

Possible measures for employers arising from Employment Relationship Act («ZDR-1») in times of exceptional circumstances

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EMPLOYMENT RELATIONS

POSSIBLE MEASURES FOR EMPLOYERS ARISING FROM EMPLOYMENT RELATIONSHIP ACT (»ZDR-1«)

Due to exceptional circumstances an employer may unilaterally assign an employee to another type of work or another place of work (including work from home). Such measure can only last for the duration of exceptional circumstances. In addition, employers may invoke some other options provided by ZDR-1. Below please find a brief presentation of these option.

Measures for the cases where the employees are still working	
Measure	Main characteristics
Work from home	<ul style="list-style-type: none"> - can be ordered unilaterally by the employer - temporary measure - mandatory notification to the inspectorate - 100% payment – covered by the employer
Performance of other work	<ul style="list-style-type: none"> - can be ordered unilaterally by the employer - temporary measure - 100% payment – covered by the employer
Temporary redistribution of working time	<ul style="list-style-type: none"> - can be ordered unilaterally by the employer - temporary measure - 100% payment – covered by the employer

Measures for the cases where the employees are not working	
Measure	Main characteristics
Instructing workers to wait for work at home due to inability to provide work	<ul style="list-style-type: none"> - the employee is at home and he/she is NOT working - can be ordered unilaterally by the employer - temporary measure - compensation in the amount of 80% of the average salary over the last three months - no obligation to pay the commuting allowance - under the new Intervention Act proposal, 60% of the compensation is paid by the employer, 40% by the Republic of Slovenia
Referring employees to stay at home for preventative reasons	<ul style="list-style-type: none"> - the employee is at home and he/she is NOT working - can be ordered unilaterally by the employer - 100% payment – covered by the employer - no obligation to pay the commuting allowance
Special unpaid leave	<ul style="list-style-type: none"> - only upon agreement with the employees

	<ul style="list-style-type: none"> - unpaid - contribution agreement (employer remains obliged to pay contributions) - possibility of an agreement that the contributions will be borne by the employee
Collective leave	<ul style="list-style-type: none"> - conditional and not for the entire leave of an individual employee - can be ordered unilaterally by the employer - 100% payment – covered by the employer
Use of annual leave	<ul style="list-style-type: none"> - upon agreement and not for the entire annual leave of an individual employee - certain collective agreements regulate a minimum of days when the decision of the use of annual leave is left to the employee - 100% payment – covered by the employer
Termination of employment contract for business reasons	<ul style="list-style-type: none"> - unilateral measure - in accordance with the notice period - obligation to severance payment - consideration in connection to the protected categories of employees

Measures taken in agreement between employer and employee	
Measure	Main characteristics
Salary reduction	<ul style="list-style-type: none"> - on the basis of an agreement - temporary or permanent - can be agreed with an annex
Part-time employment	<ul style="list-style-type: none"> - on the basis of agreement - temporary or permanent - can only be agreed with a new employment contract
Termination of the contract by offering a new one	<ul style="list-style-type: none"> - with the purpose of securing the employment - the possibility of offering another workplace depending on the needs of the process - the possibility of offering a lower wage (not lower than the minimum wage or as provided for in a collective agreement) - suitable workplace

Should you have any questions, please do not hesitate to contact us.

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