

## Employment Brief: Employment Agreements in Bosnia and Herzegovina; to amend or not to amend

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**Although amending an employment agreement may seem a pretty standard and common option, it is not a legal possibility in every part of Bosnia and Herzegovina (BiH)**

The country has three employment legislations: one each for the Federation of BiH (**FBiH**), the Republic of Srpska (**RS**), and the Brčko District of BiH (**BD**), a special autonomous district under the direct sovereignty of the state, which are not synchronised. Which legislation applies to an employment agreement depends on an employee's place of work.

Employment Laws in FBiH and in RS (both in force since 2016) provide completely different options regarding amendments to employment agreements. At the same time, Employment Law in BD (adopted in 2019) generally represents a combination of legal solutions from FBiH and RS.

In this case, legal solutions for amending employment agreements across BiH include the following:

1. In FBiH, an amendment is not possible through any annex, amendment, or addendum, but only by means of the termination of the existing employment agreement and the signing of a new one. In practice, employers are still changing employment agreements in FBiH and BD by means of annexes, which can be challenged in court.
2. In RS an amendment is possible for certain, broadly defined elements of an employment agreement.
3. In BD, Employment Law in this particular matter follows a solution provided in the employment law of FBiH.

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