



Brussels, 6 December 2018
(OR. en)

15265/18

Interinstitutional File:
2018/0059(NLE)

SOC 767
EMPL 573

NOTE

From:	General Secretariat of the Council
To:	Council
No. Cion doc.:	7416/18
Subject:	Proposal for a COUNCIL RECOMMENDATION on access to social protection for workers and the self-employed - Statement by the Slovak Republic

Delegations will find attached a statement by the Slovak Republic to be inserted in the minutes of the Council EPSCO.

Statement by the Slovak Republic into the Council minutes

Council Recommendation

on the Access to Social Protections for workers and self-employed persons

Political Agreement

The Slovak Republic supports the objectives of the recommendation, having in mind the changing realities of the world of work. The Slovak Republic reiterates that national situation of the Member States shall be taken into account, where the recommendation is to be implemented. Therefore, the Slovak Republic welcomes the increased flexibility of the text as well as non-binding nature of the recommendation.

Furthermore, the prerogatives of the Member States as regards the organisation of their social protection systems have to be respected. The Slovak Republic welcomes that the Recommendation recognizes the exclusive competence of the Member States with regard to the organisation of their social protection systems, including the level, substance and delivery of benefits, the level of contributions and the conditions for access.

The Slovak Republic recalls that according to Article 153(4) of the Treaty on Functioning of the EU the Union measures in the social policy field shall not affect the right of Member States to define the fundamental principles of their social security systems and must not significantly affect the financial equilibrium thereof.

The Slovak Republic still has concerns on paragraph 10 let. b) of the Recommendation. This provision recommends Member States *inter alia* to ensure access for self-employed persons, at least on voluntary basis, to accidents at work and occupational disease branch of their social protection system. The national system of the Slovak Republic provides for accidents at work and occupational disease insurance only for workers. This branch of social protection system is based on the principle of employer's liability for worker's accidents at work or occupational disease. The Slovak Republic deems this principle as a fundamental principle of the national social protection system.

In light of the previous text, the Slovak Republic considers the recommendation an instrument seeking to provide guidance for Member States when progressively adapting social protection systems in light of national circumstances.