

Employing foreigners

Citizens of the EU, EEA and Switzerland

Citizens of the EU, EEA (Norway, Lichtenstein and Iceland) and Switzerland have free access to the Slovenian labour market and hold the same status as domestic workers regarding employment or when looking for work.

Free access to the Slovenian labour market is also granted to family members of Slovenian citizens and family members of citizens of the EU, EEA or Switzerland as well as foreigners of Slovenian descent.

Employers (a company or an individual) from the EU, EEA and Switzerland may perform services in Slovenia via their employees, regardless of their nationality and without the need to obtain work permits. The employer must register the commencement of the employment in Slovenia at the Employment Service of Slovenia (ESS).

EU, EEA and Swiss citizens don't need a residence permit to reside and work in Slovenia for up to 90 days. For longer periods, they must register at the administrative unit and acquire a registration certificate.

Foreigners from third countries

Foreigners from third countries (i.e. other than EU and EEA countries and Switzerland) must have a permit in order to work in Slovenia. A permit is granted in the form of a single working and residence permit (a Single Permit).

A permit is not required for foreigners who are entered in the Companies Register in Slovenia as founders, partners or supervisory board members of a company, provided they do not perform commercial activities and are not registered as a company representative, for stays totalling up to 90 days a year. It is also not required for foreign diplomats, foreign reporters for foreign media, business visitors, tourist guides, apprentices, for the hosting of athletes and artists etc.

Certain categories of foreigners from third countries are granted free access to the labour market. These include foreigners who stay in Slovenia based on:

- a permanent residence permit;
- a residence permit for family reunification with a Slovenian citizen;
- a temporary residence permit (i.e. foreigners of Slovenian descent; victims of trafficking; victims of illegal employment);
- and certain categories of foreigners granted international or temporary protection.

Single working and residence permit ('Single Permit')

A Single Permit is a working and residence permit which enables a foreigner to reside in the country and to be self-employed, employed or to work in Slovenia.

A Single Permit is issued to foreigners who come to Slovenia:

- for employment or work;
- for self-employment;
- for seasonal work exceeding 90 days;
- for cross-border provision of services via posted workers;
- as daily work migrants; and
- as long-time residents of another EU member state for employment or work.

Depending on the purpose, a Single Permit application is lodged by a foreigner or by a domestic or foreign employer. The application is lodged at the competent administration unit (or in some cases at a Slovenian embassy abroad) using the prescribed forms. According to the latest amendments to the Foreigners Act, an employer is entitled to provide additional documents in the process of issuing a single permit, without needing to submit the foreigner's authorisation. This applies when an application for the issue or extension of a single permit is lodged by the foreigner's employer. The administrative unit checks the application and obtains a consent from the Employment Service of Slovenia (ESS) in a common procedure.

The ESS gives the following consents:

- consent for employment, self-employment or work;
- consent for employment;
- consents for specific purposes; and
- consent for the EU Blue Card.

If the conditions have been met, the ESS grants the consent and the administrative unit issues the Single Permit according to its purpose.

Consent for specific purposes

A Single Permit issued on the basis of the ESS' consent can be granted for several specific purposes, defined by the law. These are:

- seasonal labour by foreigners;
- the work of foreign representatives of Slovenian companies;
- the training, further training of foreigners, and internship;
- training at Slovenian companies;
- the cross-border provision of services by foreign companies; and
- individual services provided by foreigners.

Generally, consent for such purposes is granted based on an application filed by an employer within the scope of any quota that applies to an individual purpose.

Employment is limited to the period for which the Single Permit has been issued.

The work of foreign representatives of Slovenian companies

Consent for the work of foreign representatives is granted based on an application filed by a foreigner or domestic or foreign employer.

The consent allows a foreigner to work as a representative of a Slovenian company; a representative of the branch of a foreign entity; or the representative of a foreign sole trader.

Consent is granted within the quota for the employment of foreigners. The ESS grants its consent once the following conditions have been met:

- the employer is actively pursuing its business operations (which means that prior to the application the employer had at least one person in full-time employment registered with the compulsory social insurance schemes and who was employed for at least 6 months; the employer as an individual is registered to pursue the activity and was registered with the compulsory social insurance schemes for at least 6 months; receipts from the company's business activities amounting to at least EUR 10,000 per month were recorded in its transaction account in Slovenia for at least 6 months; or the employer invested at least EUR 50,000 in the activity in which the foreigner is to carry out work if the employer had been registered for a period of less than 6 months);
- the employer filed monthly withholding tax returns for income from the employment and has no outstanding tax liabilities at the time of the application;
- the legal representative of the employer is entered in the relevant register;
- an employment contract or a civil law contract signed with the worker is submitted; and
- that no quotas have been exceeded for this type of work.

A company or sole trader employing 10 or fewer workers may obtain 1 consent for a foreign representative of a company (or sole trader) and 1 consent for a foreign representative of a branch, irrespective of the number of branches. A company or a sole trader employing 11 to 50 workers may obtain 2 consents for a foreign representative of a company and 2 consents for foreign representatives for a branch, irrespective of the number of branches.

A foreign representative shall be issued a Single Permit for a period of up to 1 year. It may be re-issued based on an application filed by the employer or foreigner supported by attached documentation.

If a foreigner does not reside in Slovenia, they may perform the function of a company representative for up to 90 days in a calendar year without requiring a Single Permit. In such a case, it is sufficient if such a person registers with the ESS the performance of the short-term work as a representative by the commencement of the work. The registration of the representative's work is made using the e-form published on the ESS website.

Steps in employing a foreigner in Slovenia

Step	Applicant	Competent institution	Duration
Non-EEA foreigner: Obtaining a single work and residence permit (Single Permit or Blue Card)	Foreigner or Employer	Slovenian embassies or consulates abroad or Administrative unit	1–2 months
EEA foreigner: Obtaining a registration of residence certificate	Foreigner	Administrative unit	
Registration of residence	Foreigner	Administrative unit	1 day
Registration of commencement of employment	Employer	Health Insurance Institute of Slovenia	1 day
Obtaining a tax number for income tax	Foreigner	FURS	1 day
Notification of the EES before hiring a new employee	Employer	EES	1 day
Conclusion of the employment contract	Employer Foreigner		1 day