

Financing adult learning database

Name of the instrument - Local language	Mokymo išlaidų atlyginimas
Name of the instrument - English translation	Payback clause
Scheme ID	138
Country	 Lithuania
Reporting year	2020
Type of instrument	Payback clause
Sub-type of instrument	Payback clauses are possible within set limits
Type of entry	Single instrument

Short description	<p>The Lithuanian Labor Code includes a general clause on the reimbursement of training costs incurred by the employer in case the trained employee resigns from employment without a valid reason and before the end of the agreed binding period. Only expenses incurred by the employer during the last two years before the termination of the employment contract may be reimbursed unless the collective agreement provides for a different term, which may not exceed three years. The amount/share to be reimbursed depends on the cost of the training and the time elapsed between the training and the termination of the contract. Only costs related to the provision of knowledge or skills of the employee in excess of the requirements for the work activity may be reimbursed. The agreement may specify whether other mission expenses (travel, accommodation, etc.) are included in the costs of training or further training.</p>
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Level of operation	National
Name of a part of the country	Not applicable
Name of the region (for regional instruments)	Not applicable
Name of the sector (for sectoral instruments)	Not applicable
Relevance	Key instrument

Legal basis	Lithuanian Labour Code (of 14 September 2016), 37 paragraph
Objective(s) and target(s)	To reimburse the costs incurred by the employer due to the employee's training or qualification improvement, if the competences acquired during the training are not applied in the work activity due to termination of the employment contract at the employer's fault or without good reason.
Year of implementation	1992
Year of latest amendment	2016
Operation/management	The Ministry of Social Affairs and Labour together with the national labour inspection is responsible for the supervision of the implementation of the norms and stipulations foreseen in the Lithuanian Labour Code. Trade unions and employer associations/federations are not involved.
Eligible group(s)	All employers
Group(s) with preferential treatment	No preferential treatment
Education and training eligible	Internal and external continuing vocational training courses, including: - Programmes leading to a formal qualification (formal education) of ISCED 3-8 level; - General courses (e.g. language courses); - Occupational courses connected to the present economic activity of the participant; - Occupational courses of all kinds; - Any kind of non-formal education/courses (e.g. for private issues only).
Source of financing and collection mechanism	Employer funds training, the employee provides (partial) repayment eligible training costs in case of premature departure of the company
Financing formula and allocation mechanisms	Labour code includes a general clause on the reimbursement of training costs incurred by the employer in the last year in the event that the employee resigns without a valid reason (according to the law or contract terms). The detailed conditions may be agreed upon in employment contract.
Eligible costs	Expenses related to the provision of knowledge or skills of the employee that exceed the requirements for the work activity. The agreement may specify whether other expenses (travel, accommodation, etc.) are included in the costs of training or further training.
Volumes of funding	Not applicable
Beneficiaries/take up	Not applicable
Organisation responsible for monitoring/evaluation	Not applicable

Monitoring/evaluation reports available	Not available
Most relevant webpage - in English	Not available
Most relevant webpage - local language	Not available
Recent changes	<p>2016: Extension of the period for reimbursable expenses to two years. The employee must cover these costs if she/he has been dismissed through her/his own fault. Indirect costs (e.g. business trips, accommodation during training) have also been considered as reimbursable costs if is specified in the employment contract. An additional training cost reimbursement option is included: if the employee is studying on her/his own initiative for a bachelor's, master's degree, and/or professional qualification informal vocational training programs, and the employer pays all or at least half of these costs, they can agree on employee opportunity to terminate the employment contract on her/his own initiative (without good reasons) within three years after the end of studies only after reimbursing the employer for the expenses incurred.</p> <p>Recent changes in response to COVID-19</p> <p>No changes</p>
Sources	<p>Ministry of Social Affairs and Labour, http://www.socmin.lt</p> <hr/> <p>https://www.e-tar.lt/portal/lt/legalAct/f6d686707e7011e6b969d7ae07280e89</p>