



AMENDMENTS TO THE LABOUR CODE 2018

PUBLISHING SALARY IN JOB ADVERTISEMENT

The obligation to publish the amount of salary in job offers is established by the new Amendment to the Labour Code entering into force on May 1, 2018.

Based on the Amendment Act, a new provision is inserted in Section 62(2) of the Act No. 5/2004 Coll. on Employment Services with the following wording:

“The employer is obliged to indicate the amount of the basic wage component when publishing a job offer.”

Furthermore, the Amendment Act establishes a new Section 41(10) of Slovak Labour Code stating that:

“When entering into an employment contract, the employer may not agree with the employee on the basic wage component at a lower amount than the amount of the basic wage component published in the job offer according to a special regulation.”

The employers are obliged to respect that job offer and cannot agree on a lower basic wage component than the one published in the job offer.

The basic wage component is in fact the basic monthly salary or basic hourly salary agreed

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with the employee in the employment contract and provided to the employee according to employee's working time or the achieved performance. The basic wage component does not comprise any bonuses, wage supplements or travel allowances.

In this respect, it should be noted that the basic wage component of all employees working on the same working position should be the same. This rule results from Section 119 a of Slovak Labour Code which establishes the rule "equal pay for equal work or work of the same value".

Thus, in practice, in case you want to hire a new employee, you shall not indicate in the job offer a higher amount of the basic wage component than the amount of basic monthly salary of the employee you already employ on the same working position.

offered for the corresponding position (for instance: "basic wage component: from EUR 800"). In such case, you will have the opportunity to negotiate with the candidate on the amount of wage to be paid.

We do not recommend indicating in the offer a specific range of salary (e.g. from EUR 800 to EUR 1000), because other employees working on the same working position as the selected candidate could potentially require a basic monthly salary in the highest amount offered.

Also, please note that the basic wage component offered to candidates must be in accordance with the Minimum Wage Act.

Finally, please note that Slovak courts have not yet expressed any opinion on the application of the Amendment Act in practice. Our interpretation of the Amendment Act is based on our understanding of the Amendment Act and



Based on the above, we recommend publishing in the job offer only the minimum basic wage

other provisions of the Labour Code.

This newsletter has been prepared in cooperation with our partnership law firm Bartošík Šváby.

The information provided in this document should only be used as a guide and does not constitute formal pro-

fessional advice. No action or inaction should be taken on the basis of this document unless this has been the subject of independent professional advice.

We would recommend that professional advice is sought on a case by case basis.



Want to know more?

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