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# Ministry of Labour, Social Affairs and Family of the Slovak Republic

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## Remuneration

Employee remuneration in the private sector is governed by the provisions of the Labour Code in conjunction with the Act on the [minimum wage](#).

The fundamental principles governing employee remuneration according to the Labour Code are **the principle of contractual freedom in negotiating wage conditions and the principle of guaranteeing the minimum amount of certain wage claims**.

### Wage conditions

The employer is obliged to agree wage conditions either in **an employment contract** with the employee or in **a collective agreement** (Section 119 (2) of the Labour Code).

**An agreement on wage** conditions is an essential component of, and must be included in, the employment contract. Only in the event that the wage conditions are already agreed in the collective agreement is it sufficient to include in the employment contract a reference to the relevant provisions of the collective agreement. If a certain claim is regulated by the Labour Code, it is sufficient to make a reference to the relevant provisions thereof.

The wage conditions shall include in particular the agreed **forms of employee remuneration**, the amount of the basic wage component and **other employee benefits** provided for work, as well as **the conditions** for providing the same (Section 119(3) of the Labour Code).

The conclusion of an employment contract and the arrangement as to its content, including wage conditions, is a legal act that must be done freely and seriously, definitely and comprehensibly; otherwise such a legal act would be invalid (Section 37 of the Civil Code).

### Guaranteed minimum amount of certain wage claims

The wage paid to an employee **must not be less than** the [minimum wage](#) set by a special regulation (Section 119 (1) of the Labour Code); the amount of remuneration for work performed on the basis of an agreement for work performance, an agreement on temporary work by students or an agreement for work cannot be lower than the minimum wage either.

Section 120 of the Labour Code guarantees the minimum wage depending on the difficulty of work if wage conditions are not agreed in the collective agreement.

Under the provisions of the part of the Labour Code governing wages, employees are directly entitled to the following benefits, which shall be provided at least in the minimum amount established by the law:

- additional pay for overtime work;
- additional pay for work on a public/state holiday;
- additional pay for work on Saturday;
- additional pay for work on Sunday;
- additional pay for night work;
- wage compensation for difficult working conditions;
- standby allowance for the inactive part of on-call time outside the workplace;
- standby allowance for the inactive part of on-call time at the workplace;

The Labour Code also lays down the minimum amount of average earnings or probable earnings of an employee.

Relationships established by agreements for work performed outside the employment relationship are subject to certain provisions of the Labour Code regulating employees' entitlements for work on Saturdays, Sundays, night work and difficult work, i.e. additional pay for night work, for work on Saturdays and for work on Sundays and wage compensation for difficult working conditions is also provided under agreements for work performed outside the employment relationship and the benefits must be provided by the same percentage of the minimum wage as in the case of an employment contract. The law also lays down a special procedure for calculating the additional holiday pay for workers who work on the basis of agreements for work performed outside the employment relationship because the average hourly earnings are not determined for these workers. According to this special procedure, the remuneration of such workers for work on a public holiday is increased by the amount of the minimum hourly wage.

### Overtime pay

Pursuant to Section 121(1) of the Labour Code, an employee working overtime is entitled to the wage earned and additional pay of at least

- 25 % of the employee's average earnings;
- 35 % of the employee's average earnings if it is an employee performing **hazardous work**.

**The employee loses the right to additional pay for overtime work** if, based on an agreement with the employer, they take **compensatory leave**. **An employee shall not be entitled to additional pay for overtime work or compensatory leave** if their agreed wage already includes possible overtime work. The group of such employees is exhaustively defined in Section 121(2) of the Labour Code. Such wage conditions can only be agreed with:

- an executive employee reporting directly to the statutory body or a member of the statutory body;
- an executive employee reporting directly to such an executive employee; and
- an employee who performs conceptual, systemic, creative or methodological work or who manages, organises or coordinates complex processes or large, very complex equipment assemblies.

### Wage for work on a public/state holiday

If an employee performs work on a state/public holiday, they shall be entitled, in **addition to the wage earned, to additional pay of at least 100 % of the employee's average earnings** (Section 122 of the Labour Code).

**The employee loses the right to the additional pay for work on a public/state holiday** if, based on an agreement with the employer, they take compensatory leave. For the time off taken as compensatory leave, the employee is, pursuant to Section 122(2) of the Labour Code,

entitled to wage compensation in the amount of their average earnings. In the case of an employee who is remunerated on a monthly basis, the time off taken as compensatory leave for work on a public holiday shall be regarded as time worked; such an employee is entitled, instead of wage compensation, to a proportional part of the monthly wage.

The employer may agree in the employment contract with an executive employee that their wage already takes into account possible work on public holidays. In such a case, the executive employee shall not be entitled to the additional pay or compensatory leave for work on a public holiday. The circle of executive employees is defined in Section 9(3) of the Labour Code.

## Wage for work on Saturday

For work on Saturday, an employee is entitled to **additional pay of at least 1,79 EUR/hour**, in addition to the wage earned (Section 122a of the Labour Code). The Labour Code allows for the application of an exemption for those employers where the nature of the work or the operating conditions require that work is regularly performed on Saturdays. The Labour Code permits agreeing a lower amount of additional pay in a collective agreement or the employment contract and sets the minimum amount thereof. A lower amount of additional pay may be agreed in the employment contract by an employer only where there is no recognised trade union and the employer had fewer than 20 employees as at 31 December the previous calendar year. Under this exemption, **the additional pay for work on Saturday may be agreed pursuant to Section 122a(2) of the Labour Code in the amount of at least 1,61 EUR/hour.**

In workplaces with night shifts, Saturday begins at the same hour as the start of the first morning shift of the working week according to the shift plan, and ends 24 hours after that point.

The employer may agree in the employment contract with an executive employee that their wage already takes into account possible work on Saturdays; in such a case, the executive employee is not entitled to additional pay for work on Saturday.

## Wage for work on Sunday

For work on Sunday, an employee is entitled to **additional pay of 3,58 EUR/hour**, in addition to the wage earned (Section 122b of the Labour Code).

The Labour Code allows for the application of an exemption for those employers where the nature of the work or the operating conditions require that work is regularly performed on Sundays. The Labour Code permits agreeing a lower amount of additional pay in a collective agreement or the employment contract and sets the minimum amount thereof. A lower amount of additional pay may be agreed in the employment contract by an employer only where there is no recognised trade union, and the employer had fewer than 20 employees as at 31 December the previous calendar year. Under this exemption, **the additional pay for work on Sunday may be agreed pursuant to Section 122b(2) of the Labour Code in the amount of 3,22 EUR/hour.**

In workplaces with night shifts, Sunday begins at the same hour as the start of the first morning shift of the working week according to the shift plan, and ends 24 hours after that point.

The employer may agree in the employment contract with an executive employee that their wage already takes into account possible work on Sundays; in such a case the executive employee is not entitled to the additional pay for work on Sunday.

## Wage for night work

**Night work** is work carried out between **10 p.m. and 6 a.m.** For work during the night period, an employee is entitled, pursuant to Section 123(1) of the Labour Code, to additional pay (in addition to the regular wage) for night work of **at least 1,43 EUR/hour**, and in the case of an employee performing **hazardous work of at least 1,79 EUR/hour.**

The Labour Code allows for the application of an exemption for those employers where the nature of the work or the operating conditions require that the majority of the work is regularly performed during the night period, provided the employee does not perform hazardous work. The Labour Code permits agreeing a lower amount of additional pay in a collective agreement or the employment contract and sets the minimum amount thereof. A lower amount of additional pay may be agreed in the employment contract only by an employer where there is no recognised trade union and the employer had less than 20 employees as at 31 December the previous calendar year. Under this exemption, additional pay for night work may be agreed pursuant to Section 123(2) of the Labour Code in the amount of at least 1,25 EUR/hour.

The employer may agree in the employment contract **with an executive employee** that their wage already takes into account possible night work (Section 123(2) of the Labour Code). In such a case, the executive employee will not be entitled to additional pay.

## Wage for difficult working conditions

An employee is entitled to **wage compensation for difficult working conditions** if working in an **environment exposed to factors in the workplace environment** (chemical factors,

carcinogenic and mutagenic factors, biological factors, dust, physical factors such as noise, vibration, ionising radiation), provided that the employee is required to **use personal protective equipment** to reduce the health risks involved (Section 124 of the Labour Code).

**The minimum amount of wage compensation for difficult working conditions is at least 0,72 EUR/hour.**

An employer may, on a voluntary basis, provide wage compensation for difficult working conditions if other factors are present that make the employee's work more difficult or negatively affect them at work. In such a case, the statutory minimum amount of wage compensation is not binding on the employer.

## Standby allowance for the inactive part of on-call time outside the workplace

An employee who is asked to remain at an agreed place for a certain period of time **outside their working hours** and is available for work under the employment contract, is considered to be on standby or on-call. **The time when an employee is available for work but is not actually called in to work is considered the inactive part of the on-call time.** An employer may order or agree with an employee that the employee is available on call (Section 96 of the Labour Code).

Under the conditions laid down in Section 94, an employer may order or agree with an employee that the employee is also on-call outside the workplace at times when the employee is not working because it is a public holiday (for which the employee is entitled to wage compensation or for which their monthly wage is not reduced).

An employee is entitled to a **standby allowance of at least 0,72 EUR/hour.**

## Standby allowance for the inactive part of on-call time at the workplace

During the inactive part of **on-call time at the workplace**, employees are entitled to a wage representing **the proportionate part of their basic wage component** (Section

96 of the Labour Code).

If the agreed amount of the basic wage component is lower than the minimum wage, employees are entitled to the minimum wage for the inactive part of on-call time at the workplace.

## 13th and 14th month's pay

With effect from 1 May 2018, the **monetary benefit that an employer may provide to employees** during the **summer holiday season** (the so-called 13th month's pay) and **as a Christmas bonus** (the so-called 14th month's pay) is considered to be wage. This also gives employers the option and not the obligation to remunerate employees in June and in December in this form, in addition to the regular wage. Special regulations set out the details concerning provision of the respective deliverables.

## Other wage components

The wage conditions may provide for other benefits for work, which are provided as optional wage components, e.g. additional pay or allowances for work:

- in the afternoon work shifts,
- in split shifts,
- at heights,
- or the provision of various types of bonuses or other wage incentives.

The scope of such benefits, including the conditions for providing the same, may be agreed with the employer by employees' representatives in a collective agreement or in the employment contract.