

Abstract

SMEs Test of compulsory occupational health services for small and medium enterprises for employees of the works category I and II

Due to the amendment approved by the National Council of the Slovak Republic on 25 June 2014, **Act No. 355/2007 Coll. on Protection, Support and Development of the Public Health and on modification of and amendment to certain acts as amended and on modification of and amendment to certain acts** (hereinafter referred to as Act) sets **the duty for employers to provide occupational health services to all employees regardless of the work category from the health risk point of view** with the effective date of 1 August 2014.

In December 2016, the Ministry of Health of the SR (hereinafter referred to as Ministry) published the preliminary information, the Act should be amended in accordance with. The role of the Better Regulation Center is **to perform evaluation and quantification of impacts of proposed legal regulations that did not yet come into effect** as well as of the existing and effective ones **with the accent on micro-, small, and medium enterprises (SMEs)**. This process also includes the evaluation of **the so-called gold-plating effect**, i.e. overlap of the transposition of EU legal requirements in the Slovak law beyond the scope required by the Directive.

In compliance with its mission, the Better Regulation Center therefore elaborated **an ex-ante evaluation** in the form of **the SMEs Test**, in which it concluded that

1. due to the compliance with process provisions of **“better regulation” principles** and to incorporating many comments of consulting entities, **the final draft is less characteristic with gold-plating features than the original one;**
2. due to the amendment, **yearly costs of Slovak SMEs will decrease of 8.3 million Euros;**

The SMEs Test includes a detailed analysis of provisions of the amendment versus the revision under Directive 89/391 setting duties of SMEs and **quantification of their impacts on SMEs**, and, at the same time, **offering alternative solutions for reducing such burden** - from consulting **entities from among SMEs** – as well as inspired by **best practices resulting from the international comparison** of transposition of Directive 89/391 in some EU member states. The document also documents **the development of the amendment phases of the legal process preparation phase** and of impacts of these versions on SMEs.