

E-Handbook on Cross-border <u>Enforcement</u>

OSH for Mobile Workers

SLOVENIA

Republic of Slovenia

Committee of Senior Labour Inspectors (SLIC)

Last version adopted at the 83rd SLIC Plenary in Stockholm, 10 May 2023



E-Handbook on Cross-border Enforcement OSH for Mobile Workers SLOVENIA – Republic of Slovenia



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FOREWORD

The first version of the E-Handbook on Cross-border Enforcement was published in 2016 and updated in 2019. The last version was published in 2021 in the Library of the SLIC public site on the EU collaborative platform CIRCABC.

This last version had a format that enhances a better public disclosure of the organisation of the bodies and entities dealing with the inspection of occupational safety and health in EU Member States, as well as in Norway and Switzerland. The purpose of that E-Handbook was to provide labour inspectorates with informative tools to facilitate cooperation and mutual assistance with competent bodies from other countries.

The new working group on Mobile Workers on OSH matters, which replaced the previous working group dedicated to cross-border enforcement, was mandated to update the content of the E-Handbook for several reasons.

First, it was necessary to add new regulations such as the new Directive (EU) 2020/1057 laying down specific rules for posting of drivers in the road transport, a sector which moreover includes aspects related to the enforcement of working time under Directive 2006/22/EC, a matter that is considered a part of OSH legislation in many Member States.

Secondly, it was necessary to enlarge the content of that handbook following the new scope of the working group dedicated to mobile workers. A mobile worker is someone who works in more than one Member State or travels to other Member States as part of his job (posted workers, cross-border workers, seasonal workers, temporary workers, migrant workers...).

Therefore, the handbook should include information on the competence of SLIC Members on legislation about Third Country National workers. This includes Directive 2014/36 on seasonal workers in aspects related to the health and safety conditions such as workers' accommodation and Directive 2009/52 on sanctions. These directives have been explicitly mentioned in the current EU strategic framework on health and safety at work 2021-2027 in a changing world of work.

Moreover, it was necessary to complement some aspects related to the practice of concerted and joint inspections on OSH matters regarding the legal possibility to carry them out in each Member State.

Lastly, the SLIC working group considered that the easiest way to update the existing E-Handbook was to maintain its structure, with the updated information provided by Member States, and to complete it with new items gathered in a specific annex.

Finally, the handbook needed a new title reflecting its purpose and also support to gain more visibility among labour inspectors on the field.

We hope that this document will be a useful tool for national labour inspectorates and beyond, for all organisations involved in OSH matters for mobile workers.

This new updated version was announced to SLIC members at the 82nd Plenary session of 12 October 2022, held under the Czech Presidency.



DIRECTORY

Austria	ARBEITSINSPEKTION			
	Favoritenstraße 7 A-1040 Wien			
	https://www.arbeitsinspektion.gv.at/inspektorat			
Belgium	SURVEILLANCE ON WELL-BEING AT WORK and SURVEILLANCE ON SOCIAL LAW			
	Blerotstraat/rue Blerot 1 B-1070 Brussels			
	http://www.employment.belgium.be In Dutch: www.werk.belgie.be In French: www.emploi.belgique.be			
Bulgaria	GLI EA (General Labour Inspectorate Executive Agency)			
	http://www.gli.government.bg/en			
Croatia	STATE INSPECTORATE			
	Šubićeva 29, 10 000 Zagreb			
	https://dirh.gov.hr/			
Cyprus	DEPARTMENT OF LABOUR INSPECTION (DLI) http://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument			
	DEPARTMENT OF LABOUR (DL) https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument			
	DEPARTMENT OF LABOUR RELATIONS (DLR) https://www.mlsi.gov.cy/mlsi/dlr.nsf/home_en/home_en?openform			
Czech	STATE LABOUR INSPECTION OFFICE OF THE CZECH REPUBLIC			
Republic	Kolářská 13 746 01 Opava			
	Email: opava@suip.cz https://www.suip.cz/web/en			
Denmark	ARBEJDSTILSYNET			
	Landskronagade 33 2100 København Ø			
	Email: at@at.dk http://engelsk.arbejdstilsynet.dk/en/			
Estonia	TÖÖINSPEKTSIOON			
	Mäealuse 2/3, 12618 Tallinn Estonia			



	Email: ti@ti.ee
	www.ti.ee
Finland	TYÖSUOJELUHALLINTO
	Email: tyosuojelu.viestinta@avi.fi https://www.tyosuojelu.fi/web/en
France	DIRECTION GÉNÉRALE DU TRAVAIL
	39-43 quai André Citroën 75902 Paris Cedex 15
	Email: dgt.dir@travail.gouv.fr https://travail-emploi.gouv.fr/ministere/organisation/article/dgt-direction-generale-du- travail
Germany	LASI Länderausschuss für Arbeitsschutz und Sicherheitstechnik (Gremium der Länder)
,	LASI Vorsitz (bis 2024): Ministerium für Wirtschaft, Arbeit und Tourismus Baden-Württemberg;
	Theodor-Heuss-Straße 4, 70174 Stuttgart
	https://lasi-info.com
Greece	LABOUR INSPECTORATE
	8, Dragatsaniou str, 10110 Athens,
	Email: dpseaye@hli.gov.gr https://www.hli.gov.gr/
Hungary	MINISTRY OF ECONOMIC DEVELOPMENT, STATE SECRETARY OF EMPLOYMENT POLICY
	Kálmán Imre utca 2. Budapest, 1054-Hungary
	Email: munkavedelmi-foo@gfm.gov.hu http://www.mvff.munka.hu
Ireland	HEALTH AND SAFETY AUTHORITY
	The Metropolitan Building James Joyce Street Dublin 1
	Email: contactus@hsa.ie https://www.hsa.ie/eng
Italy	ISPETTORATO NAZIONALE DEL LAVORO
	Piazza della Repubblica, 59 00185 Roma
	https://www.ispettorato.gov.it



Latvia	VALSTS DARBA INSPEKCIJA (VDI)		
Latvia	38 k-1, Kr.Valdemara Street		
	Riga LV -1010		
	Email: vdi@vdi.gov.lv https://www.vdi.gov.lv		
Lithuania STATE LABOUR INSPECTORATE OF THE REPUBLIC OF LITHUANIA (SLI			
19 Algirdo str.			
	LT-03607 Vilnius Lithuania		
	Email: info@vdi.lt https://www.vdi.lt		
Luxembourg	INSPECTION DU TRAVAIL ET DES MINES		
Luxembourg	3 Rue des Primeurs,		
	2361 Strassen, Luxembourg		
	www.itm.public.lu		
Malta	OCCUPATIONAL HEALTH AND SAFETY AUTHORITY 17, Triq Edgar Ferro,		
	Pietà PTA 1533 Malta		
	Email: ohsa@osha.mt		
	http://www.ohsa.mt/		
Norway	ARBEIDSTILSYNET		
	Arbeidstilsynet Postboks 4720 Torgarden 7468 Trondheim		
	Email: post@arbeidstilsynet.no https://www.arbeidstilsynet.no/en/		
Poland	PAŃSTWOWA INSPEKCJA PRACY (PIP)		
	28/30, Barska St., 02-315 Warsaw		
	Email: kancelaria@gip.pip.gov.pl https://www.pip.gov.pl/en		
Portugal	AUTORIDADES PARA AS CONDICÔES DE TRABALHO		
	Praça de Alvalade, 1 1749-073 Lisboa		
	Email: dir.mail@act.gov.pt http://www.act.gov.pt		



	THEODOTTA MUNICITY				
Romania	INSPECTIA MUNCII				
	Str. Matei Voievod, Nr. 14 Sector 2, București				
	Email: comunicare@inspectiamuncii.ro www.inspectiamuncii.ro				
Slovakia	NÁRODNÝ INŠPEKTORÁT PRÁCE				
	Masarykova 10 040 01, Košice				
	Email: nip@ip.gov.sk https://www.ip.gov.sk/home/				
Slovenia	LABOUR INSPECTORATE OF THE REPUBLIC OF SLOVENIA (LIRS)				
	Štukljeva cesta 44 SI-1000 Ljubljana				
	http://www.id.gov.si/en/				
Spain ORGANISMO ESTATAL INSPECCION DE TRABAJO Y SEGURIDAD S (OEITSS)					
	Paseo de la Castellana 63 28046 Madrid				
	https://www.mites.gob.es/itss/web/index.html				
Sweden	THE SWEDISH WORK ENVIRONMENT AUTHORITY				
	Svetsarvägen 12 SE 171 41 Solna				
	Email: arbetsmiljoverket@av.se				
	https://www.av.se/en/				
Switzerland	STATE SECRETARIAT FOR ECONOMIC AFFAIRS (SECO) WORKING CONDITIONS - FEDERAL LABOUR INSPECTION				
	Holzikofenweg 36 CH-3003 Bern				
Email: abea@seco.admin.ch www.seco.admin.ch/seco/de/home/Arbeit/Arbeitsbedingungen/Arbeitnehmerschu					
The NETHERLANDS LABOUR AUTHORITY					
Netherlands	PO Box 90801 2509 LV Den Haag				
	https://www.nllabourauthority.nl/				



NATIONAL REPORT: SLOVENIA

LABOUR	LABOUR INSPECTORATE OF THE REPUBLIC OF
INSPECTORATE	SLOVENIA (LIRS)
OTHER COMPETENT AUTHORITIES	 Employment Service of Slovenia Financial Administration of the Republic of Slovenia

1. THE LABOUR INSPECTORATE

1.1. ORGANISATION OF THE LABOUR INSPECTORATE

The Labour Inspectorate of the Republic of Slovenia (LIRS) is an independent administrative body within the Ministry of Labour, Family, Social Affairs and Equal Opportunities. The headquarters is located in Ljubljana and seven regional units cover all territory of the Republic of Slovenia.

Labour Inspectorate is divided on OSH Inspection, Labour relation Inspection and Social Inspection. Inspection staff is divided into inspectors and administrative staff. The number of all staff is at the moment 128 and between them are 93 inspectors (33 OSH inspectors, 61 Labour Relation inspectors and 7 Social Inspectors). Health and safety at work oversight is provided by OSH Inspection.

The Labour Inspectorate oversees implementation of laws, other regulations, collective agreements and general documents regulating employment, wages and other receipts from employment, the employment of workers at home and abroad, cooperation of workers in management, strikes and occupational safety, unless otherwise provided by regulations. The Labour Inspectorate also oversees implementation of those regulations that expressly provide this.

1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION

The sphere of operation of the Labour Inspectorate is specified in the Labour Inspection Act (ZID-1), which is supplemented by the Inspection Act (ZIN). These two acts regulate the general principles of inspection, the organisation of inspection, the position, rights and duties of inspectors, the authority of inspectors, the procedure of inspection, inspection measures and other questions connected with inspection.

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The basic laws in the area of supervision are the Employment Relationship Act (ZDR-1) and the Health and Safety at Work Act (ZVZD-1), which define the rules of relations between workers and employers. The third important law is Minor Offences Act on sanctions and infringement.

Figure No 1: International Conventions on Labour Inspection ratified

CONVENTION	RATIFIED	NOT RATIFIED
ILO Convention 81 on Labour Inspection in Industry and Commerce	Х	
ILO Convention 129 on Labour Inspection in Agriculture	Х	
Maritime Labour Convention 2006	X	
ILO Convention 187 on Promotional Framework for Occupational Safety and Health	X	

1.3. COMPETENCES OF LABOUR INSPECTORS

1.3.1. Occupational Safety and Health (OSH)

The Labour Inspectorate is the competent body on occupational safety and health with the exceptions listed below:

Figure No 2: Map of competence on Occupational Safety and Health

MATTERS	COMPETENCE OF THE LABOUR INSPECTORATE	OTHER PUBLIC BODIES WITH COMPETENCE	
OSH, in general terms	Yes	Mining Inspectorate; Slovenian Civil Aviation Agency; Slovenian Maritime	
		Administration; Inspectorate for protection against natural and other disasters;	
Occupational Safety, in general terms	Yes	Mining Inspectorate; Slovenian Civil Aviation Agency; Slovenian Maritime Administration; Inspectorate for protection against natural and other	
		disasters;	



Occumptional Haalth !	V	Hoolth Inconstants of the
Occupational Health, in	Yes	Health Inspectorate of the
general terms		Republic of Slovenia;
		Mining Inspectorate;
		Slovenian Civil Aviation
		Agency;
		Slovenian Maritime
		Administration;
		Inspectorate for protection
		against natural and other
		disasters;
Work-related accidents	Yes	Mining Inspectorate;
Work related decidents	163	Police;
		Slovenian Civil Aviation
		Agency ;
		Slovenian Maritime
		Administration;
		Inspectorate for protection
		against natural and other
		disasters;
Trade of Machines and	Yes, on working places	Market Inspectorate of the
Equipments	without mines and	Republic of Slovenia (on
	underground construction	market)
	work Mining Inspectorate	
		(for mine-working and
		underground construction
		machines and equipment)
Radiations	Yes (for non-ionizing	Slovenian Radiation
Ttaulations	radiation) Protection Administra	
	radiation	(for ionizing radiation)
Explosives	Yes	Internal Affairs
Explosives	Tes	
		Inspectorate Mining
		Inspectorate
Mines	No	Mining Inspectorate
Vessels	Yes	Slovenian Maritime
		Administration (without
		fishing ships)
Retail sector	Yes	
Horecca	Yes	Health Inspectorate of the
IIIIECCA	1 65	-
		Republic of Slovenia
Agriculture	Yes	
Construction industry	Yes	Construction Inspection
Aviation	Yes	Slovenian Civil Aviation
	. 55	Agency
Railway	Yes	Inspectorate of
1.caiiway	1 63	Infrastructure
i e		בוווו מסנו עננעו כ

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Road Transport	Yes	Inspectorate of
		Infrastructure
		Police
REACH	Yes	Health Ministry of the
		Republic of Slovenia
		Chemical office of the
		Republic of Slovenia
Self Employed	Yes	
Police	Yes	Internal Affairs
		Inspectorate
Civil Servants	Yes	
Military personnel and	Yes	Defence Inspectorate
premises		
Penitentiaries	Yes	
Customs	Yes	

1.3.2. OSH or Labour Law Matters

Figure No 3: Map of competences in matters which could be considered within OSH or Labour Law

MATTERS	Yes	No
Working hours	X	
Bullying and harassment	Χ	
Third Party Violence	X	

Working hours, bullying, and harassment are competence of the LIRS –Labour relation Inspection whilst violence caused by a third party is a competence of LIRS – OSH Inspection.

1.3.3. Labour Law

Figure No 4: Map of competences on Labour Law matters

MATTERS	Yes	No	COMMENTS
Salaries	Х		
Equal Treatment	Χ		
Labour rights	Χ		
Foreign workers	Х		
Others			

All these matters are a competence of LIRS -Labour relation Inspection.

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1.3.4. Social Security

Figure No 5 Map of competences on Social Security Matters

MATTERS	Yes	No	COMMENTS	
Affiliation of workers (REGISTER)		Х		
Contributions to Social Security System		X	Ministry of Labour, Family, Social Affairs and Equal Opportunities Ministry of Finance Financial Administration of the Republic of Slovenia	
Social Security benefits		X	Ministry of Labour, Family, Social Affairs and Equal Opportunities The Institute of Pension and Invalidity Insurance of Slovenia	
Private pension funds	Х		Ministry of Labour, Family, Social Affairs and Equal Opportunities Insurance supervision Agency Securities Market Agency LIRS – Employment Inspection	
Others		•		

Within the context of the third administrative field, i.e., within the framework of the social inspectorate, the Labour Inspectorate of the RS also carries out inspection supervision of the work of public social protection institutes, concession holders and other legal entities and natural persons that provide social security services on the basis of a work permit, supervision of implementation by local communities and supervision of the work of other providers of supplementary, developmental and preventive programmes in the area of social welfare and protection of children and families under special co-funding contracts.

Social affairs inspectors carry out supervision. However, Social Inspection has no competences regarding here mentioned Social security Matters.

In the scope of LIRS's competences on Social Security Matters is its authority to supervise the implementation of the employer's obligation to include his employees in the professional insurance, set only for specifically determined occupations, and its authority to issue a decision ordering inclusion in case the employer failed to do so.

1.4. INSPECTORS' POWERS

Figure No 6: Map of Inspectors' powers

POWERS	Yes	No	COMMENTS
Visit workplaces	X		
Request for	Х		
documents			

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Cummon ampleyers	Х				
Summon employers	X				
to the Inspection					
Office					
Recommendations /	X				
Assistance					
Injunction /	X				
Improvement notice					
Initiate an	Χ				
administrative					
punishment					
procedure					
Initiate a judicial		Χ	Appeals in misdemeanour cases are		
punishment			in the competence of courts.		
procedures					
Imposing fines	Х				
Stoppage /	X				
Prohibition Notice					
Notify offences to	Χ		The labour inspectorates also have a		
the Public			possibility to notify the offences to		
Prosecutor or the			the competent Police authority		
Judge					
Others	Pursuant	to Article 2	23 of the Labor Inspection Act (ZID-1),		
	an inspec	ctor is ent	citled to the employer to whom has		
	previously been issued two or more prohibitive orders				
	within a certain period also due to serious violation of				
	occupational health				
	and safety at work and when founded irregularities has				
	not been eliminated, to seal workplaces and work				
	equipment or order to other legal entities responsible for				
	distribution of electricity, water, gas and				
	telecommunication communications to stop their supply to				
	the employer or disconnect telecommunication links				
	the employer of disconnect telecommunication links				

1.5. MECHANISMS OF COOPERATION AND EXCHANGE OF INFORMATION WITH OTHER NATIONAL PUBLIC BODIES

Figure No 7: Cooperation mechanisms with other national public bodies

BODIES	Yes	No	COMMENTS
Tax Authorities	X		Financial Administration of the Republic of Slovenia provides Labour Inspectorate information about (un)submitted tax withholding statements for annual leave allowances.



		On the assumption of violation regarding illegal employment inspectorate is obliged to notify the Financial Administration of the Republic of Slovenia.
Social Security bodies	X	The Health Insurance Institute of Slovenia provides the Inspectorate with insurance data on insured workers. Labour inspectorates, in turn, provide the Health Insurance Institute data on the investigation of accidents at work on their request. Labour Inspectorate exchanges data for the execution of legal tasks and authorizations with: • The Health Insurance Institute of Slovenia • The Institute of Pension and Invalidity Insurance of Slovenia Employment Service of Slovenia.
Police	Х	Cooperation on:
Public Prosecutor	Х	Exchange of information regarding procedures related to violations of the fundamental rights of workers.
Others		

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2. POSTING OF WORKERS

2.1. NATIONAL LEGISLATION

The legal disposition which transposes 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, are_

- Employment Relationship Act / Zakon o delovnih razmerjih
- Employment, Self-employment and Work of Aliens Act /Zakon o zaposlovanju, samozaposlovanju in delu tujcev
- <u>Transnational Provision of Services Act / Zakon o čezmejnem</u> izvajanju storitev

Figure No 8: EU Directives on posting of workers implemented

DIRECTIVE	Yes	No	DATE
Directive 96/71	X		2006
Directive 2014/67	X		2015
Directive 2018/957	X		2021

2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES

Before starting the cross-border provision of the service, the foreign employer submits an application to the Employment Agency of the Republic of Slovenia (hereinafter: the Agency), which includes information on:

- 1. title and headquarters of the foreign employer,
- 2. personal name, date of birth and citizenship of the seconded worker and address of temporary residence in the Republic of Slovenia,
- 3. the personal name and date of birth of the person authorized by the foreign employer to contact the supervisory authorities, including sending and receiving documents and notices and service, in accordance with the provisions of the law governing the general administrative procedure,
- 4. type of service,
- 5. the job title of the seconded worker,
- 6. the expected start and end date of the service referral period,
- 7. the address or if the service will be performed at a location without an address the place of performance of the service.

2.2.1. Deadline to submit the declaration

The notification of posting an employee to Slovenia should be submitted prior the start of work.



2.2.2. Content of the declaration of posting

Figure No 9: Content of the posting declaration

COMPANY DATA				
	YES	NO		
Identity of Service Provider	Х			
Representative of the company in your country	Х			
A person designated for acting as a representative into collective bargaining within the host Member State		X		
Activity	Х			
Authorization in the sending MS	Х			
If it is a Temporary Work Agency or not		Х		
Identity Tax Number	Х			

WORKERS DATA				
	YES	NO		
Number of workers	X			
Name of workers	X			
Nationality	X			
Age	X			
Role		X		

POSTING DATA			
	YES	NO	
Envisaged beginning	X		
End date of the posting	X		
Anticipated Duration	X		
Address(es) of the workplace	X		
Nature of the services justifying the posting		Х	
Contractor		X	

LABOUR CONDITIONS			
	YES	NO	
Working hours		X	
Salaries		X	
Collective accommodation		X	
Use of dangerous agents		X	
Prevention services		X	



2.3. SOCIAL SECURITY PROCEDURES

The Health Insurance Institute of Slovenia (HIIS) issues A1 forms and has information on the relevant social security legislation.

Figure No 10: Position of the Labour Inspectorate with regard to A1 forms

	Yes	No
Access to A1 forms delivered by national authorities		X
The Labour Inspectorate is consulted about the approval of A1 forms by competent institutions		X
Access to A1 forms delivered by other Member States		X

2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS

In case of fatality or heavy (serious) injuries, accidents are notified to the Labour Inspectorate by the Police and by User of posted workers in case of Article 1/3/c Directive 96/71/EC. In accordance with Slovene Occupational Safety and Health legislation "User" means posted company.

2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS

Figure No 11: Authorities involved in posting of workers

	Yes	No
Labour authorities	X	
OSH authorities	Х	
Customs authorities		Х
Tax authorities	Х	
Social Security Institutions	X	
Others	Employment Service of	
	Slovenia	

Foreign employers receive a confirmation about submission of the posting declaration to the Employment Service of Slovenia. Such a confirmation must be kept at the workplace must be made available at the request of the supervisory authority.

3. COOPERATION AND MUTUAL ASSISTANCE

3.1. LEGISLATION ON MUTUAL ASSISTANCE

Figure No 12: Legislation and International Conventions signed and ratified

	RATIFIED / IMPLEMENTED	APPLICABLE TO L.I.	COMMENTS
Legislation on Mutual Assistance implementing Dir. 96/71 and Dir. 2014/67	Yes	Yes	Transnational Provision of Services Act
European Convention in Criminal Matters	Yes	No	
Convention 094 Council of Europe	No		
Others			

3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION

Slovenia doesn't have any bilateral agreements on Labour Inspection.

3.3. REQUEST AND RECEPTION OF INFORMATION FROM OTHER INSPECTORATES

Figure No 14: Exchange of information from other Labour Inspectorates

		Protection Data Authorities supervision or	
Does current regulation in your country allow providing information directly to other Labour Inspectorates? Does current regulation in	X	approval	

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your country allow receiving		
information directly from		
other Labour Inspectorates?		

3.4. TOOLS FOR EXCHANGING INFORMATION

3.4.1. IMI (Internal Market Information System) for Posting of workers

Figure No 15: Liaison office of the Labour Inspectorate in IMI

h	Yes		No	
Use of IMI by the Labour Inspectorate	Х			
In affirmative case, specify the liaison offices	Headquarters of the authority Contact: Ms Ana Cepič, e-m ana.cepic@gov.si		e-mail:	

3.4.2. KSS (Knowledge Sharing System)

The Slovenian Labour Inspectorate is a user of KSS System for exchanging information within other National Labour Inspectorates.

Contact: Mr. Benjamin Ošlak, e-mail: benjamin.oslak@gov.si

3.5. FINES AND EXECUTION OF FINES PROPOSED OR IMPOSED BY THE LABOUR INSPECTORATE

Figure No 16: Nature of fines

	Yes	No
Penal or criminal fines		X
Administrative fines	X	
Others		

Figure No 17: Execution time of fines

	Yes	No
After the first judgement of the		Χ
courts		^
After the final judgement of the	X	
courts	^	
After the first administrative		Y
decision		^
After the binding administrative	>	
decision	^	
Others		

Figure No 18: Nature of Courts where fines can be appealed

	Yes	No
Penal/Criminal courts	X	
Labour/Civil courts		X
Courts for administrative affairs		X
Others		

Figure No 19: Authorities with competence to collect fines

	Yes	No
Labour Inspection Authorities		X
Labour/ Government Authorities		X
Tax/Customs Authorities	X	
Courts		X
Others		

Figure N^o 20: Legal framework to collect fines imposed by authorities from other Member States

	YES	IF YES, is it applicable to Labour Inspectorate proceedings?	NO Authorities supervision or approval	COMMENTS
Framework Decision 2005/214	Х	No		Cooperation in Criminal Matters with the Member States of the European Union Act
Directive 2014/67 on administrative fines	X	Yes		Transnational Provision of Services Act
International or Bilateral Conventions			Х	
Other National Rules				

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ANNEX E-HANDBOOK (UPDATING 2023)

SLIC MEMBER: Mr Luka LUKIĆ / alternate: Mr Slavko KRIŠTOFELC

MEMBER STATE: REPUBLIC OF SLOVENIA

1. About the Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012

1.1. Transposition to National Legislation

Transposition	National Law or Regulations	Date
No	/	/

1.2. Competences of the SLIC Member on road transport

LEGISLATION	COMPETEN	ICE	COMMENTS
Regulations 1071/09, 1072/09 and 1073/09 on road transport activity		No	
Regulation 561/06 on driving time	Yes		Only partly - Labour Inspectorate of the Republic of Slovenia only has competences in accordance with the national legislation (Act Regulating the Working Time and Compulsory Rest Periods of Mobile Workers and on Recording Equipment in Road Transport) in the field of working time and rests.
Directive 2006/22 on social legislation in road transport	Yes		Labour Inspectorate of the Republic of Slovenia participates in regular checks, coordinated by the Inspectorate of Infrastructure (Road

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		Transport Inspection).
Article 1 of Directive 2020/1057 on posting of workers on road transport	Yes	Labour Inspection). Labour Inspection). the Republic of Slovenia has competences in accordance with this Directive, however, the Directive has not yet
		been transposed.

2. About Article 20.2.c) of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers regarding health and safety conditions of workers' accommodation

In general, employers and hirers who provide accommodation to foreigners in the Republic of Slovenia must ensure compliance with the minimum housing and hygiene standards.

The minimum housing and hygiene standards referred to in the preceding paragraph must be specified in an implementing regulation issued jointly by the minister responsible for labour, the minister responsible for spatial planning and the minister responsible for health, which are Rules on minimum standards for accommodation of aliens employed and working in the Republic of Slovenia/ Pravilnik o določitvi minimalnih standardov za nastanitev tujcev, ki so zaposleni ali delajo v Republiki Sloveniji (OJ, No. 62/15).

The minimum housing and hygiene standards laid down in this Rules must be ensured by the employer with whom the alien is employed, or by the principal for whom the alien is working on the basis of a civil law contract, if the alien is provided with accommodation owned or rented by the employer or owned or rented by a natural or legal person.

2.1. Transposition to National Legislation

Transposition	National Law, Regulations or Collective Agreements	Date
Yes	Employment, Self- employment and Work of Foreigners Act	2015

2.2. Competences of the SLIC Member on health and safety conditions on workers' accommodation

COMPETENCE	COMMENTS
Yes	

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3. About Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals

3.1. Transposition in National Legislation

Transposit	ion	National Law or Regulations	Date
Yes		Firstly transposed - Employment and Work of Foreigners Act (ZZDT-1)	2011
		Now - Employment, Self- employment and Work of Foreigners Act	

3.2. Competences of the SLIC Member on sanctions and measures provided in this Directive

COMPETENCE	COMMENTS
Yes	

4. JOINT AND CONCERTED INSPECTIONS ON OSH MATTERS

4.1. Is it allowed to organise concerted and joint inspections on OSH matters with other inspectorates?

Yes, by legal rules	/
Yes, by bilateral agreements	/
No	Possible to organize if agreed by all
	participants.

5. NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS

5.1. Please describe the initiatives you have implemented (e.g.: website, flyers, documents...)

Information available on our website and on the government website.

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6. COOPERATION WITH ELA

6.1. Do you regularly collaborate with the national liaison officer?

Slovenian Labour Inspectorate regularly collaborate with the Slovenian National Liaison Officer (NLO) (regular online or on-site meetings, phone calls, email exchanges, presentations of ELA activities, etc.).

6.2. Could you provide any useful information regarding your participation in working groups, campaigns, training, etc. ?

ELA participates in the organisation (coordinates and supports) of concerted and joint inspections by providing conceptual, logistical (reimbursement costs to inspectors going to another MS) and technical support (e.g. providing interpreters, translations of documents), and legal expertise.

On this basis, a group of national experts from MS was established in 2020, whose main tasks are to develop tools and procedures to coordinate and assist MSs to successfully carry out coordinated and joint inspections (CJIs), sharing good and bad practices, experiences, etc. Slovenia appointed two inspectors to the team (a member and their alternate).

At the end of 2020, in order to improve the preparedness of inspectors, the IRSD appointed two inspectors who attended training (train the trainer) prepared by ELA, where they learned how cross-border inspections should take place. In 2021, they organised a workshop where they generally informed all inspectors about the operation and procedures of the ELA and a second workshop in 2022, with a more indepth content, for a small group of inspectors to be specifically involved in the CJIs. IRSD also appointed a coordinator for cross-border inspections and its deputy in 2021, whose task in the case of CJI is to coordinate inspection between inspectors in Slovenia and ELA.

The IRSD actively cooperates with ELA, taking into account competences, and is ready for various cooperation with foreign supervisory bodies (education, bilateral cooperation, cross-border inspections, etc.).

After two years of limited cooperation with different supervisory authorities, both national and foreign, due to the epidemic, the IRSD, including with the help of ELA and Slovenian NLO, has already carried out a number of exchanges of experience, i.e. good and bad practices:

- Regular participation of inspectors in the Working Group on inspections and the participation and participation of a number of labour inspectors in various workshops (e.g. IMI), webinars, etc.
- Bilateral meeting between the State Inspectorate of the Republic of Croatia and the Labour Inspectorate of the Republic of Slovenia.
- Participation of the IRSD in the ELA Staff Exchange Programme, where Slovenian inspectors visited the Slovak National Labour inspectorate in Košice, Slovakia, exchanged experiences and established a basis for further cooperation. IRSD sent a case description to ELA for CJI with Slovak national authorities.
- In 2022, ELA focused on helping countries to implement a new road transport legislation by organising targeted CJIs. In this context, Slovenian labour and road

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inspectors participated as observers in CJIs in Italy and France. As a result, the cooperation between labour inspectors, road inspectors and other supervisory authorities in Slovenia (Police, FURS...) has further strengthened.

- Online meetings with foreign inspectors in relation to specific companies.