JUSTMIG

Sustainable and socially just transnational sectoral labour markets for temporary migrants

Background report

Slovenia

Maja Breznik

Mirovni inštitut/Peace Institute, Ljubljana

April 2024



Funded by the European Union, Project No. 101126535

The background report gives a brief overview of the dynamics of labour migration in general and specifically for four selected sectors: food, automotive, retail and social care. It focuses on temporary labour migration, by which we refer to migrants with temporary residence in Slovenia and/or short-term employment contracts. Not only has immigration and emigration reached historic records in recent years, but temporary migration also has a multi-layered impact on labour market institutions and industrial relations. To shed light on these issues, the report briefly describes responses of regulatory authorities, problems with law enforcement and debates between the social partners.

In addition to the unprecedented scale of migration, numerous forms of employment of migrant workers have also emerged. In the following, we provide a brief overview of the inflows and outflows of migrant labour according to access to the labour market and forms of employment.

In the comparison of Eurostat data, Mihail Arandarenko and Dragan Aleksić found out that Slovenia has the highest value of first permits issued per thousand persons among six destination countries in our sample. According to the Statistical Office (SURS), an average of 120,881 foreign nationals were employed per month in 2023 (13% of the total working population, own calculations), 114,314 of whom were third-country nationals (12.5%). In absolute figures (see Figure 1), most foreign nationals worked in manufacturing (37,906), construction (37,594), transport (18,909) and retail (9,231).

Among EU, EEA and CH nationals with free access to the labour market, Bulgarians had the largest share of employment until 2018. As soon as Croatian nationals gained free access to the Slovenian labour market in mid-2018, their share increased (see Figure 3), so that in 2023 almost half of them were Croatians and almost a quarter Bulgarians. It is likely that most of these Croats come from Herzegovina, where many have dual Croatian and Bosnian citizenship.

The majority of third-country nationals are citizens of the former Yugoslav republics, in particular Bosnia and Herzegovina, Kosovo, Serbia and North Macedonia. In 2023, the Employment Service of Slovenia (ZRSZ, see Figure 3) issued 16,752 work permits under the bilateral agreements with BiH and Serbia, of which almost four fifths were for BiH nationals (13,079) and a good fifth for Serbian nationals (3,673). In December 2023, the total number of valid work permits under the bilateral agreements was almost 52,000. In addition to the bilateral agreements, the Employment Service issues consents to the single permit allowing employment to other third-country nationals. In 2023, 27,408 persons were granted consents, with citizens of Kosovo (12,881) and North Macedonia (4,396) predominating.

If we compare the active working population of non-nationals with migrant posted workers abroad (see Figure 4), we see that, in 2023, at least about 38% of non-nationals were not working in Slovenia but as posted workers in other European countries, in Germany, Austria, Belgium and so on. This suggests that many non-nationals (among whom third-country nationals prevail), once they have obtained a work permit in Slovenia, are posted to other EU countries. Slovenia is therefore undoubtedly one of the intermediary countries for international migration flows.

Workers are also posted to Slovenia from the EU, the EEA and Switzerland or from third countries (see Figure 5). Postings from EU member states peaked in 2022 with 10,179 posted workers and fell to 8,316 the following year. In 2023, most workers were posted by companies from Croatia, followed by Germany, Austria, Hungary and Slovakia. While German, Austrian and Hungarian companies mainly post their own nationals, 40% of posted workers from Croatia and Slovakia belong to other nationalities, but we do not know which ones. The share of posting from companies based in third countries is relatively low, with Serbian companies dominating the market.

Temporary work agencies may only employ migrants with free access to the labour market. Nevertheless, they are an important employer for migrants: 26% of agency workers hired out to Slovenian companies are foreigners. The proportion of foreign workers posted abroad is even higher, at 80%. Temporary work increased over a longer period until 2017 and has been declining since then (see Figure 8).

Added to this is the employment of Slovenian citizens abroad, especially in neighbouring countries such as Austria. The Statistical Office (SURS) does not collect data on how many people work in Austria. However, we do have old data from the SURS, which shows that 11,184 people were health insured in Slovenia and worked in Austria in December 2018. The survey data showed a higher number, 16,000 persons working in Austria.

Relevant policies and regulations regarding migration

Due to frequent changes and numerous exceptions, the legislation on the employment of foreign workers is opaque and difficult to understand. Two laws regulate the employment of third-country nationals: The Foreigners Act (Zakon o tujcih, ZTuj-2) and the Employment, Self-employment and Work of Foreigners Act (Zakon o zaposlovanju, samozaposlovanju in delu tujcev, ZZSDT). The latter law, adopted in 2015 (but frequently amended since then), introduced a single residence and work permit (i.e. a single permit) and simplified the procedure by making the local administrative unit a one-stop shop.

The administrative procedure consists of several steps. When a third-country national has found an employer, the employee or the employer submits an application for the "single permit" to the administrative unit or to the Slovenian embassy. The administrative unit then obtains the "consent" of the Employment Service. It carries out the "labour market check" to determine whether there is a suitable Slovenian applicant for the position. At the same time, the Employment Service checks the employer. If the employer has debts with the Financial Administration (FURS), does not operate regularly in Slovenia or has violated labour laws, approval will be denied. However, if there is no suitable Slovenian applicant and the employer is "clean", the application is approved and the "consent" is sent to the administrative unit. On the basis of the consent, the administrative unit issues an "information document", which lists all the conditions and elements of employment or work specified in the consent. While working, the foreign worker must always have this document with him/her in case of inspection.

The foreigner needs the consent of the employment office for the first three years of employment in Slovenia. After that, consent is no longer required for the extension of the temporary residence permit. However, third-country nationals can change employer or workplace provided they obtain a new "consent to change employer". As we will see later, this rule does not apply to persons employed under bilateral agreements.

The employment procedure is simpler for people who have been granted a temporary residence permit for reasons other than employment, for example for family reunification. However, they can only fill positions for which there are no suitable Slovenian applicants. The Foreigners Act (ZTuj-2) allows family reunification for workers who have been employed in Slovenia for at least one year and have a valid residence and work permit for at least one year.

After living in Slovenia for five years without interruption, the third-country worker acquires the right to a permanent residence permit and free access to the labour market.¹ The rights and freedoms of the foreigner generally increase with the duration of

¹ Otherwise, the right to free access to the labour market is granted to persons permanently residing in Slovenia, family members residing in Slovenia on the basis of family reunification, foreigners of Slovenian origin, victims of human trafficking, victims of illegal employment, foreigners who have been granted the right to international protection and their family members, foreigners who have been

employment and other circumstances (education, occupation, economic activity, Slovenian origin, etc.). Due to numerous exceptions (e.g. 'privileges' for highly qualified workers employed in "high value-added" and "innovative" companies, Slovenian origin, education acquired in Slovenia), different rules affect evaluation of individual cases unevenly. One of the shortcuts to secure broader range of employment rights for third-country nationals is the possibility of applying to and obtaining "consent for employment, self-employment or work". This "status" is limited to persons with various combinations of completed educational qualifications in Slovenia and previous employment. In order to obtain this consent, the foreigner must meet one of the following requirements: 1. at least vocational education or a national vocational qualification obtained in Slovenia and 20 months of employment; 2. at least 30 months of employment in Slovenia; 3. a university degree obtained in Slovenia in the last two years; 4. a research programme completed in Slovenia in the last two years. Persons who have been granted "consent for employment" have free access to the labour market and may enrol in the register of unemployed persons (others only as long as they receive unemployment benefits).

Bilateral agreements

Slovenia has concluded bilateral agreements with Bosnia and Herzegovina (2012) and Serbia (2019). As described in the preamble, the agreements provide for a "carefully planned migration policy", "balanced migration flows", "the prevention of illegal migration" and "positive effects of circular migration". Both sides retain control over migration and can stop or limit it at any time.

As part of bilateral agreements, the employment offices of Slovenia and Bosnia and Herzegovina or Serbia manage matching employees and jobs. The Employment Service of Slovenia (ZRSZ) collects the demand for workers from employers and forwards it to the partner organisations, which select the applicants. Employers can opt for a blind search or a candidate of their choice. After matching candidates and employers, the employment services complete the procedure.

Employees under bilateral agreements are in a vulnerable position because they must be employed by the same employer for one year. After one year, they have free access to the labour market in Slovenia. If they are unemployed for more than 30 days and are not entitled to unemployment benefits, they must leave the country. Those who left, can return only after six months. From both Bosnian and Serbian citizens bilateral agreements require a registered unemployment status as a condition for employment in Slovenia. In Bosnia and Herzegovina, an applicant had to be registered with the Employment Service of BiH for 30 days, but after 2017 this requirement was lifted.

Additionally, Slovenia has signed bilateral social security agreements with North Macedonia (2000), BiH (2008), Serbia (2010), and Montenegro (2011).

Employment contracts

By law, foreign employees must work **full-time on a permanent or fixed-term basis**. **Short-term jobs** are limited to strictly defined exceptions (employees with a university education, disabled persons or on maternity/paternity leave). Foreigners can become **self-employed** one year after their regular stay in Slovenia, unless they are registered in registers of regulated professions and carry out a professional activity as a self-employed person. In order to obtain the residence permit, the self-employed person

granted temporary protection status, as well as the applicant for international protection after three months from the date of submission of the application, if no decision has been delivered to them within this period.

does not need the consent of the Employment Service. **Temporary agency work** (as well as employment with natural persons, i.e. in households) is subject to restrictions in order to prevent abuse of the vulnerabilities of foreign workers. Temporary employment agencies can only hire workers who hold an EU Blue Card, who have been granted "consent to employment", and foreigners with the right to free access to the labour market. In addition, there are **posted workers** who are sent to Slovenia by companies from third countries to provide short cross-border services (unless the Minister of Labour decides that a longer posting of workers is "in the special national interest"), to perform special tasks or to provide training within the affiliated companies.² In agriculture and forestry, foreigners can work as **seasonal workers** under an employment or civil contract (maximum 90 days) or 6 months in a calendar year if employees obtain the single permit. The Employment Service issued a few consents for seasonal work (160 in 2023).

For all forms of employment, the general rule is that the employment contract ends automatically when the single permit expires.

Posting of workers

As mentioned in the introduction, the cross-border provision of services by Slovenian companies stands as job creating opportunity for migrant workers. With 156,871 postings in 2020, Slovenia is one of the leading posting countries in the EU; only Germany (1.4 million), Poland (617,772), Italy (215,628) and Spain (176,353) had more postings (De Wispelaere, 2022: 36). The Transnational Provision of Services (Zakon o čezmejnem izvajanju storitev, ZČmIS) is therefore considered an important part of labour migration legislation.

Posting was first introduced by the Employment Relationships Act (Zakon o delovnih razmerjih, ZDR) in 2002 and regulated by a separate law (ZČmIS) in 2017. Stricter rules for posting were adopted to guarantee labour rights and, more particularly, to prevent the posting of workers via so-called letterbox companies. The rules were not particularly strict, but the number of postings fell for a very brief period, to rebound immediately after (see Figure 6). The decline was not reflected in financial terms either, as revenues increased significantly from 2018 to 2019 (Vah Jevšnik et al., 2022: 18).

The law (ZČmIS) remedied some problems, but also created new controversies. Its application was limited to posted workers under Article 12 of Regulation (EC) No 883/2004, for whom employers paid only domestic rates of social security contributions. For posted workers under Article 13 of the same Regulation, social security contributions were calculated on the basis of wages actually earned abroad (i.e. for activities such as installation/assembly and maintenance, international road freight transportation). Although it was costlier for companies, checking of companies was less rigid. As a result, postings under Article 13 increased by 107% in 2020 compared to 2017 (Vah Jevšnik et al., 2022: 22).

In response to the discrimination, the new law (ZČmIS-1) was passed in 2023. It now applies to all posted workers and lays down the same rules for all companies involved.

² The law also allows mobility of managers and skilled workers within companies, e.g. in the case of affiliated companies or technology transfer (for a maximum of 6 months within two calendar years). Other forms concern interns, the provision of individual services requiring special expertise or representatives of a legal entity registered in Slovenia. In all these cases, the Employment Service must give "consent" to the employment. Not the consent, but only the registration of the posted workers is required for the short provision of services such as delivery and assembly of machinery, regular maintenance and repair (uninterrupted 14 days and a maximum of 90 days if the work is performed more than once) or representation of a legal entity registered in Slovenia (limited to 90 days).

The employer organisations opposed this, as the payment of social security contributions from wages earned abroad would allegedly impair the competitiveness of Slovenian service exports. In a study for the Chamber of Commerce and Industry, economist Jože P. Damijan highlighted the importance of cross-border services for the Slovenian economy. According to his calculations, exports of construction, engineering and transportation services account for a fifth (20.4%) of total service exports and almost 4.1% of Slovenia's total exports (Damijan, 2019). Before the law came into force in January 2024, employers' organisations called for its withdrawal for the last time in December 2023.³

Problems in implementation

The increased influx of migrant workers since 2017 led to an enormous workload for the administrative units. The number of individual permits issued to migrants almost tripled between 2017 and 2023 (UMAR, 2024: 32). For several years, officials in the local administrative units have been complaining about the workload caused by the large influx of foreign workers. In November 2023, the local administrative units went on strike demanding higher wages and more staff to address the labour shortage (N1info, 2023; ZSSS, 2023). The Police Trade Union and the Counselling Office for Workers supported their demands, arguing that the volume of requests far exceeds the capacity of existing administrators. The strike is still ongoing. Administrative problems are causing delays in issuing work and residence permits, leading to uncertainty among foreign workers and their families. Although the law stipulates that migrants retain their rights while they await the decision, they are hindered in many ways, including by the fear of not being able to return if they leave the country.

Migrants experience different practices from 58 local administrative units, with smaller administrative units being more migrant-friendly and having fewer delays in issuing permits (forthcoming). They also do not adhere to the same rules. For example, while some only require a copy of educational certificates, others require the official translation. In general, the high costs of regulating living and working status (costs of official translations, health insurance, Slovenian language certificates, nostrification of diplomas) are a heavy burden for migrants, who often earn no more than the minimum wage.

The living conditions of migrants are aggravated due to the severe housing shortage in Slovenia and high rents (Asylum Working Group and Counselling Office for Workers, 2021). Moreover, migrant family members who apply for or extend a temporary residence permit must have sufficient financial resources. The family income must be above the threshold for social cash assistance in order to avoid 'social tourism'. Families with wages close to the minimum wage can fall below this threshold, even if both parents are employed.

Under social integration requirements, the Foreigners Act demands a certificate of proficiency in Slovenian language for granting permanent residence permits and family reunification. Although the language level was lowered to the lowest ("survival") level with the last amendment, it still constitutes an obstacle to family reunification, which, according to the Advocate of the Principle of Equality, is a violation of the right to family life and the rights of children. The provision will come into full force in November 2024.

³ At the press conference, they presented conditions under which they are willing to return to the negotiations in the Economic and Social Council, which they have been blocking since July 2023. One of the conditions was the withdrawal of the (ZČmIS-1), which was to come into force in January 2024 (MMC, 2023). The government ignored their demand, and the Transnational Provision of Services Act (ZČmIS-1) came into force.

On the other hand, the Labour Market Regulation Act (ZUTD-E, 2019) obliges jobseekers from third countries to pass the A1 Slovenian exam within twelve months. If they fail, they are removed from the register for violating the "activation requirements" and, at the same time, lose their entitlement to social cash benefit and health insurance. The law has serious consequences for the people concerned and can also cause difficulties for their family members. In the first six months (until 16 June 2022), 1803 unemployed foreigners met the language requirements and 567 were removed from the list (Advocate, 2022: 16). Of the 567 foreigners, 40 % were Kosovo nationals (230 in total, of whom 82% were women), 24 % were Bosnia and Herzegovina nationals (136; 43% of whom were women), 18% were North Macedonian nationals (100; 74% of whom were women) and 6% were Serbian nationals (36; 58% of whom were women). The Advocate of the Principle of the Equality (2022) stated that the measure is discriminatory compared to foreigners from the EU, EEA and Switzerland, for whom there is no deadline for fulfilling the language requirements and who can repeat the exam.

The last controversy concerns posting in international road freight transport. In 2017, employers' organisations began negotiating with the Ministry of the Interior about the obligation of truck drivers from Bosnia and Herzegovina or Serbia to register temporary residence in Slovenia. Their argument was that drivers in international transport do not need temporary residence in Slovenia, as they spend most of their working time driving outside the country and live with families in their country of origin in their free time. The Minister agreed with this argument and issued a decision (No. 900-140/2017/2 -1322-01) according to which drivers in international transport no longer need to register temporary residence in Slovenia due to their special situation (MNZ, 2017). A perhaps convenient administrative solution puts drivers in a strange position. First of all, non-resident workers face difficulties in administrative procedures. Since they have no address to receive letters, they must authorise their employers to handle administrative matters on their behalf. This makes them even more dependent on their employers. It is also questionable whether a non-domiciled person can fully exercise their rights as an employee. For example, drivers, although they have health insurance in Slovenia, cannot go to the doctor because they do not live there (Svet24, 2020).

Overview of employment relations in general manufacturing and services

The chronic labour shortage in many professions and industries since 2015 (UMAR, 2019a, 2019b) has made migrant quotas, which were the most important restriction on the influx of migrant workers in the past (Pajnik et al., 2010: 156), obsolete. In order to help companies in the event of a labour shortage, the Minister of Labour - on the basis of consultations with the social partners in the Economic and Social Council - issued the Decree on the definition of professions in which the employment of foreigners is not tied to the labour market (Odredba o določitvi poklicev, v katerih zaposlitev tujca ni vezana na trg dela). The decree facilitates the employment of workers in shortage occupations by exempting them from labour market control. The Employment Service thus gives its consent without checking the register of unemployed persons. The decree, which must be renewed every six months, now includes a long list of occupations: welders, drivers, toolmakers, electricians, carpenters, cooks, electromechanics, bricklayers, plumbers of water and gas appliances, foundry workers, lathe operators, butchers, nurses, doctors, healthcare professionals, healthcare assistants and medical specialists. Interestingly, the shortage of health and social workers prompted legislators to exempt employment in public health and social services from the restrictions of the Employment, Self-Employment and Work of Foreigners Act (amendment in 2023).

A closer look at two sectors, manufacturing and retail, shows (see Figure 1) that proportions of migrant workers are low, but the absolute numbers are high. As manufacturing and retail are the sectors with the highest employment, their share of migrant workers is correspondingly lower. Manufacturing and retail are also the main

employers of third-country nationals. Concerning the elderly care, there has been a chronic labour shortage in the sector since 2018, particularly for nurses, care assistants, housekeepers, cleaners, cooks and laundresses. Care homes are responding to the labour shortage by hiring migrant workers (Hrženjak and Breznik, 2024: 106). The government assumes that employment in social care will almost double by 2030 in order to meet demand (MNZ, 2023: 14). Therefore, all three sectors - manufacturing, retail and elderly care - have a significant presence of migrant workers from third countries.

In the **food industry** (see Figure 7), the proportion of foreign migrant workers rose from 3.1% in 2007 to 25.1% in 2023, thus much above the average in the manufacturing. In the last year of the data series, a quarter of all employees were foreign nationals, among them nationals of Bosnia and Herzegovina (9.7%), Kosovo (6.7%), Serbia (2.3%), Croatia (2%) and North Macedonia (1.8%).

The proportion of foreign migrant workers in the **automotive industry** rose from 2.1% in 2007 to 18.3% in 2023 (see Figure 7), which corresponds to the average for the manufacturing sector. In the year 2023, nationals from Bosnia and Herzegovina predominated with 8%, followed by Croatian (6.7%), Serbian (1%) and Macedonian nationals (0.7%). Figure 7 clearly shows that companies laid off workers from Bosnia and Herzegovina during the pandemic and hired Croatians who lived nearby instead.

In the service sectors, the proportion of migrants is much lower due to language barriers, but the same upward trend can be seen in the employment of migrants. The **retail sector** recorded an increase in the migrant workforce from 2.6 to 7.9% in the period 2007-2023 (see Figure 7). Employment of migrants from Bosnia and Herzegovina has accelerated since 2017, reaching 3.5 % of total employment in the sector, followed by Croats (0.8 %), Serbs (0.8 %), Macedonians (0.5 %) and Kosovars (0.4 %).

As in other sectors, the number of migrant workers in **elderly care** has increased almost sixteenfold, from 0.5 % of the total workforce in 2007 to 7.8 % in 2023. Around 60 % of migrants are citizens of Bosnia and Herzegovina, with the remainder made up of Macedonians, Serbs, Croats and others.

While a similar trend in the employment of migrants can be observed in all four sectors, employment practices differ. The intersectoral comparison (Čehovin and Breznik, 2020) has shown that the share of standard employment in manufacturing is above average, but in the years 2011–2018 the use of temporary agency work was more characteristic (double from average), with a tendency to grow. Temporary agency work accounts for about 4% of the total labour force in manufacturing. In contrast to other sectors, the proportion of working poor in standard employment in the retail sector has not decreased and remains above average. The incidence of temporary employment is low in elderly care, but working conditions are worse than in other sectors (Breznik, 2022). Wages are below the national average and the number of overtime hours is three times higher.

The minimum income of employees is guaranteed by the Minimum Wage Act (Zakon o minimalni plači, ZMinP). The gross minimum wage is currently $\in 1,253.90$ and the net minimum wage is $\in 902$. All four sectors are covered by sectoral collective agreements, which are generally valid in the automotive industry, retail and social services, but not in the food industry. As a rule, sectoral and company collective agreements also apply to agency workers, but companies find many ways to lower wages and get more work out of workers (Breznik, 2018). Few trade unions organise members among migrants as well as agency workers, students and other subcontracted workers. Migrant workers therefore rely on the support of the Info Point for Foreigners at the Employment Service of Slovenia, while comprehensive legal support and representation of interests is provided by the Counselling Office for Workers (Delavska svetovalnica).

The frequency of labour law violations corresponds to sectors with a higher prevalence of migrant workers, such as construction, transportation and hospitality. But they are not uncommon in other sectors either. A high-profile scandal occurred in the food industry

when the Counselling Office for Workers uncovered the story of twelve Indian migrant workers in fish processing plants. The Indians, recruited by a Portuguese temporary employment agency that was not registered in Slovenia, worked excessively long hours, slept in the factory, were monitored by video and, when they slowed down, received a call to work faster. The labour inspectorate and the police intervened, but the practice seems to continue. Foreign temporary employment agencies from Romania, Croatia, Slovakia and Portugal, registered in Slovenia, place Slovakian, Romanian, Indian, Filipino and Bangladeshi workers. On the list of their clients from 2024, we found companies where the scandal was uncovered two years ago. Enforcement actors no longer remember the public promises made at the time to end this kind of exploitation of migrant workers.

Conclusion

Economic expansion appears to be dependent on the availability of foreign labour, as the unemployment rate has been at a very low level for years and between 75 and 80% of new jobs in manufacturing, construction and agriculture are filled by foreign workers (Štibelj, 2024). Both employer organisations and trade unions support the 'import' of foreign labour in shortage occupations for the benefit of the Slovenian economy. While employer organisations put pressure on the state to secure additional workforce through new bilateral agreements (Philippines, Turkey, North Macedonia, Kosovo), trade unions are aware of the exploitation of temporary foreign workers but address it indirectly. Firstly, they are endeavouring to limit overtime by means of electronic working time recording, which would enable better control of overtime violations. The amended Labour and Social Security Act (ZEPSDV) was passed last year, but the debates on the electronic register between the social partners continue. Secondly, the trade unions try to improve the income of minimum wage earners, many of whom are foreign workers.

Comparing the four sectors (food, automotive, retail and care), the food industry has the highest proportion of migrant workers, and food companies frequently appear in newspaper reports on the employment of temporary migrant workers. With a lower proportion of migrant workers, the automotive industry stands out due to the employment of agency workers. In the service sector, both retail and social care have recently seen an increase in the employment of migrants, and in both sectors the proportion of workers with migrant background is 8%. In the retail sector, the Centre for Social Research CEDRA organises workers in companies with anti-union policies. These companies use, among other things, the employment of migrants and a cascade of subcontractors to undermine the efforts of trade unions. In the social care sector, the sectoral trade unions are endeavouring to improve the situation of low-paid domestic and foreign workers in collective bargaining. They want to raise the lowest basic wage to the level of the minimum wage. This would offer employees a guaranteed minimum wage and allowances for asocial working time on top of the minimum wage.

The background report shows that in the manufacturing sector, the food sector is more interesting for further research into temporary migrant workers than the automotive industry. While in the service sector both activities have the same proportion of migrants, the retail sector is under-researched. In addition, the two organisations (CEDRA and the Counselling Office for Workers) report on innovative approaches and dynamic processes between the social partners that could enrich research.

References:

Mihail Arandarenko and Dragan Aleksić (2024), Slovenia.

Advocate of the Principle of the Equality (Zagovornik načela enakosti) (2022), Ocena diskriminatornosti 8.a in 11. člena zakona o urejanju trga dela (izkazovanje osnovnega znanja slovenskega jezika za tuje državljane) [Assessment of the discriminatory nature of Articles 8a and 11 of the Labour Market Regulation Act (a proof of basic knowledge of the Slovene language for foreign nationals)], 24 August 2022, available at: https://zagovornik.si/wp-content/uploads/2022/08/OCENA-DISKRIMINATORNOSTI-8.a-I N-11.-CLENA-ZAKONA-O-UREJANJU-TRGA-DELA.pdf.

Asylum Working Group and Counselling Office for Workers (Delovna skupina za azil in Delavska svetovalnica) (2021), *Vpliv sprememb zakona o tujcih in zakona o mednarodni zaščiti na bivanjske razmere tujih državljanov*, Ljubljana, 20 November 2021.

Breznik, Maja (2022), Statistični pregled institucionalne oskrbe starejših v Sloveniji, available at

https://www.mirovni-institut.si/wp-content/uploads/2021/11/STATISTICNI-PREGLED-pod rocja-institucionalne-oskrbe-starejsih-v-Sloveniji.pdf.

Breznik, Maja (2018), Agencijski delavci. In: Miroslav Stanojević and Sašo Furlan (eds.), (Ne)dostojno delo: Prekarizacija standardnega in nestandardnega zaposlovanja, Ljubljana: Založba FDV, pp. 160–179.

Čehovin, Jožica and Maja Breznik (2020), Segmentacija zaposlovanja v Sloveniji: Splošni trendi in medsektorska primerjava (2005–2018) [Research report], Ljubljana, January 2020, available at

https://www.mirovni-institut.si/projekti/segmentacija-nestandardnega-zaposlovanja-v-sl oveniji/.

Damijan, Jože P. (2019), Pomen izvoza gradbenih, inženirskih in transportnih storitev ter problematika napotenih delavcev v tujino, 10 December 2019, available at <u>https://damijan.org/2019/12/10/pomen-izvoza-gradbenih-inzenirskih-in-transportnih-storitev-ter-problematika-napotenih-delavcev-v-tujino/.</u>

De Wispelaere, Frederic, Lynn De Smedt and Jozef Pacolet (2022), *Posting of workers: Collection of data from the prior declaration tools*, June 2022, available at <u>https://ec.europa.eu/social/BlobServlet?docId=26661&langId=en.</u>

Hrženjak, Majda and Maja Breznik, Multiple Interacting Migration Patterns in Senior Care in Europe's Semi-Periphery. In: Brigitte Aulenbacher, Helma Lutz, Ewa Palenga-Möllenbeck and Karin Schwiter (eds.), *Home Care for Sale*, London: Sage, pp. 97-111.

MMC (2023), 'Ne bomo pozivali na ulice, a ukrepe je treba uravnotežiti'; srečanje z Golobom v sredo, 4 December 2023, available at <u>https://www.rtvslo.si/gospodarstvo/ne-bomo-pozivali-na-ulice-a-ukrepe-je-treba-uravnot</u> <u>eziti-srecanje-z-golobom-v-sredo/690418</u>.

MNZ (Ministry of the Interior of the Republic of Slovenia) (2023), Strategija Vlade Republike Slovenije na področju priseljevanja [Immigration strategy of the Government of the Republic of Slovenia] (draft), September 2023.

MNZ (Ministry of the Interior of the Republic of Slovenia) (2017), Letter No. 900-140/2017/2 (1322-01), 15 September 2017, available at https://www.gzs.si/Portals/Panoga-Zdruzenje-Promet/GZS-2017.pdf.

N1info (2023), Stavkajo tiste najpogumnejše upravne enote s pokončnimi načelniki, 15 November 2023, available at https://n1info.si/novice/slovenija/stavka-na-upravnih-enotah-vladi-zelimo-poslati-zelo-re

sno-opozorilo/.

Pajnik, Mojca, Veronika Bajt and Sanja Herič, Migranti na trgu dela v Sloveniji, <u>Dve</u> <u>domovini</u>, No. 32, 2010, pp. 151-167.

Svet24 (2022), Vse tegobe voznikov tovornjakov: nekoč gospodje, danes najlažje zamenljivi del kamiona, 13 February 2022, available at https://novice.svet24.si/clanek/novice/slovenija/5e43b7b258f80/nekoc-gospodje-danes-najlazje-zamenljivi-del-kamiona.

Štibelj, Luka (2024), Interview with Igor Feketija, *Radio Student*, 29 February 2024, available at https://radiostudent.si/politika/apr-intervju/igor-feketija.

UMAR (Institute of Macroeconomic Analysis and Development) (2024), *Slovenian Economic Mirror*, No. 1, Vol. XXX, available at https://www.umar.gov.si/fileadmin/user_upload/publikacije/eo/2024/1_2024/EO_1_2024 .pdf.

UMAR (Institute of Macroeconomic Analysis and Development) (2019a), *Soočanje s pomanjkanjem delovne sile* [Facing the labour shortage], Ljubljana: UMAR, November 2019.

UMAR (Institute of Macroeconomic Analysis and Development) (2019b), *Soočanje s pomanjkanjem delovne sile* [Facing the labour shortage], public discussion, Ljubljana: UMAR, 20 November 2019, recording of public discussion available at: <u>https://www.umar.si/fileadmin/user_upload/novice/191120_posvet.mp3</u>.

Vah Jevšnik, Mojca, Sanja Cukut Krilić, Kristina Toplak (2022). *Posted workers from Slovenia. Facts and Figures.* POSTING.STAT project. https://hiva.kuleuven.be/en/news/docs/ZKD9978_POSTING_STAT_Slovenia_Posted_work ers_from_slovenia_facts_and_figures.

ZSSS (Association of Free Trade Unions of Slovenia) (2023b), 'Poziv najslabše plačanih javnih uradnikov preslišan: Stavka na upravnih enotah po Sloveniji', 15 November 2023, available at https://www.zsss.si/stavka-ue-sdos-231115/.

APPENDIX

[Figure 1]

Employment of non-nationals in various activities in December 2023 (in %)

Source: SURS

	Working population (total)	Foreign nationals (Total)	Foreign nationals (Total in %)	Nationals of EU Member States	Nationals of EU Member States (in %)	Third-country nationals	Third-country nationals (in %)
A/ Agriculture	4641	512	11	100	20	412	80
B/ Mining	2267	202	9	29	14	173	86
C/ Manufacturing	212113	37906	18	6442	17	31464	83
E/ Water supply	10752	874	8	115	13	759	87
F/ Construction	77168	37594	49	1914	5	35680	95
G/ Wholesala and retail	117054	9231	8	1751	19	7480	81
H/ Transportation	57563	18909	33	1531	8	17378	92
I/ Accomodation (Aug. 2023)	38587	8272	21	1267	15	7005	85
J/ Information	33660	1929	6	629	33	1300	67
K/ Financial activities	18760	241	1	77	32	164	68
L/ Real estate	4219	766	18	59	8	707	92
M/ Professional activities	62300	4588	7	1265	28	3323	72
N/ Administration activities (Jan. 2023)	34229	8987	26	1425	16	7562	84
O/ Public administration	49456	59	0	20	34	39	66
P/Education	80152	2389	3	715	30	1674	70
Q/ Health and social care	75073	3224	4	648	20	2576	80
R/ Culture, entertainement, sport	16225	846	5	356	42	490	58
S/ Other activities	18111	1298	7	272	21	1026	79
T/ Household employment	690	112	16	22	20	90	80

[Figure 2]



0	2018	2019	2020	2021	2022	2023
EU, EEA and CH nationals	8485	11379	9276	9710	9718	10171
Bulgaria	3344	2854	2417	2232	2315	2381
Croatia	1124	5103	4347	5032	4901	5018
 Hungary 	690	504	433	444	482	724
Romania	1031	841	464	491	453	458

EU, EEA and CH nationals Bulgaria Croatia Hungary Romania





Number of work permits via bilateral agreements in Slovenia

[Figure 4]





NUMBER OF WORKERS POSTED TO SLOVENIA BY COUNTRIES



[Figure 6]

Number of postings from Slovenia (2005-2023)



Source: Finance and ZZZS

[Figure 7]





[Figure 8]







