

Lidl continues to reject allegations of wrongdoing in the case of unionist's dismissal

Unofficial translation by the Business & Human Rights Resource Centre.

Via a law firm, Lidl Slovenia dismissed the allegations made by several union headquarters and trade unions in the past few days. They insist that the dismissal process for Tjaša Kozole, the founder of the union in their company, is legal.

According to the law firm, Lidl continues to strongly deny the allegations that the written warnings prior to the regular dismissal due to culpability against Kozole was in any way related to her trade union activity. It emphasizes that all employees are expected to perform their work conscientiously in accordance with contractual and other obligations arising from the employment relationship.

According to Lidl, the union's reproaching Lidl for acting immorally is unfounded, since the company started trying to inform Kozole in writing on 27 February, about the regular dismissal due to culpability, and initially planned the hearing on 5 March, when no epidemic or coronavirus pandemic had been declared neither in Europe nor Slovenia.

Unions: The inadequate protection of Lidl's workers is shameful

Trade unions have warned that the acting of Lidl's leadership during the time of the epidemic, when workers in stores are at high risk, with many lacking adequate protective equipment, is "particularly shameful".

Lidl explained that Kozole avoided being served, so they had to amend the written notice of the summons by changing the date of the hearing, taking into account the 15-day service period and an additional three working days to prepare for the hearing. That is the reason they set a new date for the hearing.

When they managed to serve her the written summons for the hearing, Kozole was offered to submit the defense in writing or by telephone or video link. According to them, she rejected those options. The final decision will be made only after the hearing.

Lidl: Kozole cannot enjoy higher protection against violations

"However, we already emphasize that, simply because she is the president of the union, Tjaša Kozole cannot enjoy higher protection against breaches of contractual and other obligations than other employees, since such protection is not granted to her by law. Last but not least, this would mean unequal treatment of employees or discrimination which is explicitly prohibited by law and the constitution," they stressed at Lidl.

The news was circulated to the public in early March. Kozole first received two reprimand notices prior to regular dismissal for culpability, "for gravely negligent breach of contractual and other obligations in the field of minimum hygiene standards and food safety". According to Lidl, this was to no effect and later more violations were found, so they have decided to terminate her employment.

The Trade Union of Worker's in trade sector, Slovenia, which is part of The Association of Free Trade Unions of Slovenia, claims that the pursuit of Kozole started after she began organizing her co-workers in the company and started efforts to initiate social dialogue.

However, Lidl's management did not stop the dismissal process, so the union confidante [representative] received an invitation to the hearing before the dismissal a few days ago. This was followed by an true offensive by union centers and individual unions who also threatened to call for a boycott of Lidl's stores.

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