

# MOBBING – A HARMFUL PRESENT-DAY PHENOMENON

**Mojca Rep**

District Court Celje; Higher Court in Ljubljana, Slovenia<sup>1</sup>

## DEFINITION OF MOBBING

In the 1990s, the Swedish work psychologist Prof. Heinz Leymann, PhD (1996), who dealt with behavior in the work environment, gave an expert definition of mobbing. Mobbing in the work environment involves hostile and unethical communication by one or more individuals, systematically and most often directed against one individual. Due to mobbing, a person is pushed into a position of helplessness, where they have no protection and where they also remain due to constant acts of mobbing. These acts occur very often, at least once a week, and last for a long time, at least for six months. The definition of mobbing is therefore as follows: “Mobbing is conflict-filled communication in the workplace between co-workers or between subordinates and superiors, where the attacked person is in a subordinate position and exposed to systematic and prolonged attacks by one or more persons with intent and/or exclusion from the system, and the attacked person perceives this as discrimination.” Leymann’s (2012) definition defines mobbing as a procedural act, and practice seeks to extend the definition to any act of psychological or emotional violence. Due to the above, the correct conclusion is that it is possible to talk about mobbing only when the disruptive act or behavior lasts for a long time and when this behavior includes exposure to psychological and emotional attacks in the workplace. The term “harassment” is usually used to describe this phenomenon. The word means intentionally causing inconvenience, disturbance. From the above-mentioned professional definition and definition of mobbing, it primarily follows that mobbing takes place in a precisely defined social framework, namely at the workplace or in the work environment (Heinz Leymann, 1996). It is typical here that workers work together in organized units with other workers, who are usually not chosen by themselves, but the circle of

<sup>1</sup> mojca\_rep@yahoo.com

co-workers is predetermined and a worker cannot influence it, but must persevere with co-workers because they work with them and because of any other obligations arising from the employment relationship. Furthermore, mobbing is characterized by a distinction between two groups of roles, namely between superior and subordinate(s), which is not necessarily the same as hierarchical role in the work environment. So it is not necessarily a matter of a relationship of superiority and subordination in the labor law hierarchy. It is essential that a relationship is formed between the subordinate individual and the attacking co-worker(s) or superior(s). It is important that these roles are formed as a rule through the process of mobbing itself, because in the beginning both mobbing participants are often equal participants in the conflict, but later one of them loses control and finds themselves in a subordinate position. Conflict communication is also typical, which can also mean a lack of communication. However, all of the above must be present for a long time and must be systematic. Only in this case can it be said that a certain behavior or behavior is mobbing. In connection with the above, it should be pointed out that in the Slovenian environment in recent years, since mobbing has become an extremely modern term, it is also used unprofessionally and often incorrectly to describe acts and actions other than mobbing. Namely, people try to use the term mobbing to describe all kinds of conflicts in the workplace, even though they do not contain elements of mobbing. For this reason, the author would like to point out that any unjust decision of a superior worker or conflict between co-workers cannot automatically be considered mobbing. Thus, we only talk about mobbing (Leymann, 1996 – 1) when it is a systematic, long-lasting and repetitive behavior (Leymann, 1996 – 1; Rep, 2021) that is directed at only one person, as a result of which the victim loses control and falls into a subordinate position (Leymann, 1996 – 1)

## FORMS OF MOBBING

Mobbing is a behavior in which an individual or a group of individuals with a negative impact on another individual trigger a reaction in the latter, which usually has consequences for their efficiency and health. Mobbing can be identified as (Leymann, 1996 – 1):

- behavior and conduct that affects the self-expression and the way the victim is communicating,
- behavior and conduct that restricts and prevents the social contacts of the abused person,
- behavior and conduct that damages the victim's reputation,
- an attack on the quality of the victim's professional and life situation,
- a direct attack on the health of the victim.



In most of the countries where the research took place, mobbing has been shown to be more common in the public than in the private sector, and especially in the fields of education, health care, social work and hospitality (Brečko, 2013, 2021). The data in the figures show that e.g. mobbing is present in public administration at 14%, in education and health 12%, in the tourism sector 12%, in transport and communication 12%, and in trade 9%. Victims are more likely to be employed in larger companies where employers do not have direct control. Women are more likely to be victims, especially younger ones, and men are more likely to be perpetrators. Harassment in the workplace can be encountered at all organizational levels and among the perpetrators are superiors as well as co-workers. So it occurs in the superior-subordinate, co-worker and subordinate-superior relationships (Bohl, 2019). Often there are more persons responsible and in this case the torture lasts longer. The results of the research also show large differences between countries. In Finland, there are e.g. 15% of workers subjected to mobbing, in the Netherlands 14%, in Sweden 12%, in Belgium 11%, in France and Ireland 10%, in Denmark 8%, in Germany and Luxembourg 7%, in Austria 6%, in Greece and Spain 5%. (Eurofound). In Slovenia, only 2.8% of workers surveyed stated that they had been victims of mobbing. According to Daniela Brečko, PhD (2013), who conducted the research in Slovenia, there are obvious cultural differences in tolerance to psycho-terror in the workplace. In Sweden, for example, the day-to-day behavior of a superior delegating tasks to employees in a high-pitched tone is defined as unacceptable and often labelled as an act of mobbing, while in the Mediterranean countries such behavior is tolerated.

## CAUSES OF MOBBING

Among the causes, Prof. Heinz Leymann, PhD (1996, 2012) emphasized organizational factors such as work organization, quality of leadership, organizational culture, etc. He rejected the idea that the personality traits of the victim play any role in the emergence and development of workplace harassment. Much more research supports the thesis that workplace harassment occurs in organizational cultures that allow or even reward such behavior. In some organizations, we could also talk about the institutionalization of torture with authoritarian leadership. When we talk about the causes of harassment in the workplace, organizational factors are therefore very important, but we cannot satisfactorily define it without taking into account the personality characteristics of both the perpetrator and the victim, and their impact on the course of harassment.

Causal explanations for workplace harassment should therefore take into account (Leymann, 1996 – 1):

- characteristics of the organization,
- characteristics of the causative agent,



- characteristics of the victim, and
- socio-psychological characteristics of the work environment.

Harassment in the workplace most often occurs in organizations characterized by (Leymann, 1996 – 1):

- a highly competitive work environment with a culture of careerism and a strictly hierarchical structure,
- attention focused exclusively on increasing economic profits or achieving set goals, and not on the working atmosphere and mutual relations between employees,
- high concern over the surplus workforce,
- authoritarian style of leadership and management,
- poor planning of organizational goals and constant uncertainty about their selection,
- poor and inconsistent involvement of employees in decision-making,
- poor opportunities for vocational training and education,
- lack of mutual respect and respect for mutual cultural differences,
- lack of clear rules of work and conduct,
- excessive workload or pointless work tasks,
- insufficiently defined roles and lack of professionalism.

## LEGAL REGULATION OF MOBBING

Mobbing is illegal or prohibited at international, European and national level. For example, Article 5 of Council Directive 89/391/EEC of June 12, 1989 stipulates that the employer is obliged to take care of safety and health in all areas related to work. However, the European Social Charter obliges all EU members to protect workers from negative and offensive acts. Article 34 of the Constitution of the Republic of Slovenia stipulates that everyone has the right to personal dignity and security. Article 46 of the Employment Relationships Act – 1 stipulates that the employer must protect and respect the employee's personality and take into account and protect the employee's privacy. Article 47 of the same law stipulates that the employer is obliged to provide such a working environment in which no employee will be exposed to sexual and other harassment or torture by the employer, superiors or co-workers. Mobbing is also mentioned in the general provisions of the Employment Relationships Act – 1, namely in Article 7, according to which sexual and other harassment is prohibited. Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct or behavior of a sexual nature with the effect or intent to harm a person's dignity, especially when creating an intimidating, hostile, degrading, humiliating or offensive environment. Other harassment, however, is any unwanted behavior related to any personal



circumstance, with the effect or intent of affecting a person's dignity or creating an intimidating, hostile, degrading, shameful, or offensive environment. Pursuant to Article 7 of the Employment Relationships Act – 1, harassment at the workplace is also prohibited. Harassment in the workplace is any repetitive or systematic, reprehensible or manifestly negative and offensive conduct or behavior directed against individual workers in the workplace or in connection with work. A worker who is a victim of harassment must not be exposed to adverse consequences as a result of action aimed at enforcing a ban on harassment in the workplace. Article 24 of the Occupational Safety and Health Act – 1 stipulates that the employer must take measures to prevent, eliminate and manage cases of violence, harassment, maltreatment and other forms of psychosocial risk at work that may endanger the health of workers. Failure to do so could result in a fine of 2,000 to 40,000 Euros. Mobbing is also banned in the civil service sphere. Article 15a of the Public Employees Act stipulates that any physical, verbal or non-verbal conduct or conduct of a civil servant based on any personal circumstance and creating an intimidating, hostile and humiliating, shameful or offensive work environment, or offending the person's dignity, is prohibited. Mobbing can also be a crime under certain circumstances. Article 197 of the Criminal Code 2021 stipulates that anyone who humiliates or intimidates another employee at work or in connection with work with sexual harassment, psychological violence, torture or unequal treatment shall be punished by imprisonment for up to two years. If the above-mentioned act results in a mental, psychosomatic or physical illness or a reduction in the employee's work performance, the perpetrator shall be punished by imprisonment for up to three years.

## REVERSE BURDEN OF PROOF – THE PROBLEM OF PROOF

The favorable legal circumstance for the worker against whom the mobbing is carried out is that the burden of proving that the mobbing did not take place is on the employer. If, in the event of a dispute, the employee cites facts justifying the presumption that the employer has not provided a working environment in which no employee will be exposed to sexual or other harassment by the employer, superiors or co-workers and that they have not taken appropriate measures to protect workers from such harassment or maltreatment, the burden of proving that no mobbing has taken place is on the side of the employer. If the employee in the dispute cites facts that justify the presumption that the employer did not provide protection against harassment, the burden of proof is that they provided such a work environment in which the employee is not exposed to harassment by the employer, superiors or co-workers (Article 45 of the Employment Relationships Act – 1). But the devil's in the detail; despite the fact that the employer has to prove



that the worker was not exposed to harassment or that they provided such a working environment that the worker was not exposed to harassment, the worker is the one who must first state all the relevant facts that justify the presumption that harassment has occurred. And this is where judiciary have big problems in practice, because in a large number of cases, lawsuits are too general (Rep, 2009). Namely, workers generally state that their employer did not provide them with e.g. work tasks, but do not list specific events. Erjavec is convinced (2018) that the employer defends themselves against the allegations, but also very generally because specific events are not listed. Only then, during the interrogation, do the workers want to testify about concrete cases related to the alleged violation, but they cannot replace the assertion basis with their statement. The Court cannot and must therefore not allow the plaintiff to cite cases where, in their view, there has been torture if they have not previously cited this in their submissions, otherwise the principle of adversarial proceedings is infringed, which means that the defendant, i.e. the employer is not given the opportunity to comment on the alleged infringements. On the other hand, we have lawsuits of more than 100 pages, where the plaintiffs actually describe all the events that are supposed to affect the evidentiary process.

### CASE LAW – EXAMPLES

In case law, we would like to mention the judgment and decision Pdp 85/2018 of October 24, 2018 of the Higher Labor and Social Court (2018), in which the court ruled on the very existence or non-existence of mobbing (harassment at work). Namely, it stated that harassment, according to the legal definition, is a recurring or systematic negative treatment of a worker. However, a one-off event (such as an extraordinary termination of an employment contract) does not yet indicate that there has been harassment in the workplace. Very common examples in practice are that the employer deprives the employee of work tasks or no longer provides them with work. In accordance with the provision of Article 41 of the Employment Relationships Act – 1 (2013), the employer is obliged to provide the employee with the work for which they agreed in the employment contract (first paragraph). The employer must also provide the employee with all the necessary resources and work materials that the employee needs in order to be able to fulfill their obligations without interruption (second paragraph). In the judgment of the Higher Labor and Social Court (2010) opr. no. Pdp 41/2010, the court rejected the plaintiff's claim for payment of compensation for mental pain or interference with personal dignity in the amount of EUR 55,454.04. It found that the director of the defendant did not cut off communication with the plaintiff when he took office, that he had not been assigned tasks below the level of professional qualifications, that he had not been prevented from advancing and that his conduct towards



her was not arrogant and irritable. In addition to the fact that the employer does not provide the employee with work, there is also an example when they do not provide the employee with a working space at the same time. From the judgment of the Higher Labor and Social Court (2011) opr. no. Pdp 831/2011 thus follows that failure to provide work, setting up a desk in another department, the fact that the attacked person is constantly under control of who they speak to and what they say, that co-workers avoid them because they were under verbal and psychological pressure from the director (if they talked or listened to them, they would lose their jobs) means signs of psychological violence. As a result, the plaintiff was awarded damages in the amount of EUR 6,000.00.

Transfer to other jobs is often cited as harassment. In the decision of the Higher Labor and Social Court opr. no. Pdp 1297/2006, it is stated that the plaintiff was allegedly subjected to sexual harassment by her superior and was transferred to an inappropriate job due to disobedience. The plaintiff filed a lawsuit against the director of the defendant and the defendant at the same time, jointly and severally demanding payment of damages in the amount of EUR 8,400.00. In this dispute, the Court of First Instance dismissed the claim on the ground that it found that there was no causal link between the first and second defendant's conduct and the plaintiff's state of health, but the VDSS upheld the appeal on appeal. In the judgment of the Higher Labor and Social Court (2010 – 1) opr. no. Pdp 404/2010, however, the plaintiff stated that she had been transferred because she had applied for protection against harassment. At the same time, she claimed that her superior was rudely harassing her, threatening her and spreading untruths about her, and demanded payment of compensation in the amount of EUR 100,000.00, which the court rejected. In this dispute, the court clarified that harassment is when the holder exercises the right with the sole intention of harming another or when the employer conducts proceedings regarding the employee's rights and obligations solely with the intention of harming the employee (the same definition is given in the Maribor High Court (2008), Ref No. Cp 579/2007, stating that harassment means intentionally causing inconvenience, discomfort, neglect, intentionally illegal (corrupt) transfer to a lower post). Mobbing is a case of systematic and prolonged ill-treatment that causes the victim social, psychological and health problems. *Discrimination*, on the other hand, is an act by which an employer puts an employee in an unequal position or grants them less rights and benefits compared to co-workers. The obligation of the employer in accordance with the provision of the first paragraph of Article 45 of the Employment Relationships Act is also to provide such a working environment in which no employee will be exposed to sexual and other harassment or torture by the employer, superiors or co-workers. To this end, the employer must take appropriate measures to protect workers from sexual and other harassment or harassment in the workplace. In this regard, it is necessary to draw attention to the above-mentioned decision of the Higher



Labor and Social Court (2008) ref. no. Pdp 387/2007, in which the Higher Labor and Social Court explained that the defendant acted unlawfully because they did not provide the described working environment or because they did not prevent unwanted behavior. In the judgment and decision of the Higher Labor and Social Court (2009) ref. no. Pdp 945/2008, it is stated that the various pressures exerted by the defendant on the plaintiff (attempt to reassign him, assessment of failure, reduction of salary, accusation of liability for missing inventory, pressure on the attending physician) constitute inadmissible conduct and the defendant is liable for the damage suffered by the worker. In the present case, the court also pointed out that the server on behalf of the defendant had acted inappropriately in the service, as he had pasted a written warning and termination of the employment contract on the door of the plaintiff's residence so that every passer-by could see it. The least you would expect from an employer is to seal the writing in an envelope and not hang it on everyone's door for viewing. From the judgment of the Higher Labor and Social Court (2011 – 2) opr. no. Pdp 1047/2010, it is stated that signs of harassment in the workplace include high-pitched speech, shouting, repeated reminders of mistakes made, derogatory markings of the work done and the remark that the person attacked is a "sheep" or a "wimp", and the defendant was, for allowing such behavior, ordered to pay damages in the amount of EUR 7,250.00. A similar scenario happened with the Higher Labor and Social Court (2007) by the opr. no 814/2007 judgment. The defendant was ordered to pay damages in the amount of EUR 4,041.23 for finding that the defendant did not ensure the protection and respect of the employee's personality at work. It was found that the branch manager, with ridicule and insulting remarks, systematically and continuously attacked the plaintiff and put her in mental distress. Harassment in the workplace is any repetitive or systematic, reprehensible or manifestly negative and offensive conduct or behavior directed against individual workers in the workplace or in connection with work. In this regard, the decision of the Higher Labor and Social Court (2010 – 2) decision ref. No. Pdp 96/2010) is interesting: the provisions of the Employment Relationships relating to the prohibition of harassment in the workplace and the protection of the dignity of the worker at work apply in full. Also in this dispute, the plaintiff filed a claim for damages against the director and the employer and jointly and severally demanded payment of EUR 16,000.00 (or EUR 55,000.00 at first).

In the judgment opr. no. Pdp 694/2011, however, the Higher Labor and Social Court (2011 – 1) stated that if the defendant changed their internal organization and therefore gave the plaintiff regular termination of the employment contract, this does not mean that she was mobbing the plaintiff. Also, failure to follow the employer's proposals does not mean harassment or pressure on workers, nor does it mean confiscating a company car during leave.



## CONCLUSION

The phenomenon of mobbing should not be underestimated in any case. The fact is that nowadays many employees are exposed to great, often inhuman burdens and that mobbing is a frequent companion of their work. In addition, in Slovenia, where the system of “balancing” and negative selection is still established in many work environments, mobbing is increasingly being carried out against employees who stand out positively and want to transfer good business practices to those who work poorly, slowly or irresponsibly. Compared to other EU Member States, the legislation in the field of harassment in Slovenia is appropriate and also provides victims of harassment with adequate protection. With regard to the harassment itself, it is essential that the employer does not insult or violently treat the worker. If the employer, despite the employee’s warnings, does not prevent such conduct by other employees, the employee is entitled to compensation. However, this compensation must be high enough to recognize both the preventive and punitive function of compensation and not just satisfaction with the injured party. However, it should be emphasized that any alleged unethical behavior does not constitute illegal behavior (mobbing) and that the feeling when someone experiences mobbing is sometimes subjective and deceptive – often the result of personal resentment. Therefore, in assessing whether mobbing takes place in an environment, it is necessary to be precise and, of course, reasonable so that it can separate the wheat from the chaff and be recognized as truly wasteful and socially harmful.

## REFERENCES

- Brečko, D. (2013). Say no to mobbing, Coping with psychological and emotional violence. Ljubljana, GV Planet.
- Brečko, D. (2021). Truths and misconceptions about mobbing. Ljubljana: GV Planet.
- Bohl, T. (31. 1. 2019). What is mobbing: definition and manifestations. Accessed on June 5, 2022. <https://www.e-kadrovik.si/vsebine/varstvo-pri-delu-in-promocija-zdravja/mobing/kaj-je-mobing-opredelitev-in-pojavne-oblike/>
- Constitution of the Republic of Slovenia. Official Gazette, nos. 33/91-I, 42/97 – UZS68, 66/00 – UZ80, 24/03 – UZ3a, 47, 68, 69/04 – UZ14, 69/04 – UZ43, 69/04 – UZ50, 68/06 – UZ121,140,143, 47/13 – UZ148, 47/13 – UZ90,97,99, 75/16 – UZ70a in 92/21 – UZ62a).
- Council Directive 89/391/EEC of June 12, 1989. Official Gazette 393, 30/12/1989 p. 0001 – 0012. Accessed on June 5, 2022. <https://osha.europa.eu/en/legislation/directives/the-osh-framework-directive/1>



- Criminal Code. Official Gazette, nos. 50/12, 6/16, 54/15, 38/16, 27/17, 23/20, 91/20, 95/21 in 186/21.
- Eurofound: European research on quality of life (EQLS) European and International cooperation. Accessed on June 5, 2022. <https://www.eurofound.europa.eu/sl/surveys/european-quality-of-life-surveys>
- Erjavec, K. (2018). The case law of labor courts in the field of torture. Commission for the Prevention of Corruption. Accessed on May 4, 2022. [www.kpk-rs.si/wp-content/uploads/](http://www.kpk-rs.si/wp-content/uploads/)
- Employment Relationships Act – 1. Official Gazette, nr. 21/13, 78/13, 47/15 – ZZSDT, 33/16 – PZ-F, 52/16, 15/17 – odl. US, 22/19 – ZPosS, 81/19, 203/20 – ZIUPOPDVE, 119/21 – ZČmIS-A, 202/21 – odl. US, 15/22 in 54/22 – ZUPŠ-1.
- Heinz, L. (1996). The content and development of mobbing at work. *Journal of Work and Organizational Psychology*, (5)3, 165 – 184.
- Heinz L. (1996 – 1). Mobbing and victimization at work. *Psychology*, Hove.
- Heinz, L. (2012). Somatic and psychological symptoms after the experience of life threatening events. A profile analysis, *Victimology*, 10 – (1,4), 512 – 538.
- Public Employees Act. Official Gazette, nos. 63/07, 65/08, 69/08 – ZTFI-A, 69/08 – ZZavar-E, 40/12 – ZUJE, 158/20 – ZIntPK-C, 203/20 – ZIUPOPDVE, 202/21 – odl. US in 3/22 – ZDeb.
- Higher Labor and Social Court (2007). Judgement and Decision Pdp 814/2007 issued on October 18, 2007. Accessed on June 5, 2022. [https://www.sodnapraksa.si/?q=814/2007%20&database\[VDSS\]=VDSS&\\_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815248760](https://www.sodnapraksa.si/?q=814/2007%20&database[VDSS]=VDSS&_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815248760)
- Higher Labor and Social Court (2008). Judgement and Decision Pdp 387/2007 issued on February 15, 2008. Accessed on June 5, 2022. [https://www.sodnapraksa.si/?q=387/2007&database\[VDSS\]=VDSS&\\_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=42747](https://www.sodnapraksa.si/?q=387/2007&database[VDSS]=VDSS&_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=42747)
- Higher Labor and Social Court (2009). Judgement and Decision Pdp 945/2008 issued on April 16, 2009. Accessed on June 5, 2022. [https://www.sodnapraksa.si/?q=945/2008%20&database\[VDSS\]=VDSS&\\_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=65760](https://www.sodnapraksa.si/?q=945/2008%20&database[VDSS]=VDSS&_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=65760)
- Higher Labor and Social Court (2010) Judgement and Decision Pdp 41/2010 issued on May 6, 2010. Accessed on June 5, 2022. [http://www.sodnapraksa.si/?q=id:2010040815248208&database\[SOVS\]=SOVS&database\[IESP\]=IESP&database\[VDSS\]=VDSS&database\[UPRS\]=UPRS&\\_submit=i%C5%A1%C4%8Di&page=0&id=2010040815248208](http://www.sodnapraksa.si/?q=id:2010040815248208&database[SOVS]=SOVS&database[IESP]=IESP&database[VDSS]=VDSS&database[UPRS]=UPRS&_submit=i%C5%A1%C4%8Di&page=0&id=2010040815248208)
- Higher Labor and Social Court (2010 – 1). Judgement and Decision. Pdp 404/2010 issued on May 6, 2010. Accessed on June 5, 2022. <https://www.sodnapraksa.si/>



- ?q=404/2010&database[VDSS]=VDSS&\_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815252021
- Higher Labor and Social Court (2010 – 2). Judgement and Decision Pdp 96/2010 issued on May 6, 2010. Accessed on June 5, 2022. [https://www.sodnapraksa.si/?q=96/2010&database\[VDSS\]=VDSS&\\_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815248291](https://www.sodnapraksa.si/?q=96/2010&database[VDSS]=VDSS&_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815248291)
- Higher Labor and Social Court (2011). Judgement and Decision Pdp 831/2011 issued on December 20, 2011. Accessed on June 5, 2022. [https://www.sodnapraksa.si/?q=694/2011&database\[VDSS\]=VDSS&\\_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815260425](https://www.sodnapraksa.si/?q=694/2011&database[VDSS]=VDSS&_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815260425)
- Higher Labor and Social Court (2011 – 1) Judgement and Decision Pdp 694/2011 issued on September 26, 2011. Accessed on June 5, 2022. [https://www.sodnapraksa.si/?q=Pdp%20694/2011%20%20&database\[VDSS\]=VDSS&\\_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815260425](https://www.sodnapraksa.si/?q=Pdp%20694/2011%20%20&database[VDSS]=VDSS&_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815260425)
- Higher Labor and Social Court (2011 – 2). Judgement and Decision Pdp 1047/2010 issued on March 10, 2011. Accessed on June 5, 2022. [https://www.sodnapraksa.si/?q=1047/2010&database\[VDSS\]=VDSS&\\_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815253644](https://www.sodnapraksa.si/?q=1047/2010&database[VDSS]=VDSS&_submit=i%C5%A1%C4%8Di&rowsPerPage=20&page=0&id=2010040815253644)
- Higher Labor and Social Court (2018). Judgement and Decision Pdp 85/2018 issued on October 24, 2018. Accessed on June 5, 2022. [http://www.sodnapraksa.si/?q=id:2015081111424771&database\[SOVS\]=SOVS&database\[IESP\]=IESP&database\[VDSS\]=VDSS&database\[UPRS\]=UPRS&\\_submit=i%C5%A1%C4%8Di&page=0&id=2015081111424771](http://www.sodnapraksa.si/?q=id:2015081111424771&database[SOVS]=SOVS&database[IESP]=IESP&database[VDSS]=VDSS&database[UPRS]=UPRS&_submit=i%C5%A1%C4%8Di&page=0&id=2015081111424771)
- Rep, M. (2009). Can reverse burden of proof in criminal cases increase trials effectiveness? Criminology and crime policy between human rights and effective crime control, Annual Conference. The European Society of Criminology, Cambridge; The Slovenian Academy of Sciences and Arts, Ljubljana. The Faculty of Law, The Faculty of Criminal Justice and Security, The Institute of Criminology at the Faculty of Law, Ljubljana, p. 92.
- Rep, M. (2021). Respect for human rights as an important aspect of the democratic functioning of civil society. Towards a better future: state and society, fourth International Scientific Conference. 15–16 October, 2021 Bitola, Republic of North Macedonia, pp 392 -400.

