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23rd National Report on the implementation of the European
Social Charter

submitted by

THE GOVERNMENT OF SLOVENIA

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REPUBLIC OF SLOVENIA

23rd National Report
on the implementation of the European Social Charter (revised)

Article 2§1 Reasonable daily and weekly working hours

a) Please provide information on occupations, if any, where weekly working hours can exceed 60 hours or more, by law, collective agreements or other means, including:

- information on the exact number of weekly hours that persons in these occupations can work;
- information on any safeguards which exist in order to protect the health and safety of the worker, where workers work more than 60 hours.

Article 144 of the Employment Relationship Act (Official Gazette of the Republic of Slovenia, Nos 21/13, 78/13 – corrigendum, 47/15 – ZZSDT, 33/16 – PZ-F, 52/16, 15/17 – Constitutional Court Decision, 22/19 – ZPosS, 81/19, 203/20 – ZIUPOPĐVE, 119/21 – ZČmIS-A, 202/21 – Constitutional Court Decision, 15/22, 54/22 – ZUPŠ-1, 114/23, 136/23 – ZIUZDS and 70/25 – ZUPŠ-1; hereinafter: ZDR-1) provides that the employer may impose overtime work only in cases expressly provided for by this Act, i.e.:

- *in cases of an exceptionally increased amount of work,*
- *if continuation of the work or production process is necessary in order to prevent material damage or threat to the life and health of people,*
- *if this is necessary to avert damage to work equipment,*
- *if this is necessary in order to ensure the safety of people and property or traffic safety,*
- *in other exceptional, urgent and unforeseen cases provided by law or by a branch collective agreement.*

These are **exceptional cases** that cannot be foreseen in advance and in which it is essential that the work be carried out, regardless of the otherwise specified distribution of working hours. Even if one of the above cases occurs, the employer may not impose overtime work if the work can be performed within the full working time through appropriate organisation and distribution of work, distribution of working time, by introducing new shifts or employing new workers (paragraph one of Article 146 of the ZDR-1).

The ZDR-1 also provides that overtime work may not exceed eight hours per week, 20 hours per month and 170 hours per year. With the worker's consent, overtime work may exceed the specified annual time limit, but may not exceed 230 hours per year (paragraph four of Article 144 of the ZDR-1). The Act also provides that a working day may not exceed ten hours. However, upon the worker's written consent given on each occasion, the employer may also order overtime work in excess of 170 hours per year, but not exceeding 230 hours. The daily, weekly and monthly time limits may be applied as an average limit set by law or collective agreement and may not exceed six months.

In addition to the institution of overtime work, the ZDR-1 allows for temporary redistribution or uneven distribution of working time. Where redistribution is planned in advance or where the reasons and

circumstances for such redistribution can be anticipated, it is considered an uneven distribution. In cases of extraordinary and unexpected circumstances, the employer may decide to temporarily redistribute working time. The main characteristic of such (re)distribution of working time is that in certain time periods working time exceeds full working time (but may not exceed 56 hours per week), while in other periods, working time is shorter than full working time. The reference period is therefore intended to balance the average working time and the employer must redistribute working time accordingly during the balancing period. Full working time is considered as the average working obligation over a period not exceeding six months or twelve months, if so provided for in a branch collective agreement (paragraph five of Article 158 in conjunction with paragraph seven of Article 148 of ZDR-1).

It should also be pointed out that, in the case of both uneven and temporary redistribution of working time, the employer must observe the limits on working time relating to breaks during work, rest periods between two working days (daily rest) and weekly rest.

Workers are entitled to a daily rest period of at least 12 consecutive hours within a 24-hour period; this means that, within a 24-hour period, working time is also limited to 12 hours. In cases where working time is unevenly distributed or where the employer temporarily redistributes working time during the calendar or business year so that the working obligation in a given period is longer or shorter, the Act requires at least 11 hours of uninterrupted daily rest within a 24-hour period (which means that in this case a 13-hour working day is permitted).

With regard to weekly rest, Article 156 of the ZDR-1 provides that within a seven-day period, workers must be ensured a rest period of at least 24 uninterrupted hours, to which 12 or 11 hours of daily rest must be added. Weekly rest must therefore last 36 uninterrupted hours or 35 uninterrupted hours, including in cases where working time is unevenly distributed or temporarily redistributed. The minimum duration of weekly rest is considered as an average over a period of 14 consecutive days.

It should be added that the ZDR-1 allows the minimum daily and weekly rest periods to be determined by a law or a branch collective agreement as an average over a specified longer period, which may not exceed six months. Exceptions may be established for activities or positions, types of work or occupations where the nature of the work requires permanent presence, where the nature of the activity requires continuous provision of work or services, or where irregular or increased scope of work is anticipated (paragraph three and four of Article 158 of the ZDR-1).

In this regard, paragraph one of Article 2 of the Zdr-1 should be highlighted, which provides that this Act also governs employment relationships of workers employed by state authorities, local communities, institutions, other organisations and private undertakings providing public services, provided that their employment relationships are not otherwise regulated by a special law.

Below, we provide information on certain occupational groups for which, under sectoral or special legislation, working time is regulated differently from that set out in the general law (ZDR-1) or is regulated under a branch collective agreement.

Article 52b of ***the Health Services Act*** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 23/05 – official consolidated version, 15/08 – ZPacP, 23/08, 58/08 – ZZdrS-E, 77/08 – ZDZdr, 40/12 – ZUJF, 14/13, 88/16 – ZdZPZD, 64/17, 1/19 – Constitutional Court Decision, 73/19, 82/20, 152/20 – ZZUOOP, 203/20 – ZIUPOPDVE, 112/21 – ZNUPZ, 196/21 – ZDOsk, 100/22 – ZNUZSZS, 132/22 –

Constitutional Court Decision, 141/22 – ZNUNBZ, 14/23 – Constitutional Court Decision, 84/23 – ZDOsk-1, 102/24 – ZZKZ, 32/25 and 112/25 – Constitutional Court Decision; hereinafter: ZZDej) provides that work exceeding full working time may not exceed an average of eight hours per week. The time limit on the weekly working time exceeding full working time is considered as an average limit within a certain time period, which may not exceed four months, whereby the periods of annual leave and absence from work due to illness are not taken into account when calculating the average.

However, the ZZDej does not stipulate monthly or annual limits on work exceeding full working time.

The ZZDej also provides that work exceeding full working time may exceed eight hours per week, provided that healthcare and allied professionals give their written consent. In this case, however, the employer must ensure that healthcare and allied professionals are provided with adequate daily and weekly rest. In accordance with Article 52c of the ZZDej the daily rest period is at least 12 consecutive hours, and the weekly rest period is at least 24 consecutive hours. If this is necessary to ensure healthcare within the agreed scope, the minimum duration of daily and weekly rest may be assured as an average over a period of two months.

For the purposes of ensuring standby duty, the working time of a healthcare and allied professional may, in exceptional cases, last up to 32 consecutive hours, whereby the work within full working time may last a maximum of 10 hours in one working day and a maximum of 16 hours over two consecutive working days. Working time of more than 16 consecutive hours is subject to the written consent of the healthcare and allied professional. The consent must indicate the duration of uninterrupted work to which the healthcare and allied professional still agree as well as the period of validity of the consent.

The same applies to the performance of work exceeding full working time. The ZZDej provides that the consent must indicate the weekly number of overtime hours to which the health and allied professional still agree as well as the period of validity of the consent. The ZZDej further provides that a healthcare and allied professional may not be disadvantaged by their employer if they do not give their written consent to work overtime beyond the time limit prescribed by law.

In respect of overtime work, the protection of workers is ensured in that the Act imposes on employers the obligation to keep special records on the performance of work exceeding full working time. Upon request, the employer must submit the record to the competent supervisory authorities and representative trade unions. Protection is also ensured through minimum daily and weekly rest periods, which the employer is obliged to provide to healthcare and allied professionals.

Article 29 of the **Collective Agreement for the Healthcare and Social Protection Sectors of Slovenia** (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 15/94, 18/94 – ZRPJZ, 57/95, 19/96, 56/98, 76/98, 39/99 – ZMPUPR, 102/00, 62/01, 43/06 – ZKoliP, 60/08, 75/08, 107/11, 40/12, 46/13, 106/15, 46/17, 80/18, 5/19 – corrigendum, 160/20, 88/21, 181/21, 136/22, 165/22, 21/23 – corrigendum, 99/24, 110/24, 13/25 – corrigendum, and 92/25; hereinafter: KPDZSV) lays down a 40-hour weekly working time in institutions and with employers in the field of healthcare and social protection.

The Medical Services Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 72/06 – official consolidated version, 15/08 – ZPacP, 58/08, 107/10 – ZPPKZ, 40/12 – ZUJF, 88/16 – ZdZPZD, 40/17, 64/17 – ZZDej-K, 49/18, 66/19, 199/21, 136/23 – ZIUZDS, 35/24, 32/25 – ZZDej-N and 40/25 – ZPPKZD; hereinafter: ZZdrS), unlike the ZZDej, provides that the time limit on weekly working time exceeding full working time is considered as an average limit over a specified time period not exceeding six months.

The legal regulation also differs in the part relating to the consent for the performance of uninterrupted work. The ZZdrS does not explicitly require the employee to provide consent indicating the duration of uninterrupted work to which the doctor still agrees, nor the period of validity of such consent. The ZZdrS provides that the employer must keep a special record of work performed beyond full-time hours by doctors who have given consent to work overtime in excess of the limits permitted by law. Upon request, the employer must submit these records to the competent supervisory authorities.

Article 82 of the **Veterinary Compliance Criteria Act** (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos [93/05](#), [90/12](#) – ZdZPVHVVR, [23/13](#) – ZZZiv-C, [40/14](#) – ZIN-B, [22/18](#), [100/25](#) – ZZdrŽiv and [100/25](#) – ZVHK; hereinafter: ZVMS) which regulates the continuous performance of veterinary supervision, provides in paragraph four that notwithstanding the regulations governing employment relationship, the Veterinary Authority employees may in exceptional cases carry out up to 40 hours of work exceeding full working time per week, if required by the circumstances or by an increased workload, within a period not exceeding six months.

The Public Employees Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No 32/25, hereinafter: ZJU-1) governs, in Part One, the common principles and other general issues of the public employee system. Part Two comprehensively governs the public employee system in state authorities and local community administrations and sets out the specific characteristics of the employment relationships of public employees with these authorities and administrations. However, the Act contains no provisions on working time in general, nor on weekly working time in particular. In accordance with Article 5 of the ZJU-1 public employees are subject to the provisions of the ZDR-1 and other special laws that regulate the specifics of working time for certain professions or branches (such as the Organisation and Work of the Police Act and the ZZDej) as well as to collective agreements for specific branches and professions. In this regard, we would like to note that no collective agreement applicable to public employees in state authorities and local community administrations and regulating working time has been concluded.

The Decree on working time in state administration bodies (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 115/07, 122/07 – corrigendum, 28/16, 40/17, 44/19 and 43/24) which regulates the working time of public employees in state administration bodies provides that, in the event of uneven distribution or temporary redistribution, the full working time of a given week may not exceed 50 hours and may not be less than 30 hours.

Article 47 of the **Foreign Affairs Act** (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 113/03 – official consolidated version, 20/06 – ZNOMCMO, 76/08, 108/09, 80/10 – ZUTD, 31/15, 30/18 – ZKZaš and 83/25 – ZOUL; hereinafter: ZZZ-1), taking into account the limits laid down in the ZDR-1, provides that diplomats are obliged, even without an order from their superiors, to attend to urgent matters beyond full working time, on Saturdays, Sundays, national holidays or on other work-free days determined by law. Such matters include, in particular, providing consular protection to nationals of the Republic of Slovenia abroad when a delay might have serious repercussions, and the acquisition and forwarding of information vital for official reasons. Diplomats are bound by law to work beyond full regular working time, on Saturdays, Sundays, national holidays and other work-free days determined by law. In the foreign service, work exceeding full working time is taken into account in determining salaries. Pursuant to Article 54 of the ZZZ-1, this provision applies mutatis mutandis to employees carrying out ancillary work in the foreign service (administrative and technical staff).

Article 70 of the **Organisation and Work of the Police Act** (Official Gazette of the Republic of Slovenia

[Uradni list RS], Nos 15/13, 11/14, 86/15, 77/16, 77/17, 36/19, 66/19 – ZDZ, 200/20, 172/21, 105/22 – ZZNŠPP, 141/22 and 85/25; hereinafter: ZODPol) provides that police employees are obliged to perform work during less favourable working time when this is necessary for the performance of tasks laid down by law.

Work performed during less favourable working time means work performed under an unevenly distributed work schedule, shift work, work on Saturdays, Sundays, holidays, and other work-free days, work exceeding full working time; afternoon and night work and work in split shifts.

Work performed under an unevenly distributed work schedule or in shifts is carried out in positions laid down in the act on the internal organisation and systemisation and includes working time obligations on Saturdays, Sundays, public holidays and on other work-free days, as well as afternoon and night work with working time redistributed within the framework of the prescribed regular monthly or annual working obligations. When this is required by the security situation or if specific tasks that cannot be postponed or must be performed within a certain period can only be performed in this manner, other forms of work during less favourable working time (listed in paragraph two of Article 70) may be ordered. The cases in which other forms of work during less favourable working time may be ordered, as well as persons authorised to order such work, are defined by the Director General of the Police.

Furthermore, Articles 72 and 73 of the ZODPol regulate work exceeding full working time. They provide that a superior may order a police officer to perform work exceeding full working time, whereby the daily, weekly and monthly limits on such work are considered as average limits within a specific time period, which may not exceed four months. With the consent of the police officer, they may be considered as average limits within a period, which may not exceed six months. In calculating the average, annual leave and sick leave are not taken into account (Article 72 of the ZODPol).

A specific provision (Article 73 ZODPol) regulates work exceeding full working time in exceptional and emergency cases. It is defined as an exception to the general regulation of employment relationships and may be ordered in exceptional, emergency or unforeseen cases in which police tasks cannot be performed in any other manner. In such cases, the time limits for daily working obligations, daily or weekly rest periods, or work exceeding full working time, as otherwise laid down in general labour legislation, do not apply. In exceptional cases, a superior may order a police officer, after the expiry of their working time, to complete a task already commenced or perform an urgent task without an interruption that would enable them to rest. Such an order is only admissible for the shortest possible time period and the police officer must be granted a proportionately longer rest period once the reasons for the order have ceased. The consent of the police officer is not required where overtime work is ordered in exceptional and urgent cases. However, such work must be ordered in writing, as a rule before the end of regular working time; exceptionally, it may be ordered orally, if, due to the nature of the work or the urgency of the task a written order is not possible. In the event of an oral order, the written order must be served on the police officer subsequently, but no later than within eight days.

Work exceeding full working time in such exceptional or urgent cases may not exceed 20 hours per week or 80 hours per month; however, this limit does not apply to police officers who, due to the specific nature of police duties, cannot perform such tasks during this time period or where the cessation of such tasks could endanger their lives. The positions to which this limitation does not apply must be specified in the act on internal organisation and systemisation. The average working time of police officers (including work exceeding full working time) to whom the limit does not apply, may not exceed 48 hours in a seven-day period, calculated as an average over the given reference period.

The overall limit on work exceeding full working time of a police officer, irrespective of the basis on which such work is ordered, may not exceed the annual time limit laid down by the Act regulating employment relationships.

Chapter XII of the ***Protection against Natural and Other Disasters Act*** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 51/06 – consolidated version, 97/10, 21/18 – ZNOrg, 117/22 in 57/25; hereinafter: ZVNDN) regulates: Professional occupations and occupational health and safety for public employees in the field of protection and rescue.

Paragraph one of Article 105 of the ZVNDN (special working conditions) provides that unless otherwise provided by this Act, the regulations governing the employment relationship and salaries of public employees apply to the employment relationship and salaries of public employees in the field of protection and rescue.

Paragraph four of Article 105 of the ZVNDN defines specific cases in which work exceeding full working time may be ordered, as follows:

Work exceeding full working time, standby duty or on-call duty at home or at another specific location may, except in cases provided for by general regulations, also be ordered due to service-related needs, which are deemed to include:

- an immediate threat of a natural or other disaster or a declared increased wildfire threat;
- natural or other disasters that require the reinforcement of management bodies, services, units and operational structures performing protection, rescue and relief operations or when such operations need to be continued;
- circumstances in which, on the basis of a decision of the responsible authorities, assistance is offered in the event of a natural or other disaster to other communities, countries or within international organisations;
- the time from the occurrence of a natural or other disaster until the provision of basic living conditions in the affected area, including the assessment of damage caused by a disaster, as provided under the ZVNDN;
- an increased threat of attack on the country, an immediate threat of war, a state of emergency, an increased level of preparedness due to crisis situations or if the altered security situation presents a threat to people, property, animals, cultural heritage or the environment on a larger scale;
- the continuation of work in the absence or unavailability of other workers is required to ensure continuous operation of emergency notification centres and standby services to the minimum extent necessary for the performance of protection, rescue and relief activities and for the support of such services.

Article 106 of the ZVNDN lays down the valuation of work performed under special conditions, Article 106a of the ZVNDN regulates shift work and the redistribution of working time, while Article 106b of the ZVNDN defines the exceeding of the prescribed working time obligation.

The Fire Service Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 113/05 – official consolidated version, 23/19, 189/20 – ZFRO, 39/22 in 117/22 – ZVNDN-C; hereinafter: ZGas), which also regulates the work of professional fire-fighters, lays down special working conditions in Article 14a. Pursuant to paragraph five thereof, work exceeding full working time may be ordered in certain cases.

Work exceeding full working time, standby duty or on-call duty at home may, except in cases provided

for by general regulations, also be ordered in the following cases:

- for operational firefighting tasks that require the enforcement of the unit performing protection, rescue, and assistance, or the continuation of the performance of these tasks,
- in the event of an immediate threat of a natural or other disaster;
- during a period of declared increased fire risk in the natural environment;
- where, in accordance with the decisions of the competent authority, assistance is provided to other firefighting or rescue units in the municipality, in another municipality or in another country;
- from the occurrence of a natural or other disaster until the completion of protection, rescue, and assistance tasks,
- where, due to circumstances in the firefighting unit, more than one-third of the operational firefighters are temporarily absent.

The Defence Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 103/04 – official consolidated version, 95/15 and 139/20; hereinafter: ZObr), the **Service in the Slovenian Armed Forces Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 68/07, 58/08 – ZSPJS-I, 121/21 in 40/23; hereinafter: ZSSloV) and the **Service Rules of the Slovenian Armed Forces** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 84/09; hereinafter: Service Rules) regulate working time in the **Slovenian Armed Forces**.

Work in the Slovenian Armed Forces is carried out within regular working time, with members having either fixed or flexible schedules. Members of the Armed Forces may also be temporarily reassigned or assigned tasks outside regular working time. In all such cases, members may also be ordered to work exceeding full working time (overtime) due to urgent, unavoidable, or unforeseen tasks.

As regards working time and special working conditions, Article 96 of the **ZObr** provides that an employee carrying out work in the defence field professionally is bound to work under special conditions, if so required by the nature of the work, including work in unevenly distributed working time and work exceeding full working time (overtime work) (paragraph two of Article 96 of the ZObr).

Paragraph one of Article 97 of the ZObr lays down that full working time in the ministry may not exceed 40 hours per week and may not be shorter than 36 hours per week.

Paragraph three of Article 97 of the ZObr provides that as a rule, the daily working obligation is limited to a maximum of 12 hours. The Minister may, on the proposal of the Chief of General Staff, order that for certain positions or formation duties the prescribed time limit for the daily working obligation be considered as an average limit over a period not exceeding six months.

Furthermore, paragraph four of Article 97 of the ZObr provides that in the case of shift work, the Minister may, on the proposal of the Chief of General Staff, order that for certain positions or formation duties the prescribed minimum daily and weekly rest be ensured over a period not exceeding six months.

Pursuant to paragraph five of Article 97 of the ZObr compliance with the time limit on the daily working obligation and the provision of the daily and weekly rest referred to in paragraphs three and four of Article 97 of the ZObr, may be ordered in the following cases:

- if such compliance is necessary to ensure undisturbed or uninterrupted operation of weapon, surveillance and telecommunication systems or the protection of a certain facility or area;

- for the purpose of providing permanent or increased readiness of the armed forces or the defence system;
- where professional military education and training or exercises of longer duration are carried out;
- where international commitments are being implemented.

An employee in the defence field who works reduced working time in accordance with Article 96 of the ZObr, but for more than four hours daily, is entitled to a break during working time, which is proportionate to the length of the working time. In the event of uneven distribution or temporary rearrangement of the working time, the length of the break is determined in proportion to the length of the working time. As a rule, employees are entitled to a rest period between two consecutive working days which must be at least 12 uninterrupted hours. In a period of seven consecutive days, employees are entitled not only to a daily rest but, as a rule, also to rest in a minimum duration of 24 uninterrupted hours. If an employee is obliged to work on the day of their weekly rest due to service requirements, the security situation, the uninterrupted performance of civilian defence affairs or the uninterrupted provision of material and medical supplies to the armed forces or the uninterrupted implementation of military education and training, such employee must be ensured weekly rest in the current or subsequent month.

Due to the nature and the organisation of work, working time may be unevenly distributed (Article 97b of the ZObr), in which case the working time may not exceed 56 hours per week and not be shorter than four hours per day. In the event of uneven distribution or temporary redistribution of working time, full working time is considered as an average working obligation in a period not exceeding six months. Work performed under uneven working time or shifts includes the performance of the working obligation in split shifts, on Saturdays, Sundays, holidays and other work-free days, including afternoon or night work.

Pursuant to paragraph four of Article 96 of the ZObr overtime work is an exception and may only be ordered if it was not possible to arrange working time in accordance with the regulations.

Point 219 of the **Service Rules** provides that hours worked outside flexible working time or outside the prescribed start and end of working time may, in exceptional cases, be considered overtime due to service needs. These include the performance of tasks or work that are urgent or must be carried out within a specified time, or that affect the readiness of the Slovenian Armed Forces, such as: an exceptionally increased workload; the continuation of work or other processes necessary to prevent material damage or danger to the life and health of personnel or third parties; the prevention of failure of military equipment or resources that would cause a disruption in the performance of individual activities, services, or systems; ensuring the safety of personnel, military transport, and property; and other exceptional, urgent, and unforeseeable circumstances. This therefore means that overtime work may only be ordered in urgent and unforeseeable cases and under no circumstances for tasks that form part of the regular activities of members of the Armed Forces.

During the performance of tasks in an international operation or mission, in accordance with paragraph one of Article 53 of the ZSSloV, the working time of members of the Armed Forces performing military service abroad may be evenly or unevenly distributed, irrespective of the provisions of the regulations governing the limits on daily, weekly or monthly working obligations, breaks, daily or weekly rest periods and work exceeding full working time. The distribution of working time during the performance of military service abroad is decided by the supervisory commander.

The working time of members of the Armed Forces who are assigned to perform military service abroad

in joint or other commands and units, as well as in bodies, representations, or services of international organisations, is determined in accordance with the rules applicable to other members in those commands, units, and international organisations (paragraph two of Article 53 of the **ZSSloV**).

Within a period of seven consecutive days of performing tasks in an international operation and mission, members of the Armed Forces are entitled to a rest period equivalent to one day of special leave. Special leave during military service in an international operation and mission is taken at the discretion of the superior commander and in accordance with the needs of the service. Any special leave that a member of the Armed Forces was unable to take during such service may be taken immediately upon return from the international operation and mission or, at the latest, within two months of returning to their home country (paragraph four of Article 53 of the ZSSloV).

If a member of the Armed Forces takes special leave after returning from an international operation and mission, they are entitled to salary compensation equal to the salary they would receive for work in the Republic of Slovenia (paragraph five of Article 53 of the ZSSloV).

Notwithstanding the provisions of other laws and regulations governing rest between two consecutive working days (rest days), a member of the Armed Forces performing duties in an international operation and mission is, in the case of urgent and unavoidable duties, guaranteed the right to rest for such duration as, in the assessment of the superior commander and having regard to the requirements of the performance of duties and to the extent permitted by the circumstances, is deemed appropriate and necessary to ensure the safety and health of the member of the Armed Forces (paragraph six of Article 53 of the ZSSloV).

During the performance of military service abroad, work carried out without regard to the provisions on time limits on daily, weekly, or monthly working obligations, breaks, daily and weekly rest periods, and work exceeding full working time is taken into account when determining the salary (paragraph seven of Article 53 of the ZSSloV).

The Judicial Service Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 94/07 – official consolidated version, 91/09, 33/11, 46/13, 63/13, 69/13 – corrigendum, 95/14 – ZUPPJS15, 17/15, 23/17 – ZSSve, 36/19 – ZDT-1C, 34/23 – Constitutional Court Decision, 76/23, 57/25 – ZF and 100/25 – ZSod; hereinafter: ZSS) regulates the position of judges and lays down in Article 4a that with regard to the rights and obligations of judges related to judicial service which are not governed by this Act, the provisions of the Act governing employment relationships applies *mutatis mutandis*.

Article 43b explicitly provides that judges have the right to a daily rest of at least 12 consecutive hours and to a weekly rest of at least 24 consecutive hours. In exceptional cases, a judge may give written consent to perform judicial service that exceeds the limits arising from the right to daily and weekly rest. A judge who performs standby duty on work-free days is entitled to a weekly rest period on another day during the week (Article 53 of the ZSS).

Judges perform judicial service during the courts' office hours defined in the Rules of Court, and while performing standby and on-call duty. On-call and standby duty ensure the performance of urgent procedural acts outside the courts' office hours. On-call duty means a judge's availability by telephone or by other means for the purpose of ensuring the performance of urgent procedural acts and for the purpose of arriving at the workplace or the location where an urgent procedural act is to be performed. Hours of on-call duty are not considered working time. During standby duty a judge performs urgent procedural acts at the workplace or at the location where an urgent procedural act is to be performed.

Hours of standby duty are considered working time. The court keeps a separate record of standby and on-call duty hours and a record of the working time of judges who have given their consent pursuant to paragraph two. Upon request, the records must be submitted to the Supreme Court of the Republic of Slovenia or to the Ministry of Justice (Article 43 of the ZSS).

In accordance with the **Court Rules** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 87/16, 127/21, 95/25 and 100/25 – ZS-1; hereinafter: SR) the office hours of all courts are from Monday to Thursday, from 08:00 to 16:00, and on Fridays from 08:00 to 15:00. On 24 and 31 December, office hours of all courts are from 08:00 to 13:00 (Article 50 of the SR). Main hearings, hearings and Chamber sittings may (in accordance with the ZDR-1 and the ZJU) also take place before or after the office hours of a court in order to increase the efficiency of the work of the courts or to enable the continuous and integrated conduct of main hearings, hearings and Chamber sittings (Article 51 of the SR). For the purpose of performing urgent procedural acts outside office hours, on-duty services are organised at courts and are provided through on-call and standby duty (Article 137 of the SR). Every three months, the president of a court must report to the president of the immediately higher court and to the President of the Supreme Court on the manner in which the performance of urgent procedural acts is organised, on the number of hours of standby duty during the preceding three-month period, and on the number of hours of on-call duty, in accordance with the schedule of standby and on-call duty (Article 138 of the SR). For the purposes of deciding on appeals, deciding on authorising interferences with human rights, deciding in electoral proceedings and in other similar matters in which an urgent procedural act must be carried out, on-call duty is organised for pre-trial chambers, appeals chambers and other chambers. Hours of standby duty performed by the members of the chambers are recorded separately for reporting judges, for the other members of the chambers and for court staff (Article 142 of the SR).

The State Prosecution Service Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 58/11, 21/12 – ZDU-1F, 47/12, 15/13 – ZODPol, 47/13 – ZDU-1G, 48/13 – ZSKZDČEU-1, 19/15, 23/17 – ZSSve, 36/19, 139/20, 54/21, 105/22 – ZZNŠPP, 57/25 – ZF and 100/25; hereinafter: the ZDT-1) regulates the position of state prosecutors. With regard to the rights and obligations of state prosecutors arising from the state prosecution service that are not governed by this Act, the provisions of the Act regulating the service of judges applies *mutatis mutandis* (paragraph two of Article 4 of the ZDT-1). Article 4a of the judicial Service Act provides that, with regard to the rights and obligations of judges related to judicial service and not governed by this Act, the provisions of the Act governing employment relationships apply *mutatis mutandis*.

The ZDT-1 explicitly provides that state prosecutors are entitled to a daily uninterrupted rest period of at least 12 hours and to a weekly uninterrupted rest period of at least 24 hours. State prosecutors who perform standby duty on work-free days are entitled to a weekly uninterrupted rest period on another day of the week (Article 53 of the ZDT-1).

State prosecutors perform the state prosecution service during the office hours of the State Prosecutor's Office as defined in the State Prosecutors' Rules, as well as during standby duty and on-call duty. In exceptional circumstances, state prosecutors may give their written consent to the performance of state prosecution service exceeding the limits arising from their right to daily and weekly rest. State prosecutors' offices keep special records on the performance of on-call and standby duty, as well as records on the working time of state prosecutors who have consented to the performance of state prosecution service exceeding the limits arising from their right to a daily and weekly rest (Article 44 of

the ZDT-1).

For the purposes of cooperation between the State Prosecutor's Office and the police and other competent state authorities in pre-trial proceedings — including the mutual exchange of information and the direction of pre-trial proceedings — in order to ensure participation in urgent procedural acts and other actions in pre-trial or criminal proceedings, and for other urgent acts in pre-trial proceedings, a duty service shall be organised outside the office hours of the State Prosecutor's Office. On-duty service is provided through on-call and standby duty. On-call duty means that a state prosecutor is available by telephone or other means of communication for the purpose of performing urgent procedural acts or arriving at the workplace or the location where such acts are to be performed. Hours of on-call duty are not considered working time. During standby duty, a state prosecutor performs urgent procedural acts at the workplace or the location where they are required. Hours of standby duty are considered working time. The head of a State Prosecutor's Office may, due to the frequency of urgent procedural acts, order that such acts be carried out exclusively during standby duty. The State Prosecutor General must approve the plan of standby duty in advance on the basis of a reasoned written proposal submitted by the head of the State Prosecutor's Office concerned, and notify the Ministry thereof (Article 45 of the ZDT-1).

In accordance with the ***State Prosecutors Rules*** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 7/12, 29/12, 45/16, 64/19, 191/20, 125/21, 204/21 and 54/23; hereinafter: DTR) the official hours of State Prosecutor's Offices are from Monday to Thursday from 08:00 to 16:00 and on Fridays from 08:00 to 15:00). In urgent matters, in proceedings that have already commenced, including hearings or inspections, the postponement of which would result in higher costs or delays in the proceedings, and in matters that, in accordance with the provisions of the Court Rules, may also be conducted before or after office hours, the head of the State Prosecutor's Office must, where such circumstances can be foreseen or where they have been informed thereof, ensure, as a rule, that such matters are carried out or completed by allocating the regular working time of individual state prosecutors. In such cases, a state prosecutor is required to ensure their presence or to continue working even after the end of regular working time. If this is not possible, the state prosecutor is required to immediately inform the head of the State Prosecutor's Office or the state prosecutor on duty and to continue working until the appropriate order is received. For the purpose of ensuring the uninterrupted operation of the State Prosecutor's Office, the head of the State Prosecutor's Office may establish a special work schedule for individual public employees of the State Prosecutor's Office (Article 21 of the DTR).

Standby duty at the headquarters of the State Prosecutor's Office is performed from Monday to Thursday from 08:00 to 16:00, and on Fridays from 08:00 to 15:00. On-call duty, intended to ensure the possibility of arriving at the workplace, applies until 08:00 the following day, as well as on Saturdays, Sundays, public holidays, and other work-free days, unless otherwise ordered by the head of the State Prosecutor's Office with the consent of the State Prosecutor General. The period of cooperation of a state prosecutor with the police and other competent state authorities in pre-trial proceedings, including the time spent on the mutual exchange of information, providing directions in pre-trial proceedings, the time of participation in urgent procedural acts and other tasks in pre-trial or criminal proceedings, and the time spent on other urgent acts in pre-trial proceedings during the period of ordered on-call duty, are recorded as standby duty in the registers and records of the proceedings in which the act was carried out and the records of the on-duty service of the State Prosecutor's Office (Article 75 of the DTR).

The State Attorney's Office Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 23/17 and 100/25 – ZSSve-A; hereinafter: ZDOdv) regulates the position of State Attorneys and provides in Article 5 that the operations of the State Attorney's Office are regulated by an implementing regulation adopted by the minister responsible for justice after obtaining the prior opinion of the State Attorney General.

The Rules on the operation of the State Attorney's Office (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 64/17 and 53/24) regulates working time in paragraph two of Article 4. The State Attorney's Office operates under a flexible working-time arrangement. The working day of the State Attorney's Office begins between 07:00 and 09:00 from Monday to Friday and ends between 15:00 and 18:00. On Fridays, it begins between 07:00 and 09:00 and ends between 14:30 and 18:00.

The Enforcement of Criminal Sanctions Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 110/06 – official consolidated version, 76/08, 40/09, 9/11 – ZP-1G, 96/12 – ZPIZ-2, 141/22, 83/24 and 85/25 hereinafter: ZIKS-1) lays down a special arrangement for the weekly working time of judicial police officers, which, however, may not exceed 60 hours.

Paragraph seven of Article 227č of the ZIKS-1, which refers to judicial police officers, provides that, in the event of uneven distribution and temporary redistribution of working time, the full weekly working time (from Monday to Sunday) may not exceed 56 hours.

Article 227b of the ZIKS-1 provides that the prison Director-General or the director of the institute may order a judicial police officer to work overtime, with the daily, weekly and monthly limits for work exceeding full working time counting as the average limit over a period of four months. With the consent of the judicial police officer these daily, weekly and monthly limits of working time may be considered as average limits over a time period not exceeding six months.

Article 227c of the ZIKS-1 further provides that the working time of judicial police officers, as scheduled in the work schedule, are determined by fixing the beginning and the end of the daily working time, and that the judicial police officer must be acquainted with the work schedule at least three days before commencing work. Exceptionally, the work schedule may be changed at least 48 hours before the start of work due to unforeseen events. In such cases, it is considered as work performed according to a special schedule as defined by the collective agreement for the public sector. If the work schedule is changed less than 24 hours before the start of work, such work is considered as work exceeding full working time.

Article 227č provides, inter alia, that in case of uneven distribution or temporary redistribution of working time, full working time is considered as an average working time obligation over a period not exceeding four months; with the written consent of a judicial police officer, full working time may be considered as an average working time obligation in a period that may not exceed six months (hereinafter: reference period). If a judicial police officer with unevenly distributed or temporarily redistributed working time is ordered to work in excess of the average in a reference period, the excess working time is considered work exceeding full working time, regardless of the daily, weekly or monthly limits of work exceeding full working time (the judicial police officer and their superior may agree in writing within ten days after the end of the reference period that the judicial police officer will use the excess hours within two months of the expiry of the reference period. In this case, the overtime allowance is paid for hours exceeding full working time.). In the event of an uneven distribution and temporary redistribution of working time, the full working time for any week (from Monday to Sunday)

may not exceed 56 hours.

With regard to rest periods for judicial police officers who work less favourable working time when this is necessary for the performance of their duties, paragraph seven of Article 227 of the ZIKS-1 provides that a 24-hour rest period must be provided if a 12-hour night shift is organised.

Article 227f of the ZIKS-1 provides that, notwithstanding the provisions of the law governing employment relationships regarding limits of the daily working obligation, daily and weekly rest periods and work exceeding full working time, a superior may, subject to prior approval by the prison director, in exceptional, emergency or unforeseen cases in which police tasks cannot be performed in any other way, order a judicial police officer, after the end of regular working time, to complete the task already commenced. Work performed upon such an order is considered as work exceeding full working time. Such an order is permissible only for the completion of an urgent task, whereby a judicial police officer must be provided with an appropriate rest period immediately after the reasons for ordering such work cease. The consent of the judicial police officer is not required due to the urgent nature of the ordered work. The total work of a judicial police officer performed in excess of full working time may not exceed the annual time limit laid down by the law governing employment relationships.

The Mining Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 14/14 – official consolidated version, 61/17 – GZ, 54/22, 78/23 – ZUNPEOVE and 81/24) regulates the ordering of on-call duty in accordance with the provisions of paragraph one of Article 127, which provides that in the event of a fatal or group accident in a mine, the mining inspector must immediately begin investigating the circumstances of the accident on site, order measures to secure evidence and safety measures, and prepare a written opinion on the causes of the accident. In conjunction with Article 41 of the *Occupational Safety and Health Act* (Official Gazette of the Republic of Slovenia, [*Uradni list RS*], No 43/11; hereinafter: ZVZD-1) which governs the reporting of serious, fatal, or collective injuries at work by employers, mining inspectors must remain continuously available. Based on monthly schedules, they are on on-call duty at home. In response to the question regarding the right to strike (see: Article 6§4 The right to bargain collectively, question under point a), the right to strike does not apply when ordering on-call duty.

The Ionising Radiation Protection and Nuclear Safety Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 76/17, 26/19, 172/21 and 18/23 – ZDU-10, hereinafter: ZVISJV-1) regulates the applicability of special working conditions for the employees of the provider of the mandatory public utility service for radioactive waste management (RWMA), as defined in Article 12 (based on paragraph 9 of Article 12). The special working conditions relate to on-call duty at home and work exceeding full working time in the event of: immediate danger from an emergency, an actual emergency, a nuclear or radiological accident in other countries, or emergency exercises, in accordance with the ZVISJV-1.

The Collective Agreement for the Education Sector in the Republic of Slovenia (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 52/94, 49/95, 34/96, 45/96 – corrigendum, 51/98, 28/99, 39/99 – ZMPUPR, 39/00, 56/01, 64/01, 78/01 – corrigendum, 56/02, 43/06 – ZKoIP, 60/08, 79/11, 40/12, 46/13, 106/15, 8/16 – corrigendum, 45/17, 46/17, 80/18, 160/20, 88/21, 136/22, 11/23, 13/24, 99/24, 109/24 – corrigendum and 92/25; hereinafter: the KPVIZ) provides in paragraph two of Article 44 that full working time amounts to 40 hours per week. The working time of teachers are unevenly distributed, with the reference period set at 12 months of the current school year, i.e. from 1 September of the current calendar year to 31 August of the following calendar year. The average working time obligation

of a teacher may not exceed 8 hours per day. As a rule, there is little to no overtime work within the meaning of Article 144 of the ZDR-1 in the education sector (this is largely due to the uneven distribution of working time, which allows employees, on certain days, to work up to 13 hours per day, but not more than 56 hours per week (Article 155 of the ZDR-1 - which is, of course, followed by a period of reduced working time obligation).

Article 49a of the KPVIZ provides for a longer reference period for ensuring minimum daily rest. Under this provision, an employee is entitled to a rest period of at least 12 consecutive hours (daily rest) within a 24-hour period. Due to the organisation of work in certain cases, which are expressly specified in Article 105a of the KPVIZ – such as accompaniment or educational activities carried out continuously over two or more days, such as camps, residential stays in nature, outdoor education programmes, professional excursions, Erasmus exchanges, etc. – or in other justified cases related to the implementation of educational activities in accordance with the annual work plan, the daily rest of the average minimum duration as prescribed by the KPVIZ must be ensured to the employee within a period not exceeding two months.

Article 49b of the KPVIZ provides for a longer reference period with regard to the right to weekly rest. In the cases referred to in Article 105a of the KPVIZ, or in other justified cases related to the implementation of educational activities in accordance with the annual work plan, the average minimum duration of weekly rest (at least 24 consecutive hours) must be ensured within a period not exceeding two months. This exception therefore applies only in the cases referred to in Article 105a of the KPVIZ, namely the accompaniment of upper secondary students or educational activities carried out continuously over two or more days (such as camps, residential programmes, professional excursions, Erasmus exchanges, etc.) or in other justified cases related to the implementation of educational activities in accordance with the annual work plan.

b) Please provide information on the weekly working hours of seafarers.

The status of seafarers in the Slovenian legislation is primarily governed by the *Maritime Code* (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 62/16 official consolidated version, 41/17, 21/18 – ZNOrg, 31/18 – ZPVZRZCEP, 18/21, 21/21 – corrigendum and 76/23; hereinafter: the PZ), as the specific law in this field. The ZDR-1, as the general law, applies subsidiarily and pursuant to paragraph three of Article 2, applies to seafarers only in respect of matters not otherwise regulated by a special law. The status of seafarers is further regulated by Council Directive 1999/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST) (OJ L 167, 2 July 1999, No. 33).

Compliance with these regulations is subject to an inspection under *the Rules on the Inspection of Seafarers' Working Hours* (Official Gazette of the Republic of Slovenia [Uradni list RS], No 32/07; hereinafter: Rules). These Rules establish the procedures and authorities for inspections concerning the implementation of regulations on the distribution of the seafarers' working time.

Article 154 c of the PZ provides that daily working time of a crew member may not exceed 14 hours per day and 72 hours a week. Night rest for crew members may be divided into a maximum of two periods, provided that one period lasts at least six hours without interruption and the interval between the two consecutive night rest periods does not exceed 14 hours. Overtime work of crew members may exceptionally amount to 86 hours per month.

Rest requirements under Article 154c need not be complied with in emergency circumstances.

Assemblies, fire and rescue drills and trainings are carried out in a manner that interferes with rest as little as possible and does not cause fatigue. Notwithstanding the provisions of this Article and other working time regulations, the shipmaster has the right, for reasons related to the safety of the ship, passengers or cargo, or for the purpose of assisting other ships or persons in distress at sea, to require seafarers to work as many hours as necessary to ensure normal conditions. After the emergency circumstances have ceased, the shipmaster must ensure that a seafarer who worked during the prescribed rest period is provided with appropriate rest.

Crew members under 18 years of age are not permitted to work at night between 22:00 and 07:00 on the following day, except in cases of practical training in accordance with the programme and schedule.

The decision on the exception referred to in the preceding paragraph is taken by the Slovenian Maritime Administration in consultation with organisations representing shipowners and seafarers.

For reasons of health and well-being, crew members must be ensured the opportunity to go ashore at every port of call in accordance with the ship's work schedule, in a manner that ensures the uninterrupted operation of the ship.

c) Please provide information on how inactive on-call periods are treated in terms of work or rest time.

General labour legislation does not regulate the institution of standby duty; however, it is governed by certain special laws. In this context, attention should also be drawn to paragraph one of Article 2 of the ZDR-1, which provides that unless otherwise provided by a special law, the ZDR-1 also regulates the employment relationships of workers employed with state authorities, local communities and other organisations and private undertakings carrying out public services.

The Civil Servants Act (ZJU) does not contain provisions on standby duty. By contrast, *the Collective Agreement for the Public Sector* (Official Gazette of the Republic of Slovenia [Uradni list RS], No [99/24](#); hereinafter: KPJS) provides that both standby duty and on-call duty at a specific location are considered working time.

Following the reform of the public sector salary system and the entry into force of the new ***Common Foundations of the Public Sector Salary System Act*** (Official Gazette of the Republic of Slovenia [Uradni list RS], No 95/24), differences in the remuneration between standby duty and regular work no longer exist (previously, allowances for night work, work on Sundays and public holidays, and standby duty were paid at half the rate, and due to the reduced extent of work during standby duty, specific standby duty positions had to be created, usually with a lower starting salary grade).

The Collective Agreement for Non-Commercial Activities in the Republic of Slovenia (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 18/91-I, 53/92, 13/93 – ZNOIP, 34/93, 12/94, 18/94 – ZRPJZ, 27/94, 59/94, 80/94, 64/95, 19/97, 37/97, 87/97 – ZPSDP, 3/98, 39/99 – ZMPUPR, 39/99, 40/99 – corrigendum, 99/01, 73/03, 77/04, 115/05, 43/06 – ZKoliP, 71/06, 138/06, 65/07, 67/07, 120/07, 57/08 – KPJS, 67/08, 1/09, 2/10, 52/10, 2/11, 3/12, 40/12, 1/13, 46/13, 95/14, 91/15, 88/16, 80/17, 80/18, 31/19, 80/19, 97/20, 160/20, 88/21, 136/22, 12/24, 99/24 and 92/25; hereinafter: KPND) provides that a public employee may be required to remain on on-call duty at home only in special cases in which it is expected that it will be necessary to prevent or remedy the consequences of natural and other disasters; prevent or reduce major damage to the employer or to other persons; perform tasks in the fields of security, criminal investigation, public order, traffic control, state border control, or personal protection; protect life, health, animals, or property of significant value; provide essential social welfare and healthcare services; perform urgent and indispensable tasks necessary for the operation of the employer, services to users, or exercise statutory functions of state authorities or local communities; or

fulfil international obligations and perform urgent intelligence and security tasks.

The *KPND* also provides that a collective agreement or law specifies in more detail the cases in which on-call duty at home may be ordered, as well as the conditions and time limits under which on-call duty at home may be ordered. In any event, public employees must be guaranteed at least one free weekend (Saturday and Sunday) per month during which they are not scheduled to work nor required to remain on-call duty at home, except in cases of natural and other disasters.

With regard to on-call duty at home, it should be noted that the time spent on on-call duty at home is not included in working time. However, where a public employee is required to perform urgent work during a period of ordered on-call duty, the time spent performing such work is considered working time.

Paragraph two of Article 42 of the **ZZDEj** provides that as regards the right to breaks and rest periods, any hour of standby duty is considered as working time. By contrast, Article 42a provides that on-call duty is not considered as working time.

The Collective Agreement for Doctors and Dentists in the Republic of Slovenia (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 14/94, 15/94, 18/94 – ZRPJZ, 22/96, 23/96 – corrigendum, 39/98, 46/98 – corrigendum, 39/99 – ZMPUPR, 97/00, 43/06 – ZKoliP, 60/08, 5/12, 40/12, 46/13, 16/17, 80/18, 160/20, 88/21, 136/22, 99/24 and 110/24) regulates standby duty and on-call duty in its Article 69. Standby duty constitutes a special working condition of a position under which a doctor must be physically present at the institution in order to provide emergency medical services. On-call duty constitutes a special working condition of a post under which a doctor must remain continuously available to provide emergency medical services. For each hour of mandatory presence on a working day, the doctor is entitled to remuneration amounting to 90% of the hourly value of the basic salary of the position for which the standby duty is performed. Where the hours of mandatory presence fall on a Sunday, public holiday, or during night time, the doctor is additionally entitled to the allowances in the amounts specified in Article 66 of this Agreement.

For each hour of on-call duty, the doctor is entitled to a remuneration amounting to 30% of the hourly value of the basic salary of the position for which the on-call duty is performed. Where on-call duty is performed on a Sunday, holiday and during night time, the allowance is increased by the relevant allowances laid down in Article 66 of this Agreement.

The time during which a doctor performs medical services while on standby duty or on on-call duty is, within the limits of staffing and organizational possibilities, reallocated to regular working time; if this is not possible, such time is treated as work exceeding full working time and must remain within the limits prescribed by law. Work performed during standby duty or on-call duty is determined on the basis of records, with the method of recording laid down in the relevant act of the institution. The hours of mandatory presence under on-call duty and the hours spent performing services are mutually exclusive.

Article 32 of the **KPDZSV** provides that in institutions and with employers where, due to the nature of the work at specific positions, it is necessary to ensure continuous healthcare or other forms of care, the provision of services and the performance of essential social welfare and healthcare tasks is ensured through standby and on-call.

Article 34 of the **KPDZSV** provides that standby duty is a special working condition in which an employee must be present at the institution or the employer's premises to perform emergency medical or other services. On-call duty is a special working condition in which an employee must remain continuously

available to perform emergency medical or other services. The time required to perform emergency medical or other services while on standby duty and on-call duty is considered working time. The director determines, by means of a general act, the obligation to perform standby or on-call duty and the cases in which such work is considered work exceeding full working time. Considering the manner and frequency of performing standby and on-call duties on working days, weekly rest days, and public holidays, this is taken into account in the remuneration of employees working under these conditions, as well as in the determination of other rights arising from the employment relationship.

Furthermore, the KPDZSV provides that if the volume of work actually performed during standby duty exceeds half of the employee's mandatory presence time, the employee may not continue with regular work and must be granted a daily rest. In professions or narrower fields of activities where the volume of work actually performed, as a rule, exceeds half of the duration of standby duty, continuous health care must, for professional and other humane reasons, be ensured in another manner.

Article 106c of the **ZVNDN** regulates standby duty and other special working conditions for public employees in the field of protection and rescue, as follows:

- Public employees in this field perform standby duty as a regular or special form of work at the workplace or some other predetermined location.
- On-call duty at home is not included in weekly or monthly working time obligation calculations. If public employees in the field of protection and rescue are required to actually perform work during on-call duty, these hours are included in the weekly and monthly working time obligation calculation or considered work exceeding full working time.
- Based on the decision of a superior that has been made autonomously or at the request of a responsible Civil Protection commander or incident commander, public employees in the field of protection and rescue must continue working if a natural or other disaster occurs during regular working time and the protection, rescue and relief tasks are not completed by the end of the regular working time. Hours worked in such cases are considered work exceeding full working time.
- Due to service requirements, public employees in the field of protection and rescue may have to discontinue their annual leave in accordance with paragraph four of Article 105 of the ZVNDN. Public employees who are unable to take annual leave due to service requirements in the current calendar year have the right to take annual leave until 30 June of the following calendar year.

Article 14 of the **ZGas** regulates standby duty and other special working conditions as follows:

- Standby duty is performed by a professional firefighter at their workplace or at another predetermined location.
- On-call duty at home is not included in weekly or monthly work obligations. If a firefighter is required to actually perform work during on-call duty, these hours are included in the weekly and monthly working time obligation calculation or considered work exceeding full working time.
- A professional firefighter must continue working on the basis of a decision by the head of the firefighting unit or the head of the intervention if a fire or other accident occurs during regular working time and the performance of protection, rescue, and assistance tasks is not completed by the end of regular working time. Hours worked in such cases are considered work exceeding full working time.
- As a rule, professional firefighters use their annual leave in accordance with the needs of the firefighting service and the annual plan for annual leave. The use of annual leave may be interrupted in the cases specified in paragraph five of Article 14a of this Act.

- A professional firefighter who is unable to take their annual leave in the current calendar year due to the needs of the fire service, as described above, may use it by 30 June of the following calendar year.

The legal basis for ordering on-call work for police officers is provided by Article 71 of the **Organisation and Work of the Police Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 5/13, 11/14, 86/15, 77/16, 77/17, 36/19, 66/19 – ZDZ, 200/20, 172/21, 105/22 – ZZNŠPP, 141/22 and 85/25; hereinafter: ZODPol) and Article 17 of the **Collective Agreement for Police Officers** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 41/12, 97/12, 41/14, 22/16 and 71/23; hereinafter: KPP).

Article 71 of the ZODPol provides that on-call duty at home is a special working condition in which a police employee who has been ordered to be on on-call duty remains on on-call duty at home or at a certain location. On-call duty means that a police employee is reachable by telephone or other means of communication for the purpose of ensuring that they will report to the workplace or a location where an urgent task needs to be performed.

A police employee on on-call duty who is summoned to perform work, must within the shortest time possible, report to their workplace or to a location where an urgent task needs to be performed. On-call duty at home is not considered working time, while on-call duty at a certain location is considered working time. If a police employee starts to perform work while on on-call duty at home, the time spent performing that work is considered working time.

Similarly, Article 17 of the KPP provides that on-call duty is a special working condition in which a police officer, who has been ordered to be on on-call duty, remains on on-call duty during their free time at their place of residence or at a location from which they can reach the workplace within one hour. On-call duty means that a police officer is reachable by telephone or other means of communication for the purpose of ensuring that they will report to the workplace or a location where a specific task needs to be performed. A police officer on on-call duty who is summoned to perform work must report, within the shortest possible time, to their workplace or to the location where the specific task is to be performed. On-call duty is not considered working time. The time during which a police officer on on-call duty performs tasks via means of communication, is considered working time if the total duration of task performance is at least one hour. The actual time spent performing tasks via means of communication is recorded in the working time records. After the completion of on-call duty the actual time of work performed is established.

The time of on-call duty at home during which a public employee is not active or has not been summoned to actually perform work tasks and is able to rest, is considered rest period. Inactive periods during on-call duty at home are not considered working time. If a public employee is summoned to work during their on-call duty at home, their rights regarding the minimum daily and weekly rest periods and the upper limit of weekly working time must be ensured.

In accordance with Article 227e of the **ZIKS-1** **judicial police officers** may be ordered on-call duty which is defined by law as a special working condition, under which a judicial police officer who has been ordered to be on on-call duty, remains on on-call duty at home, meaning that they must be reachable by telephone or other means of communication for the purpose of reporting to the workplace or to a location where an urgent task is to be performed. A judicial police officer on on-call duty who has been summoned to perform work must report to their workplace or to the location where the urgent task is

to be performed within the shortest time possible. On-call duty is not considered working time. If a judicial police officer starts to work while on on-call duty, the time of actual work is considered working time. Work performed during ordered on-call duty on the day when a judicial police officer has already performed the daily working obligation under the work schedule is considered work exceeding full working time.

A special arrangement concerning on-call duty **and standby duty for judges** is presented in the answer under point a).

A special arrangement concerning on-call duty **and standby duty for state prosecutors** is presented in the answer under point a).

Article 48 of the **ZZZ-1** defines on-call duty as a special working condition, requiring that a diplomat be on call at the workplace, at a particular location or at home. On-call duty does not itself count towards the number of hours of the working obligation. If a diplomat works while on call, the hours actually worked are counted towards the number of hours of the diplomat's working obligation. If the number of working hours of a diplomat exceeds their monthly working obligation, the difference counts as work exceeding full working time. In foreign service, the requirement to be on call is not regarded as a special working condition; however, it is taken into account in determining the salary. Pursuant to Article 54 of the ZZZ-1, this provision applies mutatis mutandis to employees carrying out ancillary work in the foreign service (administrative and technical staff). With regard to daily and weekly rest periods, the provisions of Articles 155 and 156 of the ZDR-1 also apply in these cases.

Article 12 of the **ZVISJV-1** identifies on-call duty at home and emergency preparedness as special working conditions applicable to certain employees of the provider of the mandatory public utility service for radioactive waste management (RWMA). Under the **KPJS**, these employees are entitled to an allowance for on-call duty at home in the amount of 20% of the hourly rate of their basic salary (Article 26). On-call duty at home is not included in weekly or monthly working time obligation calculations. If an employee is required to actually perform work during the period of on-call duty, the hours worked are included in the employee's weekly or monthly working time obligation or are considered work exceeding full working time.

Article 3 – The right to safe and healthy working conditions

Article 3§1 Health and safety and the working environment

Please provide information on the content and implementation of national policies on psychosocial or new and emerging risks, including:

- in the gig or platform economy;
- as regards telework;
- in jobs requiring intense attention or high performance;
- in jobs related to stress or traumatic situations at work;
- in jobs affected by climate change risks.

The Action Plan for the Implementation of the Resolution on the National Programme of Health and Safety at Work 2018-2027 in the field of psychosocial risks to occupational safety and health, defines numerous activities aimed at raising awareness of various psychosocial risks to occupational safety and health and at empowering employers, trade unions, occupational safety professionals and human resources services to prevent and manage these risks more efficiently.

The Ministry of Labour, Family, Social Affairs and Equal Opportunities (hereinafter: ministry) therefore prepared the following handbook in 2024: **Psychosocial risks to occupational safety and health: Guidelines for their effective prevention and management**. The Handbook provides a model for a comprehensive approach to psychosocial risks to occupational safety and health (ranging from guidelines for assessing these risks to guidelines for measuring them and examples of measures that employers can take to prevent and manage them). The Handbook is intended for employers, occupational safety professionals and human resources professionals. The ministry regularly holds conferences on various psychosocial risks to occupational safety and health (for example on safe and health-friendly ageing in the workplace, violence and harassment, diversity from the perspective of occupational safety and health, mental health from the perspective of occupational safety and health, and managing psychosocial risks). The ministry has also organised training on psychosocial risks for labour inspectors responsible for occupational safety and health.

In 2023 and 2024, the ministry conducted training for occupational safety professionals and strengthened their capacity to assess occupational safety and health risks from a diversity perspective. The ministry has also prepared a handbook entitled **Risk Assessment for Occupational Safety and Health from the Diversity Perspective: Guidelines for Taking Diversity into Account**.

In 2025, the ministry published a handbook entitled **Violence and Harassment in the Workplace: A Practical Guide for Employers**, which it tailored to the situation in Slovenia. It is a guide prepared in connection with ILO Convention No. 190 on eliminating violence and harassment in the world of work by the International Labour Office, the Bureau for Employers' Activities (ACT/EMP, the Gender, Equality, Diversity and Inclusion Branch (GEDI), and the Labour Administration and the Labour Inspection and Occupational Safety and Health Branch (LABADMIN/OSH). In support of the handbook, on 29 January

2025, the ministry, together with the Chamber of Nursing and Midwifery Services of Slovenia – the Association of Professional Societies of Nurses, Midwives and Healthcare Technicians of Slovenia and the Slovenian Human Resources Association, organised *a conference on violence and harassment in the workplace from the perspective of occupational safety and health*. In 2025 and 2026, the ministry is conducting *a survey on workplace violence from the perspective of occupational safety and health*.

The ministry is also preparing a practical **e-tool for assessing psychosocial risks to occupational safety and health – OiRA** – to assist employers and occupational safety professionals. The ministry is implementing the tool and conducting training on its use in 2025 and 2026.

In the light of climate change and the ever more frequent heat waves, in 2025 the ministry amended the **Rules on requirements for ensuring safety and health of workers at the workplace** (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 89/99, 39/05, 43/11 – ZVZD-1 and 53/25) thereby imposing on employers an obligation to take measures aimed at ensuring safety and health of workers working in extreme heat. The Rules stipulate that outdoor work at air temperatures exceeding 30 degrees Celsius may only be carried out on condition that workers are provided with at least a 15-minute break every two to three hours and free non-alcoholic beverages. During breaks the employer must provide workers with protection from adverse weather conditions to the greatest extent possible. If workers carry out their work outdoors in clear and sunny weather, the employer must provide them with adequate protection against the sun. The ministry has also prepared **guidelines** for employers **to facilitate the implementation of legal obligations**.

For enclosed working areas, the same Rules have stipulated since their entry into force in 1999 that the air temperature must not exceed 28 degrees Celsius, except in cases where the nature of work and technological processes make it impossible to maintain the prescribed temperature (for example in foundries, bakeries or industrial kitchens). In such cases the employer must take other measures. One of the measures is to provide a mandatory rest area where the temperature does not exceed 20 degrees Celsius and where workers can retreat to recover. Such areas must be appropriately equipped, accessible and actually usable for recovering from heat.

Within the **Action Plan for the Implementation of the Resolution on the National Programme of Health and Safety at Work 2018–2027** the ministry has continued to implement measures in the field of health protection at work and the monitoring of workers' work ability. In 2025, activities were mainly focused on the preparation of the new **"Rules on preventive medical examinations of workers"** (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 87/02, 29/03 – corrigendum, 124/06 and 43/11 – ZVZD-1), which will indirectly address risks in the workplace, with the process of harmonising the aforementioned proposal still ongoing.

Article 3§2 of the Revised Charter (Article 3§1 of 1961 Charter) Health and safety regulations

a) Please provide information on:

- the measures taken to ensure that employers put in place arrangements to limit or discourage work outside normal working hours (including the right to disconnect);

The right to disconnect was introduced into the Slovenian legislation by the Act Amending the Employment Relationship Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No 114/23),

specifically in the new Article 142a of the ZDR-1. The right to disconnect means that during periods of exercising the right to rest or justified absences from work in accordance with the law and the collective agreement, or a general act, the worker will not be available to the employer. At the same time, it entails an obligation for the employer to take appropriate measures to give effect to this right.

The right to disconnect results from the already established labour law institutions, i.e. effective working time and time of justified absences from work. Effective working time are the hours during which workers carry out their work, meaning that they are at the employer's disposal and fulfil their working obligations arising from the employment contract. During periods of exercising the right to rest or during justified absences from work, workers are not available to the employer and do not fulfil their working obligations under the employment contract, therefore the right to disconnect does not create a new legal status regarding the use of working time.

As the extended use of information and communication technology has made workers constantly available and has led to violations of the right to adequate rest periods, the right to disconnect obliges employers to take appropriate measures for this purpose.

First and foremost, it is necessary to point out the right to rest and annual leave, which are regulated in Article 155 (daily rest period), Article 156 (weekly rest period) and Articles 159 to 164 (annual leave) of the ZDR-1. A violation of the right to daily and weekly rest periods and to annual leave is punishable by a fine imposed on the employer by a labour inspector on the basis of Article 217a of the ZDR-1.

With regard to the right to disconnect it should be further clarified that Article 142a of the ZDR-1 provides that measures to be taken by the employer are determined by the branch collective agreement. The employer must inform the workers in writing about the measures taken in the employer's usual way (e.g. in a certain announcement location in the employer's business premises or by using information technology). If these measures are not determined in this way (by a branch collective agreement), they must be determined by a more specialised collective agreement.

If there is no trade union at the employer, the employer must submit the proposed measures to the works council or the workers' delegate for an opinion before adopting them. The works council or the workers' delegate must provide an opinion within eight days, and the employer must take the submitted opinion into account and decide on it before taking measures. If there is no works council or a workers' delegate at a particular employer, the employer must inform the workers about the content of the measures prior to their adoption, in the manner customary at the employer.

The determination of specific measures to adequately ensure the right to disconnect is thus left to the regulation in an autonomous act (branch collective agreement, a more specialised collective agreement or an employer's general act), where appropriate measures are determined taking into consideration the specificities of a particular activity, the organisation of a working process etc.

The Annex to the Collective Agreement for Non-Commercial Activities (Official Gazette of the Republic of Slovenia [Uradni list RS], No 99/24) regulates, at framework level, specific measures taken by the employer to provide the right to disconnect. As evident from paragraph two of Article 2 of the aforementioned Annex, disconnection means not performing work-related activities or required communication with mobile devices or other digital tools, directly or indirectly, outside the public employee's working time. Article 3 of the Annex sets out additional measures to ensure the right to disconnect and to promote a work culture, that includes an effective, well-considered and balanced approach to digital tools (for example the provision of training on the proper use of digital tools, training of supervisory staff and public employees on the importance of the right to disconnect, etc.). These

measures may be specified in more detail in branch collective agreements. In order to ensure the right to disconnect, an employer may also take technical measures, such as activating automatic reply settings for periods of absence or sending e-mails with a scheduled delivery time during working time.

The right to disconnect is also regulated in numerous branch collective agreements¹ or the branch collective agreements contain measures which ensure this right. These measures include, for example: raising awareness among workers and educating them about the importance of the right to disconnect, training on the proper use of digital tools, training for supervising staff, technical measures (such as activating automatic reply settings for periods of absence or sending e-mails with a scheduled delivery time during working time, and including notifications in e-mails indicating that the recipient is not required to reply during periods of disconnection etc.).

- [how the right not to be penalised or discriminated against for refusing to undertake work outside normal working hours is ensured.](#)

The ZDR-1 also defines the assumption that the burden of proof lies with the employer if the worker alleges in a dispute that the employer has failed to ensure the right to disconnect.

The penalty for an employer who fails to ensure the right to disconnect in accordance with Article 142a of the ZDR-1 is stipulated in Article 217a of this Act.

The prohibition of discrimination and the provision of equal treatment are specified in Article 6 of the ZDR-1.

If a worker is of the opinion that the employer has failed to fulfil their obligations arising from the employment relationship or that they have violated any of the worker's rights arising from the employment relationship (including the right to disconnect and the working time limits), the worker may enforce individual protection of their rights with the employer in accordance with Article 200 of the ZDR-1. The Labour Inspectorate of the Republic of Slovenia is empowered, in accordance with the

¹ Collective Agreement for Slovenia's Electricity Supply Industry (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 41/17, 109/20, 204/21, 79/22, 159/22, 64/23, 52/24, 94/24 and 47/25); Collective Agreement for the Newspaper, Publishing and Bookselling Sector (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 43/00, 77/00 – corrigendum, 24/01, 48/01 – ZMPUPR-B, 117/04, 79/05, 43/06 – ZKoliP, 95/06, 118/06, 10/07, 93/07, 35/08, 97/08, 8/10, 55/11, 17/12, 63/13, 83/16, 57/18, 173/20, 105/21, 103/22, 57/23, 38/24, 96/24, and 107/25); Collective Agreement for Slovenia's Electrical Industry (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 108/05, 95/06, 82/07, 32/08, 70/08, 75/09, 10/10, 84/11, 104/11, 32/13, 26/15, 58/17, 84/18, 58/20, 49/22, 4/23, 4/24, 52/24, 95/24, 13/25, 42/25 and 107/25); Collective Agreement for Slovenia's Coal Mining Industry (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos [32/19](#), [34/19](#) – corrigendum, [79/22](#), [64/23](#), [129/23](#) and [98/24](#)); Collective Agreement for Slovenia's Insurance Sector (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No [96/24](#)); Collective Agreement for Non-Commercial Activities in the Republic of Slovenia; Collective Agreement for Slovenia's Road Passenger Transport (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 192/21, 74/23, 101/24 and 34/25); Collective Agreement for Slovenia's Hospitality and Tourism Industries (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 112/24); Collective Agreement for Slovenia's Metal Products and Foundry Industry (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 78/14, 22/17, 84/18, 43/19 – corrigendum, 82/19, 105/21, 26/22, 74/23, 24/24, 110/24 and 47/25); Collective Agreement for the Paper and Paper-Converting Industry (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 110/13, 52/16, 4/18, 2/19, 168/20, 5/22, 156/22, 121/23, 52/24, 95/24 and 47/25); Collective Agreement for the Graphic Sector (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 77/17, 84/18, 52/19, 175/20, 196/21, 70/22, 159/22, 126/23, 110/24 and 102/25); Collective Agreement for Service Activities Incidental to Land Transportation (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 200/20 and 101/24).

regulations on inspection supervision, to carry out inspection supervision of the implementation of the provisions of the ZDR-1, the implementing regulations, collective agreements and general acts of employers governing employment relationships, and employees may therefore report any violations to the Inspectorate.

Article 4 of the Annex to the Collective Agreement for Non-Commercial Activities (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 99/24) explicitly prohibits adverse measures against public employees exercising their right to disconnect.

b) Please provide information on:

- the measures taken to ensure that self-employed workers, teleworkers and domestic workers are protected by occupational health and safety regulations;
- whether temporary workers, interim workers and workers on fixed-term contracts enjoy the same standard of protection under health and safety regulations as workers on contracts with indefinite duration.

Under Slovenian legislation in the field of occupational health and safety, workers engaged in atypical forms of employment (such as part-time or fixed-term employment contracts, employment contracts for home-based work or telework, or contracts not constituting employment but based on other legal grounds (such as civil law contracts, temporary or casual work by students, upper secondary students, retired persons, etc.), are treated on an equal footing with workers employed under permanent and full-time employment contracts.

All of the above-mentioned workers have the same rights and obligations regarding occupational health and safety as workers who are employed under permanent and full-time employment contracts. They are also subject to the same occupational health and safety supervision as workers employed under permanent employment contracts.

An exception applies to domestic workers – in accordance with Article 3 of the ZVZD-1, based on the Framework Directive (Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, (OJ L 183, of 29 June 1989, pages 1 to 8)); a person who engages domestic workers is not considered an employer within the meaning of this Act. However, it should be pointed out that in Slovenia the domestic work performed by workers (outside their own household) is neither common nor widespread and consequently there is no need for specific regulation of occupational safety and health in this area.

Services for persons who require help or assistance at home are provided and financed as publicly funded services. For example, home assistance and care for older people is provided as social assistance service by registered natural and legal persons. Persons with the status of a disabled person, for example, are entitled to personal assistance which is provided on a non-profit basis: by humanitarian organisations and disability organisations that have been granted such status under the law governing humanitarian organisations or the law governing disability organisations; and institutions and societies that have acquired the status of operating in the public interest in the field of disability or social assistance, or for performing humanitarian activities in the field of social assistance. These organisations must be registered in the register of personal assistance providers based on a decision by the ministry

responsible for the protection of persons with disabilities.

However, the ZVZD-1 contains specific regulations for self-employed persons: Pursuant to the ZVZD-1 self-employed persons are persons performing a gainful or other professional activity as their sole or main occupation and who do not employ other workers or involve other persons in the work process. In accordance with the ZVZD-1 and other occupational safety and health regulations, self-employed persons are responsible for their own safety and health as well as for the safety and health of others affected by their actions or omissions. Self-employed persons must assess the risks in their work and if they identify risks of accidents, occupational or work-related diseases, they must prepare a written safety statement including a risk assessment and define measures to ensure occupational safety and health. In their work, self-employed persons must also use work equipment and personal protective equipment that is appropriate to the risks at work and in compliance with the prescribed health and safety requirements. Where self-employed persons perform work on sites with multiple contractors, they must also join the written agreement and implement common measures to ensure occupational health and safety, and take measures to ensure fire safety. Self-employed persons must also report to the Labour Inspectorate any accident at work rendering them incapable of work for more than three working days, or any established occupational disease and dangerous occurrence.

Article 3§3 of Revised Charter (Article 3§2 of 1961 Charter) Enforcement of health and safety health regulations

- a) Please provide information on measures taken to ensure the supervision of implementation of health and safety regulations concerning vulnerable categories of workers such as:
- domestic workers;
 - digital platform workers
 - teleworkers;
 - posted workers;
 - workers employed through subcontracting;
 - the self employed;
 - workers exposed to environmental-related risks such as climate change and pollution.

Employment relationship legislation provides for special rights for workers, who belong to so-called protected categories. The categories listed above are not specifically included among them, rather, they include the following: pregnant women, breastfeeding mothers and parents of younger children, workers under the age of 18, workers with the status of persons with disabilities, workers who are victims of family violence and older workers.

With regard to domestic workers, it was already noted in the previous answer (see Article 3§2, answer to question b) that in the Republic of Slovenia there is no indication that the performance of domestic work (outside one's own household) occurs to such an extent or with such frequency as to require special regulation by the state. Individual cases, if they exist at all, are extremely rare in Slovenian society and to date no problems have been identified in this area.

Employed workers working from home or from a remote location have the same status with regard to the obligations and rights relating to occupational safety and health as workers working at the

employer's registered office. Workers who perform work from their own home or at other locations of their own choosing in agreement with the employer have the same rights as workers who work at the employer's location, including the right to participate in management and in union organising. The rights, obligations and conditions which depend on the nature of home working are regulated by the employment contract concluded between the employer and the worker.

In order to ensure occupational safety and health of home-based workers, Slovenian legislation (paragraph four of Article 68 of the ZDR-1) also provides that employers must inform the Labour Inspectorate of the Republic of Slovenia of the intended organisation of home working before the employee begins working from home. In the employer's notification of the worker's intended home working, the employer must, among other things, specify the job title or type of work, with a brief description of the work to be performed, the work equipment and tools used, the expected duration and the expected proportion of working time spent working from home, as well as any risks to the worker's occupational health and safety arising from home working. This notification is of key importance for the supervision of the provision of occupational safety and health, as the labour inspector may prohibit the organisation or performance of home working where such work is harmful and/or poses a risk of becoming harmful to home-based workers or to the living or working environment in which the work is carried out.

With regard to the supervision of safety and health at work performed via digital platforms or telework, where a platform worker is not employed by an employer with a registered office in Slovenia or is not employed at all but performs work on other legal bases, numerous challenges arise. Supervisory bodies (inspections) do not have access to data on the existence of such work and such workers, and are therefore unable to exercise supervision over their work. Moreover, inspectors do not have the authority, powers or right to enter a platform worker's home, if the worker refuses to grant access to the residential premises. If the worker does not grant access to the residential premises, the inspector may, under the conditions set out in the Inspection Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 43/07 – official consolidated version and 40/14) enter the premises only with a court order authorising such entry which the inspector may obtain only if there are reasons to suspect that an unauthorised activity is being carried out in the residential premises, that the activity is being conducted in contravention of regulations, or that objects, animals, or other items are being kept in violation of regulations, or that other violations of regulations will be found during the inspection of the residential premises or individual items therein. Given the limited ability to supervise the safe and healthy work of these (platform) workers, we consider it essential to carry out preventive activities that empower not only workers themselves, but also employers and the general public to pay attention to the segment of health and to various risks to occupational safety and health associated with the performance of such work. To this end, the ministry also organised a series of events, seminars and conferences, including the webinar "*Navigating the Digital World of Work: Strategies for Managing Technical Stress (Krmarijenje skozi digitalni svet dela: strategije za obvladovanje tehničnega stresa)*", held on 15 October 2024, the webinar "*Why is the Right to Disconnect Important for Workers and Companies (Zakaj je pravica do odklopa pomembna za delavce in podjetja?)*", held on 8 October 2024, and the webinar "*Working Conditions of Platform Workers (Delovni pogoji platformnih delavcev)*", held on 18 September 2024. Recordings and materials from these webinars are publicly accessible to all interested parties on the Occupational Safety and Health website.²

Posted workers (in accordance with Article 210 of the ZDR-1 these are workers who have been posted by a foreign employer to perform temporary work in the Republic of Slovenia on the basis of an employment contract under foreign law) carry out temporary work in the Republic of Slovenia under the

² <https://vzd.mddsz.gov.si/aktualno/dogodki>

conditions laid down in the regulations governing the work and employment of foreign nationals. An employer must ensure that these workers enjoy the rights provided under the regulations of the Republic of Slovenia and under the provisions of a branch collective agreement governing working time, breaks and rest periods, night work, minimum annual leave, salaries, occupational safety and health, special protection of workers and equal treatment, whenever these are more favourable to the worker. The legislation of the Republic of Slovenia therefore obliges employers of posted workers carrying out the work in the territory of Slovenia to comply with this legislation if it is more favourable to the workers. The Slovenian Labour Inspectorate also supervises the provision of occupational safety and health for these workers, including within the framework of international cooperation, primarily through cooperation with supervisory authorities in the country of origin or the employer's headquarters, with the assistance of the Internal Market Information System (IMI). ³The European Labour Authority (ELA) also plays an important role in ensuring the rights of posted workers and in providing appropriate conditions for their work. ⁴Inspectors took part in numerous training courses, and activities were also conducted in the field of joint cross-border inspections, carried out under the financial and organisational auspices of the ELA. Most irregularities and problems concerned the qualification of workers for safe work, medical examinations, the provision of personal protective equipment, inspections and testing of work equipment, and translation of documentation.

In the case of workers employed through sub-contractors their employer must ensure their occupational safety and health, regardless of whether they are subcontractors, contractors or the contracting authority. The fact that the employer has the status of a sub-contractor in no way exempts them from their responsibility towards the workers employed by them. It is important that at sites where two or more employers and self-employed workers are engaged simultaneously, common measures to ensure occupational safety and health are established through a written agreement. Each employer must designate a worker in this agreement to be responsible for the provision of safety of their workers. The employers must, by mutual agreement, designate a worker to ensure coordinated implementation of measures defined in the written agreement.

Self-employed persons (pursuant to the ZVZD-1, these are persons who perform a gainful or other professional activity as their sole or main occupation and who do not employ other workers or involve other persons in the work process) have obligations under the ZVZD-1 which have been stated above under point b) of Article 3§2. Inspection in relation to these activities is carried out by the Labour Inspectorate of the Republic of Slovenia in the same manner as for workers employed by an employer. The ZVZD-1 also provides for sanctions against self-employed persons who violate the obligations set out above.

With regard to workers exposed to environmental risks, such as climate change and pollution, it should be noted that, in the light of climate conditions in the Republic of Slovenia in recent years, the main challenge has been higher temperatures during the summer months, resulting in longer or more frequent heat waves, which, however, do not currently deviate from the European average. Therefore, in 2025, the ministry in cooperation with the social partners within the negotiating team of the Economic and Social Council (hereinafter: ESC) amended the *Rules on requirements for ensuring safety and health of workers at the workplace* (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 89/99, 39/05, 43/11 – ZVZD-1 and 53/25; hereinafter: Rules), thereby imposing on employers an obligation to take measures aimed at ensuring the safety and health of workers working in conditions of elevated air temperatures. These Rules stipulate that outdoor work at air temperatures exceeding 30 degrees Celsius

³ https://ec.europa.eu/internal_market/imi-net/index_sl.htm

⁴ <https://www.ela.europa.eu/en/country/slovenia>

may only be carried out on condition that workers are provided with at least a 15-minute break every two to three hours and free non-alcoholic beverages. During breaks the employer must provide workers with protection from adverse weather conditions to the greatest extent possible. If workers carry out their work outdoors in clear and sunny weather, the employer must provide them with adequate protection against the sun. The ministry has also prepared *guidelines for employers to facilitate the implementation of legal obligations* (see complementary answer under Article 3.1.) The employer must also properly identify all risks related to the environment, climate change and pollution in the safety statement with a risk assessment, where workers are exposed to such risks in the course of their work, and foresee appropriate measures to protect workers against adverse health effects, to the greatest extent possible, thereby reducing these risks as far as possible.

With regard to risks related to pollution, we monitor directives adopted at EU level and, where necessary, amend and adapt implementing regulations, such as:

- *Rules on the protection of workers from risks related to exposure to chemical substances at work* (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 72/21, 29/24 and 26/25);
- Rules on the protection of workers from risks related to exposure to biological agents at work (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 168/20 and 12/24);
- *Rules on the protection of workers from the risks related to exposure to carcinogenic, mutagenic and reprotoxic substances* (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 29/24 and 26/25) and
- Rules on the protection of workers from risks related to exposure to asbestos at work (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 93/05 and 43/11 – ZVZD-1).⁵

Article 4 – The right to fair remuneration

Article 4§3 Right of men and women to equal pay for work of equal value

- a) Please indicate whether the notion of equal work and work of equal value is defined in domestic law or case law.

Paragraph one of Article 133 of the ZDR-1 prohibits discrimination in remuneration and provides that employers are obliged to ensure equal pay for equal work and for work of equal value, regardless of the worker's gender. When applying this provision, due regard must be paid to the scope of the term "remuneration". In accordance with paragraph one of Article 126 of the ZDR-1, remuneration for work comprises the salary and any other types of payment agreed upon in a collective agreement. Paragraph two of Article 133 of the ZDR-1 provides that any provisions of an employment contract, a collective agreement or an employer's general act that are contrary to paragraph one of this Article (i.e. those violating the principle of equal treatment) are null and void.

The provisions of Article 133 are closely linked to Article 6 of the ZDR-1, which generally regulates the

⁵ New asbestos-related rules are in the final stages before publication and are expected to be published in the Official Gazette within the next few weeks.

prohibition of discrimination and prevents direct and indirect discrimination regarding remuneration.

b) Please provide information on the job classification and remuneration systems that reflect the equal pay principle, including in the private sector.

The Republic of Slovenia has two major pay-determination systems. The first one is the public sector salary system, while the second relates to the regulation of employment relationships in the private sector through collective bargaining, which is based on the free agreement between the social partners. Positions in the public sector are also regulated through collective bargaining between the state and public sector trade unions, as employees in the public sector are fully protected by collective agreements. According to various estimates by experts, ministries, and social partners, the majority of workers in the Republic of Slovenia hold positions covered by collective agreements.

In the public sector, the basic salary levels and their ranges for individual positions are regulated by a uniform pay system which ensures equal pay for work of comparable complexity and responsibility requiring specific qualifications to occupy the positions. The public sector salary system is governed by the Public Sector Salary System Act, which has been in force since 2009, and the Common Foundations of the Public Sector Salary System Act, which has been in force since 2024. As a rule, the state publishes a valid salary scale each year, in which individual positions are assigned a basic salary and a range of possible basic salaries, including all promotions.

In the Republic of Slovenia, salaries in the various sectors of the private sector are regulated by collective agreements, where such agreements are in force. These include corporate collective agreements, concluded at company level, as well as sectoral and branch collective agreements. Branch collective agreements are concluded by representative trade unions and representative employers' associations. They apply to all companies represented by organisations that are signatories to the collective agreement. Where signatory organisations represent more than half of the workers in the branch, the minister responsible for labour may, by decision, extend the applicability of the collective agreement, meaning its provisions apply to all employers in the relevant industry, irrespective of their membership in the employer's association that is a signatory to the collective agreement. Where a sectoral collective agreement is in force, corporate collective agreements may further regulate the rights and obligations of workers only in ways that are more favourable for workers, except where derogations are expressly provided for in the sectoral collective agreement.

Collective agreements are primarily regulated by the Collective Agreements Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 43/06 and 45/08 – ZArbit; hereinafter: ZKoIP). The legislation does not prescribe mandatory content of collective agreements; however, they must comply with the provisions of the ZDR-1, except where the Act itself provides exceptions. Collective agreements must apply, *mutatis mutandis*, the relevant provisions of the Obligations Code (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 97/07 – official consolidated version, 64/16 – Constitutional Court Decision and 20/18 – OROZ631), insofar as specific issues are not regulated by the ZKoIP. The ZDR-1 leaves the regulation of certain issues – particularly remuneration for work and reimbursement of costs – to collective agreements, with the exception of minimum remuneration for work which is governed by the Minimum Wage Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 13/10, 92/15 and 83/18). In the private sector, the levels of basic salaries are regulated in wage annexes to collective agreements which typically define salary rate brackets based on the complexity of work, the level of responsibility of the position and the qualifications required for the position. Wage annexes to collective agreements typically contain eight to ten salary rate brackets and also regulate the amounts of

allowances and reimbursements of labour costs.

Both the determination of salary rate brackets in collective agreements in the private sector and the job classification in the public sector categorise positions according to the level of required qualifications, the complexity of the work and the level of responsibility involved. No pay system in the Republic of Slovenia allows jobs to be classified or pay to be determined on the basis of gender or other personal circumstances. Job classification or remunerations that result in gender-based discrimination constitute violations of the ZDR-1, the Protection against Discrimination Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos [33/16](#) and [21/18](#) – ZNOrg) and the Constitution of the Republic of Slovenia (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 33/91-I, 42/97 – UZS68, 66/00 – UZ80, 24/03 – UZ3a, 47, 68, 69/04 – UZ14, 69/04 – UZ43, 69/04 – UZ50, 68/06 – UZ121,140,143, 47/13 – UZ148, 47/13 – UZ90,97,99, 75/16 – UZ70a, 92/21 – UZ62a and 98/25 – UZ74a; hereinafter: Constitution).

Article 5 – The right to organise

Article 6 – The right to bargain collectively

Article 5 Right to organise

a) Please indicate what measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors (e.g., the gig economy).

In Slovenia, the operation of trade unions is primarily regulated by the Constitution of the Republic of Slovenia, in line with international instruments defining the freedom of trade unions. Article 76 of the Constitution, within the chapter on economic and social relations, guarantees the freedom to establish, operate and join trade unions.

Freedom of association in the context of the establishment and operation of trade unions is also guaranteed at the legislative level. In addition, the *Representativeness of Trade Unions Act* (Official Gazette of the Republic of Slovenia [Uradni list RS], No 13/93; hereinafter: ZRSin) provides further regulation of trade unions. The ZRSin specifies how a trade union may acquire legal personality and the conditions under which it may acquire the status of a representative trade union. The acquisition of legal personality is important for trade unions as it enables them to carry out financial transactions directly in their own name, but it is not a prerequisite for the establishment or operation of a trade union. A trade union acquires legal personality on the date on which the competent administrative authority issues a decision on the filing of its articles of association or other founding act. With regard to the acquisition of representative status, the ZRSin distinguishes between the conditions for obtaining such status for federations or confederations of trade unions, independent trade unions in specific branches or occupations and trade unions at the employer level.

In accordance with the constitutional provision, the ZRSin does not interfere with any persons' right to establish a trade union, join a trade union, adopt a trade union's articles of association or rules jointly with others and to elect trade union representatives.

To promote the positive freedom of association of workers and provide the necessary legal framework, the state also co-finances projects of social partners aimed at strengthening their capacities, including training programmes designed to enhance social dialogue. A recent example is as follows:

- Two public calls in 2017 and 2020 aimed at strengthening the capacity of social partners in social dialogue processes, particularly in the areas of labour market and lifelong learning policies. Co-financing of social partners' activities in this area was made possible by funds from the European Social Fund under the European Cohesion Policy for the period 2014–2020. The aim of both public calls was to strengthen, through systematic activities within supported projects, the capacities of social partners to cooperate effectively in the development of public policies relevant to the labour market.
- In March 2025, a new call for proposals to strengthen social dialogue was published as part of the European Cohesion Policy for the period 2021–2027 (European Social Fund+). The subject of the call is co-financing 12 projects with the aim of strengthening the capacity of social partners in social dialogue processes, especially in policies related to the labour market and lifelong learning, and in processes to improve the quality of the working environment and working conditions, including with a view to extending working life.

In explaining the framework governing the freedom of association, we would like to note that Slovenia already has trade unions that bring together workers who, in the past, had not been unionised, did not perceive the need for union membership, or because such forms of work did not exist at that time.

Examples of such trade unions include:

- *the Precarious Workers Trade Union*
- *the Trade Union of Students* which also includes *the Food Delivery Trade Union*. The mission of the *Mladi Plus Trade Union* is to unite young unemployed people, upper secondary students, students and young workers in precarious forms of employment in their fight for decent work and a decent life.
- *ZASUK – the Creativity and Culture Trade Union* It brings together workers from a wide range of professions and employment statuses who are active in one or more sub-areas of the cultural and creativity sector.
- *Migrant Workers Trade Union of Slovenia*
- *SINDIR – Trade Union of Directors and Headteachers of Slovenia* (representing directors and headteachers in public educational establishments)⁶
- *SINKUL – Trade Union of Managers in Culture and the Arts* (representing managers in the fields of culture and the arts employed in public institutes)⁷.

b) Please describe the legal criteria used to determine the recognition of employers' organisations for the purposes of engaging in social dialogue and collective bargaining.

The Republic of Slovenia has no specific legislation addressing the representativeness of employers and

⁶ In 2011, SINDIR acquired the status of a representative trade union in the profession of "management professions in education and training" and thus became a social partner in negotiations with the Government on issues related to the material and legal status of head teachers and directors in the field of education and training. It participates in the conclusion of the Collective Agreement for Education and Training in the Republic of Slovenia.

⁷ In 2020, SINKUL acquired representative status in the profession of managers in culture and the arts and became a social partner in negotiations with the Government. It participates in the conclusion of the Collective Agreement for Cultural Activities in the Republic of Slovenia.

their associations, nor defining criteria for the recognition of employers' organisations for the purposes of social dialogue and collective bargaining.

The tripartite social dialogue at the national level in Slovenia began with the **establishment of the Economic and Social Council (ESC)** in 1994. The ESC represents **the central institution of social dialogue and serves as the main forum of discussion on key issues between the representatives of the Government, trade unions and employers.**

Over time, the ESC has developed its own dynamics and processes, which have resulted in the *Rules of Procedure of the Economic and Social Council* (Official Gazette of the Republic of Slovenia, Nos 1/17, 69/19 and 63/24; hereinafter: ESC Rules). These rules clearly define the substantive and procedural dimensions of the work of the ESC and the individual partners active within the ESC.

On the employers' side, the following employers' associations participate in the ESC and are signatories to the *ESC Rules*:

- *Chamber of Commerce and Industry of Slovenia,*
- *Association of Employers of Slovenia,*
- *Chamber of Craft and Small Business of Slovenia,*
- *Association of Employers in Craft and Small Business of Slovenia, and*
- *Slovenian Chamber of Commerce.*

The system of collective bargaining is governed by the *ZKoIP*, which defines the parties to collective agreements in Article 2 and provides that collective agreements are concluded by two parties: trade unions or associations of trade unions as a party on the side of workers and employers or associations of employers as a party on the side of employers; associations of trade unions and employees may conclude collective agreements in accordance with their statutes or other adequate documents. It follows from the above that the *ZKoIP* does not lay down any specific conditions for the recognition of employers' organisations for the purposes of collective bargaining.

c) Please describe the legal criteria used to determine the recognition and representativeness of trade unions for the purposes of engaging in social dialogue and collective bargaining.

By way of introduction, we would like to point out that in the social dialogue at national level within the framework of the ESC, which was established in 1994 on the basis of the above-mentioned ESC Rules, the representative federations or confederations of trade unions, which are also signatories to these Rules, participate on the trade union side; these are:

- *Association of Free Trade Unions of Slovenia,*
- *Confederation of Trade Unions of Slovenia – PERGAM,*
- *Trade Union Confederation 90 of Slovenia,*
- *Confederation of New Trade Unions of Slovenia – INDEPENDENCE,*
- *Slovenian Association of Trade Unions – ALTERNATIVE,*
- *Association of Workers' Trade Unions of Slovenia SOLIDARITY and*
- *Confederation of Public Sector Trade Unions of Slovenia.*

As explained in the previous question, the system of collective bargaining is governed by the *ZKoIP*, which defines the parties to collective agreements in Article 2 and provides that collective agreements are concluded by two parties: trade unions or associations of trade unions as a party on the side of

workers, and employers or associations of employers as a party on the side of employers; associations of trade unions and employees may conclude collective agreements in accordance with their statutes or other adequate documents.

It follows from the above that the *ZKoIP* does not lay down any specific conditions for the recognition of trade unions or trade union associations for the purposes of collective bargaining. The Act does not stipulate that only representative trade unions are allowed to conclude collective agreements.

The representativeness of trade unions or trade union associations is important in determining the validity of collective agreements. The *ZKoIP* has established the principle that a collective agreement is valid only for the parties of the collective agreement or its members (Article 10). If a collective agreement is signed by one or more representative trade unions, it acquires general validity, meaning that it applies to all persons employed by the employer or employers to whom the collective agreement applies (Article 11).

The acquisition of the representative character of trade unions at national as well as at employer level is regulated by the *ZRSin*.

The *ZRSin* first lays down the general conditions for the acquisition of the characteristics of a representative trade union, which apply to all cases; the trade union must prove the following:

- the democratic nature and actualisation of the freedom to join a trade union, of the operation and of the realisation of membership rights and obligations,
- continuity of service for a minimum of the last six months,
- independence from national authorities and employers,
- funding from membership fees and other own sources, and
- a certain number of members (10% and 15%, respectively), which is demonstrated on the basis of a signed declaration of membership of their members.

In the case of a union or confederation of trade unions, it must be demonstrated that it brings together trade unions from different branches or occupations, and that each affiliated trade union represents at least 10% of the workers in the respective activity or occupation for which the union or confederation seeks to obtain representativeness. In the case of an independent trade union within a branch or occupation or an independent union at an employer, the percentage amounts to a little higher, 15%.

The decision on the representativeness of unions or confederations of trade unions and individual trade unions in a branch or occupation is issued by the minister competent for labour and the decision on the representativeness of a trade union organised at an employer is adopted by the employer.

Disputes over decisions on union representativeness are also subject to judicial protection before a labour court.

In accordance with Article 7 of the *ZRSin*, representative trade unions conclude collective agreements with general applicability and participate in bodies that decide on issues of economic and social security of workers and propose candidates for workers participating in management, in accordance with specific regulations. In addition, certain rights of representative trade unions are regulated by special laws, whereby in some cases the rights of trade unions are also linked to the representativeness of the trade union organised at a higher level.

The last paragraph of Article 10 of the *ZDR-1* provides that entities eligible to participate in collective bargaining procedures are the trade unions at the employer deemed to be the representative trade unions which appoint or elect the trade union representative pursuant to Article 205 of the Act. A trade

union is representative if it has recognised representativeness in accordance with the *ZRSin* at any level (association, confederation, activity, profession, employer, etc.). In order to participate in the collective regulation of workers' rights under the *ZDR-1*, each such representative trade union must also appoint or elect its own trade union representative at each individual employer. This means that, solely for the purpose of participating in the procedures provided for under the *ZDR-1* – such as giving opinions on an employer's general acts or exercising the right to information and consultation in the event of a transfer of undertaking or collective redundancies – workers are not required to establish a trade union with a specific employer, nor to claim or obtain representativeness at the level of that employer. Instead, they may join or affiliate with a representative trade union operating outside the company and appoint their own representative within the company. This union operating outside the company must also have acquired the status of representativeness in accordance with the *ZRSin*. In any case, it is the union's obligation to inform the employer of the appointment or election of a union representative or of the decision that its president will represent the members at a specific employer, as this is the only way for the employer to anticipate and carry out in a timely manner all procedures in which union representatives must be involved.

In addition to the above, we emphasise that, in accordance with the provisions of the *ZDR-1*, in cases of individual regulation of workers' rights, the employer is obliged to allow the trade union to participate in proceedings against the worker if the unionised worker so requests, regardless of the representativeness of the trade union of which the worker is a member and regardless of the level of organisation of the trade union.

d) Please provide information:

- on the status and prerogatives of minority trade unions;
- on the existence of alternative representation structures at enterprise-level, such as elected worker representatives.

As noted above, freedom to establish a trade union is guaranteed in Slovenia by the Constitution of the Republic of Slovenia.

In accordance with the provisions of the *ZKoliP*, all trade unions have the right to collective bargaining, regardless of their size or representativeness.

From the perspective of general labour law regulations relating to the operation of trade unions at employers, we explain that the *ZDR-1* defines the operation of trade unions at employers in a special chapter within the provisions on the operation and protection of trade union representatives (Articles 203 to 207 of the *ZDR-1*), regardless of the representativeness of the trade union.

The underlined Chapter VI of the *ZDR-1* defines the right of trade union representatives to establish and protect the rights and interests of trade union members with employers but carry out trade union activity at a time and in a manner that does not decrease the efficiency of the employer's operations, while the employer must provide conditions to a trade union for the rapid and efficient performance of trade union activities in accordance with the regulations protecting the rights and interests of workers. The Act further provides that the employer is obliged to allow the trade union access to such information as may be necessary for carrying out trade union activities.

With regard to trade union representatives, Article 205 of the *ZDR-1* provides that a trade union which has members employed with a certain employer may appoint or elect a trade union representative to represent it with the employer. If a trade union representative has not been appointed, the trade union

is represented by its president. The Act furthermore provides that it is the union's obligation to inform the employer of the appointment or election of a union representative or of the decision that its president will represent the members at a specific employer. This is the only way for the employer to anticipate and carry out in a timely manner all procedures in which union representatives must be involved, and ensure the conditions for the trade union to operate or comply with specific safety norms.

The specific rights of individual trade unions are defined by the ZDR-1 in relation to individual institutions, with separate provisions governing trade union participation in the regulation of collective rights of workers and in the enforcement of the rights and interests of individual workers. As stated above, in cases of individual regulation of workers' rights, the employer is obliged to allow the trade union to participate in proceedings against the worker if the unionised worker so requests, regardless of the representativeness of the trade union of which the worker is a member and regardless of the level of organisation of the trade union.

In addition to the aforementioned regulation of trade union representation, the Republic of Slovenia also regulates workers' participation in management, which is governed by the *Worker Participation in Management Act* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 42/07 – official consolidated text and 45/08 – ZArbit; hereinafter: ZSDU), which regulates the methods and conditions for workers' participation in the management of companies, regardless of the form of ownership, sole traders with at least 50 employees and cooperatives, and in principle also in companies that perform public economic services and for employees in banks and insurance companies. Workers in institutes exercise their right to participate in management as individuals in accordance with the provisions of the Act, and collectively in accordance with a separate act.

According to the provisions of the ZSDU, workers exercise their right to participate in management in two ways, i.e. as individuals and collectively. Collectively, workers exercise this right through:

- *a workers' council or workers' representative,*
- *a workers' assembly, or*
- *workers' representatives in company bodies.*

The ZSDU envisages the following forms of cooperation:

- *the right to present an initiative and receive a response to the initiative, and the right to be informed (Articles 85 – 90 of the ZSDU);*
- *joint consultations (Articles 91 – 94 of the ZSDU);*
- *co-decision (Articles 95–97 of the ZSDU);*
- *the right to stay decisions of the employer (Article 98).*

In addition to the modes of participation referred to in paragraph 2 of the Act, the workers' council and employer may agree on other modes of worker participation in management.

The exercise of rights and other issues, as provided for by this Act, may be defined in greater detail in a written agreement between the workers' council and employer; and the right to participate in decision-making may be extended beyond the scope of this Act. However, the agreement referred to in this Article does not determine rights in connection with labour relations, salaries and those working conditions which, consistent with regulations, are regulated by the generally applied collective agreements.

Furthermore, Article 7 of the PPFBA explicitly provides that the right of workers to participate in

management shall not encroach upon the rights and duties of trade unions and employers' associations to protect the interests of their membership. The workers' council must refrain from involvement in any trade union conflict.

Article 6§1 Joint consultation

a) Please state what measures are taken by the Government to promote joint consultation

The Government of the Republic of Slovenia (hereinafter: the Government of Slovenia) **actively participates in the ESC**, which is a tripartite body composed of representatives of **trade unions, employers' organisations**, and the **Government of Slovenia**, and has been operating since 1994.

The ESC is the **central forum for social dialogue at national level**, addressing issues and measures relating to economic and social policy and other issues relating to specific areas of dialogue between the partners, and operates in accordance with the *ESC Rules*.

In accordance with the tripartite ESC Rules, the ESC monitors and discusses the situation in the economic and social areas, participates in drafting documents and formulates opinions, positions and proposals concerning documents and areas that are of relevance to all three partners (e.g. in the areas of social rights and compulsory insurance rights, labour relations, the labour market, employment, occupational health and safety, cohesion policy, etc.).

As a rule, professional cooperation proceeds smoothly, except in cases of major differences in interests or political differences, when activities are temporarily suspended until interests are reconciled or the situation is resolved, after which they generally resume.

The ***Declaration of the Government of the Republic of Slovenia and the social partners on respect for and promotion of social dialogue*** was adopted in July 2024 with a view to reviving social dialogue and ensuring the constructive and continuous functioning of the ESC. In addition, *Amendments to the ESC Rules* were adopted with the aim of ensuring more effective work, with the consent of all partners.

Presentation of the Amendments to the ESC Rules:

- A new competence has been added to the ESC, namely the review of the starting points for amendments to regulations governing the functioning of the ESC. Once adopted by the Government of Slovenia at its session, these starting points are submitted to the ESC College. This procedure had not been explicitly provided for in the Rules until now.
- To enhance the efficiency of the ESC's work, the new composition of the ESC allows each member to have two deputies, subject to approval by the ESC College.
- Furthermore, to enhance the efficiency of the ESC's work, the provision governing the ESC College now provides that the ESC College determines which future topics will be considered by the ESC, based on a monthly list of regulations submitted by the Government of Slovenia. This list outlines the legislative proposals to be prepared by the line ministries over the following two months. This does not, however, exclude the consideration of other laws, implementing regulations or other acts governing the subject matter referred to in paragraph two of Article 3 of the Rules. Nor does this

exclude the right of an individual social partner to propose that a particular subject be included on the agenda of an ESC session.

- The ESC Rules have also been amended to include a provision on the statement of compliance, which is to be prepared and signed by the competent working body upon the conclusion of the coordination process for an individual regulation and be annexed to the record of the ESC meeting. The signed statement clearly indicates which articles have been coordinated and which have not. For any non-coordinated articles, it includes the positions of individual partners concerning the article or proposed solution. Following approval, the minutes of the ESC meeting, reflecting the positions of the individual ESC members, together with the statement of compliance, are submitted to the Government of Slovenia and the National Assembly.
- The most recent amendment to the Rules concerns the monitoring of compliance with the ESC Rules and the decisions adopted at ESC sessions, a task carried out at each meeting of the ESC College. An alleged breach is first addressed within the ESC College. If no solution is found within the ESC College, a tripartite meeting is organised within two weeks at the latest at the request of a social partner. This meeting includes the minister responsible for social dialogue, the competent line minister or the Prime Minister, and aims to prevent any further suspension of social dialogue. The Rules further provide that the Government of Slovenia and the social partners may agree to acquire an expert opinion on the alleged breach of the ESC Rules from an expert jointly appointed by the members of the ESC College.

With regard to worker participation at the bipartite level, we can also point out that the Republic of Slovenia has appropriately transposed *Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community* (OJ L No 80, 23 March 2002, p. 29), namely through the ZDR-1 and the ZSDU.

The ZDR-1 lays down joint consultation with trade unions in the event of a change of employer, dismissal of a large number of workers for business reasons and the introduction of night work.

The ZSDU regulates the notification and consultation of workers, as well as co-decision-making, whereby the Act requires joint consultation between the workers' council and the employer on matters relating to the status and personnel of the company and on matters relating to the health and safety at work.

The following are considered to be status issues of the company:

- *status changes,*
- *sale of the company or a substantial part thereof,*
- *closing of the company or a substantial part thereof,*
- *significant changes in ownership,*
- *status change of the company as defined by the act governing companies,*
- *change of corporate governance system.*

The following are considered to be personnel issues of the company:

- *needs for new workers (number and profile),*
- *job classification,*
- *assigning a large number of workers outside the company,*
- *assigning a large number of workers from one place to another,*
- *adopting acts in the field of supplementary pension, disability and health insurance,*
- *reducing the number of workers,*
- *adopting the general rules on disciplinary responsibility.*

b) Please describe what issues of mutual interest have been the subject of joint consultation during the past five years, what agreements have been adopted as a result of such discussions and how these agreements have been implemented.

Below is information on some of the more important issues of common interest that were discussed within the framework of the ESC. We would like to emphasise that we are listing only a few of the more important legislative changes or reforms where the consensus of the social partners was crucial, particularly for the adoption of legislation.

- **The Act Amending the Pension and Disability Insurance Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 90/25) (*pension scheme reform*)

The pension scheme reform is one of the key reforms of the Government of Slovenia, and the adopted legislative changes are largely the result of negotiations by the negotiating group within the ESC.

In January 2023, the ESC founded the **ESC negotiating group** to prepare changes in the field of pensions and disability insurance. July 2024 saw the adoption of the *Declaration of the Government of the Republic of Slovenia and the social partners on respecting and promoting social dialogue* with a view to fully complying with the ESC Rules and to ensuring equal tripartite social dialogue in considering regulations, strategic issues and documents and measures relating to economic and social policy, which should contribute to the overall prosperity of Slovenia. The ESC negotiating group discussed the proposed amendments to the Pension and Disability Insurance Act at 21 working group meetings between September 2024 and March 2025. After intensive negotiations, the social partners signed an agreement on 24 March 2025, agreeing to legislative changes within the scope agreed upon by the negotiating group and summarised in the draft act. In the agreement, the Government of Slovenia undertook, among other things, to consistently take into account the provisions of the agreement and the common positions adopted at the ESC when preparing the draft act at the various stages of the legislative process, and to do everything in its power to ensure that the draft act is adopted by the Government of Slovenia and the National Assembly **in accordance with the content agreed with the social partners**. The pension scheme reform was approved by the National Assembly on 18 September 2025. After the act was adopted by the National Assembly, the collection of voters' signatures in support of an initiative to call a subsequent legislative referendum began. The initiative was then submitted to the National Assembly, but the initiators failed to gather enough votes to call a referendum. After lengthy negotiations, the consensus reached between the social partners prevailed and the act was published in the Official Gazette of the Republic of Slovenia on 18 November 2025.

- **Act Amending the Labour Market Regulation Act** ((Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 70/25 and 83/25)

The draft Act Amending the Labour Market Regulation Act was discussed by the **ESC negotiating working group** for the preparation of the Act at meetings held from 10 April 2025 to 30 May 2025 (at nine meetings of the working body). The Act was then adopted in the National Assembly on 20 June 2025. The key changes introduced by the Act are higher unemployment benefits, more appropriate regulation of agency work, ensuring a greater scope for temporary or casual work by pensioners, supplementing the legal basis for the Employment Service of Slovenia to provide temporary or casual work for students and pupils, fulfilling Slovenia's commitment from the Recovery and Resilience Plan

regarding "bridge to retirement" and implementation of the decision of the Constitutional Court of the Republic of Slovenia No. U-I-171/17-16 of 6 February 2020.

- **Act Amending the Labour and Social Security Registers Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 50/23 and 24/25), **amendment ZEPDSV-A and amendment ZEPDSV-B**

The proposal for the Act Amending the Labour and Social Security Registers Act (amendment ZEPDSV-A) was developed within the framework of the **ESC negotiating working group**, which addressed the interests and proposals of both employer and employee representatives. At the sessions held on 15 July and 23 September 2022, the ESC took note of the report of the ESC negotiating group for drafting the proposals for amendments to the legislation regarding the keeping of working time records, and upheld the draft act on 23 September.

The proposed amendments to the ZEPDSV (amendment ZEPDSV-B) address problems that have been identified in the practical implementation of the law, and follow the initiatives for amendments that were submitted within the framework of the **Expert Committee for the Review of the Labour and Social Security Registers Act**, which was established by the ESC at its 352nd session on 28 June 2024. The Committee held two meetings. At the 357th ESC meeting, held on 6 December 2024, an agreement was reached on the amendments.

- **Implementing regulations related to health and safety at work.**

The ZVZD-1 provides that all implementing regulations concerning health and safety at work are issued **after consultation with social partners** within the ESC (paragraph four of Article 1 of the ZVZD-1).

In recent years, the ESC has addressed the following regulations in this area:

- the new *Rules on ensuring health and safety in manual handling of loads* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 84/23, 98/23 and 47/24 – corr.) Employers first requested the ESC to extend the transition period, and then to postpone the start of application after the Rules had already come into force,
- the amended *Rules on the protection of workers from risks related to exposure to chemical substances at work* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 72/21, 29/24 and 26/25),
- the amended *Rules on workers protection against risk of biological factors exposure related to work* (Official Gazette RS [*Uradni list RS*], Nos 168/20 and 12/24);
- the new *Rules on the protection of workers from the risks related to exposure to carcinogenic, mutagenic and reprotoxic substances* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 29/24 and 26/25),
- the new *Rules on the protection of workers from the risks related to exposure to asbestos at work.*

A working group modelled on the ESC was involved in the preparation of the *Rules on ensuring the safety and health in manual handling of loads*. In addition to representatives of the Ministry and the Labour Inspectorate of the Republic of Slovenia, it included representatives of workers (trade unions), employers, occupational medicine and occupational safety. Cooperation with all of the above stakeholders in the preparation of the Rules was repeatedly highlighted as very successful and constructive.

The ESC also addressed the amended *Rules on requirements for ensuring safety and health of workers at a workplace* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 89/99, 39/05, 43/11 – ZVZD-1 and 53/25), which detailed the measures to be taken when working outdoors in high temperatures. The draft amendment was previously discussed by the **ESC negotiating working group**, which was established this year for a package of legislation (an act and two implementing regulations) that will regulate health and safety at work on construction sites. The aforementioned negotiating group, which was established on the basis of an initiative submitted to the ESC, consists of representatives of workers (trade unions), employers (Chamber of Commerce and Industry of Slovenia, Chamber of Craft and Small Business of Slovenia, Association of Employers, etc.), occupational safety experts (Occupational Safety and Health Chamber), occupational health practitioners, representatives of the Labour Inspectorate and the Ministry.

- ***Cooperation with social partners in the framework of the Health and Safety at Work Council.***

Under Article 62 of the ZVZD-1, the Health and Safety at Work Council (hereinafter: HSW Council) has been established as a **consultative body of the minister competent for labour**; it discusses and adopts positions and recommendations on the situation, strategy and implementation of a single policy as well as on priority tasks in the field of health and safety at work. The HSW Council in particular consists of experts in safety at work, occupational medicine, social security and experts representing employers' organisations and trade unions. Members of the HSW Council representing employers' organisations and trade unions are appointed by the minister on the proposal of the ESC. The Council holds regular meetings, meeting on average once every two months. In addition to legislative proposals in the field of the ZVZD-1, other issues or challenges in the field of health and safety at work are also discussed at the meetings. The HSW Council adopts conclusions or recommendations and informs the minister thereof.

- ***Cooperation of social partners in occupational safety and health strategy.***

The National Assembly adopts the **National Programme of Health and Safety at Work**, which lays down the strategy for development of the area of health and safety at work, the purpose of which is to protect workers' lives, health and ability to work, and prevent accidents at work and occupational and work-related diseases. A draft National Programme is drafted by the **Government of Slovenia following consultation with expert publics and social partners**. The Government of Slovenia and social partners in the ESC council monitor the implementation of the National Programme and, where appropriate, propose amendments to it or implementing documents.

- ***Reform of the salary system for public employees.***

With the implementation of the revised salary system, which was negotiated over two years (2022–2024), the key objectives of the salary system reform are being achieved; those worth highlighting include more appropriate ratios in basic salaries between individual occupational groups and an average salary increase of 22% (gradually over the period 2025–2028), the establishment of a mechanism to prevent excessive real salary declines (partial adjustment to inflation), preventing employees from receiving salaries below the minimum wage, reducing differences in basic salaries between younger and older employees performing the same work and increasing the possibility of variable remuneration linked to work performance while maintaining the public financial sustainability of the system. The salary system reform was achieved while maintaining the established standard of social dialogue with the **majority support of the social partners**.

- ***Legislative acts and strategic documents in the field of healthcare and healthcare reform.***

In accordance with Article 10 of the *ESC Rules*, the ***Negotiating Working Group on the proposed Health Information System Act and the Health Insurance Institute of Slovenia Act*** was appointed in 2023. From 17 April 2023 to 28 June 2023, the Ministry of Health convened eight meetings. Later, the ESC Negotiating Group was suspended, the draft Health Insurance Institute of Slovenia Act with proposals for legal provisions for the restructuring of the management of the Health Insurance Institute of Slovenia was withdrawn, and the draft *Health Information System Act* was amended and supplemented and renamed the *Healthcare Digitalisation Act*.

With the revival of social dialogue on the basis of the adopted Declaration of the Government of the Republic of Slovenia and social partners on respecting and promoting social dialogue, a working body was formed in accordance with Article 9 of the *ESC Rules*: the *ESC Expert Committee for Monitoring Upcoming Changes in the Healthcare System*, which discussed opinions, recommendations and positions in the field of healthcare at its meetings.

By 31 December 2025, the Ministry of Health had convened 22 meetings at which **key proposals for legislative acts and strategic documents in the field of health and health reform** were discussed.

After being discussed by the **ESC Expert Committee for Monitoring Upcoming Changes in the Healthcare System**, the following adopted acts were also discussed and coordinated at ESC meetings:

- *Act Amending the Medicinal Products Act* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 24/2025),
- *Act amending the Pharmacy Practice Act* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 112/24)
- *Act on the right of patients who recovered from cancer or certain other diseases to equal access to insurance and credit products* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 102/24),
- *Health Care Quality Assurance Act* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 102/24 and 111/25 – ZDIUPZ),
- *Act amending the Health Services Act* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 32/25),
- *Act on Recognition of Professional Qualifications in Health Care Services* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 40/25),
- *Medical Devices Act* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 40/25 and 100/25 – ZDigZ),
- *Act Determining Additional Intervention Measures to Ensure Accessibility in Healthcare* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 112/24),
- *Act Amending the Health Care and Health Insurance Act* (not yet published in the Official Gazette of the Republic of Slovenia),
- *Psychotherapeutic Services Act* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 100/25),
- *Act Determining Additional Emergency Measures in the Field of Healthcare* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 111/25),
- *Act Amending the Medical Services Act* (not yet published in the Official Gazette of the Republic of Slovenia),
- *Nursing and Midwifery Act* (not yet published in the Official Gazette of the Republic of Slovenia).

After being discussed by the ESC Expert Committee for Monitoring Upcoming Changes in the Healthcare System, the following uncoordinated act was also discussed and coordinated at ESC meetings:

- *Health Digitalisation Act* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 100/25).

At the meetings of the ESC Expert Committee for Monitoring Upcoming Changes in the Healthcare System, the following starting points and strategy were also coordinated:

- *Starting points for preparing the Institute for Medical and Other Expertise in the Field of Social Security Act,*
- *Starting points for preparing the Act on the Recognition of Professional Qualifications in Healthcare,*
- *Starting points for preparing the Act Amending the Health Services Act,*
- *Strategy for the Development of Health Services in Primary Healthcare to 2031.*

The ESC also took note of proposals for short-, medium-, and long-term measures to address absenteeism in the workplace, which it will discuss in the future within the framework of the **Expert Committee for Monitoring Upcoming Changes in Healthcare**.

- **Long-Term Care Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 84/23, 112/24 and 44/25)

The Long-Term Care Act forms the basis for the systemic regulation of long-term care in Slovenia, which is essential for ensuring a good quality of life for people who need basic daily assistance and support for inclusion in the community. In 2023, the ESC discussed the *Proposal for the Long-Term Care Act*. The ESC also discussed amendments to the *Long-Term Care Act (Act Amending the Long-Term Care Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 112/24; hereinafter: ZDOsk-1A)* and the *Act Amending the Long-Term Care Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 44/25 and 91/25 – ZUOPCSD; hereinafter: ZDOs-1B)*. In the process of drafting the amendments, the **ESC Expert Committee to monitor the implementation of long-term care** was established. The Expert Committee held nine meetings on this topic – from 12 November 2024 to 22 April 2025. The draft ZDOsk-1B, which represents a more extensive amendment to the Act, was also discussed by the ESC at its 362nd session. After intensive negotiations, the social partners agreed on the wording of most of the articles of the ZDOsk-1B amendment, while some articles remained unharmonised; the social partners, however, did not oppose the adoption of the amendment.

The ESC also discussed two implementing regulations in the field of long-term care:

- *Rules on references of pricing hourly rates of long-term care (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 14/25),*
- *Rules on the methodology for pricing of accommodation and nutrition provided by a long-term care provider in and institution (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 80/25 and 104/25).*

- **Act Amending the Housing Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 57/25) and **Act Regulating the Financing and Promotion of the Construction of Public Rental Housing** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 57/25)

In the last three years, the ESC discussed the *Act Amending the Housing Act* and the *Act Regulating the Financing and Promotion of the Construction of Public Rental Housing*. After reviewing the drafts, both the Government and the trade unions expressed their support for them, while the employers did not oppose them. The adopted legislation thus provides the basis for the creation of a long-term, stable system for financing the construction of public rental housing, while also increasing the predictability and long-term nature of measures, which is crucial for the effective implementation of housing policy.

c) Please state if there has been any joint consultation on matters related to (i) the digital transition, or (ii) the green transition.

The ESC discussed the draft *Social Climate Plan 2026–2032*. The purpose of the measures and investments in the plan is to mitigate the impact of fuel prices for transport and heating on vulnerable households, individuals and micro-enterprises (reducing transport poverty and vulnerability as well as energy poverty and vulnerability) with the aim of ensuring a just transition. In this context, the Expert Council on a Just Transition was established, which will meet at least twice a year and report on its work annually at an ESC session.

In the field of digital transition, the Government of Slovenia has established the Council for Digital Transformation in accordance with the *Digital Slovenia 2030* strategy. It is a professional and advisory body of the Government of Slovenia for the horizontal coordination of the country's digital transformation, performing professional tasks for it and providing assistance in decision-making on matters relating to the country's digital transformation. It consists of representatives of **ministries, government agencies, and representatives of the business community, non-governmental organisations, the research (academic) sphere and local communities**. Since its establishment, the Council has held three meetings, at which it discussed current issues in the field of digital transformation. Among other things, it discussed the *Report for the Digital Decade for 2025*, the process of revising the *Digital Slovenia 2030* strategy, the proposal for the *Action Plan for the Digital Slovenia Strategy for 2025 and 2026*, a model for the cost-optimal construction of an optical network for Slovenia, the aim of which is to estimate the costs of constructing a gigabit infrastructure (optical network) in Slovenia and to find cost-optimal scenarios, content in the field of artificial intelligence, and agreed that the ministry responsible for digital transformation should prepare *Guidelines for the use of AI services* and that the ministry responsible for education should prepare a *Plan for the introduction of artificial intelligence and computational thinking skills for its target groups*.

In September 2025, a consultation with the general public was also held on the preparation of the new *National Artificial Intelligence Programme 2030* (NpUI 2030), the purpose of which was to present the starting points of NpUI 2030 and to obtain expert proposals, opinions and recommendations that will contribute to the creation of a comprehensive and development-oriented document that is important for the further development of artificial intelligence in Slovenia.

Article 6§2 Collective bargaining

a) Please provide information on how collective bargaining is coordinated between

and across different bargaining levels including information on:

- the operation of factors such as erga omnes clauses and other mechanisms for the extension of collective agreements;
- the operation of the favourability principle and the extent to which local/workplace agreements may derogate from legislation or collective agreements agreed at a higher level.

The ZKoIP, which was developed through a lengthy process of consultation with social partners and ultimately achieved a high degree of consensus, derives from the fundamental principle that the conclusion of collective agreements is free and voluntary, which also follows from international documents and thus prescribes nothing that could interfere with the will of the parties, neither employers nor employees, and prevent the conclusion of a collective agreement always and everywhere, but only when both parties express their will and interest. The Act does not limit the right to conclude collective agreements to representative trade unions or employers, does not prescribe the mandatory conclusion of collective agreements, does not prescribe the mandatory content of collective agreements, does not specify the types of collective agreements and the levels at which they should be concluded, nor does it determine which trade unions may conclude certain collective agreements. All of this would interfere with the free will of the parties. The autonomy of parties is one of the basic guidelines of the legal regulation in this field. If there is no will or interest of both parties to conclude a collective agreement, it cannot be concluded. However, the outcome of negotiations always depends only on the contracting parties. Taking into account the provisions of the ZKoIP, it is not possible to force any party to conclude a collective agreement, nor is it possible to force any party to accept any specific content of the collective agreement. The parties to a collective agreement are free to decide whether to negotiate, with whom to negotiate and the content of negotiations. The decision on accession or participation in negotiations and the decision on concluding or signing a collective agreement is theirs.

In addition, when concluding a collective agreement, the parties must take into account the legal provisions on the limit of the autonomy of the contracting parties and the hierarchy of collective agreements.

Article 4 of the ZKoIP, which governs the limitation of the autonomy of the contracting parties, provides that collective agreements may contain only provisions which are more favourable for employees than provisions provided for by legislation, except when the Employment Relationship Act provides otherwise. Paragraph three of Article 9 of the ZDR-1 specifies cases in which a derogation from the *in favorem* principle is exceptionally permitted. These are exhaustively defined cases in which the parties may regulate certain rights and obligations in collective agreements differently from the law, even when this is less favourable for employees. Less favourable regulation of rights than those provided for by law is permitted only by collective agreement, but not by employment contract. Derogation from statutory provisions by collective agreements is permitted only in the cases specified in Articles 33, 54, 59, 94, 120, 132, 144, 158, 172, and 222 of the ZDR-1, whereby the possibility of derogation in certain cases is linked only to a specific level of collective agreement.

Derogation from statutory provisions by collective agreements is thus permitted in the following cases:

- determining cases when an employee must perform other work,
- determining other cases in which, by way of exception, a fixed-term employment contract may be concluded, and the possibility of determining, by means of a collective agreement at the level of the

activity, the possibility of concluding fixed-term employment contracts outside the statutory cases for smaller employers,

- determining additional cases in which agency work is not permitted and determining quotas for agency work,
- additionally determining minimum notice periods,
- determining traineeship,
- retirement bonuses,
- determining additional cases in which overtime work is permissible,
- options for different arrangements of time limits for daily working obligations and daily and weekly rest periods,
- determining other disciplinary sanctions,
- arrangements of seniority bonus.

The issue of collective agreement hierarchy is governed by Article 5 of the ZKoIP, which provides as the basic principle that when concluding collective agreements, employers bound by a collective agreement agree at a narrower level on those rights and working conditions which are more favourable for employees. Rights and working conditions that are different from or less favourable to employees may be regulated by a collective agreement at a narrower level only exceptionally and under the conditions laid down in a collective agreement at a broader level.

With regard to the validity of collective agreements, we would like to clarify that the ZKoIP, as a general law in the field of collective bargaining, has enshrined the principle that a collective agreement is valid for the parties to the collective agreement or its members (Article 10 of the ZKoIP), whereby under certain conditions general and extended validity of concluded collective agreements is also provided for.

If the collective agreement is signed by one or more representing trade unions, the agreement gains general validity, which means that it is valid for all persons employed by an employer or employers to whom the collective agreement applies (Article 11 of the ZKoIP).

In addition, collective agreements for specific activities may also acquire extended validity, which means that such collective agreements apply to all employers and employees in a specific activity for which the collective agreement has been concluded, regardless of whether employers are members of associations that are signatories to this collective agreement for the activity and regardless of whether employees are members of trade unions – signatories. Article 12 of the ZKoIP provides that if a collective agreement for one or more sectors is concluded between one or more representative trade unions and one or more representative employers' associations, a party to the collective agreement may propose to the minister responsible for labour to extend the applicability of the collective agreement or part thereof to all employers in the sector or sectors the collective agreement concerns. The minister recognises the extended applicability of the whole or a part of a collective agreement if the collective agreement has been concluded between one or more representative trade unions and one or more representative employers' associations the members of which employ more than half of all employees of employers for whom an extension of the collective agreement has been proposed. In the decision to extend the validity of the entire, or a part of the, collective agreement the minister is bound by the proposal made by the proposer.

At present, **31 collective agreements** apply in the private sector, **17 of which have extended validity**, which means that they apply to all employers and their employees, regardless of the membership of employers in the employers' associations which signed the specific collective agreement of any given branch. In fact, all the **collective agreements of branches in the public sector (18) have extended validity**,

as they were concluded by the Government of Slovenia or the competent ministry on the employer's side.

In connection with the issue of the validity of collective agreements, in the case of the validity of several collective agreements for the same activity, we explain that paragraph two of Article 11 of the ZKoliP provides that an individual employer who is bound by several collective agreements of the same type at the same level must apply the provisions that are more favourable to employees.

b) Please provide information on the obstacles hindering collective bargaining at all levels and in all sectors of the economy (e. g. decentralisation of collective bargaining).

Despite **relatively high coverage by collective agreements** in Slovenia, which amounted to 66.8 percent at all levels in 2024, we have not yet reached the desired threshold of 80 percent.

In this regard, we note that the following obstacles to collective bargaining in the private sector may arise:

- absence of employers' associations in individual sectors or activities of the economy,
- employers' lack of interest in concluding collective agreements,
- absence of a general collective agreement for the economy (which Slovenia had until 2006) and the lack of agreement among social partners regarding its renewal,
- declining union membership and membership in employer associations,
- possibly insufficient qualifications of social partners.

At its 358th regular meeting on 5 December 2025, the ESC held an introductory discussion on the development of an *Action Plan to Promote Collective Bargaining in the Republic of Slovenia for 2026–2030* in accordance with Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (Official Journal No 275 of 25 October 2022, No 33–4; hereinafter: EU Directive 2022/2041). The social partners and the Government of Slovenia have agreed that a tripartite expert working group would be established within the ESC to prepare a draft Action Plan, which would then be subject to negotiations and coordination between the social partners and the Government of Slovenia at the ESC. The coordinated Action Plan is expected to be adopted by the ESC and the Government of Slovenia in the first half of 2026. The measures in the Action Plan could relate to the following:

- amendments of the legal framework,
- strengthening the capacities of social partners (at both tripartite and bipartite levels),
- direct incentives to social partners,
- ensuring the high-quality functioning of social partners and the Government of Slovenia.

The actual final areas of action and the measures themselves will depend on the agreement between the social partners and the Government of Slovenia.

c) Please provide specific details on:

- the measures taken or planned in order address those obstacles;
- the timelines adopted in relation to those measures;

- the outcomes achieved/expected in terms of those measures.

The legal framework for collective bargaining, as explained above, provides an appropriate legal framework for free and voluntary collective bargaining.

In order to build the capacity of social partners and to educate social partners to strengthen social dialogue, the state also co-finances projects of social partners, where we would like to highlight once again:

- Two public calls in 2017 and 2020 aimed at strengthening the capacity of social partners in social dialogue processes, particularly in the areas of labour market and lifelong learning policies. Co-financing of social partners' activities in this area was made possible by funds from the European Social Fund under the European Cohesion Policy for the period 2014–2020.
- In March 2025, a new CALL FOR PROPOSALS TO STRENGTHEN SOCIAL DIALOGUE was published as part of the European Cohesion Policy for the period 2021–2027 (European Social Fund+). The subject of the call is the co-financing of 12 projects aimed at strengthening the capacity of social partners in social dialogue processes, especially in policies in the fields of labour market and lifelong learning, and in processes to improve the quality of the working environment and working conditions, including with a view to extending working life.

In addition, in accordance with *EU Directive 2022/2041*, an *Action Plan to Promote Collective Bargaining in the Republic of Slovenia for 2026–2030* will be prepared in cooperation with social partners (see response under point b). The Action Plan will aim to promote bipartite social dialogue at all levels, with a focus on the industrial level and the regulation of wage policy in the private sector.

- d) Please provide information on the measures taken or planned to guarantee the right to collective bargaining of (i) economically dependent (self-employed) persons showing some similar features to workers and (ii) self-employed workers.

By way of introduction, we explain that there are no legal obstacles to concluding a collective agreement, taking into account the free will of the employers' association or individual employer and representatives of the self-employed, in which the parties would freely agree on the content that would be subject to the regulation of certain aspects of the relationship between the parties and are not specified in the *ZKolP*.

In paragraph two of Article 3, the *ZKolP* regulates the content of collective agreements only by way of example, stipulating that collective agreements may in their procedural sections contain provisions which regulate the rights and obligations of employees and employers in concluding employment contracts during employment relationships, and in respect of the termination of employment contracts, pay for work and other personal remunerations and reimbursements regarding work, occupational safety and health, or other rights and obligations arising from relationships between employers and employees, and which also regulate the provision of conditions for the activities of trade unions.

The parties to a collective agreement may also agree on content outside the examples listed in the normative part of the collective agreement, provided that this is within the framework of binding legislation and takes into account the provision on the limitation of the autonomy of the contracting parties (Article 4 of the ZKöLP), which provides that a collective agreement may only contain provisions that are more favourable for workers than the provisions of Acts, except in cases where the Employment Relationships Act provides otherwise.

In addition, with regard to the regulation of the rights of economically dependent and self-employed persons, we first present a more detailed overview of the legal framework established under the ZDR-1.

We clarify that Article 5 of the ZDR-1 defines a worker as any natural person that is in an employment relationship on the basis of a concluded employment contract. Article 4 of the ZDR-1 defines an employment relationship as a relationship between a worker and an employer in which the worker becomes voluntarily involved in the employer's work process and, within this framework, personally and without interruption engages in work for payment, according to the instructions of and under the supervision of the employer.

Self-employed persons are people who operate independently on the market, perform work for their own account, and may also work for several clients with whom they regulate their relationship through civil or commercial contracts. They are therefore subject to the rules of status and contract or commercial law, and labour law primarily applies in cases where they are employers, i.e. they employ workers, or in cases of economically dependent persons (limited labour law protection).

It should be emphasised that the ZDR-1 explicitly prohibits the performance of work on the basis of civil law contracts where the elements of an employment relationship are present (paragraph two of Article 13 of the ZDR-1). Any exception to this prohibition may be established only by law.

If elements of an employment relationship do not exist, the ZDR-1 provides limited labour law protection to self-employed persons who, on the basis of a civil law contract, perform work in person, independently and for remuneration for a longer period of time in the circumstances of economic dependency, and do not employ workers (paragraph one of the ZDR-1).

Economic dependency means that a self-employed person obtains at least 80% of their annual income from the same client (paragraph two of Article 213 of the ZDR-1). Paragraph two of Article 214 of ZDR-1 provides that, unless otherwise specified by a special regulation, the provisions of the ZDR-1 shall apply to economically dependent persons with regard to:

- prohibition of discrimination,
- assurance of minimum notice periods,
- prohibition of cancellation of a contract in cases of unfounded reasons for cancellation,
- assurance of payment for contractually agreed work appropriate for the type, scope and quality of the undertaken work, taking into consideration the collective agreement and the general acts binding the contracting authority and the obligation of payment of taxes and contributions,
- enforcement of liability for damage.

At this point, we would like to stress that the ZDR-1 provides that, in order to be entitled to the limited labour law protection, an economic dependant, after the termination of an individual calendar or business year, is obliged to notify the contracting entity on whom he or she is economically dependent of the conditions under which he or she operates by submitting to the contracting entity all evidence and information required for the assessment of the existence of economic dependency (paragraph three of Article 214 of the ZDR-1).

In conclusion, it should be noted that the ZDR-1 does not regulate all relationships where one person performs work for another person, but only those that can be defined as employment relationships. However, the ZDR-1 also provides limited labour law protection for self-employed persons if they meet the conditions set out in Articles 213 and 214 of the ZDR-1. If elements of an employment relationship exist (paragraph one of Article 4), work may not be performed on the basis of a civil-law contract.

In connection with collective bargaining, we would like to reiterate the principle of free and voluntary conclusion of collective agreements and the autonomy of the contracting parties.

Regarding the content of collective agreements, paragraph two of Article 3 of the ZKoIP provides that collective agreements may in their procedural sections contain provisions which regulate the rights and obligations of employees and employers in concluding employment contracts during employment relationships, and in respect of the termination of employment contracts, pay for work and other personal remunerations and reimbursements regarding work, occupational safety and health, or other rights and obligations arising from relationships between employers and employees, and which also regulate the provision of conditions for the activities of trade unions.

Therefore the parties to a collective agreement may also agree on content outside the listed examples of the normative part of the collective agreement, provided that this is within the framework of binding legislation and takes into account the provision on the limitation of the autonomy of the contracting parties (Article 4 of the ZKoIP), which provides that a collective agreement may only contain provisions that are more favourable for workers than the provisions of Acts, except in cases where the Employment Relationships Act provides otherwise.

With regard to the parties to the collective agreement, the ZKoIP defines two parties, namely trade unions or their associations as the party representing employees in the private sector, and individual employers or their associations as the party representing employers.

The legal regulation of collective agreements thus provides for their conclusion to regulate the rights and obligations between employees and employers, while explicitly not regulating collective bargaining for self-employed persons, whose status may also vary (sole traders who have no other employees, partners/directors of single-member limited liability companies, persons who perform work as personally independent contractors on the basis of, for example, a contract for services, a copyright contract, or other civil law contracts, etc.).

In view of the above, it should be emphasised that, in terms of the systemic regulation, the fundamental purpose of collective agreements is to regulate in more detail the rights and obligations of employees and employers. Considering the fact that self-employed persons do not perform work on the basis of concluded employment contracts and therefore cannot be considered employees within the meaning of the act governing employment relationships, this specific case concerns the specific nature of the work and the relationship between individual self-employed persons and their clients. Self-employed persons legally and formally perform activities on the market and are subject to different legislation than that covered by the basic scope of collective bargaining under the ZKoIP.

Notwithstanding the above, we would like to clarify that there are no legal obstacles to concluding a collective agreement, taking into account the free will of individual employers and representatives of the self-employed (athletes, cultural workers, etc.), in which the parties would freely agree on the content that would be subject to the regulation of certain aspects of the relationship between the parties and is not specified in the ZKoIP.

In connection with the regulation of the rights of self-employed persons, we should also highlight the *Exercising of the Public Interest in Culture Act* (Official Gazette of the Republic of Slovenia [*Uradni list*

RS], Nos 77/07 – official consolidated text, 56/08, 4/10, 20/11, 111/13, 68/16, 61/17, 21/18 – ZNorg, 3/22 – ZDeb, 105/22 – ZZNŠPP, 8/25 and 77/25), which in 2025 regulated the minimum payment for self-employed persons in culture (Article 82c) as follows: the payment for work performed by self-employed persons in culture for a public institution or agency in the field of culture may not be less than the payment in the lowest salary grade for a comparable employment position in the public sector salary system, or, if there is no such comparable employment position, less than the payment defined by a collective agreement for a comparable activity, whereby the hourly rate of the lowest salary grade is weighted appropriately and the type and scope of work is taken into account accordingly.

Finally, we would like to highlight the *Collective Agreement for Professional Journalists* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos [31/91-I](#), [43/06](#) – ZKolP, [61/08](#), [28/14](#), [72/18](#), [3/19](#), [81/19](#) – corr., [101/20](#), [94/21](#), [39/23](#) and [2/25](#)), which applies to the public broadcaster RTV Slovenija and also to freelance journalists. The Collective Agreement provides that the remuneration for freelance journalists is determined by a special contract, namely in gross amount, whereby the conditions may not be less favourable than those for regular employees. The Collective Agreement also provides that freelance journalists are reimbursed for material costs incurred in connection with commissioned articles.

Article 6§4 Collective action

a) Please indicate:

- the sectors in which the right to strike is prohibited;
- those sectors for which there are restrictions on the right to strike;
- sectors for which there is a requirement of a minimum service to be maintained.

Please give details about the relevant rules concerning the above and their application in practice, including relevant case law.

The Constitution of the Republic of Slovenia defines the right to strike in Article 77, in the chapter on economic and social rights, where it explicitly states that workers have the right to strike. This means that the right to strike is an individual right of the worker, which can only be exercised collectively. However, pursuant to paragraph two of the aforementioned article of the Constitution, the right to strike may be restricted by law where required by the public interest, with due consideration given to the type and nature of the activity involved. According to the Constitution, the right to strike may only be restricted by law and only on the basis of objective criteria, not subjective criteria, which means that restrictions on the right to strike may not develop into a ban on strikes or the deprivation of the right to strike for certain categories of workers.

The fundamental legal basis for regulating the right to strike in the Republic of Slovenia is the *Strike Act* ((Official Gazette of the Socialist Federal Republic of Yugoslavia [*Uradni list SFRJ*], No 23/91; hereinafter: ZStk), which defines a strike as an organised interruption of work by employees for the purpose of

exercising their economic and social rights and interests arising from their work. Workers are the holders of the right to strike. The ZStk regulates strikes in both the public and private sectors, with some provisions being common to both, while the ZStk also contains specific provisions relating to the right to strike for employees in public services and state bodies. Employees in the army and police enforce their right to strike under conditions specified in special laws.

The strike must be organised and conducted in such a way that it does not endanger the safety and health of people and property and allows work to continue after the strike has ended (Article 5 of the ZStk).

The ZStk sets the following two additional conditions for strikes in public services:

- ensuring a minimum working process that guarantees the safety of people and property or is an irreplaceable condition for the life and work of citizens or other organizations, and
- ensuring compliance with international obligations (Article 7 of the ZStk).

The manner in which these conditions are to be ensured must be determined by law or by an act based on it. In accordance with the Act, the tasks and duties to be carried out during the strike and the method thereof are specified by a general legal act or a collective agreement. Of course, both special laws and specific general acts or collective agreements must, when determining and specifying the manner of ensuring the legal conditions set out in Article 7 and determining the tasks and duties and the manner of their performance during a strike, take into account the constitutional organisation which allows for the legal restriction of the right to strike if this is required in the public interest, taking into account the type and nature of the activity, as well as the general regulation of the legality of strikes as set out in the ZStk.

In the area of regulating the right to strike, numerous acts have been adopted that regulate the right to strike in more detail, such as the *ZZDej*, *ZZdrS*, *Veterinary Medicine Act*, *ZVMS*, *ZGas*, *Aviation Act*, *ZIKS-1*, *Customs Service Act*, *Courts Act*, etc. (see below – presentation of the regulation according to individual articles of sectoral legislation).

With regard to the right to strike in state authorities, the law further provides that employees in state authorities may exercise their right to strike provided that this does not significantly jeopardise the functioning of the authority (Article 11 of the ZStk). A general act or collective agreement determines, in accordance with the law, the assignments and duties that must be performed even during a strike as essential for the functioning of the authority.

With regard to the exercise of the right to strike by employees in the defence and police forces, the ZStk refers to compliance with the conditions set out in specific laws, which are regulated by the *ZObr* and the *ZODPol* (see below for more details).

As a last and only option for intervention or even measures to end the strike, Article 15 of the ZStk provides for the possibility of adopting urgent measures provided for by the Constitution of the Republic of Slovenia and the law. In accordance with this provision, the competent state authority may adopt emergency measures if it assesses that a violation of the first paragraph of Article 5, the first paragraph of Article 7, and the first paragraph of Article 11 could result in an immediate danger or extremely serious consequences for human life and health or their safety and the safety of property, or other irreparable consequences. On this basis, for example, the Decision on the performance of the work and tasks of the Veterinary Authority of the Republic of Slovenia during the strike (Official Gazette of the Republic of Slovenia, [*Uradni list RS*] Nos. 75/10) was adopted, followed by the Order on temporary measures in the field of health care organization to control the infectious disease COVID-19 (Official Gazette of the Republic of Slovenia, [*Uradni list RS*] Nos. 164/20, 168/20, 171/20, and 173/20), which

restricted the right to strike in the field of healthcare, and the Decree on the performance of medical services during a strike (Official Gazette of the Republic of Slovenia, [*Uradni list RS*] Nos. 17/24). Constitutional review have been filed against all of the aforementioned acts, but in none of these proceedings did the Constitutional Court issue a decision on the merits, as it rejected the requests on the grounds that no legal interest in filing the request had been demonstrated or that no threat to the rights of workers had been demonstrated (decisions No. U-I-215/10, U-I-37/24-14, and U-I-462/20-10).

In accordance with Article 77 of the *Constitution of the Republic of Slovenia*, the right to strike may be restricted by law where required by the public interest. With regard to the admissibility of restrictions on the right to strike, which is granted by the Constitution of the Republic of Slovenia in this case when required by the public interest, restrictions are provided for in individual sectoral laws.

Below, we provide more detailed information on the regulation of the right to strike as regulated by special legislation (the relevant act and article regulating strikes are indicated):

- **Health Services Act**

The right to strike is regulated in Articles **52** and **89 (point 5)**.

Article 52 provides that healthcare and allied professionals may not leave their working post even though their working time has expired unless they obtain a substitute, if this may cause a risk to the public health. During a strike, healthcare professionals must provide patients emergency medical assistance, nursing and care.

Article 89 (point 5) provides that a fine from 300 to 5000 EUR is imposed on a healthcare professional or allied professional failing to guarantee services during a strike in accordance with paragraph two of Article 52 of the Act (provide patients emergency medical assistance, nursing and care).

- **Medical Services Act**

Performance of medical service during a strike is regulated in **Article 46**.

During a strike, doctors must remain at their workplace and perform medical services in a manner that does not endanger human health or property or cause harmful irreparable consequences, and that enables work to continue after the strike has ended, by performing the following medical services (minimum work process):

1. triage examinations at the primary, secondary, and tertiary levels of healthcare for the purpose of determining the health status referred to in points 3 to 12 of this paragraph, including referral for a triage examination,
2. completing and issuing forms, issuing documents and medical certificates where failure to do so would endanger human health or property or cause irreparable damage (e.g. issuing a proposal for a decision on temporary absence from work, issuing a certificate of temporary incapacity for work, and completing the medical section of the Report of Accident and Injury at Work form),
3. emergency medical assistance, emergency dental healthcare or emergency medication and urgent healthcare and dental healthcare services,

4. medical services within the framework of referrals classified as "urgent" and "very urgent,"
5. medical services for children up to the age of 18, persons over the age of 65, persons with disabilities and other vulnerable groups (e.g. persons with special needs, persons receiving palliative care, war veterans, victims of war violence, persons with mental disorders whose freedom of movement has been restricted or taken away, and persons in social care institutions),
6. medical services related to pregnancy and childbirth,
7. medical services related to the diagnosis or treatment of malignant diseases, including the implementation of screening programmes,
8. medical services to prevent and manage infectious diseases,
9. medical services necessary for exercising rights under health and other social insurance and other entitlements arising from the protection of human rights and fundamental freedoms,
10. medical services for the treatment of chronic diseases, where failure to provide such services could cause serious harm to health,
11. medical services related to the right to treatment abroad on the basis of regulations governing compulsory health insurance,
12. other medical services necessary to prevent serious medical harm.

The above-mentioned medical services also include:

- making appointments for healthcare services in the case of entering appointments in appointment books or placing patients on waiting lists,
- prescribing medicines, foods for special medical purposes and medical devices,
- issuing a professional opinion or report after the medical service has been provided (e.g., discharge letter after treatment has been completed).

The organisation and management of medical services during a strike at the level of a public health institution is ensured by the director of the public health institution, while the organisation and management of medical services during a strike within the framework of a particular type of health activity is ensured by the person responsible for that type of health activity. Notwithstanding the previous sentence, the trade union leading the strike action must, together with the responsible person, determine measures to prevent the harmful consequences of the strike as much as possible and to ensure the provision of health services to the extent specified in Article 46 of the ZZdrS.

The state is obliged to ensure the stable functioning of the healthcare system with uninterrupted healthcare and access to a range of healthcare services that provide not only emergency medical care but also a minimum level of service that guarantees the health and safety of all natural persons in the Republic of Slovenia. This also involves ensuring the right to healthcare under paragraphs one and two of Article 51, the right to social security under paragraph two of Article 50, the rights of persons with disabilities under paragraph one of Article 52, and the rights of children under paragraph one of Article 56 of the Constitution of the Republic of Slovenia. The state must organise healthcare in such a way as to protect the health of all citizens to the greatest extent possible and thereby ensure their confidence in the healthcare system, even during a doctors' strike.

- **Veterinary Practice Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 82/94, 21/95, 16/96, 98/99 – ZZZiv, 101/99, 8/00 – ZUT and 33/01 – ZVet-1)

The right to strike is regulated in **Article 56**, which provides that during strikes, veterinarians are obliged to provide veterinary first aid and care for animals.

- **Veterinary Compliance Criteria Act**

The right to strike is regulated in **Article 82 (paragraph six)**, which stipulates that in the event of a strike, the Administration⁸ provides for the implementation of emergency measures in the event of certain animal diseases and emergency measures required for animal protection and welfare.

- **Defence Act**

The right to strike is regulated in **Article 99**, which provides that:

(1) Military persons **do not have the right to strike** during the performance of military service.

(2) Employees carrying out administrative and expert assignments in the defence field exercise their right to strike under the conditions defined by the Public Employees' Act.

(3) In addition to the conditions referred to in the preceding paragraph, employees must ensure the following during a strike:

- undisturbed performance of military and other affairs related to the implementation of fundamental obligations of citizens, companies, institutes and other organisations in the field of defence;
- undisturbed performance of civil defence matters;
- uninterrupted readiness for the implementation of readiness measures, courier services and mobilisation;
- uninterrupted operation of standby duty services and information and telecommunication systems;
- smooth and uninterrupted performance of all duties and tasks related to the material and medical supply of the armed forces, maintenance of assets, facilities and equipment, transportation and storage for military purposes;
- smooth and uninterrupted implementation of obligations assumed through international treaties in the defence field or obligations related to defence activities;

(4) Military persons and workers performing administrative and professional affairs in the field of defence do not have the right to strike if there is an increased risk of attack on the state or if there is an immediate threat of war, i.e. if a state of emergency or state of war have been declared, until such state has been cancelled. The prohibition on strikes is also applicable to other circumstances in which the security and defence of the state are at risk, where such circumstances are established by the Government of Slovenia.

Pursuant to **paragraph five of Article 58 of the ZSSloV**, military personnel are entitled to an allowance due to the prohibition of strikes, in accordance with the **Defence Act**, in the amount of 4% of the last published average monthly gross salary in the Republic of Slovenia, determined on the basis of official

⁸The competent authority in Slovenia is the authority responsible for food safety, the veterinary sector and plant protection (in the ZVMS: the Administration)

statistical data.

- **Protection against Natural and Other Disasters Act**

The right to strike is regulated in **Article 108**, which provides that:

(1) In the course of a strike, public employees in the field of protection against natural and other disasters are required to ensure:

- continuous operation of the monitoring, notification and warning siren system and the electronic communications system;
- continuous performance of operational and technical tasks in order to ensure the operation of Civil Protection commanders and headquarters or of other protection, rescue and relief management authorities.

(2) In the course of a natural or other disaster or where an increased risk of the occurrence of a natural or other disaster is declared or in the other cases determined by paragraph four of Article 105 of this Act, the public employees referred to in the preceding paragraph do not enjoy the right to go on strike.

(3) It is prohibited to use warning siren signals and protection, rescue and relief equipment and means for the purposes of a strike.

- **Fire Service Act**

The right to strike is regulated in **Article 15**, which provides that:

(1) Employees of a professional firefighting unit may organise and conduct a strike in a manner stipulated in the general regulations; however, on the condition that some of the firefighters remain on a standby for fire watch and interventions in the event of a fire or a natural or other disaster. Firefighters may not use firefighting protective and rescue equipment or alarm and warning signs for the purpose of striking.

(2) In the event of an increased risk of fire or other disaster or if a fire or a natural or another disaster starts during a strike, professional fire-fighters must immediately discontinue the strike. The strike may continue after the intervention has ended.

- **Aviation Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 85/24)

The right to strike is regulated in **Article 24 and Article 121**.

Article 24 provides that:

(1) Operational personnel of the ATM/ANS⁹ service provider, the personnel of aerodrome service providers referred to in paragraph two of Article 121 of this Act, and the personnel of the entities referred to in paragraph four of Article 121 of this Act, who are required to operate at a public airport in accordance with this Act, exercise their right to strike, provided that aviation safety is ensured in accordance with this Act, other regulations governing strikes, and the collective agreement.

⁹ 'ATM/ANS' means air traffic management and the provision of air navigation services

(2) During a strike, the personnel referred to in the preceding paragraph also ensure the safe and uninterrupted conduct of:

- flights of aircraft engaged in search and rescue operations and aircraft in distress;
- flights of aircraft operated for humanitarian or medical purposes;
- flights of State aircraft referred to in paragraph three of Article 2 of this Act.

Article 121 provides that:

(1) Aerodromes provide facilities that cater for air operations, operating conditions (VFR/IFR, day/night), air services and air traffic volume.

(2) Aerodromes ensure that service tasks are performed as required by air operations, operating conditions (VFR/IFR, day/night) and air transport. These services include:

- rescue and firefighting service;
- towing service for disabled aircraft;
- maintenance and inspection of facilities and installations;
- services for the mitigation of hazards caused by wild animals;
- apron-management services;
- groundhandling service; and
- other services ensuring the safe and smooth operation of the aerodrome, as defined by the managing body of the public airport or the non-public airport operator, as applicable, in the aerodrome manual.

(3) Public airports provide at least the services referred to in points 1 to 6 of the preceding paragraph. Non-public airports provide at least the services referred to in points 1 and 3 of the preceding paragraph.

(4) Depending on the airport's purpose and taking air operations into account, the following may operate at a public airport:

- an ATM/ANS service provider;
- Police;
- customs services;
- inspection services (e.g. health, veterinary, phytopathological and food safety services);
- emergency medical assistance.

(5) The public airport managing body or the non-public airport's operator, as the case may be, draw up and act in accordance with the aerodrome manual. This manual contains general information on the airport, technical data on the aerodrome and its facilities and installations, information on compliance with management system requirements where relevant, personnel qualification and training requirements, aerodrome operational procedures, emergency response plans and security measures.

(6) The Minister prescribes in more detail the performance of service tasks that must be organised at an aerodrome according to its purpose, taking into account the air operations conducted there and the requirements relating thereto.

- **Railway Transport Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 99/15 – official consolidated version, 30/18, 82/21, 54/22 – ZUJPP and 18/23 – ZDU-10)

Conduct during a strike is regulated in **Article 7**, which provides that:

(1) During a strike, railway workers must provide, in accordance with the railway safety regulations, a minimum range of railway transport services which are necessary to ensure the safety of people and property and which constitute an indispensable condition for the work of legal entities and natural persons and for the fulfilment of international obligations. The elements for establishing a timetable and the method of work during a strike are defined by a collective agreement for railway transport activity and an agreement concluded on the basis thereof.

(2) During a strike, workers must also provide railway transport services for the needs of defence, protection and rescue or carry out works needed to save human lives and property in the event of a natural or other disaster.

(3) Strike action conducted in accordance with regulations, the collective agreement and the agreement concluded on the basis thereof are not deemed as special circumstances in the economy within the meaning of Article 8 of this Act.

- **Road Transport Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 6/16 – official consolidated version, 67/19, 94/21, 54/22 – ZUJPP, 105/22 – ZZNŠPP, 18/23 – ZDU-10, 23/24 and 21/25)

Conduct during a strike is regulated in **Article 116**, which regulates the performance of transport of passengers and goods during strikes and provides that:

(1) National transport operators that perform passenger transport by road ensure that the international regular passenger transport provided by international treaties and in national public regular passenger transport and passenger transport of daily commuting passengers (transport to work and school, etc.) are performed during a strike.

(2) National transport operators that perform road transport of goods ensure uninterrupted transport of live animals, perishable foodstuffs, provisions, hazardous substances and humanitarian and other kinds of aid in the event of natural and other disasters, during a strike.

- **Roads Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 132/22, 140/22 – ZSDH-1A, 29/23 and 78/23 – ZUNPEOVE)

*Urgent maintenance works during strikes are defined in **Article 20***

(1) In the event that employees of a road regular maintenance provider are on strike, the provider ensures at least the following:

- control over usability and arrangement of roads for safe traffic with regular road inspections within the scope and frequency determined for an individual road category;
- securing dangerous parts of a road, if deficiencies endangering traffic on it have been detected and the inspection provider cannot correct them immediately;
- implementation of road protection measures, which if omitted would result in road damage or endanger the lives of people and animals and cause major economic loss;
- preparedness to take action upon an impending natural disaster, establishment of traffic signalisation and elimination of the consequences of natural and other disasters on public roads;

- usability of roads in winter time at least to the extent enabling traffic using winter equipment;
- providing current data on road conditions and usability.

(2) A fine of EUR 1,000 is imposed on a regular road maintenance operator contravening the provision of the preceding paragraph. A fine of EUR 500 is also imposed on the responsible person of the operator.

- **Maritime Code**

Conduct during a strike is regulated in **Articles 41a and 57a**

Article 41a provides that port workers who perform activities for uninterrupted operation of a port referred to in the preceding paragraph ensure the performance of the minimum level of port services during a strike in order to ensure the safety of people, property and the environment and the transshipment of livestock, perishable goods and dangerous goods in accordance with the regulations governing maritime transport safety, and protection on board ships and in ports.

Article 57a provides that in the event of a strike, port inspectors and maritime inspectors ensure the safety of maritime transport and protection on board ships and in ports in accordance with the provisions of this Act and other regulations governing strikes and the collective bargaining agreement.

- **Decree on the form and method of performing commercial public service of maritime pilotage** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 11/20)

Article 7 provides that in the event of a strike by maritime pilots and pilot vessel operators, the public service provider must ensure the provision of public services in such a way as to guarantee the safety of navigation and maritime transport in accordance with the provisions of the Decree and other regulations governing strikes and the collective agreement.

- **Enforcement of Criminal Sanctions Act**

Article 217 provides that the staff of the Administration, during a strike, perform all work and tasks that ensure the safe and undisturbed operation of the Administration and judicial police officers must also accompany and guard imprisoned persons by order of a court.

- **Financial Administration Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 25/14, 39/22, 14/23, 47/24 – CC Decision, 104/24 – ZDDV-10 and 100/25 – ZDavP-2P)

Performance of tasks during a strike is defined in **Article 90**, which provides the following:

(1) Due to the particular importance of the smooth financial operations of the Republic of Slovenia, the provision of goods traffic and the fulfilment of international obligations, the Financial Administration must ensure the performance of essential work and tasks within its competence even during a strike. The right of employees of the financial administration to strike is therefore restricted by doing urgent work and tasks of the financial administration and support tasks linked to these if their non-performance could threaten the financial stability, goods traffic and fulfilment of international obligations of the Republic of Slovenia.

(2) A detailed volume of duties and how to carry the out during a strike is agreed between the head

official and the strike committee by means of a written agreement. If there is no agreement, the superior official determines by means of a general measure, considering the right of workers to strike, which urgent tasks and work the financial administration must perform during a strike in order not to threaten the financial stability, goods traffic and fulfilment of the international obligations of the Republic of Slovenia.

- **Courts Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 94/07 – official consolidated version, 45/08, 96/09, 86/10 – ZINepS, 33/11, 75/12 – ZSPDSLS-A, 63/13, 17/15, 23/17 – ZSSve, 22/18 – ZSICT, 16/19 – ZNP-1, 104/20, 203/20 – ZIUPOPĐVE and 100/25 – ZDU-10, 42/24 – CC Decision and 100/25 – ZS-1)

The right to strike is defined in **Article 58**, which provides that the right to strike of court staff is restricted.

During a strike, court staff perform their tasks relating to scheduled hearings within fixed terms, main hearings and public sessions and issue and dispatch all decisions by legal deadlines. In proceedings defined by an Act as expedited procedures or in cases that are urgent in accordance with an Act or by their nature, court staff is obliged to work during a strike.

- **State Prosecution Service Act**

The restriction of the right to strike applies to both **public prosecutors** and **public prosecution staff**.

Article 48 of the Act provides that during a strike, state prosecutors must perform their state prosecution service to the extent that will ensure smooth functioning of the State Prosecutor's Office in matters that, by their very nature, are deemed matters of priority and urgency, requiring prompt attention and bound to statutory or other deadlines or to the work performed by other authorities, and other tasks aimed at preventing any adverse effect on proceedings conducted by or participated in by the State Prosecutor's Office.

Article 136 (paragraph four) provides that during a strike, the state prosecution staff must perform all duties and tasks to ensure smooth functioning of the State Prosecutor's Offices in matters that are by their very nature matters of priority, urgent, prompt and bound by statutory or other deadlines, or bound to the activities carried out by other authorities, and other tasks aimed at preventing adverse effects on the proceedings conducted by or participated in by the State Prosecutor's Office.

- **State Attorney's Office Act**

Performance of tasks during a strike is defined in **Article 78**, which provides the following:

(1) Due to the special significance of uninterrupted operations, the State Attorney's Office performs work and tasks within its competence also during strikes which, pursuant to this Act and other acts, protect the public interest, also during strikes.

(2) State attorneys perform the following tasks of the State Attorney's Office during a strike:

- protect the public interest;
- representation before courts and administrative authorities in the Republic of Slovenia;
- for representation before foreign courts and in foreign arbitration, and international courts and in international arbitration.

(3) Other public employees at the State Attorney's Office exercise the right to strike under the conditions provided by the act governing the public employee system.

(4) The detailed manner of performing the tasks referred to in paragraph two of this Article is agreed in writing by the State Attorney General and the strike committee prior to the strike. If they do not reach an agreement, the State Attorney General determines with a general act, taking into account the right to strike, the manner of performing the tasks referred to in paragraph two of this Article, which must be performed by the State Attorney's Office during a strike in order not to put property or other rights and interests of the state at risk.

- **Organisation and Work of the Police Act**

Article 76 provides tasks during strikes.

(1) During a strike, police officers are obliged to perform the following police tasks:

- protect people's lives, personal safety and property;
- prevent, detect and investigate criminal offences;
- detect and apprehend criminal offenders and other wanted persons, and hand them over to the competent authorities;
- protect particular individuals, bodies, buildings, premises and the environs of state bodies;
- maintain public order;
- control and direct traffic on public roads;
- conduct state border control;
- perform tasks defined by the regulations on aliens.

(2) Police officers are obliged to perform the tasks referred to in the preceding paragraph in a timely and efficient manner, and according to the instructions given by their superiors.

(3) Police officers **have no right** to strike during the operations of the police pursuant to Article 107 of the Act.

(4) For the period during which they **have no right** to strike for the reasons referred to in the preceding paragraph, police officers are entitled to a salary supplement equal to 2% of the last average gross monthly salary in the Republic of Slovenia according to official statistical data.

Article 107 (paragraph two) provides for the operations of the police in the event of a natural or other disaster, crisis, or state of war or emergency:

(2) In the event of a natural or other large-scale disaster and other exceptional circumstances, as well as in a crisis or state of war or emergency, the police perform the tasks within their respective field of work in such a manner so as to adapt their organisation and types and methods of work to the conditions or circumstances that have arisen.

Paragraph seven of Article 107 explains the meaning of crisis: For the purpose of the Act, crisis means the occurrence of emergency or exceptional security events, developments, conditions, circumstances and situations that threaten internal, national and international security or that may result in a state of war or emergency, while in order to manage them and owing to urgency or for the purpose of ensuring security or the protection of vital interests and significant assets of society according to the relevant regulations, plans and principles and rules of international law, the police introduce and implement crisis

response measures.

- **Ionising Radiation Protection and Nuclear Safety Act**

The right to strike is defined in **Article 11**, which provides as follows:

(1) Workers who perform the duties of managing the technological process in a nuclear or radiological facility or supervise this management and whose duties are prescribed in detail in a regulation issued pursuant to Article 92 of this Act have a limited right to strike.

(2) The limits on strike referred to the preceding paragraph also bind workers who carry out the transport of nuclear materials, physical protection of nuclear materials and radioactive substances or nuclear or radiation facilities and whose duties are prescribed in detail in a regulation issued pursuant to Article 146 of this Act.

(3) During a strike, the workers referred to in paragraphs one and two of this Article must ensure a smooth and safe operation or condition of a radiation or nuclear facility or smooth and safe transport of nuclear materials in accordance with the provisions of this Act and regulations issued on the basis thereof, and with nuclear and radiation safety standards and recommendations.

- **Electronic Communications Act** (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 130/22, 18/23 – ZDU-10 and 40/25 – ZInFV-1)

The right to strike is defined in **Article 127**, which provides as follows:

(1) Universal service providers and/or operators required to undertake obligations pursuant to this Chapter through a bylaw regulate the manner of uninterrupted provision of services within the framework of universal service and/or obligations of the operator pursuant to this Chapter.

(2) The Agency supervises compliance with the obligation to adopt and implement the bylaw referred to in the preceding paragraph.

CASE LAW

Recently, with regard to restrictions on the right to strike, only **Decision of the Constitutional Court of the Republic of Slovenia No U-I-848/21 of 7 March 2024** can be highlighted.

The applicant submitted a request for a review of the constitutionality of paragraphs three and four of Article 76 and of Article 107 of the ZODPol. He claimed that the contested regulation, which allegedly deprived police officers of the right to strike, was inconsistent with Articles 2, 16, 76 and 77 of the Constitution of the Republic of Slovenia, with Article 3 of the *ILO Convention No 87 on Freedom of Association and Protection of Trade Union Rights* (Official Gazette of the Federal People's Republic of Yugoslavia [*Uradni list FLRJ*], IT, No 8/58, and Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 54/92, IT, No 15/92 – ILO Convention No 87), Article 4 of the *ILO Convention No 98 on the application of the principles of the right to organise and collective bargaining* (Official Gazette of the People's Republic of Yugoslavia [*Uradni list PRJ*] IT, No 11/58, and Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 54/92, IT, No 15/92 – ILO Convention No 98), Articles 5 and 6 of the *European Social*

Charter (Revised) (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 24/99, IT, No 7/99 – MESL), Article 11 of the *Convention for the Protection of Human Rights and Fundamental Freedoms* (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 33/94, IT, No. 7/94 – ECHR), Article 8 of the *International Covenant on Economic, Social and Cultural Rights* (Official Gazette of the Official Gazette of the Socialist Federal Republic of Yugoslavia [*Uradni list SFRJ*], IT, No 7/71, and Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 35/92, IT, No 9/92 – MPESKP), Article 22 of the International Covenant on Civil and Political Rights (Official Gazette of the Socialist Federal Republic of Yugoslavia [*Uradni list SFRJ*], No 7/71, and Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 35/92, IT, No 9/92 – MPDPP), and Article 28 of the Charter of Fundamental Rights of the European Union (OJ C 202, 7.6.2016). The applicant stated that the rights of police officers were directly threatened by the contested regulation because it provided for a broad prohibition of the right to strike, i.e. for the entire period during which the police were in operation, on the basis of the paragraph two of Article 107 of the ZODPol, and because it was allegedly unclear. The ZODPol allegedly does not define the concept of natural and other large-scale disasters and other exceptional circumstances and does not allow for an assessment of whether a restriction of the right to strike is necessary in a specific situation and to what extent.

The Constitutional Court **dismissed** the aforementioned request for the review of constitutionality of the provisions of paragraphs three and four of Article 76 and of Article 107 of the ZODPol **with the following justification:**

The applicant has demonstrated that it is a representative trade union operating in the area of the country, but has not demonstrated that workers' rights are at risk. By alleging that the challenged regulation violated the right of police officers to strike during the police action referred to in paragraph two of Article 107 of the ZODPol and that the challenged regulation was unclear, the applicant substantiated the unconstitutionality of the challenged provisions, but did not substantiate or demonstrate the threat to workers' rights allegedly caused by the challenged regulations¹⁰. The right to strike is one of the fundamental rights of workers to achieve economic and social rights and work-related interests and is only a last resort for exercising workers' rights (the *ultima ratio* principle).¹¹ In accordance with paragraph three of Article 76 of the ZODPol, police officers have both been absolutely deprived of the right to strike, but this right is limited to the duration of police action pursuant to paragraph two of Article 107 of the ZODPol. The prohibition or restriction of the right to strike is therefore conditional on the occurrence of at least one of the extraordinary circumstances referred to in paragraph two of Article 107 of the ZODPol, whereby crisis response measures within the police competence and their scope and duration are determined by the Government of Slovenia following a proposal of the Minister in accordance with paragraph three of Article 107 of the ZODPol. If no such circumstances arise, police officers exercise their right to strike in accordance with paragraphs one and two of Article 76 of the ZODPol. It follows from the established constitutional review that an abstract threat to the rights does not suffice for the procedural presumption of the threat to workers' rights to be certain and that a concrete and direct threat to workers' rights must be demonstrated.¹² The applicant

¹⁰As similarly set out in the Constitutional Court's orders No U-I-90/14 of 7 April 2016, point 3 of the statement of reasons, No U-I-32/16 of 16 November 2017, point 4 of the statement of reasons, No U-I-69/16 of 16 November 2017, point 4 of the statement of reasons, and No U-I-264/19 of 10 March 2022, point 7 of the statement of reasons.

¹¹Constitutional Court Order No U-I-90/14, point 4 of the statement of reasons.

¹²Cf. Constitutional Court Decisions No Up-1544/10 of 23 December 2021 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 201/21), point 15 of the statement of reasons, No U-I-210/21 of 30 September 2021 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 157/21), point 11 of the statement of reasons, and No. U-I-16/21 of 18 February 2021 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 28/21), point 10 of the statement of reasons.

did not explain which rights of workers were allegedly threatened by this restriction and in what way, without demonstrating the circumstances referred to in paragraphs two and three of Article 107 of the ZODPol.

In view of the above, the applicant has not demonstrated the circumstances of endangering workers' rights pursuant to indent eleven of paragraph one of Article 23a of the ZUstS. Therefore, the Constitutional Court dismissed the proposer's request (point 1 of the operative part).

The full text of the decision is available at: <https://www.us-rs.si/sl/zadeve-in-odlocitve/odlocitve/u-i-84821>

b) Please indicate whether it is possible to prohibit a strike by seeking injunctive or other relief from the courts or other competent body (administrative body or arbitration body). If affirmative, please provide information on the scope and number of decisions in the last 12 months.

Legislation in Slovenia does not provide for the possibility of prohibiting strikes by means of a court order or other order issued by a court or other competent authority.

The only possibility for intervention or even measures to end a strike is provided for in Article 15 of the ZStk, which provides that the competent state authority may take urgent measures if the conditions set out in paragraph one of Article 5, paragraph one of Article 7 and paragraph one of Article 11 of the ZStk are not met, if there is a risk of immediate danger or extremely serious consequences for human life and health or their safety and the safety of property, or other irreparable consequences. Such measures may be adopted in the case of a specific strike where a violation of the conditions required by law has already been established and an assessment has been made of the possibility of direct danger or extremely serious consequences for human life and health or human safety and the safety of property or other irreparable consequences.

No such decision has been taken in the last 12 months.

Article 20 – Right to equal opportunities between women and men

a) Please provide information on the measures taken to promote greater participation of women in the labour market and to reduce gender segregation (horizontal and vertical). Please provide information/statistical data showing the impact of such measures and the progress achieved in terms of tackling gender segregation and improving women's participation in a wider range of jobs and occupations.

Slovenia ensures equal conditions on the labour market for both men and women. The participation of women in the Slovenian labour market is higher than the EU average (see Table 1). It should also be noted that the predominant type of employment for women is full-time employment, with part-time employment being much less common (see Table 2).

Key policies and measures that promote high female participation in the labour market include: access to preschool education and childcare and a high enrolment rate, a high level of formal education among

women, maternity leave and the legal option of working shorter hours in the case of parenthood, which also makes it easier to balance work and family life. Slovenia is one of the few EU member states where children are entitled to pre-primary education immediately after parental leave (Eurydice, 2025). Inactivity due to personal and family circumstances (age group 20–64) is also significantly lower than the EU average.

The difference in employment rates between women and men in the Republic of Slovenia has consistently been among the smallest in the EU. In 2023 it amounted to 6.1 p.p. (EU: 10.2 p.p.). This is influenced by the high participation of women in the labour market, especially in the 30–54 age group, which is the highest in the EU (90.9% in 2023).

Table 1: Participation of women in Slovenia and the EU in the labour market (aged 20–64), in percentage (%)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
EU	63.0	64.1	65.3	66.3	67.1	66.2	67.6	69.3	70.2	70.8
Slovenia	64.2	66.2	69.3	71.2	72.5	71.7	72.6	74.3	74.3	75.1

Sources: Eurostat

Table 2: Part-time employment of women, EU and Slovenia (aged 20–64), in percentage (%)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
EU	30.0	29.8	29.5	29.4	27.6	29.2	28.2	27.7	27.9	27.8
Slovenia	12.7	13.7	13.6	12.0	11.8	11.8	12.3	11.6	11.6	11.8

Source: Eurostat

The structure of registered unemployed persons also shows a fairly equal representation of both genders, which is why Slovenia does not have any active employment policy measures (hereinafter: AEP) in this area that would specifically target women. Between December 2023 and December 2024, the proportion of women among registered unemployed persons even decreased from 48.6% to 47.3%, and the annual average by as much as 5.3%.

Women also accounted for more than half of the participants in AEP programmes in 2024 (56.6%), compared to 57.0% the previous year (source: annual reports on the implementation of state measures in the labour market for 2023 and 2024).

Women are the predominant participants in training programmes (59%) and subsidised employment schemes (66%) (OECD evaluation of AEP 2025¹³). In this regard, it is also important to note that three years after the introduction of the subsidy, there is no difference in the likelihood of employment between women and men. The OECD evaluation conducted in 2025 for the period 2015–2018 also shows that the probability of an unemployed person finding a job is highest among women and young job seekers.

¹³ https://www.oecd.org/en/publications/impact-evaluation-of-wage-subsidies-and-training-for-the-unemployed-in-slovenia_47098a5e-en.html

One of the priority target groups of the AEP in Slovenia is undoubtedly the long-term unemployed, which is why measures are primarily focused on this population group. Long-term unemployment is usually more common among men; however, in 2023, both genders were equally represented (source: OECD evaluation of AEP 2025).

Despite the positive picture, certain professions in Slovenia are feminised (e.g. in healthcare, social care and education), as can be seen from the indicators prepared by the European Institute for Gender Equality.¹⁴ The indicators also include data on tertiary education attainment, according to which 9% more women than men complete tertiary education in Slovenia, which indicates a high level of formal education among women. More than a third of women have this level of education, which is also notable at the EU level, where over a quarter of women have tertiary education.

To tackle gender gaps and segregation in education and inequalities in science and research, Slovenia carries out activities to eliminate gender stereotypes in career choices, encourage and promote women in science, and scientific research and analysis on gender equality. Starting in 2023, activities have been upgraded with measures from the *Resolution on the National Programme for Equal Opportunities for Women and Men 2023–2030* (Official Gazette of the Republic of Slovenia, No 105/23), which includes specific targets for education and research by 2030. The Resolution sets the desegregation of the labour market as one of its goals. The measures to achieve this goal include "Create supportive environments that enable girls and boys to make gender-atypical career choices, in particular by supporting and implementing awareness-raising campaigns and projects to encourage and enthuse young people about STEM and ICT professions".

Certain activities are being carried out with the aim of encouraging women to enrol in non-traditional fields of education. As part of the *We'll Be Engineers! (Inženirji in inženirke bomo!)* project, the Female Engineer of the Year Award has been presented since 2018 with the aim of promoting and encouraging women to pursue careers in STEM fields. In addition, activities are being carried out to strengthen the role of career centres at higher education institutions. Alongside providing career counselling to graduate and postgraduate students, these centres also focus on raising awareness and sensitising professional staff and students to the importance of equal treatment of all students, regardless of gender or any other personal circumstance.

The Ministry of Labour, Family, Social Affairs and Equal Opportunities annually publishes a public call for co-financing projects from the field of equality between women and men. In 2025, the call was also aimed at co-financing projects that encourage girls and young women to enrol in STEM programmes. Three projects are being implemented. One of them is a project by the non-governmental organisation ONA VE (She Knows) entitled *STEMfluencers: Heroines opening the door to the future*. The project highlights the work of female engineers and scientists in STEM professions. The aim of the project is to present STEM as accessible, attractive and open to everyone, and to create a new wave of STEM influencers who will inspire future generations with their stories and change the image of the technological world.

According to the findings of the GEM Slovenia 2024 survey, there are approximately 4.8 female entrepreneurs for every 10 early-stage male entrepreneurs in Slovenia, while in European countries there are on average 7 female entrepreneurs for every 10 male entrepreneurs. This means that the gender gap in Slovenia is greater than the average for European countries.

To improve the entrepreneurial potential among the target group of women in 2024, the Ministry of the Economy, Tourism and Sport, through the SPIRIT Slovenia Public Agency, announced a public

¹⁴ <https://eige.europa.eu/gender-equality-index/2024/domain/knowledge/SI>.

competition for female entrepreneurs, on the basis of which 100 female start-up entrepreneurs received free mentoring and a EUR 3,000 incentive to start their entrepreneurial journey. In 2025, support for female entrepreneurship was enabled through the partnership between SPIRIT Slovenia and various stakeholders and associations of businesswomen and female entrepreneurs with the aim of connecting, sharing knowledge and networking among female entrepreneurs, as well as raising awareness of various forms of support.

In July 2025, a public call for proposals was published for the financing of activities to raise skills in the field of entrepreneurship. The purpose of the public call is to finance activities aimed at improving entrepreneurial skills through training and mentoring activities that encourage entrepreneurial activity among the target groups of young people and women. In addition, SPIRIT Slovenia, through a separate public call published in 2025, will provide access to funding opportunities for female start-up entrepreneurs who have participated in training and mentoring programmes, and will support them during the initial phase of their business operations.

b) Please provide information on:

- measures designed to promote an effective parity in the representation of women and men in decision-making positions in both the public and private sectors;
- the implementation of those measures;
- progress achieved in terms of ensuring effective parity in the representation of women and men in decision-making positions in both the public and private sectors.

On the basis of the Directive on improving the gender balance among directors of listed companies, the Act Amending the Companies Act was adopted in 2024 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 102/24 and 77/25, hereinafter: ZGD-1M), which encourages companies to achieve a more balanced representation of women and men in top management positions.

The ZGD-1M imposes the obligation to adopt measures to promote gender balance on companies whose securities are traded on an organised market, have more than 250 employees, and at the same time have net sales revenue exceeding EUR 50 million, or whose assets exceed EUR 43 million, and companies with a majority capital investment by the state or local self-government, in which the state or local self-government has a direct or indirect majority share in the capital or a majority of voting rights, have at least 250 employees and meet the conditions for large companies. As stipulated by the ZGD-1M, obliged companies themselves determine which target they will achieve: either at least 40% representation of the underrepresented gender among members of the supervisory body, or at least 33% representation of the underrepresented gender among members of the management and supervisory bodies combined. The obliged company determines, in the diversity policy adopted by the supervisory board, the proportion of gender representation it will achieve. The deadline for achieving the targets is 30 June 2026, except for companies with a majority capital investment by the state or local self-government communities, for which a longer transition period has been set, namely 30 June 2028.

If the company fails to achieve its set targets, it will have to adjust the selection process for candidates for appointment or election to management and supervisory bodies; and an unsuccessful candidate of the underrepresented gender will be able to request information about the selection process from the company and request an assessment of the appropriateness of the selection process by the competent authorities (before a court, the Advocate of the Principle of Equality, the competent inspectorate, etc.).

Companies will have to report on the gender representation achieved in their bodies and on the

measures taken in case the set quotas are not met. The Advocate of the Principle of Equality will monitor and promote balanced gender representation in companies and supervise violations of the law in this area.

The Slovenian Directors' Association also plays an important role in promoting gender balance. In 2019, it launched an initiative to voluntarily achieve the following gender diversity targets by the end of 2026: 40% for supervisory board members and 33% for both supervisory and management board members of the under-represented gender in public limited liability and state-owned companies by the end of 2026. The Slovenian Directors' Association, in cooperation with its partner Deloitte Slovenia, regularly monitors progress in this area on a company-by-company basis and reports at least annually on changes and achievements in relation to these gender diversity targets. According to the latest report for 2025 (as of 30 April 2025), 23 of the 50 companies included in the analysis had achieved 40% female representation on their supervisory boards and 25 companies had achieved the target of 33% female representation on both management and supervisory boards.

c) Please provide statistical data on the proportion of women on management boards of the largest publicly listed companies, and on management positions in public institutions.

Data from the European Institute for Gender Equality (EIGE) show that in the first half of 2025, the proportion of women among persons responsible for the management and supervision of the largest listed companies in Slovenia was 26.6%, of which 11.8% were women in the position of executive directors of these companies.

Among the 45 companies that are required by the ZGD-1M to adopt measures to promote gender balance (assessment as of October 2025), at least 40% of the members of the supervisory body are women in 11 or 24% of companies. A total of 14 companies have between 30% and 40% representation, and 14 companies have between 15% and 30% representation of women. There are two companies that do not have women among the members of their supervisory bodies, and four limited liability companies do not have a supervisory board. Among management and supervisory board members and executive directors, women account for at least 33% of the total in 14 companies, or 31%; 8 companies have between 20% and 33% women; 13 companies have no women at all.

According to data from the Ministry of Public Administration, on 31 December 2024, there were 70 public office holders employed in state administration bodies. Among them, 27 are women, amounting to 38.6%. The Prime Minister of Slovenia is a man, women account for 35% of ministers, the Secretary General of the Government of Slovenia is a woman, and women account for 39.6% of state secretaries.

At the level of position officials (directors-general or directors of directorates, directors of bodies within ministries and government services, secretaries-general in ministries and heads of administrative units), who as a rule work in the first career grade and are appointed for a five-year term with the possibility of renewal, the share of women (as of 31 December 2024) is 55.2%. Women account for 45.5% of heads of government departments, 36.6% of heads of constituent bodies, 58.1% of directors-general or directors of directorates, 73.7% of general secretaries and 60.3% of heads of administrative units.

At the level of officials in managerial positions (heads of sectors, departments, services, etc.) who, as a rule, perform work in the second career class, the proportion of women is 38.8% (as of 31 December 2024).