

**Question for written answer E-009716/2011
to the Commission**
Rule 117
Monika Smolková (S&D)

Subject: New Labour Code in Slovakia

The global financial crisis is having a major impact on unemployment. Good legislation and labour codes should be a means of kick-starting employers' interest in creating new jobs.

The Labour Code that came into force in the Slovak Republic on 1 September 2011 (Law No 311/2001 as subsequently amended) is the first in Europe to allow an employee's average working week including overtime to exceed 48 hours. Section 97(10) reads as follows: 'An employee can work a maximum of 400 hours overtime in a calendar year. A senior employee who reports directly to the statutory body or a member of the statutory body or a senior employee who reports directly to a senior employee as above can work a maximum of 550 hours overtime in a calendar year...' and Section 85(a)(1) reads as follows: 'The average weekly working time of an employee including overtime may exceed 48 hours...'

Why has Slovakia obtained a derogation from EU law when it has long-term unemployment of 13%?