

National Assembly of the Republic of Slovenia

No. 430-03/02-17/3

Ljubljana, 26 April 2002-06-29

At its session of 26 April 2002 the National Assembly adopted the Public Sector Wage System Act (the ZSPJS) as follows:

Public Sector Wage System Act **Zakon o sistemu plač v javnem sektorju (ZSPJS)**

I. General Provisions

Article 1 (content and objective of act)

(1) The present act regulates the system of wages for functionaries and civil servants in the public sector, the rules for stipulating, calculating and paying such wages, and the rules for stipulating the amount of funds for wages. The act also defines the procedure for altering the ratios between the wage groups and wage subgroups in the public sector.

(2) The act sets out the common basis for the public sector wage system, in order to apply the principle of equal pay for work in comparable positions, titles and functions and to ensure the transparency of the wage system and wage incentives.

Article 2 (definition of terms)

The individual terms shall be defined as follows pursuant to the present act:

1. Pursuant to the present act the public sector comprises:

- state bodies and self-governing local communities (hereinafter: local authorities)
- public agencies, public funds, public institutes and public commercial institutes
- other persons under public law that are indirect users of the national budget or local authority budgets

Public enterprises and companies in which the state or a local authority holds a majority stake or a predominant influence shall not be deemed part of the public sector pursuant to the present act.

2. Budget users pursuant to the present act are state bodies and local authorities, public agencies, public funds, public institutes and public commercial institutes, and other persons under public law that are indirect users of the national budget or local authority budgets.
3. Functionaries are persons who obtain a mandate to perform functions through general elections, persons who obtain a mandate to perform functions of the executive or judicial branches of power through election or appointment at the National Assembly of the Republic of Slovenia (hereinafter: the national assembly) or at a local authority representative body, and other persons who in accordance with law are elected or appointed functionaries by those responsible for the legislative, executive or judicial branches of power.
4. A civil servant is any employee, with the exception of a functionary, who concludes an employment contract in the public sector specified in point 1 of this article.
5. The catalogue of positions and titles is a list of systemised descriptions of positions and titles in the public sector.
6. The system of positions is an act in which the positions required for performing the tasks of a state body, local authority administration or a person under public law are defined in accordance with the internal organisational structure, including a description of the conditions for occupying the positions, the tasks in individual positions and the wage classes.
7. A position is the lowest organisational unit in the organisational structure that has defined principal tasks within the framework of the field of work or professional field.
8. A title is the name a civil servant acquires upon appointment, election, conferral or promotion in accordance with law.
9. The level of difficulty of a job, title or function is the primary factor for stipulating the basic wages on the wage ladder. It is determined using the level of difficulty of the tasks and the required level of training deriving therefrom (the professional qualifications required, the necessary additional skills and experience), the responsibility, the authorisations and restrictions, the physical and mental exertions, and environmental influences.
10. A wage group consists of functions or positions and titles typical of an activity or positions of the same type within all activities. A wage group shall be divided into wage subgroups with regard to the common features of the functions, positions and titles.
11. The wage ladder consists of wage classes.
12. A wage class is a part of the wage ladder that has a value expressed in a tolar sum.

13. The basic wage is that part of the wage received by a civil servant or functionary in an individual position, title or function for the work performed in full-time work hours for the expected results of work in an individual month. Promotion of a civil servant or functionary is also counted in the basic wage.

14. Performance-related pay is that part of the wage that can be received by a civil servant or functionary for above-average success in performing the work in a specific period.

15. Bonuses are part of the wage of a civil servant or functionary for special conditions, danger or burdens that are not taken into consideration in evaluating the level of difficulty of the job, title or function.

16. The masculine Slovene terms used for a civil servant, functionary, director, principal, and secretary at a university or other tertiary education institute (hereinafter: secretary), and other phrases in masculine grammatical forms shall be deemed to apply equally to men and women.

Article 3 (stipulation of wages)

The wages of civil servants and functionaries at budget users shall be stipulated pursuant to the present act. The wages of civil servants for work abroad shall be stipulated by government decree.

II. Stipulation of Amount of Funds and Adjustment of Wages

Article 4 (stipulation of amount of funds for wages)

The amount of funds for wages for an individual budget year shall be stipulated in budget users' financial plans in accordance with the provisions of the present act, the number of civil servants and functionaries in accordance with the adopted programme of work, their basic wages including anticipated promotions, the amount of funds for performance-related pay and the amount of funds for bonuses pursuant to acts of law, implementing regulations and collective agreements having been taken into consideration.

Article 5 (composition of wage, basic wage and coordination of basic wages)

(1) The wage shall be composed of the basic wage, performance-related pay and bonuses.

(2) The size of the basic wage shall be stipulated by classification into an individual wage class from the wage ladder.

(3) The wage ladder is stipulated in Appendix 1 to the present act.

(4) The values of the wage classes shall be adjusted once a year as a rule. The size of the adjustment shall be agreed by the collective agreement for the public sector. The negotiations shall begin by 1 May and shall as a rule be completed at least thirty days before the deadline set for the submission of the draft national budget to the national assembly.

(5) In each case the value of the wage classes from the wage ladder adjusted in accordance with the previous paragraph shall be stipulated by law.

(6) If the negotiations and other procedures stipulated by the collective agreement for the public sector are not completed by the deadline specified in the fourth paragraph of this article, the size of the adjustment and the value of the wage classes from the wage ladder shall be stipulated by the national assembly at the proposal of the government.

Article 6
(voluntary pension insurance)

(1) The social partners may also agree that part of the funds from the adjustment of basic wages be earmarked for the payment of voluntary pension insurance premiums.

(2) The funds specified in the third and fourth paragraphs of Article 21 of the present act may also be used for the payment of voluntary pension insurance premiums.

III. Wage Groups, Wage Subgroups and Tariff Classes

Article 7
(definition of wage groups and wage subgroups)

(1) The wage groups and wage subgroups are as follows:

wage groups	wage subgroups
A – functions at state bodies and local authorities	A1 – President of the Republic and functionaries of the executive branch of power A2 – functionaries of the legislative branch of power A3 – functionaries of the judicial branch of power A4 – functionaries at other state bodies A5 – functionaries at local authorities

B – management bodies at budget users	B1 – principals, directors and secretaries
C – official titles in the state administration and local authority administration, and at other state bodies	C1 – officials at other state bodies C2 – officials in the state administration, judicial administration and local authority administration C3 – police officers C4 – military personnel C5 – customs officers C6 – inspectors, attendants and other officials with special authorisations
D – positions in the field of education and sport	D1 – university-level teachers and university-level associates D2 – lecturers at two-year tertiary colleges, secondary school and primary school teachers, and other expert associates D3 – nursery school teachers and other expert associates at nursery schools
E – positions in the field of healthcare	E1 – physicians E2 – pharmaceutical workers E3 – nurses / health technicians E4 – healthcare associates
F – positions in the field of social care	F1 – expert staff F2 – expert associates
G – positions in the field of culture and information	G1 – artistic professions G2 – other professions in the field of culture and information
H – positions and titles in the field of science	H1 – researchers H2 – expert associates
I – positions at public agencies, public funds, other public institutes and public commercial institutes, and other budget users	I1 – expert associates
J – auxiliary positions (applies to entire public sector)	J1 – expert associates J2 – administrative staff J3 – other technical staff

(2) The ranges of wage classes for wage subgroups A1 to J3 are stipulated in Appendix 2 to the present act.

(3) Only the most demanding functions, the most demanding positions, the most senior titles and the most senior managerial positions may be classified into the highest wage classes specified in Appendix 2.

(4) A rise in the highest wage class in wage subgroup A3 to wage class 62 shall entail a rise in the basic wage for the president of the supreme court and supreme court judges only.

(5) The catalogue of positions and titles in wage subgroups B1 to J3 shall be published by the government in accordance with acts of law, implementing regulations, general acts by bodies and the collective agreement.

Article 8
(tariff classes)

(1) The basic wages of civil servants shall also be stipulated on the basis of the classification of positions and titles into tariff classes. The lowest possible wage class without promotion for an individual tariff class shall be stipulated by the collective agreement for the public sector.

(2) The tariff classes are as follows:

tariff class	education successfully completed or level of training required as a rule for performing work tasks
I	<ul style="list-style-type: none"> - at least six classes of eight-year primary education or seven classes of nine-year primary education - successful completion of eight-year or nine-year primary education
II	<ul style="list-style-type: none"> - vocational training after primary education
III	<ul style="list-style-type: none"> - lower vocational education, i.e. vocational education lasting less than three years
IV	<ul style="list-style-type: none"> - intermediate vocational education, i.e. vocational education lasting three years or more
V	<ul style="list-style-type: none"> - general secondary education - vocational education with guild diploma or equivalent examination - baccalaureate course with pass - vocational course with pass in vocational baccalaureate - secondary technical education or other professional education - secondary technical/vocational education
VI	<ul style="list-style-type: none"> - two-year tertiary professional education - two-year tertiary education facilitating transition to university programmes - two-year tertiary specialist education
VII	<ul style="list-style-type: none"> - four-year tertiary professional education - university education
VIII	<ul style="list-style-type: none"> - postgraduate specialist education - postgraduate master's education
IX	<ul style="list-style-type: none"> - doctorate

IV. Stipulation of Basic Wage

Article 9
(stipulation of basic wage)

(1) The basic wage of a civil servant shall be stipulated by the wage class into which the job or title that the civil servant has been assigned or has acquired via promotion is classified.

(2) The basic wage of a functionary shall be stipulated by the wage class into which the individual function is classified or by the wage class that the functionary has acquired via promotion, if the functionary can be promoted in accordance with law.

(3) In acts on the system of positions and titles at budget users, the use of wage classes pursuant to the present act shall be compulsory for the stipulation and calculation of wages.

Article 10 (stipulation of basic wage of functionaries)

(1) The basic wages of functionaries shall be stipulated by classification into a wage class.

(2) The classification of individual functions into wage classes shall be set out by the national assembly via an ordinance.

Article 11 (stipulation of basic wage of principals, directors and secretaries)

(1) The basic wages of the principals and directors of public agencies, public funds, public institutes and other persons under public law specified in point 1 of Article 2 of the present act and of secretaries (hereinafter: principals, directors and secretaries) shall be stipulated by classification into a wage class, the level of difficulty of the position and the importance of the person under public law that they head having been taken into consideration.

(2) The wage classes and the detailed criteria for the classification of the positions of principals, directors and secretaries into wage classes shall be set out by the government via a decree.

(3) The wage class for stipulating the basic wage of a principal, director or secretary at persons under public law specified in the first paragraph of this article for whom the state is the founder shall be prescribed by the minister responsible for the field in question (hereinafter: the relevant minister).

(4) The wage class for stipulating the basic wage of a principal or director at persons under public law specified in the first paragraph of this article for whom the local authority is the founder and whose wages are financed from the national budget or from compulsory health insurance shall be prescribed by the relevant minister.

(5) The wage class for stipulating the basic wage of a principal or director at persons under public law specified in the first paragraph of this article for whom the local authority is the founder and whose wages are financed from a local authority budget shall be prescribed by the relevant body at the local authority with the approval of the relevant minister.

Article 12

(benchmark positions and titles, and common methodology)

(1) Benchmark positions and titles are selected positions and titles that facilitate comparison inside wage groups and between wage groups. They shall be evaluated using the common methodology.

(2) The common methodology shall define the instructions for classifying positions and titles into wage classes, whereby the following criteria shall in particular be taken into consideration:

- the level of difficulty of the work tasks or the conditions for acquiring the title
- the level of training required (the necessary professional qualifications, the additional skills and experience required)
- the responsibility and authorisations
- the physical and mental exertions involved
- environmental influences

(3) The common methodology shall be set out by a special collective agreement concluded by the government and the representative trade unions for the public sector.

(4) The benchmark positions and titles shall be defined by the collective agreement for the public sector.

Article 13

(manner of classification into wage classes)

(1) The classification of positions and titles into wage classes shall be performed by taking the classification of benchmark positions and titles into consideration. The classification of evaluated benchmark positions and titles into wage classes shall be set out by the collective agreement for the public sector.

(2) The positions and titles in wage subgroups C2, C3, C4, C5, C6 and I1 shall be classified into wage classes via a government decree.

(3) The positions and titles in wage subgroup C1 shall be classified into wage classes via a state body general act, the classification that applies to the positions and titles specified in the previous paragraph having been taken into consideration. The general act shall be published in the Official Gazette of the

Republic of Slovenia.

(4) The positions and titles in wage groups D, E, F, G and H shall be classified into wage classes via the collective agreement for the activity.

(5) The positions and titles in wage group J shall be classified into wage classes via the collective agreement for the public sector.

(6) The positions and titles in the systems shall be classified into wage classes in accordance with the classification in the collective agreement for the public sector and the collective agreement applying to the budget user. If the system envisages a position or title regulated by the collective agreement for another activity, the classification into the wage class specified in such collective agreement shall be applied in the system.

(7) The positions of civil servants at the public institute RTV Slovenija shall be classified into wage classes via a special collective agreement, which shall be concluded by the general director of the public institute on behalf of the employer and by the representative trade unions at the public institute on behalf of the employees.

(8) Irrespective of the provisions of this article, positions and titles in the security and intelligence services shall be classified into wage classes via a general act by the body, which the government shall approve. The act shall not be published.

Article 14

(increase or decrease in basic wage)

(1) In cases stipulated by a special act of law the basic wage of a civil servant upon whom is placed a burden lesser or greater than that of the anticipated extent of work may be proportionately increased or decreased for the duration of the lesser or greater burden.

(2) Civil servants who perform work in a position in which they could perform such work with a professional qualification one level lower than that required shall be entitled to a basic wage three wage classes lower than the basic wage for the position in which they perform the work.

Article 15

(stipulation of basic wage for temporary employment)

In cases stipulated by a special act of law the basic wage of a civil servant who concludes temporary employment may be increased.

IV.1 Promotion

Article 16
(promotion to a higher wage class)

- (1) Civil servants in a position or title may be promoted to a higher wage class pursuant to the present act. The relevant body or director shall rule on such promotion.
- (2) Civil servants in positions where promotion to a higher title is possible may be promoted by no more than five wage classes within an individual title, and civil servants in positions where promotion to a higher title is not possible may be promoted by no more than ten wage classes.
- (3) In accordance with the first paragraph of this article, civil servants who receive a higher basic wage in accordance with Article 15 of the present act may not be promoted.
- (4) Civil servants may be promoted pursuant to the present act by one wage class every three years, if they fulfil the prescribed conditions. Civil servants who fulfil the prescribed conditions may be promoted by no more than two wage classes in their first and second promotions. The time from the last promotion to a higher wage class shall be deemed the promotion period. The time a civil servant has spent working in positions for which the same level of professional qualification is prescribed shall be taken into consideration in the promotion period. The relevant body or director shall review the fulfilment of the conditions for promotion at least once a year.
- (5) A civil servant whose basic wage is stipulated in accordance with the second paragraph of Article 14 of the present act shall be promoted in accordance with the provisions of the present act.
- (6) Functionaries may not be promoted to a higher wage class, with the exception of judges, public prosecutors and state attorneys.

Article 17
(conditions for promotion of civil servants to higher wage class)

- (1) The work performance demonstrated during the promotion period shall be a condition for the promotion of civil servants to a higher wage class. Work performance shall be assessed with regard to:
- the results of the work
 - independence, creativity and accuracy when performing the work
 - reliability when performing the work
 - the quality of cooperation and the organisation of work
 - other capabilities in connection with the performance of the work
- (2) The procedure and method for reviewing the fulfilment of the conditions for promotion pursuant to the present act shall be stipulated for civil servants at

state administration bodies, local authority administrations, judicial bodies, public institutes and other budget users by the government via a decree.

(3) The procedure and method for reviewing the fulfilment of the conditions for promotion shall be stipulated for civil servants at other state bodies via a general act issued by the director of the state body.

(4) For public institutes in the field of health insurance, employment and unemployment insurance, and pension and disability insurance, the general act shall be issued by the director of the public institute with the approval of the relevant minister and the minister responsible for finance, and for four-year tertiary education institutes the general act shall be issued by the relevant body at the university or independent four-year tertiary education institute with the approval of the Higher Education Council of the Republic of Slovenia.

(5) The general acts specified in the third and fourth paragraphs of this article shall be published in the Official Gazette of the Republic of Slovenia.

(6) It shall be necessary to obtain the opinion of the representative trade unions prior to issuing the decrees and the general acts.

Article 18

(promotion to higher wage class in higher tariff class)

Via promotion in a position or a title a civil servant may be classified into a wage class that is classified into a higher tariff class than the wage class for stipulating the basic wage for the position or title in which the promotion is taking place, but no higher than that stipulated as the highest wage class for the wage subgroup.

Article 19

(stipulation of wage class upon initial employment of civil servant)

When initially employed in the public sector, a civil servant shall as a rule be classified into the wage class into which the position or title for which the civil servant concluded the employment contract or to which the civil servant was assigned or appointed is classified. If the relevant body determines that the civil servant fulfils the conditions for classification into a higher wage class, when initially employed the civil servant shall be classified into the wage class that could be attained upon promotion.

Article 20

(safeguarding of civil servant's wage class attained via promotion)

A civil servant who because of promotion to a more demanding position or higher title is classified into a lower wage class shall retain the wage class

attained prior to the promotion.

V. Work Performance

Article 21

(amount of funds for performance-related pay)

- (1) The total amount of funds for performance-related pay shall amount to no more than five per cent of the annual funds for basic wages. The total amount of funds for performance-related pay for principals, directors and secretaries shall be formulated and stated separately.
- (2) The total amount of funds for each year shall be stipulated by the collective agreement for the public sector.
- (3) Budget users that obtain some of their funds by selling goods and services on the market may, with the approval of the founder, use part of the funds obtained on the market for paying higher performance-related pay or for paying for an expanded amount of work and thus increase the amount of funds specified in the first paragraph of this article.
- (4) Budget users that by implementing a programme of rationalisation achieve savings in the amount of funds for wages stipulated pursuant to Article 4 of the present act shall be guaranteed part of the funds so saved for making performance-related payments in the next budget period above the limit specified in the first paragraph of this article in their financial plans.
- (5) The government shall via a decree define the revenues deemed to be funds obtained on the market and prescribe the criteria for allocating the funds specified in the third and fourth paragraphs of this article.

Article 22

(performance-related pay)

- (1) A civil servant who has achieved above-average work results or has had an above-average work burden at work in the current year shall be entitled to performance-related pay. This pay may amount to no more than two sums equal to the civil servant's basic monthly wage, whereby the first basic monthly wage sum shall be paid in July and the second in December of the same year, the size of the civil servant's most recent basic wage having been taken into consideration in both cases.
- (2) Performance-related pay shall be stipulated for a civil servant on the basis of criteria agreed via the collective agreement for the public sector.
- (3) A civil servant at a budget user specified in the third and fourth paragraphs of Article 21 of the present act shall be entitled to additional performance-

related pay, for reason of success in the sale of goods and services or the effects of rationalisation, in the amount of one basic monthly wage sum, which shall be paid when the founder's approval is obtained, whereby the size of the civil servant's most recent basic wage shall be taken into consideration.

(4) The amount of performance-related pay for a principal, director or secretary shall be stipulated by the body responsible for the appointment thereof on the basis of criteria set out by the relevant minister.

(5) A functionary shall also be entitled to performance-related pay in the same amount as that applying to a civil servant, if so stipulated by law.

VI. Bonuses

Article 23 (types of bonus)

(1) Civil servants shall be entitled to:

- a position bonus
- a bonus for the active employment period
- a mentorship bonus
- a bonus for a specialisation, master's degree or doctorate, if such is not a condition for occupying the position
- a bonus for bilinguality
- bonuses for disadvantageous working conditions not taken into consideration in the valuation of the position, title or function
- bonuses for dangers and special burdens not taken into consideration in the valuation of the position, title or function
- bonuses for work during less convenient hours

(2) Functionaries shall be entitled to the bonuses specified in the previous paragraph, if so stipulated by law.

(3) If the bonus is not stipulated in a nominal sum, the basis for calculating the bonus shall be the civil servant's or functionary's basic wage.

(4) The bonuses specified in the first and second paragraphs of this article shall be paid in the amount stipulated by law, government decree or the collective agreement for the public sector.

Article 24 (position bonus)

(1) The position bonus is the pay pertaining to a civil servant or functionary who executes authorisations in connection with the management, coordination and implementation of work, whereby the valuation of such tasks

is not included in the basic wage for the position, title or function.

(2) The size of the position bonus shall amount to at least five per cent of the basic wage and no more than twenty per cent of the basic wage.

(3) The size of the position bonus for functionaries shall be stipulated by law, and the criteria for stipulating the position bonus for civil servants shall be set out by the government via a decree.

Article 25
(bonus for active employment period)

(1) The bonus for the active employment period is the pay through which the work experience gained over a civil servant's or functionary's entire active employment period is valued.

(2) The size of the bonus for the active employment period for each year of active employment completed shall be stipulated via the collective agreement for the public sector.

(3) Functionaries shall be entitled to the bonus for the active employment period in the amount stipulated for civil servants via the collective agreement for the public sector.

Article 26
(mentorship bonus)

The size of the mentorship bonus shall be stipulated via the collective agreement for the public sector.

Article 27
(bonus for specialisation, master's degree or doctorate)

The amount of the bonus for a specialisation, master's degree or doctorate shall be stipulated via the collective agreement for the public sector.

Article 28
(bonus for bilinguality)

(1) The bonus for bilinguality shall pertain to civil servants, judges, misdemeanours judges, public prosecutors and state attorneys who work in municipalities where the Hungarian and Italian ethnic communities live and where Hungarian or Italian is an official language, if knowledge of the language of the ethnic community is a condition for performing the work or function.

(2) The size of the bonus for bilinguality specified in the previous paragraph shall amount to:

- between twelve and fifteen per cent of the basic wage for teachers and other expert staff in primary and secondary education, and teachers and other expert staff at nursery schools
- between three and six per cent of the basic wage for other civil servants
- up to six per cent of the basic wage for judges, misdemeanours judges, public prosecutors and state attorneys

(3) The size of the bonus specified in the first and second indents of the previous paragraph shall be stipulated by the director, and that of the bonus specified in the third indent shall be stipulated by the judicial council for judges, by the council of misdemeanours judges for misdemeanours judges, by the personal commission for public prosecutors and by the state attorney-general for state attorneys, on the basis of the level of knowledge of the language of the ethnic community required and the actual use of the language during the performance of work.

Article 29

(bonuses for disadvantageous working conditions)

(1) Civil servants and functionaries shall only be entitled to bonuses for disadvantageous working conditions if they perform work in such conditions and the disadvantageous conditions are not taken into consideration in the basic wage.

(2) Bonuses for disadvantageous working conditions shall be stipulated for civil servants via the collective agreement for the public sector.

Article 30

(bonuses for dangers and special burdens)

(1) Civil servants and functionaries shall only be entitled to bonuses for dangers and special burdens if they perform work in such conditions and the dangers and special burdens are not taken into consideration in the basic wage.

(2) Bonuses for dangers and special burdens shall be stipulated for civil servants via the collective agreement for the public sector.

Article 31

(total bonuses and stipulation thereof)

The size of the total of the bonuses specified in Articles 29 and 30 may not exceed fifteen per cent of the basic wage. The bonuses specified in the

above-mentioned articles shall be stipulated by law or via the collective agreement for the public sector.

Article 32
(bonuses for work during less convenient hours)

(1) For work during less convenient hours civil servants shall be entitled to bonuses for:

- shift work
- split shifts
- night work, and work on Sundays and other days designated as official holidays by law
- overtime

(2) Civil servants shall be entitled to bonuses for hours on call at home, on the job or in a specific place, and for duty hours.

(3) Civil servants and functionaries shall only be entitled to the bonuses specified in the first and second paragraphs of this article for the time when they work during less convenient hours.

(4) The size of the bonuses specified in this article shall be stipulated by law for functionaries and via the collective agreement for the public sector for civil servants.

VII. Procedure for Altering the Ratios Between the Highest and Lowest Wage and the Ratios Between Wage Groups and Wage Subgroups

Article 33
(alteration of wage ladder and ratios between wages)

The number of wage classes on the wage ladder, the ratios between the wage classes and between the highest and lowest wage classes for an individual wage subgroup (Appendices 1 and 2 to the present act) may only be altered pursuant to the procedure set out by the present act.

Article 34
(council for the public sector wage system)

(1) A Council for the Public Sector Wage System (hereinafter: the council) shall be founded to monitor the implementation of the present act and to monitor wage policy in the public sector, and shall consist of representatives of state bodies, associations of local authorities and public sector trade unions.

(2) The representatives of state bodies and associations of local authorities shall be appointed to the council by:

- the National Assembly of the Republic of Slovenia
- the Constitutional Court of the Republic of Slovenia
- the Supreme Court of the Republic of Slovenia
- the Office of the Public Prosecutor of the Republic of Slovenia
- the Human Rights Ombudsman
- the Government of the Republic of Slovenia
- representative associations of local authorities

(3) The representatives of the trade unions shall be appointed to the council by the trade unions representing the public sector.

(4) The act on the founding of the council shall be adopted by the national assembly, and the administrative and other conditions for the council's work shall be ensured by the government.

(5) The council shall adopt decisions via consensus between the two parties. Detailed matters regarding the council's work and decision-making shall be set out by the council's rules of business.

Article 35 (provision of council's opinion)

(1) The proposer of a bill relating to the matters specified in Article 33 of the present act must obtain the council's opinion prior to submitting the bill to the national assembly for first reading.

(2) The council must provide the opinion specified in the previous paragraph within thirty days of receiving the bill in question. If the council fails to provide its opinion by the deadline prescribed, the proposer may submit the bill without the opinion.

(3) If during discussion of a bill specified in the first paragraph of this article the opinion of the ministry responsible for the field to which the alterations relate, the opinion of the ministry responsible for the public sector wage system, the opinion of the finance ministry and/or the opinion of the representative trade union for the activity are forwarded to the council, such opinions shall be appended to the council's opinion specified in the first paragraph of this article.

Article 36 (initiative for altering wage ladder or ratios)

(1) The initiative for drafting a bill to enact alterations to the wage ladder and the ratios between wages specified in Article 33 of the present act may be drawn up and submitted to the council by any of its members.

(2) The initiative must contain all the components that must be contained in the bill in accordance with the national assembly's standing orders.

(3) The council shall be obliged to discuss the initiative specified in the first paragraph of this article and provide its opinion within ninety days of receiving the initiative.

(4) If opinions specified in the third paragraph of this article were provided during discussion of the initiative, such opinions shall be appended to the council's opinion.

Article 37

(council decision on initiative for altering wage ladder or ratios between wages)

(1) If the council supports the initiative for alteration it shall forward it to the government, which within thirty days must discuss the initiative and submit an appropriate bill to the national assembly or reject the initiative.

(2) If the council does not support the initiative or fails to provide an opinion thereon by the prescribed deadline the discussion procedure shall end.

VIII. Guarantee of Publicity, Transparency and Comparability of Public Sector Wages

Article 38

(public nature of wages in public sector)

(1) Wages in the public sector shall be public, whereby information on the position, title or function, on basic wages, on bonuses and performance-related pay, with the exception of the bonus for the active employment period, shall be publicly accessible.

(2) Budget users shall be obliged to forward the information on wages to the ministry responsible for the public sector wage system.

(3) Local authority budget users shall also be obliged to forward the information on wages to the relevant body at the local authority.

(4) The information shall be forwarded in accordance with the methodology prescribed by the minister responsible for the public sector wage system.

(5) The provision of the first paragraph of this article shall not apply to information on the wages of civil servants in the security and intelligence services.

Article 39
(comparability of basic wages in public sector)

(1) The ministry responsible for the public sector wage system shall be obliged to administer records on the information specified in the previous article, to prepare analysis in accordance with the prescribed methodology once a year, and to forward it to the public in written, electronic or any other appropriate form.

(2) The government shall be obliged to forward the information specified in the previous paragraph relating to national budget users to the national assembly together with the closing accounts for the national budget of the Republic of Slovenia.

Article 40
(calculation of wages)

(1) All wage payers shall calculate and pay wages on the basis of the uniform methodology and forms prescribed by the government via a decree.

(2) The wages of civil servants shall be calculated and paid on the basis of the average monthly work obligations deriving from the adopted annual work calendar.

IX. Conclusion of Collective Agreements

Article 41
(responsibility for concluding collective agreements on part of employers)

(1) Collective agreements shall be concluded on the part of employers by the government.

(2) The ministry responsible for the public sector wage system shall conduct the procedure for concluding collective agreements on behalf of the government as an employer, together with the ministry responsible for finance, the ministry responsible for the activity in question and the representative association of local authorities.

(3) If the ministries responsible for the public sector wage system, for finance and for the activity in question put forward different views in connection with the conclusion of the collective agreement, the government shall rule on the matters under dispute.

(4) The collective agreement shall be signed on behalf of the government by the prime minister or, under government authorisation, by ministers, namely the minister responsible for the public sector wage system, the minister

responsible for finance and the minister responsible for the activity in question.

(5) The government shall set out in detail the responsibilities and tasks of individual ministries and services in the conclusion of a collective agreement.

Article 42
(deadlines for implementing collective agreements)

The implementation of collective agreements entailing an increase in financial obligations must be agreed at least thirty days before the deadline stipulated for the submission of the draft national budget to the national assembly.

X. Supervision

Article 43
(responsibility for supervision)

Supervision of the implementation of the present act shall be conducted by the ministry responsible for the public sector wage system, the ministry responsible for the field in question and the ministry responsible for finance within the framework of budget supervision.

XI. Penal Provisions

Article 44

A fine of at least 150,000 tolar for a misdemeanour shall be imposed upon the responsible officer of a budget user if it:

- stipulates and pays a wage on the basis of wage classes and bonuses other than those stipulated by the present act
- stipulates wage classes for basic wages in contravention of the provisions of Articles 9, 10 and 11 of the present act
- stipulates performance-related pay in contravention of Article 21 of the present act
- stipulates an amount of funds for performance-related pay in contravention of Article 22 of the present act

XII. Transitional and Final Provisions

Article 45

The methodology specified in Article 40 of the present act must be adopted within twelve months of the entry into force of the present act.

Article 46

(1) The negotiations for harmonising collective agreements with the present act or for concluding new collective agreements for the public sector, the special collective agreement and collective agreements for activities and professions shall begin within thirty days of the entry into force of the present act.

(2) Irrespective of the provisions of the third, fourth, fifth and sixth paragraphs of Article 13 of the present act, positions and titles for the fields of four-year tertiary education and science and professions for which collective agreements for professions have been concluded when the present act enters into force may be classified into wage classes via collective agreements for professions.

(3) The collective agreement for the public sector specified in Article 8 and the third and fourth paragraphs of Article 12 of the present act shall apply when the conditions stipulated by the act of law governing collective agreements are fulfilled.

(4) The council may in accordance with the act of law governing collective agreements propose general validity for collective agreements specified in the previous paragraph of this article.

(5) If the collective agreement specified in the third paragraph of Article 12 of the present act is not concluded by 30 November 2002, the common methodology shall be adopted by the government following a prior opinion from the council.

(6) If the collective agreement specified in the fourth paragraph of Article 12 of the present act is not concluded by 30 March 2003, the procedures for resolving disputes set out in the valid collective agreement for the non-commercial sector shall apply. If the benchmark positions and titles are not defined by 30 June 2003, they shall be defined by the government following a prior opinion from the council.

Article 47

(1) The review of budget users specified in point 2 of Article 2 of the present act shall be adopted by the government at the proposal of the minister responsible for finance within three months of the entry into force of the present act.

(2) The decree specified in Article 3 of the present act shall be adopted by the government within one year of the entry into force of the present act.

(3) The catalogue of positions and titles specified in the fifth paragraph of Article 7 of the present act shall be published by the government within three months of the entry into force of the present act. After the entry into force of the collective agreement for the public sector the government shall issue the updated catalogue of positions and titles.

(4) The ordinance specified in Article 10 of the present act shall be adopted by the national assembly within one year of the entry into force of the present act at the proposal of the government and on the basis of the council's opinion.

(5) The decree specified in Article 11 of the present act shall be adopted by the government within six months of the entry into force of the present act.

(6) The regulations specified in the third, fourth and fifth paragraphs of Article 11 of the present act must be adopted within six months of the entry into force of the present act.

(7) The government decree specified in the second paragraph, the general acts specified in the third paragraph, and the collective agreements specified in the fourth and fifth paragraphs of Article 13 of the present act must be adopted or concluded by 30 November 2003.

(8) The government decree specified in the second paragraph and the general acts specified in the third and fourth paragraphs of Article 17 of the present act must be adopted by 30 June 2003.

(9) The government decree and criteria specified in the fifth paragraph of Article 21 of the present act and the government decree specified in the third paragraph of Article 24 of the present act must be adopted by 30 June 2003.

(10) The methodology specified in Article 38 of the present act shall be prescribed by the minister responsible for the public sector wage system by 30 September 2003.

Article 48

(1) After the entry into force of regulations and collective agreements harmonised with the present act, civil servants and functionaries shall be classified into wage classes in accordance with such regulations.

(2) Pursuant to the present act civil servants may only be promoted by the difference between the number of the wage classes into which it is possible to be classified via promotion pursuant to the present act and the number of wage classes already attained on the basis of the regulations valid before the present act begins to be applied.

Article 49

(1) If pursuant to stipulation of the wage in accordance with the provisions of the present act a civil servant would receive a lower wage than that stipulated pursuant to the regulations applying before the present act begins to be applied, the higher wage shall be paid thereto until the two sums equalise.

(2) The basic wage and bonuses shall be taken into consideration in the comparison of the two sums specified in the previous paragraph, with the exception of performance-related pay and bonuses for less convenient hours.

Article 50

(1) In 2003 the funds for performance-related pay shall amount to two per cent of the annual funds for wages.

(2) In the following years the amount of funds for performance-related pay shall be increased in accordance with the budget capacities and in accordance with the present act.

(3) Adjustment of the ratios between the individual wage subgroups stipulated in Appendix 2 to the present act shall be carried out step-by-step in the period to 2008.

(4) The range between the lowest and highest basic wage shall be proportionately reduced over the period 2004 to 2008 through appropriate stipulation of the values of wage classes, such that in 2008 it shall amount to no more than one to ten.

(5) The values of the wage classes specified in Appendix 1 to the present act shall first be adjusted for 2004 pursuant to the procedure stipulated in Article 5 of the present act.

(6) Between 2004 and 2008 half of the adjustment or the amount of funds from the agreed adjustment shall be earmarked each year for eliminating the identified disproportions between basic wages in the public sector and for reducing the range between the lowest and highest basic wage in the public sector to the ratio one to ten.

Article 51

The council specified in Article 34 of the present act shall be founded within thirty days of the entry into force of the present act.

Article 52

(1) On the day the present act enters into force all the provisions of acts of law and other regulations governing the wages of employees of public institutes,

state bodies and local authorities, and other persons under public law governed by the present act shall cease to be valid, with the exception of the provisions of area regulations governing promotion and the acquisition of titles and the provisions of area acts of law stipulating the loyalty bonus for officials with special authorisations.

(2) Until the present act begins to be applied the wages of civil servants and functionaries shall be paid pursuant to the regulations and collective agreements valid before the entry into force of the present act.

Article 53

The present act shall enter into force fifteen days after its publication in the Official Gazette of the Republic of Slovenia, and shall begin to be applied on 1 January 2004, with the exception of the first paragraph of Article 50.

Appendix 1

Wage Ladder with Wage Classes for Civil Servants and Functionaries in the Public Sector

wage class	basic wage (monthly)	wage class	basic wage (monthly)
1	99,523	35	377,622
2	103,504	36	392,727
3	107,644	37	408,436
4	111,950	38	424,773
5	116,428	39	441,764
6	121,085	40	459,435
7	125,928	41	477,812
8	130,965	42	496,924
9	136,204	43	516,801
10	141,652	44	537,473
11	147,318	45	558,972
12	153,211	46	581,331
13	159,340	47	604,585
14	165,713	48	628,768
15	172,342	49	653,919
16	179,235	50	680,075
17	186,405	51	707,278
18	193,861	52	735,570
19	201,615	53	764,992
20	209,680	54	795,592
21	218,067	55	827,416
22	226,790	56	860,512
23	235,861	57	894,933
24	245,296	58	930,730
25	255,108	59	967,959
26	265,312	60	1,006,678
27	275,925	61	1,046,945
28	286,961	62	1,088,823
29	298,440	63	1,132,376
30	310,378	64	1,177,671
31	322,793	65	1,224,777
32	335,704		
33	349,133		
34	363,098		