular preventive health care for future mothers, the conditions for the entitlement to the bonus to contribution at the birth of child became stricter in 2008. Mother of a child is obliged to document regular monthly preventive medical checks at a gynaecologist or obstetrician starting in the fourth month of pregnancy. Health care provision in a health care institution is also considered participation on a preventive check in the relevant month. The said duty does not pose a financial burden for future mothers, since the public health insurance covers the mother one preventive check per month.

Further, responsible care for prematurely born children on the part of parents is also stressed, as well as the purpose bound use of financial funds dedicated to the securing of needs of the newly born.

Contribution at Child Birth for Parents with three or more children born simultaneously, or with twins born repeatedly within two years (hereinafter the "parent contribution")

The parent contribution is a state social support benefit. Once per year, the state contributes parents or beneficiaries for increased costs related to the care for three or more children born simultaneously or repeatedly born twins in the course of two years. The contribution provision is legislatively regulated in Act No. 235/1998 Coll. The amount of the parent contribution depends on the age of child and the amount represented SKK 2,340 for a child below the age of 6, SKK 2,880 for a child between 6 and 15 years of age, SKK 3,070 for a 15 years old child.

Regulation of the SR Government No. 394/2007 Coll., effective as of 1, September 2007, modified the amount of contribution for parents with three or more children born simultaneously or twins born repeatedly over the period of two years. Children below 6 receive SKK 2,470 (Euro 81.99) instead of SKK 2,420, children between 6 and 15 receive SKK 3,050 (Euro 101.25) instead of SKK 2,980, 15 years old children receive SKK 3,240 (Euro 107.55) instead of SKK 3,170.

Contribution for the Support of Alternate Child Care

As of 1. January 2006, foster care contributions were replaced by new contributions for the support of alternate child care. Their provision is legislatively regulated by Act No. 627/2005 Coll. on Contributions for the Support of Alternate Child Care as amended. They serve the support of principal subsistence of children in alternate care, whereby, alternate care is the entrusting of minors into personal care of natural person other than its parent, foster care, guardianship, temporary child entrustment into the care of a person interested in becoming a foster parent or child entrustment into the care of a natural person through a preliminary court ruling.

State financially supports alternate child care through the following flat rate and repeated contributions:

- Flat rate contribution to a child at the time of its entrustment into alternate care
- Flat rate contribution to a child at the end of its entrustment into alternate care
- Repeated contribution to a child entrusted into alternate care
- Repeated contribution to the surrogate parent
- Special repeated contribution to the surrogate parent

Between 2006 and 2009, the amount of the said contributions was adjusted depending on the change of subsistence minimum through a regulation of the MoLSAF SR 1, September of each year. Within the mentioned four year period, the following changes took place:

- Flat rate contribution at the time of entrustment into alternate care increased from SKK 9,290 to SKK 10,370 (Euro 344.25),
- Flat rate contribution at the end of entrustment into alternate care increased from SKK 23,240 to SKK 25,798 (Euro 862.33),

- Repeated contribution to the child increased from SKK 3,490 to SKK 3,891 (Euro 129.17) per month,
- Repeated contribution to the surrogate parent increased from SKK 4,440 to SKK 4,947 (Euro 164.22) per month,
- Increased contribution to the surrogate parent increased from SKK 3,150 to SKK 3,519 (Euro 116.81) per month,
- Special repeated contribution to the surrogate parent increased from SKK 1,830 to SKK 2,038 (Euro 67.68) per month.

Substitute Subsistence Allowance

1. July 2008, represents the effective date of new Act No. 201/2008 Coll. on Substitute Subsistence Allowance and change and amendment of Act No. 36/2005 Coll. On Family and change and amendment of certain acts as amended by the finding of the Slovak Republic Constitutional Court No. 615/2006 Coll. Reacting to the more than two year application practice of the Labour, Social Affairs and Family Offices in the provision of substitute subsistence maintenance pursuant to Act No. 425/2004 Coll. on Substitute Subsistence Allowance as amended by Act No. 613/2004 Coll. And the situation arising after the adoption of Act No. 341/2005 Coll. changing and amending Act No. 99/1963 Coll. Civil Court Proceedings as amended and on change and amendment of certain acts.

It focuses around the elimination of interpretation and application problems in the assessment of entitlement to substitute subsistence allowance, including the assessment of entitlement to substitute subsistence allowance in cases, where the obliged person resides in a foreign country, in the so far unclearly defined group of jointly assessed persons, in the proceedings on substitute subsistence allowance itself and especially problems related to the unsolved relation between the beneficiary – obliged person – Labour, Social Affairs and Family Office – executor – Centre for International Legal Protection of Children and Youth. Further, it extended the scope of beneficiaries by orphans, whose orphans annuity does not reach the minimum subsistence allowance defined in Act No. 36/2005 Coll. on Family and change and amendment of certain acts, or orphans, whose entitlement to orphans annuity ceased to exist. Such extension of beneficiaries reacts to the need to solve the situation of children threatened by poverty due to the missing entitlement to orphans annuity after their deceased parents. With respect to its character, substitute subsistence allowance solves the situation of children without an obliged person, who should pay their maintenance and who may not be solved in the social insurance system. Provision of substitute subsistence allowance may be considered an important preventive step in the prevention of material distress of children.

Burial Contribution

As of 1, January 1999, burial contribution is a state social support benefit legislatively regulated by Act No. 238/1998 Coll. The said flat rate benefit represents a state contribution for the payment of expenditure related to the burial of a deceased.

Regulation of the SR Government No. 393/2007 Coll. on the Increase of the Burial Contribution increased the burial contribution from SKK 2,300 to SKK 2,400 (Euro 79.67) with effect as of 1, September 2007.

Average monthly number of state social benefits beneficiaries in years 2005 - 2009

	2005	2006	2007	2008	2009
Child Benefit	755 000	743 000	729 000	715 000	713 000
- Number of children	1 312 600	1 285 000	1 253 000	1 222 000	1 211 000
Bonus to child benefit	x	x	x	3 017	3 936
Parent Benefit	131 300	135 000	135 100	134 100	135 400
Contribution at the Birth of Child	4 400	4 200	4 100	4 400	4 700
Bonus to the contribution at the birth of child	x	x	1 550	2 020	3 900
Contribution to parents with 3 or more children born simultaneously	8	9	9	9	10
Burial Contribution	4 330	4 300	4 310	4 260	4 220
Contribution for Child Care	x	x	x	x	1 110
Substitute Subsistence Allowance	1 600	3 360	4 050	4 470	x
- Not paid	x	x	x	x	5 450
- Orphans	x	x	x	x	490
Repeated contribution to child	x	4 200	5 020	5 200	5 320
Repeated contribution to surrogate parent	x	1 050	1 160	1 190	1 210
Remuneration of foster parents Section 19 Par. 3	x	1 030	800	690	570
Special repeated contribution to surrogate parent	x	57	71	71	63
Contribution at the time of entrustment into alternate care	x	47	56	50	50
Contribution at the end of alternate care	x	26	34	36	39

Development of financial funds spent in the payment of state social benefits in years 2005 - 2009 (rounded up to SKK thousands, or €)

	2005	2006	2007	2008	2009	
	In SKK	In SKK	In SKK	In SKK	In Euro	In SKK
Child Benefit	8 680 000	8 460 000	8 255 000	8 065 000	310 000	9 300 000
- Number of children	x	x	x	x	x	x
Bonus to child benefit	x	x	x	10 530 000	470 000	14 172 000
Parent Benefit	6 531 000	7 060 000	7 380 000	7 560 000	270 000	8 100 000
Contribution at the Birth of Child	214 500	228 560	225 960	245 039	8 800	265 010
Bonus to the contribution at the birth of child	x	x	207 280	441 083	32 115	967 510
Contribution to parents with 3 or more children	812	874	958	991	36	1 078

born simultaneously						
Burial Contribution	120 106	119 406	120 847	123 471	4 070	122 580
Contribution for Child Care	x	x	x	x	1 159	34 911
Substitute Subsistence Allowance	38 620	71 042	91 037	108 083	x	x
- Not paid	x	x	x	x	4 596	138 467
- Orphans	x	x	x	x	284	8 550
Repeated contribution to child	x	179,940	225,324	235,982	8 417	253,557
Repeated contribution to surrogate parent	x	51,768	66,070	69,518	2 490	75,020
Remuneration of foster parents Section 19 Par. 3	x	21,733	17,509	14,801	407	12,263
Special repeated contr. To surrogate parent	x	1,447	1,917	1,828	54	1,615
Contribution at the time of entrustment into alternate care	x	11,205	8,302	7,658	271	8,155
Contribution at the end of alternate care	x	11,562	9,407	10,496	392	11,802

Vulnerable families have to receive protection pursuant to the equal treatment principle.

In the SR, there is a social aid system serving as a life net for low or absent income people. The provision of aid focuses around people in material distress.

Legal relations in the assessment of material distress of a citizen and distribution of benefit in material distress and contributions to the benefit are regulated in Act No. 599/2003 Coll. on Aid in Material Distress and change and amendment of certain acts.

The act builds on a civic principle. This means that the aid in material distress is provided equally to every citizen, regardless of race, nationality or ethnic origin, religion, or political affiliation.

The act is based on the Constitution of the Slovak Republic, Article 39, which states that every citizen in material distress is entitled to aid necessary for the securing of basic living conditions. Section 1 of Act No. 599/2003 Coll. Defines basic living conditions. For the purpose of this act, it means one hot meal per day, the necessary closing and shelter.

Material distress is a situation, when the income of a citizen and natural persons assessed jointly with the citizen, does not reach the minimum subsistence defined in Act No. 601/2003 Coll. on Subsistence Minimum and change and amendment of certain acts.

The act defines the scope of jointly assessed persons, the scope of income included in the assessment of material distress and also defines what is not considered income for the purpose of material distress assessment. For example, the following is not considered income for the purposes of Act No. 599/2003 Coll.:

- 25% of income from employment
- 25% of old age pension; in case of a pensioner insured for over 25 years, this amount increases by 1% of the granted old age pension for every extra year of old age pension insurance following the 25 years of insurance,
- 25% of maternity benefit,
- 25% of invalidity pension,
- 25% of social pension granted on the grounds of invalidity,
- 25% of orphans allowance,
- 25% of widow or widowers allowance, provided the widow or widower reached pension age,
- Child contribution and bonus to the child contribution pursuant to a special regulation or a benefit of the same kind paid in an EU member state, a state that is a party to the European Economic Area Convention, or in Swiss Confederation, maximum in the amount of child contribution defined in the Act on Child Contribution
- Necessary immediate help provided by the municipality pursuant to the Municipal Act,
- Income from incidental work, incidental or once off income and income from contracts of services up to the double subsistence minimum earned over the period of 12 months,
- Income of full time secondary school and university students earned over 12 months, provided such income does not exceed 1.2 multiple of subsistence minimum for a full-aged natural person,
- Scholarships
- Partial compensation of travel costs and compensation of travel costs of a job applicant pursuant to Act No. 5/2004 Coll. On Employment Services and change and amendment of certain acts as amended (hereinafter the “Act on Employment Services”),
- Contribution to the compensation of travel costs for activities defined in the individual action plan pursuant to the Act on Employment Services,
- Payment of board, accommodation and travel costs of job seekers receiving training and preparation for labour market pursuant to the Act on Employment Services,
- Service contribution to job seekers having family with children, who cares for a child below the school attendance age pursuant to the Act on Employment Services,
- Contribution to graduate work experience pursuant to the Act on Employment Services,
- Benefit during training and preparation for labour market and during preparation for work of a citizen with health disability,
- Contribution for the orientation of handicapped job seeker,
- 50% of the contribution for activation work in the form of voluntary services,
- Support or contribution provided from the funds of foundations and civic associations, NGOs and non-investment funds, including non-cash benefits purpose bound to an individual for the support of material distress aid effect, up to 12 times the minimum subsistence per year,

- Employee and tax bonuses,
- Income for the provision of data for the statistics of family accounts compiled by the Statistics Office of the Slovak Republic.
- Remuneration for productive work of a pupil performing productive work under practical training pursuant to the school education program and Act on Vocational Training and Preparation No. 184/2009 Coll.,
- Material support of secondary school student to cover the costs of his/her vocational training.

If conditions are met, the aid provided to a citizen and natural persons assessed jointly for material distress, the benefit consists of material distress benefit and contributions to the benefit. The contributions represent: Contribution for health care, housing, protective contribution and activation contribution.

The material distress benefit (Section 10) is provided at 6 levels depending on the scope of jointly assessed persons. A citizen in material distress receives an increased material distress benefit:

- If the citizen in material distress is a pregnant woman (there is the condition of regular medical checks)
- If the citizen in material distress is the parent of a child below the age of one year (there is the condition of due child care and participation in preventive checks at a paediatrist)
- If the citizen in material distress has a child and this child fulfils the compulsory school attendance (there is the condition of regular school attendance)

The aid is provided in limits defined in Act No. 599/2003 Coll. Material distress aid exceeding the legally defined limits may not be provided.

The amount of material distress benefit and contributions represents the difference between the claims and income. Should the income of a citizen in material distress and of natural persons assessed jointly for material distress be higher than the relevant claims, the material distress aid cannot be provided.

The act stresses the fact that the citizen has to be able to find a source of income n the first place, or increase his/her income through own work,, the use of own assets and application of legal claims (e.g. sickness insurance benefits, unemployment benefits, subsistence payment for child, subsistence payment for spouse, subsistence payment of a divorced spouse, accident insurance benefits, guarantee insurance, state social benefits, etc.). Should a citizen in material distress and natural persons assessed jointly, not use legal entitlement for the support of basic living conditions and find help in material distress, he/she is not considered a citizen in material distress.

The act defines situations (Section 7), when the possibility of income or income increase through own work are not studied. These are situations with respect to a citizen, who:

a) Reached the age necessary for old age pension entitlement,
b) Is invalid due to a 70% decrease in the ability to perform paid work,
c) Is a lone parent caring personally, full time and duly for a child up to the age of 31 weeks,
d) Cares personally, full time and duly for a child with grave health disability pursuant to an assessment of a relevant authority,

e) Cares personally, full time and duly for a citizen with grave health disability pursuant to an assessment of a relevant authority,
f) Suffers from unfavourable health condition. For the purpose of this act, it means a disease, health impairment recognised by the relevant attending physician and lasting more than 30 continuous days, or
g) Participates in re-socialisation programs, where income cannot be generated through own work.

When meeting the conditions for the material distress benefit and other conditions defined in the law, a citizen in material distress may receive the following contributions:

Contribution for health care (Section 11) is provided to a citizen in material distress meeting the entitlement conditions for a material distress benefit and contributions to the benefit, for costs related to services coupled with health care.

Activation contributions (Section 12) is paid to a citizen in material distress to support the acquiring, maintenance and increase of knowledge, professional skills or work habits for the purpose of employment in the course of material distress aid, who met the entitlement conditions for the material distress benefit. It is provided to a citizen in material distress, if:

- He/she increases own qualification in the form of external, combined study or study of individual subjects,
- Participates in education and training for the labour market organised within projects approved by the ministry,
- Participates in smaller municipal services based on an agreement with the municipality.

Housing contribution (Section 13) The conditions of entitlement to housing contribution are reviewed once every six calendar months.

Conditions for housing contribution entitlement are the following:

1. Material distress,
2. Apartment or family house ownership; this condition does not apply to old age pension beneficiary, but also the beneficiary of another old-age benefit or social security income above the age of 62,
3. Apartment or family house leasing; this condition does not apply in special cases (similarly to item 2).
4. Leasing of a habitable room in a facility for permanent living,
5. The right of lifelong use of apartment or family house,
6. Payment of housing related costs for the previous 6 calendar months or the demonstration of debt acknowledgement and agreement on instalments; this condition does not apply in special cases as stated above in item 2

The entitlement conditions are reviewed every 6 calendar months; this condition is not considered in special cases (see above, as stated in item 2).

The entitlement ends, if the office identifies that the person in material distress does not pay the debt representing overdue housing related costs; this condition is not considered in special cases (see above, as stated in item 2).

For the purpose of housing contribution, housing includes permanent housing related to the provision of services in a social services facility and living in an apartment or family house, where the citizen in material distress and natural persons assessed jointly with the citizen in material distress have the right of lifelong use. Housing contribution is provided at two levels (Section 13 Par. 2 Letters a, b).

Protection contribution (Section 14) is provided to citizens in material distress, if he/she is unable to secure basic subsistence conditions and, pursuant to this act, his/her ability to secure or increase income through own work is not studied.

Section 17 of Act No. 599/2003 Coll. Authorises the SR Government to review and change the material distress benefits and contributions coupled with the benefit in the form of a government regulation as of 1, September of each calendar year. Between 2005 and 2009, the material distress benefit and contributions to the benefit were reviewed regularly.

Material Distress Benefit and Contributions to the Benefit as of 31/12/2009

Material distress benefit	**Amounts in Euro**
- Individual without children	60.50
- Individual with a child 1 to 4 years old	115.10
- Individual with a child over 5	168.20
- Couple without children	105.20
- Couple with a child 1 to 4 years old	157.60
- Couple with a child over 5	212.30
Contribution for health care	2.00
Increased material distress benefit for pregnant women	13.50
Benefit for parent caring for a child younger than 1 year	13.50
Benefit for child in the system of compulsory school attendance	17.20
Housing contribution	
- One person	55.80
- One and more persons	89.20
Activation contribution	63.07
Protection contribution	63.07

Material distress aid distribution is responsibility of labour, social affairs and family offices. Proceedings assessing the material distress and securing of basic living conditions and support in material distress in the form of benefit and contributions starts through the filing of an application with the relevant office according to the permanent address of the citizen. Proceedings on the assessment of material distress, securing of basic living conditions and support in material distress are subject to general regulations on administrative proceedings (Act No. 71/1967 Coll.), except for Sections 60 to 68 of the Administrative Proceedings Act (i.e., appellate proceedings, such as proceedings renewal, studying of legal resolutions, etc. do not apply). Appeal authority in the matter of material distress support provision is the Labour, Social Affairs and Family Central Office in Bratislava. Further, legal decisions on material distress, securing of basic living conditions and support in material distress through benefit and contributions may be reviewed in court.

The material distress benefit and contributions to the benefit provided by the office are financed from the state budget and may be provided in monetary, material or combined form.

Act No. 599/2003 Coll. On Material Distress Support and change and amendment of certain acts regulates the entitlement to material distress support, but also the method of benefit and contributions abuse elimination. As of the effect of Act No. 599/2003 Coll. on Material Distress Support and change and amendment of certain acts, directness is stressed as one of the most important factors. Material distress support is structured to secure basic living conditions for all citizens through the material distress benefit in line with an institutional guarantee; however, to be entitled to various contributions, it is necessary to meet conditions defined in the legal regulation.

The directness principle is implemented through individual approach to every citizen in the assessment of his/her material distress, considering his/her needs, possibilities and abilities to solve own material distress. Labour, Social Affairs and Family Office is responsible for purposeful use of financial finds allocated to material distress support.

In line with Section 26 Par. 1 of Act No. 599/2003 Coll. On Material Distress Support and change and amendment of certain acts, the office or municipality deny and stop the distribution of the benefit and contributions, if they were provided wrongly, or are not used for their purpose.

However, automatic and surface application of the said provision in case of benefit and contributions use for a purpose contrary to the contemplated purpose could, in certain cases, significantly threaten the maintenance of children in material distress, where abuse was identified and the constitutional right of citizens to basic living conditions would not be observed. Therefore, instead of the benefit and contributions denial, we prefer the institute of a special beneficiary. In fact, it means the administration of the benefit and contributions by a third person. The special beneficiary may be the municipality. Should there be lack of cooperation sides the municipality, the special beneficiary may also be a non-government organisation, legal entity or natural person with activities in social politics. Further, special beneficiary may provide part of the benefit as allowances in kind (directly pay rental fee or other costs) and pay the rest to citizen, benefit beneficiary. This combination enables the securing of required objectives through a special beneficiary.

Except for this support form, citizens in material distress may also receive a lump sum benefit in material distress pursuant to Act No. 599/2003 Coll. The provision of a lump sum benefit in material distress is responsibility of municipalities. It may be provided to a citizen in material distress and natural persons assessed jointly, who receive benefit in material distress and contributions to the benefit, especially for the coverage of special expenditures for the necessary clothing, basic household equipment, purchase of school things for an unprovided for child and for special treatment costs. The provision of material distress benefit and contributions and the provision of the lump sum material distress benefit are not mutually exclusive.

Year	**Average monthly number of MDB beneficiaries**	**Financial funds in Euro thousand**
2005	175,746	234,267
2006	181,200	256,645

2007	197,206	256,517
2008	165,713	207,479
2009	164,707	233,476

Allocations for Children in Material Distress

In relation to the extensive positive effect of changes in the system of material distress support provision, within the assessed period of years 2005-2009l, a social measure of implemented in the form of allocations provision to children from families in material distress or families with income below the subsistence minimum. This measure allowed for the provision of allocation to all children in pre-school facilities, elementary and special elementary schools, if more than 50% of the children came from families in material distress. The aim of the measure was to introduce a motivation mechanism for regular school attendance of children from socially disadvantaged environment, build alimentation habits in these children and motivate children from low income families to reach better study results through the allocation policy of labour, social affairs and family department.

Until 31/12/2008, the measure was implemented in the form of allocation for food, school things and a motivation contribution, through the allocation policy of the labour, social affairs and family ministry. From 01/01/2009, the measure was implemented in the form of allocation for food and allocation for school things through the allocation policy of the labour, social affairs and family ministry. As of 01/01/2009, the cancelled motivation contribution was transformed into the Act on Material Distress Support (a new benefit for children and the securing of their basic living conditions and help in material distress through the provision of this benefit, provided the child from a family in material distress attended school, was introduced into the Act).

The said measure was implemented pursuant to an edict of the MoLSAF SR on the Provision of Allocations responsibility of MoLSAF SR.

For comparison, we show a chart on the use of financial funds (FF, in EURO) for the said allocations and on the average number of children benefiting from the allocations.

Allocations for Food, School Things, Motivation Contribution

	FF	**food** Av. No. Of children	**School things** average No. Of children	**Motivation contribution** Av. No. Of children
2005	14,183,761	80,900	68,940	20,058
2006	18,027 617	95,615	89,249	31,051
2007	16,487 419	90,373	81,737	39,159
2008	13,838 013	64,322	65,459	18,524
2009	11,427 616	59,969	71,146	0

National Programs for the Prevention and Elimination of Poverty and Social Exclusion

With its EU accession and preparation of the so-called Joint Memorandum on Social Inclusion in 2003, the SR got involved in all cooperation processes and method in poverty elimination.

As part of the social inclusion policy of the European Union, with priorities in social protection and significant reduction of poverty in the European Union, two national reports were submitted in years 2005 – 2009, namely

- National Report on Social Protection and Social Inclusion Strategies for Years 2006 - 2008
- National Report on Social Protection and Social Inclusion Strategies for Years 2008 - 2010

These are complex reports consisting of national action plan of social inclusion for the relevant years, report on national pension strategy, as well as national strategy of health and long term care. In terms of social protection, it is a complex strategic document describing key priorities and measures the SR considered important in years 2006 – 2008 and years 2008 - 2010 for the prevention and elimination of poverty and social exclusion.

National action plan of social inclusion focused on four priority goals in years 2006 – 2008, namely

1. Reduction of poverty of children and solution of intergeneration poverty reproduction through preventive measures and support of families with children.
2. Increase inclusion and fight discrimination of vulnerable groups, coupled with the support of public services, development of local solutions and increased participation of excluded groups in the life of society.
3. Improved access to labour market and increased employment and employability of groups threatened by exclusion.
4. Support management, implementation and monitoring of political measures at national, regional and local levels.

Since the process of the said goals achievement is of long term character, the relevant goals were also adopted as goals of the Social Inclusion Action Plan for years 2008 – 2010.

The said action plans analyse and monitor situation and development in the field of poverty and social inclusion, suggest and evaluate own strategy, measure, goals and tasks for the support of social inclusion for a period of two years, including measures for their achievement. After the defined two year period expires, the relevant action plan implementation is assessed.

Compensation of Social Effects of a Serious Health Disability

On 1. January 2009, Act No. 447/2008 Coll. on Monetary Contributions for the Compensation of Serious Health Disability and change and amendment of certain acts entered force. It reviews the conditions of monetary contributions provision for the compensation of serious health disability. The aim of the review was the maintenance, renewal or development of natural persons and their families' ability to lead independent life, establish conditions and support integration of natural persons and their families into the society under their active participation in this process and elimination or minimisation of social effects of the serious health disability. Pursuant to the provisions of Section 4 of the cited act, all rights defined in this act are guaranteed to every citizen equally, in line with the principal of equal treatment specified in the Antidiscrimination Act.

Act No. 447/2008 Coll. on Monetary Contributions for the Compensation of Serious Health Disability and change and amendment of certain acts regulates Legal relations in the

provision of monetary contributions for the compensation of social effects resulting from a serious health disability in four compensation spheres - mobility and orientation, communication, self-attendance and increased costs, legal relations in the issuing of an ID card of a person with serious health disability, ID card of a natural person with serious health disability and an attendant and parking card for a natural person with serious health disability.

Medical and social assessment activities are regulated specifically. The act continues the system of compensations established and introduced in 1999 through Act No. 195/1998 Coll. on Social Insurance as amended. Act No. 447/2008 Coll. Defines several new conditions for the provision of monetary contributions for the compensation of natural persons with serious health disability and increased the amounts of certain monetary contributions. For example, the possibility of increase in the level of functional disorder, which will enable a large number of natural persons with health disabilities to compensate for the social effects of their serious health disability. A new monetary contribution for the purchase of lifting equipment was introduced with a maximum limit of EURO 11,617.88; it is possible to provide a monetary contribution for the purchase of a second hearing aid.

Change of conditions resulted in the possibility to offer a wider range of beneficiaries the monetary contribution for personal assistance, monetary contribution for the purchase of motor vehicle or monetary contribution for nursing. In case of monetary contributions for the compensation of increased expenditure, income protection of natural persons with serious health disability increased from double to triple the subsistence minimum for an adult natural person. In case of the nursing contribution, it increased from 1.2 to 1.3 times the subsistence minimum for an adult person. For repeated monetary contributions, annual valorisation mechanism was introduced.

To minimise or overcome social consequences of serious health disability, according to Act No. 447/2008 Coll. it is possible to provide the following monetary contributions:

Monetary contribution for personal assistance,
Monetary contribution for the purchase of an aid,
Monetary contribution for aid use training,
Monetary contribution for the modification of an aid,
Monetary contribution for the repair of an aid,
Monetary contribution for the purchase of lifting equipment,
Monetary contribution for the purchase of a motor vehicle,
Monetary contribution for the modification of a motor vehicle,
Monetary contribution for transport,
Monetary contribution for apartment modification,
Monetary contribution for family house modification,
Monetary contribution for garage modification,
Monetary contribution for increased expenditure compensation,
Monetary contribution for nursing.

Act No. 44/2008 Coll. Introduced the categorisation of aids and provision of monetary contribution for the purchase of an aid based on an exhaustive list of aids, as well as a list of construction work, material and equipment for the purpose of contribution for apartment, family house or garage modification, with the aim of such aid form objectivity. In line with Section 37 Par. 6 and Section 31 Par. 5 of the said act, Ministry of Labour, Social Affairs and Family of the Slovak Republic prepared a measure defining the list of construction work,

material and equipment and maximum considered amount of their price and a measure defining the list of aids and maximum considered amounts of their price. The said measures were published in the collection of acts under numbers 6 and 7 in 2009 and entered force 15, January 2009.

Article 17 – The right of children and young persons to appropriate social, legal and economic protection

With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

1. a. to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose;
   b. to protect children and young persons against negligence, violence or exploitation;
   c. to provide protection and special aid from the state for children and young persons temporarily or definitively deprived of their family's support;
2. to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.

Information to be submitted

Article 17§1

Protection of children's rights, and not only with respect to the wide range of rights to be paid attention to and the care pursuant to the Children's Rights Convention, are responsibility of various central or local government authorities. It is part of every activity of public and non-public authorities directly or indirectly linked with children.

The system of public protection and securing of interests of children is imbedded in Act No. 305/2005 Coll. On Social-Legal Protection of Children and Social Guardianship and change and amendment of certain acts (hereinafter the "Act") that entered force 1, September 2005. The act was prepared based on practical experiences of entities with activities in social-legal protection of children and social guardianship (state authorities, local self-government authorities, non-state entities) that showed the need to solve material-legal issues in the said area.

Social-legal protection of children is defined as a set of measures securing the protection of children, as necessary for their wellbeing and respecting their best interests pursuant to the international convention, securing of education and general development in their natural family environment and securing of substitute environment for children that cannot be brought up in own families.

The objective of the legal standard was to legally regulate relations and establish a legal framework for complex protection of rights and interests of minors, for purposeful, intense and systematic help and support of children and families, for the securing of equal substitute environment for children that are not brought up in their natural family, for efficient prevention, elimination of the reasons of occurrence, for the prevention of deepening, spread and prevention of repetition of irregularities in mental and physical development of children and adults and for the prevention of social-pathological effects.

The act also aimed to implement international contracts and documents in the field of children's rights binding for the SR. The act immediately continues and is related to changes in the field of civic, family, criminal law and in the field of training and development.

Important changes compared to the previous legal standard were especially based in the regulation of the duty to provide psychological support to a child, whose parents are divorcing, in the extension of support to threatened children, families and adults, more detailed specification of educational measures and their implementation, introduction of social guardianship, new regulation for nursing and guardianship, regulation of repatriation and support to unaccompanied minors, regulation of court resolution purpose implemented in institutions of social-legal protection of children and social guardianship, new regulation for measures of social-legal protection of children and social guardianship in the provision of substitute family environment, including the regulation of national rules for international adoptions of children, in the introduction of accreditation for the implementation of selected measures by non-state entities, introduction of 24/7 emergency service in the authorities of social-legal protection and social guardianship providing for permanent protection of life, health and favourable development of children.

Legal regulation of social-–legal protection of children and social guardianship is significantly impacted by the fact that social-legal protection of children and social guardianship measures are implemented by a large number of entities – competencies are distributed between central and local governments (ministry, Centre for International Legal Protection of Children and Youth, Central Labour, Social Affairs and Family Office and 32 worksites, 8 selected Labour, Social Affairs and Family Offices, municipalities, higher territorial units, non-state entities - accredited, not accredited and facilities - especially foster homes, foster homes for unaccompanied minors, crises centre, resocialisation centre). In this field, a significant role is plaid by entities accredited by MoLSAF SR. Legal regulation and the implementation itself are significantly impacted by the wide range of legal regulations in other fields (e.g. the family act, criminal law, training and education, health care laws).

Measures in social legal protection of children and social guardianship focus a wide range of beneficiaries, i.e. they are implemented for every child with habitual residence within the SR, or staying in the SR without legal representatives, relatives or any person responsible for the child according to law and custom and child that is a citizen of the SR and is unaccompanied within the territory of another state. The Act on Social-Legal Protection of Children and Social Guardianship also enables the implementation of measures in social legal protection of children and social guardianship for parents of children, or other legal representatives of children and adults. With respect to the character of measures, these are implemented in natural family environment, substitute family environment, open environment, and environment established and organised for the implementation of social legal protection of children and social guardianship measures pursuant to the act. Measures are especially implemented via social work, methods, techniques and procedures adequate to the knowledge acquired in social sciences and knowledge on the status and development of social pathological phenomenons in society.

Key to the affectivity of children's rights protection is a special regulation of children's rights in the implementation of Act on Social legal Protection of Children and Social Guardianship based on the rights of children specified in the Children's Rights Convention. The act directly defines the right of a child to ask for the protection of its rights

an authority of social legal protection of children and social guardianship, another state authority relevant for the protection of its rights and legally protected interests, facility, municipality, higher territorial unit, accredited entity, school, educational facility, health care provider, whereby, all the named subjects are obliged to provide the child immediate help in the protection of its life and health, take measures for the protection of its rights and legally protected interests, even through the mediation of such help. This also applies, when a child cannot, considering its age and mental development, ask for help directly, but through a third person.

Further, all entities implementing measures in social-legal protection of children and social guardianship are obliged to avoid any threats or violations of children's rights. According to this act, all these entities are obliged to provide a child protection and care necessary for its wellbeing and protection of its legally protected interests. Everybody is obliged to inform an authority of social legal protection of children and social guardianship on the violation of children's rights.

Should an authority for social legal protection of children and social guardianship be informed of violent or degrading forms of treatment and forms of punishment of children, or should it, in the implementation of measures pursuant to this act, identify their use by parents or persons personally caring for children, depending on the character and importance of such behaviour, it is obliged to implement the relevant measure pursuant to the Act on Social Legal Protection of Children and Social Guardianship and change and amendment of certain acts as amended.

In the implementation of measures pursuant to this act, it is prohibited to apply any form of bodily punishment of children and other violent and degrading forms of treatment and punishment of children resulting, or potentially resulting in physical or mental detriment.

In the implementation of social legal protection of children and social guardianship measures for minors, the authority of social legal protection of children and social guardianship proceeds in line with the valid national laws and international conventions in the field of children's rights protection. Based on these documents, the protection of rights and legally protected interests of children is considered the most important factor in any decisions involving a child. In these cases, opinion of the minor is always decisive, considering its age and mental development. In the implementation of SLPoCH and SG, the SLPoCH and SG authority respects the need to secure an opinion of the child, of course, considering its age and mental development. This opinion is presented in the representation of the minor in any court proceedings.

In Act No. 305/2005 Coll., there is the duty to identify an opinion of a child in the mediation of substitution family care (preparation of the child for substitution family care, considering of the child's opinion, child's consent with adoption), fully consider the opinion and decision of the child with respect to pocket money in the foster home, etc. With respect to importance, special monitoring of cases identifying the child's opinion via SLPoCH and SG authorities was introduced in 2008:

Identification of child's opinion	I.r.	**Number of cases**		**Number of children**	
		2008	**2009**	**2008**	**2009**
a	b	1	2	3	4

Based on court request	1	9 358	10 724	7 808	9 174
On own impulse	2	14 425	13 847	11 875	11 369
Other impulse*	3	2 975	4 518	2 508	3 433

*e.g. impulse of the child, Centre for International Legal Protection of Children and Youth, school, municipality

It should be noted that we speak of expert opinion identification (common opinion identification is not monitored) and the process is responsibility of SLP and SG expert staff (university education in the given field, depending on the SLPoCH and SG measure implemented by the employee). In most complicated, or more complicated situations/cases, the process is organised by psychologists.

In court proceedings on custody of minors, or the approval of legal acts on behalf of minors, the social legal protection of children and social guardianship authority acts as collision guardian, representing an independent guardian of the minor's rights in case of conflicting interests. Thereby, it identifies the opinion of the child, usually with the help of a psychologist, or expert in the given field and this directly in an interview with the child. It is obliged to provide the child the necessary help to ease up the process of opinion identification in the given matter and secures the consideration of the minor's opinion, considering his/her age and mental development, in the decision making.

Within the forms of substitution care, institutional care is considered the most serious and exceptional form of substitution care ordered only if the child's education is seriously threatened and disturbed and other educational measures did not lead to improvement, or if the parents cannot care for a minor personally for other serious reasons, whereby, serious threat or serious disturbance of a minor's education does not include insufficient housing or material conditions of parents. (Family Act Section 54 Par. 2). The court is always obliged to study, if a minor cannot be entrusted into substitute personal care or foster care. An important feature of institutional care is its temporary character. A court ordering institutional care has to preciously name the facility, where the minor is to be placed. Thereby, it considers the placement of siblings in one facility not to disturb emotional ties. The court is obliged to review the efficiency of institutional care minimum twice per year in cooperation with the social legal protection of children and social guardianship authority, municipality and the relevant facility, where the child was positioned.

As the following chart suggests, the adoption of Act No. 305/2005 Coll. On Social Legal Protection of Children and Social Guardianship was followed by positive development of children placement for the favour of respective substitute family care forms (substitute personal care, foster care), as well as the increase of children entrusted into family forms of substitute care.

The development of the number of children in various types of substitute family care by years – the line of substitute family care and the number of children placed in institutional care in the relevant years (foster homes, re-education centres responsibility of the ministry of education) – IC line:

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009

SFC	6,321	6,346	6,877	7,072	7,290	7,624	8,174	8,286	8,517
IC	6,508	6,210	6,230	6,510	6,416	5,983	5,481	5,402	5,063
Total	**12,829**	**12,556**	**13,107**	**13,582**	**13,706**	**13,607**	**13,655**	**13,688**	**13,580**

The total number of children placed in various forms of substitute family are in the respective years:

Year	Substitute personal care	Foster care	Guardianship	Total
2007	4,877	2,672	625	**8,174**
2008	5,038	2,595	653	**8,286**
2009	5,392	2,478	647	**8,517**

As of the act effect, MoLSAF SR has been cooperating with other entities in this field in the evaluation of the said legal standard effects. Based on the results, an act amendment was prepared. It reacted to the Final Recommendations of the UNO Committee for Children's Rights (May 2007) on the Second Periodical Report of SR on the implementation of Children's Rights Convention and children's rights defined in the Convention on Children's Rights. Amendment of the act, in effect as of 1, January 2009, reached the following:

- Amended measures for the prevention of family crises situations and measures for the solution of family conflicts,
- Introduction of the explicit prohibition of any forms of bodily punishment of children, as well as of violent, or degrading forms of treatment and punishment of children in the implementation of measures,
- Introduction of compulsory emergency and re-socialisation centres, the duty of individual works plans for clients in crises and res-socialisation centres.

The act amendment also makes changes aimed at the improvement of quality in the implementation of institutional care. The extensive reform of the entire system was especially based on the following starting points:

- **Development of child care in family environment of foster home employees (so-called "professional families") –** in this system, employees of foster homes secure child care in their home environment. In terms of the care provided to the child, there is no difference between a professional family and substitute family care forms (e.g. foster care). However, a professional parent only cares for a child, until a more suitable solution is found, i.e. return to the original family, or, if this is not possible, identification of a substitute family. The professional parent (if employed by the foster home) actively participates in the solution of the child's situation. A professional parent may not care for more than three children. Pursuant to the act, all children below the age of three, whose health condition does not require specialised care, are only placed in the care of professional families following their allocation to foster homes.

Development of professional parent numbers and number of children placed in professional families in state and none—state foster homes:

Year	2005	2006	2007	2008	2009

No. Of professional parents in foster homes	116	162	208	373	482
No. Of children in professional families of foster homes	222	317	399	598	806

- **Unification of the care system for children with ordered institutional care –** children with ordered institutional care cannot be placed in facilities not specialised in such care, as for example special boarding schools, which transferred to the foster homes network around 1,200 children with ordered institutional care in years 2004 to 2006. As of 01/01/2009, children with ordered foster care may not be placed in social services homes and these facilities only care for children with institutional care ordered prior to the said date. The aim of unified institutional care implementation is the unification of child care conditions, creation of conditions for efficient renewal of family environment, possibly the finding of substitute family environment. Foster homes are founded by social legal protection of children and social guardianship authorities, which creates conditions for efficient cooperation in the identification of the most suitable solution for a child's situation. The number of children with ordered institutional care in the various facility types for the past two years is listed in the following chart:

Number of children with ordered institutional care in the respective facility types:

Institutional care facilities		**2007**	**2008**	**2009**
Social service homes		480	414	344
Foster homes		4,275	4,288	4,098
Re-education homes	**IC**	692	633	626
	OV	41	41	45

Personnel and material-technical equipment of foster homes is gradually adjusted to the acceptance of all children, for these facilities to be able to provide care to all children with ordered institutional care, considering their specific needs. In foster homes, independent diagnostic and specialised groups were established. thereby, maximum eight children may be placed in one group and the care is provided by minimum five staff members. Specialised independent groups are for children:

- With behavioural disorders,
- Drug and other addicts after treatment,
- That were tortured, sexually abused, or subject to crimes threatening their positive development,
- Unaccompanied minors,
- With mental disorder, mental, physical or sensory disability and children with serious health disability.

An independent group may include a maximum of ten children with care provided by five employees. Independent groups are also established for juvenile mothers with children and young adults, who may stay in the foster home after they reach full age until they become independent, however not beyond 25 years of age. In the interest of unborn children protection, a foster home may accept pregnant women.

Foster homes were divided into two types:

- Foster home – where child care may only be provided in professional families or independent groups placed in family houses or apartments.
- Child centre – where several groups may be placed into one facility. However, the total number of children in one structure may not exceed 40.

A tool for the improvement of children's rights protection is the National Action Plan for Children (hereinafter NAP) for years 2009-2011. It is a reaction to the recommendations of UNO Committee and its goal is to contribute to the building and development of compact and efficient system for children's rights protection. All ministries and other participating entities participate in the implementation of NAP tasks. NAP includes legislative and non-legislative tasks of the relevant entities in the respective fields, namely in the field of policy and independent mechanisms for the protection of children's rights coordination, education, training, free time and cultural activities, family environment and substitute care, health, health care and nourishment, social and other measures for the improvement of children's living standard and special protective measures. NAP includes proposals for institutional organisation of children§ s rights protection pursuant to the European protection standard. A Ministry Committee for Children, was established, as the national authority for coordination of children's rights protection policy. It should solve principal issues in the field of children's rights implementation.

Should life, health and favourable development of child be threatened, of it nobody cares for the child, the social legal protection of children and social guardianships authority implements measures of social legal protection of children and social guardianship for the protection of life, health and favourable mental, physical and social development of child to be secured institutionally and establishes conditions for the implementation of measures of social legal protection of children and social guardianship.

Should a child be without any care, or should its life, health, or favourable mental, physical and social development be seriously threatened or disturbed, the social legal protection of children and social guardianship authority is obliged to immediately file with the court in the relevant district a proposal for the issuing of an interlocutory judgment and provide for its placement in a foster home. The social legal protection of children and social guardianship authority is obliged to provide for the child placement in a foster home also without having filed a proposal for an interlocutory judgment with the court, if the court requests this. The Act on Social Legal Protection of Children and Social Guardianship regulates the duty of the social legal protection of children and social guardianship authority to provide parents of a child or persons personally caring for a child, whom the child was taken away, the help necessary for family situation improvement and take the appropriate measures in this respect, including the securing of substitute family environment.

The social legal protection of children and social guardianship authority implements the necessary administrative social and educational measures for the protection of children from any bodily and mental violence, vituperation or abuse, including sexual abuse, neglect or negligent treatment, torture or exploitation in the period, when they are in the care of one or two parents, legal representatives or any other persons caring for the child.

For the purpose of special help provision to tortures, sexually and otherwise abuse children in cases, when it was necessary to remove he children from family environment and

it was not possible to integrate the children in other forms of institutional care due to diagnostic results, independent groups are established in foster homes.

For the purpose of help provided to children and adults in crises situation, there are crises centres. For the purpose of special help provision to tortures, sexually and otherwise abuse children in cases, when it was necessary to remove he children from family environment and it was not possible to integrate the children in other forms of institutional care due to diagnostic results, independent groups are established in foster homes.

Should it be necessary, the SLPoC and SG authority implements measures, or secures the implementation of measures in cooperation with entities active in the given region and specifically deal with the protection and help provided to victims of human trafficking.

Help provided to tortured, sexually abused and harassed children in 2009:

Help provided to children		**Physical torture**	**Mental torture**	**Sexual abuse**	**Harassment**	**Use for commercial purposes (prostitution, pornography)**	**Total**
Number of registered children		**124**	**95**	**141**	**40**	**8**	**408**
of that	Under 6	38	10	9	0	1	58
	6 - 15	66	66	120	29	1	282
	15 - 18	20	19	12	11	6	68
Number of authority proposals for the initiation of criminal prosecution		38	5	30	0	4	77

Social Guardianship

Act No. 305/2005 Coll. Also regulates the implementation of social guardianship measures for the elimination, reduction and prevention of deepening and repetition of disorders in mental, physical and social development of children and adults and the provision of expert help depending on the seriousness and situation, in which the child or adult are found.

The social guardianship measures are implemented for minors, who committed acts otherwise considered crimes pursuant to the Criminal Code, juvenile criminals or juvenile suspects, children committing offences, children, who are members of various group with negative impact, drug abusing or addicted children, children threatened by substance

addictions, children with behavioural disorders, children with non-recurring or short term behaviour requiring help with respect to its seriousness or inadequacy, etc.

Development of numbers with respect to children and adults subjected to SLPoC and SG measures:

Year	Total number of children subject to SLPoC and SG measures in the given year	Number of children subject to social guardianship measures included in column 1	Number of adults subject to social guardianship measures
a	1	2	3
2005	177,299	24,449	8,559
2006	190,433	23,619	8,878
2007	193,011	25,316	8,629
2008	199,482	26,239	8,441
2009	194,809	25,704	8,946

Statistical monitoring of social guardianship of children in years 2005 – 2009 clearly suggests that the social guardianship measures were especially implemented for children due to their criminal activities and activities otherwise prosecuted – cca 50%. In these cases, the social guardian not only fulfils tasks pursuant to Act No. 305/2005 Coll., but also tasks in criminal and court proceedings pursuant to the Criminal Code and Criminal Proceedings.

In practice, social guardianship for children is performed by social guardians specialised in target group children, who implement systematic measures with the objective of preventing social exclusion of such children and protect their rights and legally protected interests. Professional implementation of measures also guarantees the legally required education – university education in the field of social work.

In the preparation and implementation of social work plan for children and their families, social guardians implementing the measures of social guardianship for children have available a large spectrum of measures, for example educational measures, various educational, social, educational-recreational group programs implemented in the out of house, daylong or in-house forms. They may involve parents and persons caring for children.

There also is a wide spectrum of educational measures imposed on the children by the social legal protection of children and social guardianship authority or court. The social legal protection of children and social guardianship authority imposes educational measures of less repressive character (e.g. notice, reprimand, supervision, limitation, duty to participate in specialised out of house care or educational or social program). Should the effect of these educational measures be insufficient in the solution of the child's situation, the SLPoC and SG authority may propose the court the imposition of more repressive measures, e.g. the stay in specialised facilities, resocialisation centre or facility implementing the tasks of professional diagnostics. It should be noted that the SLPoC and SG authority may not remove a child from personal care of parents or a person caring for the child. This may only be ordered by the court.

To improve the quality of work with children with behavioural disorders, especially to solve the issue of professional diagnostics of the child's problem (behavioural disorder) to enable the proposal and implementation of an efficient social work plan for the child and its family, the possibility of an educational measure implementation was introduced in 2009 the duty to submit to professional diagnostics in specialised out patient care, provided it is necessary for the implementation of a relevant measure and the diagnostics cannot be performed in another way.

The most frequently imposed educational measures include supervision, reprimand, notice, stay in a facility implementing the tasks of professional diagnostics and the duty to participate in an educational or social program.

The number of educational measures implemented in years 2005 – 2009:

Year	No. Of children subject to educational measures imposed by	
	SLPoC and SG authority	Court
2007	1,171	655
2008	739	606
2009	756	633

The help for children subject to social guardianship measures is also supported through the implementation of measures resulting from the Program of Crime Prevention for the Ministry of Labour, Social Affairs and Family that are reviewed and updated annually based on priority needs of this target group of children and the assessment results (one of the tasks in this field is the monitoring of social legal protection of children and social guardianship measures implementation - proposals, impulses and problem areas in relation to the relevant legal regulations in criminal and family laws, training and education, health care provision, etc., whereby, the monitoring results are further assessed and reflected in the proposals of changes and amendments to the relevant legal regulations, but also for the adoption and implementation of non-legislative measures).

Social protection of children may be also secured in compliance with Act No. 448/2008 Coll. on Social Service and change and amendment of Act No. 455/1991 Coll. on Trades (the Trades Licensing Act) as amended by Act No. 317/2009 Coll. Entering force 01/01/2009 and defining new conditions for social services provision.

Social Services

Pursuant to the Act on Social Services, social services are provided to persons in unfavourable social situation, who are reliant on the provision of social services. Unfavourable social situation is a status, when, for various reasons, a client is threatened by social exclusion, or already is excluded from society and is not able to solve own problems without help.

As part of institutional care in the social services institutions, children may be subject to social service, especially in temporary care facilities, social service homes and specialised facilities. The Act on Social Services regulates these services as follows:

SECTION 32
Establishment of temporary child care

Pursuant to Section 32 Par. 1, in a temporary child care facility, social services are provided to under aged unprovided for children, provided the parent or other natural person personally caring for the child based on a court ruling[15)] , have serious reasons why they cannot secure personal care for the child themselves or with the help of family and there are no other reasons, why it is necessary to proceed according to a special regulation in the interest of the child.[20)]

Pursuant to Section 32 Par. 2, temporary child care facility:

Provides

1. Social consultancy,
2. Temporary accommodation,
3. Board
4. Cleaning, washing, ironing and maintenance of underwear and clothing,

B) Offers spare-time activities.

Pursuant to Section 32 Par. 3, serious reasons according to Par. 1 are the reasons listed in Section 31 Par. 4 and imprisonment.

Pursuant to Section 32 Par. 4, in the temporary child care facility, children are provided education, help in preparation for school lessons and escort.

[15] of Act No. 36/2005 Coll. on Family and change and amendment of certain acts as amended. Sections 75 and 75a of Civil Court Proceedings.
[20] of Act No. 305/2005 Coll. as amended.

Section 38
Social Service Home

Pursuant to Section 38 Par. 1, a social service home offers social services to natural persons reliant on the help of other natural person and the level of such reliance is minimum V pursuant to Annex No. 3. or to natural person with impaired sight or blind, where the level of reliance is minimum III according to Annex No. 3.

Pursuant to Section 38 Par. 2, a social service home
Provides

1. Help in case of persons reliant on the help of other natural persons,
2. Social consultancy,
3. Social rehabilitation,
4. Nursing care,
5. Accommodation,
6. Board
7. Cleaning, washing, ironing and maintenance of underwear and clothing,
8. Personal equipment,
9. Pocket money and in-kind gifts pursuant to a special regulation[20] to children with ordered institutional care provided around-the-year in-house social service,

b) Provides

1. Work therapy,
2. Spare time activities,

c) create conditions for

1. Education,
2. Deposit of valuables.

Pursuant to Section 38 Par. 3, if a social service home provides social services to children, they are subjected to education.

Pursuant to Section 38 Par. 4, conditions for education pursuant to Par. 2 Letter c) of Item one are not created in social service house, where social services are provided to adults.

[20] Act No. 305/2005 Coll. as amended.

Section 39
Specialised Facility

Pursuant to Section 39 Par. 1, a specialised facility provides social services to natural persons reliant on the help of other natural person and the level of such reliance is minimum V pursuant to Annex No. 3 suffering of health disability, such as Parkinson disease, Alzheimer disease, pervasive development disorder, sclerosis multiplex, schizophrenia, dementia of various aetiology types, deafness and blindness, AIDS.

Pursuant to Section 39 Par. 2, specialised facilities

Provide

1. Help in case of persons reliant on the help of other natural persons,
2. Social consultancy,
3. Social rehabilitation,
4. Nursing care,
5. Accommodation,
6. Board
7. Cleaning, washing, ironing and maintenance of underwear and clothing,
8. Personal equipment,
9. Pocket money and in-kind gifts pursuant to a special regulation[20] to children with ordered institutional care provided around-the-year in-house social service,

b) Provides

1. Work therapy,
2. Spare time activities,

c) create conditions for

1. Education,
2. Deposit of valuables.

Pursuant to Section 32 Par. 3, conditions for education pursuant to Par. 2 Letter c) of Item one are not created in specialised facility, where social services are provided to adults.

[20] Act No. 305/2005 Coll. as amended.

The aim of the Social Services Act is to support social inclusion of citizens and satisfy social needs of people in unfavourable social situation. Social services especially focus on the prevention of unfavourable social situation formation, solution of unfavourable social situation, or the relaxation of unfavourable social situation of natural person, family or community, maintenance, restoration or development of a natural person's ability to lead independent life and to support inclusion into society, prevention of social exclusion, solution of crises social situation of natural person or family.

The rights regulated by the Social Service Act, including the right to social services, are guaranteed to everybody, in line with the principal of equal treatment established in Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection from Discrimination and change and amendment of certain acts (Antidiscrimination Act).

Principal rights of natural persons in the provision of social services include the right to choose social service, the form of its provision and provider under the legally defined conditions. Further, a natural person is entitled to social service with scope, forma and method of provision enabling the enforcement of principal human rights and freedoms, preserving human dignity, activating the support of independence, preventing social exclusion and supporting social inclusion.

Every social service also includes social consultancy, but it may also be provided independently. The first level is basic social consultancy considered to be the assessment of problem character, the provision of basic information on possible solutions and recommendation or mediation of further help. A higher level is specialised social consultancy, representing the identification of reasons, character and scope of problems of a natural person, family or community and the provision of actual professional help.

The Social Service Act regulates the rights of clients (including the securing of basic rights and freedoms) of social services as follows:

SECTION 6
Rights in the Provision of Social Service

Pursuant to Section 6 Par. 1, under the conditions regulated by this act, a natural person may choose a social service and form of its provision and the social service provider in the scope defined in Section 8 Par. 2 and 3.

Pursuant to Section 6 Par. 2, a natural person is entitled to:

A) The provision of a social service with scope, form and method of provision enabling the enforcement of principal human rights and freedoms, preserving human dignity, activating the support of independence, preventing social exclusion and supporting social inclusion,
B) The availability of clear information on the type, place, objectives and methods of social service provision, on payment for social service and the target group of such social service.

Pursuant to Section 6 Par. 3, a social service beneficiary in a social service facility (hereinafter the "Facility") is also entitled to:
A) The establishment of conditions for personal, phone, written or electronic contact with a person of own selection, especially for the purpose of own rights and legally protected

interests protection, establishment and maintenance of social links with family and community and the maintenance of partner relations,

B) Untroubled personal space, except for situation that cannot be delayed and entry is necessary for the protection of life, health or property, protection of rights and freedoms of other natural persons or the protection of facility assets,

C) Participate in living conditions definition in a facility listed in Sections 34 to 40 via elected representatives of social service beneficiaries in the change of in-house rules, in the solution of matters related to the conditions and quality of social services provision and the selection of spare time activities; should a social service beneficiary be a child, it is entitled to participate in facility living conditions establishment alone or via its legal representative or other natural person personally caring for the child based on a court ruling.[15)]

Pursuant to Section 6 Par. 4, a social service beneficiary is entitled to damages compensation caused by the social service provider in the social services provision or in direct relation to it.

Pursuant to Section 6 Par. 5, the rights defined in Par. 3 do not apply to social service beneficiary provided out-of-house social service.

[15] Act No. 36/2005 Coll. on Family and change and amendment of certain acts as amended, Sections 75 and 75a of Civic Court Proceedings.

Further, the Social Service Act strictly defines that it is impossible to use any means of non-physical and physical restraint of social service beneficiary in the social service facilities. An exception are situation threatening the life and health of the beneficiary or other natural persons. MoLSAF SR, as the supervisory authority for social services provision, may study the rightfulness of restraint use in the interest of the client's protection in case of interest. The Social Service Act regulates the ban on beneficiary restraint use as follows:

Section 10
The duties of social service provider in the protection life, health and dignity of social service beneficiary

Pursuant to Section 10 Par. 1, in the provision of social services in facilities, it is prohibited to use any means of physical and non-physical restraint of social service beneficiary. Should life or health of the social service beneficiary or other natural persons be under direct threat, it is possible to use restraint means, but only for the time immediately needed for the elimination of direct threat.

Pursuant to Section 10 Par. 2, non-physical restraint means are considered to be the solution of situation according to Par. 1 Sentence two especially through verbal communication, attention diversion or active listening.

Pursuant to Section 10 Par. 3, physical restraint means are considered the management of situation pursuant to Par. 1 sentence two through the use of special grasps, placement of the social service beneficiary into a room equipped for safe stay and the use of medicaments prescribed by a doctor specialised in psychiatry.

Pursuant to Section 10 Par. 4, the use of non-physical restraint means is preferred over the use of physical restraint means. The inevitable physical restraint is ordered, approved or

additionally immediately approved by a specialised psychiatrist with a written opinion of a social worker employed by the facility. The use of medicaments according to Par. 3 cannot be approved additionally. Physical and non-physical restraint of social service beneficiary has to be registered in the register of physical and non-physical restraints (hereinafter the "restraint register") maintained by the social service provider.

Pursuant to Section 10 Par. 5, the register of restraints includes an entry of each social service beneficiary restraint stating his/her name, surname and date of birth, method and reasons for social service beneficiary restraints, date and duration of such restraints, description of circumstances resulting in social service beneficiary restraint, stating the reason of inevitable restraint, measures taken in the prevention of situation repetition leading to the use of restraints, name, surname and signature of doctor specialised in psychiatry, who ordered such restraint, or additionally immediately approved it, name, surname and signature of social worker providing written opinion on the restraint and description of injuries suffered by the participating natural persons.

Pursuant to Section 10 Par. 6, social service provider is obliged to notify the ministry on any entries and data in the register of social service beneficiary restraints immediately following the use of means.

Pursuant to Section 10 Par. 7, social service provider is obliged to immediately inform legal representative of the social service beneficiary or court assigned custodian of the use of restrictive means with respect to the social service beneficiary.[22)] Should the court assigned custodian of a social service beneficiary be a facility, the social service provider is obliged to inform a close person of the social service beneficiary on the use of restrictive means with respect to the social service beneficiary.

[22)] Civic Court Proceedings.

Statistical data on the provision of social services to children in selected types of social service facilities.

Number of social service facilities for children in 2009:

Type of facility	No. of facilities as of 31/12/2009	Number of beds as of 31/12/2009				
		Total	Of that, care provided			
			Year-round	Weekly	Daily	Temporarily
Social service home for handicapped children	5	394	90	80	224	0
Social service home for handicapped children with mental and behavioural disorders	41	1,468	530	351	584	0

Social service home for children with mental and behavioural disorders	13	269	98	38	132	1
Establishment of temporary child care	8	87	68	0	0	19
Total	**67**	**2,218**	**786**	**469**	**940**	**20**

Data source: Selected data of the SR Statistics Office
Explanations: SSH - Social Service Home

Number of inhabitants in social service facilities for children in 2009:

Type of facility	Inhabitants	Of that		
		Long-term health disability	Men	Women
Social service home for handicapped children	391	391	212	179
Social service home for handicapped children with mental and behavioural disorders	1,424	1,424	777	647
Social service home for children with mental and behavioural disorders	265	265	166	99
Establishment of temporary child care	59	0	17	42
Total	**2,139**	**2,080**	**1,172**	**967**

Data source: Selected data of the SR Statistics Office
Explanations: SSH - Social Service Home

Expenditure of social service facilities for children in 2009:

Type of facility	Total expenditure (in Euro) in 2009	Of that				
		Common costs	Salaries	Statutory social insurance	Purchasing	Health care
Social service home for handicapped children	2,946,529	758,600	1,557,310	533,123	96,908	588
Social service home for handicapped	12,990,575	3,599,387	6,367,167	2,178,309	755,338	3,586

children with mental and behavioural disorders						
Social service home for children with mental and behavioural disorders	2,647,403	690,992	1,080,463	375,492	494,277	761
Establishment of temporary child care	335,714	121239	155,616	54,749	2,661	135
TOTAL in SR	**18,920,221**	**5,170,218**	**9,160,556**	**3,141,673**	**1,349,184**	**5,070**

Data source: Selected data of the SR Statistics Office

Explanations: SSH - Social Service Home

Article 17§2

Based on the Children's Rights Convention, which the SR is a party to, it is the role of the relevant central and local government authorities to create conditions for equal opportunities of children in access to education, with special focus on groups disadvantaged by the existing education system due to social and cultural specifics.

Compulsory school attendance lasts ten years and ends at the end of school year, in which the student reached the age of 16, provided the Act No. 245/2008 Coll. On Training and Education (the School Act) and change and amendment of certain acts does not provide otherwise. Compulsory school attendance takes place in primary and secondary schools and in schools for students with special educational needs pursuant to this act, provided this act does not provide otherwise.

In line with the principles and objectives of education, primary school supports the personality development of a student, building on the principles of humanism, equal treatment, tolerance, democracy and patriotism in mental, moral, ethical, aesthetic, work and physical aspects. It communicates the student basic knowledge, skills and abilities in the fields of languages, natural science, social science, arts, sports, health, transport and other knowledge and skills necessary for the child's orientation in life and society and its further education and development. Constitution of the Slovak Republic guarantees the right of each citizen to free education in state primary and secondary schools and the possibility to also open other than state schools.

Primary arts school provides for arts education and development according to an educational program of the education department mostly for primary school students. Primary arts school may also organise study for children prior to compulsory school attendance, secondary school students and adults. Primary arts school provides basic arts education pursuant to Section 17 of the School Act, prepares for the study at secondary arts schools and music schools, prepares for university study specialised in pedagogy or arts.

General secondary training and education especially take place in grammar schools, where students are especially prepared for university study. Further, they are prepared for the performance of certain tasks in administration, culture and other fields. General training and education are also part of training and education at secondary vocational and music schools.

Secondary vocational education and preparation take place in secondary vocational schools. There, students especially prepare for the performance of professions, especially technical-economic, economic, pedagogic, health care, social legal, administrative, arts and cultural, possibly for university study.

Complex arts and arts pedagogic education is provided by music schools. They prepare students for professional arts carriers and teaching of arts and specialised subjects in arts educational programs.

Special training and education include the issue of training and education of children and students with special educational needs, i.e. mental, physical, sights, hearing disability, disturbed communication, autism, developmental learning disorders, behavioural disorders, children and students with illnesses and weakened health and intellectually gifted in the relevant schools and educational facilities, including specialised pedagogical consulting.

In 2006, the Government adopted action plan Education and Employment. It details the Lisbon Strategy for education until year 2010. Key tasks include the drafting of a new school act and its submission for the SR National Council meeting, preparation of life-long learning and consulting strategy, support and improvement of foreign languages education at all educational levels, support of information and communication technology use in the educational process, preparation of a new work model for gifted students, preparation of life-long education for pedagogic staff, grant program for kindergartens establishment in poor municipalities with positive demographic development, support of teacher assistants and special pedagogists, new incentives in quality and multisource financing in the distribution of state budget subsidies to public universities, introduction of complex university accreditation and support of independent evaluation activities and implementation of a new social support system for students.

Further tasks were defined in annual action plans. Their observation was evaluated via annual reports submitted for the SR Government meetings. Further basis for the processing of these key areas is the National Report on State Policy Regarding Children and Youth in the SR that was prepared pursuant to the methodology of the Council of Europe (www.spravaomladezi.sk).

Ministry of Education of the Slovak Republic (hereinafter "MoE SR") prepared in close cooperation with MoLSAF SR and other departments the Implementation of European Youth Treaty for the conditions of the SR and its inclusion into the SR competitiveness strategy until year 2010 that was adopted by Government Resolution No. 6 of 11, January 2006.

In regional education, the "open school" project develops successfully. It tries to build schools as community institutions and create suitable conditions for out-of-school activities and informal education of children and youth.

In relation to the effort to minimise the number of children leaving schools without having successfully completed primary school attendance and reached professional qualification, the number of zero classes opened to help children with socially weaker background increased. Zero classes were introduced to secure equal conditions in access to education, with the aim to acquire basic communication skills, hygiene habits and other skills. Zero year of a primary school is for children reaching the age of six by 1, September, but not fit for school attendance, coming from socially disadvantaged environment. With respect to the social background, there is an assumption that they will not master educational program of the first year of primary school education.

For youth that did not master primary school education, there are experimental attempts on courses providing primary education. The project is implemented in cooperation between the MoE SR and MoLSAF SR and is intended for youth 16 to 25 years of age with the aim to especially help unemployed to find better positions in the labour market. In the school year, the courses will run in a doubled number of schools with doubled number of applicants. Provision of MoLSAF SR subsidies for board, school things and merit scholarships, the interest of socially reliant parents in good school results and better school attendance of students increased, which led to improved quality of educational process.

Interest in compulsory school attendance (in the meaning of its fulfilment in the form of "commuting" to school) was also expressed sides states that are parties to the Children's Rights Convention, which may be deduced from Article 28 of the Children's Rights Convention – "States party to the Convention recognise the right of children to education and with the aim of gradual implementation of this right and based on equal opportunities, they especially: Introduce for all children free and compulsory primary education and take measures for the support of regular school attendance and the minimisation of those leaving schools without completing it". This international commitment is copied by the Constitution of the Slovak Republic in its Article 42 Par. 1, according to which "Everybody has the right to education. School attendance is compulsory."

Should a student not attend school, the relevant authorities (defined by Act No. 453/2003 Coll. On State Administration Authorities in the Field of Social Affairs, Family and Employment services and change and amendment of certain acts) apply sanction measures pursuant to the relevant legal regulations, e.g. they withdraw:

- Child benefit paid to a parent pursuant to Act No. 600/2003 Coll. on Child Contribution and change and amendment of Act No. 461/2003 Coll. on Social Insurance as amended and decide on its payment to the municipality, where the unprovided for child has permanent or temporary residence. The municipality uses the paid amount to secure the needs of the unprovided for child,
- the payment of substitute subsistence allowance pursuant to Act No. 201/2008 Coll. on Substitute Subsistence Allowance and change and amendment of Act No. 36/2005 Coll. on Family and change and amendment of certain acts as amended by the finding of the Slovak Republic Constitutional Court No. 615/2006 Coll. as amended.

The locally responsible office of labour, social affairs and family (according to permanent address) registers in the register of job seekers a natural person without completed compulsory school attendance, who applies in writing for the inclusion in the register of job seekers. Such job seekers are usually offered preparatory courses for primary education completion pursuant to the cited act.

As another tool directly supporting regular school attendance is a social measure in the form of possible subsidies payment to children from families in material distress and families with income below the subsistence minimum that was introduced in the reviewed period 2005 – 2009. This measure allowed for the provision of allocation to all children in pre-school facilities, elementary and special elementary schools, if more than 50% of the children came from families in material distress. The aim of the measure was to introduce an incentive mechanism for regular school attendance of children from socially disadvantaged environment, build alimentation habits in these children and motivate children from low income families to reach better study results through the allocation policy of labour, social affairs and family department.

Until 31/12/2008, the measure was implemented in the form of allocation for food, school things and a motivation contribution, through the allocation policy of the labour, social affairs and family ministry. From 01/01/2009, the measure was implemented in the form of allocation for food and allocation for school things through the allocation policy of the labour, social affairs and family ministry. As of 01/01/2009, the cancelled motivation contribution was transformed into the Act on Material Distress Support (a new benefit for children and the securing of their basic living conditions and help in material distress through the provision of this benefit, provided the child from a family in material distress attended school, was introduced into the Act).

The said subsidy system is regulated in MoLSAF SR Regulation No. 29775/2007-II/1 of 5, December 2007 on the Provision of Subsidies in the Competence of the Ministry of Labour, Social Affairs and Family of the SR as amended by Regulation No. 23609/2008-II/1 of 26, November 2008.

For comparison, we show a chart on the use of financial funds (FF, in SKK) for the said subsidies and on the average number of children benefiting from the subsidies.

Allocations for Food, School Things, Motivation Contribution:

	FF	**food** Av. No. Of children	**School things average No. Of children**	**Motivation contribution** Av. No. Of children
2005	14,183,761	80,900	68,940	20,058
2006	18,027,617	95,615	89,249	31,051
2007	16,487,419	90,373	81,737	39,159
2008	13,838,013	64,322	65,459	18,524
2009	11,427,616	59,969	71,146	0

Article 19 – The right of migrant workers and their families to protection and assistance

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

1. to maintain or to satisfy themselves that there are maintained adequate and free services to assist such workers, particularly in obtaining accurate information, and to take all appropriate steps, so far as national laws and regulations permit, against misleading propaganda relating to emigration and immigration;
2. to adopt appropriate measures within their own jurisdiction to facilitate the departure, journey and reception of such workers and their families, and to provide, within their own jurisdiction, appropriate services for health, medical attention and good hygienic conditions during the journey;
3. to promote co-operation, as appropriate, between social services, public and private, in emigration and immigration countries;
4. to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:
   a. remuneration and other employment and working conditions;
   b. membership of trade unions and enjoyment of the benefits of collective bargaining;
   c. accommodation;
5. to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals with regard to employment taxes, dues or contributions payable in respect of employed persons;
6. to facilitate as far as possible the reunion of the family of a foreign worker permitted to establish himself in the territory;
7. to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals in respect of legal proceedings relating to matters referred to in this article;
8. to secure that such workers lawfully residing within their territories are not expelled unless they endanger national security or offend against public interest or morality;
9. to permit, within legal limits, the transfer of such parts of the earnings and savings of such workers as they may desire;
10. to extend the protection and assistance provided for in this article to self-employed migrants insofar as such measures apply.
11. to promote and facilitate the teaching of the national language of the receiving state or, if there are several, one of these languages, to migrant workers and members of their families;
12. to promote and facilitate, as far as practicable, the teaching of the migrant worker's mother tongue to the children of the migrant worker.

Appendix to Article 19§6

For the purpose of applying this provision, the term "family of a foreign worker" is understood to mean at least the worker's spouse and unmarried children, as long as the latter are considered to be minors by the receiving State and are dependent on the migrant worker.

Pursuant to NC SR Regulation No. 1321 of 17, February 2009 voicing its consent with the European Social Charter (revised) and pursuant to the ratification of this document 20,

March 2009, with respect to Article 19, the SR is bound by the provisions of the European Social Charter (revised): Par. 1, Par. 4 Letters a) and b), Par. 5, 6, 7, 9 and 11.

Information to be submitted

Article 19§1

Aliens (migrant workers) may seek information and help, or free services especially from the relevant offices of the Alien Police of the Police Force of the SR. The Border and Alien Police Bureau is a unit of the Ministry of Interior of the SR (hereinafter MoI SR). It directly manages organisational units in the implementation of tasks on alien residence permits, alien stay control, extradition of aliens, visa practice and, in a limited scope, in asylum proceedings and Dublin Convention implementation.

Information on official hours of the Alien Police offices, as well as on legislative regulations related to the interpretation of the Act on the Stay of Aliens No. 48/2002 Coll. On the Stay of Aliens and Actual Conditions of Granting Certain Residence Types Within the Territory of the SR are available on page: www.minv.sk in section Border and Aliens Police Bureau, subsection "Information for Aliens". Clear statistical data and other information on the given matter are also found in the almanac of the Border and Alien Police Bureau of the Police Force issued annually in Slovak and English language under "Legal and Illegal Migration in the SR".

Information for aliens are clearly summarised on internet page of the Ministry of Foreign Affairs of the SR www.mzv.sk, in section "stay of aliens within the territory of the SR".

Free help services and information for migrant workers on the employment of aliens and provision of social benefits and services for aliens and their family members are provided by Labour, Social Affairs and Family Offices in the SR. Each of the 46 Labour, Social Affairs and Family Offices includes a EURES unit with selected employees specifically dealing with consulting information services for aliens. These people dispose of the necessary language skills and are able to provide labour, or social consultancy for migrants on the rights and duties of aliens pursuant to the act on employment services, employment possibilities within the territory of the SR, or education and preparation for the labour market. Consulting is provided according to the Procedure and More Detailed Conditions of Employment Permit Granting to Aliens and Amendment to the Procedure and More Detailed Conditions of Employment Permit Granting to Aliens. Consulting is provided free of charge prior to the employment permit granting and an interpreter may be secured if necessary.

Except for direct consulting services, information of labour, social affairs and family offices are also available on web page www.upsvar.sk.

Information on the employment of aliens are published on web page of the MoLSAF SR www.employment.gov.sk in section legislation, subsection crucial acts, part employment services and other information for migrants in the EU and international relations web page section, part "Migration and Integration Policy in the SR". Department of Migration and Integration of Aliens at the MoLSAF SR (currently Department of International Cooperation and Integration of Aliens) also significantly contributed to direct information spread amongst aliens in years 2008 and 2009 and this via the organisation of workgroups with the

representatives of alien communities in the SR and MoLSAF SR representatives. The conclusions of these meetings were considered and included in the document "Concept of Aliens Integration in the SR", adopted in the SR Government Resolution No. 338 in May 2009. In the field of communication strategy and mass media activities, this concept also includes measures on the spread of information on aliens and control of the spread of inaccurate propaganda on immigration.

In terms of practical information provision, as well as labour and social consultancy for migrating workers, Migration Information Centre (MIC) of the International Organisation for Migration (IOM) in Slovakia plays an invaluable role. It has been functioning since April 2006. During the 4 years of its activities, the centre provided individual consultancy to over 1,500 aliens and their families in the crucial fields of their life in Slovakia, such as residence, family, employment, business, education and citizenship. MIC IOM especially focuses on the following four areas: Support of migrants' preparation for life in the Slovak society, improvement of their access to institutions and public services, simplified access to labour market via professional preparation and re-qualification and development of intercultural dialogue. MIC IOM also financially supported education and preparation for labour market for migrants. 100 clients participated. In the past years, 35 information meetings for aliens were organised by cultural mediators IOM. MIC IOM activities and functioning are financially supported from the European fund for the integration of third country nationals (hereinafter EIF). MIC IOM information is also available on page www.minc.iom.sk.

Consulting and information services for working migrants (especially legal and social consultancy) are also provided by several non-government organisations, such as Slovenská humanitná rada, Liga za ľudské práva, Slovenská utečenecká rada, Nadácia Milana Šimečku. Spoločnosť ľudí dobrej vôle, etc. EIF funds finance several information portals, e.g. www.migration.sk, www.ludiaakomy.sk, www.multikulti.sk, legal consulting of Liga pre ľudské práva www.hrl.sk, etc.

Article 19§4

As of 2004, SR adopted several measures easing the access of immigrants to the labour market in compliance with the legal regulations of the Community, as well as the provision of access to all sources, rights, goods and services. Further, it tries to create adequate working conditions for aliens and prevent the risks of their exclusion, especially through the possibility of migrants' participation in re-qualification courses, or the assessment of their personality, abilities and acquired professional skills.

The conditions enabling employment of aliens or stateless people are especially regulated in Act No. 5/2004 Coll. on Employment Services. The field of aliens' employment is impacted and regulated by other special legal regulations, especially:

- Act No. 82/2005 Coll. On Illegal Work and Illegal Employment and change and amendment of certain acts as amended;
- Act No. 461/2003 Coll. On Social Insurance as amended,
- Act No. 48/20002 Coll. On the Stay of Aliens and change and amendment of certain acts as amended
- Act No. 480/2002 Coll. On Asylum and change and amendment of certain acts as amended (the Asylum Act);

- Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection from Discrimination and change and amendment of certain acts (Antidiscrimination Act) as amended,
- Act No. 453/2003 Coll. on State Administration Authorities in Social Affairs, Family and Employment Services as amended;
- Act No. 311/2001 Coll. Labour Code as amended;
- Act No. 125/2006 Coll. on Work Inspection and change and amendment of Act No. 82/2005 Coll. on Illegal Work and Illegal Employment and change and amendment of certain acts as amended.

SR tries to support equal access to employment for aliens with legal stay, also through the securing of equal treatment in recruitment, carrier advancement, working conditions including remuneration and work health and safety via the adoption of diversified human resources management policy, legislatively defined procedure of qualification and skill level assessment and assessment of access to professional preparation, stressing the importance of acquired qualification and skills equality.

Act No. 311/2001 Coll. Labour Code as amended (hereinafter the "Labour Code") defines in the basic principles that natural persons have right to work and free choice of employment, just and satisfactory working conditions and protection from unemployment. These rights exist without any limitations and direct or indirect discrimination according to gender, marital and family status, race, skin colour, language, age, unfavourable health condition or health disability, belief or religion, political or other opinion, union activity, national or social origin, nationality or ethnic origin, property, family line or other position except for cases defined in the act, or if there is a reason for the performance of such work resulting from the conditions and requirements and character of work, which the employee is to perform.

Legal employment relations between employees performing work within the territory of the SR and foreign employer, as well as between aliens working in the SR and employees with registered office within the territory of the SR are regulated in the Labour Code, provided legal regulations on international private law do not specify otherwise (Section 5 of Labour Code). Despite sufficient legal regulation, inequalities and discrimination of aliens may take place in legal employment services.

According to Section 13 of Labour Code, employer is obliged to treat employees in employment relations pursuant to the principle of equal treatment defined for the field of employment relations by special Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection from Discrimination and change and amendment of certain acts (Antidiscrimination Act). In line with the principle of equal treatment, discrimination is prohibited based on marital and family status, skin colour, language, political or other opinion, language, union activity, national and social origin, property, family line and other position.

The said suggests that the Labour Code prohibits discrimination of aliens in employment relations and defines their equal position with other employees in the SR under defined conditions.

At the central level, one of the measures for inequalities levelling between the labour market participants, i.e. provision of information to aliens and their employers on their rights

and duties, is implemented via Labour, Social Affairs and Family Offices that provide consulting on the rights and duties of third country nationals pursuant to the employment rights. (or closer information see above, Par. 1).

In the SR, employment permit is one of the prerequisites and legal conditions for the granting of a temporary residence permit for the purpose of employment, but in certain cases, it is also required for certain aliens with temporary residence permit for the purpose of study or family reunion, or for certain alien categories with tolerated stay within the SR.

On the contrary, employer employing an EEA citizen is obliged to inform the locally responsible Labour, Social Affairs and Family Office in writing on the establishment and end of employment or similar employment relationship using a so-called information card. Employment permit is not issued for these persons.

SR implemented into its national legislation Council Directive 2003/9/EC of 27, January 2003 defining minimum standards for asylum applicants receiving. Pursuant to this directive, except for an asylum seeker, also an asylum applicant has access to labour market, and this in case, of the asylum procedure has not been legally completed within one year from its initiation. Aliens with additional protection pursuant to the Asylum Act may be employed too.

A person, who was granted asylum is considered a disadvantaged job seeker pursuant to Section 8 Par. 1 Letter j) of the Employment Services Act.

MoLSAF SR focuses on thorough control of equal working conditions implementation, including remuneration, whereby, it also monitors the implementation of social dumping.

One of the measures included in the Concept of Aliens Integration in the SR and possibly helping to secure equal rights for migrants in this field also is the proposal for constant elimination of social barriers and prejudices in the form of intercultural education and discussions for employers, public and officials and increased information spread among employers on employment conditions for aliens, especially on equal conditions after the granting of employment permit.

Statistical Overview of Aliens Employment

As of 31, December 2005, 5,497 aliens were registered at the market. Of them, 1,564 were third country nationals. As of the end of 2006, of the total 6,546 of aliens registered in the labour market, 1,781 are third country nationals. The number of aliens registered in the Slovak labour market increased to 10,233 at the end of 2007. Of them, 2,139 were third country nationals. As of 30, December 2008, 14,241 aliens were registered in the labour market. Of them, 10,642 were EU/EEA citizens employed on the basis of issued information cards and 3,599 were third country nationals. Year 2009 was marked by deepening worldwide crises that also impacted the Slovak labour market. In the employment field, it was manifested in mass redundancies in several companies and an increase of job seekers in the Labour, Social Affairs and Family Offices.

As far as employment of aliens is considered, year 2009 saw a significant reduction in the number of applications for alien employment permits. This also resulted in the low and stagnating number of granted employment permits for aliens. As of 31/12/2009, the total number of aliens and EU nationals registered at the labour offices for the purpose of employment represented 15,264, of that 11,323 were EU nationals, of that 9,218 in the form of an employment relation and 2,105 posted in the SR from another member state.

In terms of nationality of third country nationals employed in the SR, higher numbers are especially reached by aliens from Romania, the Czech Republic, Poland, Hungary and EU/EEA countries. However, significant dynamics were also recorded amongst nationals of Vietnam, Ukraine, China and Korea.

The interest of aliens for positioning in the Slovak labour market was increasing between 2005 and 2009. Thereby, this trend also involved the participation of migrants in private business and trade.

Aliens employed within the territory of the SR have full right of membership in union organisations and use of collective bargaining advantages. Activities of the SR Union Organisations Confederation is based on international agreements, contracts, covenants, conventions and other documents, as well as the Constitution of the Slovak Republic and legal regulations on human rights and freedoms, union, economic, social and cultural rights.

SR supports the membership of migrants in union organisations and their direct involvement in the issues of collective bargaining, or their dialogue with employers or employer unions within the discussion on legal employment relations. In line with European regulations on aliens integration, or in line with the Council of Europe document "Convention on Aliens Participation in Public Life at Local Level" (No. 144/1992), MoLSAF SR fully supports active participation of aliens in public life at various levels, since such involvement may help social and civic integration of aliens within the territory of the SR. Nevertheless, according to the information of respective union organisations within the SR, no significant activities regarding active membership of aliens in union organisation were recorded in the enforcement of their employee, pay, work and social rights and interests. Aliens living in the SR are used to communicate their requirements at the level of respective alien communities and associations (e.g. Vietnamese Community in Slovakia, Union of Afghani in Slovakia, Slovak-Ukrainian Friendship Society, OZAS - Civic Association of Africans in Slovakia, etc.)

Pursuant to the information of union organisation KOVO, one of the largest union organisations in the SR, this association became one of six signatories of the so-called Vienna Memorandum (together with partner organisations from Germany, Austria, Slovenia, Hungary and the Czech Republic). This memorandum deals with social and work related issued of their members, including collective bargaining. Within the Memorandum, UO Kovo agreed that should a union member from another state party to the Memorandum have activities in any of these states, UO Kovo will represent such person as own member, if necessary.

This agreement was legalised at the level of European "Kovo" Workers Federation (meaning machinery, electrotechnical and metallurgy industries). In practice, they were involved in the solution of work related problems of colleagues from the Czech Republic several times in the recent years, for example the issue of travel costs compensation for employees of Hutné montáže Vítkovice, who worked in Slovakia.

Article 19§5

Article 19 Par. 5 of the Charter is implanted in the national tax law of the SR via Act No. 595/2003 Coll. on Income Tax as amended. To secure the rights of migrating workers and their families within the territory of the SR, the Income Tax Act includes provisions securing equal treatment for these migrant workers.

Pursuant to this Income Tax Act, these tax payers may be taxed as natural persons with unlimited tax duty (taxation of worldwide income – Section 2 Letter d) Item one of the Income Tax Act) or limited tax duty (taxation of income earned within the territory of our state – Section 2 Letter e) Items one and two of the Income Tax Act), and this especially depending on the duration of their stay within the territory of the SR. In Section 1 Par. 2, the Income Tax Act defines precedence of international agreements over this act, as approved, ratified and published in a legally defined form, e.g. agreements on double taxation prevention that are binding for the SR, but also Council Regulations (EEA), e.g. from 15, October 1967, No. 1612/68, where Article 7 (Employment and Equal Treatment) Item two defines that a worker, who is a member state national, has the same social and tax advantages as own nationals.

Pursuant to Section 130 Par. 8 of Labour Code (Act No. 311/2001 Coll. as amended), following the wage deductions pursuant to Section 131 of Labour Code, the employer is obliged to transfer pay or its part specified by the employee to an account of his/her choice in a bank or branch of a foreign bank within the SR, provided the employee requests this in writing, or the employer agrees so with the employee so that the entire amount of financial funds can be credited to such account on or prior to the defined pay day. Should an employee request so, the employer may transfer parts of the pay to several accounts specified by the employer (migrant worker).

Section 131 Par. 1 of Labour Code specifies wage deductions. Of the employee wage, the employer especially deducts social insurance, health insurance advances, outstanding payment from annual settlement of public health insurance advances, contribution to additional pension saving paid by the employee pursuant to a special regulation (Act No. 650/2004 Coll. on Additional Pension Saving as amended), tax advances, outstanding tax advances, outstanding tax, outstanding payment accumulated by fault of the tax payer with respect to tax advances and tax including collateral and outstanding payment from the annual settlement of income tax advances.

Article 19§6

The source of alien right to family reunion within the territory of the SR are international agreements ratified by the SR, as well as legal regulations of the EU that are or are gradually becoming part of Slovak legislation. Legal framework especially represents Council Directive No. 2003/86/EC on the Right to Family Reunion specifically regulating the issue of right to family reunion of an alien in the EU. Council Directive 2003/86/EC defines conditions for the implementation of family reunion right of third country nationals with legal residence within the territory of member states. Preamble of Council Directive No. 2003/86/EC defines the principle of family protection, family life respect, basic rights and principles respect with reference to EU Basic Rights Charter and Article 8 of European Treaty. Council Directive No. 2003/86/EC recognises the existence of family reunion right. Other than Article 8 of European Treaty, it provides a directly applicable right to family

reunion in host country, provided the applicant meets conditions defined by the directive, whereby, member states may not preserve or introduce other conditions. Pursuant to this directive, persons entitled to family reunion with a third country national with a valid residence permit are:

- Spouse,
- Both legitimate and illegitimate children, as well as adoptive children,
- Other family members – including unmarried partners, full aged children dependent of parents or dependant family members in descending order.

Family integrity protection is indirectly provided by Act No. 36/2005 Coll. on Family that belongs to one of the decisive acts implementing Article 41 of the Constitution. This regulation applies to any person living within the territory of the SR, including aliens. Respective rights of aliens within the territory of the SR are deducted from their legal status, or legal title regulating their stay in Slovakia.

National legislation differentiates legal regulation of the right to family reunion of aliens, who are staying in the territory of the SR based on the provisions of Act No. 48/202 Coll. on the Stay of Aliens (i.e. legally or without residence permit) and the right to family reunion of asylum seekers and aliens provided additional protection pursuant to Act No. 480/2002 Coll. on Asylum. Both legal regulations are mutually interconnected, which is the result of the specific status of aliens outside the country of their origin. Primary right to family reunion is embodied in the act on the residence of aliens. Among others, its provisions regulate the conditions of aliens entry and residence within the territory of the SR, as well as the conditions and procedure of administrative extradition from the territory of the SR, meaning three principal situations when it is necessary for the state to consider commitments resulting from the right to private and family life respect.

The Act on the Stay of Aliens differentiates three types of residence permits within the territory of the SR – permanent, temporary and tolerated stay. An alien may enforce the right to family reunion for each of these residence types. The reason establishing an alien's right to permanent residence is the existence of certain links of the alien to a national of the SR (e.g. marriage, dependence of a relative in direct line) or to an alien with permanent residence within the territory of the SR (e.g. who is under aged, free child or unprovided for child of an alien older than 18 years of age). The Police Force grants an additional permanent residence permit to an alien, who is a family member of an alien with temporary residence, within the territory of the SR, spouse or lone parent depending on the care of an alien with permanent residence permit, or an under aged child of an alien with additional permanent residence permit. Condition of additional permanent residence permit granting is a temporary residence permit granted to the family member of the alien for a minimum of five years immediately before the filing of an application for permanent residence.

The embedded right of family members to permanent residence, conditioned by a continuous residence of five years preceding the filing of an application, is the transposition result of Council Directive No. 2003/86/EC on the Right to Family Reunion. When filing a permanent residence application, the alien has to submit documents substantiating family links between the applicant and person, with whom the applicant wishes to reunite. Such documents may be especially certificate of marriage or register documents supporting the family relation – e.g. birth certificates of family members.

Further documents are required depending on the person and purpose of family reunion – e.g. a document showing that a child is unprovided for, a document showing the dependence of a relative in direct line, etc. Every applicant has to also document own integrity, financial coverage of stay and accommodation for the permanent residence duration.

Pursuant to Act No. 48/2002 Coll. on the Residence of Aliens, temporary residence permit is granted to aliens for the following purposes:

a) Business, b) Employment, c) Study, d) Special activities, e) Family reunion or f) Service duties of armed forces civil units.

A temporary residence permit for the purpose of family reunion is granted to an alien, who is:

Spouse of an alien with temporary or permanent residence permit, provided the couple is minimum 18 years of age, b) A single child younger than 18 years of age of aliens with a temporary residence permit, or of an alien with temporary residence permit, or his/her spouse or asylum seeker, or spouse of asylum seeker, who has a child in personal care pursuant to the law or a resolution of the relevant authority, c) Unprovided for child older than 18 years of age of an alien with temporary residence permit or of his/her spouse, d) Relative in direct ascending line of an asylum seeker younger than 18 years of age, e) Lone parents depending on the care of an alien with a temporary residence permit pursuant to Sections 19 or 20 Par. 1 or alien with a permanent residence permit or f) A dependant person pursuant to an international treaty.

Statistical data:

Overview of granted residence permit for the purpose of family reunion and overview of currently active residences as of the end of the reference period for the respective years:

Family reunion	*01/01 – 31/12*	*As of 31/12*
2005	245	1132
2006	324	827
2007	456	961
2008	619	1250
2009	591	1584

Article 19§7

Pursuant to Article 47 Par. 3 and with reference to Article 47 Par. 2 of the Constitution of the Slovak Republic, all parties in court proceedings are equal. Pursuant to Section 7 of Civil Court Proceedings (hereinafter only "CCP"), courts try disputes and other legal matters also resulting from employment relations, provided they are not tried and decided by other authorities. With respect to this, Section 18 of CCP Sentence one expresses the principle of all members equality in court proceedings also applying to migrant workers in matters related to their employment within the territory of the SR and thus also the provisions of Article 19 of the Charter. Further, this principle is expressed in the fact that migrant workers have, pursuant

to Section 18 Sentence two of CCP, the right to act in the court in their mother tongue or official language of the state, which they understand and also, the courts are obliged, pursuant to Sentence three of the same Section, to create equal conditions for the enforcement of their rights, which in case of a foreign national or citizen is secured via the invitation of a translator or interpreter to participate in the court proceedings.

As far as the access of migrant workers to justice is concerned, as one of the assumptions of equal treatment in court proceedings in the SR as compared to parties that are Slovak citizens, Act No. 327/2005 Coll. on Legal Aid to Persons in Material Distress and change and amendment of certain acts established the Legal Aid Centre (hereinafter the "Centre") as a state non-profit organisation. Its task is to provide legal aid pursuant to the said act, including the representation of eligible persons in court proceedings. Pursuant to the said act, a person eligible for legal aid provided by the centre under specific conditions is any natural person with common residence or domicile within the territory of an EU member stay. In case of migrant workers, the so-called cross-border disputes provisions apply to legal aid provision.

Real position of a migrant worker as a party in civil court proceedings also trying, as already mentioned, employment disputes and matters resulting from employment, depends on the scope of rights granted by legal regulations that are not primarily in the competence of the Ministry of Justice of the SR, but the existence of which is assumed in Article 19 of the Charter. Therefore, in the national legislation they should represent realistic means for the "securing of efficient rights enforcement of migrant worker and their families for the protection and help within the territory of any contractual party" listed in Article 19 of the Charter.

Pursuant to Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and the Protection from Discrimination and change and amendment of certain acts as amended (the Antidiscrimination Act), the Antidiscrimination Act fully applies to migrant workers provided they fulfil, except for others, also one the following conditions listed in Section 4 Par. 1 Letter a) Of the Antidiscrimination Act, i.e. they are nationals of a European Union member state party to the European Economic Area Convention or the Swiss Confederation.

Migrant workers (pursuant to Article 19 of the Charter) are also subject to the Antidiscrimination Act provisions on the application of equal treatment principle in social security, health care and other fields including employment and similar legal relations.

Should a person (i.e. a migrant worker) believe that his/her rights, legally protected interests or freedoms are or were limited by the violation of the equal treatment principle, he/she may enforce own rights in the court, whereby, matters of equal treatment principal violation are subject to CCP, if the Antidiscrimination Act does not provide otherwise.

Article 19§9

Pursuant to Section 130 Par. 8 of Labour Code (Act No. 311/2001 Coll. as amended), following the deduction of levies pursuant to Section 131 of Labour Code, the employer is obliged to transfer pay or its part specified by the employee to an account of his/her choice in a bank or branch of a foreign bank within the SR, provided the employee requests this in writing, or the employer agrees so with the employee so that the entire amount of financial funds can be credited to such account on or prior to the defined pay day. Should an employee

request so, the employer may transfer parts of the pay to several accounts specified by the employer (migrant worker).

Section 131 Par. 1 of Labour Code specifies wage deductions. Of the employee wage, the employer deducts social insurance, health insurance advances, outstanding payment from annual settlement of public health insurance advances, contribution to additional pension saving paid by the employee pursuant to a special regulation (Act No. 650/2004 Coll. on Additional Pension Saving as amended), tax advances, outstanding tax advances, outstanding tax, outstanding payment accumulated by fault of the tax payer with respect to tax advances and tax including collateral and outstanding payment from the annual settlement of income tax advances.

In the SR, there are no legal limitations to transfer of earnings and savings between neither accounts in Slovak and foreign banks nor other financial institutions, nor any limitations in the transfer of financial funds as such.

Article 19§11

In terms of education, it is necessary to differentiate between two principle areas of alien needs, namely the education of children with priority need for Slovak language education and the education of adults requiring not only good knowledge of the host country language. Their need for a wider education spectrum needs to be considered. Adaptability of adult aliens to new cultural and legal environment is a bit more complicated.

In the recent years, a certain advance has been recorded in the Slovak conditions, especially in the education of children of aliens. Based on the recommendations of the European Union under the pre-accession conditions, a new Section 34a on the Education and Training of Children of Aliens was included into Act No. 29/1984 Coll. on the System of Primary and Secondary Schools (the School Act) as amended by other regulations and Act No. 408/2002 Coll. with effect as of 01, September 2002.

Currently, this act has been replaced by a new Act No. 245/2008 Coll. on Training and Development (the School Act) and change and amendment of certain acts in force and effect as of 1, September 2008.

Further important legal regulations completing the legal framework of education for aliens in the SR are the following:

- Act No. 596/2003 Coll. On State Administration in Education and School Administration and change and amendment of certain acts as amended, v
- Act No. 477/2002 Coll. On the Acceptance of Professional Qualification as amended v And Edict of the MoE SR No. 238/2005 Coll. on Procedures in the Acceptance of Education Documentation as amended,
- Act No. 131/2002 Coll. On Universities and change and amendement of certain acts as amended
- Act No. 568/2009 Coll. On Lifelong Training and change and amendment of certain acts,
- Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection from Discrimination and change and amendment of certain acts (Antidiscrimination Act) as amended.

Contrary to the general alien definition pursuant to the Act on Residence of Aliens, the School Act defines the term children of aliens in a specific way. Pursuant to Section 146 of the School Act, children of aliens are children of the following:

a) Nationals of another state or stateless persons with a permitted residence within the SR,
b) Asylum seeker within the territory of the SR according to a special regulation,
c) Slovaks living abroad,
d) Asylum or additional protection seekers pursuant to the Asylum Act,
e) Under aged aliens found within the territory of the SR without the company of a legal representative.

Children of aliens with a permitted residence within the SR, children of asylum seekers and Slovaks living abroad are provided training and education, accommodation and board in schools according to the School Act under conditions identical with those applying to SR nationals. To remove language barriers, basic and advanced language courses are organised for the children of aliens. Children of asylum seekers, asylum holders, aliens enjoying additional protection pursuant to the Asylum Act are assigned to the relevant year by the school director following the determination of their education level and state language command within three months of the asylum procedure commencement, in case of children of departed, within three months of the commencement of proceedings leading to the granting of temporary refuge. Insufficient command of state language is a reason for conditional assignment of a child to the relevant year according to age for a maximum of one school year. For children of asylum seekers in asylum facilities, whose school attendance is compulsory pursuant to this act, the courses of Slovak language basics are personally and financially supported by the MoI SR.

However, language courses for children of aliens may also be organised by other legal entities or natural persons accredited pursuant to special legal regulations.

For the children of aliens with residence permits for the territory of the SR, other than state school may be established and training and education may also take place in other than state language against payment. For the children of aliens with residence permits for the territory of the SR, other than state school may be established and training and education may also take place in other than state language against payment.

Further entities in language education of children are regional school offices cooperating with the local self-government authorities organising and funding language courses for children of aliens with residence permits for the territory of the SR.

Based on the above stated, when providing financial funds to founders of schools and educational facilities registered in the network of MoE SR schools and school facilities, the contribution per child of an alien is identical with the contribution per a child of a Slovak national. Slovak legislation does not disadvantage children of aliens in any way.

University study is regulated by Act No. 131/2002 Coll. On Universities and change and amendment of certain acts as amended (the "University Act"). The cited acts states that a SR national, national of a member state and a third country national are entitled to study the selected study program at a university, provided the basic admission conditions are met. One of the basic admission conditions for aliens is the acceptance of documents of education for academic purposes issued by a foreign university and the transfer of grades into Slovak

classification grades in case of continued study. Further admission conditions may be set by every university itself.

The University Act also regulates study funding, the conditions of school fees payment and the fees connected with the study at a public university. The study of aliens at public universities is regulated by Section 92 Par. 9 of the cited act as follows: "Aliens, who are not nationals of a member state and do not have permanent residence in a member state may be required by a public university to pay school fees in a special amount also in the course of standard study duration. In case of students studying pursuant to inter-state agreements, school and related fees are subject to these agreements." SR provides government scholarships to a selected number of foreign students from third countries. This happens via the Foreign Relations House under the MoE SR. It coordinates and administratively manages the entire scholarship granting process. One of the conditions for scholarship granting is the submission of a confirmation from the country of origin, which however cannot be obtained by aliens afraid to contact official authorities in their country from fear of persecution. Therefore, in this group of aliens, it is often not possible to finance study from these sources.

Good command of host country state language is a basic condition of successful integration and a tool for further knowledge acquirement and education, as well as communication means in the creation of relationship between the migrant and the surrounding world. Language command increases the migrant's possibility of labour market participation and improves active communication with authorities and in public and social lives.

With respect to the necessary improvement in language education of aliens as one of the basic conditions for their successful integration into the Slovak society, it is necessary to extend Slovak language education, organise more intense, institutionalised and formal courses of Slovak language and culture for integrable aliens.

It is necessary to extend the possibilities of Slovak language courses for aliens to all Slovak regions. Lessons of Slovak language as a foreign language are not systematically organised in the SR. Further, it is necessary to define the amount of state financial support and financial participation of the alien as an incentive for education, especially in terms of language skills.

In years 2005 – 2009, aliens had the possibility to participate in Slovak language lessons via several programs: A program named "Slovak language as a foreign language" organised by the Philosophy School of Comenius University (at the School of Slovak Language and Literature). It was fully funded by the MoE SR.

Further language education possibilities are offered by the "Comenius University Training Centre" under the "Institute of Language and Professional Preparation of Foreign Students" (UJOP). It offers language education to adults (18 years plus) and supports them in their effort for society integration, possibly university study. These courses are subject to accreditation. A significant educational institution with activities throughout Slovakia is the Academy of Education with a network of branches covering the interest of a larger part of aliens. Slovak courses organised by the Academy are also available in evening hours. The disadvantage of these services is their price. Therefore, not everybody can afford services of this educational institution, especially lower income groups of aliens, e.g. larger families.

As far as the issue of language course payments is concerned, a principle role is played by the *European Fund for Third Country Nationals Integration for Years 2007 - 2013*, since it offered several possibilities of payment for training organised via national and individual projects.

Article 27 – The right of workers with family responsibilities to equal opportunities and equal treatment

With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake

1. to take appropriate measures:
   a. to enable workers with family responsibilities to enter and remain in employment, as well as to re-enter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training;
   b. to take account of their needs in terms of conditions of employment and social security;
   c. to develop or promote services, public or private, in particular child day care services and other childcare arrangements;
2. to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which should be determined by national legislation, collective agreements or practice;
3. to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment.

Appendix to Article 27

It is understood that this article applies to men and women workers with family responsibilities in relation to their dependent children as well as in relation to other members of their immediate family who clearly need their care or support where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity. The terms "dependent children" and "other members of their immediate family who clearly need their care and support" mean persons defined as such by the national legislation of the Party concerned.

Information to be submitted

Article 27§1

Simplified access to work and its performance, harmonisation of work and family duties of employees caring for children are based on the possibility to sign a part time employment contract pursuant to Section 49 of Labour Code, to extend a more flexible form of employment, an employer and employee may agree on employment for a limited period of time (Section 48 of Labour Code), employment contract for work from home and telework (Section 52 of Labour Code), employment relation established by a contract on work (Section 226 of labour Code), agreement on work activities (Section 228a) of Labour Code). Further, employer may also introduce flexible working hours (Sections 88 and 89 of Labour Code) meaning that the employee chooses the beginning and end of working hours.

The right for civil service admission pursuant to Section 4 of Civil Service Act is guaranteed to all citizens, including the conditions and method of selection process, or selection for free civil service jobs, provided they meet conditions defined in the act or a special regulation. In civil service, discrimination of civil servants and citizens applying for civil services is prohibited due to gender, sexual orientation, religion or belief, race,

nationality or ethnic origin, skin colour, language, social background, property, family, unfavourable health condition or health disability, age, marital status, family status, family duties, membership or activities in a political party or movement, union organisation, other association or for other status reasons. Should a civil servant or citizen applying for civil service believe that their rights or legally protected rights were violated through the non-observance of the equal treatment principle, they may request protection with the service office or court.

Pursuant to Section 72 of Civil Service Act, following a maternity leave or parent leave end, a civil servant will return to civil service to the same civil servant position, she held prior to maternity or parent leave commencement. Should such assignment be impossible, the service office assigns the civil servant to a civil service job within the same field of civil service and in the same function, provided the civil servant does not agree otherwise with the service office.

This also applies to a male civil servant after the end of parent leave. Pursuant to Section 157 of Labour Code, should an employee return to work after the end of maternity or parent leave (Section 166 Par. 1 – after 24, or 37 weeks), the employer is obliged to assign him/her to the original work and worksite. Should this be impossible, since the work is no more performed or the worksite has been closed, the employer has to find different work corresponding with the employment contract.

Following the return of an employee from parent leave (Section 166 Par. 2 of Labour Code – up the child's age of three years), the employer is obliged to assign him/her work pursuant to the employment contract (Section 47 Par. 1 Letter a) of Labour Code).

Pursuant to Section 14 Par. 1 and 2 of Act No. 5/2004 Coll. on Employment Services, the right of access to employment represents a right of a citizen who wishes to work, can work and searches employment, to services pursuant to this act. They focus around the simplification and support of labour market access, including aid and support of access and abidance of a disadvantaged job seeker in the labour market for a period of minimum six continuous calendar months.

A citizen has the right of access to employment without any limitations pursuant to the principle of equal treatment in employment relations and similar legal relations, as defined in the Antidiscrimination Act. In line with the principle of equal treatment, discrimination is prohibited based on marital and family status, skin colour, language, political or other opinion, language, union activity, national and social origin, property, family line and other position.

In its initial articles, Labour Code includes basic principles based on the Constitution of the Slovak Republic. These represent general legal rules reflected in employment standards. They fulfil an important protection function and help legal interpretation of respective Labour Code provisions.

Pursuant to Article 1 of Labour Code basic principles, natural persons have right to work and free choice of employment, just and satisfactory working conditions and protection from unemployment. These rights exist without any limitations and direct or indirect discrimination according to gender, marital and family status, race, skin colour, language, age, unfavourable health condition or health disability, belief or religion, political or other opinion,

union activity, national or social origin, nationality or ethnic origin, property, family line or other position except for cases defined in the act, or if there is a reason for the performance of such work resulting from the conditions and requirements and character of work, which the employee is to perform.

Pursuant to Section 13 Par. 1 of Labour Code, in employment relations, employer is obliged to treat employees in compliance with the equal treatment principle defined for the area of employment relations in a specific law on equal treatment in certain areas and on protection from discrimination and change and amendment of certain acts (Antidiscrimination Act).

Pursuant to Section 6 Par. 1 of Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection from Discrimination and change and amendment of certain acts (hereinafter the "Antidiscrimination Act"), in compliance with the equal treatment principle, discrimination of individuals on the basis of their gender, religion or belief, race, nationality or ethnic origin, disability, age or sexual orientation is prohibited in employment and similar legal relations and in associated legal relations.

The equal treatment principle pursuant to Section 6 Par. 1 of the Antidiscrimination Act is only applied with combination with rights of natural persons defined in special acts in the following fields:

a) Access to employment, job or other gainful activity or function (hereinafter "employment"), including recruitment conditions and selection conditions and implementation,
b) Employment performance and work performance conditions, including remuneration, carrier advancement and redundancies,
c) Access to professional training, further training and participation in programs of active labour market measures, including access to consulting for job selection and employment change (hereinafter "professional training"),or
d) Membership and activities in an employee organisation, employer organisation and organisations associating individuals of certain professions, including the enjoyment of advantages provided by such organisations to their members.

Discrimination on the basis of gender includes discrimination on the basis of pregnancy or maternity, as well as discrimination on the basis of sex or gender identification.

Pursuant to Section 13 Par. 2 of Labour Code, in line with the principle of equal treatment, discrimination is prohibited based on marital and family status, skin colour, language, political or other opinion, language, union activity, national and social origin, property, family line and other position.

Pursuant to Section 41 Par. 8 of Labour Code, in the recruitment process, employer may not violate the equal treatment principle in terms of access to employment (Section 13 Par. 1 and 2 of Labour Code).

Pursuant to Section 41 Par. 9 of Labour Code, at the time of employment, should an employer violate duties specified in Section 41 Par. 8, the natural person is entitled to relevant monetary compensation.

Pursuant to Article 6 of Labour Code basic principles, men and women have right to equal treatment in terms of access to employment, remuneration and carrier advancement, professional training and working conditions. Women are provided with working conditions enabling them to participate in work considering their physiological condition and their social function in maternity and women and men with respect to their family duties in the education and care for children.

Employment relations of employees performing work in public interest (Act No. 552/2003 Coll. on Work in Public Interest as amended) are subject to Labour Code provisions provided the Act on Work in Public Interest or a special regulation do not provide otherwise. The said suggests that the antidiscrimination provisions of Labour Code also apply to employees performing work in public interest. Pursuant to Section 5 Par 2 of Act No. 552/2003 Coll. on Work in Public Interest, in the selection process, the principle of equal treatment in employment and similar legal relations has to be observed pursuant to Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection from Discrimination and change and amendment of certain acts (Antidiscrimination Act). In line with the principle of equal treatment, discrimination is prohibited based on marital and family status, skin colour, language, political or other opinion, language, union activity, national and social origin, property, family line and other position.

Pursuant to Section 42 of the Act on Employment Services, Labour, Social Affairs and Family Office provides citizens, job seekers, job applicants and employers information and consulting services. Information and consulting services for the purpose of the Act on Employment Services represent services in job selection, employment selection including change of employment and employee selection and adaptation in new job.

For the purpose of the Act on Employment Services, information and consulting services also represent the provision of information and expert advice on the following:

- Required professional skills and practical experience needed for the performance of work activities coupled with the jobs in the labour market pursuant to the national classification of professions,
- Employment possibilities in the SR and abroad,
- Presumptions for the performance of a profession,
- Participation possibilities and conditions for programs of labour market active measures and activation activities,
- Conditions of unemployment benefit entitlement,
- Conditions of participation in partnerships established for the development of employment within the territory of the office.

Pursuant to Section 46 Par 1 of the Act on Employment Services, Labour, Social Affairs and Family Office may provide job seekers and applicants with training and preparation for labour market, provided their labour market placement requires this based on the assessment of their abilities, work experience, professional skills, level of education and health fitness for given work.

Pursuant to Article 6 of Labour Code basic principles, men and women have right to equal treatment in terms of access to employment, remuneration and carrier advancement, professional training and working conditions. Women are provided with working conditions enabling them to participate in work considering their physiological condition and their social

function in maternity and women and men with respect to their family duties in the education and care for children.

Pursuant to Section 6 Par 1 of Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection from Discrimination and change and amendment of certain acts (hereinafter the "Antidiscrimination Act"), in compliance with the equal treatment principle, discrimination of individuals on the basis of their gender, religion or belief, race, nationality or ethnic origin, disability, age or sexual orientation is prohibited in employment and similar legal relations and in associated legal relations.

Pursuant to Section 119 a) Par. 1 of Labour Code, remuneration conditions have to be agreed without any gender discrimination. Provisions of sentence one apply to any remuneration for work, as well as any remuneration paid or to be paid in relation to a job pursuant to other provisions of this act or according to special regulations.

Pursuant to Section 119a) Par. 2 of Labour Code, women and men are entitled to equal salary for equal work or work of equal value. Equal work or work of equal value is work of equal or comparable complexity, responsibility and difficulty performed in equal or comparable working conditions and in the reaching of equal or comparable productivity and work results in employment with the same employer.

Pursuant to Section 119a) Par. 3 of Labour Code, should employer apply system of positions assessment, it has to be based on identical criteria for men and women free of any gender discrimination. In the assessment of female and male work value, except for the criteria listed in Par. 2, employer may also apply further objective measurable criteria that may be applied to all employees regardless of gender.

Pursuant to Section 119a) Par. 4 of Labour Code Par. 1 to 3, they also apply to employees of the same gender, provided they perform identical work or work of identical value.

Pursuant to Section 161 Par 1 of Labour Code, women may not be employed for work that is physically inadequate for them, or that harms their organism, especially work threatening their mother function. Lists of work and worksites prohibited for pregnant women, mothers until the completed ninth month from delivery and nursing women is included in the Government Regulation no. 272/2004 Coll. Defining the List of Jobs and Worksites Prohibited to Pregnant Women, Mothers until the completed ninth month from delivery and nursing women, list of jobs and worksites coupled with a specific risk to pregnant women, mothers until the completed ninth month from delivery and nursing women and defining certain employer duties in the employment of these women.

Pursuant to Section 161 Par 2 of Labour Code, a pregnant woman may not be employed for work, which, according to a medical opinion, threatens her pregnancy for medical reasons on her side. This applies equally to mothers until the end of the ninth month after delivery and nursing women.

Pursuant to Section 162 Par 1 of Labour Code, should a pregnant woman be performing work prohibited to pregnant women, or, according to a medical opinion, threatening her pregnancy, her employer is obliged to modify the working conditions temporarily.

Pursuant to Section 162 Par 2 of Labour Code, should a modification of working hours pursuant to Par. 1 be impossible, the employer shall temporarily transfer the woman to a suitable job, where she may earn wages identical with her old job. Should this be impossible, based on mutual agreement, she can also be transferred to a job of a different character.

Pursuant to Section 162 Par 3 of Labour Code, should a woman transferred to a different job without her culpability earn smaller wages compared to her previous job, she shall receive a pregnancy or maternity compensation according to a special regulation (i.e. Act No. 461/2003 Coll. on Social Insurance as amended).

Pursuant to Section 162 Par 4 of Labour Code, should it be impossible to transfer a pregnant woman to a job with day time hours, or other suitable job, the employer is obliged to offer her paid time off.

Section 162, clauses 1 to 4 apply equally to mothers until the end of the ninth month after delivery and nursing women in the meaning of Section 162 Par. 5 of Labour Code.

Pursuant to Section 90 Par 11 of Labour Code, provided an employer's operation enables this, based on an employee application, employer is obliged to authorize a modification of weekly working hours due to health or other important reasons sides the employee, or negotiate it under the same conditions in a labour contract based on the employee's request.

Pursuant to Section 164 Par 1 of Labour Code, an employer is obliged to consider the needs of pregnant women and women and men caring for children, when allocating employees into shifts.

Pursuant to Section 164 Par 2 of Labour Code, should a pregnant woman and woman or man permanently caring for a child below the age of 15 request shorter working hours or other suitable modification of defined weekly hours, the employer is obliged to accept their request, provided operational reasons do not make this impossible.

Pursuant to Section 164 Par 3 of Labour Code, a pregnant woman, woman or man permanently caring for a child younger than three years of age, lone woman or lone man permanently caring for a child younger than 15 years of age, may only be subjected to overtime work with their consent. Stand by work may only be agreed with them.

Pursuant to Section 170 Par 1 of Labour Code, except for work breaks, employer is obliged to provide a nursing mother with special breaks for nursing.

Pursuant to Section 170 Par 2 of Labour Code, a mother working the defined weekly hours is entitled to two half hour nursing breaks for each child below the age of six months. In the following six months, one half our nursing break per shift. Employer shall plan the nursing breaks in a way not disturbing operations. Labour Code offers the possibility to integrate and use such breaks at the beginning or end of shift. If working shorter hours, but minimum half of the defined weekly hours, she is entitled to one half hour nursing break for each child below the age of six months.

Pursuant to Section 170 Par 3 of Labour Code, the nursing breaks form part of the working hours and they are subject to wage refund in the value of average wage.

In compliance with Act No. 448/2008 Coll. on Social Services and change and amendment of Act No. 455/1991 Coll. on Trades (the Trades Licensing Act) as amended by Act No. 317/2008 Coll., there are also social services supporting families with children. Pursuant to Section 31 of this act, for the purposes of this act, the support of family and work lives harmonisation represents district and field social service offered to parents or other natural person personally caring for a child based on a court decision in the time of parent or other natural person personally caring for a child based on a court decision preparation for labour market and other activities related to labour market entry or return.

Section 6 Par. 3 and 4 of Act No. 461/2003 Coll. on Social Insurance as amended states that insured persons have rights in the enforcement of social insurance in line with the equal treatment principle in social security as defined by special Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection from Discrimination and change and amendment of certain acts (Antidiscrimination Act) as amended.

An insured person believing that his/her rights or legally protected interests were injured as a result of equal treatment principle violation may claim legal protection with court pursuant to special Act No. 365/2004 Coll.

Help in personal child care and support of family and work lives are especially common activities in child or household care, special hygiene, boarding, clothing and disrobing, help in school lessons preparation and child accompanying.

Children between 2 and 6 years of age may be placed in kindergartens. Pre-school education in kindergartens represents an integral part of the training and education process. Currently, there are public, church and private kindergartens.

Pursuant to Section 16 Par. 2 of Act No. 245/2008 Coll. on Training and Education (the School Act) and change and amendment of certain acts – children acquire pre-primary education in the last year of kindergarten educational program. The acquired level of education is documented via a certificate on pre-primary education completion.

Support network for working parents is also formed by out-of-school facilities (after school club, social service homes for children, day care stations, children's clubs, day sanatoria for children with mental or physical disability, etc.) The establishment of various day care services is also provided for through self-employment or as part of business development in the given field of child care and care for other dependant family members. Space for personal selection of life strategies of women is also created by maternity centres with extended and intensified activities.

To support operation of services for employed parents with children, there are especially school child clubs in the various regions. They secure education of children outside lessons and in the time of school holidays. Further, there are field social services, namely day care, transport services, organisation of common alimentation, as well as day stays in institutional care.

Except for schools, training and education of children and students is also supported by a system of school facilities. Pursuant to Sections 112 and 113 of Act No. 245/2008 Coll., these are the following:

a) School educational training facilities,
b) Specialised educational facilities,
c) School facilities of educational consulting and prevention,
d) Specific school facilities.

School facility pursuant to the previous paragraph is a legal entity, provided the founder specifies so.

School educational-training facilities are the following:

a) School club for children,
b) School centre of spare-time activities,
c) Spare-time centre,
d) School dormitory,
e) School economy,
f) Professional practice centre.

Specialised educational facilities are the following (Sections 120 to 129 of Act No. 245/2008 Coll.):

a) Diagnostic centre
b) Re-education centre
c) Treatment educational sanatoria.

School facilities of educational consulting and prevention provide psychological (Act No. 199/1994 Coll. on Psychological Activities and Slovak Chamber of Psychologists as amended), pedagogic, special pedagogic (including logopaedics and therapeutical pedagogic) and social services focused on the optimisation of educational, training, mental, social and carrier development of children from their birth to completion of professional education. Special care is offered to children with special educational-training needs. Consulting services are also provided to legal representatives of children and to pedagogic staff.

Specific school facilities are the following:

a) Outdoor school (Regulation of the MoE SR No. 305/2008 Coll. on Outdoor School),
b) School meals centres,
c) School service centre.

A document has been adopted for the area of work and family lives harmonisation – Measures for Work and Family Lives Harmonisation for Year 2006 with a View to Year 2010, approved by Government of the SR Resolution No. 560 of 21, June 2006. This document includes measures for the harmonisation of work and family lives. The objective is a definition of harmonisation policy through the formulation of more specific measures, as well as methods of implementation until year 2006 with a view to year 2010. Family and work lives harmonisation measures form part of a complex reform in the field of employment and social policy and are related to tax reform that started in January 2004. Family and work lives harmonisation measures call for close cooperation between MoLSAF SR and other entities, especially Ministry of Education of the SR (especially pre-school and out-of-school education) and Ministry of Construction and Regional Development of the SR (construction

of start up apartments and apartments meeting financial possibilities of families with children). The document aims to support increased employability and employment level of persons with family duties and the minimisation of risk of such persons exposure to a dilemma between work and family, or exposure to labour market and employment discrimination based on their family care and to extend support and relief services for families for the proposed measures to become a tool in the creation of space for coping with unfavourable demographic changes in Slovakia.

Act No. 195/1998 Coll. on Social Help as amended specifies in its relevant provisions the various types of social services that may be provided, the scope of beneficiaries, as well as legal conditions of entitlement to social services.

Provision of social services to a citizen reliant on the help of another person creates conditions for the relief of the closest family members from the burden of care in a certain scope, permanently or temporarily for a certain time. This enables family members, who are or wish to seek employment, to enforce their right to work or search employment without being subject to discrimination and without creating a conflict between their employment and responsibility for the provision of personal care to a family member reliant on the help of another person. Social services and their development are a tool for increased employment level (i.e. a productive factor), as well as employability.

The provision of social help in the field of social services is within the self-government competencies of municipalities and self-governing regions pursuant to Act on Social Help.

Municipalities provide nursing services, transport services and organises common alimentation.

Self-governing regions prepare and publish concept of social services for their territory and implement competencies related to the registration of legal entities and natural persons for the provision of social services (private social service providers) and provides them with a financial contribution for social service costs under specific conditions.

Article 27§2

Pursuant to Section 166 Par 1 of Labour Code, in relation to delivery and care for a newly born child, a woman is entitled to 28 weeks of maternity leave. Should a woman give birth to two or more children simultaneously or in case of a lone woman, the maternity leave is extended to 37 weeks. In relation to care for a born child, from the birth of a child, a man is entitled to parent leave in the same scope, provided he cares for a born child.

Pursuant to Section 166 Par 2 of Labour Code, to extend child care, employers are obliged to provide men and women, based on their application, parent leave up to the child’s age of three years. In case of a long-term unfavourable health condition of a child requiring special care, employer is obliged to provide a woman or man, based on their application, parent leave up to the child's age of six years. This leave is provided in the scope requested by the parent, however, it is always for a minimum of one month.

Pursuant to Section 169 Par 1 of Labour Code, a woman or man accepting a child into substitute parent care based on a legal decision of the relevant authority for later adoption or

into foster care, or a child whose mother deceased are also entitled to maternity and parent leave.

Pursuant to Section 169 Par 2 of Labour Code, maternity or parent leave are offered to woman or man from the day of such child acceptance for a period of 22 weeks, and if a woman or man accepted two or more children, or in case of a lone woman or man in a duration of 31 weeks, however, not beyond the day, when the child reaches eight months of age. Parent leave is provided in the duration of three years from the day of the child acceptance and six years from the day of child acceptance in case of children with long-term unfavourable health conditions requiring personal care, however not beyond the day, when the child reaches six years of age.

Pursuant to Section 168 Par 3 of Labour Code, if a child was born dead, a woman is entitled to maternity leave in the duration of 14 weeks.

Pursuant to Section 168 Par 5 of Labour Code, should a child die within the period, when a woman is on maternity leave or man and woman on parent leave, they are entitled to this leave for two extra weeks from the day of the child's death, however, maximum until the day when the child would have reached one year.

Provisions of Sections 166. 168 and 169 of Labour Code, as part of Labour Code delegated effect for civil servants provided for in section 120 of the Civil Service Act, apply adequately to civil servants.

Article 27§3

The Labour Code does not recognise pregnancy, maternity leave, or marital status as reasons for employment termination. Therefore, an employer may not apply such reasons towards an employee. An employer may terminate employment of an employee for reasons specified in Section 63 of Labour Code (organisational reasons sides the employer, health reasons and breach of work discipline sides the employee). The termination reason has to be clearly specified in the termination notice for it not to be interchangeable with another reason. Otherwise, the termination notice is invalid. A termination notice may not be changed (Section 61 Par. 2 of Labour Code).

The Labour Code philosophy builds on the protection of employees with responsibility for family, which is reflected in Section 64 Par. 1 Letter c) of Labour Code, according to which an employer may not give notice a pregnant employee, employee on maternity leave, or female or male employee on parent leave, or when a lone female or male employee cares for a child below the age of three years.

An employer may terminate employment through notice of a pregnant woman and woman on maternity leave, or woman and man on parent leave and lone female or male employee caring for a child below the age of three years only in exceptional cases, namely when the employer or a part thereof is wound up or relocated (Section 63 Par. 1 Letter a) of Labour Code) And there is no legal or physical successor of the employer, and in cases when the employment could end immediately due to work discipline violation.

Service office may terminate a civil servants employment through a termination notice for reasons defined in Section 47 of the Civil Service Act (termination of civil servant

position, loss of health qualification for civil service performance in a given civil servant position, withdrawal from a managing function, unsatisfactory fulfilment of service tasks and violation of service discipline). The Civil Service Act provides protection to civil servants with family responsibilities. In Section 49, it specifically defines a ban on notice served to civil servant in a protection period, which for the purpose of this act means the allocation of a female civil servant outside active civil service, due to pregnancy and maternity for nine months from delivery or lactation. Except for special regulation with respect to prohibited termination notice, civil servant employment are subject to the provisions of Section 64 Par. 1 Letter c) of Labour Code.

The most important documents of public policy approved by the SR Government in the field of gender equality, work, family and personal lives harmonisation include:

- Measures for the harmonisation of family and work lives for year 2006 with a view to year 2010 (approved by Government Resolution No. 560/2006 of 21, June 2006),
- National action plan for the prevention and elimination of violence committed on women for years 2009 – 2012 (approved by the SR Government Resolution No. 438/2009 of 17, June 2009);
- National Strategy of Gender Equality for Years 2009 – 2013 (approved by the SR Government 8, April 2009 via Resolution No. 272/2009);
- National Action Plan of Gender Equality for Years 2010 – 2013 (approved by SR Government Resolution No. 316/2010 of 12, May 2010)
- Memorandum on Cooperation Between the Government of the SR and KOZ SR in the implementation of gender equality. The memorandum was approved by the SR Government 30/09/2009 (Resolution No. 670/2009 of 30, September 2009, signed 19, March 2010).
- Report on the discussion of Second, Third and Fourth Period Report of the SR on the Convention on the Elimination of All Discrimination Forms of Women (CEDAW) in the Committee for the Elimination of Discrimination of Women and on Final Findings of the Committee for the Elimination of Discrimination of Women. SR Government approved it 14/10/2009 (Government Resolution No. 727/2009 of 14, October 2009).

MoLSAF SR sponsored the creation of coordination system for horizontal priority equal opportunities under the structural funds and the department of equal opportunities support centre was opened to support it.

Since 2000, MoLSAF SR has been organising competition on Family, Gender Equality and Equal Opportunity Friendly Employer. It has received positive feedback from employers and reached high international credit as an example of best practice.

MoLSAF SR is working on quality improvement of national project Gender Equality Institute based on an audit and support of professional management of the project.

MoLSAF SR implemented the first national information campaign "Stop Domestic Violence on Women" that stressed the idea of zero violence tolerance. www.zastavmenasilie.sk was created as part of the campaign. Currently, the web page is under reconstruction. MoLSAF SR is preparing implementation of project – Support of Prevention and Elimination of Violence Committed on Women. It will represent a system solution and provision of specific support, help and protection for women experiencing violence.