



## **THE GOVERNMENT AND PARLIAMENT'S UTTER FIASCO DIRECTED AGAINST EMPLOYEES AND TRADE UNIONS**

**More than 80 deputies stood up against employees.**

**Welcome to the 19<sup>th</sup> century! That's where the Slovak government and deputies of the Slovak Parliament have transferred us. Eighty-six deputies accomplished the intention of the government coalition and demonstrated that they could not care less about employees' social rights, economic and social needs. Working pensioners have been moved to the periphery of social interest, another step towards destruction of children's education has been made and tens of thousands of employees, especially in the public sector, have been left high and dry. Social standards which were guaranteed by law are being disrupted and employee conditions totally destroyed, while social dialogue and collective bargaining are threatened.**

The entire amendment to the Labour Code is a total fiasco and a demonstration of failure to handle the legislation process, as a huge number of changes had to be performed through committees and deputies' amendments, i.e., without any expert discussions with stakeholders and the public, to achieve the original aim of the government coalition – to destroy the employee environment and to weaken trade unions.

The amendment to the Labour Code de facto forbids the extension of higher-level collective agreements. Only agreements concluded before 1 March 2021 may stay in place until they expire. *"We are once again moving in the opposite direction as the rest of Europe. The European Parliament directly calls upon member states to extend the coverage of collective agreements to at least 70%. Where this is not the case, for example in Slovakia, it obliges member states to change the situation and improve the conditions for collective bargaining,"* said M. Uhlerová, adding that these changes are unacceptable for KOZ SR. She explained that it is in the interest of employers to conclude collective agreements, as they create fair and equal competition conditions in the area of employment environment and prevent social dumping.

According to recent available data, the total coverage of collective agreements in 2019 was 26%, with 15.4% of organisations covered in the private sector and more than 65% in the public sector. Higher collective agreements and their extension significantly increases the coverage of collective agreements. It is often the case on the higher level that a trade union does not have a partner on the employer's side to negotiate with, that is why forbidding their extension is definitely aimed at making the situation harder for trade unions.

At the same time, the amendment to the Labour Code changes the way trade unions are present at the workplace, which we believe is interference into the ability of trade union organisations to create their own statutes and rules, to select their representatives freely, to organize their management and activities and to formulate their program.



Changes should occur also in the area of employee representatives in tripartite discussions. From the beginning, we have been voicing our disagreement with the employees' representation setup and asked for the current legal status well-tested in practice to be maintained. *"We consider this change to be purpose-built to weaken KOZ SR's position as the most representative body in the tripartite and to allow completely non-representative employee organisations to join the tripartite, especially those which will favour the Minister of Labour,"* said KOZ SR President Marián Magdoško.

Pursuant to the amendment, elderly people aged 65 or older who are entitled to old-age pensions may be dismissed by the employer even if they want to carry on with their job. This is one of the deputies' proposals in the amendment to the Labour Code. The submitter of this idea argues that *"the reason for this measure is the effort to support general employment rate in the Slovak Republic, as well as to support inter-generational exchange at workplaces. The proposed measure will improve employment of university and secondary school graduates."*

KOZ SR refuses any measures which allow employers to dismiss employees due to their age. *"This is discriminatory and the sole purpose is to make it easier for employers to dismiss the elderly. In addition, many workers who have reached retirement age are forced to continue working to lead a decent life,"* said KOZ SR Vice-President Monika Uhlerová. Therefore, KOZ SR believes that this should remain each person's freely made decision.

KOZ SR does not agree with another deputy initiative related to the Labour Code, according to which minor children from the age of 15 can perform non-demanding non-physical work without any limitations with the responsibility for assessing what falls under the definition of "easy work" given to the Labour Inspectorate. The relevant Labour Inspectorate would issue an authorization after an agreement with a relevant public health body. The confederation stresses that the priority with minors should be education, which is even more important in today's situation when education has been suffering due to pandemic restrictions. *"Instead of sending children to work, we would expect the government to reform the education system so that all children have access to high-quality education which will prepare them for new challenges on the labour market,"* stressed KOZ SR President Marián Magdoško.

In KOZ SR's view, allowing minors to work in the final stage of their compulsory school attendance will mean that some young people might not return to the education system, which will have negative impact on the early school-leaving rate and the meeting of targets set by Europe 2020 strategy in the area of education, to which Slovakia has adhered to. Slovakia has an early school-leaving rate of around 8% and this number has been constantly rising, while the target is set to 6%.

KOZ SR will call upon the President of the Slovak Republic to veto the adopted Labour Code amendment. We will also take steps on the international level, as in KOZ SR's view, the adopted amendment breaches international rules and documents.

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