



Innovative Social Policies for Inclusive and  
Resilient Labour Markets in Europe



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## **WP4 and WP5 COUNTRY REPORT SLOVENIA**

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# **PART ONE (WP4): IN-DEPTH ANALYSIS OF THE IMPLEMENTATION AND DEVELOPMENT OF POLICY INNOVATIONS**

## **INTRODUCTION**

While the objectives in the first two points of the WP4 agenda are dealt with in detailed below, the third point (national peculiarities and historic specificities) is summarised here in its most salient features, organised into pre-crisis and post-crisis period:

1. The entire labour market history in Slovenia of the past 23 years shows that employment across sectors in fact did not actually increase, save for the housing bubble in the period between 2005 – 2008 that was manned predominantly by foreign labour (ex-Yugoslavia), and in the period 1991 – 2008 that saw, due to state independence achieved in 1991, a substantial increase in the public sector as the state bureaucracy rose from the initial 9000 persons to 38.000, then went down slightly and stabilized at 35.000 by the time the decree on prohibition on new employment in the state bureaucracy sector (2010) was introduced. In terms of sheer numbers of employed population therefore, Slovenia did not realize either a substantial, or a permanent personnel growth in the production sectors throughout its history of two odd decades.

2. Because Slovenia joined the EU in 2004, and the OECD in 2010, the methodologies of the statistical data gathering of the Statistical Office has changed often. Thus for instance, the data in the Eurostat for the post-2008 period rely on questionnaires on employment rather than on the data of the state Employment Service, halving the numbers of the officially unemployed in the process. Pertinent data for the period prior to 2008 are best presented as long-term statistical continua. Likewise, the pensioning reforms took years before their long-term effects were statistically accessible, and were also frequently amended.

3. The post-2008 period saw an unprecedented demolition of the social state as inherited from the šre-1991 socialist period, and a sharp turn towards the policies of austerity, privatisation, and diminishing the rights of the employed and the newly pensioned. These trends and policies were encoded in the legal packages that we have described as key innovations in the labour market regulation, that sought both to

institute the new post-crisis reality, and to alleviate the outcomes and effects on the population.

## **ANALYTIC DESCRIPTION OF INNOVATIONS SELECTED**

### **Pension and disability insurance Act (ZPIZ/ZPIZ-2)**

Slovenia is facing three major issues concerning its labour market and social policies: a disproportionately high number of pensioned, the problem of early retirements, and the low share of active population on the labour market between 55 and 64 years of age in Slovenia.

In order to clarify the state of pension funds, and the inordinate numbers of the pensioned in relation to the employment of elderly workers in Slovenia, one needs first to address the evolution of the pensioning system at the time of independence (1991). The hitherto public capital set aside for pensions was first transferred to the newly established Pension fund (10%), the Indemnification Fund (10%), and the Development fund (20%). The Indemnification Fund (SOD) was intended to deal with the damages and restitution to the owners of denationalized property during socialism, while the Pension fund (KAD) took over the pensions.

In 2000, new insurance policies were introduced that enabled the insurance companies to manage the contributions from both physical and legal persons. The so-called First pillar was introduced that concentrated the mandatory contributions, and the Second pillar that accumulated voluntary contributions that were expected to redouble in value in 10 years time. The theory of the day was that pensions would in future amount to mere 35% of the wages. In order to keep them at the level of 60 – 70% wage, the voluntary savers were persuaded to enter the scheme in order to accumulate, and disburse rent after due years of investment. Due to the crisis of 2008, the scheme lost the majority of its savers, whereas the committed savers were treated fraudulently: the period of investments was 10 years minimum, but once the decade was fulfilled, new law determined that the sums saved, while payable in one instalment, were calculated against a 25% tax on capital gains, plus income tax.

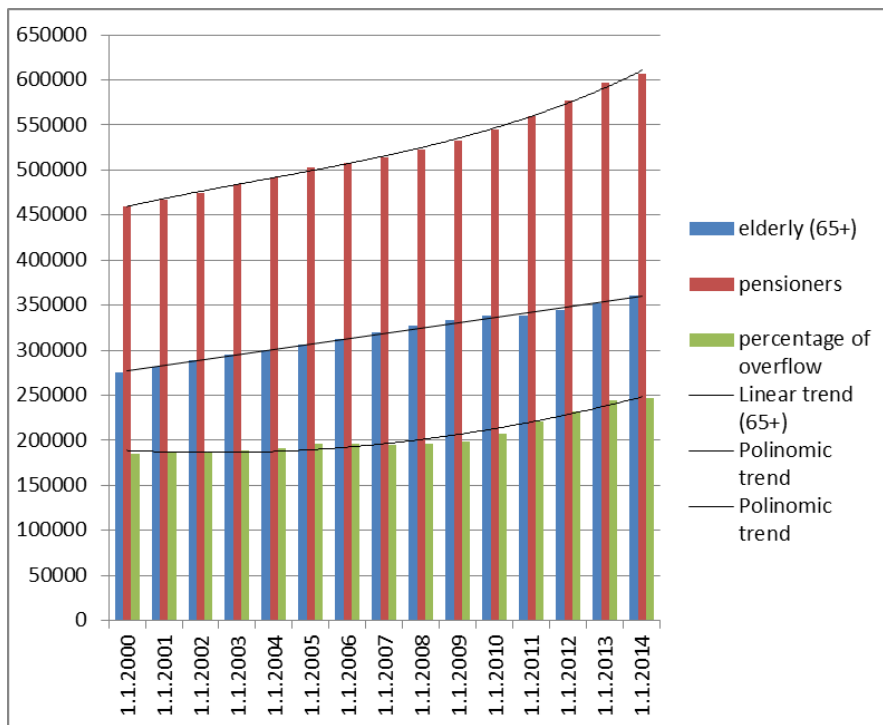
Given the low level of trust in the state in general, and the described rent scheme in particular, many people sought to pension themselves as soon as possible, even at the price of significant malus, as they did expect to become renters once they would reach the minimal conditions for pensioning.

### **Pension scheme reform of 2013 (ZPIZ-2): full effect only in 2020**

The first pension scheme reform was passed in the Parliament on 23 December 2010. However, the then political opposition succeeded to push a counter-referendum. On 1 January 2013, a new law took effect that provided a compromise (ZPIZ-2): the new conditions of pensioning would only take effect in 2020 for people up to 65 years of age, and are valid for all generations born in 1960 and later, regardless of gender. Older population can still peruse the much milder conditions of the previous pension scheme law (ZPIZ-1). Until 2020, the bonus and malus system was in effect evaluated at 0,03%.

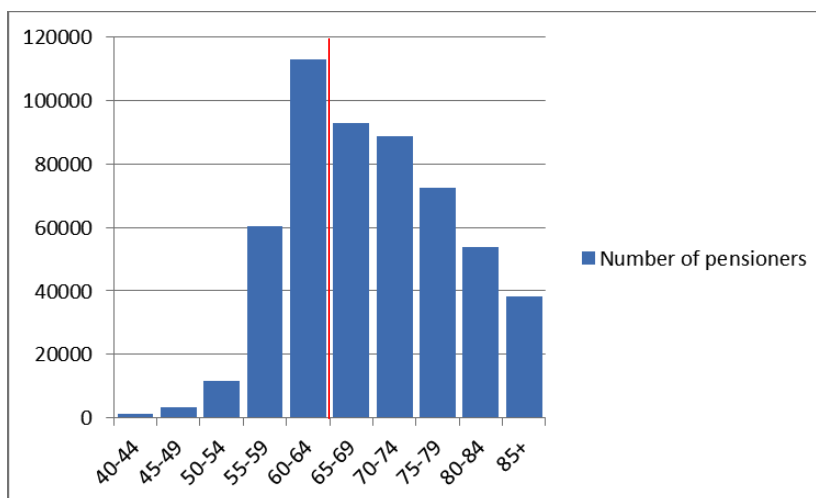
The short-term government of Prime Minister Janez Janša has, in the interval from January 2011 to March 2012, passed the Fiscal Balance Act (ZUJF) that introduced mandatory pensioning for all employees in the public sector that met only one of the two conditions: either age (65), or 40 years of work. The aim was to reduce the numbers of employed in the public sector, as new or substitute employments were in principle prohibited. Consequently, these mandatorily pensioned workers contributed to the peak of early retirements before the crisis, as between 2009 – 2013, an additional cohort 50.000 workers younger than 65 joined the ranks of the previous young retirees (200.000): in other words, the numbers of pensioners younger than 65 years of age was growing twice as fast as the numbers of pensioners older than 65. Thus in the period 1990-1999, the initial population of 356.000 pensioned grew to 393.000 in the first year alone, and reached 420.000 by the end of 1992. This was the first peak of massive pensioning that increased the total by 64.000 persons. After a period of steady rise, in the period 2000-2005 when the number of pensioned already surpassed 500.000 (i.e. 25% of the whole population), the trend stabilized only for a short interval. From 2009 onwards, it gained a new momentum: the numbers of pensioners soared to 600.000 in 2013, reaching 612.000 in April 2015, with little view of any possible stabilisation before 2020.

Graph 1: Numbers total of pensioned, and pensioned older than 65, in comparison (source: SURS, ZPIZ)



As a consequence, the age structure of the pensioned population is quite unusual. The age structure graph below does not include those that are pensioned because of disabilities; this category comprises 90.000 persons. No less than 35% of all pensioned persons were pensioned before they reached 65 years of age. The numbers and shares of those who were pensioned older than 65 years of age, however, conform well to the general population structure.

Graph 2: Number of pensioned by age cohorts, without the pensioned disabled (source: SURS, ZPIZ)



The fundamental change sought by the new law on pensioning was triple: to free up the available jobs especially for the young and the first employment seekers; second, to make pensioning less accessible, and third, to lower the costs of the pensioning budget. The expectations of the lawmaker are, for now, temporarily met, however the innovation went, to a substantial degree, against the trends in the EU. Thus for instance the bonuses were severely cut for all that are pensioned with more than 40 years of employment years, while the law will not affect the longer years of employment, or encourage working until late years. On the other side, the law makes early pensioning much more difficult and unfavourable, as Slovenia was until this law the Member Country with the lowest average pensioning age within the EU.

### Youth Guarantee Scheme (JSM)

As stated above, Slovenia extended the definition of »youth« to 29 years of age. Implementation of the policy did not yet begin in earnest, according to the Minister of labour, family and social work<sup>1</sup> as the finances from EU are not yet available. Included, under auspices of 5 separate ministries, will be all youth that finished schooling from 15 to 29 years of age by being offered employment, or continued schooling, in 4 months after concluded schooling. The goal is to reach 37.000 youth annually. The finances are: 44 Mio EUR in 2014, and 50 Mio EUR in 2015.

The government of the R of Slovenia has, based on the public debate of the stakeholders, adopted the Action plan for the implementation of the Youth Guarantee Scheme for the years 2014 and 2015. Foreseen is a plan of preventive actions, including: lifelong career orientation; stipends; an improved system of detecting available jobs; and practical instruction with employers. For the already unemployed, there are three temporal divisions: first, immediately after the loss of employment; two, the period after 3 months; three, the period after 4 months. The first period brings in-depth counselling, the preparation of the personal employment plan, consulting with youth specialist counsellors, measures of the Active employment policy (APZ), additional special education and qualification as well as re-qualification, and instigations towards self-employment for the young, and last but not least, active perusal of the EURES system and database to seek employment outside Slovenia. In the second period, there is again

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<sup>1</sup> <http://www.delo.si/novice/slovenija/do-ucinkovite-jamstvene-sheme-za-mlade-se-dolga-pot.html>



more specialised counselling, the installation of mentorships, support for enterprising ambitions, and tax relief for eventual employers. The third period foresees more APZ measures, co-financing of internships in certain sectors of economy, public works for those out of job for over 4 months, etc. The financing of the scheme is foreseen chiefly or entirely from the EU funds.

Most respondents said the measure was introduced somewhat surprisingly, out of the blue, and with poorly articulated goals and timeframe. The younger respondents uniformly express very low expectations as to the benefits of the measure. Two respondents relate that they are very poorly acquainted with the measure, heard something in the media, but did not believe they could benefit from it. They believe that in the aftermath, it will be shown that select few actually benefitted. The youngest among the respondents to this measure stressed that the scheme offers too many opportunities for clientelism and nepotism. One of them expressed the opinion that the scheme will be accessible only to the “offspring of the political elite.” Two respondents pointed out that the scheme favours those who have prolonged their studies to over 25 years of age, and thus disfavours those who finished their education in time. Given that Slovenia extended the “youth” definition to 30 years of age, most respondents feel that the intent of the EU directive was lost. The young of 26 – 30 years of age are unduly privileged under the scheme, those younger than 26 are experiencing a dumping effect. Those older than 26 years of age should be helped to employment by other means. One respondent feels that the measure will create problems in the future, when the generations under 30 years of age now will be pensioned.

#### **Labour Market Regulation Act (ZUTD)**

The law was made in cooperation of several ministries and social partners. Its aim is to increase the number of various forms and kinds of employment, especially in order to provide for the unemployed to enter the labour market, and to increase the capabilities of the employers. Its goal is to make the labour market more flexible. Since its application, the law was substantially amended three times, especially in order to sanction the obvious fraudulent usages that were especially frequent following the original implementation.

One of Slovenia's dire problems is also the steady growth of the long-term unemployed: currently, these people comprise 54% of all unemployed and employment seekers. A large majority among them are well qualified, especially in the field of textile works that went bankrupt on a large scale in Slovenia during the 1990s, 200s, and 2010s. As the textile industry failed to restructure, but instead all but vanished, these unemployed represent the single most notable loss of specific production skills that expands several generations. Geographically, the largest share of long-term unemployed is in Prekmurje region (59%)<sup>2</sup>.

The government seeks to solve the problem of the long-term unemployed mainly by public works as a type of precarious employment. In order to be eligible for such work, a person has to be unemployed for at least 24 months, while the employment cannot be longer than 12 months. In the 2015 budget, 33.6 Mio EUR are reserved, which means about 6000 employments. That comprises a drop of 15% compared to 2014 (7000 employments). Income from such work cannot exceed EUR 5600 gross.<sup>3</sup>

The other approach of the government are employment subsidies that are financed with mere few million Euros annually. Expert opinions on this measure are divided. Employers tend to think that the measure can be useful as the subsidy makes it much easier for them to test an employee for eventual permanent employment. The Crafts and Small Businesses Chamber, on the other hand, think that the policy is too fragmented, the employments fragile, and results meagre.<sup>4</sup>

The third approach is regulated in a special Law on social entrepreneurship and contains provisions as to establishing of social, non-profit entrepreneurs with a very questionable potential for income. On the other hand, the tax relief allotted to such businesses make possible their survival even if the owners cannot afford to pay taxes regularly. NGO specialists think that these businesses are a road towards precarious work; while it does activate a portion of the unemployed, it lacks a long-term perspective as the businesses will likely burn out in terms of work overload for low

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<sup>2</sup> Employment Office of Slovenia.

<sup>3</sup> Ministry of Labour.

<sup>4</sup> <https://www.dnevnik.si/1042678601/slovenija/milijon-tu-milijon-tam-dolgotrajno-brezposelnih-pa-vse-vec>

recompense, and the constant need for additional work in order to keep the business afloat. They also think that this is a form of austerity from the part of the state that exploits workers in order to re-channel their gains into social transfers.

The Bank of Slovenia has, in cooperation with the European central banks, carried out an analysis of the businesses in non-agrarian private sectors for 2014. The Slovenian businesses have apparently responded to the crisis primarily with adjusting the numbers of the employed: layoffs, shortened work hours and precarisation were rampant. The results show that economic uncertainties are the primary cause of diminished employments for interminable period of time. On the other hand, only a handful of businesses report that the reforms and new legislation pertaining to labour market affected their policies of work force management. Those who think that the policies did affect them show that the reform succeeded in alleviating the segmentation of the labour market. Also, the inflexibility of the nominal wages system decreased since the crisis: because the minimal wage increased, the businesses decreased employments and increased layoffs.<sup>5</sup>

#### **Employment and Work of Aliens Act (ZZDT)**

A variant of this law existed in Slovenia in the 1990s already. Then it was subjected to Constitutional Court decision as it denied the right to work to persons of refugee status. This law, and its subsequent versions, were and remain very restrictive for migrants, and caused scandalous cases of workforce exploitation. Since the 2008 crisis, efforts were made to increase the security of foreign workers by means of increased surveillance of the employers especially in construction, seasonal work and the so-called lending of workforce.

The lawmaker sought to make the acquisition of the status of permanent resident for foreigners more complicated; the provisions of the Companies Act (2006) granted it to all foreigners who established a business in Slovenia. This made possible various fraudulent practices, especially the establishing of a chain of companies by chain reinvesting. This resulted in a multitude of legal subjects on the market with zero capital and commerce, but increased substantially the numbers of foreigners with legal status

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<sup>5</sup> Bank of Slovenia, WAGE DYNAMICS NETWORK for 2014 in Slovenia (March 2015).

of permanent residents whose main motive was to gain access to living in other EU Member States. Most migrants of this type originated from Kosova. Even more dire consequences befell the migrant workforce as the state could not, under the law, effectively monitor their situation in the hands of the employers; several cases of dire breach of rights ensued.

Another typical situation under the law was caused by the provision that an employer had to acquire a confirmation from the state Employment Service that no labour force the employer sought to bring into the country was available in Slovenia. As a consequence, migration to Slovenia diminished, but migrations from Slovenia increased substantially, also because of the EURES employment system.

The majority of respondents feel that this act attempted to cover a broad spectrum of problems related to employment of aliens, but that the provisions did not substantially change from 2011. Two policy-makers feel that the act was dutifully amended especially with regard of the scandals that occurred in connection to abuse of foreign workers especially in the constructions sector. One employer from among the respondents feel that the act is overprotective to migrant workers, while migrants themselves are often unacquainted with the act, or the act is not employed. Three policy makers agree that there is a case of conflict among sectors whereas the ministry for economy tends towards flexibilisation pertaining to establishing subjects in the economic sector, while the ministry of work tends towards protection of migrants. Respondents from among social scientists stress the uncertainties that migrant workers are faced with, and the lack of systemic protection against abuse. A weak majority of respondents recognise that the lawmaker attempted to protect the migrant workers, but that scandals are not effectively prevented. Three respondents think that inspections should be reinforced. The respondent-employer thinks that state bureaucracy reaction time is way too slow to affirm the lack of sought for profiles among the resident unemployed, so that migrant workers can be invited and employed. A widely recognised problem is the function, and the legal entitlements of the employment agencies whereby migrant workers are especially vulnerable category of job seekers. Two respondents acknowledged the problem of fictitious employing of aliens in order to minimise their risks.

## Prevention Of Undeclared Work And Employment (ZPZDC)

This legal act has a history of annulments and amendments, and a referendum in 2011.<sup>6</sup> It defines the forms of work that are in the realm of grey economy in terms of work, employing, facilitating such employment, and unlawful marketing. It also specifies the forms of surveillance.

The novelisation of 2013, based on the novelisation of 2010, refers largely to the problem of illegal employment of aliens. In addition, personal auxiliary work is specified (article 20), that cannot bring financial return to the person that exceeds the sum of one minimal wage per year. Occupations permitted under the law are manual (cleaning, gathering of wild fruits, temporary work of similar nature). Article 12a specifies another form of work, the so-called short-term work pertaining to employment of blood or affiliate relatives in the private business of a spouse or partner. Specified, in contrast, is also payment-free solidarity help between neighbours. All these works have to be declared to the county that executes the surveillance. This particular legal act defines the lower threshold of economic freedom in Slovenia.

The 2014 novelisation makes exemptions for these forms of work:

- mutual help on the level of neighbourhoods and within families
- emergency work
- humane and charity work
- volunteer and charity work
- work for the organisations of the disabled
- personal auxiliary work.

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<sup>6</sup> Report on the results of the vote and on the outcome of the 5. June 2011 legislative referendum on the Act on the prevention of illegal work and employment. <http://www.dvk-rs.si/index.php/si/arhiv-referendumi/referendum-o-zakonu-o-preprecevanju-dela-in-zaposlovanja-na-crno-5-junij-2011>.

Table 1: Innovations selected for analysis, table view<sup>7</sup>

Innovation	Goals	Target groups	Scope	Type of strategies	Expected or estimated impact on resilience
1 <b>Pension and disability insurance Act</b>	Prevention of early pensioning and keeping the cohort 55 – 64 years of age on the labour market to include the disabled into the labour market by introducing a <b>mandatory quota of workers with disabilities for every employer.</b>	Pensioners, the disabled	Prevention of early retirements Including and keeping the disabled on the workforce Employers systematically disregard the requirements despite the stimulation by the central government. Employers that received stimulation nevertheless kept the workers with disabilities at the lowest wages. In order to save, the government diminished the sum of subventions for the employed in the businesses for the disabled. Austerity pertains to non-disabled who are in principle better paid than the disabled. The social costs are no longer paid for those wages that are three times over the average in such a business.	Risk prevention	Stabilisation of the employed-pensioned ratio at least short term, up to 2020; systematic instigations to employ the disabled, subsequent decrease of pensions due to disability
2 <b>Youth guarantee scheme</b>	To alleviate youth unemployment and provide systematic opportunities for first employment	Youth up to 30 years of age	Slovenia was the only EU country to <b>extend the age limit of beneficiaries from 25 up to 30 years of age.</b> Most young people in Slovenia cope with the lack of jobs by enrolment to university programmes (about 30% fictitious), so <b>the majority of beneficiaries are people with completed tertiary education.</b> It is not targeting the early dropouts.	Activation/Labour market	Speedy activation of the young on the labour market; heightened participation in the EURES system;

<sup>7</sup> Since all the selected measures to be analysed as innovations are legal acts passed and amended by the national parliament, we have in this table omitted the column with type of measure designation.

<p>3 <b>Labour Market Regulation Act</b></p>	<p>Redefinition of employment categories and alleviation of labour costs for employers</p>	<p>All employed</p>	<p>The Act introduced <b>unpaid internship</b> in order to ensure high qualifications of the potential young employees lacking previous work experience. The intent to induce the employers to employ the interns after internships proved subject to opportunism on the side of the employers who fired the interns after completion of internships. Also introduced was <b>financial stimulation</b> of the secondary schools pupils (as part of the Scholarship Act) <b>to reorient from general high schools to professional ones</b>, stimulating enrolment to deficit professions with 100 euros monthly stipends for the period 2015-2019. A thousand such stipends are mandated. <b>Employment by precarious contract:</b> this innovation unburdened the employers by forcing ex-employees to self-employ even as they did perform key workload for the ex-employer contractor.</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Activation/Flexibilisation</p>	<p>Multiplication of legal forms of employment; to alleviate the problem of the unemployed, to give extra incentives for employment to the employers, and to decrease the expenses of labour for the employers. Generally, the goals are more employment and higher rates of economic growth.</p>
<p>4 <b>Employment and Work of Aliens Act</b></p>	<p>The original goal was to make the employment of foreigners easier in the deficit professions Post-crisis, the emphasis is in protection measures for foreign workers and surveillance over employers</p>	<p>Precariously employed and aliens</p>	<p>A similar provision is the <b>institute of posted workers</b> in order to partly employ especially the construction workers, large portions of whom are immigrants. Such workers do not receive wage, but a provision (say 10%) handed out by the employment agency, a practice that constitutes misuse of employment laws. In effect, the <b>employment agency</b> is the employer instead of the actual firm where the worker does the work, while the agency is not bound to provisions of the labour market laws and can lay off any number of workforce it employs by proxy. <b>The provisions of this act comprise the key flexibilization of the labour market force backed by the state.</b></p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Flexibilisation</p>	<p>Decrease the grey economy; encourage the workers to legalize their forms of precarious work;</p>

## ASSESSMENT OF THE INFLUENCE OF DIFFERENT FACTORS AND PARAMETERS ON THE PERFORMANCE OF THE INNOVATIONS

In Appendix, we are bringing forth the questionnaire we have sent out to stakeholders. The respondents were asked to limit themselves in any way in their responses. We enumerated 6 legal packages<sup>8</sup> for respondents to comment upon, whereby 6 people in average were asked to comment on one of them.

A brief review of the questions in English that we posed to all respondents represent a summary of the topics proposed in the INSPIRES template. The questionnaire contains 5 topics with 4 – 8 sub questions to each topic.

The five topics were:

1. The background of the legal package;
2. Context of the adoption of the package;
3. Effects of the legal package;
4. Perception of the role and standpoints of the EU in the process of forming, adoption and executing of the legal package;
5. Respondent's views on the content of the legal package (policy).

The respondents were selected conforming to three types of stake holding that they most likely adopt as a personal position:

1. Vulnerable employed and unemployed;
2. Employers;
3. Policy makers and lawmakers.

The sub questions of each topic are oriented towards the analysis of four dimensions of the respondents' answers:

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<sup>8</sup> Although the INSPIRES team decided to include only 5 legal packages (innovations) in Slovenia, to consider in the comparative framework, we added, for the purposes of lateral research interest, and in order to gauge the general level of familiarity of the respondents with the topics at hand, the overarching Fiscal balance act (ZUJF). We have not, however, brought the comments on these responses in this report.



1. To what extent were the legal innovations (policies), in the opinion of the respondents, timely, successful and durable in terms of relevance, targeting the problems, and effects?
2. What are the basic differences discernible in the opinions acquired from the respondents, between the groups of respondents (the vulnerable unemployed and employed; the employers; lawmakers)?
3. What are the basic prospects in the opinions acquired from the respondents, towards ameliorating/correcting/alternative solutions to the legal packages (innovations, policies) they commented upon?
4. Finally, what do the responses show in terms of policy learning: what were the key failures and omissions?

Since the beginning of the INSPIRES project, the 5 legal packages singled out for comparative study on the project have had various and volatile histories. Thus for instance, many articles or themes of one legal package is singled out to become a part of another existent law. On the other hand, some of them fall at the Constitutional Court, but may, although repelled, still preserve their legal effectiveness. Some are repelled only on technicalities only to be re-enacted in another law under a different, or the same name. In the period 2008 - 2011, it was a common observation that the state simply does not react to the new, post-crisis socioeconomic realities with law-making, however, in the post-2011 period, there is an enormous, difficult to follow, and overlapping proliferation of legislation – our respondents in a great majority observed this fact. Certain hastily manufactured ideas, e.g. that on the taxing of free help within families and neighbourhoods, appear and are then annulled; in this concrete case, what was at stake was a cultural tradition of mutual help whereby fair and sensible taxation proved most elusive. On the other hand, bills are amended practically from month to month, or are repackaged and regrouped. The case in point is the Labour market regulation act that appeared in 2010, and was amended three times by adopting the procedure according to the then newly endorsed “Law on amending the laws.” A fourth practice of law-making and accommodating is keeping certain parts of repelled acts in power. Thus for instance, the Labour market regulation act is coupled still with certain sections of the former Law on employment and insurance in case of unemployment. This legal conundrum, while making it difficult to follow the numerous changes, retractions, and

reinstating of regulations, nevertheless retains the general trends as laid out in the five selected legal packages.

As a case in point, the hitherto Employment and work of aliens act is to be renamed to Employment, Self-employment and Work of Aliens Act in September 2015. The first variant of the law was enforced in April 2011. It was repealed in June this year, but is still in use, until September 2015 when the aforementioned newly titled act will be passed.

An overwhelming majority of our respondents in connection to these facts is that the lawmakers in Slovenia predominantly follow the directives of the EU rather than act on the country's specificities or even obvious needs, even despite the fact that most legal packages reiterate the formal legal procedure of monitoring and analysing the effects of the legal provisions. They uniformly see the law-making process in Slovenia as paracolonial, dependent entirely on the "Brussels" whims, and chaotic.

## CONCLUSION

Taken as a whole, the novel policies enacted in new bills, ordinances and strategic documents post-2008 sought to dismantle the previous scope of social rights and services; to shrink the budgetary expenses for social services; to diminish the rights to social services of unemployed; to increase self-employment; to further tax the income of the precariously employed; and to extend the conditions of pensioning by raising the age limit for pensioning. The single measure geared towards increase of employment is EU-based and funded initiative Youth guarantee scheme. In Slovenia, contrary to EU standard recommendation, the “youth” here included people up to 29 years of age who are first-time job seekers. This measure largely misses and obscures the fact that in Slovenia, the basic problem of the labour market is not the unemployment of the young, but rather of the most skilled labour in the age cohorts from 45 to 55, simply because jobs were destroyed and never replaced, much less multiplied, in the past 25 years of transition. Overall, the predominantly legally normative way of addressing the problem of unemployment concentrates on improved control over grey economy, the (over)regulation of honorary and other precarious forms of work, and measures to decrease the costs of labour.

The single innovation in the sense of structural reform of the labour market was brought about with the Labour market regulation act of 2010 (amended 2013). The law introduced self-employment businesses that were, initially, subsidized by the state with the sum up to EUR 5000. This measure turned into a caricature as the subsidy enabled the coverage of merely the administrative costs of setting up the business, but failed to provide starter money and/or loans for production. The end goal of the act was to provide the larger employers in the real sector with labour cost relief by transferring them to the employee that, as self-employed actor in the market, obtained work by subcontracting, carrying the burden of labour taxes himself. Thus in 2011, 7.444 new businesses were established, among them 3.498 self-employment ones. In the same year, 5471 were terminated, among them 3.228 newly established self-employment businesses. Generally, in 2011, the structure of businesses registered 53 % companies and 47% self-employed or single-employee businesses. 59% of the latter were

terminated in the same year.<sup>9</sup>

All attempts at solving the alarming unemployment rates that reached all-time record in March 2014 were in Slovenia addressed primarily on the normative plane, with a dozen novel legal acts, and with abundant amending of existing basic legal acts. The overregulation in itself poses a specific basic problem of this approach.

Labour market interventions are overwhelmingly in the hands of the central government in Slovenia. Private initiative is rare and sporadic and reaches but small numbers of job seekers. The Slovenian Chamber of Commerce, one of the social partners and the largest aggregate of employers, does not to time have any employment initiatives, but publicly advocates radical, legally enshrined decreases of labour costs.

To time, the only policy reported (in a daily newspaper<sup>10</sup>) to be effective »for the state finances« is in consequence of the Pension and disabled protection act of 2012 (novelized in 2013). The source states that new pensioners decreased in number from 25.000 odd in 2012 to 15.512, or by 40%. The steep upwards curve of pensions in the state budget is thus curbed to a slower rate of growth, which allegedly also halted the trend of lowering of the pensions.

Given the fact that in March 2014, Slovenia reached its all-time record of unemployment, positive effects of the measures undertaken since 2008 could not be assessed positively other than in terms of prevention of even worse scenarios. The number of unemployed went from 66.000 in 2008 to 140.000 in 2014; since the figure more than redoubled, and given that over 100.000 citizens and permanent residents left the country for good since 2004, such speculative scenarios would not yield credible statistically correct results.

After careful analysis of data and policy measures to regulate the labour market, the main conclusion is that after 2008, Slovenia continued with policies of fiscal and economic regulation that are characteristic of the transitional period of post-socialism.

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<sup>9</sup> SURS – Statistical Office of republic of Slovenia, AJPEŠ – Firms register.

<sup>10</sup> <http://www.dnevnik.si/slovenija/zadnja-reforma-naj-bi-zalegla-ucinki-dobrodejni-za-drzavo>.

Virtually no policies were ever launched that were in obvious or direct response to the 2008 crisis. Therefore, it is reasonable to postulate that the crisis had very different impact to fiscal and economic currents than in western Member states, and that the crisis merely made visible the undercurrent processes characteristic of post-socialist transition (notably, corruption, the unlawful drainage of tax monies, the bank deficit, the grey economy). There is no political discourse on job creation at all, either in the government or the opposition.

The Labour market regulation act of 2010, amended in 2013, is a typical basic normative act whose impact merely legalized the novel transitional, and for the workforce, detrimental conditions of employment. There is to time no visible or measurable effect on the growing numbers of unemployed. Likewise, the Prevention of undeclared work and employment act of 2007, amended in 2010, seeks to regulate and tax the grey economy in the areas where the overall financial gains are meagre, and does not envision a path to legal job pool increase.

In terms of resilience, Slovenia has yet to achieve innovative reforms in the following sector policies:

- Slovenia has an enormous workforce tied to the so-called public sector, the latter employing more than 160.000 persons and requiring 40% of state budget to sustain financially.
- Slovenia has an enormous and counterproductive effort to legalize the deteriorating circumstances on the labour market and in every sphere of economy, with blindly following the austerity policies and privatization of vital economic and infrastructure property
- Slovenia has enormous problem with bank debt translated into national debt (Slovenia is paying between 4-5% GDP in interest);
- Slovenia has an enormous problem with derelict industry that was subject to transitional robbery and subsequent annihilation
- Slovenia has an enormous problem with the fact that since 2008, money for large-scale investments simply does not exist

The latest measure introduced on the insistence of the parliamentary United Left coalition is the waiving of debt to the poor. Needless to say, the measure was substantially watered down in comparison to the original proposal. The eventual effects of the measure are at this time entirely unpredictable.

## **PART TWO: (WP5) PROCESSES OF POLICY LEARNING IN SLOVENIA**

### **INTRODUCTION**

This, second part of the report deals with policy learning on the examples of three chosen legal innovations. We excluded the JSM (Youth guarantee scheme) and the ZUTD (Employment and work of aliens act). As to the former, it is difficult to assess its effects given that it has only been implemented; and secondly, it is a measure almost entirely financed by the EU funds, and it remains unknown whether this will be a continued policy. As to the latter, we have omitted it because the influx of migrants is diminishing (the year 2014 was the first after two decades that witnessed more people migrating from Slovenia than to Slovenia), therefore a major influence of the migrant regulation on the labour market is not expected, even as it is, from every economic point of view, quite clear that Slovenia could profitably use a substantial influx of migrants to cover sectors of the economy that have practically vanished in the past 24 years since independence.

Our analysis of infrastructure policy learning below points out the key parameters, and are furnished with the opinions gathered from the key stakeholders.

### **POLICY LEARNING INFRASTRUCTURE**

Slovenia does not have a central organisation that would concern itself with pilot studies and monitoring of the implementation of legal changes. The individual ministries usually undertake the preparation of a legal bill internally, or they outsource the work. Thus an individual act is prepared by very few people; the majority of our respondents also say that the staff in the ministries is overloaded with work and very thinly spread as new employments are prohibited.

The key actor in the regulating of the labour market is thus the Ministry of Labour with its internal structure. This ministry, in close cooperation with the Employment Service, Social protection institute, and the Pension and disability insurance institute does monitor and evaluate the effects of new legislation and policies. These institutions keep the databases with various data on social protection services and programmes, monitor the changes, and prepare policy papers for the ministry.

The representatives of the Ministry of labour assure us that within the ministry there are teams of analysts who, in their working papers that are sometimes publicly accessible on their webpage,<sup>11</sup> analyse the measures taken, and compare them to those in other European countries. They acknowledge, however, the shortage of professional analysts, and an effective coordination between all branches of the government in order to prevent contradictory provisions in various legal packages. Our respondents share the impression that legal bill drafts are prepared all too hastily, and are poorly adjusted to existent legislation. They stress that inventories of good practices, and with them, systematic policy learning, are largely absent.

Another problem, according to the majority of our respondents, is the centralised process of decision making, and the lack of intermediary levels input. Regionalisation of administration, while constitutional, was never really put to practice; thus the law makers know little of the regional special circumstances and needs. There exist, however, the Agencies for regional development, but the general impression is that their potential is far from realised, and do not as a rule weigh in when strategies, measures and policies are in preparation. The few legal packages that were passed dealing with regional development specifically are difficult to assess as their effects are not monitored.

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<sup>11</sup> In Slovenia, there is in effect a general rule that all legal acts drafts are publicly accessible on the Parliament portal. Certain of these materials are accessible also on the website of the government and its ministries, especially ordinances and international legally binding documentation.



## THE ROLE OF POLICY LEARNING IN THE ADOPTION OF THE INNOVATIONS

This table contains the data on the questionnaire respondents according to topic 1 – 5:

<b>TOPIC 1: Pension and disability insurance Act, ZPIZ</b>						
age	gender	yrs empl.	education	vocation	work area	type employment
60+	m	full	high	director	culture	public institution
60+	f	full	high	culture w.	theatre	public + private in.
60+	m	full	high	health	vet medicine	governmental
50+	f	full	high	education	social science	public institution
60+	f	full	high	politician	social policy	political party
70+	m	full	high	politician	health policy	governmental
40+	f	25	middle	entrepreneur	commerce	private
<b>TOPIC 2: Youth guarantee scheme, JSM</b>						
20+	m	0-5	high	politician	economics	political party
20+	m	0-5	student	politician	social policy	political party
20+	f	0	student	student	minority studies	-
30+	f	5-10	high	social worker	minority policy	private NGO
30+	f	-	high	agriculture	agriculture	-
30+	m	5-10	high	social science	vulnerable	trade union
<b>TOPIC 3: Labour Market Regulation Act, ZUTD</b>						
40+	f	5-10 pr* <sup>12</sup>	high	researcher	social science	project based
40+	m	15-20	high	academic	linguistics	academic + union
50+	f	20-25	high	governance	law	government
60+	f	full	middle	governance	gender politics	government
20+	m	5	high	educator	public school	public institution
50+	m	25-30	high	economist	PR	private
40+	f	10-15	high	economist	management	private
40+	m	0-5 pr*	high	humanist	social entrepr.	precarious
50+	f	20-25	middle	leader	social entrepr.	NGO
<b>TOPIC 4: Employment and Work of Aliens Act, ZZDT</b>						
30+	m	-	high	political sc.	politics	political party
40+	f	20-25	high	law	academic	public institution
40+	f	10-15	high	researcher	social science	public institution
40+	f	20-25	high	diplomat	international r.	government
20+	f	0-5 pr*	high	researcher	linguistics	public institution
40+	f	25	middle	entrepreneur	commerce	private
40+	f	15-20	high	politician	social work	government
60+	m	30-35	high	economist	director	corporate
<b>TOPIC 5: Prevention of Undeclared Work and Employment Act, ZPDZC</b>						
50+	f	20-25 pr*	high	politician	social equality	political party
40+	f	5-10	high	researcher	history	public institution
40+	m	10-15	high	researcher	history	public institution
60+	m	full	high	academic	philosophy	pensioned
40+	f	10	high	social science	labour market	NGO
50+	m	25-30	high	economist	director	corporate

<sup>12</sup> Pr\* stands for precariously employed/never employed full time.

## 1. ANALYSIS PARAMETER 1:

**To what extent were the legal innovations (policies), in the opinion of the respondents, timely, successful and durable in terms of relevance, targeting the problems, and effects?**

A general, across board view of the responses returned the following:

- By far the most frequent remark of the respondents pertains to the swift, chaotic and difficult to follow changing of the laws; a frequent expression has it that “even the lawyers can no longer follow.”
- Another most frequent remark is that individual acts are way too long, creating in the process various conflicts between regulations, therefore all too frequently subject to annulment;
- A frequent remark is that the situation being what it is, the media and other communicators are not up to the task of publicising and commenting on the proliferation of law packages, acts and amendments;
- The majority of respondents agree that Slovenia is way too dependent on EU directives and recommendations, thus making the laws either irrelevant or inefficient.
- A vast majority of the respondents across board feel that the legal package they have commented upon is basically a failure, and that the entire post-crisis coping was essentially much worse than it could have been were the policies different.

In detail for every legal package the respondents were commenting upon, these are the significant responses in view of this parameter of analysis:

### **A. Pension and disability insurance Act, ZPIZ**

- most respondents with qualification in the field think that the Act was timely, while most of respondents from among the users of its provisions mainly brings a sizable worsening of the conditions for pensioning;
- a significant portion of respondents believe that the effects of the act will be postponed and demonstrate only after years past. Some quoted the partial retraction of the law in the hands of the Constitutional Court: were it not for the CC, the effects would have been felt sooner.

## **B. Labour Market Regulation Act, ZUTD**

- two respondents from the government and administration sector feel that the Act addressed the open problems adequately and holistically, and that it was timely to address the post-crisis situation;
- several respondents from among employers on the contrary feel that the act was unduly belated;
- the majority of respondents pointed out that the chain of amendments obscured the initial transparency of the act.

## **C. Prevention of Undeclared Work and Employment Act, ZPDZC**

- The majority of respondents feel that the provisions of the act go towards more surveillance over all modes of work and employment that were hitherto loosely regulated;
- respondents think that the main aim of the act is to establish new sources of tax income;
- employers from among the respondents deem the contribution positive in terms of controlling the dumping processes;
- the majority of the respondents think that the act is inhumane as it is interfering with the social culture of mutual help within families and neighbourhoods, and social solidarity networks.

## **2. ANALYSIS PARAMETER 2:**

**What are the basic differences discernible in the opinions acquired from the respondents, between the groups of respondents (the vulnerable unemployed and employed; the employers; lawmakers)?**

A general, across board view of the responses returned the following:

- There is obvious among the respondents a principal difference in opinion when it comes to the question, who benefits. Thus respondents from the public sector, the government, and leftist political parties all stress the shrinking of the social welfare state, whereas respondents from the private sector and the industries commonly stress that the public sector employees are way too protected, inefficient, and way too numerous;

- A diametrically opposed view can be detected between the private/public sectors respondents in their uptake of the general aim of all legal packages, namely to ensure economic prosperity. The private sector respondents insists that the costs of work are way too high, while the public sector respondents are adamant that they are way too low.
- The respondents from the governmental sector very nearly uniformly state that the volatile law-making process nevertheless moves in the right direction of fewer laws that cover more issues, but frequently mention that the interference of the Supreme and Constitutional Courts is a main obstacle; the respondents from other parts of the public sector, jointly with the private sector respondents, very nearly unanimously fail to see any such positive trend, but stress the chaotic nature of the legislation process.
- A significant portion of respondents from various career paths and types of employment reject the austerity policy and measures *in toto* as harmful and inefficient, and often add that they are coercive and dictated by “Germany”, “globalisation”, “global financial sector.” The majority of respondents from the private sector, however, insist that austerity measures should be starker, and encompass many more aspects of economic and social policies.

In detail for every legal package the respondents were commenting upon, these are the significant responses in view of this parameter of analysis:

#### **A. Pension and disability insurance Act, ZPIZ**

- Three main interpretations were given from the part of the respondents: a) employers believe that the Act is too mild and introduces the restrictions to pensioning, and the amounts of pensions, in a pace too slow; b) policy makers generally agree that the Act with its provisions was timely and to the point; c) the employed, the precariously employed, and the already pensioned generally perceive the Act as substantial worsening of the conditions of pensioning;
- additionally, the respondent with lower education perceives that the Act favours pensioners with higher education, which directly harms the workers in the production sector where the average education levels required are lower.

#### **B. Labour Market Regulation Act, ZUTD**

- two respondents from among the employers stressed the increased flexibilisation of the labour market in order to make possible the new investments cycle, and stress the need of further benefits to the employers;
- a significant number of respondents from among the policy makers and politicians stress the potential of the act to empower employment seekers towards increased initiative and activeness;
- The unemployed and precariously employed respondents point out that the goal of active lifelong career orientation failed entirely.

### **C. Prevention of Undeclared Work and Employment Act, ZPDZC**

- No significant differences were demonstrated in the views of the respondents, except one respondent-representative of corporate leadership.

### **3. ANALYSIS PARAMETER 3:**

**What are the basic prospects in the opinions acquired from the respondents, towards ameliorating, correcting, or alternative solutions to the legal packages (innovations, policies) they commented upon?**

A general, across-board view of the responses returned the following:

- a significant portion of the respondents commented in one context or another that they a) are not entirely familiar with all the nuances of the legal package they were commenting, or b) that the package in question is entirely too long, obscure in wording, filled with redundancies, in short, that it is unclear, obscure and incomprehensible;
- a significant portion of the respondents commented upon the unsatisfactory, too lenient, irrelevant, obsolete role of NGOs, the traditional leftist parties in the parliament, and trade unions;
- about a third of respondents from both the private and the public sector stressed the negative role of the political parties' tug of war as the principal cause of the impossibility of any better, alternative or more efficient process of endorsing more sensible legislation;
- overall, comments on this particular legal measure were most exhaustive and detailed, and demonstrated a detail knowledge on the provisions.

In detail for every legal package the respondents were commenting upon, these are the significant responses in view of this parameter of analysis:

### **A. Pension and disability insurance Act, ZPIZ**

- the act introduced favourable conditions for those pensioners who are pensioned with 65 years of age, but have less than 40 years of employment, under the condition that their education period was “prolonged”. Thus, people with highest education can be fully pensioned with merely 38 years of employment and insurances paid. This clearly favours the highly educated, as the trade unions especially in the public sector initially aimed at 30 years of employment by the age of 65 for a full pension; this is clear “elitism” of the highly educated;
- Respondents further pointed out that the intention of the Act was to equalise the conditions of pensioning and does away with the formerly privileged due to work hardships;
- The Act did succeed to shrink the expenses of the social transfers, but the minimal conditions were subject to many critiques, given that mere 15 years of employment are the minimal condition of age pension at 65;
- Respondents pointed out the problematic mathematic formula employed to calculate the pensions given that the lesser the period of insurance at pensioning, the pensions drop dramatically, transferring to the differently calculated and higher income of the already pensioned. This is especially so given the cohorts of the pensioned just before the last reform who were able to pension themselves under extremely privileged conditions, resulting in pensions that surpass the average income of the employed by 2,5 times;
- some respondents acknowledge the fact that in Slovenia, pensions are not taxed, as a positive situation, but point to the incongruence of the fact that there are in Slovenia thousands of pensioners with extremely low pensions who are at or below the poverty threshold, a situation that the Act failed to address.

### **B. Labour Market Regulation Act, ZUTD**

- two respondents that are precariously employed expressed dire critique with the system of counselling at unemployment centres, saying that rather than any serious intent to help with finding a job, they concentrate on the surveillance over the registered unemployed and job seekers;

- especially the younger respondents feel that the act failed to deal with disloyal competition on the labour market;
- half of the respondents assessed that neo-liberal ideology is rampant in the Act, and is directly responsible for the precarisation and pauperisation of the population.

### **C. Prevention of Undeclared Work and Employment Act, ZPDZC**

- respondents feel that after the initial public outcry, the law was more or less adequately amended;
- respondents see the vouchers as the form of register of small personal work as a welcome measure;
- three respondents point out that the effects of small work may compromise the system of social and pension security;
- two respondents stress that the role of small work should be increased and stimulated.

### **4. ANALYSIS PARAMETER 4:**

#### **What do the responses show in terms of policy learning: what were the key failures and omissions?**

- A vast majority of respondents think that the concrete legal package they commented, and in many instances, the entire post-crisis reaction, was tardy, inefficient, initiated at the wrong end of the problem, or entirely too late;
- A significant portion of respondents from both private and public sectors quote all-pervasive clientelism and nepotism as the one thing never addressed or sought to be prevented, monitored controlled or outlawed;
- At least a third of respondents from all sectors think that the inefficiency of coping with the post-crisis situation was inevitable due to the informal powers on the political and economy arena who look after their gain exclusively.

In detail for every legal package the respondents were commenting upon, these are the significant responses in view of this parameter of analysis:

### **A. Pension and disability insurance Act, ZPIZ**

- several respondents pointed out that the new Act was moderately to very successful in preventing fraudulent pensioning on the basis of work-related disability;
- one respondent stressed the increased labour market safety of the disabled; three others, on the contrary, pointed out that the disabled are now disadvantaged as the employers will be unable to find suitable work for them, even as the law requires it for the workers who suffer disability at work;
- all respondents agree that the Act severely disadvantages the future generations of pensioners;
- Three respondents regret the fact that the Act does not lower the existent pensions that were calculated in an overrated fashion.

### **B. Labour Market Regulation Act, ZUTD**

- half of respondents feel that the act is too bent to the interests of the employers, and failed to realise the conditions of flexicurity;
- the majority of respondents pointed out the lack of preliminary analyses, as is demonstrate in the series of amendments to the act;
- two respondents pointed out that the act failed to incorporate and implement the EU directive on temporary jobs through agencies;
- three respondents think that massive abuse of the workers on the part of the agencies remains possible.

### **C. Prevention of Undeclared Work and Employment Act, ZPDZC**

- three respondents opined that the law lacks several provisions towards the known and existing grey economy forms;
- respondents agree that efficient surveillance is necessary over the grey economy phenomena, but question the disproportionality of expenses to do so;
- Respondents from public sector welcome the system of vouchers for various forms of small work as good practice, especially the fact that these forms of work count into the pension system.



## GENERAL CONCLUSIONS

Policy learning is in Slovenia both for the policy makers and stakeholders a relatively novel notion. The ministries, and the government do not provide for systematic monitoring of the effects of the legal packages. However, the situation differs from one sector to another. The various organs of the Ministry of Labour are very active and responsive to changes; the question remains as to the quality of their reactions. Regarding the monitoring of the effects of the Labour market act, the state Employment service regularly gathers data and has its own team of analysts.

Likewise, the government can name analytical working teams, but does not have a permanent analytical body, or a body whose task would be to foresee and suggest the needed legal acts. Thus all the changes in legislation are prepared by a relatively small group of actors, and occasionally, by token of ad hoc intersecting groups to monitor certain effects of the regulative measures, as was the case with the 2013 monitoring group of the changes in the pensioning legislation.

The Pension and disability insurance institute of Slovenia has, however, its permanent analyses department. Concerning the latest policy and legal change, they too opined that the effects of the last reforms will be felt until 2020, upon which the pensioning will again raise in costs. They also commented on the contradictory outcomes of the reform, the age imbalance of the employed in the public sector, and the various effects of the reforms on the position of foreign workers. The effects of the ZPZDC are likewise noted to be in contradiction to ZUDT. While the latter encouraged the emergence of certain new forms of employment, the former has, on the other hand, severely limited precisely such new forms of work.

Whatever systematic monitoring of new policies and legal measures the government does regularly deploy concern primarily the financial sustainability that is the central issue of several Slovenian governments since the crisis in 2008. However, these analyses heavily depend on European finances and are not systemic.

**APPENDIX: QUESTIONNAIRE SAMPLE**

Podpisana Damir Josipovič in Irena Šumi, člana slovenskega tima projekta INSPIRES, vas po predhodnem dogovoru prosiva, da za namene nabora kvalitativnih podatkov za gornji EC projekt odgovorite na spodnja vprašanja. Za sodelovanje se vam prisrčno zahvaljujema.

## VPRAŠALNIK

VAŠI PODATKI	
Ime in priimek	
Zaposlenost v letih	
Položaj in naziv	
Izobrazba/poklic	
Delovno področje	

ORGANIZACIJA, KJER STE ZAPOSLENI	
Tip organizacije	
Financiranje	
Število zaposlenih	
Delovno področje	

VPRAŠANJA SE NANAŠAJO NA ZAKONSKI AKT/UKREPE/POLITIKO (označeno rdeče):
1. Zakon za uravnoteženje javnih financ - ZUJF
<b>2. Zakon o pokojninskem in invalidskem zavarovanju - ZPIZ</b>
3. Jamstvena shema za brezposelne mlade - JSM
4. Zakon o urejanju trga dela - ZUTD
5. Zakon o preprečevanju dela in zaposlovanja na črno - ZPDZC
6. Zakon o zaposlovanju in delu tujcev - ZZDT

Izpolnjen vprašalnik prosiva pošljite **izključno elektronsko** na elektronska naslova:

DAMIR JOSIPOVIČ: [damir.josipovic@gmail.com](mailto:damir.josipovic@gmail.com)

IRENA ŠUMI: [irenasumi@me.com](mailto:irenasumi@me.com)

\*

Prosiva, da se pri dolžini svojih odgovorov, ki jih vpisujete v desno kolumno vsake tabele, **ne omejujete** pri dolžini odgovorov. Tabela se ji bo avtomatično prilagodila.

\*

Če ste mnenja, da je kako vprašanje neustrezno zastavljeno, bova zelo vesela, če ga boste v svojem odgovoru preformulirali.

\*

Prosiva, da naslovu izpolnjenega vprašalnika pri shranjevanju dodate vaše ime, npr: vprasalnik\_inspires\_**novak**.doc in ga s tako dopolnjenim imenom pošljete na gornja naslova. Pri obdelavi podatkov bodo vsi respondentje anonimizirani in označeni zgolj po svoji izobrazbi/poklicu in družbeni funkciji.

Hvala!

<b>I. Ozadja zakonskega ukrepa</b>	
1. Kakšna so po vašem relevantna ozadja sprejetega zakona? Kdo je bil njegov pobudnik?	
2. Kdo so bili bistveni zainteresirani, interesne skupine in podporniki sprejema zakona?	
3. Ali se spominjate kakšnih bistvenih ovir in pomislekov? Ali se je v tem kontekstu vsebina zakona bistveno spremenila in v katero smer?	
4. Kateri nabori podatkov so ključno informirali oblikovanje zakona?	
5. Ali je glede podatkov o podloženem socialnem stanju, ki ga zakon obravnava, obstajalo več različnih videnj in interpretacij?	
6. Ali je bil v uvajanju zakona izveden kak pilotski ali vzorčni projekt?	

<b>II. Kontekst sprejemanja zakona</b>	
1. Zaradi kakšnih razmer znotraj ciljne skupine je bil po vašem potreben sprejem tega zakona?	
2. Kakšna je bila po vašem vloga strankarske politike v tem procesu?	
3. Kakšna je bila po vašem vloga administrativnega aparata?	
4. Ali je bila po vašem mnenju empirična socialna realnost bistvenega pomena pri sprejemu zakona?	
5. Ali menite, da je bila kaka prepoznana socialna resničnost pri sprejemanju zakona prezrta, namenoma ali nehote?	
6. Ali ste se v javnih debatah pred sprejemom zakona osebno angažirali, javno ali v ekspertnih krogih, glede vsebine in izvedbe?	

<b>III. Učinkovanje zakona</b>	
1. V kolikšni meri je po vašem zakon dosegel svoj učinek in namen?	
2. Ali menite, da so nameni in učinki zakona predmet političnih razhajanj?	
3. Ali mislite, da učinki zakona uživajo večinsko ali odločilno politično podporo?	
5. Ali menite, da je zakon uresničil pričakovanja ciljne skupine? Ali ste se srečali s pritožbami in reševanjem pritožb ciljne skupine?	
6. Ali menite, da so bili predhodni zakonski ukrepi učinkovitejši in boljše	

naravnani?	
8. Ali imate vtis, da se zakon v različnih krajih/regijah ali na različnih ravneh izvaja različno?	

#### IV. Percepcija vloge in stališč EU pri oblikovanju, sprejemanju in izvajanju zakona

1. Ali imate vtis, da je EU v naši državi splošnem dojemanju političnih dogajanj dojeta kot relevantna entiteta/subjekt? Ali menite, da se politiki, administratorji in ljudje, ki se v teh debatah javno oglašajo, na EU pogosto referirajo?	
2. Ali imate vtis, da je poznavanje ustroja EU večinoma stvar strokovnjakov?	
3. Ali imate vtis, da je EU v državi splošno dojeta kot pozitivna sila, kot negativna, ali kot nerelevantna v javnem in političnem življenju?	
4. Ali lahko naštejete področje ali tematiko, v kateri je EU dojeta izrazito kot pozitivna sila?	
5. Ali lahko naštejete področje ali tematiko, v kateri je EU dojeta kot izrazito negativna sila?	
6. V kolikšni meri ocenjujete, da je osnova zakonskih sprememb posledica implementacije zakonodaje EU oz. prenešana kot že obstoječa praksa v Evropi ali EU?	
7. Ali menite, da je raven javnega informiranja o spremembah na nivoju EU zadostna v pripravi različnih zakonskih rešitev?	
8. Ali ste zadovoljni z medvladnimi telesi, ki skrbijo za prenos informacij z nivoja EU v državne organe? Ali pri tem sodelujete s sorodnimi institucijami v EU članicah?	

#### V. Vsebina zakona/ukrepa/politike

1. Kaj menite, da je morebiti v tem zakonu nezadovoljivo rešeno?	
2. Kako bi vi osebno spreminjali ali dopolnili politiko, ki se izvaja na podlagi tega zakona?	
3. Ali menite, da bi bilo treba zakon bistveno dopolniti?	
4. Ali spremljate javne debate o tej tematiki ter vsebini in učinkih tega zakona? Kako bi javni govor o tem ocenili?	