**Information on the rights and obligations of a citizen who has submitted an application**

**for inclusion in the register of job seekers,**

**which is also an application for unemployment benefit**

The conditions for inclusion in the register of job seekers, the rights and obligations of the job seeker are regulated by Act No. 5/2004 on employment services and on amendments to certain acts (hereinafter referred to as the “Act”).

The Ministry of Labour, Social Affairs and Family, the Central Office of Labour, Social Affairs and Family and the Office of Labour, Social Affairs and Family (hereinafter referred to as the “Office”), for the purpose of keeping records of job seekers, applicants for employment, employers, nationals of third countries, citizens with disabilities and job vacancies, for the purposes of providing employment services according to this Act, for analytical purposes and for statistical purposes, they process personal data in accordance with Act No. 18/2018 Coll. on the protection of personal data and on amendments to certain acts.

1. If the citizen applies for inclusion in the register of job seekers within ten calendar days from the date of:
	1. termination of employment, he/she shall be included there from the day following the termination of employment;
	2. termination of operating or performing a self-employment, he/she shall be included there from the day following the termination of operating or performing a self-employment; in the case of a self-employed person, the date of termination of self-employment is also considered to be the date of entry of the commercial company into liquidation;
	3. termination of continuous vocational training, he/she shall be included there from the day following the termination of continuous vocational training;
	4. termination of personal day care for a child, he/she shall be included there from the day following the termination of personal day care for a child;
	5. termination of personal care for a close person who is dependent on personal day care, he/she shall be included there from the day following the termination of personal care for a close person who is dependent on personal day care;
	6. termination of temporary incapacity for work, he/she shall be included there from the day following the termination of the temporary incapacity for work;
	7. termination of disability, he/she shall be included there from the day following the termination of disability;
	8. termination of detention and execution of the prison sentence, he/she shall be included there from the day following the termination of the detention and execution of the prison sentence; or
	9. the valid decision not to grant an early old-age pension, he/she shall be included there from the day following the date of the valid decision not to grant an early old-age pension.
2. A citizen shall not be included in the register of job seekers, if he/she:
	1. is subject to compulsory education until the end of the school year in which he/she turns 16;
	2. is subject to continuous vocational training;
	3. is temporarily incapable for work;
	4. is entitled to maternity leave;
	5. has been granted an old-age pension or a citizen who has been granted a disability pension and has reached the age required to be entitled to an old-age pension according to the Social Insurance Act;
	6. was repeatedly removed from the register of job seekers during three years due to starting a suitable job mediated by the Office and this employment was repeatedly terminated within one month of its start, and within six months of the employment termination; this shall not apply to the employment termination by the citizen for a reason for which the employee may immediately terminate the employment relationship;
	7. was removed from the register of job seekers at his/her own request within a period of 3 months from the date of removal from the register of job seekers, or who was removed from the register of job seekers due to performing illegal work or non-cooperation with the Office, or who was granted an employment permit abroad during a period of 6 months from the date of removal from the register;
	8. has not fulfilled the obligation to operate a self-employment for which he/she was granted a self-employment allowance or a disabled citizen's allowance for self-employment or a contribution under a project or program;
	9. does not meet the conditions according to the Act specified in points 3 and 4 of this information;
	10. does not submit the documents decisive for inclusion in the register of job seekers within eight calendar days from the date of submission of the application for inclusion in the register of job seekers;
	11. before submitting an application for inclusion in the register of job seekers, is a third-country national who has been granted a long-term residence permit;
3. has not been insured for unemployment for at least two years in the last three years; or
4. was an employee in an employment relationship for a fixed period of time and was not insured for unemployment in the last four years due to the performance of the activities of an employee under an employment relationship for a fixed period of time or voluntarily insured for unemployment for at least two years.
5. For the purposes of this Act, a job seeker is a citizen who can work, wants to work, seeks employment and is registered in the register of job seekers at the Office, and who:
6. is not an employee;
7. is not in an employment relationship based on an agreement on work performed outside the employment relationship\* or does not perform gainful activity based on a legal relationship according to e.g. Civil Code, Commercial Code, unless provided otherwise in this Act;
8. does not operate or perform self-employment;
9. does not perform self-employment in EU member state of abroad.
10. **Job seeker can:**
11. \*be in an employment relationship based on an agreement on work performed outside of the employment relationship, if the duration of this employment relationship does not exceed a total of 40 days in a calendar year and if the monthly remuneration does not exceed the total amount of the subsistence minimum for one adult natural person according to Act No. 601/2003 Coll. on the subsistence minimum and on amendments to certain acts, as amended, valid as of the first day of the calendar month for which the amount of remuneration is shown, with an employer
* with whom he/she was not employed or in a similar employment relationship immediately before being entered into the register of job seekers
* who did not refuse to hire him/her for employment mediated by the Office in the previous six months before the conclusion of this employment relationship

**The job seeker is obliged to submit a copy of the agreement on work performed outside the employment relationship to the Office no later than one day before the beginning of the period for which this agreement was concluded.**

**ATTENTION: The job seeker may not be in several such employment relationships at the same time.**

1. provide personal assistance according to Act No. 447/2008 Coll. on financial contributions to compensate for severe disability and on amendments to certain acts, as amended, if the monthly remuneration does not exceed the total amount of the subsistence minimum for one adult natural person, valid on the first day of the calendar month for which the amount of the remuneration is proven;
2. provide data for the statistics of family accounts carried out by the Statistical Office of the Slovak Republic based on an agreement on work performed outside the employment relationship;
3. carry out voluntary military training according to Act No. 378/2015 Coll. on voluntary military training and on amendments to certain acts;
4. be included in the active reserves, perform regular training or fulfil the tasks of the armed forces of the Slovak Republic during inclusion in the active reserves according to Act No. 570/2005 Coll. on military service and on amendments to certain acts, as amended;
5. perform the function of a member of the electoral commission and recorder of the electoral commission and perform the activity of a census assistant during the population and housing census;
6. perform work duties according to Act No. 179/2011 Coll. on economic mobilization and on amendments to Act No. 387/2002 Coll. on managing the state in crisis situations outside of wartime and martial law, as amended;
7. implement hygienic and anti-epidemic measures to ensure health care for the population during an extraordinary situation or state of emergency;
8. perform the function of a member of the municipal council, the function of a member of the council of a self-governing region, the function of a member of the commission of the municipal council or the function of a member of the commission of the council of the self-governing region, if the monthly remuneration does not exceed in total the amount of the subsistence minimum for one adult natural person according to Act No. 601/2003 Coll. on the subsistence minimum and on amendments to certain acts, as amended.
9. **The job seeker is obliged to actively seek employment and to prove it in person or electronically, as determined by the Office, to the Office within the deadline specified by the Office**, e.g. in the form of an **application** for employment or a similar employment relationship submitted or sent to the employer, **proof** of personal job search with the employer (Office form), **confirmation** of the competent authority accepting the application for the issuance of a license to operate or perform self-employment, indicating the date of its receipt, the demonstrable initiation of proceedings in the matter of personal assistance, work assistance, an **application** for employment mediation submitted or sent to a legal entity or a natural person who performs employment mediation for remuneration, an **application** for employment submitted or sent to a temporary employment agency, indicating the date of receipt and the signature of the person authorized to receive the application, or if it is evidenced by a postal delivery slip of its sending, or if it is evidenced by proof of its sending by electronic mail.
10. For the purpose of offering **suitable employment** (employment that takes into account the health of the citizen, his/her qualifications, professional skills or the type of work performed so far and in which the weekly working time is not shorter than half of the established weekly working time) or any of active measures on the labour market, the job seeker is obliged to be available to the Office within three working days from the day of the request of the Office, where the form of request shall be agreed between the job seeker and the Office.

The job seeker is obliged to deliver the employer's statement about the acceptance or non-acceptance of the job seeker to the offered suitable employment to the Office within the deadline specified by the Office.

1. During inclusion in international projects and programs implemented outside the territory of the Slovak Republic, the job seeker is not obliged to actively seek employment and to prove it in person, and also is not obliged to be available to the Office within three working days of the request of the Office. The job seeker is obliged to personally appear at the Office within three working days after returning to the territory of the Slovak Republic.
2. The job seeker participating in education and preparation for the labour market for more than two months is obliged to actively seek employment and prove it in person only during the last two months before the end of the education and preparation for the labour market.
3. The job seeker who submits the confirmation of temporary incapacity for work is not obliged to actively seek employment and to prove it personally, and also is not obliged to be available to the Office within three working days of the request of the Office.
4. The job seeker who submits a document on the expected date of childbirth is not obliged to actively seek employment and to prove it in person, and also is not obliged to be available to the Office within three working days of the request of the Office in the period from the beginning of the sixth week before the expected date of childbirth and during the six weeks after childbirth.
5. The job seeker who has also changed the local competent office by changing the permanent residence shall report this change to the Office in the territorial district where he/she has permanent residence, within three working days from the date of the change of permanent residence or from the date of starting the provision of social services in the social services facility.
6. The job seeker is obliged to notify the Office in writing of any change in facts relevant to the register of job seekers within eight calendar days.
7. A job seeker who receives an unemployment benefit and who wants to travel to EU member state in order to seek employment, and maintain his/her entitlement to unemployment benefit, is obliged to notify the Office of the date of his/her departure to the EU member state. From this date, he/she is not obliged to fulfil his/her obligations towards the Office (actively seek employment, prove it in person, be available to the office within three working days).

If the job seeker is not included in the register of employment services in the EU member state, he/she is obliged to fulfil the obligations towards the Office again no later than 15 working days from the date of departure.

If the job seeker is included in the register of employment services in the EU member state, he/she is obliged to fulfil the obligations towards the Office again no later than 15 working days from the date on which he/she ceased to be available to the relevant office of the EU member state, but no later than six months from the date of the departure to the EU member state.

1. **Reasons for the removal of the job seeker from the register** at the relevant office:
	1. the conclusion of an employment relationship or a similar employment relationship;
	2. the authorization to operate or perform self-employment;
	3. termination of suspension of self-employment operation or performance;
	4. starting continuous vocational training;
	5. starting to serve a prison sentence;
	6. detention;
	7. grant of old-age pension or reaching the age necessary for entitlement to old-age pension for a recipient of a disability pension;
	8. the birth of a child, if the child is alive;
	9. death;
	10. departure to EU member state for a period longer than 15 calendar days, with the exception of job seeker who is a recipient of unemployment benefit and who wants to leave to the EU member state in order to seek employment and maintain the entitlement to unemployment benefit or treatment in the EU member state;
	11. going abroad for a period longer than 15 calendar days, with the exception of treatment abroad;
	12. commencement of a gainful activity:
* in a member state of the European Union or
* abroad;
	1. request to be removed from the register of job seekers due to:
* care for a child up to ten years of age;
* proven personal care for a close person according to Section 116 of the Civil Code, who is dependent on personal day care;
	1. request to be removed from the register of job seekers;

**ATTENTION: the job seeker may submit new application for inclusion in the register of job seekers repeatedly only after 3 months from the date of removal from the register of job seekers.**

* 1. conclusion of an employment relationship based on an agreement on work performed outside of an employment relationship or the commencement of a gainful activity based on an employment relationship other than the employment relationship based on an agreement on work performed outside of an employment relationship or the employment relationship referred to in point 4(a);
	2. the entry into force of a judgement on the invalidity of the termination of an employment relationship or the entry into force of a judgement on the annulment of a decision of a state administration body on the termination of a state employment relationship or public service relationship;
	3. provision of false data that led to inclusion in the register of job seekers or identification of new facts that had an impact on inclusion in the register of job seekers;
	4. failure to meet the condition for inclusion in the register of job seekers specified in point 4 (a), (b) and (i);
	5. termination of long-term residence, if it is a third-country national; this does not apply if the job seeker meets the conditions for inclusion in the register of job seekers as of that date;
	6. identification of inability to fulfil obligations of active job search, its proof to the Office in person, to be available to the Office within three working days of request by the Office, based on an opinion of a medical examiner or expert council of medical examiners;
	7. termination of asylum or termination of supplementary protection; this does not apply if the job seeker meets the conditions for inclusion in the register of job seekers on the day of the termination of asylum or supplementary protection;
	8. a third-country national is no longer a family member of a citizen of the European Union or a family member of a citizen of the Slovak Republic; this does not apply if the job seeker meets the conditions for inclusion in the register of job seekers as of that date;
	9. performance of illegal work;
	10. non-cooperation with the Office; or
	11. a work permit granted abroad.

**ATTENTION: after removal from the register of job seekers for reasons specified in points (w) to (y), the job seeker may submit new application for inclusion in the register of job seekers repeatedly only after 6 months from the date of removal from the register of job seekers.**

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1. **Non-cooperation of the job seeker with the Office means:**
2. refusal of an offer of suitable employment mediated by the Office without justified reasons or refusal to start a suitable job mediated by the Office without justified reasons;
3. refusal of an offer to participate or refusal to participate in active measures on the labour market by the job seeker without justified reasons, except for refusal of an offer to participate or refusal to participate in activation activities in the form of minor services for the self-governing region;
4. early termination of participation in active measures on the labour market by the job seeker before the agreed date without justified reasons, failure to fulfil the conditions of participation of the job seeker in active measures on the labour market agreed in writing between the Office and the job seeker without justified reasons, or failure to fulfil the measures determined in the individual action plan without justified reasons;
5. failure to prove the fulfilment of the obligation to actively seek employment and to prove it to the Office in person or electronically within the deadline specified by the Office without justified reasons;
6. failure to appear at the Office or a place designated by the Office in order to prove an active job search in person or in the case of suitable job offer or offer of one of the active measures on the market without justified reasons within three working days from the date of the request by the Office;
7. failure to submit documents proving the justified reasons listed in point 16 of this information and documents for medical assessment by the deadline specified by the Office and the Central Office, if the non-compliance with the deadline was caused by the job seeker;
8. non-compliance with treatment regimen by the job seeker during his/her temporary incapacity for work;
9. non-compliance with the obligation (without justified reasons):
* to notify the Office in writing of any change in facts relevant to the register of job seekers within eight calendar days;
* to submit to the Office a copy of the agreement on work performed outside the employment relationship no later than on the day before the beginning of the period for which this agreement was concluded;
* to personally appear at the Office within three working days after returning to the territory of the Slovak Republic, in case of inclusion in international projects and programs outside the territory of the Slovak Republic;
* to fulfil obligations towards the Office again within 15 working days at the latest from the date of departure to EU member state in order to seek employment while maintaining the right to unemployment benefits, unless the Office in the EU member state has included him/her in its records of employment services;
* to fulfil obligations towards the Office again within 15 working days at the latest from the day on which the job seeker was no longer be available to the competent office of EU member state (the Office included it in its records), but before the expiration of six months at the latest from the date of departure to EU member state in order to seek employment and maintain the right to unemployment benefits;
1. failure to submit a copy of the agreement on work performed outside the employment relationship when submitting an application for inclusion in the register of job seeker, if it is concluded.
2. **Justified reason** mentioned in point 15 **includes**:
3. if the place of employment and the nature of the spouse's employment or if the place of employment and the nature of the employment do not allow to accompany a child under the age of ten to a preschool or school;
4. the state of health of the job seeker assessed by a medical examiner;
5. temporary incapacity for work of the job seeker, the beginning and end of which shall be proven to the Office with a confirmation of temporary incapacity for work within three working days from the date of issuance of the confirmation of temporary incapacity for work and on the working day following the end of the temporary incapacity for work; termination of temporary incapacity for work shall be proven by the job seeker in person;
6. the state of health of close persons, requiring personal care, treatment or accompaniment based on a written statement of the attending physician or a decision of a medical facility; the written statement of the attending physician or the decision of the medical facility on the initiation of personal care or treatment shall be submitted by the job seeker within three working days from the date of issue of the written statement of the attending physician or the decision of the medical facility, the written statement of the attending physician or the decision of the medical facility on the termination of personal care or treatment shall be submitted by the job seeker on the following working day after the end of personal care or treatment, and the document on the accompaniment shall be submitted by the job seeker on the following working day after the end of the accompaniment;
7. voluntary military training according to a special regulation, regular exercises or fulfilment of the tasks of the armed forces of the Slovak Republic during inclusion in the active reserves according to a special regulation, the beginning and end of which must be demonstrated to the Office no later than one working day before the beginning and three working days after the end;
8. other reasons as assessed by the Office.