


Financing adult learning database

Name of the instrument - Local language	Mokymo išlaidų atlyginimas
Name of the instrument - English translation	Payback clause
Country	 Lithuania
Reporting year	2015
Type of instrument	Payback clause
Type of entry	Single instrument

Short description	The Lithuanian Labour Code includes a general clause on 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. Other reasons for applying payback clauses are: dismissal due to a serious contract break and non-termination of the training. The timeframe for reimbursement and the amount/share to be reimbursed depend on the cost of the training and the time elapsed between the training and the termination of the contract. Employees can be required to reimburse not only the fees and payments for training courses but also direct and indirect labour costs.
Short description of the related instruments	nap

Level of operation	National
Name of a part of the country	nap
Name of the region (for regional instruments)	nap
Name of the sector (for sectoral instruments)	nap
Relevance	Key scheme
Legal basis	Lithuanian Labour Code (of 4 June 2002) , 95th paragraph, part 5
Objective(s) and	To protect the employers from the potential losses of

target(s)	investments in training of employees, when the latter decide to change employer.
Year of implementation	1992
Year of latest amendment	2005
Operation/Management	National regulation; possible further agreements at company level. 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.
Eligible group(s)	All employees and employers
Group(s) with preferential treatment	None
Education and training eligible	Internal and external continuing vocational training.
Source of financing and collection mechanism	Employer, employee
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); detailed conditions may be agreed upon in employment contract. The law does not specify the exact (share of) costs to be reimbursed or the type of training that payback clauses may apply to. The timeframe for reimbursement and the share of the training costs depend on the cost of the training; the amount to be reimbursed depends on the time between the training and the termination of the contract. The costs for internal and external continuing vocational training can be covered by payback clauses; employees can be required to reimburse not only the fees and payments for training courses but also direct and indirect labour costs. Reasons for payback clause to become effective: voluntary resignation within binding period; dismissal due to a serious contract break; non-termination of the training.
Volumes of funding	na
Beneficiaries/take up	na
Organisation responsible for monitoring/evaluation	Ministry of Social Affairs and Labour of the Republic of Lithuania.

Most relevant webpage - in English	na
Most relevant webpage - local language	na
Sources	Ministry of Social Affairs and Labour, http://www.socmin.lt