



25/06/2014

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## **EUROPEAN SOCIAL CHARTER**

Addendum to the  
4<sup>th</sup> National Report on the implementation of  
the European Social Charter  
submitted by

**THE GOVERNMENT OF THE SLOVAK REPUBLIC**

(Articles 4§3, 5 and 28  
for the period  
01/01/2009 – 31/12/2012)

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**CYCLE 2014**



## Replies to questions addressed to the Slovak Republic Conclusions 2014

### **Article 4§3**

In response to the question of the ECSR concerning pay comparisons across companies it has to be stated that in cases when several companies are covered by a collective agreement or higher-level collective agreement, it is up to the given companies and the respective representatives of their employees and employers to decide on the nature of pay comparison within these companies. The representatives of employees and employers are free to negotiate all the details of this comparison and any other related issues. The legislation of the Slovak Republic provides the social partners with freedom to negotiate these aspects, therefore pay comparisons are encouraged.

This is in accordance with the Labour Code and EU Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation which state that evaluation of workers has to be based on the same criteria for women and men without and discrimination.

### **Article 5**

The legislation of the Slovak Republic provides that any person is able to form, join and participate on the work of trade unions without any discrimination based on age, gender, employment status, retirement, health condition, etc. This is provided for by the Act 83/1990 Coll. on the Association of Citizens and Act 365/2004 Coll. the Antidiscrimination Act.

### **Article 28**

Paragraph 240 of the Labour Code specifies that when a workers' representative's period of office comes to an end, they are granted a six month protection period to protect them from actions that could harm them, including termination of employment and other actions that could be motivated by their position or activities.

Workers' representatives have at their disposal the same remedies to allow them to contest acts prejudicial to them as any other person. They are able to anytime file a complaint to the relevant court and begin the court proceedings.

A compensation for the damage suffered by the worker's representative that has been dismissed is guaranteed at the same level as it is guaranteed for any other employee. The details are to be specified by the court. Besides, wage compensation up to the amount of 36 months may be provided to the person.