

# Formal obligations of the employer when changing the working conditions of employees working abroad

Labour Code Amendment 2022, Slovakia

*1 November 2022*

On the basis of the transposition of Article 7(1) of the Directive, in addition to the provision of Section 44a of the Labour Code, the related provision of Section 54a of the Labour Code was also introduced, for which all the information provided for in the provision of Section 44a of the Labour Code applies, except that this provision refers to a **change of the place of work** or a **change of the terms and conditions of employment due to the performance of work in another country**.

This means that such a change-agreement must also comply with the requirements set out in Section 44a of the Labour Code, which specifies the specific changes - the **proposed new location**, which are to take place in comparison with the original contract, which was concluded pursuant to Section 44a of the Labour Code, with the application of the same conditions of notification of these changes, as is also the case with the information pursuant to Section 44a of the Labour Code, and thus the change in the performance of the work must be notified pursuant to the new Section 54a of the Labour Code **no later than one day before the date of departure to a foreign country**.

Text in force until 31 October 2022	Version effective from 1 November 2022
	<b>(New) § 54a - Change of terms and conditions of employment by reason of work in another State</b>
This provision is introduced into the Labour Code by the amendment in question, and thus the Labour Code did not have a similar regulation until now.	If the place of work is changed to a State other than the State in which the employee habitually works, Section 44a shall apply in the same way.

## WHAT WILL THESE CHANGES BRING TO YOUR PRACTICE?

### EXISTING EMPLOYMENT CONTRACTS/CURRENT STAFF

In the context of this change in the legislation, it will not be necessary to make any special amendments or additions to the employer's existing employment contracts with employees working abroad. However, it is important to note that the new legislation will apply equally not only to new employees, but also to employees in existing employment relationships with the employer.

## NEW EMPLOYMENT CONTRACTS/NEW STAFF

As we have specified in the previous chapter, the employer will now be subject to the so-called extended information obligation in relation to employees working abroad. The new legal regulation introduced by Section 54a of the Labour Code does not need to be added to employment contracts, but can be reflected, for example, in the employer's internal regulations. In this way, the employer may, for example, regulate the time limits within which the information is to be provided, as well as the means of information - similarly, in this case, it may be appropriate to provide information in electronic form, which the new legislation expressly allows.

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