

# Overview of national measures regarding employment and social security of displaced persons coming from Ukraine

***Country Fiche – Slovakia***  
**February 2023**

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# 1.0 Legal and institutional framework

## 1.1 Legal framework

### 1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)<sup>1</sup> and Council Implementing Decision (EU) 2022/382<sup>2</sup>

In the context of the current situation in Ukraine caused by the armed conflict, the Slovak Republic has taken certain measures to facilitate the application of displaced persons from Ukraine to the labour market and at the same time to respond to the Ukrainian employment and social security crisis. The most important measures are:

- ▶ [Act No. 55/2022 on Certain Measures in View of the Situation in Ukraine](#), effective from 26 February 2022 (the so-called Lex Ukraine);
- ▶ [Act No. 92/2022 Z. z. on Certain Other Measures in Connection with the Situation in Ukraine](#), effective from 30 March 2022; and
- ▶ [Act No. 199/2022 on Certain Social Measures in View of the Situation in Ukraine, effective from 7 July 2022.](#)

In connection with the adopted laws the following laws were amended:

- ▶ [Amendment to the Act No. 480/2002 Coll. on Asylum](#), effective from 30 March 2022. This amendment addresses the status of third-country nationals (who are not citizens of Ukraine) and nationals of Ukraine with a document of tolerated stay in the territory of the Slovak Republic;
- ▶ [Amendment to the Act No. 404/2011 Coll. on the Residence of Foreigners](#), effective from 30 March 2022. Lex Ukraine has also added transitional provisions to the Act on the Residence of Foreigners (Act No. 404/2011 Coll.) in order to extend the validity of temporary residence, permanent residence or tolerated stay that would otherwise expire during an emergency situation; and to determine the manner in which third-country nationals who have been granted temporary protection in the territory of the Slovak Republic shall report a change of address of their residence in the territory of the Slovak Republic. The current legal situation continues to require employers to comply with their obligations in relation to the legal employment of their employees;
- ▶ [Amendment to the Act No. 461/2003 Coll. on Social Insurance](#), effective from 13 April 2022;
- ▶ [Amendment to the Act No. 580/2004 Coll. on health insurance](#), effective from 1 April 2022;

<sup>1</sup> Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

<sup>2</sup> Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

- ▶ [Amendment to the Act No. 552/2003 Coll. on the Performance of Work in the Public Interest](#), effective from 30 March 2022. This amendment relaxed some obligations regarding evidence and documentation requirements for displaced persons coming from Ukraine;
- ▶ [Amendment to the Act No. 5/2004 Coll. on Employment Services](#), effective from 1 April 2022. This amendment brought changes in the area of employment of third-country nationals, specifically in relation to the validity of certificates of the possibility of filling a vacancy and employment permits.

Moreover, Government [Decision of 16 March 2022 on the Proposal for a Declaration of Temporary Refuge in Accordance with Council Implementing Decision \(EU\) 2022/382 of 4 March 2022](#), effective from 21 March 2022, provides for a wider range of persons who can apply for temporary protection from 17 March 2022 onwards and [Government Resolution No. 93/2022](#) effective from 30 March 2022 defines displaced persons from Ukraine as persons with special protection.

## II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

The main law regulating employment services as well as social security for persons enjoying the status of temporary protection is the Act on Certain Other Measures in Connection with the Situation in Ukraine, the so-called Lex Ukraine. This law entered into force on 30 March 2022.

In connection with the adopted law, changes were made to several other laws in the field of employment and social security/welfare such as:

- ▶ [Amendment to the Act No. 461/2003 Coll. on Social Insurance](#), effective from 13 April 2022;
- ▶ [Amendment to the Act No. 417/2013 Coll. on aid in material need and on amending and supplementing certain laws](#), effective from 01. January 2023;
- ▶ [Amendment to the Act No. 131/2002 Coll. on Higher Education Institutions and on Amendments and Additions to Certain Acts](#), effective from 25 April 2022;
- ▶ [Amendment to the Act No. 552/2003 Coll. on the Performance of Work in the Public Interest](#), effective from 30 March 2022;
- ▶ [Amendment to the Act No. 5/2004 Coll. on Employment Services](#), effective from 1 April 2022;
- ▶ [Amendment to the Act No. 138/2019 Coll. on Pedagogical and Professional Staff](#), effective from 30 March 2022;
- ▶ [Amendment to the Act No. 578/2004 Coll. on Health Care Providers, Health Care Workers, Professional Organisations in Health Care and on Amendment and Supplementation of Certain Acts](#), effective from 1 April 2022;
- ▶ [Act No. 580/2004 Coll. on Health Insurance](#), amended with effect from 1 April 2022.

The principle of equal treatment, which also applies to displaced persons from Ukraine, is laid down in [Act No. 365/2004 on Equal Treatment in Certain Areas and on Protection against Discrimination and on Amending and Supplementing Certain Acts \(Anti-discrimination Act\)](#), effective from 02 January 2016.

### 1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <ul style="list-style-type: none"> <li>▶ Residing in Ukraine</li> <li>▶ displaced from 24 February 2022</li> </ul>	<p>Yes</p> <p>Based on Section 29(2) of the Act No 480/2002 Coll. on Asylum.</p>
<p>Family members</p> <ul style="list-style-type: none"> <li>▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022</li> <li>▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</li> </ul>	<p>Yes</p> <p>Based on the Government Decision of 16 March 2022.</p> <p>A family member is considered to be:</p> <ul style="list-style-type: none"> <li>▶ spouse,</li> <li>▶ a minor child of a person or his or her spouse,</li> <li>▶ the parent of a minor child (only in the case of a child who is a citizen of Ukraine),</li> <li>▶ another close relative who lived in the same household with the citizen of Ukraine or with the person granted protection and was wholly or partially dependent on his/her relative.</li> </ul> <p>The provision of <b>Article 116 of the <a href="#">Civil Code</a></b> directly defines a close relative as a direct line relative, a sibling and a spouse. Direct line relatives shall be understood as the relationship of ancestors (ascendants) and descendants. Other persons in a family or similar relationship shall be deemed to be close to each other if the damage suffered by one of them would reasonably be perceived by the other as their own harm.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p> <p>Based on the Government Decision of 16 March 2022.</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p> <p>Based on the Government Decision of 16 March 2022.</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> <li>▶ stateless persons and</li> <li>▶ nationals of third countries other than Ukraine,</li> </ul> <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>No</p> <p>Third-country nationals, who are not entitled to temporary protection because they do not have permanent residence in Ukraine or have not been granted asylum, international protection in Ukraine, may apply for asylum or subsidiary protection on the territory of the Slovak Republic.</p>
Any additional category of beneficiaries (i.e. persons who arrived from Ukraine before 24 February 2022)	No

## 1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
<b>General (including status change in Section 2)</b>	The Ministry of Labour, Social Affairs and Family of the Slovak Republic	<i>Ministerstvo práce, sociálnych vecí a rodiny SR</i>	<a href="https://www.mpsvr.sk/sk/uvodna-stranka/informacie-odidencov-z-ukrajiny/informacie-odidencov-z-ukrajiny.html">https://www.mpsvr.sk/sk/uvodna-stranka/informacie-odidencov-z-ukrajiny/informacie-odidencov-z-ukrajiny.html</a>
	Ministry of Interior of the Slovak Republic	<i>Ministerstvo vnútra Slovenskej republiky</i>	<a href="https://www.minv.sk/?tlacove-spravy&amp;sprava=pomoc-ukrajine">https://www.minv.sk/?tlacove-spravy&amp;sprava=pomoc-ukrajine</a>
	Ministry of Foreign and European Affairs	<i>Ministerstvo zahraničných vecí a európskych záležitostí</i>	<a href="https://www.mzv.sk/ukrajina#info-pre-ludi-prichadzajucich-z-Ukrajiny">https://www.mzv.sk/ukrajina#info-pre-ludi-prichadzajucich-z-Ukrajiny</a>
	Central Office of Labour, Social Affairs and Family	<i>Ústredie práce, sociálnych vecí a rodiny</i>	<a href="https://www.upsvr.gov.sk/media/medialne-spravy/uzitocne-informacie-pre-obcanov-ukrajiny-korisna-informacia-dla-gromadan-ukraini-useful-information-for-citizens-of-ukraine.html?lang=sk&amp;page_id=1159972">https://www.upsvr.gov.sk/media/medialne-spravy/uzitocne-informacie-pre-obcanov-ukrajiny-korisna-informacia-dla-gromadan-ukraini-useful-information-for-citizens-of-ukraine.html?lang=sk&amp;page_id=1159972</a>

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	Relevant departments of the Border and Alien Police Office of the Presidium of the Police Corps	<i>Príslušné útvary Úradu hraničnej a cudzineckej polície Prezídia Policajného zboru</i>	<a href="https://www.minv.sk/?vizova-info-typy-viz-1">https://www.minv.sk/?vizova-info-typy-viz-1</a>
<b>Employment rights</b>	National Labour Inspectorate Slovakia	<i>Národný inšpektorát práce Slovenskej republiky</i>	<a href="https://www.ip.gov.sk/zamestnavanie-utecencov-z-ukrajiny/">https://www.ip.gov.sk/zamestnavanie-utecencov-z-ukrajiny/</a>
<b>Social welfare and social security rights</b>	The relevant Labour, Social Affairs and Family Offices	<i>Príslušné úrady práce, sociálnych vecí a rodiny</i>	<a href="https://www.upsvr.gov.sk/">https://www.upsvr.gov.sk/</a>

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Activities related to the management of displaced persons coming from Ukraine are coordinated by a supra-ministerial working group of the Central Crisis Staff (CCS). All ministries have representatives in the operational headquarters in Sobrance, which operates around the clock in times of crisis.

Furthermore, under the Ministry of Labour, Social Affairs and Family, a working group for the long-term integration of displaced persons coming from Ukraine has been established, which aims to facilitate inter-ministerial communication in the field of employment, social security of incoming (and staying) displaced persons coming from Ukraine..

## 2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection<sup>3</sup> under national law, in respect of third country nationals and stateless persons coming from Ukraine.

No such other forms of adequate protection exist in Slovakia. Displaced persons from Ukraine can either apply for asylum, subsidiary protection in the event that the applicant is not granted asylum or for temporary protection.

<sup>3</sup> 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.



Temporary protection allows quick and unhindered access to the labour market, to health care and to education for children. The immigration police (and all other offices, the so-called large-scale registration centres) accept applications for temporary protection 24 hours a day, including at weekends. Temporary protection is granted immediately, if persons have an identification document with them, otherwise the application is processed within 30 days. Temporary protection is granted until March 2023. This period may be automatically extended by half a year, up to a maximum of one year, unless the Council of the European Union decides otherwise. The process of obtaining temporary protection is simpler than the process of obtaining asylum or subsidiary protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

With reference to Act No 404/2011 Coll. on the Residence of Foreigners, a foreigner enjoying temporary protection status cannot apply for the EU Blue Card (a permit for highly skilled employment). Also, during the duration of the temporary protection, the individual cannot apply for a so-called long-term stay, referring to Section 52 (2) of Act No 404/2011 Coll. on the Residence of Foreigners. For this reason, no procedure was put in place for the possibility of status change during the temporary protection regime.

No rules could be identified regarding the status change after the termination of the temporary protection.

Finally, displaced persons coming from Ukraine, who have permanent or temporary residence in Slovakia, asylum seekers or people who have already been granted asylum or subsidiary protection, cannot request temporary protection. Due to the adjustment of temporary protection in the context of the emergency situation in Ukraine, the possibility to work without a special permit has been created. In principle, the change of status from temporary protection to temporary residence does not imply additional benefits; a change of status is more desirable only after the expiry of temporary protection.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

#### Status change from temporary protection to temporary residence:

The conditions set in the legislation to apply for such a status change while remaining in the country:

The standard method is to apply for temporary residence for employment purposes on the basis of a certificate of vacancy. In this case, the foreigner needs to find an employer in advance, who is obliged to notify the local employment office of the vacancy in the prescribed manner at least 20 working days before applying for temporary residence. The foreigner shall then submit an application for temporary residence. This may be done at the Slovak embassy or at the Aliens Police. When submitting the application, it is necessary to submit all documents, otherwise the application will not be accepted by the Aliens Police. In addition to two photographs, the application must be accompanied by documents not older than 90 days confirming:

- ▶ the purpose of the stay - in case of employment, this is either a written promise by the employer to employ the third-country national or an employment contract;
- ▶ good character, i.e. a criminal record extract with an apostille (verification of the signature and stamp on the document);

- ▶ financial security of residence - in case of employment, this is either the employer's confirmation of the amount of the agreed salary or a confirmation of the account balance, both of which must be at least 12 times the minimum subsistence level, which currently amounts to EUR 234.42 x 12 = EUR 2 813.04 ;
- ▶ provision of accommodation.

The police decide on the application within 90 days and the residence is usually granted for a period of two years or five years.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

There are no differences.

Any alteration of rights with respect to

residence:	employment rights:	social welfare and social security rights:
No	No	No

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

As explained above, the provision of temporary protection does not apply to displaced persons coming from Ukraine who have permanent or temporary residence in Slovakia, asylum seekers, or to people who have already obtained asylum or subsidiary protection in Slovakia.

If a person, who has been granted temporary protection, leaves the territory of the Slovak Republic, temporary protection status does not cease to exist. At the same time, the Slovak Republic has regulated the modalities for the termination of temporary protection so that the temporary protection ceases in the following cases ([Article 32\(1\) No. 480/2002 Coll. on Asylum](#)):

- ▶ if the refugee has applied for asylum or subsidiary protection or has been granted temporary residence or permanent residence in the territory of the Slovak Republic;
- ▶ if the refugee has been granted asylum or subsidiary protection on grounds of serious injustice by another Member State of the European Union;
- ▶ if the refugee has been granted residence without time limit by another country;
- ▶ where the refugee has been granted temporary protection by another country.

### 3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

An employer may employ a third-country national within the meaning of Section 23a(1)(k) of the Employment Services Act, who has been granted temporary protection. Third country nationals, including displaced persons from Ukraine, who have been granted temporary protection, have the same access to the labour market as citizens of Slovakia (except for state-employed positions). Employers in Slovakia need to proceed in such a way that the employment of persons does not violate the prohibition of illegal employment within the meaning of Act No. 82/2005 Coll. on Illegal Work and Illegal Employment and on Amendments and Additions to Certain Acts, as amended.

The principle of equal treatment is laid down in Act No. 365/2004 on Equal Treatment in Certain Areas and on Protection Against Discrimination and on Amending and Supplementing Certain Acts (Anti-discrimination Act). The principle of equal treatment in employment relations shall apply in particular in the areas of access to employment, occupation, other gainful activity or function, including requirements for admission to employment and the conditions and manner in which selection for employment is made, the performance of employment and the conditions of performance of work in employment, including remuneration, promotion and dismissal, and access to vocational training, membership of and participation in workers' organisations, employers' organisations and organisations of persons belonging to certain professions.

The foreigners with temporary protection employed under a valid employment contract, provided that both the employer's and the employee's contributions are paid, are entitled to the standard insurance benefits arising from the employment relationship as in the case of Slovak employees.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

Pursuant to Act No 480/2002 Coll. on Asylum, displaced persons from Ukraine may apply for temporary protection, the purpose of which is to facilitate the employment of war displaced persons coming from Ukraine' from Ukraine and to help those who have left to gain quick access to job offers in Slovakia. The status of temporary protection is confirmed by proof of tolerated stay in the territory of the Slovak Republic.

Displaced persons from Ukraine with a document of tolerated stay in the territory of the Slovak Republic may be immediately employed on the basis of a concluded employment contract or on the basis of agreements on work performed outside the employment relationship, or they may be temporarily assigned to perform work for the user employer. In the case of employment of persons enjoying temporary protection, neither a certificate of the possibility of filling a vacancy corresponding to a highly qualified job nor a certificate of the possibility of filling a vacancy nor an employment permit is required.

The conclusion of an employment relationship or an agreement with a person who has been granted temporary protection is no different from the conclusion of an employment relationship with a citizen of the Slovak Republic. The employer is obliged to inform the employees with temporary protection status of the rights and obligations arising for them from the employment contract, the working conditions and the wage conditions, in a manner

comprehensible to the employees. The employers of persons who have been granted temporary protection are obliged under the Employment Services Act to submit an information card to the local competent labour, social affairs and family office no later than within seven working days from the beginning and end of the employment of such persons, together with a copy of the employment contract or concluded agreement and a copy of the proof of tolerated stay in the territory of the Slovak Republic with the mark "*Odídenec*" (from 30 March 2022 with the new mark "*Dočasné útočisko*"). A third-country national employed within the meaning of Section 23a(1)(k) of the Employment Services Act may also be temporarily assigned to perform work for a user employer.

## II. Recognition of qualifications/diplomas

Recognition procedure depends on whether a profession is regulated or not. There is a legal obligation to have educational qualifications recognised when pursuing regulated professions (e.g. health professions, education, some trades). On the contrary, no such obligation exists in unregulated professions, where the employer decides directly on the qualifications. In addition, recognition is compulsory for continuing studies (e.g., recognition of a secondary school diploma, recognition of a bachelor's diploma when entering a master's programme). The application shall be sent to the authority listed in the database for the relevant profession (in addition, the application may be submitted electronically via the Central Portal of Public Administration - persons or their proxies with an activated electronic mailbox, or at the registry of the competent authority). The requirement for higher verification (apostille/super-legalization) of the educational document and the certificate of accreditation of the educational institution has been removed from the recognition process, these documents no longer need to be submitted with the application. The central recognition body for regulated professions is the Ministry of Education, Science, Research and Sport of the Slovak Republic - Centre for Recognition of Educational Documents, which recognises professional qualifications as well as educational documents (school-leaving certificate, certificate of education, university diploma) in the case of other regulated professions such as bound and craft trades, professions in the construction industry.

In a matter of recognising skills, the provision of Section 16(1) of Act No. 124/2006 Coll. on Occupational Safety and Health at Work and on Amendments and Supplements to Certain Acts, as amended (Act No. 124/2006 Coll.) stipulates that a natural person may operate designated work equipment and carry out designated work activities provided for by the legislation to ensure occupational safety and health in its operation only on the basis of a valid licence or a valid certificate, a document of completion of education and training or a document of verification of professional knowledge issued by a review technician, if provided for by the legislation to ensure occupational safety and health.

In accordance with Section 16(13) of Act No 124/2006 Coll., a natural person may perform activities on the basis of a valid document of recognition of professional competence or a valid document of relevant professional competence issued in another Member State of the European Union instead of the licence, certificate or document referred to in paragraph 1(b), if the natural person is a cross-border service provider or a natural person who is seconded for the performance of work in the course of the provision of services from another Member State of the European Union to the territory of the Slovak Republic.

It follows from the above provisions of the legislation that regulated activities may be carried out in the Slovak Republic only on the basis of a valid document of professional competence issued in the Slovak Republic, a document of recognition of professional competence issued by the National Labour Inspectorate or, in the case of seconded employees, on the basis of a document of professional competence issued in their home country.

Proof of professional competence issued in Ukraine or in any other country is not automatically valid in the Slovak Republic. Documents of professional competence issued in Ukraine cannot be recognised by the

National Labour Inspectorate, because the National Labour Inspectorate issues and withdraws from a natural person a document on the recognition of a professional qualification obtained under the legislation of a Member State of the European Union, a State that is a contracting party to the Agreement on the European Economic Area or the Swiss Confederation (Article 6(1)(e) of Act No. 125/2006 Coll. on Labour Inspection and on Amendment and Supplementation of Act No. 82/2005 Coll. on Illegal Work and Illegal Employment and on Amending and Supplementing Certain Acts). In case of interest in carrying out regulated activities on the territory of the Slovak Republic, displaced persons from Ukraine must obtain professional competence in accordance with the applicable legislation of the Slovak Republic.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Displaced persons from Ukraine enjoying temporary protection are eligible to the same assistance for job seekers as Slovak nationals.

Additionally, the staff of the Labour, Social Affairs and Family Offices in large refugee centres use a bilingual questionnaire to find out about the refugees' interest in employment as well as the areas in which they would like to work. If a vacancy is available, they contact the employer or refer employees to contacts. All offices also provide information and counselling services to displaced persons coming from Ukraine in their job search and adaptation in a new job. At 18 labour offices, displaced persons coming from Ukraine can find information boards with vacancies also in Ukrainian. They can also look for a job on the ministerial [portal](#).

Labour, Social Affairs and Family Offices provide foreigners with temporary protection status with basic information about the Slovak labour market with a specific focus on the particular region in which the advice is provided. The content of the counselling is:

- ▶ identifying the foreigner's professional goals and matching them with labour market opportunities;
- ▶ information on ways and means of communication with potential employers;
- ▶ support in contacting the potential employer, non-profit or other organisations as part of the process of integrating the foreigner into active life;
- ▶ assistance in drawing up the basic documents needed for finding a job;
- ▶ information on active labour market measures, e.g. on further training opportunities and support for inclusion in these measures;
- ▶ assistance in tackling barriers to labour market integration.

The counselling process consists of three face-to-face meetings, each lasting three hours, for a total of nine hours per foreigner. The meetings can be individual or in groups, depending on the current interest and individual needs of the foreigners. In addition, distance counselling can also be provided to foreigners by telephone or email if they wish. For each personal participation in counselling session, a foreigner receives a travel and board allowance of EUR 4.46, with a maximum of EUR 13.38 (the actual amount of the allowance depends on the number of days during which a foreigner attends the counselling in person). The [form](#) to apply for counselling is available online for download or can be submitted directly at the Office of Labour, Social Affairs and Family.

## IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Free counselling in the field of language education is provided by the Migration Information Centre and the Ministry of Education, Science, Research and Sport of the Slovak Republic, which is responsible for education. These education/training opportunities are available to all jobseekers in Slovakia and have not been created only for beneficiaries of temporary protection. The education of adult foreigners over the age of 18, who are no longer part of formal education, is provided in Slovakia through further education that takes place in regions such as:

- ▶ Continuous VET in an accredited training programme - leads to the completion, renewal, extension or deepening of qualifications for professional activity;
- ▶ Requalification in an accredited training programme leading to a partial qualification or a full qualification;
- ▶ Continuous education in educational programmes - supplementation, extension, deepening or renewal of qualification (modification by special regulations) for specific professions such as teachers or medical staff;
- ▶ Interest-based education, civic education, senior education and other education where the learners further meet their interests and develop their personality.
- ▶ In the framework of the "[Pomáhame odídencom](#)" project:
  - ▷ The Labour, Social Affairs and Family Offices provides financial support for the education of foreigners who have been granted temporary protection. The aim of the training is to help foreigners acquire the theoretical knowledge as well as the practical skills and abilities necessary for their social inclusion and integration into the labour market. Within the framework of the counselling activities of the Labour, Social Affairs and Family Office, the foreigners' need for education and, where appropriate, the field of education suitable for them may be identified. However, it is not possible to select a specific course and a specific education provider. In case of interest in the training support under this project, the foreigners themselves select the specific training course and the training provider, without the interference of the Labour, Social Affairs and Family Office. A list of currently available courses can be found on websites such as [www.skolenia.sk](#), [www.kurzy.sk](#), [www.istp.sk/kurzy](#) or on the websites of individual training providers. Subsequently, the displaced persons coming from Ukraine shall submit to the Labour, Social Affairs and Family Office a completed and signed application for a training course allowance for the displaced persons coming from Ukraine on the prescribed form no later than 15 calendar days before the expected start of the training course. The Labour, Social Affairs and Family Office considers each application submitted on an individual basis in order to ensure that the funds are spent efficiently;
  - ▷ Under this project, foreigners with temporary protection status can volunteer to carry out voluntary activities. The aim of [volunteering](#) is to gain practical experience for the needs of the labour market as well as to support the maintenance and development of work habits. The volunteering activity is carried out by the expatriates within the recommended maximum of 80 hours per month, continuously for a maximum of six calendar months, with the possibility of extending it for a maximum of six months with another eligible entity;
  - ▷ The project also includes an employer placement measure. Under this measure, allowances can be provided for the implementation of a mentored placement with an employer for the foreigner and for the employer providing the placement. During the mentored placement, foreigners can learn theoretical and practical skills under the guidance of a mentor appointed by the employer from among its employees. Mentored placement is carried out for a maximum of four hours per day for a maximum



of three months. At the end of the mentored placement, the employer shall issue a certificate of completion of the placement. The financial contribution is paid on the basis of an agreement between the employer and the Labour, Social Affairs and Family Office and an agreement between the foreigner and the Office.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

The displaced persons coming from Ukraine who have been granted temporary protection and who have been granted a document of tolerated stay in the territory of the Slovak Republic cannot run a business (self-employment) during the validity of their stay. If the displaced persons coming from Ukraine want to be self-employed in the Slovak Republic, they must obtain a temporary residence permit for the purpose of doing business, but there are certain exceptions - they can do business even if they have a temporary residence permit for the purpose of study, family reunification, research and development or have been granted the status of a Slovak living abroad / a person with long-term residence in another EU Member State. The third country nationals who have temporary residence or permanent residence in the Slovak Republic can be self-employed as a foreign natural person.

According to the information provided on the Migration Information Centre [website](#), the third country nationals with a temporary residence or a third country nationals with a permanent residence can obtain a trade licence in Slovakia by registering a trade at the district court, trade business department, locally competent according to the address of the place of activity of the enterprise or organisational unit of the enterprise. If a third country national have a permanent residence in Slovakia, the trade licencing office is locally competent according to the place of their residence.

## 4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

- I. Types of benefits with description and coverage

### **Social security**

When employing displaced persons from Ukraine, both employees and employers are subject to Slovak legislation. If a Slovak or a foreign employer employs a foreigner with temporary protection, who is subject to Slovak social insurance legislation, the employer fulfils all obligations under the Social Insurance Act in the area of social insurance. Nothing specific is prescribed for displaced persons from Ukraine with a temporary protection status.

The employer is obliged to fulfil registration, deregistration and notification obligations on behalf of the employee within the statutory time deadlines. It is also obliged to pay the insurance premiums on the employee's behalf on time and for the correct amount, as for any other employee. In the case of employees – foreigners with temporary protection who have been granted tolerated stay (or permanent, temporary stay), the employer needs to register them to the Social Insurance Institution by means of the Registration Letter of a Natural Person

(RLFO). In Section I, the employer should not indicate "natural person without residence in the Slovak Republic", as this is indicated only for natural persons without residence in the Slovak Republic. Similarly, the address of residence shall not be mentioned in Section II (it is mentioned only for a natural person without residence in the Slovak Republic).

If employees - displaced persons coming from Ukraine with temporary protection do not have a birth number, the employer shall submit a paper RLFO to the relevant branch of the Social Insurance Institution. The branch of the Social Insurance Institution generates a social security identification number for such employees for social insurance purposes. The employer is thus obliged to fulfil the registration obligations. Social security contributions are paid by the employee and the employer. The employer shall pay the social security contributions on behalf of the employee.

### **Social welfare**

Displaced persons coming from Ukraine with temporary protection status are not entitled to state social benefits such as child benefit, parental allowance, maintenance allowance, funeral allowance or childbirth allowance. These state social benefits are subject to the condition of temporary or permanent residence. However, the Ministry of Labour, Social Affairs and Family has temporarily modified the procedures for the provision of certain state social benefits and material need assistance to make them more accessible to displaced persons from Ukraine (see also below Section II on Eligibility conditions).

### **Material hardship assistance**

The material hardship assistance may be provided to displaced persons coming from Ukraine who present a document of residence in the territory of the Slovak Republic marked "Odídenec" or a card of a foreigner applying for temporary protection.

This material benefit is again provided by the Ministry of Labour, Social Affairs and Family of the Slovak Republic. From 1 May 2022 this assistance was temporarily taken over by a cooperation of international organisations: the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the International Organisation for Migration (IOM) and the Slovak Red Cross with the support of the International Federation of Red Cross and Red Crescent Societies (IFRC)). Currently, the Ministry of Labour, Social Affairs and Family via Offices of Labour, Social Affairs and Family pays financial allowances to foreigners with temporary protection status. If foreigners with temporary protection status are already recipients of material hardship assistance in Slovakia, they need to register again at relevant Offices of Labour, Social Affairs and Family

The application for the assessment of entitlement to material hardship assistance needs to be submitted by the displaced persons coming from Ukraine to the Office of Labour, Social Affairs and Family in which territorial jurisdiction they are located. If displaced persons coming from Ukraine with temporary protection status are already recipients of material hardship assistance in Slovakia, it is necessary for them to report again at the Office of Labour, Social Affairs and Family.

The amount of the financial contribution is:

- ▶ EUR 74 for an adult
- ▶ EUR 140.70 for a single person with up to four children
- ▶ EUR 128.60 for a for a couple without children
- ▶ EUR 192.40 for a for a couple with up to four children



- ▶ EUR 205.50 for a single person with more than four children
- ▶ EUR 259.40 for a couple with more than four children.

Financial support to displaced persons coming from Ukraine with temporary protection status used to be provided by international organizations and was set up as a short-term support tool to the Slovak government until September 2022. Displaced persons coming from Ukraine with temporary protection status who have applied for material hardship assistance in the past need to appear again in person at the Office of Labour, Social Affairs and Family competent according to their place of residence for the purpose of receiving further material hardship assistance.

### **Protection allowance**

Irrespective of the material hardship assistance, beneficiaries of temporary protection are also entitled to the [protection allowance](#) intended for personal expenses of household members, who are unable to secure an income or increase their own income through work for objective reasons (in particular age, health).

The protection allowance is granted in the amount of:

- ▶ EUR 75.70 per month if the household members are displaced person coming from Ukraine who: (i) have reached the retirement age; (ii) are disabled due to a decrease in earning capacity of more than 70 %; (iii) are single parents who personally, fully and properly care for a child up to 31 weeks of age; (iv) care for a person with a disability who is dependent on care; (v) participate in resocialisation programmes in a resocialisation centre in which they cannot earn an income through their own work; (vi) are recipients of an early retirement pension;
- ▶ EUR 41.60 per month if the household members are displaced persons coming from Ukraine who are pregnant women from the beginning of the eighth week before the expected date of childbirth, as determined by a doctor, or who have an adverse medical condition and are temporarily incapable of work because of illness or accident or in quarantine for more than 30 consecutive days;
- ▶ EUR 16.20 per month if the household members are pregnant women from the beginning of the fourth month pregnancy or the parents of a child who are personally, fully and properly caring for the child for up to one year of age.

### **Financial support for a carer**

Moreover, from 1 May 2022, carers - Ukrainians with temporary protection status who care for Ukrainians with disabilities with temporary protection status, are eligible for financial support from international organisations - UNICEF and the International Organisation for Migration (IOM). The amount of financial support for carers is set at EUR 508 per month.

### **Financial support for displaced persons coming from Ukraine with severe disabilities**

From December 2022, the Ministry of Labour, Social Affairs and Family of the Slovak Republic, in cooperation with the Central Office for Labour, Social Affairs and Family, provides a [subsidy to support displaced persons coming from Ukraine with severe disabilities](#).

This subsidy amounts to:

- ▶ EUR 300 per month, if the result of the assessment is the degree of severity of the applicant's disability from 40 to 59 %;

- ▶ EUR 508 per month, if the result of the assessment is the degree of severity of the applicant's disability of 60 % or more;
- ▶ EUR 508 per month, for children with severe disabilities in need of constant care.

### **Subsidy for food for a child**

It is also possible to apply for a subsidy for food for a child. Information on the food subsidy must be obtained when the child is enrolled in a kindergarten or primary school, and the school's head teacher or the authority will guide the parent on how to proceed.

### **Childcare allowance**

[Government Resolution No. 93/2022](#) effective from 30 March 2022 defines a person with special protection (including displaced persons from Ukraine) as a natural person:

- ▶ who is granted temporary protection;
- ▶ who is an applicant for asylum or subsidiary protection;
- ▶ who has been granted temporary residence.

According to the above-mentioned resolution, displaced persons from Ukraine, with the status of a person with special protection, may claim childcare allowance for a child up to three years of age or up to six years of age or a child with a long-term adverse health condition (both the applicant and the child must be persons with special protection), if the applicant is engaged in gainful employment.

The amount of the childcare allowance per calendar month is:

- ▶ the payment for a childcare provided, as agreed between the provider and the beneficiary, up to a maximum of EUR 280;
- ▶ the specified monthly contributions, up to a maximum of EUR 80, if a childcare is provided by a provider which is a kindergarten included in the network of schools and school establishments of the Slovak Republic established by a municipality or a local state administration body in education; or
- ▶ EUR 41.10 if a child's care is provided by another natural person (e.g. a grandparent) and no parental allowance is paid or by a parent who is gainfully employed and does not otherwise provide care for the child.

### **Accommodation**

Displaced persons coming from Ukraine with temporary protection status can ask for help with accommodation from various social service providers (e.g., emergency housing for families with children, shelter, home for the elderly). They also have the right to take advantage of the possibilities of accommodation in social and rental housing, which is usually provided by municipalities. Workers in the large-capacity centres in Michalovce and Humenne help with accommodation in state and hotel facilities, buses to the large capacity centres are available at the border.

### **Healthcare**

Displaced persons coming from Ukraine, who are not covered by a public health insurance, are entitled to reimbursement for emergency healthcare provided until the date on which they apply for asylum, subsidiary protection or temporary protection, but not longer than 30 days from the date of entry onto the territory of the

Slovak Republic. The Ministry of Health of the Slovak Republic reimburses the costs incurred to the health insurance company with the largest number of insured persons.

If temporary protection is requested, the right to urgent and necessary indicated medical care is triggered. This includes medical care that is recommended by a doctor's examination. There is an outpatient emergency service in the relevant county or city, or a central hospital reception. In the event of a life-threatening emergency, medical care is provided immediately to everyone on the territory of the Slovak Republic. When temporary protection is requested, dental care is covered in acute cases under the conditions set by the insurance company. Contacts of dentists in Slovakia who provide free emergency dental care can be found [here](#).

Once temporary protection is granted, such persons are entitled to urgent medical care; the Ministry of the Interior of the Slovak Republic may, on the basis of an individual assessment of the applicant's state of health, also allow reimbursement for other medical care.

At the same time, the Ministry of Health of the Slovak Republic may determine the scope of medical procedures reimbursed beyond urgent medical care (i.e. necessary medical care) by publishing it on its [website](#). The existing legal framework provides that necessary health care is health care that is required by persons' state of health and must be provided taking into account the nature of the health care and the expected length of the persons' stay, so that such persons do not have to return to their country earlier than originally intended for the necessary treatment. This scope includes any treatment by ambulance and emergency medical services, consultations with a general practitioner, as well as preventive health care and vaccinations. Necessary medical care is not excluded for chronic diseases such as dialysis, oxygen therapy, chemotherapy, specific treatment for asthma, echocardiology.

## II. Eligibility conditions

Displaced persons coming from Ukraine with temporary protection status shall only register with the health insurance company if they are employed on an employment contract or agreement and have an agreed income of at least the minimum monthly wage, which is currently EUR 700. They must choose the health insurance company with which they wish to be insured and must apply to that company no later than within eight days of the date of commencement of the employment contract or agreement. The employer can help employees with temporary protection status to take out health insurance if they authorise the employer to do so. Furthermore, they must register with the Social Insurance Institution before the employment relationship or agreement is established, just like regular employees.

Displaced persons coming from Ukraine with temporary protection status are not entitled to state social benefits such as child benefit, parental allowance, maintenance allowance, funeral allowance or childbirth allowance. These state social benefits are subject to the condition of temporary or permanent residence.

The Ministry of Labour, Social Affairs and Family has temporarily modified the procedures for the provision of certain state social benefits and material need assistance to make them more accessible to foreigners with temporary protection (or have already applied for temporary protection). The Office has prepared a simplified bilingual application form for parental allowance or child benefit and requires that both the claimant and the child are persons with special protection (based on Government Resolution 93/2022), and the claimant must be gainfully employed. Displaced persons coming from Ukraine need to have temporary protection status or have already applied for temporary protection to be able to qualify for such benefits.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

Compulsory sickness insurance and compulsory pension insurance of self-employed persons who are citizens of Ukraine shall be suspended during the period during which they are on the territory of Ukraine in connection with the armed conflict in Ukraine on account of service in the armed forces of Ukraine, performance of military service in Ukraine or performance of conscription duty in Ukraine. This period shall be included in their pension insurance and they shall also be given the option of paying additional insurance premiums for that period. The amendment to Act No 461/2003 Coll. on Social Insurance has brought a guarantee that during the above-mentioned period Ukrainians performing military service will not be subject to compulsory social insurance and will not be obliged to pay insurance premiums.

Displaced persons coming from Ukraine with temporary protection status who are publicly insured in Slovakia and who are performing their conscription duties are exempt from the public health insurance system.

## 5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The following initiatives have been found through desk research:

- ▶ In the context of the situation in Ukraine, a number of state institutions have launched websites in the Ukrainian language that offer a brief overview of the procedures and processes in both employment and social security/welfare services, both on the part of potential employees and on the part of employers. These are among others: [a dedicated webpage](#) with information for displaced persons from Ukraine entering Slovakia, a [support webpage](#) of the Ministry of Transport and Construction of the Slovak Republic, a [webpage](#) of the Ministry of Labour, Social Affairs and Family of the Slovak Republic, and a dedicated webpage with [job offers](#) for displaced persons from Ukraine;
- ▶ Employers can also publish their job offers on the [job vacancies portal](#). The Ministry of Labour, Social Affairs and Family provides **translations of job offers into the Ukrainian language** so that displaced persons coming from Ukraine have the opportunity to get as quickly as possible to relevant information and suitable job offers according to their professional knowledge and competences;
- ▶ The staff of the Labour, Social Affairs and Family Offices in large refugee centres use a **bilingual questionnaire to find out about the refugees' interest in employment** as well as the areas in which they would like to work. If a vacancy is available, they contact the employer or refer employers to contacts. All offices also provide information and counselling services to displaced persons coming from Ukraine in their job search and adaptation in a new job. At 18 labour offices, displaced persons coming from Ukraine can find information boards with vacancies also in Ukrainian. They can also look for a job on [this](#) or [this](#) ministerial portal;
- ▶ The current amendment to the Asylum Act also regulates the provision of an **accommodation allowance** for persons granted temporary protection status. This allowance is paid to accommodation providers by local governments from the funds transferred from the Ministry of the Interior of the Slovak Republic. Persons and entities that do not provide accommodation on the basis of a trade licence are entitled to the accommodation allowance. The basic condition for receiving the allowance is the conclusion of an accommodation contract between the property owner and the displaced person coming from Ukraine. The landlord needs to submit the contract to the municipality after concluding the contract with the

displaced person coming from Ukraine. At the same time, the landlord shall submit to the municipality, at the end of each calendar month, a statement of the number of nights during which the landlord has actually provided accommodation to the displaced persons coming from Ukraine. The allowance is paid to the beneficiary by the municipality - to a bank account or in cash. The funds are paid to the landlord only after the municipality has received the funds from the Ministry of the Interior. Owners of flats and family houses who provide accommodation for persons who have been granted temporary protection status are entitled to the allowance in the amount of:

- ▷ EUR 10 per night for accommodation of a person granted temporary protection status aged 15 or more;
- ▷ EUR 4 per night for accommodation of a person granted temporary protection status aged under 15 years of age.

Accommodation establishments intended for short-term accommodation or municipalities and higher territorial units which provide accommodation to persons who have been granted temporary protection status are entitled to the allowance in the amount of:

- ▷ EUR 12 per night for accommodation of a person granted temporary protection status aged 15 or more;
- ▷ EUR 6 per night for accommodation of a person granted temporary protection status under 15 years of age.

Accommodation allowances are paid until 28 February 2023.

- ▶ Persons with a Slovak Help document with a red stamp with text in the Ukrainian language, issued after crossing the border, or with a certificate of temporary protection status, are entitled to free transport. As of July 2022, such persons can travel for free on [trains](#) and suburban [buses](#) on the day such documents are obtained and on the following four days. Exceptions to the 5-day restriction on free services are children aged 6 to 16 enrolled in Slovak schools and seniors over 62 who can obtain free travel passes for trains. In addition, for pupils of kindergartens, primary and secondary schools, one accompanying adult may travel with them free of charge on trains and suburban buses during school days. However, they must have proof of attendance at school. Holders of the first issue of a temporary shelter document continue to benefit from free transport to work for the first 60 days from the day it was issued. However, they must show a certificate from their employer and also a document from their place of habitual residence.
- ▶ Recognition of health professional qualifications acquired on the territory of non-EU Member States (all health professions) is carried out in a two-stage process. In the first stage, the applicant shall apply to the Ministry of Education for recognition of the educational qualification. Recognition of educational qualifications will assess whether the educational qualifications were obtained at a state-recognised school and whether the qualifications meet the formal requirements compatible according to the requirements in Slovakia. From 1 June 2022, the process of recognition of education documents for the exercise of a regulated profession has been simplified for education documents obtained in third countries:
  - ▷ no higher authentication of the educational document (apostille/superlegalization) is required across the board;
  - ▷ there is no need to submit a certificate of the educational institution (university) from a third country.

The competent authority shall decide on the recognition of the educational qualification within a period of two months, followed by the obligation to take the supplementary examination. Once the supplementary examination has been passed, the competent authority shall decide on the recognition of the professional qualification within a period of one month. After the qualification for the health professions has been recognised, the applicants can start a temporary professional traineeship, i.e. they can join the health system. The institute of temporary professional traineeship was introduced by the Ministry of Health of the Slovak Republic.