



International Employment Lawyer

GUIDE TO PAY TRANSPARENCY

SLOVAKIA

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Gender pay gap reporting

1. What laws are in place regarding gender pay gap reporting in your jurisdiction?

Slovakia currently does not have specific national legislation that mandates the reporting of gender pay differences. However, the principle of equal treatment in employment relationships has for many years been embedded in the Slovak legal system mainly through the Labour Code^[1] and the Anti-Discrimination Act^[2]. Despite these legal provisions, the practical application and enforceability of these principles remain challenging.

According to Eurostat, the (non-adjusted) gender pay gap in Slovakia in 2023 was 15.7%, meaning women earned, on average, 15.7% less per hour than men. This is notably higher than the EU average of 12%^[3]. Addressing this issue is a key objective in Slovakia's National Gender Equality and Equal Opportunities Strategy for 2021–2027, which aims to reduce the wage gap between men and women.

The Labour Code enshrines the right to fair, transparent, and predictable working conditions, as well as protection against arbitrary dismissal, in line with the principle of equal treatment. This principle is further reinforced in the Anti-Discrimination Act, which prohibits discrimination on the basis of sex in employment, remuneration, career progression, professional training, and working conditions.

In line with these legal frameworks, Article 6 of the Labour Code emphasises that both women and men have the right to equal treatment in relation to access to employment, remuneration, career advancement, professional training, and working conditions. Employers are required to comply with the principle of equal treatment and ensure that their practices do not discriminate on the grounds of gender.

The principle of “equal pay for equal work and work of equal value” is fundamental in Slovakia's legal framework. This means that wages must be agreed upon without any gender-based discrimination. The prohibition of discrimination extends beyond salaries to include all forms of remuneration, including bonuses, severance pay, social fund contributions, and other benefits provided by employers.

Under Slovak law, equal work refers to tasks of the same or comparable complexity, responsibility, and effort, performed under similar working conditions, and yielding comparable performance and results.

[1] Act No. 311/2001 Coll., the Labour Code

[2] Act No. 365/2004 Coll. on equal treatment in certain areas and on protection against discrimination and on amending and supplementing certain acts (Anti-discrimination Act)

[3] https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Gender_pay_gap_statistics

2. Which companies are in scope of mandatory gender pay gap reporting?

At present, companies in Slovakia, whether in the private or public sector or administration in general, are not required to report gender pay gaps.

3. When determining employee numbers, what is the relevant test (for example, the number of employees in a particular entity, those within a specific jurisdiction, or is it necessary to include employees in foreign branches and parent entities)?

There is currently no established criteria in Slovakia for determining employee numbers as there is no obligation to report gender pay gaps. As a result, there is no specified method for calculating the number of employees or determining which entities would be subject to this requirement. It is anticipated that such criteria and guidelines will be introduced with the implementation of the relevant EU-directive. However, at present, no legislative proposal for this implementation exists.

4. What types of employees must be taken into account for gender pay gap reporting purposes? Are certain non-employees/employee-like staff to be included (for example, self-employed contractors and agency staff)?

Since there is currently no obligation to report gender pay gaps, there are no established guidelines regarding which types of employees should be included in such reporting.

5. Do employee representative bodies have any rights in the reporting process and, if so, please specify the nature of the involvement right?

Currently, there is no legal framework addressing the involvement of employee representative bodies in gender pay gap reporting. However, if gender pay gap reporting becomes mandatory, employee representative bodies (such as trade unions or workers' councils) would likely have the right to be informed about the findings and participate in discussions on how to address any disparities. They may also advocate for greater transparency and push for changes in the company's pay practices.

6. What is included as "pay" for gender pay gap reporting purposes?

Since there is currently no obligation to report gender pay gaps, there is no definition in place regarding what constitutes "wages" for reporting purposes. However, the existing legal framework does establish the requirement for equal working conditions. Therefore, it can be expected that, once this reporting obligation is introduced, all components of wages will be considered, including base salary, variable pay elements, and potentially other benefits.

For the purpose of any future gender pay gap reporting, "wages" would likely include the total monetary compensation paid to employees. This would encompass base salary, bonuses, commissions, and any other allowances or benefits that form part of the total remuneration package.

7. Whom must the report be provided to and where does it have to be published?

There is currently no requirement to publicly disclose gender pay gap reports in Slovakia. Only some subsidiaries of large international companies collect such data but usually do not publish it nationally. The Slovak National Centre for Human Rights, which monitors and evaluates the principles of equal treatment, is authorised to conduct independent investigations regarding discrimination. However, a significant barrier to the effective fulfilment of this task is the absence of a requirement for the entities being investigated to provide the Centre with information and relevant data, making real oversight in practice very challenging[4].

Under current laws, there is no mandatory reporting requirement for the gender pay gap. However, if such a requirement were introduced, reports would likely be submitted to the Ministry of Labour,

Social Affairs and Family of the Slovak Republic. These reports could also be published on the company's website or through other public transparency channels such as annexes to financial statements.

[4] <https://www.snslp.sk/wp-content/uploads/Pravna-analyza-institutu-rovneho-odmenovania.pdf>

8. How frequently and when do employers have to report?

Since there is no current obligation, companies do not need to submit reports. However, if a reporting requirement were established, companies might be expected to file reports on an annual basis, or possibly on a biennial basis for smaller companies, depending on their size in accordance with the EU Directive. It is unlikely that such obligations will apply to employers with fewer than 100 employees.

9. What are the penalties or sanctions for non-compliance with the reporting obligation?

As of now, there are no sanctions for failing to report gender pay gaps in Slovakia, as the law does not require such reporting. If this changes, it is likely that penalties would be imposed for non-compliance, potentially in the form of fines or restrictions on public procurement contracts.

10. Is there any suggestion that other pay gap reporting requirements may be implemented in the future; for example, pay gaps regarding ethnicity or disability?

At present, there are no proposals to introduce further requirements regarding pay gap reporting based on other factors like ethnicity or disability. In general, the role of ESG in Slovakian business life is much lower than in Western Europe or pre-Trump US.

Job evaluation systems

11. Is it mandatory for employers to have a job evaluation system in place and are there any legal requirements pertaining to the methodology and the criteria to be applied?

In Slovakia, employers are not required to implement a job evaluation system. However, if an employer does apply such a system, the Labour Code explicitly mandates that the same criteria be used for both men and women, without any gender-based discrimination. The fundamental criteria for job evaluation should include factors such as complexity, responsibility, effort, working conditions, performance, and job outcomes.

Additional objective and measurable criteria can also be introduced, provided they are applicable to all employees regardless of gender. Other factors reflecting the value of an employee's work may include education, years of experience, skills, reliability, and similar aspects. Together, these elements enable an assessment of the employee's position in the labour market and their contribution to the employer[5].

[5] Resolution of the Supreme Court of the Slovak Republic 4Cdo/223/2019 of 16.12.2020

12. Is the introduction of a job evaluation system subject to involvement rights of employee representative bodies? If so, please specify the nature of the involvement right.

Job evaluation systems are typically implemented in the form of internal regulations by the employer. The introduction and validity of such internal regulations do not require the cooperation of employee representatives.

So-called "Work Rules", issued by the employer to serve as a comprehensive internal regulation, aiming to specify the rights and obligations of both the employer and employees (as established by

the Labour Code) are an exception. This may include job evaluation as part of its provisions. For these "Work Rules" to be valid, the approval of employee representatives is required.

13. If not mandatory, is it common market practice for employers to have a job evaluation system in place and what are typical characteristics of such a system?

Currently, job evaluation systems are common, especially in international corporations, as well as in large Slovak companies across various industries such as banking, IT, manufacturing, industry, and energy. These systems are also used in state and public institutions for categorising positions into appropriate salary grades.

Most companies that have implemented job evaluation systems adhere to global standards, focusing on the need to ensure effective human resource management and fair evaluation of performance and workload. The primary purpose of implementing such a system, which is often associated with a complex implementation process, is to optimise compensation, support career growth, and ensure transparency and equality. This process helps organisations maintain a high level of employee motivation and satisfaction, as well as prevent potential discrimination.

Pay information entitlements of applicants and employees

14. Do applicants have a legal entitlement to information on the pay or pay range for the role they are applying for, and, if so, what information must be provided to applicants, in what form, and when in the application process?

Since May 2018, Slovakia has required the publication of the base salary in job advertisements. The base salary refers to the component provided based on the hours worked or performance achieved. It is the salary excluding bonuses, allowances, or other incentives.

When entering into an employment contract or agreement, it is not possible to agree on a base salary lower than the one that was published, however, a higher salary can be negotiated with the employee.

There is no obligation to disclose the possible salary range or the maximum base salary for the given position. As a result, the information provided in job advertisements often does not reflect the actual salary that can be negotiated, which may depend on factors such as the candidate's qualifications and experience.

15. Is there a requirement to make information on pay, pay structure, or grading available to all employees or employee representative bodies without request? If so, what type of information must be made available?

According to current legislation in Slovakia, there is no legal obligation in Slovakia to disclose information about pay, pay structure, or grading to all employees or employee representatives without a request.

16. If not a legal entitlement, is it nonetheless common practice to make information on pay, pay structure, or grading system available to all staff or to specific groups/levels of staff, or not at all?

The compensation structure and the system for assigning employees to salary grades in the commercial sector can be regulated by the employer's internal regulations, which employees will become aware of at a specific company. However, there is no legal entitlement for employees to be informed about these regulations in detail. Likewise, individual salary conditions for specific employees are not made publicly accessible.

17. Is it common to require non-disclosure clauses with employees relating to their pay or is this considered unlawful in your jurisdiction?

In the past, it was common practice to include confidentiality clauses in employment contracts regarding salary. Since 2019, however, employers are prohibited from imposing a confidentiality obligation on employees regarding their working conditions, including salary terms and employment conditions. Any provisions in an employment contract or other agreement that impose such a confidentiality obligation are deemed invalid. Therefore, employees are free to communicate their salary. However, this does not authorise, for example, managerial employees to disclose the salaries of their subordinates.

Individual claims to information on pay of the opposite sex?

18. Do individual employees have a claim to information regarding their pay and that of co-workers of the opposite sex performing the same work or work of equal value? If so, are there any restrictions to such individual information claims?

In Slovakia, employees do not have a legal right to access information regarding the salaries of their colleagues. As a result, real oversight of pay equity compliance is challenging. Labour inspectors have the authority to monitor compliance, but employers are only required to provide relevant information once a labour inspection is initiated.

In practice, employees typically file complaints with labour inspectorates when they believe their employer is not adhering to the principle of equal pay. Inspections related to unequal pay are typically conducted only in specific cases involving a particular employer. On their own initiative, labour inspectorates generally tend to focus on ensuring compliance with other aspects of labour law.

If an employee believes that the principle of equal pay has been violated, they have the right to file a complaint with their employer concerning the breach of the principle of equal treatment. The employer is obligated to respond to the employee's complaint without unnecessary delay, take corrective action, cease such conduct, and eliminate its consequences. The complaint process is intended to clarify the situation and correct any negative conditions, but in practice, it may often be a formal procedure. Employers may have internal processes in place for handling complaints, but this is not a legal requirement.

Filing a complaint does not prevent an employee from seeking other remedies simultaneously. These options include filing a report with the labour inspectorate or filing a lawsuit in court. The complaint is not a prerequisite for pursuing these other avenues; employees can independently decide which path to take in addressing the issue.

If an employee contacts the labour inspectorate, it will verify whether labour regulations are being followed by the employer and may impose a fine if the employer is in breach. However, it does not address individual employee claims, such as ordering the employer to pay the wage difference, employees would have to go to court in order to obtain that. Employers can be fined up to 100,000 EUR for failing to comply with labour laws. The average fine imposed by labour inspectors in 2024 for breaches of labour law (not specifically related to equal pay) was around 2,300 EUR.

19. What is the role of employee representative bodies when it comes to enforcing equal pay claims of individual employees?

Trade unions can play a role in advocating for employees' wage claims, particularly through collective bargaining, which may result in the conclusion of a collective agreement. Such agreements can regulate the wage conditions of employees. However, when it comes to enforcing individual employees' rights to equal pay, trade unions do not play a relevant role. It is up to the individual employee, who believes that the principle of equal pay has been violated, to approach the court or file

a complaint with the labour inspectorate, which is authorised to investigate the situation. If an employee seeks compensation, such as rectifying their wage discrepancy, they must approach the court to pursue their claim.

20. What are the legal consequences where an employee successfully brings a claim for equal pay or gender-based pay discrimination?

In Slovakia, when an employee successfully brings a claim for equal pay or gender-based pay discrimination, the legal consequences can include the following:

- compensation for damages – the employee may be entitled to compensation for the difference in pay between the male and female employee for the same or equal work, covering the period during which the discrimination occurred. This often includes back pay to cover the salary disparity for the duration of the discrimination;
- corrective measures – the employer may be required to rectify the unequal pay situation and ensure future compliance with equal pay principles. This could include adjusting the pay structure or implementing measures to prevent future discrimination;
- moral damages – in cases where the discrimination has caused emotional distress or harm to the employee, the employee may also seek compensation for moral damages, although this is typically more difficult to quantify and prove;
- reinstatement and non-discriminatory practices – in certain cases, if the employee was subject to dismissal or demotion as a result of raising the claim, they could potentially seek reinstatement to their previous position or appropriate compensation for loss of employment; and
- reputational damage – a successful claim can lead to significant reputational damage for the employer, particularly in cases of public disclosure. Employers may face scrutiny regarding their compensation practices, which could affect their ability to attract and retain talent.

In practice, the burden of proof in such cases is reversed. If an employee can establish a reasonable argument that discrimination has occurred, the employer must prove that no violation of the equal pay principle took place. This emphasises the need for employers to maintain clear and transparent compensation systems that can demonstrate compliance with equality principles.

The lawsuit specifically addresses the claims of the individual employee who files it. In practice, this often involves seeking compensation for wage discrepancies. Due to the expensive, cumbersome and lengthy nature of court proceedings in Slovakia, such lawsuits are relatively rare.

National legislation transposing the EU's Pay Transparency Directive

21. What is the status of the Pay Transparency Directive transposition in your jurisdiction?

As of April 2025, Slovakia has not yet introduced any draft legislation to transpose the Pay Transparency Directive into national law. While the directive is expected to be implemented by June 2026, no formal proposal has been made to align Slovak regulations with the new European requirements. The transposition process will likely involve significant legal and administrative steps, but for the time being, there is no official roadmap or timeline for its adoption.

22. When do you expect the Pay Transparency Directive will be implemented in your jurisdiction?

Given the current situation, we do not anticipate that the Pay Transparency Directive will be transposed significantly ahead of the June 2026 deadline (or even on time).

23. How do the requirements under the Pay Transparency Directive differ from your jurisdiction's current gender pay gap reporting system?

Currently, Slovakia does not have a mandatory gender pay gap reporting system for private companies or public institutions.

The implementation of the Pay Transparency Directive on the other hand, will introduce several significant requirements that differ from the existing situation in Slovakia. Notably, the Directive will require companies with 250 or more employees to report gender pay gaps and conduct regular pay audits. This represents a major shift, as Slovakia currently has no legal obligation for companies to report gender-based pay disparities.

Under the Directive, employers will be required to publicly disclose gender pay gap information, which may include individual salary figures or ranges. This is a departure from the current Slovak system, where salary details are generally kept confidential, and there is no obligation for employers to publicly disclose pay disparity data.

The Directive also mandates that companies address identified gender pay gaps by creating action plans to close these gaps, complete with specific timelines for implementation. In contrast, Slovakia's national strategy for gender equality aims to reduce gender-based wage disparities, but there is no enforceable requirement for companies to develop such action plans or take concrete steps to close the gaps.

Employees will have the right to request information about their employer's pay practices under the Directive. This contrasts with the current situation in Slovakia, where employees do not have a legal right to access detailed information about pay practices within their organisations.

Furthermore, the Directive requires employers to implement a system that ensures equal pay for jobs of equal value, providing greater transparency in how salaries are determined. In Slovakia, however, current regulations lack specific guidelines for pay transparency or criteria for evaluating gender-based pay disparities.

In conclusion, the Pay Transparency Directive will establish a more structured and transparent approach to gender pay gap reporting, with enforceable obligations for companies to monitor, report, and address gender-based wage discrimination. Slovakia's current legal framework lacks specific requirements for reporting or transparency in pay practices.

24. Are there already any legal requirements in place pertaining to joint pay assessments with employee representative bodies? If so, when are such assessments triggered?

Currently, Slovakia does not have specific legal requirements that mandate joint pay assessments with employee representative bodies, such as trade unions or works councils, for reporting gender pay gaps or general pay practices. However, under Slovak labour law, employees and their representatives can participate in matters related to employment terms and conditions through collective bargaining, particularly when negotiating collective agreements. These agreements may address wages and other working conditions but do not specifically require joint consideration of gender pay gaps.

In practice, employee representative bodies typically get involved in pay-related matters during collective agreement negotiations, which may include clauses on equal pay and non-discrimination, though these are not mandatory under current legislation.

As of now, Slovakia does not require the direct involvement of employee representatives for gender pay gap reporting or pay reviews, nor is there a trigger for such reviews based on specific events or conditions. However, with the potential implementation of the Pay Transparency Directive, future

requirements could arise for employee representatives to be consulted or involved in such assessments.

25. What type of sanctions do you consider likely to be introduced as part of the implementation of the Pay Transparency Directive in your jurisdiction?

In Slovakia, common penalties for violations of labour laws, including discrimination laws, typically include fines. It is therefore likely that similar sanctions could be introduced for violations of the principle of equal pay for equal work. In the past, the Minister of Labour indicated at a press conference that among potential sanctions could be the inclusion of the employer in a list that would subsequently exclude them from participating in public procurement. A similar principle is already in place for employers who have been found to be engaged in illegal employment practices.