



REPUBLIC OF SLOVENIA  
**MINISTRY OF LABOUR, FAMILY  
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Number: 511-64/2021/12  
Date: 10 January 2023

**Subject: Representation under Article 24 of the ILO Constitution, alleging non-observance by Slovenia of the Occupational Safety and Health Convention, 1981 (No. 155) and the Protocol of 2002 to the Occupational Safety and Health Convention, 1981 (P155) – extension of the conciliation process – kind request**

Dear Madam,

Referring to our letter No. 511-64/2021/5 from 1 July 2022 concerning the entering of our government into the conciliation process in respect of the representation under Article 24 of the ILO Constitution, submitted by the Association of Free Trade Unions of Slovenia (ZSSS), alleging non-observance by Slovenia of the Occupational Safety and Health Convention, 1981 (No. 155) and the Protocol of 2002 to the Occupational Safety and Health Convention, 1981 (P155), and your letter from 8 July 2022 by which you acknowledged the receipt of our government's indication and indicated a maximum period of six months of a temporary suspension of the examination of the merits of the representation, I am writing to you with a kind request to extend the completion date of the conciliation process, which will enable our government to complete the process.

It is my pleasure to convey that several important steps have already been taken by the competent authorities to address and resolve the substance of the representation. After **careful and several consultations among and within the competent authorities and with relevant stakeholders, including with the complainant party** (see also below and enclosed) the Ministry of Health prepared **the draft Rules on the list of occupational diseases** (enclosed). The draft Rules have been prepared based on the new Pension and Disability Insurance Act (Pension and Disability Insurance Act, Official Gazette of the Republic of Slovenia [*Uradni list RS*], No. 48/22 – official consolidated text; hereinafter: ZPIZ-2) and are about to replace the old Rules, which were prepared based on the old Pension and Disability Insurance Act (ZPIZ-1).

The current proposal of the Rules, *inter alia*, establishes in detail the procedure for the notification and verification of the existence of occupational diseases, based on which the employee claims rights from mandatory health insurance or pension and disability insurance. On **22 December 2022 the draft Rules were officially submitted for public discussion** until 22 January 2023 (available at: <https://e-uprava.gov.si/drzava-in-druzba/e-demokracija/predlogi-predpisov/predlog-predpisa.html?id=14967>). Moreover, **on 13 January 2023 the draft Rules will be discussed within the Economic and Social Council of the Republic of Slovenia (hereinafter: ESC)**, which is the highest-level body representing the social partners in Slovenia. The proposal for consideration of the draft Rules by the ESC was submitted by the Ministry of Health on 22 December 2022 (enclosed).

After the consideration of the Rules by the ESC (to be held on 13 January 2023, the convocation letter is enclosed) and the completion of the public discussion, the new Rules are to be signed by the Minister of Health and published in the Official Gazette of the Republic of Slovenia. To stress, despite several consultations among the competent authorities and with relevant stakeholders, the draft Rules are still subject to potential change following possible further consultations, depending on the considerations and agreement of social partners within ESC and comments received by the general public.

As already stated, there were several consultations held within the competent authorities, as well as with relevant stakeholders and the complainant party. Some of these meetings are listed below:

- the meeting on the harmonisation of the proposal of the solution in the field of occupational diseases and in respect of the conciliation procedure before the ILO (9 September 2022) – minutes enclosed  
(present: representatives of the Ministry of Health, Ministry of Labour, Family, Social Affairs and Equal Opportunities and Clinical Institute of Occupational, Traffic and Sports Medicine),
- the meeting on the steps already taken and the envisaged activities in respect of addressing the subject of the representation under Article 24 of the ILO Constitution concerned (7 November 2022) – minutes enclosed  
(present: representatives of the Ministry of Health, Ministry of Labour, Family, Social Affairs and Equal Opportunities and Association of Free Trade Unions of Slovenia – minutes enclosed),
- the meeting on the draft Rules on the list of occupational diseases (20 December 2022), within which the position has been taken by the participants on the received comments on the draft Rules, sent by the Association of Free Trade Unions of Slovenia, Ministry of Labour, Family, Social Affairs and Equal Opportunities, Pension and Disability Insurance Institute of Slovenia and Clinical Institute of Occupational, Traffic and Sports Medicine – minutes enclosed  
(present: representatives of the Ministry of Health, Association of Free Trade Unions of Slovenia, Ministry of Labour, Family, Social Affairs and Equal Opportunities, Pension and Disability Insurance Institute of Slovenia and Clinical Institute of Occupational, Traffic and Sports Medicine).

I would also like to bring to your awareness that even before entering the conciliation process concerned there were several preliminary meetings with the representatives of the Ministry of Health and Ministry of Labour, Family, Social Affairs and Equal Opportunities on the process

and the substance itself (including the meeting at the level of State Secretaries of both relevant ministries, June 2022).

As described above, in spite of the sincere commitment and several activities already been taken, **due to the procedural requirements of the adoption of the new Rules**, our government is unfortunately not in a position to meet the deadline for the successful completion of the conciliation procedure. Therefore, I would **kindly ask for an extension of the completion date of the conciliation procedure**. It is also my pleasure to convey that **the complainant party** (Association of Free Trade Unions of Slovenia – ZSSS) **agrees with the extension of the deadline of the conciliation procedure until the end of February 2023** (minutes of the meeting on the draft Rules on the list of occupational diseases from 20 December 2022; enclosed).

Let me also reiterate our government's commitment to successfully address and resolve the subject of the representation concerned at the national level, in consultation with all relevant stakeholders, including social partners and the complainant party.

I thank you sincerely for your kind consideration of this request.

Madam, let me also thank you sincerely for all the additional clarifications and information regarding the Article 24 representation procedure and the conciliation process, and the assistance that the Office has already provided.

With Regards,

Luka Mesec  
MINISTER

Enclosed:

- The draft Rules on the list of occupational diseases as submitted for the public discussion (available also at: <https://e-uprava.gov.si/drzava-in-druzba/e-demokracija/predlogi-predpisov/predlog-predpisa.html?id=14967>)
- Letter No. 013-1/2022/472 from 22 December 2022, signed by the State Secretary at the Ministry of Health (Proposal for consideration of the draft Rules by the ESC)
- Convocation letter of the ESC session, No. 01300-1/2023/5 from 6 January 2023)
- Minutes of the meeting (9 September 2022)
- Minutes of the meeting (7 November 2022)
- Minutes of the meeting (20 December 2022)

CC:

- Permanent Mission of the Republic of Slovenia to the United Nations Office and other international organizations in Geneva, [slomission.geneva@gov.si](mailto:slomission.geneva@gov.si)
- Ministry of Health, Republic of Slovenia, [gp.mz@gov.si](mailto:gp.mz@gov.si)
- Ms Corinne Vargha, Director of the International Labour Standards Department, [vargha@ilo.org](mailto:vargha@ilo.org)
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