

EMPLOYMENT OF
WORKERS FROM VISEGRAD
COUNTRIES

THEIR POSITION IN SOCIAL SECURITY
SPHERE AND LABOR LAW AREA

Slovakia

Slovak partner project
Občianske združenie Gradus

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LABOR SECTOR

The conditions of stay and employment of citizens of Visegrad countries in Slovakia

The same conditions of stay and employment in Slovakia are valid for citizens from Visegrad countries as well as for other EU citizens. They have a right to stay in Slovak republic without any special conditions and permissions, visa etc. if they have valid ID card or passport **for the period of three months** from the day of their arrival to Slovakia. Within 10 days from her / his arrival he / she are obligatory to come to any police station and report the stay. There is just one reason to reject the stay – material deprivation.

EU citizens have a right to stay in Slovakia **more than three months** if

- he / she is employed in Slovakia,
- he / she is self employed person performed this activity in Slovakia,
- he / she has sufficient funds to not become the subject of Slovak social system and has health insurance in Slovakia,
- he / she studies in Slovakia,
- he / she is jobseeker or
- he / she came with another EU citizen who fulfills one of the reason above said.

EU citizen who are going to stay in Slovakia more than three months is obligatory to request for his / her registration on the police. The application for registration should be done on the official form till 30 days before the end of three month from his / her arrival to Slovakia. The ID card or passport is needed to be presented as well as work contract or promise of employment or certificate of self employed person or certificate of sufficient funds and of health insurance or certificate of study and of sufficient funds or proclamation about seeking a job and certificate of health insurance depending upon the reason of stay how it is written above.

Citizens of Visegrad countries do not need to have work permit for perform employment in Slovakia.

The role of labor offices

The matter of employment is mainly governed by the Labor Code (the Act no. 311/2001 Zákonník práce). This act stipulates the protection to employees in employment in respect to the commencement of labor-legal relation of work contract, the work conditions, compensation, working time, vacation and the termination of labor-legal relation and prohibits discrimination against employees on the basis of gender, family status, sexual orientation, nationality, race, ethnic origin, language, age, religion, political convictions, health condition etc.

The Offices of Labour, Social Affairs and Family (úřady práce, sociálních věcí a rodiny - UPSVaR) is the government body concerned with unemployment benefits and helping job seekers to find work and also paying social benefits supporting family, the disable persons and persons in hard financial situation.

The citizens from other countries (EU or third states) can also apply for unemployment benefits if they fulfill the specified conditions. In case of losing a job it is necessary to register as a jobseeker at the Office of Labour, Social Affairs and Family competent by permanent address or temporary address as soon as possible.

Unemployment benefit

The person is qualified for the entitlement to unemployment benefit if there are fulfilled the condition as follows:

- registration with employment service (office of labour, social affairs and family) as jobseeker and
- at least two years of unemployment insurance in previous three years preceding the registration to employment service.

For employee the unemployment insurance is obligatory. The employer shall register the employee in Social Insurance Agency within 8 days from commencement of employment. The contribution to unemployment insurance is paid from salary by employer.

In case of performing the employment in another EU member state or in the contracting state this period can be taken into account in process of assessment of entitlement to unemployment benefit.

Registration with employment service should be done within seven days after termination of work contract. The person shall to make a written application for registration at office competent under the place of temporary address.

A jobseeker is the person who is unemployed, is able and willing to work and can not:

- be a full time student
- have entitlement to maternity benefit
- receive old age pension or disability pension or
- be older than is retiring age.

A jobseeker have to agree to co-operate with the office of labour, social affairs and family i.e. he / she has to report at this office, take part in training courses, accept any job deemed suitable and actively search for employment.

The commencement of labor-legal relation

To rise the labor-legal relation the employer and the employee have to sign the written contract which regulates the rights and duties of both parties in accordance with Labor Code.

There are more types of labor-legal relations under the Slovak legislation. Full time employment (40 hours of work per week) is based by employment contract; this type of labor-legal relation provides to employee the most legal protection mainly in connection with termination of work. There is possibility accede to collective contract, which can change some of the terms of the work.

The work can be performed also on the base of work agreements except employment contract such as work performance agreement (dohoda o pracovnej činnosti), agreement to complete a job (dohoda o vykonaní práce) and agreement of brigade work of student (dohoda o brigádnickej práci študenta). These agreements are concluded with shorter working time and for shorter period than ordinary employment contract.

Work performance agreement can be concluded with working time at most 10 hours per week for a period not longer than 12 months.

Agreement to complete a job is concluded for the purpose to realize some work task if the expected time needed for its realization does not extend 350 hours in calendar year; stipulated period for realization of work task can not be longer than 12 months. The compensation is payable after completion of work task.

Agreement of brigade work of student can be made just with student less than 26 years old with working time at most 20 hours per week and for the period not longer than 12 months.

The health and social insurance is arisen from all these type of labor-legal relations.

The termination of labor-legal relation

The employment contract can be terminated by the dismissal, mutual consent, by immediate termination or by the termination in probational period. The termination could be done by the employer or by the employee. If it is terminates by the employee there is not necessary to specify the reason in case of the dismissal, mutual consent or termination in probational period. The employer has to give the reason in writing in any case except for the termination in probational period. It is important to see the difference between the dismissal and mutual consent:

- the termination of employment by the mutual consent is two-sided act – both party agree with that and they fix the concrete date of the end (it can be same date as the date of signature of written agreement of employment termination)
- the termination by the dismissal is just one-sided act – it is the wish of only one party – of the employer or employee. It should be done in written form but it is notified to another party, who does not put own signature on that notice. If the employer quit the employment, it can be done only from one reason stated in Labour Act (the extinction or the moving of employer, the redundancy, loss of medical fitness to perform the work position, failure to perform the work tasks by the employee etc.). The employment by this way terminates by the expiration of period of notice, which takes from one to three months depending on the duration of employment, it could be longer but not shorter than the Labour Act stipulates.

The employee is entitled to the compensation for termination of the employment only in the case of termination from the reason of the extinction or the moving of employer

or of the loss of medical fitness to perform the work position in side of employee if the termination is done on the base of the quit by employer or of the mutual consent. The employer could terminate the employment immediate if the employee was convicted for an intentional criminal act or seriously violated labor discipline.

The conditions of termination of work agreements except employment contract (work performance agreement, agreement to complete a job and agreement of brigade work of student are less strict.

Obstacles to work – valid for employment contract

The Labor Code enumerates the obstacles to work in side of employee which leads to providing the time off for him / her with or without wage compensation.

The employer has to provide to employee the time off without wage compensation from the reasons as follows:

- temporary incapacity to work due to sickness or accident
- maternity leave
- quarantine
- nursing of sick family member etc.

The time off must be provided with wage compensation from following reason:

- medical examination or treatment at least for 7 days a year
- preventive medical examination
- childbirth – for a time to transport the wife to hospital
- accompanying the family member to hospital
- death of family member
- own wedding
- sudden traffic problems
- looking for a new job.

Minimum wage

The system of law guarantees the minimum monthly wage. The sum of minimum wage is changed every year – it is going up. For the year 2016 it is the sum 405 €.

Juridical power in labor law relations in contact with strange element

In labor-legal relations the parties of work contract can make an agreement about juridical power. But the agreement should not exclude the juridical power of that state, where the petitioner has residence.

Economic, social and cultural laws

The constitution guarantee to same position of foreigners as Slovak citizens in this area concretely employees have a right to associate freely with others to protect their economic and social interests, the right to strike, entitlement to fair remuneration and satisfactory working conditions, health protection; protection of children and pregnant women in labor-legal relations is also guaranteed.

Accident benefits

Accident benefits are regulated by the act on social insurance and they are paid by Social Insurance Agency.

Accident insurance is constituted as compulsory insurance of employer that has to protect the employer against the risk of economic burden in case of liability arising from an accident at work or occupational disease, its employees, arising out of the Labour Code. Therefore, unlike sickness insurance and pension insurance, the statutory accident insurance tied to an employer.

From accident insurance after fulfillment of the conditions laid down by law provided 13 accident benefits mostly monetary nature:

- accident allowance,
- accident annuity,
- lump-sum settlement,
- survivor accident annuity,
- one-off compensation,
- employment rehabilitation (treatment) and rehabilitation,
- retraining (benefits) and retraining,
- compensation for pain and compensation for loss of social involvement,
- reimbursement of the costs of treatment and
- reimbursement of funeral costs.

SPHERE OF SOCIAL SECURITY

The benefits from the social insurance system

These kinds of benefits are regulated by the Act no. 461/2003 on social insurance. They are instrumental to ensure the person in cases of

- old age and death (benefits from the old-age insurance),
- decline in earning capacity due to long-term health status of the insured and in case of death (benefits from the disability insurance),
- temporary incapacity, pregnancy and motherhood (benefits from the sickness insurance),
- unemployment (unemployment insurance),
- insolvency of employer (guarantee insurance) and
- occupational accident or occupational disease (accident insurance).

The uprise of entitlement to these benefits expects to be a subject of insurance system which is based on the payment of regular contributions.

The benefits are paid by Social Insurance Agency; web site: www.socpoist.sk.

Old-age pension insurance

The old-age pension insurance includes the benefits such as:

- old-age pension
- early old-age pension
- widow pension
- widower pension
- orphan pension
- compensation bonus

The old-age pension contribution is in amount of 18 % from base of assess – for employer it is 14 % and for employee 4 %. If the employee is insured in private pension fund at the same time the contribution for employer to the first pillar Pension Insurance Fund is lower – 10 %.

The contributions are paid by employers, employees, obligatory and voluntary pension insured self-employed persons and by state.

Old-age pension

Persons who have reached the statutory retirement age and have paid the necessary number of years of insurance contributions (at least 15 years) are eligible for an old-age pension.

The retirement age is uniform for men and women and that is age 62 for men born in 1946 and later and for women born in 1962 and later. For persons born before these years the retirement age was 60 for men and 53 to 57 for women depend on the number of children.

If the insured person reached the retirement age under the Slovak legislation but did not achieve the necessary number of years of insurance contributions to be qualified for old-age pension, also the period of old-age insurance achieved in another member state or other contracting state will be taken into account to decide on entitlement to old-age pension (all the period will be numbered).

The periods of old-age pension insurance can be numbered as is said above on the base the confirmation of competent body of the state given. If it is EU member state this confirmation is made on the form E 205.

The condition for adding of insurance periods is achievement at least one year of insurance under the Slovak legislation.

In the case of entitlement to old-age pension after the adding of insurance periods achieved in Slovak republic and in another member state or another contracting state, the old-age pension is paid in amount equivalent to insurance period achieved under the Slovak legislation.

Early old-age pension

To have the entitlement to the early old-age pension the person must to meet the conditions such as:

- at least 15 years of insurance contributions
- at most two years are missing to the retirement age and
- the early retirement pension amount at the date of requesting its award must be higher than 1.2 times the **subsistence minimum** for an adult person.

In case of insurance period achieved in another EU member state or contracting state the same rules are applied as for old-age pension said above.

Widow and widower pension

The person, who is widow or widower, is eligible for this kind of pension if her husband / his wife

- at the date of death has paid out the old-age pension, disability pension or has a entitlement to early old-age pension
- at the date of death met the conditions of entitlement to old-age pension or
- at the date of death achieved the number of years of old-age pension insurance necessary to have a entitlement to disability pension or
- died in consequence of occupational accident or occupational disease.

The entitlement to this kind of pension arises by the date of husband / wife death.

In case of insurance period achieved in another EU member state or contracting state the same rules are applied as for old-age pension said above.

Orphan pension

The entitlement to this kind of pension has the dependent child whose parent died and if this parent

- at the date of death has paid out the old-age pension, disability pension or has a entitlement to early old-age pension or
- at the date of death did not draw any of these pensions but achieved the number of years of old-age pension insurance necessary to have a entitlement to disability pension or
- at the date of death did not draw any of these pensions but at the date of death met the conditions of entitlement to old-age pension or
- died in consequence of occupational accident or occupational disease.

The entitlement to this kind of pension arises by the date of parent death.

In case of insurance period achieved in another EU member state or contracting state the same rules are applied as for old-age pension said above.

Compensation bonus

It is a new instrument valid from 1.1.2016. Entitled person is the person who receives at the same time Slovak old-age pension and Czech old-age pension, achieved

before 1 January 1993 at least 25 years of insurance period on the basis which the entitlement to Czech old-age pension arose, achieved from 1 January 1993 till 31 December 2003 at least one year of pension insurance in Slovakia and the difference between the sum of old-age pension which the person would have if all the period of insurance were achieved under the Slovak legislation and sum of all pensions which the person receives in fact is positive. This difference is the sum of compensation bonus.

How to make an application for pensions

Pensions have to be applied for by using an official form. If the person is living in Slovakia, he / she can request for the pension at the branch office of Social Insurance Agency due to her / his permanent residence address in person. If the person does not have a permanent residence in Slovakia the request should be submitted at the Social Insurance Agency, headquarters. The application should be attached by necessary documents.

If the person is living in another EU member state, the application should be submitted through the pension body of that state.

If the person is living in third country the application should be submitted at the Social Insurance Agency, headquarters in Bratislava or by post (the official form „Žiadosť o dôchodok pre osoby žijúce v cudzine“ must be filled).

Forms which are need to be filled in:

Application forms can be downloaded from the web site:

<http://www.socpoist.sk/479/1189s> or picked up from any branch office of Social Insurance Agency (the contact can be found on <http://www.socpoist.sk/kontakty--xly/48023s>).

Minimum pension

The right for a minimum pension arises if the sum of all pensions awarded is less than the amount of the minimum pension and the person has at least 30 years of qualifying period of pension insurance. The amount of minimum pension is depended on the number of years of qualifying period of pension insurance and it moves from 269, 50 € per month.

The disability pension insurance

The disability pension insurance includes the benefits such as:

- disability pension
- widow pension
- widower pension
- orphan pension.

The disability pension contribution is in amount of 6 % from base of assess – for employer it is 3 % and for employee 3 %.

The contributions are paid by employers, employees, obligatory and voluntary pension insured self-employed persons (6 %) and by state (6 %).

Conditions which must be met for entitlement

The entitlement to disability pension has the insured person who

- is disabled
- achieved necessary number of year of pension insurance periods and
- on the date of occurrence of disability he / she did not qualify for the old-age pension or he / she was not granted the early old-age pension.

As particularly specified conditions may be entitled to a disability pension (disability of youth) the natural person who became disable before reaching the age at which compulsory education ends or during the period in which is the dependent child. Entitlement to this pension arises at reaching 18 years of age.

The number of period of pension insurance necessary for arise the entitlement to disability pension for the person which became disabled after 31 December 2009 is:

- less than one year in the case of an insured person under 20,
- at least one year in the case of an insured person aged 20 years to 24 years,
- at least two years in the case of an insured person aged 24 years to 28 years of age,
- at least five years in the case of an insured person aged 28 years to 34 years of age,
- at least eight years in the case of an insured person aged 34 years to 40 years of age,

- at least ten years in the case of an insured person aged 40 years to 45 years of age,
- at least 15 years in the case of an insured person over 45 years of age.

The required number of years, regardless of the date of disability is not determined in case of insured person who became disabled as a result of an occupational accident or occupational disease, or who became disabled during the period in which was the dependent child.

How to make an application for disability pension

Pensions have to be applied for by using an official form at the branch office of Social Insurance Agency due to her / his permanent residence address. If the person does not have a permanent residence in Slovakia the request should be submitted at the Social Insurance Agency, headquarters. The application should be attached by necessary documents.

The adding EU insurance periods

If the insured person became disabled under the Slovak legislation but did not achieve the necessary number of years of insurance contributions to be qualified for disability pension, also the period of insurance achieved in another member state or other contracting state will be taken into account to decide on entitlement to disability pension (all the period will be numbered).

The insurance periods can be numbered as is said above on the base the confirmation of competent body of the state given. If it is EU member state this confirmation is made on the form E 205.

The condition for adding of insurance periods is achievement at least one year of insurance under the Slovak legislation.

In the case of entitlement to disability pension after the adding of insurance periods achieved in Slovak republic and in another member state or another contracting state, the disability pension is paid in amount equivalent to insurance period achieved under the Slovak legislation.

The sickness insurance

From the sickness insurance the following benefits are paid:

- sickness benefit
- maternity benefit
- nursing benefit
- compensation benefit

The sickness contribution is in amount of 2, 8 % from base of assess – for employer it is 1, 4 % and for employee 1, 4 %.

The contributions are paid by employers, employees, obligatory and voluntary sickness insured self-employed persons (4, 4 %).

Sickness benefit

The employee is eligible for sickness benefit if he / she became temporarily unable to work during lasting of the employment or during the protective period what reasoned the absence of the income.

The protective period takes:

- seven days after termination of employment
- the number of days of existence of sickness insurance if the sickness insurance lasted less than seven days
- eight months if sickness insurance lapsed during pregnancy.

The amount of sickness benefit

The amount of sickness benefit is reached by division of sum of contribution bases n and the number of decisive period (the year preceding the year when the temporary incapacity to work arose). The amount of sickness benefit for first three days is 25% of a day base of assess and from forth day is 55 % of a day base of assess.

How the person can make an application

The person should submit the special form confirmed by the doctor at the branch office of Social Insurance Agency competent under the residence of the person as soon as possible.

When the temporary disability to work arose in another state

If the person became temporarily unable to work in another state but she / he is sickness insured in Slovakia, the sickness benefit can be granted but special process must be respected.

If another state is EU member state the person should submit at branch office of Social Insurance Agency the confirmation of doctor issued in another member state or the form E 115, E 116 a E 118 (or E 115 and confirmation of doctor). If the doctors in that member state are not used to issue the confirmation on temporary disability to work the person should request for this confirmation directly the body of social security of that state and this institution issue correspondent form.

If the temporary disability to work arose in non EU member state but it is contracting state the Social Insurance Agency is obligatory accept the confirmation about temporary disability to work which are used in this state.

If the temporary disability to work arose in state which do not have concluded the agreement about social security the confirmation of doctor must be attested by apostille or superlegalisation (superior certificate).

Maternity benefit

Maternity benefit is conditioned by:

- arising the reason to pay benefit i.e. pregnancy or nursing born child
- this reason should occur during the lasting sickness insurance or in protective period
- achieving of at least 270 days of sickness insurance period in last two years preceding the parturition
- the absence of the income in this period.

The protective period takes:

- seven days after termination of employment
- the number of days of existence of sickness insurance if the sickness insurance lasted less than seven days
- eight months if sickness insurance lapsed during pregnancy.

The entitlement to maternity benefit arises:

- from the beginning of sixth week before expecting parturition earliest from the beginning of eighth week before this day (if the parturition arrive earlier from the day of parturition)
- In protective period from the beginning of sixth week before expecting parturition or from the day of parturition.

The entitlement to maternity benefit terminates:

- Usually by expiry of 34 weeks from the arise of entitlement or 37 weeks if the mother is alone or 43 weeks if two or more children were born
- till the end of 14th week from arising of entitlement if the death child was born.

The period of maternity benefit entitlement can not be shorter than 14 weeks from its arising and can not terminate before expiry of six weeks from parturition.

How to make a claim for maternity benefit

The person should submit at the branch Office of Social Insurance Agency competent under the residence of person the standard form issued by the doctor of hospital and signed by employer as soon as possible. Usually the doctor issues this form before the beginning of 8th to 6th week before expecting parturition.

If the delivery arrived in another state the same ruled as in case of sickness benefit if the temporary disability to work arose in another state (see the text above). In case of EU member state the confirmation of doctor and the form E 115 is needed to submit to Social Insurance Agency.

Nursing benefit

For arising of the entitlement to nursing benefit the need of nursing has to occur. It means

- the need of personal and whole day nursing of sick child, husband, wife, parent or parent-in-law if the health condition of one of these family member demands nursing or

- the need of personal and whole day nursing of health child younger than 10 years old if has ordered the quarantine or school is closed by the decision of competent bodies or there was ordered quarantine or the person who usually care about the child got sick, got ordered quarantine etc.

This need of nursing has to arise during the existence of sickness insurance or in protective period and the absence of income from work in this period are other condition for the entitlement to nursing benefit.

The employee should present the standard form issued by the doctor and signed by employer in branch office of Social Insurance Agency competent under the residence of employee immediately.

Compensation benefit

Compensation benefit is provided to employed women if

- her work position was change during pregnancy and maternity,
- her income was diminished from the reason of changing the position
- the income which is considered on the base of assess exists.

This benefit is provided from the day of changing work position and ceased by the day of end of this change or by beginning of maternity leave or expiry of ninth month after parturition or by the day of employee's death.

The employed women apply for compensation benefit by submission of confirmation issued by the doctor of hospital and signed by employer on the branch office competent under the residence of the Social Insurance Agency as soon as possible.

Unemployment insurance

The unemployment contribution is in amount of 2 % from base of assess – for employer it is 1 % and for employee 1 %.

The contributions are paid by employers, employees and voluntary unemployment insured persons (2 %).

Unemployment benefits are paid by Social Insurance Agency (www.socpoist.sk) but the registration of jobseekers is led by the offices of labor, social affairs and family (www.upsvar.sk).

The qualification for unemployment benefit

The person is qualified for the entitlement to unemployment benefit if there are fulfilled the conditions as follows:

- registration with employment service (office of labor, social affairs and family) as jobseeker and
- at least two years of unemployment insurance in previous three years preceding the registration with employment service.

For employee the unemployment insurance is obligatory. The employer shall register the employee in Social Insurance Agency within 8 days from commencement of employment. The contribution to unemployment insurance is paid from salary by employer.

The periods of employment acquired in another EU member state or in the contracting state can be taken into account in process of assessment of entitlement to unemployment benefit.

Registration with employment service should be done within seven days after termination of work contract to have the entitlement to unemployment benefit from the day following the day of termination of employment. If the registration is done later, entitlement can be granted only from this day. The person shall to make a written application for registration at office of labor, social affairs and family competent under the place of residence address.

How to make an application for unemployment benefit

After registration as a jobseeker the person should make an application for unemployment benefit by the submission of decision about registration issued by labor office in the branch office of Social Insurance Agency in place of jobseeker's residence. Together with that decision it is necessary to fill the standard form „request for unemployment benefit“ (Žiadosť o dávku v nezamestnanosti - <http://www.socpoist.sk/724/4940s>). The Social Insurance Agency can ask other documents if it is necessary in the case given.

EU periods of employment

If the person worked within last three years in another EU member state before taking employment in Slovakia and after termination of the employment performed in Slovakia applies for unemployment benefit in Slovakia, the form E 301 or PD U1 or U 002 confirmed by the competent social insurance institution of another EU member state should be presented together with the request for unemployment benefit. If the person do not have one of these documents the Social Insurance Agency within the process of consideration of entitlement apply this kind of document from competent institution of another EU member state. In case of some member state there is needed to submit some special documents or information together with the application for confirmation of employment periods for example the work contract, the number of social security, pay bills, document of termination of employment etc.. From this reason it would be the best to have available all of document regarding to previous employment performed in another member state for applying for the unemployment benefit. The more information about the requirements in connection with confirmation of employment periods from another member states you can find at the web site: <http://www.socpoist.sk/prislusne-institucie-clenskych-statov-europskej-unie/32644s>.

If the person worked in Slovakia before but now he / she apply for unemployment benefit in another EU member state and needs the confirmation of employment periods gained in Slovakia for this purposes, he / she apply for correspondent document directly from Social Insurance Agency, headquarters in Bratislava. The application can be done by email, by post or in person. Also the document E 301 or U 002 can be issued on the request of competent social insurance institution of the another EU member state.

State social support benefits

Family benefits within the EU

In the payment of **state social support benefits** the EU coordination regulations began to be applied upon accession of the Slovak Republic to the European Union.

A person who has exercised his or her right to free movement within the European Union cannot be placed at a disadvantage when compared with a person who has always had permanent residence and worked in only one Member State.

Pursuant to the general regulations, an employee carrying out gainful activity in any of the Member States of the EU and the EEC must, by principle, receive all social security benefits, provided for in the national legislation, which applies to him/her in the same way as to nationals of that Member State, even if she/he has residence in another Member State, or if he or she is not a national of the Member State in which the employee carries out gainful activity.

Migrant employees and members of their family do not lose their rights acquired in the area of social security when changing residence from one state to another. The periods of insurance in particular Member States shall be aggregated and the benefits, including family benefits, shall be paid by the competent institution of the state concerned, even if the place of residence of the migrant citizen is in another Member State, as the Community regulations permit benefits to be exported.

The state social support benefits under the Slovak legislation, which are subject to coordination by the regulations, include:

- Child allowance
- Child allowance supplement
- Parental allowance
- Allowance to parents to whom multiple children were born
- Repeat allowance to a child in alternative care
- Funeral grant

Regulation (EEC) No. 1408/71 of the Council with its Implementing Regulation (EEC) No. 574/72 of the Council is the basic regulation relating to the coordination of national social security systems. The cited **regulation applies to:**

- Employed persons
- Self-employed persons
- Civil servants, clerks
- Students
- Pensioners
- Members of the family
- Survivors

These regulations are applicable throughout the territory of 25 states that are the Member States of the European Union:

Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Greece, the Netherlands, Ireland, Lithuania, Latvia, Luxembourg, Hungary, Malta, Germany, Poland, Portugal, Austria, Slovakia, Slovenia, Spain, Sweden, Italy, Great Britain, Rumania, Bulgaria.

The regulations also apply to the territory of three states of the European Economic Area:

Iceland, Liechtenstein, Norway and the coordination rules are also applied by Switzerland.

Every person to whom the coordination regulations apply can exercise his or her entitlement to family benefits. Within the meaning of the coordination regulations, the entitlement to family benefits shall also arise in the state of the EU in which the employment is carried out, hence in the state where the contributions to the insurance system of the relevant state are effected.

The kind of state social support benefits

A child was born

After the child was born a parent or a foster parent in whose care the child has been entrusted in foster care by a decision of the court (hereinafter referred to as "parent") may claim entitlement to these state social support benefits:

1. **Child birth grant**

2. **Child birth grant bonus** (upon the birth of the first, second or third child)
3. **Child allowance**

The above benefits are provided for every child born, even if two or more children are born simultaneously.

The Conditions to get the child birth grant

The entitlement to this kind of benefit can arise only if beneficiary has the permanent address and domicile in Slovakia. Domicile is the place where authorized person and the child has concentrated most important interests on the basis of objective criteria, including, in particular length of residence, employment performance, compulsory health insurance, provision of health care, living with family, attend pre-school institution, compulsory school attendance.

The beneficiary is the mother or the father if the mother died or child was placed in substitute family care father.

The sum is 829, 86 €.

The conditions to get the child allowance

The beneficiary is the parent, the parent who has the child in alternative care, the adult dependent child, if he has no parents or where he has modified parental maintenance or when he / she reaches adulthood placed in substitute care, who gets married or whose marriage terminated; minor parent, who has the parental responsibility.

The entitlement can arise for beneficiary if he / she nurse the dependent child and if he / she has permanent residence in Slovakia (in case of a foreigner temporary residence in Slovakia).

The entitlement to this benefit will not be granted if the child is placed in foster home, prison or together with beneficiary is staying in another member state.

The sum is 23, 52 € per month.

Child allowance supplement

This benefit will be granted to the authorized person is receiving old-age pension or disability pension over 70 % and he / she does not have right to tax bonus and he / she does not perform the gainful activity.

The sum is 11,03 € per month.

Parental allowance can be claimed only by one of the parents of the child or children and is payable for personal childcare, regardless of the number of children aged up to three years, or six years, where the child has a long-term unfavorable health state.

The beneficiary is the parent, the parent who has the child in alternative care or the husband / wife of parent if living in common household.

To get this benefit the beneficiary has to meet the condition as follows:

- ensure a proper care for a child under the age of three / six years of age (long-term adverse health condition)
- permanent or temporary stay in Slovakia.

Parental allowance can not be paid if beneficiary receives maternity benefit or similar benefit from another EU member state, if the beneficiary is living in third country together with a child and at this time he / she is not health insured in Slovakia and also can not be granted to a minor parent, who has not parental responsibility or to parent whose previous child is placed to alternative care.

The sum is 203, 20 € per month.

How to apply for those benefits

Application forms and certificate forms for the applications are provided by the payer, which is the competent Office of Labor, Social Affairs and Family according to the place of permanent residence of the claimant in the SR (in case of a foreigner, according to the place of his or her temporary residence in the SR).

Application forms and certificate forms for the applications are also available from the website <http://www.upsvar.sk/>, sample application forms, sample applications for the area of social affairs and family. The last page of the application forms contains the information on the documents (original + copy) that need to be supplied to the payer together with the completed application form for the purpose of comparing the data given in the application.

The childbirth in abroad

Once the eligibility conditions are met, the entitlement to the above benefits, shall also arise to a parent whose child was born abroad, provided the claimant submits an official translation of the document proving the birth of the child. If the parent stays with the child in a state that is not a Member State of the European Union, or a Contracting Party to the Agreement on the European Economic Area, a proof of health insurance of the child's parent in the SR is required.

The parent must claim the above benefits within 6 months of the birth of the child, at the latest.

Funeral grant

The entitlement arise to adult beneficiary who ensure funeral of died person and has permanent or temporary residence in Slovakia and if the died person has on the date of death the permanent or temporary stay in Slovakia and if the funeral is organized in Slovakia.

The sum is 79, 67 € per month.

All of these benefits are paid by offices of Labor, social affairs and family and they are regulated by several acts.

For more information on entitlement conditions for the state social support benefits you can find on the website <http://www.upsvar.sk/>.

The state support for the persons with severe disability

Regulation by the Act no. 447/2008 on benefits in cash for compensation of severe disability is included in the competence of offices of Labor, Social Affairs and Family.

This regulation refers to EU citizens as well as Slovak citizens if they have registered permanent stay in Slovakia and if they are employed or study in some state school in Slovakia.

Severe disability is a disability rate of functional impairment at least 50 % which causes a lack of physical abilities, sensory abilities or mental capacity.

At first the rate of functional impairment must be assessed by a medical assessor, who issues the card of person with severe disability if there is found the reason.

Under this regulation the several allowances can be provided depend on specific needs of the person concerned:

- cash allowance for personal assistance – at most 7 300 hours a year, the assistance is performed for severe disabled person by non family member, assistant is provided by the office of labor, social affairs and family,
- cash allowance for the purchase of equipment,
- cash allowance for training in the use of the device,
- cash allowance for adjustment equipment,
- cash allowance for the repair tools,
- cash allowance for the purchase of lifting equipment,
- cash allowance for the purchase of a motor vehicle,
- cash benefit for the treatment of a motor vehicle
- cash allowance for transport,
- cash allowance for housing modifications,
- cash allowance for changes to house,
- cash allowance to adjust the garage,
- cash benefit for compensation of increased expenses on a special diet or associated with a hygiene or wearing of clothing, shoes and home furnishings or with operation of a passenger vehicle or with the care of specially trained dogs.
- cash benefit for care.

Cash benefit for care

It is the benefit for purposes of the care of the daily help ensure the person with severe disability with self-servicing transactions, with acts in home care and with implementing social activities in order to remain in their natural home.

The beneficiary can be the husband, wife, parent or the person who has the child in alternative care under the court decision or the person who is certain as a guardian by court, child, grandparent, grandchild, brother or sister, daughter in law, son in law, father-in-law, mother-in-law, brother in law, sister in law, niece or nephew or another

person who takes care of person with severe disability and lives with this person in common household.

The health insurance

The health insurance is obligatory for all persons with permanent address in Slovakia. The persons with temporary address in Slovakia are compulsorily health insured if she / he are not health insured in another EU member state and she / he is employed or performs self-employed activity or studies in Slovakia. There are several health insurance agencies; the person has to choose one. For employee the health insurance contributions are paid by employer but self-employed persons are obligatory to pay contributions by themselves every month.

RESOURCES:

- For the social insurance system – homepage of Social Insurance Agency
www.socpoist.sk
- For state social support benefits and for the state support for the persons with severe disability
www.upsvar.sk
- Act no. 461/2003 on social insurance
- Act no. 404/2011 on stay of foreigners
- Act on. 5/2004 on employment service
- Act no. 311/2001 Labor Code
- Act no. 460/1992 Constitution of Slovak republic
- Act no. 447/2008 on benefits in cash for compensation of severe disability
- Act no. 383/2013 on child birth grant
- Act no. 238/1998 on funeral grant
- Act no. 571/2009 on parental allowance
- Act no. 600/2003 on child allowance

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