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Act
of 28 June 2007,

which changes and supplements Act No. 311/2001, Collection of Laws the Labour Code, as amended by later regulations, and changes and supplements certain other acts

The National Council of the Slovak Republic has adopted the following act:

The Act No. 311/2001, Collection of Laws (hereinafter referred to as "Coll.") the Labour Code as amended by the Act No. 165/2002, Coll., Act No. 408/2002, Coll., Act No. 413/2002, Coll., Act No. 210/2003, Coll., Act No. 461/2003, Coll., Act No. 5/2004, Coll., Act No. 365/2004, Coll., Act No. 82/2005, Coll., Act No. 131/2005, Coll., Act No. 244/2005, Coll., Act No. 570/2005, Coll., Act No. 124/2006, Coll., and Act No. 231/2006, Coll. shall be amended and supplemented as follows:

1. In Article 1 the words "state of health" shall be replaced by the words "unfavourable state of health or disability".
2. An Article 11 is added to the fundamental principles, with the following text:

"Article 11
Employers may collect personal data on employees only where these relate to the qualifications and professional experience of employees and data that may be significant for the work that employees are expected to perform, perform, or have performed. Employers may not, without serious reasons, violate employees' privacy in the workplace and common areas of the employer's premises by monitoring them without their permission or opening letters addressed to an employee as a private person. If monitoring devices are installed on an employer's premises, the employees must be informed of the extent of monitoring and the method by which it is performed.".

3. In § 1 paragraph (1), the words "with employment of natural persons by legal entities or natural persons" shall be replaced by the words "with the performance of dependent work by natural persons for legal entities or natural persons".
4. New Paragraphs 2 and 3 shall be inserted after § 1 paragraph (1) as follows:

"(2) Dependent work, which is performed in a relationship where the employer is the superior and the employee is subordinate, is defined solely as work performed personally as an employee for an employer, according to the employer's instructions, in the employer's name, for a wage or commission, during working time, at the expense of the employer, using the employer's tools and with the employer's liability, and also consisting mainly of certain repeated activities.

(3) Dependent work may be performed only in an employment relationship, a similar working relationship or in exceptional cases defined herein in another form of labour law relationship. Business activity or another gainful activity based on a contractual relationship under civil or commercial law shall not be dependent work.".

The previous Paragraphs 2 and 3 shall be numbered as Paragraphs 4 and 5.

5. A new Paragraph 6 shall be added to § 1 as follows:
"(6) Conditions of employment and the working conditions of employees in labour-law relations may be more favourable to employees than the requirements of this act or other labour law regulations, if this act or another labour law regulation does not explicitly prohibit such conditions or if the character of the provisions means that it is not possible to deviate from them.".
6. In § 5 paragraph (2) the words "to another employer" shall be omitted.
7. A new Point g) shall be added to § 5 paragraph (2) as follows:
"g) working conditions for employees of a temporary employment agency.".
8. A new Paragraph 6 shall be added to § 5 as follows:
"(6) If an employee is posted to work in another member state of the European Union pursuant to § 58, working conditions and conditions of employment shall be governed by the law of the state on the territory of which work is performed and § 58 paragraph (7)-(8) shall not apply.".
9. § 7 paragraph (4) shall be omitted.
10. In § 11 paragraph (1) the words "according to their instructions for a wage or for remuneration" shall be omitted.
11. In § 11 paragraph (4) the introductory text shall be replaced by the following: "Natural persons aged under 15 years or natural persons aged over 15 years who have not yet completed compulsory schooling are forbidden to work. These persons may perform light work whose character and scope is not such as to result in a danger to their health, safety, further development or school attendance only for the purposes of ".
12. In § 11 paragraph (5) the first sentence shall be: "Permission for the performance of light work as stated in Paragraph 4 shall be given by the competent labour inspectorate in response to the employer's request and on agreement with a competent public health body.".
13. In § 11a paragraph (1) the second sentence shall be: "An employees' representative for occupational health and safety specified by a special regulation shall also be an employees' representative for occupational health and safety.".
14. After § 20, Sections 21 and 22 shall be inserted with the following text, including titles:

"Employee claims in labour-law relations in the event of employer insolvency

§ 21

If the employer becomes insolvent and cannot satisfy the claims of employees arising from relations governed by labour law, these claims shall be satisfied by payment from the guarantee fund in accordance with special regulations.

§ 22
Duty to provide information

(1) The employer, provisional bankruptcy trustee or bankruptcy trustee must give notice of insolvency to employees' representatives in writing, or inform employees directly if there are no employees' representatives in the company, within 10 days of the start of the insolvency.

(2) When requested to do so by the employer, provisional bankruptcy trustee or bankruptcy trustee the employee must provide all information relating to his/her claims under labour-law relations according to special regulations.”.

15. § 28 paragraph (1) shall read as follows:

“(1) If a business unit, which is an employer or a part of an employer for the purposes of this act or if a task or activity of an employer or part thereof is transferred to another employer, the rights and obligations arising from the labour-law relations with the transferred employee shall be transferred to the transferee employer.”.

16. After § 28 paragraph (1) three new Paragraphs, 28 (2) – (4) shall be added as follows:

“(2) A transfer pursuant to Paragraph 1 is the transfer of a business unit, which preserves its identity as an organised group of resources (tangible assets, intangible assets and personnel), whose purpose is to carryout economic activity regardless of whether this activity is primary or secondary.

(3) The transferor is a legal entity or natural person who ceases to be the employer on a transfer in accordance with Paragraph 2.

(4) The transferee is a legal entity or natural person who becomes the employer of the transferred employees on a transfer in accordance with Paragraph 2.

The current Paragraphs 2 and 3 shall be renumbered as Paragraphs 5 and 6.

17. § 28 paragraph (6) shall be omitted.

18. A new § 29a shall be added after § 29 as follows:

“§ 29a

If the transfer results in changes in the working conditions agreed in the employment contract and the employee does not agree with the change in working conditions, the employer shall terminate employment pursuant to the reason given in Point (b) of § 63 paragraph (1) or by agreement for the same reason.

19. In § 31 paragraph (4), the period shall be replaced by a semicolon and the following words are attached: “this shall not apply to employees taken on by the employer-lessee after the start of the lease.”.

20. A new Paragraph 9 shall be added to § 31 as follows:

“(9) The provisions on the transfer of rights and obligations under relations governed by labour law shall not apply to an employer whom a court has declared insolvent.”.

21. In § 36 paragraph (1) the words “§ 240 paragraph (7)” shall be replaced by the words “§ 240 paragraph (8)”.

22. The following words are attached to the end of § 39 paragraph (2): “after agreement with employees’ representatives”.

23. In § 40 paragraph (5), the words “by a valid ruling of the competent body for subsequent adoption or foster care or upbringing” shall be replaced by the words “for alternative care based on a court ruling or a child entrusted to the care of an employee in advance of a court ruling on adoption”.

24. New Paragraphs 8 and 9 shall be added to § 40 as follows:

“(8) For the purposes of this act, a disabled employee shall be understood as an employee recognised as an invalid under special regulations, who submits a decision on invalidity benefit.

(9) For the purposes of this act, a comparable employee shall be an employee of the same employer or an employer according to § 58, who performs or would perform the same type of work or a similar type of work taking into consideration qualifications and experience in a relevant field.".

25. A new Paragraph 4 shall be added to § 45 as follows:

"(4) A probationary period may not be agreed if a fixed term employment relationship is renewed.".

26. § 48 including the title shall read:

„§ 48
Fixed term employment relationship

(1) An employment relationship shall be agreed for an indefinite period, if the duration of employment is not defined explicitly in the employment contract or if the agreement was amended and the conditions for fixed-term employment to enter into force were not met. An employment relationship shall also have indefinite duration if a fixed term employment relationship was not agreed in writing.

(2) A fixed term employment relationship may last at most for three years. A fixed term employment relationship may not be extended or renewed more than once in the three year period.

(3) A renewed fixed term employment relationship is an employment relationship beginning less than six months after the end of the previous fixed term employment relationship between the same parties.

(4) A further extension or renewal of the fixed term employment relationship over three years is possible only in the following cases:

a) deputisation of the employee,
b) the performance of work in which it is necessary to significantly increase the number of employees for a transitional period not exceeding eight months per calendar year,
c) the performance of work that is linked to a cycle of seasons, which repeats every year and does not exceed eight months in each calendar year (seasonal work)
d) if it is agreed in a collective agreement.

(5) The reason for extension or renewal of a fixed term employment relationship under Paragraph 4 shall be stated in the employment contract.

(6) A further extension or renewal of the fixed term employment relationship up to three years or more is possible for reasons other than those given Paragraph 4 in the case of

a) an employee who is a statutory body or a member of a statutory body,
b) a manager directly subordinate to the statutory body,
c) a creative employee in science, research or development,
d) an employee who performs activities for which an education in the arts is required,
e) an employee who provides nursing services under special regulations,
f) an employee who receives an old age pension, invalidity benefit, a service pension or service invalidity benefit,
g) an employee of an employer who employs no more than 20 people,
h) an employee for whom this is stipulated by an international treaty.

(7) An employee in a fixed term employment relationship may not be given either more or less favourable treatment than an employee with an employment relationship of indefinite duration, especially as regards working conditions relating to occupational health and safety.

(8) The employer shall inform employees in fixed term employment relationships and employees' representatives in a suitable manner of any indefinite term vacancies that become available.

(9)The limitations given in Paragraphs 2 to 7 shall not apply to employment in a temporary employment agency.".

27. In § 49 paragraph (5) the words "with an employee" shall be replaced by the words "with a comparable employee".
28. In § 49 paragraph (6) the words "20 hours" shall be replaced by the words "15 hours" and in the second sentence "15 days" shall be replaced by the words "30 days".
29. § 49 paragraph (7) shall read as follows:

"(7) An employment relationship with reduced working time pursuant to Paragraph 6 shall not be governed by the provisions of § 62, § 64 paragraph (1) letters a), b), d) or e), § 73, § 74 or § 240 paragraph (8).".

30. § 52 including the title shall read:

„§ 52
Home work and telework

(1) The employment relationship of an employee who performs work for an employer at home or at another agreed place, pursuant to conditions agreed in the employment contract (hereinafter referred to as "home work") or who performs work for an employer at home or at another agreed place, pursuant to conditions agreed in the employment contract, using information technology (hereinafter referred to as "telework") within the working time arranged by himself/herself, shall be governed by this Act, with the following deviations:

a) a) provisions on the arrangement of determined weekly working time and on stoppage shall not apply to such employee,
b) b) in cases of substantive personal obstacles to work, the employee shall not be entitled to wage compensation from the employer, except in case of death of a family member,
c) c) such employees shall not be entitled to wage for overtime work, to wage surcharge for a period of work on a public holiday, to wage surcharge for a period of night work and to wage compensation for work in constrained working environments.

(2) The employer shall adopt measures to facilitate telework, in particular:

a) they shall provide, install and perform regular maintenance of hardware and software necessary for the performance of telework, except in cases where employees performing telwork use their own equipment,
b) they shall ensure, especially with regard to software, protection for data processed and used in telework,
c) they shall inform the employee of all restrictions on the use of hardware and software and also the penalties for any breach of these restrictions.

(3) The employer shall adopt measures to prevent employees who work from home or who telework from becoming isolated from other workers and give them an opportunity to meet with other employees.

(4) Working conditions for employees who work from home or telework may not disadvantage such employees in comparison with comparable employees who work in the employer's workplace.

(5) An employee shall not be considered to perform home work or telework if they work at home or in another workplace than usual only occasionally or in exceptional circumstances with the consent of employer or under an agreement with them subject to the condition that the type of work that the employee performs under the employment contract allows this.".

31. In § 53 paragraph (3) the following words shall be omitted "using the employee's acquired qualification,".
32. In § 53 paragraph (5), Point a) shall read:
" the employee is unable, according to medical opinion, to execute the vocation for which he/she has been trained or to perform his/her existing work for the reasons given in § 63 paragraph (1) (c) and § 69 paragraph (1) letter (a),".
33. In § 55 paragraph (2), Point a) shall read:
"a) a medical opinion states that the employee's health condition has caused the long term loss of his/her ability to perform his/her previous work or if they can no longer perform such work as a result of an occupational illness or the risk of such an illness, or if they have already received the maximum permitted level of exposure in the work place as determined by a decision of a competent public health body,".
34. In § 58 paragraph (5) the second sentence shall be: "Working conditions including pay conditions and employment conditions for temporarily assigned employees must be no less favourable than those for a comparable employee of the using employer, except where other conditions are specified hereinafter.".
35. A new Point h) shall be added to § 58 paragraph (6) as follows:
"h) catering conditions.".
36. § 58 paragraph (7) shall read as follows:
"(7) Pay conditions according to Paragraph 5 need not be so favourable for an employee assigned temporarily by an employer or temporary employment agency who works for the using employer for less than three months.".

37. A new § 58a shall be added after § 58 as follows:
„§ 58a

(1) The employer or temporary employment agency may agree with the using employer on the temporary assignment of an employee to perform work. The employer may agree on agree temporary assignment with the using employer only where there are objective operational reasons for such assignment.

(2) The temporary assignment agreement concluded between the employer or temporary employment agency and the using employer must include
a) the name and surname, the date and place of birth and the place of permanent residence of the temporarily assigned employee,

b) the type of work that the temporarily assigned employee will perform, including estimated health and psychological requirements for the work or other requirements according to special legislation if required for this work,
c) the period for which the temporary assignment has been agreed,
d) the location where the work is to be performed,
e) the date from which the assigned employee shall perform work for the using employer,
f) working conditions including pay conditions and employment conditions for temporarily assigned employees must be no less favourable than those for a comparable employee of the using employer, unless this act states otherwise,
g) the conditions under which the employee or the using employer may terminate the temporary assignment before the end of the term of temporary assignment,
h) the number of the decision and the issue date of the decision granting the temporary employment agency permission to perform the activities of a temporary employment agency.

(3) The temporary assignment agreement concluded between the employer or temporary employment agency and the using employer must be concluded in writing otherwise it shall be invalid.".

38. A new Paragraph 3 shall be added to § 62 as follows:
"(3) If the employee does not continue to work for the employer until the end of the notice period, the employer shall be entitled to financial compensation amounting to the average earnings of the employee for one month if such monetary compensation has been agreed in the employment contract; the agreement on monetary compensation must be made in writing, otherwise it shall be invalid.".
39. In § 63 paragraph (1), Point c) shall read:
"c) a medical opinion states that the employee's health condition has caused the long term loss of his/her ability to perform his/her previous work or if he/she can no longer perform such work as a result of an occupational illness or the risk of such an illness, or if he/she has already received the maximum permitted level of exposure in the work place as determined by a decision of a competent public health body,".
40. The following words are attached to the end of § 63 paragraph (2) (b): "or undertake the necessary training for this other work".
41. In § 64 paragraph (1), Point b) shall read:
"b) in the event of a call-up to perform extraordinary service during a state of crisis, from the date when the employee is called up to perform extraordinary service from the date of delivery of the call-up order or when called up to start extraordinary service by mobilization order or mobilization notice or if the employee has been ordered to perform extraordinary service, until the expiry of two weeks from his/her demobilisation; this shall also apply with regard to the performance of alternative service pursuant to special regulations,".
42. In § 64 paragraph (1) (c) the word "or" shall be replaced by a comma and the following words shall be added to the end of the sentence: "or when an unmarried employee is taking care of a child under the age of three".

43. § 64 paragraph (1) (d) shall read "During the period when an employee is released for the long term performance of a public function".
44. § 65 shall be omitted.
45. In § 66 the first sentence shall be: "An employer may not give notice to a disabled employee without the prior consent of the relevant office of labour, social affairs and family otherwise notice shall be invalid.".
46. In the introductory sentence of § 68 (l) after the word "relationship" the words "in exceptional cases only as follows".
47. In the first sentence of § 68 paragraph (2) the words "one month" shall be replaced by the words "two months" and in the second sentence the words "one-month" shall be omitted.
48. In § 69 paragraph (1), Point b) shall read:
"b) his/her employer has not paid him/her a wage or wage compensation, travel expenses, payment for work standby or alternative income in the event of the employee's temporary incapacity for work or part thereof within 15 days of payment becoming due,".
49. § 71 paragraph (4) shall be omitted.
50. In § 73 the word "Central Office" in all grammatical forms shall be replaced by the word "Office" in the appropriate grammatical form.
51. In § 73 paragraph (1) the words "(§ 28 paragraph (3))" shall be omitted and the words "by agreement for the same reasons" shall be replaced by the words "if the employment relationship is terminated for another reason that does not depend on the person of the employee".
52. In § 73 paragraph (2), after the words "with employees' representatives" a comma and the following words shall be inserted "and if there are no employees' representatives in the workplace working directly with the affected employees".
53. In § 73 paragraph (9) the words "in Paragraph 2" shall be replaced by the words "in Paragraphs 2 to 4 and 6".
54. New Paragraphs 12 and 13 shall be added to § 73 as follows:
"(12) If there are no employees' representatives in the workplace, the employer shall perform the obligations given in Paragraphs 2 to 4 directly in relation to the affected employees.
(13) The employer must also comply with the obligations stipulated in Paragraphs 2 to 4 if the decision for collective redundancy is taken by a managing employer as defined in § 243 paragraph (3).".
55. In § 76, Paragraphs 1 and 2 shall read:
"(1) If the employer terminates an employee's employment with notice for the reasons stated in Points (a) or (b) of § 63 paragraph (1) or because a medical opinion states that the employee's health condition has caused the long term loss of his/her ability to perform his/her previous work or by agreement for the same reasons, the employee shall be entitled to severance pay on the termination of the employment relationship amounting to at least twice his/her average monthly income. If an employee has worked for an employer for at least five years, he/she shall be entitled to severance pay amounting to at least three times his/her average monthly earnings.

(2)If the employer terminates an employee's employment with notice or by agreement because the employee is prohibited from performing his/her work as a result of a working injury, occupational illness or the risk of such an illness, or if he/she has already received the maximum permitted level of exposure in the work place as determined by a decision of a competent public health body, the employee shall be entitled to severance pay on the termination of the employment relationship equal to at least ten times his/her average monthly earnings.".

56. § 79 paragraph (2) shall read as follows:
"(2) If the overall time for which the employee should receive wage compensation is greater than 12 months, a court may, at the request of the employer, make a proportionate reduction in his/her obligation to pay wage compensation for the time exceeding 12 months, or may decide not to award wage compensation to the employee.".

57. The following words are attached to the end of § 82 (c): "and to comply with the principle of equal pay for like work or work of equal value pursuant to § 119a".
58. In § 83 paragraph (1) the following words shall be omitted "or similar,".
59. In § 85 paragraph (6) after the word "carcinogenicity" the following words shall be inserted "or who performs activities leading to the irradiation of a source of category A ionizing radiation in the control zone of a workplace where there are sources of ionizing radiation".
60. § 85 paragraph (9) shall read as follows:
"(9) An employee's average weekly working time including overtime may not exceed 48 hours.".

61. A new § 85a shall be added after § 85 as follows:

„§ 85a

(1)An employee's working time may be more than 48 hours per week on average for a period of at most four consecutive months, only in the event that the employee works in the field of healthcare as defined in applicable regulations and if the employee agrees with such a scope of working time and the scope of weekly working time does not exceed 56 hours on average.
(2)If working time as described in paragraph (1) is agreed, the employer must:

a) notify the competent labour inspectorate or supervisory authority in the area of occupational health and safety, if requested to do so,
b) keep up-to-date records of employees whose working time is so agreed and submit these records to the relevant supervisory authority in the area of occupational health and safety if requested to do so,

(3)The employee may not be persecuted or otherwise disadvantaged by the employer for not giving consent to working time exceeding 48 hours per week on average

62. In § 86 paragraph (1) the word "agreement" shall be replaced by the word "negotiations".
63. In § 87 paragraph (1) the first sentence shall be: "If the character of the work or operating conditions do not permit working time to be scheduled equally in

individual weeks, the employer may schedule working time unevenly in individual weeks by agreement with employees' representatives or the employee.".

64. In § 87 paragraph (2) the first sentence shall be: "An employer may, after agreement with employees' representatives or, if there are no employees' representatives in the workplace, after agreement with the employee, schedule working time for individual weeks for a period longer than four months, at most for a period of 12 months, if the work involves activities that require different levels of work at different times of the year.".
65. § 87 paragraph (5) shall be omitted.
66. In § 88 paragraph (1) the word "negotiation" shall be replaced by the word "agreement".
67. § 88 paragraphs (3) – (5) shall be omitted.
    The current Paragraph 6 shall be renumbered as Paragraph 3.
68. In § 90 paragraph (2) the following sentence shall be added to the end: "This shall also apply in the event that workers from consecutive shifts work at the same time for a period of up to one hour.".
69. In § 90 paragraph (8) the following sentence shall be added to the end: "The employer may not schedule working time such that an employee works the night shift in two consecutive weeks except in cases where the character of the work or operating conditions prevent any other schedule of working time.".
70. In § 90 paragraph (11) the word "may" is omitted and after the word "employer" the word "must" shall be added.
71. In § 92 paragraph (2) the second sentence shall be: "If an employer shortens the minimum rest period, they must provide the employee with continuous rest as compensation within 30 days.".
72. In § 93 paragraph (2) after the words "working time" the following words shall be inserted "over 18 years of age".
73. § 93 paragraph (3) shall read as follows:
    "(3) If the character of the work or operating conditions mean that it is not possible to schedule working time in accordance with Paragraphs 1 and 2, the employer may, after agreement with the employees' representatives or, if there are no employees' representatives in the workplace, after agreement with the employee, schedule an employee aged over 18 years at least 24 hours of continuous rest, which should be on Sunday, provided that the employer provides the employee with alternative continuous rest in the week within eight months of the date when continuous rest should have been provided during the week.".
74. § 96 including the title shall read:

"§ 96
Work standby

(1) If, in justified cases and in order to ensure the performance of essential tasks, an employer orders an employee or the employee agrees to remain in a place determined in advance for a period of time determined in advance outside the schedule of working shifts and beyond the set weekly working time and to be prepared to perform work in accordance with the employment contract, the employee is deemed to be performing work standby.

(2)The time during which the employee remains in the workplace and is prepared to perform work but does not perform work is the inactive part of work standby, which is considered to be working time.

(3)For every hour of the inactive part of work standby in the workplace as defined in Paragraph 2, employees are entitled to pay amounting to a proportionate part of their basic pay, which shall not be less than the minimum wage entitlement set in § 120 paragraph (4) in SKK per hour for work of the first degree of difficulty. If the employer and the employee agree on the provision of alternative free time in compensation for the inactive part of work standby in the workplace, the employee shall be entitled to the pay stipulated in the first sentence and one hour of alternative free time for one hour of work standby; the employee shall not be entitled to pay while taking alternative free time.

(4)The time during which the employee remains in an agreed location outside the workplace and is prepared to perform work but does not perform work is the inactive part of work standby, which is not considered to be working time.

(5)For every hour of the inactive part of standby duty outside the workplace, employees are entitled to pay amounting to at least 20% of the minimum wage entitlement set in § 120 paragraph (4) in SKK per hour for work of the first degree of difficulty.

(6)The time when an employee on standby performs work is the active part of work standby, which is treated as overtime work.

(7)The employer may order at most eight hours of work standby per week and at most 100 hours in the calendar year. Work standby above and beyond these amounts is permitted only by agreement with the employee.".

75. § 97 paragraph (8) shall read as follows:

"(8) The number of hours of permitted overtime per year shall not include overtime work for which the employee received alternative free time or overtime work that is performed in the context of

a) urgent repairs or work without which there would be a risk of a work-related injury or large scale damage according to special regulations,
b) extraordinary events according to a special regulation where there is a risk to life, health or of damage on a large scale according to special regulations.".

76. In § 97 paragraph (11) the following words shall be omitted "and for the assuring of a safe and continuous production process" and the following sentence shall be added to the end: "it is permissible to agree exceptional overtime work with an employee who performs risky work in order to ensure a safe and continuous manufacturing process provided the prior consent of employee representatives is obtained.

77. § 99 including the title shall read:

„§ 99
Documentation

The employer must keep documentation of working time, overtime work, night work, the active and inactive part of work standby of the employee including records of the start and end of the time period in which the employee performed work or was on stand-by by order or agreement.".

78. In § 103 paragraph (3) the words “teaching assistants” shall be inserted after the words “such schools and their senior masters”.
79. In § 105, § 106 paragraph (1) and § 109 paragraph (4) the number “22” shall be replaced by the number “21”.
80. In the first sentence of § 109 paragraph (1) the words “basic service, alternative service or civilian service instead of this service” shall be replaced by the words “extraordinary service during a state of crisis or alternative service during war time or a state of war”, the number “22” shall be replaced by the number “21”.
81. In § 111 paragraph (1) the following sentence shall be added to the end: “The employer must grant employees at least four weeks leave per calendar year if they have a holiday entitlement and if obstacles to work on the side of the employee do not prevent the granting of leave.”.
82. In § 112 paragraph (2) the following words shall be omitted “ when the employee is performing national service, surrogate service, reserve service, civilian service, or civilian service instead of reserve service,” and the words “an employee” shall be inserted after the words “when he/she is”.
83. § 113 paragraph (2) shall read as follows:
“(2) If the employee cannot take his/her paid holiday in the calendar year because the employer does not grant leave or because of obstacles to work on the side of the employee, the employer must provide the employee with paid holiday ending no later than the end of the following calendar year. If an employee is unable to take paid holiday before the end of the following calendar year because of maternity leave or parental leave, the employer shall provide the paid holiday after the end of maternity leave or parental leave.
84. In § 114 the following words shall be omitted: “or civilian service,”.
85. In § 116, Paragraphs 2 and 3 shall read:
“(2) Employee shall be entitled to wage compensation at the rate of their average earnings for paid holiday in excess of the four weeks of basic paid holiday that he/she is unable to take before the end of the following calendar year.
(3) Employee shall not be paid wage compensation for leave that is not taken up to the four weeks of basic paid holiday except where he/she was unable to take this leave as a result of termination of the employment relationship.”.

86. In § 118 paragraph (2) a comma shall be inserted after the word “bonds” after which shall be inserted the following words: “tax bonuses, wage compensation for the employee’s temporary incapacity for work”.
87. § 119 paragraph (3) shall read as follows:
“(3) In the pay conditions, the employer shall agree in particular the form of employee remuneration, the basic rate of pay and other types of compensation for work and the conditions for his/her provision. The basic rate of pay is compensation provided according to the length of time worked or the performance that is achieved.”.
88. After § 119, § 199a shall be inserted whose text, including its title, shall be as follows:
„**§ 119a**
Pay for like work and work of equal value

(1)Pay conditions must be agreed without any form of sex discrimination. The condition in the first sentence applies to all remuneration for work and benefits

that are paid or will be paid in relation to employment according to the other provisions of this act or special regulations.

(2) Women and men have the right to equal pay for like work or work of equal value. Like work or work of equal value is considered to be work of the same or comparable complexity, responsibility and urgency, which is performed in the same or similar working conditions producing the same or comparable productivity and results of work for the same employer.

(3) If the employee implements a system of job valuation, the valuation must be based on the same criteria for men and women without any sexual discrimination. In the valuation of the work of women and men, employers may use other objectively measurable criteria in addition to those given in Paragraph 2 if they can be applied to all employees without regard to sex.

(4) Paragraphs 1 to 3 shall also apply to employees of the same sex if they perform like work or work of equal value.".

89. § 120 including the title shall read:

„§ 120
Minimum wage entitlement

(1) If employee remuneration is not set by collective agreement, the employer must pay employees at least the minimum wage set for the degree of work difficulty (hereinafter referred to as "the degree") of the relevant job. If an employee's pay in a given month does not reach the level of his/her minimum wage entitlement, the employer shall pay the employee an additional payment amounting to the difference between the agreed wage and the amount of the minimum wage entitlement set for the degree to which the employee's job belongs.

(2) Wages in Paragraph 1 shall not include pay for overtime work (§ 121), wage surcharges for work during holidays (§ 122), wage surcharges for night work (§ 123) and wage compensation for difficult working conditions (§ 124). The number of hours worked shall not include overtime work.

(3) A job according to Paragraph 1 is a set of working activities that an employee performs according to the type of work agreed in his/her employment contract. The employer according to Paragraph 1 must assign each job to a degree in accordance with the characteristics of degrees of difficulty of jobs given in Appendix 1, based on the most difficult activities that the employee is required to perform in the type of work agreed in the employment contract.

(4) The rate of minimum wage entitlement for each level is calculated by multiplying the hourly minimum wage set for a working time of 40 hours per week, or the minimum pay in SKK for the month set by a separate regulation if the employee is paid a monthly salary, by the minimum wage index:

Degree	Minimum wage index
1	1.0

2	1.2
3	1.4
4	1.6
5	1.8
6	2.0

(5) If working time according to § 85 is less than 40 hours per week, the rate of minimum wage entitlement in SKK rises proportionately.

(6) Where an employee is paid a monthly salary but has not worked all working days or has agreed a shorter weekly working time, the monthly rate of minimum wage entitlement in SKK shall be reduced in proportion to the amount of time worked in the month.

(7) The rate of minimum wage entitlement in SKK per hour is rounded to a multiple of ten haliers. The rate of minimum wage entitlement in SKK per month is rounded to a multiple of SKK 10.

90. In § 121 paragraph (1), after the first sentence a new second sentence shall be added with the following text: "An employee who performs risky work is entitled to wages attained together with a wage surcharge of at least 35% of his/her average earnings."

91. In § 121 paragraph (2), the first and second sentence shall read: "In the collective agreement, the employer may agree on a set of employees with whom it is possible to agree that potential overtime will be included in their pay, up to a maximum total of 150 hours per year. If the collective agreement does not define such a set of employees pursuant to the first sentence, the employer may agree with managers and with employees responsible for planning, systems, creative, methodological or commercial activities, employees who direct, organise or coordinate complex processes or an extensive set of highly complex equipment, that their pay will include overtime, though not more than 150 hours per year.".

92. § 124 including the title shall read:

„§ 124

Wage compensation for work in difficult conditions

(1) Employee shall be entitled to wage compensation for work in difficult conditions when performing the work activities stated in Paragraph 2 if a competent public health body has placed such activities in the third or fourth categories in accordance with special regulations, and where the intensity of the environmental factors requires that the employee use personal protective equipment despite the technical, organisational and relevant protective and preventative measures taken in accordance with special regulations.

(2) Employee shall be entitled to wage compensation in accordance with Paragraph 1 for the performance of activities in environments affected by the following factors:

a) chemical factors,
b) carcinogenic and mutagenic factors,
c) biological factors,
d) dust,
e) physical factors (e.g. sound, vibration, ionizing radiation etc.).

(3)Employee is entitled to wage compensation for work in difficult conditions in addition to his/her earned pay amounting to at least 20% of the minimum wage entitlement set in § 120 paragraph (4) in SKK per hour for work of the first degree of difficulty.

(4)Wage compensation may also be provided where there are other factors that create difficult working conditions for the employee or have a negative effect on the employee or where the factors in the working environment stated in Paragraph 2 apply at a lower level of intensity.

(5)If wage compensation for difficult working conditions is agreed in accordance with Paragraph 4, Paragraph 3 shall not apply.".

93. In § 125 paragraph (4) after the words "contributions to insurance funds" the following words shall be inserted "and contributions to old age pensions savings".
94. § 126 shall be omitted.
95. In § 129 paragraph (2) the second sentence shall be omitted.
96. In § 129 paragraph (3), the word "employment" shall be replaced by the words "employment relationship" and at the end the period shall be replaced by a comma and the following words shall be attached: "although no later than the next date for payment following the termination of the employment relationship.".
97. In § 130 paragraph (2) the words "with a home worker" shall be replaced by the words "with an employee working from home".
98. In § 130 paragraph (8) after the word "obliged", a comma and the following words shall be inserted "after deductions are made in accordance with § 131,".
99. In § 131, Paragraphs 1 to 3 shall read:

„(1) The employer shall make deductions from pay giving priority to deductions of contributions to social insurance funds, advance payments of insurance for public health care, arrears resulting from the annual calculation of advance payments for public health insurance, contributions to supplementary pensions savings paid by the employer according to special regulations, deductions for advance payments for tax or tax payments, arrears on advance payments for tax, tax arrears, arrears resulting from errors of the tax payer in advance payments for tax and tax payments including ancillary rights and arrears for the annual calculation of advance payments for income tax from dependent activities.

(2) After making the deductions specified in Paragraph 1, the employer may deduct from pay only the following:

a) advance payments of wages, which the employee must return because the conditions for payment of the wage were not fulfilled,
b) amounts seized by order of a court or administrative body,
c) financial penalties and fines and also compensation that an employee is required to pay as a result of an executable decision of a competent body,
d) incorrectly received social insurance benefits and old age pensions savings benefits or advance payments thereof, state social benefits, material need assistance benefit and additional payments for material need assistance benefit, financial compensation for the social effects of serious disability and financial contributions to care costs if the employee is required to return them as a result of an executable decision in accordance with other regulations,

e) unused advance payments for travel expenses,
f) sick pay, or a part thereof that an employee loses his/her entitlement to, or does not become entitled to,
g) holiday pay that employee loses his/her entitlement to, or does not become entitled to,
h) severance pay or part thereof that the employee is required to return pursuant to § 76 paragraph (3).

(3) The employer may only make other deductions from pay above and beyond those listed in Paragraphs 1 and 2 based on a written agreement with the employee on deductions from pay or if separate regulations require the employer to make deductions from pay.".

100. Paragraph (3) of § 133 shall read:
"(3) If the introduction or change of standards for work inputs is not agreed in the collective agreement, the employer shall introduce and make changes to standards only after agreement with employees' representatives; if no agreement is reached within 15 days of submission of the proposal, the competent labour inspectorate shall arbitrate in accordance with the relevant regulations.".

101. The following sentence shall be added to the end of § 134 paragraph (5): "If the employer shortens the set weekly working time in accordance with § 85 paragraph (5), the employer shall increase the average earnings of the affected employees in inverse proportion to the reduction in weekly working time from the date when the change takes effect; the employer shall apply the reverse of this process in the event of an extension in the set weekly working time.".
102. New sentences shall be inserted after the second sentence of § 134 paragraph (7), which shall read as follows: "The employer shall calculate the number of decisive periods according to the number of quarters for which a wage is provided. Pay given to employees on the occasion of milestones in their work or life in accordance with § 118 paragraph (3) is considered to be pay provided for a period of four calendar quarters.".
103. Paragraph 9 of § 134 shall read:
"(9) If an employee's average monthly earnings are taken into consideration in a legal settlement in accordance with legal regulations, such earnings shall be ascertained from average monthly earnings net of payments of contributions for social insurance, contributions to supplementary pensions savings, advance payments of contributions to health insurance and advance payments of income tax calculated according to the conditions and rates that apply to the employee in the month in which such earnings are ascertained.".

104. The following words shall be added to the end of § 134 paragraph (11): "or in the employment contract".
105. In § 137, new Paragraphs 2 and 3 shall be added after Paragraph 1 as follows:
(2)For the purposes of this act, performance of a public office is the performance of duties arising from the a function which is limited by term of office or time period and occupied on the basis of direct election or indirect election or appointment in accordance with separate regulations.
(3)An employee who performs a public function alongside the performance of functions relating to his/her employment relationship may be granted working

leave for at most 30 working days or shifts during in the calendar year unless separate regulations require otherwise.

The current Paragraphs 2 and 3 shall be renumbered as Paragraphs 4 and 5.

106. After Point (f) of § 137 paragraph (4), a new Point (g) shall be inserted, as follows:

"g) a citizen who is required to perform military service and who is required to perform extraordinary service or alternative service during war time or a state of war.".

The current Points (g) to (i) shall be renamed as Points (h) to (j).

107. § 138 shall read

§ 138

(1)An employer shall grant an employee time off work with pay amounting to the employee's average earnings where this is required for the employee's convalescence, for compulsory medical inspections and the participation of employees' representatives in training.

(2)The employer shall also give an employee time off work with pay amounting to his/her average earnings in order to give blood, to undergo apheresis or to donate other biological materials. The time off work shall include the necessary time required including travel to the appropriate location and recovery time after the operation if these fall within the employee's working time. A doctor may decide, based on the character of the operation and the health condition of the donor, that a longer time off work is needed for recovery up to 96 hours from the start of travel to the operation. If no operation takes place, the employer shall provide time off work with pay only for the time of absence from work that is shown to be necessary."

108. § 139 including the title shall read:

"**§ 139**

Wage compensation when performing military service or undergoing specialised training in the armed forces

(1)If an employee is obliged to appear in person at the military administration office in relation to the performance military service, or to attend a medical inspection, the employer shall grant the employee leave for the necessary time.

(2)If an employee is obliged to appear in person at the military administration office for specialist training, the employer shall grant the employee leave for the necessary time.

(3)If an employee is obliged to attend specialist training in a location so distant from his/her place of residence or workplace that the journey by public transport takes longer than six hours, he/she shall be entitled to one day's leave from work.

(4)On completion of specialist training the employer shall provide the employee with wage compensation for the time spent in specialist training at the rate of the employee's average earnings, no later than the end of the following calendar month.

(5)The employee shall be entitled to one day's leave for the journey from the location where the employee completed specialist training to his/her place of residence subject to the conditions given in Paragraph 3.
(6)The employee shall be entitled to wage compensation for the leave granted under Paragraphs 1 to 3 and 5 at the rate of his/her average earnings.
(7)The employee must start work no later than the second day after the end of specialist training.
(8)The military administration office for the employer's area shall refund costs incurred by the employer in providing wage compensation for leave granted under Paragraph 1.
(9)The military administration office for the area in which the employee underwent specialist training shall refund costs incurred by the employer in providing wage compensation for leave granted under Paragraph 2, 3 and 5.

109. Points (c) and (d) of § 140 paragraph (3) shall read:
"c) five days to prepare for and take final examinations and leaving examinations

d) 40 days in total to prepare for and take all state exams or dissertation exams at each level of university education.

110. In § 141 paragraph (2) the first sentence shall be: "The employer must grant the employee leave for the following reasons and in the following scope:"
111. Point (e) of § 141 paragraph (2) shall read:
e) wedding; one day's leave shall be granted for the employee's own wedding and one day's leave without wage compensation shall be granted for the employee to attend the wedding of his/her child or parent,".

112. In Point (f) of § 141 paragraph (2), the words "an employee with a serious disability" shall be replaced by the words "a disabled employee".
113. Paragraph 3 of § 141 shall read:
"(3) The employer may grant the employee additional leave with or without wage compensation for the reasons stated in Paragraph 2, or they may grant leave with or without wage compensation for other serious reasons, in particular in order to deal with serious personal, family or other matters that cannot be dealt with outside of working time.".

114. New Paragraphs 4 to 6 shall be added to § 141 as follows:
"(4) One day shall be taken as time corresponding to the length of a working shift based on the employee's set weekly working time.

(5) Wage compensation shall be equal to the employee's average earnings.

(6) The employer must excuse the absence of the employee from work if he/she is taking part in a strike relating to the exercise of his/her economic and social rights; employee shall not be entitled to pay or wage compensation. If an employee takes part in a strike after a court has ruled it to be unlawful, his/her absence from work shall not be considered to be excusable.".

115. The first sentence of § 144 paragraph (4) shall read: "In the calculation of holiday entitlement, time lost due to the important personal obstacles for work listed in § 141 paragraph (2) shall be considered to be performance of work." and a new second sentence shall be inserted after the first sentence as follows:

"Other important personal obstacles for work shall not be considered to be performance of work for the purposes of holidays.".

116. Point (c) of § 149 paragraph (1) shall read:

"c) to request the employer to correct deficiencies in operations, machinery and equipment or in working procedures, and to stop work if there is a imminent grave threat to the life or health of persons in the area or in the employer's workplace with their knowledge,".

117. In § 149, new Paragraphs 2 and 3 shall be added after Paragraph 1 as follows:

"(2) The union body must prepare a report on the deficiencies claimed pursuant to with Paragraph 1 (c). The report shall include identification of the union body that performed the inspection, the date and time when inspection took place and the deficiencies that the inspection identified in operations, in machinery or equipment or in working procedures and which the union body requests the removal of. If there is a imminent grave threat to life or health, the report shall also include a request that work be suspended, identifying the work that should be suspended and the time from which work should be suspended. The report shall also include the opinion of the employer on the claimed deficiency.

(3)The union body must inform a competent body of the labour inspectorate or a competent body of the state mining authority of the request for suspension of work under Paragraph 1 (c) without unnecessary delay. The union body's request for suspension of work lasts until the employer removes the deficiency or until the end of the investigation performed by a competent body of the labour inspectorate or a competent body of the state mining authority.

The current Paragraph 2 shall be renumbered as Paragraph 4.

§ 152 including the title shall read:

§ 152
Catering for employees

(1)The Employer must provide catering in accordance with correct nutritional principles for employees in all shifts either within the workplace itself or in close proximity to it. This obligation shall not apply in the case of employees sent on business trips, other than employees sent on business trips who have spent more than four hours in their regular workplace. The obligation on employer under the first sentence shall not apply to employees performing work in the public interest abroad.

(2)The employer shall provide catering pursuant to Paragraph 1 primarily in the form of hot food accompanied by a suitable drink served to employees during the working shift in the employer's own catering facilities or the catering facilities of another employer, or obtain catering services for employees through a legal entity or natural person licensed to broker catering services if they broker them through a legal entity or natural person who is licensed to provide catering services. Employees shall be entitled to catering if they perform work for more than four hours in a working shift. If a working shift lasts longer than 11 hours, the employer may arrange provision of another hot meal.

(3)The employer shall pay at least 55% of the cost of catering provided in accordance with Paragraph 2 though no more than 55% of the meals allowance provided for business trips lasting 5 to 12 hours in accordance with other

regulations. The employer shall also provide additional payments in accordance with other regulations.

(4) When providing catering for employees through a legal entity or natural person licensed to broker catering services, the price of food shall be understood as the value of the meal vouchers. The value of the meal vouchers must be at least 75% of the meals allowance provided for business trips lasting 5 to 12 hours under other regulations.

(5) The employer shall make a contribution to the employee of the amount stated in Paragraph 3 only if the employer is unable to perform the duty to provide catering for employees as a result of the conditions in which work is performed in the workplace or if the employer cannot arrange catering in accordance with Paragraph 2 or if the employee presents a medical certificate from a specialist doctor stating that for health reasons he/she cannot use any of the methods of catering for employees that the employer offers.

(6) The employer shall also provide a financial payment for meals in accordance with Paragraph 5 to employees who home work or who telework if they do not provide catering in accordance with Paragraph 2 or if catering provided pursuant to Paragraph 2 would be contrary to the character of the home work or telework performed.

(7) After consultation with employees' representatives the employer may

a) change the conditions under which it provides catering for employees during holidays, obstacles for work or other excused absence from work,

b) make catering available to employees who work outside the schedule of working shifts for the same conditions as for other employees.

c) expand the range of natural persons for whom the employer provides catering and for whom it will contribute to meal costs in accordance with Paragraph 3.".

118. After the first sentence of § 155 paragraph (5), a new sentence shall be inserted, as follows: "An employer who employs less than 20 employees may conclude an agreement with the employee in accordance with Paragraph 2 on the deepening of qualifications if anticipated costs are at least SKK 50 000." and the words "such a case" shall be replaced by "such cases".
119. In § 157 the words " reserve service, special service and civilian service performed in place of reserve service" shall be replaced by the words "special service or alternative service".
120. In § 161 paragraph (1) the words "all women," shall be omitted.
121. § 163 shall be omitted.
122. In § 168 paragraph (1) the words "and parental leave" shall be inserted after the words "maternity leave".
123. In § 168 paragraph (2) the words "and parental leave" shall be inserted after the words "maternity leave".
124. In § 181 paragraph (1) the words "and to the social implications of the damage, as well as to the personal and material standing of the employee who failed to performance his/her obligation" shall be omitted and the word "threefold" shall be replaced by the words "four times".
125. In § 186 paragraph (2) the word "threefold" shall be replaced by the word "four times".
126. § 190 shall be omitted.

127. In § 191 paragraph (4) the words " caused by production of a reject or" shall be omitted.
128. § 216 shall be omitted.
129. § 223 paragraph (1) shall read as follows:
"(1) In order to perform their tasks or to provide for their needs, employers may conclude agreements with natural persons on work performed outside an employment relationship ("work performance agreements", "agreements on work activities" and "agreements on temporary jobs for students") for work that is limited in its results ("work performance agreement") or occasional activities limited by the type of work ("agreement on work activities", "agreement on temporary work for students"). Labour law relations based on agreements on work performed outside an employment relationship shall be governed by the provisions of the first part".
130. In Point (b) of § 224 paragraph (1) the words "or with the assistance of family members as stipulated in the agreement," shall be omitted.
131. The following words shall be added to the end of Point (e) of § 224 paragraph (2): "and agreements on work activities".
132. In § 225 paragraph (1), the comma after the word "relationship" shall be omitted and the words "even when such damages were caused by family members who assisted him/her in such work" shall be omitted.
133. In § 225 paragraph (2) the second sentence shall be omitted
134. In § 226 paragraph (1) the number "300" shall be replaced by the number "350".
135. In § 227 paragraph (1) a full stop shall be inserted after the word "student" and the words " even if the presumed extent does not exceed 100 hours per calendar year." shall be omitted.
136. The second sentence of § 227 paragraph (2) shall be omitted
137. In § 228 paragraph (2) the word "cancellation" in all grammatical forms shall be replaced by the word "termination" in the appropriate grammatical form and the words "employment relationship" shall be omitted from the fifth sentence.
138. After § 228, § 228a shall be inserted whose text, including its title, shall be as follows:

"§ 228a
Agreement on work activities

(1) Work activities may be performed for up to 10 hours per week on the basis of an agreement on work activities.

(2) An employer must conclude an agreement on work activities in writing otherwise it shall be invalid. The agreement on work activities must state the agreed work, the agreed remuneration for work performed, the agreed extent of working time and the period for which the agreement is concluded. The employer must give one counterpart of the agreement on work activities to the employee.

(3) An agreement on work activities may be concluded for a definite or indefinite period. The agreement may include an agreement on the method of its termination. Termination of the agreement with immediate effect may be agreed only for those circumstance in which an employment relationship may be terminated with immediate effect. If the method of termination of the agreement is not agreed in the agreement itself, termination is possible by agreement of the contracting parties as of an agreed date, and may be terminated by a single party

only with notice without stating a reason with a 15-day notice period starting from the date on which written notice is delivered.".

139. Paragraph 7 of § 229 shall read:

"(7) If both a trade union body and a works council operate in the employer's organisation, the trade union body shall have the right to participate in collective bargaining, to joint decision making, to perform monitoring of activities and to information. The works council shall have the right to consultation and information.".

140. Paragraph 1 of § 230 shall read:

"(1) A trade union organisation is a civil association governed by separate regulations. The trade union shall be obliged to inform the employer of the start of its activities in the employer's organisation and present a list of members of the trade union body to the employer.".

141. Paragraph 3 of § 230 shall read:

"(3) The employer must allow also, after agreement with employee representatives, persons who are not employees of the employer access to the premises of the employer related to the purpose of access if they are acting in the name of a trade union organisation of which an employee of the employer is a member, for the purposes of exercising the rights of employees; such a person must abide by the requirements and measures set for the area of health and safety, other regulations and the internal regulations of the employer to the extent necessary taking into consideration the purpose of access. The trade union body must inform the employer of the person who acts in the name of the trade union body, the purpose and the date when he/she will enter the employer's premises.".

142. § 232 paragraph (2) shall be omitted.

The current Paragraphs 3 and 4 shall be renumbered as Paragraphs 2 and 3.

143. The following words shall be attached to the end of Point (a) of § 239: "and if it does not reach an agreement with the employer within three working days of informing the employer of the entry to the workplace § 230 paragraph (3) shall be used as appropriate,".

144. In § 240, a new Paragraph 3 and shall be added after Paragraph 2 as follows:

"(3) The employer shall grant the employee leave with wage compensation to perform his/her function in the trade union body for the time agreed between the employer and the relevant trade union body or to perform the function of a member of a works council or works trustee; if no agreement is reached, the employer shall grant leave with wage compensation in the following scope:

a) 4 hours per month for at least one representative of a trade union body of a trade union that has less than 50 members employed with the employer,
b) 12 hours per month for at least one representative of a trade union body of a trade union that has 50 or more members employed by the employer,
c) 16 hours per month for at least one representative of a trade union body that has 100 or more members employed by the employer.
d) 4 hours per month for at least one member of a works council or works trustee.

The employer has the right to inspect whether the employee uses the leave provided under the first and second sentence for the purpose for which it was provided."

The current Paragraphs 3 to 9 shall be renumbered as Paragraphs 4 to 10.

145. In § 240 Paragraph 7 the words "six months" shall be replaced by the words "one year".
146. The first sentence of § 240 paragraph (8) shall read: "The employer may give notice to or terminate immediately the employment of a member of the relevant trade union body, a member of a works council or a works trustee only with the prior consent of the employees' representatives.".
147. In § 240 paragraph (9) the words " Paragraph 7" shall be replaced by the words "Paragraph 8".
148. In § 240 paragraph (10) the words " Paragraphs 1 to 8" shall be replaced by the words "Paragraphs 1, 2, and 4 to 9".
149. In the first sentence of § 244 Paragraph 3 the words "at most 17 members" shall be replaced by the words "the maximum number shall equal the number of member states".
150. A new § 252b shall be added after § 252a as follows:
"**§ 252b**
The provisions of this act shall also govern labour-law relations established before 1 September 2007 except where it shall be stated otherwise below. Legal acts executed before 1 September 2007 and claims made under them shall be judged according to the legal regulation in force until 31 August 2007.".
151. After § 254, § 254a shall be inserted whose text, including its title, shall be as follows:

"Final provisions
§ 254a

This act takes over the legal acts of the European Communities and the European Union listed in Annex 2".

152. In Point (b) of the annex after the words "craft works" the following words shall be inserted "performance of sanitary work in health care".
153. In Point (d) of the annex, after the words "intellectual exertion", the following words shall be inserted "provision of health care, expert activities in health care with responsibility for the health of people;".
154. In Point (e) of the annex, after the words "within the system;" the following words shall be inserted "the performance of expert and specialised activity in the a relevant area of health care with responsibility for the health of people;".
155. In Point (f) of the annex after the words "social consequence;" the following words shall be inserted "the provision of specialised and certified activities in health care with responsibility people's health and lives;".
156. The previous annex shall be marked as number one and Annex 2 is added, as follows:

"Annex 2

to Act no. 311/2001 Coll.

List of adopted legal acts of the European Communities and the European Union

1. Council Directive 80/987/EEC of 20 October 1980 on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer (OJ L 283, 28.10.1980) as amended by Council Directive 87/164/EEC of 2 March 1987 (OJ L 66, 1987) and as amended by Directive 2002/74/EC of the European Parliament and of the Council of 23 September 2002 (OJ L 270, 8.10.2002).
2. Council Directive 91/383/EEC of 25 June 1991 supplementing the measures to encourage improvements in the safety and health at work of workers with a fixed- duration employment relationship or a temporary employment relationship (OJ L 206, 29.7.1991).
3. Council Directive 91/533/EEC of 14 October 1991 on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship (OJ L 288, 18.10.1991)
4. Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJ L 348, 28.11.1992)
5. Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work (OJ L 216, 20.8.1994)
6. Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups undertakings for the purposes of informing and consulting employees (OJ L 254, 30.9.1994) as amended by Council Directive 97/74/EC of 15 December 1997 (OJ L 10, 16.1.1998) and as amended by Council Directive 2006/109/EC of 20 November 2006 (OJ L 363, 20.12.2006).
7. Council Directive 96/34/EC on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC (OJ L 145, 19.6.1996) as amended by Council Directive 97/75/EC of 15 December 1997 (OJ L 10, 16.1.1998).
8. Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997)
9. Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC (OJ L 14, 20.1.1998) as amended by Council Directive 98/23/EC of 7 April 1998 (OJ L 131, 5.5.1998).
10. Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies (OJ L 225, 12.8.98).
11. Council Directive 99/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 14, 20.01.1998)
12. Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ L 180 , 19.07.2000).

13. Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000)
14. Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses. (OJ L 82, 22.3.2001).
15. 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 80, 23.3.2002).
16. Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003)
17. Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) (OJ L204, 26.7.2006).".

Article II

Act no. 312/2001 Coll. on Civil Service and on changes and supplements to certain acts as amended by Act no. 131/2002 Coll., Act no. 143/2002 Coll., Act no. 185/2002 Coll., Act no. 411/2002 Coll., Act no. 667/2002 Coll., Act no. 139/2003 Coll., Act no. 267/2003 Coll., Act no. 453/2003 Coll., Act no. 550/2003 Coll., Act no. 551/2003 Coll., Act no. 365/2004 Coll., Act no. 382/2004 Coll., Act no. 403/2004 Coll., Act no. 612/2004 Coll., Act no. 728/2004 Coll., Act no. 757/2004 Coll., Act no. 628/2005 Coll., Act no. 231/2006 Coll., Act no. 664/2006 Coll., Act no. 107/2007 Coll. and Act no. 199/2007 Coll. shall be amended and supplemented as follows:

1. In § 48 Paragraph 1 the words "30 days from the end of the review period" shall be replaced by the words "the end of the calendar year of the review period".
2. A new Point (n) shall be added to § 78 paragraph (1) as follows:
   "n) pay for the inactive part of service standby in the place where state service is performed.".
3. The title under § 96 shall read: "Remuneration for standby service and compensation for standby".
4. In § 96, Paragraphs 1 and 2 shall read:
   "(1) If a state employee is ordered or enters into an agreement to perform standby service in the place where they perform their civil service, they shall be entitled to50%, and for work on a non-service day 100%, of a proportional part of their functional pay for each hour of the inactive part of standby service. Employees shall not be entitled to additional payments according to § 86 to 88 and § 93 for the inactive part of service standby in the location where civil service is performed. If the service office and the civil servant agree on the provision of alternative free time in compensation for the inactive part of standby service in the place where the employee performs civil service, the employee shall be entitled to pay as stipulated in the first sentence and one hour of alternative free time for one hour of standby service; the civil servant shall not be entitled to functional pay while taking alternative free time.
   "(2) If a state employee is ordered or enters into an agreement to perform standby service in a place other than that where they perform their civil service,

they shall be entitled to compensation for each hour of the inactive part of standby service as follows:

a) compensation amounting to 15% of the proportionate part of their functional pay or 25% of this amount if they work on a non-service day,
b) if service transport equipment may be used, compensation amounting to 5% of the proportionate part of their functional pay or 10% of this amount if they work on a non-service day,

5. In § 103 paragraph (4) the words "from the date when government regulations on the increase in pay tariffs for state employees (§ 105) enter into force, though no later than 1 September of the calendar year" shall be replaced by the words "from 1 January of the year following the review period" .
6. In § 149 paragraph (1) the words "§ 96 Paragraphs 1 and 2" shall be replaced by the words "§ 96Paragraphs 1, 2, 4, 6 and 7" and the words "§ 240 Paragraphs 1 to 6" shall be replaced by the words "§ 240 Paragraphs 1 to 7".

Article III

Act no. 283/2002 Coll. on travel expenses as amended by Act no. 530/2004 Coll., Act no. 81/2005 Coll. and Act no. 312/2005 Coll. shall be changed as follows:

Paragraph 1 of § 6 shall read:

"(1) During temporary assignment[7)] the employee shall be entitled to compensation in the same scope and amount as during a business trip. If the employee is temporarily assigned within a member state of the European Union,[7a)] they shall be entitled to compensation in the same scope and amount as during a foreign business trip.".

Footnote 7a shall read:
"7a) § 5 paragraph (6) The Labour Code.".

Article IV

Act no. 553/2003 Coll. on the Remuneration of Certain Employees for Work in the Public Interest and on changes and supplements to certain acts as amended by Act no. 369/2004 Coll., Act no. 81/2005 Coll., Act no. 131/2005 Coll., Act no. 628/2005 Coll. and Act no. 231/2006 shall be changed and supplemented as follows:

1. A new Point (o) shall be added to § 4 paragraph (1) as follows:
"o) pay for the inactive part of work standby in the workplace.".
2. In § 7 paragraph (10) the words "1 July" shall be replaced by the words "1 January" and the words "30June" shall be replaced by the words "31 December".
3. In § 7 paragraph (11) the words "30 June" shall be replaced by the words "31 December".
4. After § 7, § 7a shall be inserted, whose text, including the title, shall be as follows:

"§ 7a
Personal pay

(1) An employee who has completed the second level of higher education and who performs research and development activity, research and teaching activity or artistic and educational activity in a research institution or higher education institution according to the instructions of an employer as part of the implementation of

international projects and domestic projects financed from foreign funds or domestic funds other than public funds, the employer may award personal pay rather than tariff pay according to § 7. Personal pay may not be lower than the tariff pay that the employee would be entitled to under § 7.

(2) Personal pay is awarded to an employee in an amount proportionate to his/her contribution to the implementation of the project."

5. The title under § 21 shall read: "Remuneration for standby service and compensation for standby".
6. In § 21, Paragraphs 1 and 2 shall read:

"(1) If an employee is ordered or enters into an agreement to perform work stand-by in the workplace, they shall be entitled to 25% of their hourly rate of functional pay (50% for work stand-by on a day of continuous rest)for each hour of the inactive part of work stand-by . Employees shall not be entitled to additional payments under § 16 to 19 for the inactive part of work stand-by in the workplace. If the employer and the employee agree on the provision of alternative free time in compensation for the inactive part of work standby in the workplace, the employee shall be entitled to the pay stipulated in the first sentence and one hour of alternative free time for one hour of work standby; the employee shall not be entitled to functional pay while taking alternative free time.

"(2) If an employee is ordered or enters into an agreement to perform work stand-by outside the workplace, they shall be entitled to compensation for the inactive part of work stand-by as follows:

a) compensation amounting to 15% of the hourly rate of their functional pay or 25% of this amount if they work on a non-working day,
b) if service transport equipment may be used, compensation amounting to 5% of the hourly rate of their functional pay or 10% of this amount if they work on a non-working day,

7. In § 29 paragraph (4) the words "§ 96 paragraph (3)" shall be replaced by the words "§ 96 paragraph (3) and (5)".

Article V

Act no. 346/2005 Coll. on the state service of professional soldiers of the armed forces of the Slovak republic and on amendments and supplements to certain acts, as amended by Act no. 257/2007 Coll. shall be amended as follows:

In § 191 paragraph (1) the words "§ 1 paragraph (2)" shall be replaced by the words "§ 1 paragraph (4)" and the words "§ 137 Paragraphs 1, 2 and 3 Points a), b), i), j) and l)" shall be replaced by the words "§ 137 Paragraphs 1, 4 and 5 Points a), b), i), j) and l)".

Article VI

The Speaker of the National Council of the Slovak Republic shall authorise the publication in the Collection of Laws of the Slovak Republic of the full text of Act no. 311/2001 Coll. The Labour Code resulting from the changes and supplements made by Act no. 165/2002 Coll., Act no. 408/2002 Coll., Act no. 413/2002 Coll., Act no. 210/2003 Coll., Act no. 461/2003 Coll., Act no. 5/2004 Coll., Act no. 365/2004

Coll., Act no. 82/2005 Coll., Act no. 131/2005 Coll., Act no. 244/2005 Coll., Act no. 570/2005 Coll., Act no. 124/2006 Coll., Act no. 231/2006 Coll. and this act.

Article VII

This act shall enter into force on 1 September 2007 apart from the second and third point of Article IV, which shall enter into force on 1 January 2008.

president of the Slovak Republic

speaker of the National Council of the Slovak Republic

prime minister of the Slovak Republic