

**Act of 9 July 1993 on workers participation in management (amended and supplemented by Act of 8
March 2007 (Text n°1283), Slovenia
Excerpt**

[...]

V. WORKER PARTICIPATION IN COMPANY BODIES

Article 78

Worker participation in the management of company bodies is exercised by workers' representatives in the management and supervisory bodies, namely:

1. in a two-tier management system by workers' representatives on the supervisory board of the company or the supervisory body of a cooperative (hereinafter referred to as "supervisory board"), but may also be exercised by a workers' representative in the company management or management board of a cooperative (hereinafter referred to as "workers' director");
2. in a one-tier management system by workers' representatives on the board of directors and in the committees of the board of directors, but also by workers' representatives among executive directors of the company or cooperative.

Article 79

The number of workers' representatives on the supervisory board is set forth in the company's articles of incorporation; however, the number of workers' representatives must not be lower than one third of members and not higher than half of all members of the supervisory board.

At least one member of the board of directors must be a workers' representative. The number of workers' representatives on the supervisory board is set forth in the company's articles of incorporation and must not be lower than one workers' representative to three full members of the board of directors.

The workers' representative on the supervisory board and/or the board of directors of a company cannot be a company employee who pursuant to this law is not entitled to vote or stand for election to the works council.

The workers' representative on the supervisory board or board of directors cannot be the chair of said body.

The works council has the right to also appoint a workers' representative to committees of the supervisory board or board of directors.

The workers' representatives who are members of the supervisory board or the board of directors and/or the committees thereof are elected and recalled by the works council, which informs the company thereof during the annual general meeting.

The manner of electing and recalling members (who are workers' representatives) of the supervisory board or the board of directors and/or the committees thereof is set forth in detail in the rules of procedure of the works council.

Article 80

Members (who are workers' representatives) of the supervisory board and the board of directors as well as the committees thereof represent the interests of all workers within the powers of this body pursuant to the Companies and Cooperatives Acts as well as the articles of incorporation.

At the request of the workers' representatives, the supervisory board and/or the board of directors of a company is obliged to discuss, at least once a year, the report of the works council about the status of implementing said Act in the company, including the proposed measures, and adopt a position on this matter.

Article 81

A company with a two-tier system of management and more than 500 employees has a workers' director, who is appointed to the board of directors by the works council.

In companies with a one-tier system of management and more than 500 employees, one workers' representative on the board of directors shall be appointed as the executive director upon the proposal of the works council.

In companies with a lower number of employees, the workers' director may be appointed to the board of directors or the workers' representative on the board of directors may be appointed as executive director, provided this has been determined during discussions between the works council and the employer.

Article 82

Upon the proposal of the works council, the supervisory board appoints a workers' director as a member to the board of directors, while the board of directors appoints a workers' representative as an executive director of the board of directors.

The recall of the workers' director from the board of directors or the workers' representative from the position of executive director is governed by the same provisions that apply to their respective appointments.

Article 83

If the workers' director on the board of directors or the workers' representative among executive directors on the board of directors has not been appointed pursuant to the article above, the committee of the supervisory board or the board of directors must propose a candidate to the supervisory board or board of directors within a month from the voting. The candidate shall be appointed as workers' director on the board of directors or workers' representative among executive directors on the board of directors, provided the candidate garners the majority of votes from the present members of the supervisory board or board of directors.

The supervisory board and/or board of directors referred to in the previous paragraph shall consist of an equal number of owners' representatives, appointed from the members of the supervisory

board and/or board of directors, and workers' representatives who are members of the works council, while the board chair shall be a representative of the owners.

If the workers' director on the board of directors or the workers' representative among executive directors on the board of directors is not even appointed pursuant to the first paragraph of this article, the works council has the right to request an appointment by a competent court.

Article 84

Within general rights and obligations pertaining to all members on the board of directors or to the executive directors of a company according to a specific Act and the articles of incorporation of the company, the workers' director or workers' representative among executive directors of the company represents the interests of workers in regard to personnel and social issues.

Article 84a

Small companies, as set forth by the law governing corporate entities, are not obliged to apply the provisions of this chapter that pertain to workers' participation in company bodies.

[...]