



EUROPEAN PARLIAMENT

DIRECTORATE-GENERAL FOR RESEARCH
DIRECTORATE A
DIVISION FOR INTERNATIONAL AND CONSTITUTIONAL AFFAIRS

FACTSHEET

SLOVENIA

Chapter 13 - Employment and social policy

1. The *acquis* ¹

The *acquis* covers areas where there is already a substantial body of secondary legislation such as health and safety, labour law and equality of treatment, as well as other areas such as social dialogue, employment and social protection, where convergent policies are being developed on the basis of the EC Treaty.

- *Labour law*: Directives exist in the field of collective redundancies, safeguarding employment rights in case of transfer of an undertaking, obligation on employers to inform workers of the conditions applicable to employment contracts, guarantee for employees in the event of the insolvency of the employer, posting of workers and organisation of working time.
- *Equal treatment*: The Amsterdam Treaty added equality between men and women to the list of EC objectives. New Article 141 EC is particularly important in this context. The practical implementation of gender mainstreaming is spelt out in the Community Framework Strategy on Gender Equality 2001-2005. Legislation is also used to achieve equality, in particular in the fields of equal treatment in employment and occupation, social security, occupational social security schemes, parental leave, protection of pregnant women, women who have recently given birth and women who are breastfeeding.
- *Anti-discrimination*: Under new Article 13 EC, the Community has the power to combat discrimination on a wider range of grounds in the employment context and in other areas. Two recent directives prohibit discrimination on grounds of race, ethnicity, religion, disability, age and sexual orientation.
- *Health and safety*: The Single European Act gave impetus to social policy in this field. The *acquis* includes directives fixing minimum standards for working conditions. Timely and complete transposition of the legislation must be backed up by the effective operation of the relevant inspectorates.

¹ Information largely drawn from the European Commission, DG Enlargement
<http://europa.eu.int/comm/enlargement/negotiations/index.htm>

- *Social protection*: The funding and organisation of social protection systems is a matter for the Member States, but the EC requires that these systems are able to develop and operate sustainable and universally applicable social protection standards in line with the Treaty objectives.
- *Social dialogue*: The Treaty requires that social dialogue be promoted and gives the social partners additional powers. The candidates are invited to confirm that they accord the importance required to social dialogue and that social partners are sufficiently developed to discharge their responsibilities, and to indicate that they are consulted on the relevant legislation.
- *Employment*: The candidate countries are required to cooperate with the EU on the follow-up to the employment policy review.
- *Public health*: Article 152 EC stipulates that a high level of health protection shall be ensured in all Community policies and activities. There are also several specific directives in the area of tobacco production and advertising.
- *Institutions*: The candidate countries are requested to effectively enforce the *acquis* through national judicial and administrative systems similar to those of the existing Member States.

The *acquis* also covers the European Social Fund, public health programmes, ECSC measures, the Council regulation on the European Monitoring Centre on Racism and Xenophobia and measures concerning the European Foundation for the Improvement of Living and Working Conditions.

2. The negotiations

The chapter has been closed with ten countries and provisionally closed with Bulgaria and Romania. Four countries (Latvia, Malta, Poland and Slovenia) asked for transitional periods in the field of health and safety, one in the area of working time (Malta) and one in respect of maximum tar yield of cigarettes (Bulgaria), which were accepted.

Some legislative work remains to be done by all countries in the areas of labour law, equality of treatment and major efforts are needed to comply with health and safety rules. Candidate countries have been asked to provide detailed timetables for adoption and implementation of all measures. In general this has been done. They have also been asked to provide more details on enforcement and implementation, particularly regarding the role of the various inspectorates and systems of redress for aggrieved persons. All candidates also participate in employment reviews with the Commission.

Chapter opened September 1999

Status closed in December 2002 (provisionally closed in November 2000)

Transitional arrangements:

- Directives 90/679/EEC, 93/88/EEC, 95/30/EC, 97/59/EC and 97/65/EC (biological agents) until 31/12/05
- Directive 86/188/EEC (noise at work) until 31/12/05
- Directives 96/94/EC and 91/322/EEC (chemical, physical and biological agents at work) until 31/12/05
- Directive 98/24/EC.

3. Position of the European Parliament

In its resolution of 5 September 2001¹, Parliament:

- encourages the participation of Slovenia in the Community's new Health Action Programme, launched in 2000;
- welcomes the stated commitment of the Slovene Government to introduce legislation on mental health and calls on it to implement this as soon as possible;
- calls for swift transposition and alignment of legislation in the field of health and safety at work;
- welcomes the existing social dialogue, which, however, should be further developed at sectoral level;
- calls for the promotion of cross-border contact and cooperation between social partners in border regions so as to help disseminate EU social partnership models;
- calls on Slovenia, in view of experience with national employment plans in EU Member States in the context of the Luxembourg Process, to concentrate on similar initiatives; considers that a monitoring system therefore needs to be introduced, as a flanking measure, to improve information on the course and impact of industrial restructuring processes and thus counteract adverse effects on the labour market;
- calls for the integration of the principles of equal pay for work of equal value, equal treatment of women and men in employment, occupation and vocational training, and reconciliation of work and family life into the Slovene legal framework, including the introduction of a range of initiatives (public or private) which will in practice facilitate the integration of professional and family life, especially for families with children;
- notes that there are no surveys or statistics on this topic but, according to the experience of the 'SOS phone', violence is characteristic of every fifth family in Slovenia; calls on the Commission to encourage Slovenia's full participation in Community programmes which can strengthen gender equality and especially in the Programme relating to the Community framework strategy on gender equality (2001-2005), as well as in the STOP and DAPHNE programmes to combat violence against women.

In its resolution of 13 June 2002², Parliament welcomes the steady progress of Slovenia in the adoption of the Community *acquis* in nearly all areas; emphasises that progress should be expedited in the areas of social policy, including measures against discrimination and social exclusion, postal services and public internal financial control.

In its resolution of 20 November 2002³, Parliament notes the generally good level of protection of the rights of minorities and ethnic groups in Slovenia; emphasises the importance of a higher level of protection of the Roma community, inter alia by adopting comprehensive anti-discrimination legislation.

¹ Resolution on the state of negotiations with Slovenia, § 22, 23, 26 to 31: [A5-026/2001](#)

² Resolution on the state of the enlargement negotiations, § 145: [A5-0190/2002](#)

³ Resolution on the progress of the candidate countries towards accession, §123: [A5-0371/2002](#)

4. Latest Assessment by the European Commission ¹

In its 1997 Opinion, the Commission concluded that Slovenia had already taken a number of significant steps in preparation for its future EU membership in the social policy field and was likely to be able to take on the obligations of EU membership in the medium term. Social reforms should be continued and the social dialogue should be developed.

Since the Opinion, Slovenia has made good overall progress in aligning its legislation with the *acquis* in all areas. In particular, good progress has been made in the spheres of labour law, equality of women and men and anti-discrimination. Slovenia has reached a good level of transposition of the *acquis* in these areas.

Negotiations on this chapter have been provisionally closed. Slovenia has been granted a transitional arrangement (until 31 December 2005) for the implementation of certain health and safety at work directives. Slovenia is generally meeting the commitments it made in the accession negotiations in this field.

In order to complete preparations for membership, Slovenia's efforts now need to focus on completing the remaining transposition in the areas of health and safety at work and tobacco and on ensuring effective implementation of the *acquis*. Slovenia needs to further strengthen its administrative capacity in this respect, in particular for the future implementation of the European Social Fund.

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¹ European Commission, Regular Report on Slovenia 2002, pp. 79 & 80:
http://www.europa.eu.int/comm/enlargement/report2002/si_en.pdf