

# THE RIGHT TO WORK

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– applicants for international protection, persons granted international protection and foreigners under temporary protection



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<sup>1</sup> The term refers to asylees (people granted asylum) and people who have been granted subsidiary protection.

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## Right to work

### WHAT DOES THE RIGHT TO WORK MEAN?

As an applicant for international protection (i.e. an asylum seeker), a person granted international protection, or a foreigner under temporary protection in the Republic of Croatia, according to the *Act on International and Temporary Protection*, you have the right to work.

The right to work is a fundamental human right protected by international, European, and Croatian legislation. In Croatia, every employed person has the right to fair compensation for their work, and is protected at work by laws covering health and safety, contracts, non-discrimination, and other labour rights. Only a few professions are restricted to Croatian citizens, for example, positions in the civil service.

### Applicants for international protection – when do I acquire the right to work?

If you are an applicant for international protection, you have the right to work three months after submitting an application for international protection, if the Ministry of the Interior ('MUP' in Croatian) has not yet delivered a decision on your asylum case.

To acquire the right to work, you need to submit your request (in written or orally on the record) to Service for International Protection (Služba za međunarodnu zaštitu). Upon your request, the MUP will issue a certificate confirming that you have the right to work. The deadline for issuing the certificate is 30 calendar days following your request.

If the MUP determines that you do not meet the criteria, it will deliver a negative decision to you. You can challenge this decision by filing an administrative lawsuit within 8 days from the day you receive the negative decision.

If you have been successfully employed and are accommodated in a Reception Centre for Applicants for International Protection, you are required to inform the Reception Centre in writing within 15 days of signing an employment contract. You must also attach to this notification a certificate of employment issued by your employer.

If you are accommodated in the Reception Centre and plan to stay outside it for more than two days, for example because you want to work outside Zagreb or Kutina, you also need the consent of the Reception Centre.

When the MUP decides on your asylum application, your immigration status changes. If the decision is positive and you are granted international or subsidiary protection, you will retain the right to work in Croatia, but you must return to the MUP the right to work certificate that they issued previously, within 15 days. As a beneficiary of international or subsidiary protection, you will not need such a certificate in order to work.

If the final decision on your asylum application is negative, you will no longer have the right to work, and you must also return the right to work certificate to the MUP within 15 days.

## How can I exercise my right to work?

### HOW TO FIND A JOB?

If you would like support with finding employment, you can register with the Croatian Employment Service (HZZ). This Service can assist you both with finding a job, and with accessing assistance for unemployed individuals, such as training opportunities or self-em-

ployment support. The Service can guide you on what entitlements you may have, according to your immigration status.

## **WHAT KIND OF ASSISTANCE CAN THE SERVICE OFFER ME?**

The assistance provided by the Service includes:

- identification and assessment of your profile and potential employment opportunities,
- drafting a professional job-seeking plan,
- information on job opportunities in the occupation in which you are able and wish to work,
- workshops for job-seekers (topics listed below),
- funding for training and qualifications that are needed in the labour market, and
- support for self-employment.

## **HOW AND WHERE CAN I REGISTER WITH THE SERVICE?**

In order to access the assistance listed above, you can register with the Service by e-mail or by visiting its regional offices. All branches and their contact details are listed here: <https://www.hzz.hr/kontakti/podrucne-sluzbe-i-uredi/>. You can also access them by scanning the QR code at the bottom of this leaflet.

People granted temporary protection can also write to [ukrajina@hzz.hr](mailto:ukrajina@hzz.hr) to access support in the Ukrainian language.

## **WHAT DOCUMENTATION DO I NEED IN ORDER TO REGISTER WITH THE SERVICE?**

In order to register with the Service, you need:

- ▣ an identity card issued by the MUP, proving your immigration status in the Republic of Croatia,
- ▣ a personal identification number ('OIB' in Croatian),
- ▣ proof of any education or training you may have completed (not mandatory).
- ▣ If you are an asylum seeker, you also need a certificate from the MUP confirming that you have acquired the right to work.

## **HOW CAN I BE INFORMED ABOUT POTENTIAL JOB OPPORTUNITIES?**

After registering with the Service, you will be assigned an advisor who will organize a consultation with you. During this consultation, a job-seeking plan will be established, and the type of support needed for successful employment will be determined. You will also agree on the occupations for which the Service will mediate in the labour market on your behalf. During this process, you can share information about your previous work experience, education and qualifications.

You will provide your contact information to the advisor (email address and phone number). The Service will inform you through email and SMS of job vacancies in the occupations identified during the consultation.

## **CAN I TAKE UP EMPLOYMENT IN ANOTHER PART OF CROATIA?**

During the consultation, you will discuss whether you can work outside your current place of residence in Croatia. The employment advisor will inform you about available job positions in the occupations and in the regions of Croatia for which you express interest. Employment during the tourist season is particularly im-

portant for Croatia, and the advisor will also inform you about such opportunities.

## **WHAT WORKSHOPS ARE OFFERED TO JOB-SEEKERS?**

If you need assistance with writing your resume (CV), advice on how to present yourself to employers and highlight important aspects of your experience, or guidance on where and how to look for a job, the advisor will refer you to 'active job seeking workshops'. These workshops are organized as group sessions. In order to overcome any language barriers, workshops can be organized in smaller groups in English, or in another language you understand.

## **CAN I ACCESS TRAINING OPPORTUNITIES, SO I CAN DEVELOP MY SKILLS TO APPLY FOR JOBS IN A NEW FIELD?**

If, during the consultation with the advisor, it is determined that you could benefit from additional training, the Service will guide you to available training opportunities. Financial assistance and travel expenses may also be available to enable your participation in these trainings. It may also be possible to receive on-the-job training from one's employer in certain workplaces.

## **WHAT FINANCIAL ASSISTANCE CAN I RECEIVE FROM THE SERVICE?**

In Croatia, unemployed people are entitled to financial support. However, to qualify for this right, you must have contributed to a pension insurance (HZMO), through employment in Croatia, for at least 9 months in the 24 months preceding the date of termination of employment. You must register with the Service and submit a request for unemployment benefit within 30 days from the date of the termination of employment, the end of sick leave, or the end of maternity, parental, adoptive, or guardianship leave that follows the termination of employment.

As mentioned above, individuals participating in training can receive financial assistance and travel expenses for the days when they are attending classes. Travel expenses are reimbursed based on the cost of public transportation from the place of residence to the location of the training, up to a maximum amount of €186 per month (current at December 2023).

## **WHAT ARE ACTIVE EMPLOYMENT POLICY MEASURES?**

'Active employment policy measures' are a set of measures aiming to facilitate access to the labour market for vulnerable groups. They include supporting employers with part of the cost of an employee's salary or new equipment they may need for their work, and supporting individuals with part of the financial costs to register a business.

These co-financed employment measures are available to refugees and asylum seekers with the right to work under the same conditions as for Croatian citizens. You therefore have the right to seek:

- Employment support
- Self-employment support
- Training support
- Employment in public works (your employment advisor can provide further information).



## I am an applicant for international protection or have been granted international or temporary protection, and I have found a job: what are my employment rights?

### DO I NEED TO SIGN A CONTRACT WITH THE EMPLOYER?

Yes, you must enter into a written employment contract with your employer. The employment contract is concluded for a definite or indefinite period of time. If you have not signed an employment contract, your employer is still obliged to provide you with written confirmation of your employment before you start working.

From the moment you start working, you are entitled to health insurance and obligatory pension insurance. More information on health insurance is available at: <https://hzzo.hr/en/national-contact-point-ncp/health-insurance-republic-croatia>.

### WHAT DOES AN EMPLOYMENT CONTRACT FOR AN INDEFINITE OR A DEFINITE PERIOD OF TIME MEAN?

An employment contract concluded for an indefinite period of time binds those who sign it (i.e. the employer and the employee) until it is terminated in one of the ways specified by the *Labour Act*, for example, dismissal. An employment contract may also be concluded for a definite period of time (also called a ‘fixed-term contract’) when the need for the worker is temporary, and the contract itself specifies the termination date. An applicant for international protection can only enter into fixed-term contracts, until they obtain a longer-term immigration status in Croatia.

After the expiration of a fixed-term contract, the employer can decide whether to extend the contract or not. An employer can only enter into a maximum of three consecutive fixed-term contracts with an employee, the total duration of which cannot exceed three years. Rights and obligations from the employment relationship are the same for both types of contracts, fixed-term and indefinite, except regarding the ways in which the contract can be terminated.

## **CAN THE EMPLOYER ASK ME FOR A PROBATION PERIOD?**

When entering into an employment contract (whether for a definite or indefinite period), a probation period can be agreed, but it cannot last longer than six months. In exceptional cases, it can be extended if you are absent during that time due to temporary incapacity for work, maternity or parental leave, or the use of paid leave. If the employee does not meet expectations during the probation period, the employer has the right to terminate the employment contract.

After successfully completing the probation period, the employer cannot request another probation period for the same job.

## **WHAT MUST THE EMPLOYMENT CONTRACT CONTAIN?**

The employment contract must include information about:

- ▣ the parties to the contract (employer and employee), their names, personal identification numbers, and their residential address (for the employee) and registered office address (for the employer),
- ▣ the place of work, and if there is no permanent or main place of work due to the nature of the job or if it is variable, information about different places where the work is carried out or could be performed,
- ▣ the job title or the nature and type of work for which the employee is employed, or a brief list or description of duties,
- ▣ the date the employment contract is signed, and the date when the actual work starts,

- whether the employment contract is for an indefinite or definite period. If it is concluded for a definite period, it is necessary to specify the date when the contract ends or the expected duration of the contract. The contract might state that the employment agreement will be terminated immediately if the worker loses the right to work in Croatia,
- the duration of paid annual leave,
- the procedure in case of termination of the employment contract before its expiry, and the notice periods that the employee and employer must adhere to, or the method of determining notice periods,
- the amount of the salary, salary supplements and other remuneration for work performed, and the frequency of payment,
- the duration of the working day or week in hours,
- whether the contract is for full-time or part-time work,
- training entitlements, if applicable,
- the duration and conditions of the probation period if agreed upon.

### **DO I NEED TO RECEIVE ANY OTHER DOCUMENTS FROM MY EMPLOYER BESIDES THE EMPLOYMENT CONTRACT?**

Yes, the employer has the obligation to provide you with a copy of your health insurance and pension registration for the mandatory pension and health insurance within eight days after the registration deadlines for each of these.

The employer must also provide you with a copy of any regulations on safety and health protection applicable to your workplace, as well as two important documents, known as a 'collective agreement' and an 'internal employment ordinance' if these are adopted in your workplace.

### **WHAT IS THE MINIMUM SALARY IN CROATIA?**

The minimum gross salary in Croatia in 2023 is €700 and in 2024 will be €840. This is revised yearly by the Croatian Government.

## Discrimination at work

Discrimination at work is prohibited by law in Croatia. It is forbidden for employers to discriminate against employees in selection or training, based on race, ethnicity, skin colour, gender, language, religion, political or other belief, national or social origin, property status, trade union membership, education, social position, marital or family status, age, health condition, disability, genetic inheritance, gender identity or expression, or sexual orientation.

If you believe you have been discriminated against, you can file a complaint with the State Inspectorate's service for labour inspection. In order to do this, you can fill out a complaint form (available at <https://dirh.gov.hr/podnosenje-prijava/83>). You may also contact the office of the Ombudsperson, the Ombudsperson for Gender Equality (if you have been discriminated against based on gender, marital or family status, including pregnancy, or sexual orientation) or the Ombudsperson for Persons with Disabilities (if you have been discriminated against based on disability). These are independent institutions which promote and protect human rights and freedoms established by the Constitution, relevant laws and international treaties applicable in Croatia.

## What can I do if I have a problem with my employer?

If your employer violates your rights, as set out under your contract and labour laws, you can report them to the State Inspectorate's service for labour inspection (see link above). For example, if you are asked to work without an employment contract, if the employer has not registered you for your pension or health insurance, if you are denied breaks or annual leave, or your salary has not been paid.

If your employer commits a criminal offense against you (such as non-payment of salary or workplace harassment), you can report them to the police.

In Croatia, employees also have the right to join or establish a union in their workplace or industry. This right is protected by the *Labour Act*. If there is a union organized at your workplace that protects the rights and interests of its members, you may also join and contact the union representative for support with such issues.

For free legal assistance in exercising and protecting your employment rights, you can contact UNHCR partners:

#### CROATIAN LAW CENTRE

**TEL:** +385 1 21 05 301

**MOB:** +385 91 235 5505 (for people granted temporary protection)

+385 91 235 5523 (for people who have applied for or been granted international protection. i.e. asylum seekers and refugees)

**E-MAIL:** [hpc@hpc.hr](mailto:hpc@hpc.hr)

#### CROATIAN RED CROSS - CRC

**E-MAIL:** [azil-migracije@hck.hr](mailto:azil-migracije@hck.hr)

#### JESUIT REFUGEE SERVICE - JRS

**MOB:** +385 98 979 2298

**E-MAIL:** [info@jrs.hr](mailto:info@jrs.hr)

#### ASSOCIATION SVOJA

**MOB:** +385 99 501 5667

**E-MAIL:** [svoja.org@gmail.com](mailto:svoja.org@gmail.com)

#### CONTACTS OF LOCAL OFFICES OF THE CROATIAN EMPLOYMENT SERVICE



