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Ministry of Labour, Social Affairs and Family of the Slovak Republic

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Illegal employment

Illegal employment is the employment of a natural person with an employer, whereby:

- there is no employment relationship between the employer and the worker according to the Labour Code or a civil service relationship according to Act No 55/2017 Coll. 400/2009 Coll.;
- there is an employment relationship between the employer and the worker according to the Labour Code or a civil service relationship pursuant to Act No 55/2017 Coll. 400/2009 Coll., but the employer failed to fulfil the reporting obligation towards the Social Insurance Agency pursuant to Section 231 of Act No 461/2003 Coll. within 7 days from the lapse of the period for registration in the register of insured persons and retirement savers pursuant to Section 231 of Act No 461/2003 Coll., but no later than the beginning of an inspection of illegal work and illegal employment, if such inspection started within 7 days from the lapse of the period for registration in the register;
- the employer employs a worker who is not a national of a Member State of the European Union, Iceland, Norway, Liechtenstein or Switzerland or who is stateless, in conflict with the conditions laid down in Section 21(1) of Act No 5/2004 Coll.;
- the employer employs a worker who is not a national of a member state of the European Union, Iceland, Norway, Liechtenstein or Switzerland or who is stateless, in conflict with the conditions laid down by Act No 480/2002 Coll. on asylum and Act No 404/2011 Coll. on residence.

It shall not be regarded as illegal employment, if work is performed for a natural person engaged in business (e.g. self-employed) by their direct relative, sibling or spouse, provided that the direct relative, sibling or spouse:

- has a pension insurance or
- is a pensioner or
- is a pupil or student under 26 years of age.