

EMPLOYEE PROFESSIONAL DEVELOPMENT

When Is It Mandatory, and When Is It an Employee Benefit?

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The benefits of improving employees' knowledge and skills are shared - employees acquire new or strengthen existing competencies, while employers gain more qualified staff capable of enhancing work processes.

With clearly defined and properly regulated obligations, professional development becomes a powerful tool for growth and for building long-term, high-quality cooperation.

Since both sides benefit, both sides also carry responsibilities when it comes to professional development.

In the following sections, we address the most common questions about employee training and development: when it represents a legal obligation, when it is an additional benefit, and what rights and duties employers and employees have in relation to it.

What Is Professional Development and What Is Its Purpose?

Professional development includes various forms of improving employees' knowledge and skills during the course of employment, such as:

- formal education through accredited educational institutions for the purpose of obtaining an appropriate level of qualification;
- professional training through seminars, courses, workshops, internships, and similar programs;
- continuous professional development aimed at upgrading existing knowledge and skills.

The purpose of professional development is to enable employees to acquire additional competencies that enhance their efficiency and quality of work, while employers gain a more qualified workforce capable of improving work processes.

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Continuous development is not only a matter of personal ambition - every employee is obligated, before anything else, to take care of their own education, training, and professional development. This is both a right and an obligation of the employee.

However, when professional development is required due to the employer's work processes or organizational needs (e.g., introduction of new technologies or equipment, new occupational safety procedures, partial change of business activity, etc.), and is necessary for the employee to perform their job, then:

- the employer is obligated to organize such training and provide the necessary resources, while
- the employee is obligated to participate and respond appropriately to the employer's need for professional development.

When Is Professional Development a Benefit?

Aside from situations in which it is mandatory, professional development may also be an employee benefit, particularly when it is motivated by the employee's desire for professional growth, increased motivation and job satisfaction, improvement of work performance, and similar.

In these cases, the primary interest lies with the employee, and the initiative most often comes from them.

Who Covers the Costs of Professional Development?

Mandatory professional development, required due to work process needs, is covered by the employer. The employee covers the costs of professional development not related to changes in the employer's organization of work, although the employer may choose to voluntarily cover such expenses.

When it comes to professional development provided purely as a benefit, and the employer is willing to finance it, the employer and employee should agree on the terms under which the training will be financed and the rights and obligations that follow.

To avoid misunderstandings regarding the content of the agreement or the parties' obligations, it is recommended that such arrangements be formalized in a written agreement, signed by both parties.

What Does Professional Development Look Like in Reality?

Professional development provides mutual benefits for both the employee and the employer. When mandatory, it protects and improves professional standards and workplace safety; when optional, it supports the employee's career growth and contributes to the business success of both the employee and the employer.

With that in mind, the primary interest and initiative for professional development may come from either party, the employee or the employer. This can influence various aspects of the employee's employment status, such as:

- what the training consists of and how it will be organized;
- who bears the costs of professional development;
- what obligations the employee has during and after the training (e.g., an obligation to remain employed with the employer for a certain period of time);
- circumstances in which the employee may be required to reimburse the employer for the costs invested in their development;
- whether the employee is entitled to leave for the purpose of professional development or exam-taking;
- whether the employee is required to work during the training period and whether they are entitled to salary or salary compensation during that time; and
- other related matters.

To ensure clarity and avoid misunderstandings, it is recommended that employers regulate this area in their Labor Rulebook. Additionally, in individual cases, the employer and employee should clearly define their mutual rights and obligations in a written agreement governing the specific training or development program.

Finally, professional development and training conducted within an employment relationship should be distinguished from the possibility of concluding a professional training agreement outside of employment, which will be the subject of a separate article.

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