

Assessment and recommendations

The global financial crisis revealed important weaknesses and rigidities in Slovenia's social and labour market policies which hindered rapid adjustment. Among those are: a strong labour market dualism with a high share of temporary employment especially among young people; a high minimum wage relative to the average wage which was further increased in 2010, coupled with high taxes on labour; some tendency for growth in repeat unemployment with short intermittent employment periods; and a high level of long-term dependence on social assistance benefits.

In response to the crisis, a number of important but also difficult reforms have been implemented in Slovenia, including a major pension reform and a comprehensive overhaul of the labour law in 2013. Both have contributed to the recent return to economic growth. Despite these reforms, Slovenia continues to be a country with high spending on social benefits, especially pensions, and relatively low spending on active labour market programmes. Consequently, the Slovenian government is considering further reform. In the case of the labour market, the aim now is to strengthen policies to address some of the long-standing performance issues, in particular the high level of long-term unemployment and the low employment rate of older and low-skilled people and the limited support provided to redundant workers.

Slovenia's labour market was performing well before the crisis but has since fallen behind the OECD average

Slovenia's employment rate grew gradually since the early 1990s to reach the OECD average of around 65% in 2004 and then rapidly surpassed this level after the country's accession to the European Union, largely as a consequence of strong economic growth in the period 2004-08. The unemployment rate continuously declined during the same period to reach an all-time low of 4.4% in 2008 – among the lowest in the OECD area at that time.

However, Slovenia was hit very hard by the global economic and financial crisis that began in 2008. The unemployment rate more than doubled to almost 10% in 2013 and the employment rate fell by more than five percentage points while labour productivity initially also dropped. Only in 2014 did the situation slowly start to improve. Nevertheless, despite substantial fiscal stimulus and the important contribution of economic stabilisers, real GDP at the end of 2015 was still some 5% below its 2008 level, unemployment was still higher and employment still lower. On a positive note, Slovenia maintained the lowest degree of income inequality across OECD countries, despite the protracted drop in economic activity. And, maybe somewhat surprisingly, rather modest economic growth rates in the past year or so immediately translated into a fall in registered unemployment. However, at least initially, most of the new vacancies were for lower-level jobs.

A number of structural factors may have deepened and prolonged the recession, some of which are related to features of Slovenia's social and labour market policy. Among those characteristics are: a strong labour market dualism with a high share of temporary employment especially among young people; a high minimum wage relative to the average wage which was further increased in 2010, coupled with high taxes on labour; some tendency for growth in repeat unemployment with short intermittent employment periods; and a high level of long-term dependency on social assistance benefits.

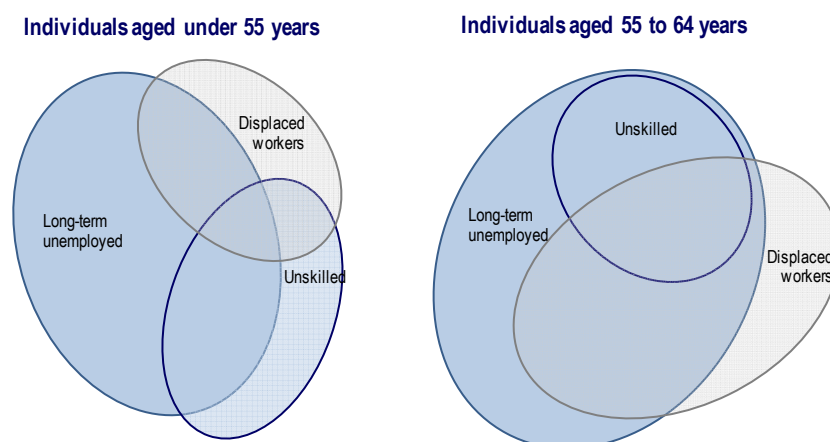
Specific groups are at risk of long-term labour market disadvantage

In the context of its recent but still modest recovery, Slovenia is trying to rectify a number of structural labour market weaknesses and address the weak employment situation (in 2014, unless otherwise noted) of some groups of the population including:

- *Older workers*: the employment rate of people aged 55-64 is only 35% and thus 20 percentage points below the OECD average for this group. Only 18% of those aged 55-59 who were employed in 2009 were still employed when aged 60-64 in 2014 – the lowest retention rate among all OECD countries (the OECD average is 44% and the rate for the Nordic countries 70%). As a result, one in three jobseekers in Slovenia is older than 50 years.
- *Low-skilled workers*: the employment gap between high-skilled and low-skilled people (with employment rates of, respectively, over 80% and less than 50%) is among the highest in OECD countries, only topped by Poland, the Czech Republic and the Slovak Republic. Consequently, a high share of jobseekers has only poor educational attainment: one-third among all jobseekers, and around half of those who are long-term unemployed.
- *Long-term unemployed*: one in two jobseekers has been unemployed for more than a year and one in three for more than two years; both percentages are well above the OECD average. This is a long-term structural problem that has characterised the Slovenian labour market for 20 years and is indicative of structural problems related to work incentives and activation policies.
- *Redundant workers*: since 2011, the share of unemployed dismissed or made redundant has been higher in Slovenia than in other European countries. One in five of all jobseekers had previously been displaced, rising to one in three of those newly unemployed. Many displaced workers subsequently leave the labour force. Policy has so far paid little attention to early intervention for this group.

The characteristics of long-term unemployment, job displacement and a lack of skills overlap considerably. Of the 91 000 unemployed individuals in Slovenia aged under 55, 72% belong to at least one of these critical groups; and of the 8 000 unemployed individuals aged 55-64, this proportion rises to 86% (see Figure 0.1). Many jobseekers therefore suffer from at least two and often three of these risk factors and older jobseekers in particular are at the same time often workers who have previously been displaced, have been unemployed for a long time and lack adequate labour market skills. Accordingly, better labour market policies will need to address multiple problems concurrently.

Figure 0.1 **Multiple unemployment risks overlap considerably in Slovenia**
Distribution of unemployed people by age group and additional individual characteristics, 2014



Source: Statistical Office of the Republic of Slovenia (SORS), Labour Force Survey data.

StatLink  <http://dx.doi.org/10.1787/888933415061>

Unemployment insurance protects incomes of job losers and is quite generous in certain circumstances

Slovenia's unemployment benefit system provides decent income security for people becoming involuntarily unemployed or ending a temporary work contract. Displaced workers will usually be eligible for unemployment insurance while those quitting their job or not having worked and paid contributions for nine of the past 24 months are ineligible. Unemployment insurance benefit payment duration increases with the length of the prior work period so that those with contribution periods of less than five years will receive benefits for no more than three months while the maximum period of benefit receipt is 25 months for workers with over 25 years of contributions. Overall, one in three newly registered and one-fifth of all unemployed at any moment receive unemployment insurance benefit. This is a low share in international comparison, but many of the others receive other social benefits; in total, two in three unemployed receive a social benefit.

Initial income replacement rates are high in comparison to other countries: Replacement rates fall from 80% of past earnings initially to 50% in the second year for people entitled to such payment. However, there is a benefit ceiling which is only slightly above the national minimum wage. Other aspects make the unemployment benefit system in Slovenia potentially generous relative to systems in other countries: First, during benefit receipt people only have to accept jobs one level below their current qualification which is quite a lax condition for those entitled to payments for a longer period. Secondly, it seems relatively easy to negotiate dismissal for reason of incompetence with an employer to generate benefit entitlement – to the benefit of the worker or the employer, who can rehire the same worker on conditions more beneficial to the company (e.g. via a temporary contract). Thirdly, the system subsidises repeat unemployment in seasonal and temporary work contracts (e.g. in the tourism industry).

Social assistance and partial disability benefit receipt is high and becoming more frequent

The recent economic recovery has led to a fall in unemployment. However, there are two contrasting developments: short-term unemployment and the number of unemployment benefit recipients are falling while long-term and very long-term unemployment remains unchanged. In fact, the number of registered jobseekers receiving social assistance is increasing, especially among prime-age and older workers. This shift from unemployment benefit to social assistance, or from shorter-term to longer-term unemployment, is especially problematic because of the weaker effort that is made in Slovenia to help those on social assistance or long-term unemployed people more generally to find work.

Not only is the social assistance caseload increasing among jobseekers but also an increasing proportion of them are receiving partial disability benefits while being on the unemployment register: currently, one in ten jobseekers falls into this group up from one in twenty ten years ago. A large proportion of them are placed into a client segment of the employment service where regular support is not guaranteed. Hence, most of these people never return to work and more than 80% have been unemployed for over two years. Among the unemployed who were made redundant, as many as one in five receives a partial disability benefit, suggesting that labour market exit is frequent in this group. The Employment Service of Slovenia has yet to develop ways of dealing with these groups.

Making work pay for benefit recipients is a challenge

Incentives for recipients to move off benefit and into work are sometimes low in Slovenia, as in many OECD countries. For a one-earner couple with two children, for example, some 88% of the additional income is taxed away when moving from unemployment benefit into work paying two-thirds of the average wage. For a job paid at the average wage the ratio is 74% – i.e. the loss of benefits and taxation wipe out three-quarter of the additional earnings. The corresponding marginal effective tax rates are similar for a single person with two children and somewhat lower for people, singles or couples, moving from social assistance into work. Making work pay and worthwhile for these people is not always easy and also requires a strong enforcement of benefit conditionality, as discussed further below. In addition, lower taper rates, temporary in-work or into-work benefits or hiring subsidies can help provided they are not creating artificial behaviour such as working only short hours to receive the in-work payment. Effective in-work payments may have to be conditional on the job being full-time.

Low employment rates of older people reflect work disincentives embedded in welfare benefits

One reason for the low employment rate for older people relates to the special provisions in the unemployment benefit system for older unemployed people. First, they receive such benefit for much longer periods: 19 or 25 months if aged 50-54 or 55+ and having a prior work period of over 25 years, compared to a maximum of 12 months for those with an equally long prior work period but being under age 50. Secondly, the insurance clock is not reset to zero for beneficiaries over age 57 (or those with at least 35 years of paid contributions) who therefore requalify more easily for unemployment

benefit. And thirdly, the latter group can also be granted an additional two years of pension contributions. As a result, work incentives for unemployed people aged 55 and over are weak and, not surprisingly, de facto one in three pensioners enter retirement through unemployment.

Recent pension reform has made early retirement less attractive and the employment rate of people in the 55-64 age group has indeed increased from 23% to 35% from 2005 to 2015. However, further progress is being undermined by the special rules in the unemployment insurance scheme for older people, which should be dismantled in order to overcome the widespread early retirement culture in Slovenia. Most OECD countries that had similar special rules have abolished those rules. Additional pension reform can also support the move away from early retirement practices, by using lifetime earnings as a reference for pension entitlements and introducing a link with annual increases in life expectancy through an automatic mechanism that affects one or several of the pension system parameters – be it the legal retirement age and/or other elements in the pension formula – as is now common practice in more than half of all OECD countries.

In view of the recent trend increase in partial disability benefits, future pension reform will also have to include modifications to the disability benefit system. Suggestions in this regard in a recent White Paper on Pension Reform to make vocational rehabilitation mandatory for people entitled to a partial disability benefit are welcome. In addition, the eligibility criteria to qualify for a partial disability benefit may need to be reconsidered and tightened; today eligibility is assessed mainly against job requirements and hazards in the previous job position rather than the general labour market.

Labour market institutions do little to address job displacement early

All unemployed people in Slovenia can register with the Employment Service and use its services, and those entitled to unemployment benefit must register within 30 days starting from the termination of their employment contract. There is no incentive or obligation for dismissed or displaced workers to register with the Employment Service and look for work earlier, as for example in Germany or Switzerland. This is unfortunate in view of the better reemployment chances for those seeking a new job quickly. A simple solution would be to introduce mandatory registration within three days after being given notice of job loss and four weeks before the expiry of a temporary contract, enforced through benefit cuts, say, of one week for people registering later.

More generally, the system in Slovenia pays little attention to helping displaced workers quickly. In fact, a recent change went in the opposite direction of encouraging early search for a job or for help since the maximum notice period for both collective and individual dismissals was shortened from 150 days to 60-80 days in exchange for lengthening the unemployment benefit payment period by one month. The Employment Service has few tools aimed at helping displaced workers early. Examples from other countries, such as Sweden, show how a longer notice period can be used effectively to speed up reemployment and prevent long-term unemployment and how rapid response services reaching out to dismissed workers (often in the workplace) can make a difference in helping them back into work. In addition, the current entitlement of dismissed workers to paid leave during the notice period to engage in job search should be extended and take-up encouraged.

The Employment Service of Slovenia is a good job broker and online services are well developed

While the Employment Service does not reach out to displaced workers prior to their actual dismissal unless employers are seeking advice, it is a well-functioning and modern service, managed through performance targets as is now common practice in successful public employment services around the OECD. The vast majority of jobseekers are registered with and about one-third of all vacancies in the job market are handled by the Employment Service. Acquisition of vacancies has become more difficult since the abolition of mandatory notification of vacancies in 2012, but the Employment Service still plays an important role for many employers and offers extensive recruitment services for all employers who wish to use them.

Online services for employers and jobseekers are well developed and the aim currently is to increase the use of these services, similar to what is happening in many other OECD countries. Moving forward it will be important to target online services to people who are able to help themselves and to keep the possibility of face-to-face client contact for those who need it. Use of online employment services could even be made mandatory for employable jobseekers, thereby facilitating the monitoring of job-search obligations and freeing resources for more individual counselling for harder-to-place jobseekers.

The capacity of the Employment Service to support harder-to-place jobseekers is limited

During the first counselling interview, jobseekers are assigned to one of three client segments: *directly employable* (motivated jobseekers with relevant skills); *employable with additional activities* (jobseekers lacking skills or motivation or having additional barriers); and *employable with intensive support* (jobseekers with complex barriers to employment). The client segment can be changed any time. The purpose of the segmentation is to facilitate better targeting of support by the Employment Service of Slovenia. However, segmentation is at the discretion of the employment counsellor as there is no formal profiling procedure in place.

Perhaps the biggest problem for the Employment Service is that it cannot help all clients to the same degree or to the degree necessary. Resources are limited and the average caseload per counsellor is high. As a result, harder-to-place clients in the second and third segments – the majority of whom receive social assistance or a partial disability benefit – are likely to be parked instead of receiving intense support. With limited resources and capacity, this may have been a reasonable strategy to reach overall employment targets and especially so in periods of slack labour demand. Recently the focus of the Employment Service was predominantly on job-search monitoring and frequent counselling of the most employable. This approach will need to be expanded in the future, as the share of employable jobseekers is currently declining and the share of harder-to-place clients increasing. Investments in activating this group will be needed to generate savings in the longer run. The current parking of clients is also reflected in statistics showing that certain groups are less likely to be referred to active labour market programmes, often groups that would in fact need such programmes most. For example, while overall 13% of jobseekers participate in a programme, this share is only 4% among older jobseekers and 6% among low-skilled jobseekers.

Slovenia has comprehensive administrative statistics on post-programme employment outcomes for different client groups. This is useful in choosing a suitable programme for

a client depending on his or her needs and barriers to finding employment. However, rigorous impact evaluation with a comparison group and randomised controlled trial is lacking. It would be advisable to put pilot schemes in place more frequently to test new forms of interventions and to devote a certain share of spending by the Employment Service to the evaluation of programmes and trials to be able to judge which interventions should be maintained, extended or abolished. Something similar was done in the course of labour market reforms in Germany where evaluation of all programmes is fixed in legislation.

The connection of the Employment Service with the Centres for Social Work is weak and ineffective

A key issue that may be preventing more intensive and effective help being given to jobseekers that are harder to place, and to the long-term unemployed in particular, is the weak and not very effective link in Slovenia between the Employment Service of Slovenia and the Centres for Social Work. The latter are responsible for paying social assistance and improving the social integration of their clients and are managed on the local level, with each Centre reporting directly to the Ministry. First, the exchange of information is unbalanced: registration with the Employment Service is a prerequisite for social assistance entitlement, but the Centres for Social Work will not know when the social-assistance client fails to live up to the job-search or training participation requirements. Secondly, the work culture of the two institutions is quite different: while the Employment Service strongly believes in the effectiveness of activation, conditionality and the enforcement of sanctions, the Centres for Social Work still apply a largely social model looking after the complex needs and barriers of their clientele. A new remit of the Centres for Social Work is their central role for the implementation of *social activation*, a holistic approach to enabling individuals and families to resolve their problems and empower them to actively participate in society and integrate into the labour market. At the time of writing of this report, the final approach to social activation, the actors involved and their responsibilities were not fully defined. But during meetings of the OECD team with various stakeholders it became clear that the current discussion focusses on measures to resolve social problems with little attention to labour market activation as the ultimate goal. This is problematic for clients with weak but nevertheless considerable employability who can both play the system (knowing that there are no benefit sanctions on social assistance entitlements) or fall between the cracks (not receiving the support by the Employment Service they need to find employment).

These issues can be addressed in several ways. First, benefit sanctions are important for an effective activation regime and they need to be applied systematically and consistently for all jobseekers and across all regions in the country. This is not the case due to the sanctions which are supposed to be applied being very harsh and therefore needing strong administrative justification but also creating barriers towards their actual use. Lower-level sanctions initially which are tightened with every breach of an obligation would allow for a simplification of administrative procedures for establishing proof and strengthening compliance with the law, both among caseworkers and jobseekers.

Secondly, the connection between the Employment Service and the Centres of Social Work must be improved. It is not ideal that jobseekers claiming social assistance are required to deal with both the local Centre for Social Work (to claim benefit) and the Employment Service (to be activated). One way to address this separation is to merge the

two institutions, fully or partially. A full merger would mean creating one single institution responsible for most of the income-replacement benefits and the activation of the working-age population. Such a merger would achieve the full integration of job broking, benefit administration and referral to active measures for employable social assistance recipients. At the same time, it would also bring not immediately employable recipients within the remit of the same institution, helping to establish a clearer path back into the labour market for individuals who are temporarily not employable. Alternatively, the Employment Service could be made responsible for the administration of social assistance benefits for registered clients – a partial merger. If both options are not immediately feasible, co-operation between the Employment Service of Slovenia and the Centres for Social Work must be formalised instead, or as a first step in preparing an eventual (full or partial) merger. For instance, the new regional Centres of Social Work which are currently established could become responsible for benefit administration and co-operation with the Employment Service, leaving only the frontline client services to the local Centres of Social Work.

Labour market duality remains a significant problem in Slovenia

Activation policy is not operating in isolation. To make the above recommended changes work, labour market and wage policies conducive to high employment are essential. The focus of this review is on activation policy but attention also has to be given to removing labour market distortions.

Recent labour market reform has sought to address the strong duality in type of employment by contract in the Slovenian labour market but with only limited effect. Terminating temporary employment contracts has become more costly, initially with some effect, but more recently much of new employment is once again non-standard, especially but not only among younger people. Reforms have not gone far enough in removing the differences in employment protection and overall costs between permanent and temporary or other non-standard forms of employment.

In view of the large number of different contracts used in Slovenia, including student work with its special regulations but also various forms of civil law contracts, moving towards fewer and less differentiated work contracts and thereby abolishing student work, for example, might be considered. This would do away with any incentives for either employers or workers to play the system or use inappropriate contracts. The exact regulations to reduce the differences between employment contracts would have to be determined in a tripartite process.

Pay systems, allowances and minimum wages can hinder the hiring of disadvantaged workers

Such a tripartite process will also be needed to remove other labour market distortions resulting from earnings components that are not treated in the same way as the regular wage. Meal and travel allowances are an important and, by international standards, exceptional component of earnings in Slovenia and up to a ceiling they are not taxable, explaining their popularity among workers. Both allowances together can add up to 10% of net earnings on average and 15% for lower-paid workers, and significantly more than this for those with expensive commutes. The current regulation has a number of drawbacks: it is open to some tax fraud; it is a disincentive to part-time work which is indeed rare in Slovenia compared to other OECD countries because the travel allowance

has to be paid in full; and it distorts minimum wage benchmarking because the statistical concept of gross earnings in Slovenia excludes these allowances, whereas minimum income statistics include them.

Another peculiarity in Slovenia is the so-called seniority bonus paid in addition to the wage, which contributes to the lower employment potential of older workers to a certain degree. The seniority component is typically 0.5% of the wage for each year of service (although lower rates can be determined in collective agreements, depending on the economic sector) thus making older workers roughly 15% more expensive than younger workers. This contributes to hindering new hires of older jobseekers and locking some older workers into their current jobs.

Finally, special attention should be paid to the impact on both wage structures and employment of Slovenia's minimum wage. Relative to the average wage, the minimum wage was already high before its exceptional increase in 2010, and is now among the highest in the OECD. A high minimum wage can result in job loss and poorer hiring chances among the weakest segment of the workforce but also in employers preferring non-standard over regular employment to ensure they are only paying for actual hours worked. Rigorous and repeated evaluations of the impact of the minimum wage are therefore important. Making meal and travel allowances taxable, while setting a minimum for the total taxable wage, could clarify social dialogue, limit possible associated tax evasion, and rebalance the incentives for long commutes. In the short term, the tax deductibility of meal and travel allowances could be reduced with the maximum tax-deductible allowance set to what are currently the minimum prescribed rates.

From parking to actively helping high-risk jobseekers

One of the biggest strategic decisions to take for Slovenia in making its activation policy regime work better is about how much to invest and where to invest in order to increase employment and generate benefit savings in the medium and longer term. Slovenia does well in helping employable jobseekers into work but has not yet been willing to invest sufficiently in helping harder-to-place clients who end up being out of work for a long time. So-called social activation is still only starting and is not necessarily aimed at employment and therefore not a sufficient solution. Like in other OECD countries, also in Slovenia the group of high-risk jobseekers is increasing as a share of all jobseekers. Helping this group and increasing their labour market participation requires i) investments in early intervention as soon as people are displaced; ii) investments in continuous learning and skills upgrading to assure employability along the lifecycle; and iii) investments aimed at improving the ability of the Employment Service to help jobseekers with multiple risks, both through lower caseloads for and better competences among employment counsellors co-ordinated with social service work to resolve barriers to employability. Such investments will be needed, in addition to further structural adjustments, to increase the low employment rates of older and unskilled workers, cushion the consequences of job displacement and lower long-term unemployment.

Key policy recommendations for Slovenia

Enabling the Employment Service to help harder-to-place jobseekers

- Introduce a profiling tool to be used by caseworkers in a systematic manner to segment jobseekers into the three pre-defined risk groups and thereby assure that harder-to-place jobseekers are given extra help faster and more consistently.
- Increase the number of employment counsellors to reduce their caseload and free time to support harder-to-place jobseekers into training and work.
- Bring sufficient competence into the Employment Service to deal better with additional labour market barriers related to social and health problems.

Strengthening the link between the Employment Service and the Centres of Social Work

- Improve the connection between the Employment Service of Slovenia (ESS) and the Centres of Social Work (CSW) to prevent social assistance recipients with the capacity to work from falling between the cracks (i.e. not getting the employment support they need) and from misusing the system.
- Introduce lighter sanctions which are increased with every breach of an obligation and apply sanctions systematically and consistently by both the ESS and the CSW.
- Consider the following options to strengthen the links between the ESS and the CSW:
 - Make the ESS responsible for the administration of social assistance payments, at least for clients who have to register with the ESS;
 - Make the regional CSW offices responsible for the administration of social assistance payments (leaving only the frontline client services to the local CSW/ESS offices) and align their regional structure with that of the regional ESS;
 - Merge the ESS and the CSW at both the regional and local level.

Addressing job displacement early on

- Make registration with the ESS mandatory within a few days after being given notice of dismissal and four weeks before the end of a fixed-term contract, with benefit sanctions in case of late or non-registration.
- Equip the ESS with the means and tools to react promptly in case of collective as well as individual dismissal, through rapid response units in the regional offices, to facilitate and encourage quick job-to-job transitions.
- Consider increasing again the only recently shortened notice period to give the Employment Service more time for a rapid response before the actual dismissal.

Doing more to tackle long-term unemployment

- Enforce conditionality, job-search obligations and sanctions for social assistance clients in the same way as for jobseekers who receive unemployment benefit.
- Develop activation programmes for the increasing number of jobseekers receiving partial disability benefit who are currently exempt from participation requirements.
- Make work pay especially for longer-term unemployed people, e.g. by lower taper rates and expanded time-limited into-work benefits that encourage taking up work.

Key policy recommendations for Slovenia (cont.)

Keeping older workers in employment longer

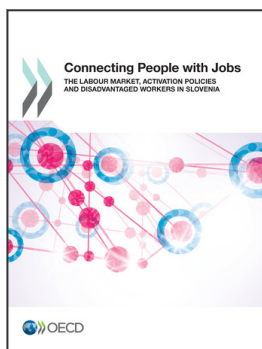
- Consider abolishing the special rules for older workers in the unemployment system (the longer payment duration, the easier re-entitlement, and the granting of two years of pension contributions) which are conducive to early retirement.
- Further reduce and eventually abolish the seniority bonus in the Slovenian labour law.
- Continue with pension reform that promotes longer working lives, including by using lifetime earnings as a reference base and introducing an automatic mechanism that takes the annual increase in life expectancy into account.
- Reform the partial disability benefit system to prevent it being used as a pathway into retirement including by, as suggested in a recent White Paper, making vocational rehabilitation mandatory and reconsidering and tightening benefit eligibility criteria.

Assuring employability over the lifecycle

- Evaluate training programmes rigorously to identify interventions that best help those with poor or outdated skills.
- Invest in career and training counselling as well as continuous learning and skills updating or upgrading to keep people employable.

Removing labour market distortions

- Consider further changes in the labour law to eliminate existing differences between different types of contracts to avoid tactical behaviour, and explore in a tripartite process the options for and potential of a more unified work contract.
- Roll back unnecessary peculiarities in the pay system, in particular the non-taxable travel allowance which invites misuse and tax fraud and discourages part-time work.
- Continue evaluating the impact of the minimum wage legislation and consider carefully whether its high level is a barrier to employment of disadvantaged groups.



From:

Connecting People with Jobs: The Labour Market, Activation Policies and Disadvantaged Workers in Slovenia

Access the complete publication at:

<https://doi.org/10.1787/9789264265349-en>

Please cite this chapter as:

OECD (2016), "Assessment and recommendations", in *Connecting People with Jobs: The Labour Market, Activation Policies and Disadvantaged Workers in Slovenia*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/9789264265349-4-en>

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