

NJORD Estonia: The list of employees' rights and the list of restrictions on dismissal will be expanded






The amendments to the Employment Contracts Act of 01.08.2022 also contained an updated list of data that must be included in the written document of the employment contract (§ 5 of the Employment Contracts Act). Inevitably, a situation may arise in which not all the relevant data is included in the already concluded employment contracts. However, this does not mean that all employment contracts concluded in the past should be subject to massive changes or concluded in a new version. The previously concluded employment contracts will remain valid, but the employee has the right, if desired, to request the employer to provide information that was not provided to him at the time of entering into the employment contract (e.g., information on the protection related to the payment of taxes on wages). Upon receipt of such a request, the employer must provide information to the employee within 2 weeks.



In addition, according to the amendments to the Employment Contracts Act that entered into force on 01.08.2022, the employee has the right to apply for suitable working conditions from the employer – e.g., working under an employment contract for an unspecified term or full-time. The employer does not necessarily have to satisfy such a request but must consider whether the employee's request is reasonably compatible with the interests of the employer. The employer must give reasons for the refusal of the request in writing within 2 weeks. If an employee submits more than one request for a change in working conditions within four months, the employer is obliged to respond to one of them.

As the new version of the Employment Contracts Act gives employees additional rights of claim, the employment contract was also supplemented with new restrictions on the cancellation of the employment contract. Thus, the employer is prohibited from cancelling the employment contract on the grounds that the employee has asked for the information listed in § 5 of the Employment Contracts Act or that the employee has requested suitable working conditions from the employer. If the employer terminates the employment contract immediately after the employee has applied for suitable working conditions, the employer must prove that the employment contract has been cancelled on lawful grounds.

Read more here on what else was amended in the Employment Contracts Act, which entered into force on 01.08.2022.

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