

horecapomaha

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CONDITIONS OF EMPLOYMENT IN SLOVAKIA

For refugees, temporary refuge holders
or asylum seekers from Ukraine



Asociácia hotelov
a reštaurácií
Slovenska



EURÓPSKY
INŠTITÚT
REGIONÁLNEHO
ROZVOJA



CENTER FOR INTERNATIONAL
PRIVATE ENTERPRISE

01

WHEN IS A UKRAINIAN ALLOWED TO WORK IN SLOVAKIA?

Citizens of Ukraine that have been granted entry across the Slovak border can either spend up to 90 days on a short stay or apply for either temporary protection or asylum. It is preferable for people from Ukraine to apply for temporary protection rather than asylum in light of the current situation.



1.1. STAYING IN SLOVAKIA WITH A VALID BIOMETRIC PASSPORT

Ukrainian residents are allowed to stay in Slovakia and the Schengen Area for 90 days if they have a valid biometric passport.

However, they are not allowed to work or run their own businesses if they are staying in Slovakia and have no visa.



1.2. ASYLUM

Right of asylum means protection of a foreign national against persecution on grounds set out in either the Convention Relating to the Status of Refugees or the Constitution of the Slovak Republic. Asylum can be requested:

1. Upon entering Slovakia at any border crossing police station; or

2. After entering Slovakia at any police station established at any reception center, such as in Humenné..

EMPLOYMENT

Anybody applying for asylum can work while Ukraine is under a state of emergency, but cannot run their own business. They can only work within Slovakia.

Once they have been granted asylum or refugee status, they can be employed or run your own business, and you will be covered by public health insurance. They can only work or run their own business within Slovakia



1. 3. TEMPORARY PROTECTION

Temporary protection is granted to protect foreign nationals from war, consequences of a humanitarian disaster or widespread human rights violations in their country of origin. This is the fastest form of protection that can be provided and it ensures a foreign national access to accommodation, food, health care, while allowing them to stay and work in Slovakia.

Once their cases have been handled, they will receive a residence permit marked DOČASNÉ ÚTOČISKO [TEMPORARY PROTECTION]. (If the documents say ODÍDENEK [DISPLACED PERSON], there is no cause for worry). For the time being, temporary protection is granted for the period until 4 March 2023.

In light of the current situation, it is preferable for people from Ukraine to apply for temporary protection rather than asylum.

WHERE CAN TEMPORARY PROTECTION BE REQUESTED?

In person at any of the large-capacity centers operating non-stop at the locations below:

- **Michalovce:** Športová 31
- **Nitra:** Akademická 4
- **Bratislava:** Bottova 7

In person at departments of the Foreign Police handling applications to be registered for temporary protection:

- Monday to Friday, 7:00 am - 7:00 pm
- Saturday and Sunday, 7:00 am - 3:00 pm

or **electronically: Registering for temporary protection**

Anybody granted temporary protection status will be able to access the following services:



ACCOMMODATION

Emergency accommodation will be provided for ten days to anyone that requests it. Temporary protection has to be arranged within ten days. More information about available accommodation can be found at <https://pomocpreukrajinu.sk/>. If there is a need for re-accommodation, contact the district office. It will check the displaced person status, where they last stayed and book them into new accommodation. Report any change in address to the municipality or city where a displaced person has moved. When reporting the change, please provide proof of accommodation. You can offer displaced persons any spare capacity your accommodation establishment has regardless of whether they are working for you or not. An accommodation allowance will be paid to businesses by the Ministry of Transport and Communication.

The allowance will be provided in the following amounts:

- **€7.70** incl. VAT per night accommodation for a displaced person, or €7.00 if not a VAT payer, if it concerns anybody who has already reached their 15th birthday;
- **€3.85** incl. VAT per night accommodation for a displaced person, or €3.00 if not a VAT payer, if it concerns anybody who has not reached their 15th birthday.

Information on payment of the allowance can be found at <https://www.mindop.sk/lex-ukrajina>.



EMPLOYMENT

Residents of Ukraine granted temporary protection have the same access to the labor market as Slovak citizens (except to civil servant jobs). They can be employed either under an employment contract or by agreement.

They can get information about job vacancies and employment opportunities in Slovakia from the Office of Labor, Social Affairs and Family. This information is also available in Ukrainian language at:

www.sluzbyzamestnanosti.gov.sk

www.istp.sk

www.profesia.sk

www.kariera.sk



TRANSPORT

Free transport is provided for displaced persons on all ZSSK trains (except InterCity trains). They can also get free transport on intercity buses marked “bezplatná preprava” [free transport] on a yellow-blue background and also in Ukrainian.



MEDICAL CARE

Displaced persons will be treated and receive any necessary medical care if they have any health problems. Applicants for temporary protection are entitled to medicines, medical supplies and dietetic foods at no extra charge and also to urgent and necessary indicated medical care. This is any healthcare recommended after a physical examination by a doctor. Outpatient emergency care is available for them in any region or city, or at any hospital reception center. Contacts: **www.e-vuc.sk**. For more information, including contact details for physicians and dentists, please visit **www.ua.gov.sk**.



EDUCATION

Applicants for temporary protection can visit any kindergarten, primary or secondary school where they would like their child to attend and also apply to enroll him or her. If the child is enrolled in the school, the director will arrange for him or her to take language courses. For higher education, they should contact the specific university for admission guidance. All important information about education in Slovakia can be found at **<https://ukrajina.minedu.sk/>**.

02

WHAT TO KNOW ABOUT EMPLOYMENT IN SLOVAKIA

Residents of Ukraine granted temporary protection have the same access to the labor market as Slovak citizens (except to civil servant jobs). They can be employed either under an employment contract or by agreement. The Labor Code fundamentally governs individual employment relationships in connection with wage labor for individuals in the service of a legal entity or another individual, as well as collective labor relations.



HORECA businesses use employment contracts when the establishment operates year-round and the jobs they offer are not seasonal.

- People are employed under a written employment contract that they and their employer sign. A written copy of the employment contract has to be given to the employee by the employer.
- The essential elements of the contract, which the employer is required to include therein, are:
 - Type of work for which the employee is hired, a brief description thereof;
 - Place of work (municipality, neighborhood in the municipality or otherwise designated place);

- First working day;
 - Pay conditions (may be stipulated in the collective bargaining agreement, although collective agreements are rare among employers).
- The agreed content of the employment contract can only be amended if both the employer and employee agree thereto. Employers are required to provide written amendments to employment contracts



Other employment relationships – Agreement

The most commonly used agreements in HORECA establishments are agreements on.... and student temporary work contracts. These agreements are used by seasonal establishments or establishments providing services with pronounced seasonality. The jobs are frequently in seasonal operations located in resorts with a peak summer or winter tourist season, but they can also be found in urban hotels that provide conference or convention services, or food/catering services on summer terraces.

- Work performance contracts
- Contracts for specific work
- Student temporary work contracts

Intermittent work contracts are concluded only in exceptional cases. Employers are required to conclude a regular employment contract if the job falls under the category of **wage labor**.



Pay and remuneration

- In 2022, the monthly minimum wage is €646 gross for full-time employees or €3.713 per hour. However, jobs are classified into six (6) classes according to their degree of difficulty and the amounts below apply to Class 1, or the lowest degree of difficulty. For the highest degree of difficulty (Class 6), the monthly minimum wage is €1,226 or €7.046 per hour.

Pay in HORECA is not among the highest compared to other sectors, but an employee with work experience or skills has the opportunity for career growth coupled with pay

increases. The most common jobs such as waiter, waitress, cook, housekeeper and receptionist are most often classified as Class 1 or 2, meaning that these minimum wage coefficients should apply for these positions.



Where to look for a HORECA job

Job vacancies advertised in Ukrainian are available directly on employment services websites. You can get information about job vacancies and employment opportunities in Slovakia from the Office of Labor, Social Affairs and Family. This information is also available in Ukrainian language at:

www.sluzbyzamestnanosti.gov.sk

www.istp.sk

www.profesia.sk

www.kariera.sk

www.workania.eu/sk/



What is undeclared work?

Undeclared work is considered any wage labor performed by an individual for an employer under the following circumstances:

- When no employment relationship has been established between them and the employer in accordance with the Labor Code. In other words, there is no employment contract or agreement;
- If the employer is violating the conditions set out in Section 21 (1) of Act 5/2004, by employing somebody who is neither a national of a member state of the European, nor of Iceland, Norway, Liechtenstein or Switzerland, nor a stateless person;
- If a citizen of Ukraine is employed that either does not have a valid work visa or has not been granted temporary protection status.

Undeclared work and illegal employment have a negative impact not only on employed people, but on the business environment and society as a whole.



What you should know about working in HORECA

HORECA is often used to refer to **HOTELS, RESTAURANTS** and **CAFES**. HORECA businesses are among the largest first-time employers. Most young people get their first work experience at them. Many jobs are just right for people without qualifications or with no work experience and they quickly master the job. Statistics also show more women than men working in these establishments.

Prior to the COVID-19 pandemic, more than 110,000 people in Slovakia worked in HORECA during peak tourist seasons. But because of measures put in place to combat the pandemic, headcount has fallen and yet the demand for these services is rising and employers are offering many job opportunities.



Specific requirements for working in HORECA

Anybody working at HORECA establishments that will be coming into contact with food or foodstuffs is required to have the following:

- Medical certificate
- Professional competence

Medical certificate

A medical certificate confirming fitness is generally issued by a physician after a medical examination has been conducted. These medical certificates have no expiration date.

Professional competence

Professional competence is demonstrable proof of required education and either practical experience or successful passing of an examination. It is a specific condition for certain professional activities such as handling food and foodstuffs.

Professional competence is demonstrated with the following:

- Diploma or certificate from any of the professional institutions shown in Annex 6 to Decree 585/2008; or

- Certificate of proficiency to carry out an epidemiologically significant activity.

Certificates of proficiency are issued by the regional public health authority after a successful examination before a commission the authority has assembled.

In order to make it as easy as possible to obtain a certificate, the national public health authority has developed uniform study materials that have been mostly translated into Ukrainian.



03

WHAT TO KNOW ABOUT EMPLOYING PEOPLE FROM UKRAINE

Residents of Ukraine granted **temporary protection status** have the same access to the labor market as Slovak citizens (except to civil servant jobs). They may be employed either under an employment contract or by agreement under provisions of the Labor Code.



What does a displaced person need to have to be employed?

A document confirming his or her temporary protection status is the most important. You can see a sample document [here](#).

Specific requirements for working in HORECA

Anybody working at HORECA establishments that will be coming into contact with food or foodstuffs is required to have the following:

- Medical certificate
- Professional competence

Medical certificate

Legislation in Slovakia (Decree 585/2008) states that only a professionally qualified and medically fit person is allowed to carry out epidemiologically significant activities in the production, handling and placing on the market of food and foodstuffs. Proof of medical fitness is one of the conditions people employed and working in restaurants and catering establishments are required to have.

A medical certificate confirming fitness is issued by a physician after a medical examination has been conducted.

Registering with a general practitioner might be difficult in some regions of Slovakia because of the lack of general outpatient clinics available to cover people's needs. A possible solution in such cases is for an employer to engage its own general practitioner under a contract.

Professional competence

Professional competence is demonstrable proof of required education and either practical experience or successful passing of an examination. It is a specific condition for certain professional activities such as handling food and foodstuffs and placing them on the market.

Professional competence is demonstrated with the following:

- Diploma or certificate from any of the professional institutions shown in Annex 6 to Decree 585/2008; or
- Certificate of proficiency to carry out an epidemiologically significant activity.

Certificates of proficiency are issued by the regional public health authority after a successful examination before a commission the authority has assembled.

The national public health authority has developed uniform study materials for obtaining professional competence, which are partly translated into Ukrainian.