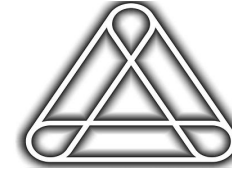




Сојуз на Синдикатити на Македонија
FEDERATION OF TRADE UNIONS OF MACEDONIA



Бизнис Конфедерација на Македонија
BUSINESS CONFEDERATION OF MACEDONIA



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The right of workers to participate in management - how is it regulated (by law, special contracts, by tradition, others)?

The Constitution of Republic of Macedonia (Article 58, paragraph 1) stipulates that "ownership and labor are the basis for management and participation in decision-making." With this constitutional norm framework for labor participation in management is established. The Company Law, (Article 342, paragraph 4) provides that employee participation in the arrangement with the company is regulated by law. The issue has not yet been regulated by law.



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The establishment of workers' councils

Republic of Macedonia has a Law on European workers' Councils in order to enhance the rights of employees to information and consultation on transnational issues and dialogue between the social partners with the representatives of employees in undertakings or groups of undertakings operating at the level of the European Union or at least two companies or subsidiaries of the company or group of companies situated in two different Member States of the European Union.

RM increasingly discuss the regulation of the issue of formation of workers' councils by law.



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Forms of participation of workers - informing, consultation, co-determination, other?

According to the Labour Law: "No later than 30 days before making a decision on termination of employment of a large number of workers due to business reasons, the reasons for the termination of the needs of the work of the workers, the anticipated number and category of surplus workers and schedule in which the workers will stop being necessary, the employer shall inform about this intention the representative union with the employer, and if there is no any, to inform the representative of the workers and advise with them of the possible ways to prevent and limiting the number of dismissal and possible measures to prevent and mitigate adverse effects."

In collective agreements is regulated that the employer is obliged once a year, or as needed, to provide information to workers on issues of importance to their economic and social situation in an appropriate manner, i.e. according to the information to be transmitted and can apply to all or a particular group of employees. The information may be written or oral, or through an authorized representative.



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Application of the workers' participation?

According to the Macedonian legislation, workers have the right through their trade union representatives and representatives for health and safety at work to negotiate and agree on their labor. The result of this social dialogue are the collective agreements which are signed by the union and the employer.

Do employees have the right to appoint a representative in the company's management and supervision bodies

Company Law regulates the right of workers to appoint a representative in the company's governance and management.



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Trade unions and level of trade union organizing

- Levels of trade unions organizing at various levels (sector, company, ...)

Workers can organize in trade unions and that right is guaranteed by the Constitution and by the Labor Law. The employee accesses local trade union which is affiliated in a branch trade union. Depending on the organizational structure, there may be trade union subsidiaries. Branch trade unions are organized by the industrial type or by activities. Branch trade unions are autonomous and join in Federation of Trade Unions of Macedonia, which is an associate member of the ITUC.

Assessment of membership

Affiliation and resign from trade union membership is voluntary, of free choice, under conditions prescribed by the statute or the rules of the trade union. No worker should be put at a disadvantaged position if is if is not a member of the union, or if they participate or not participate in certain activities of the union. Members pays dues determined by the statute of the branch trade union. Union members may seek court protection in the event of a violation of their labor rights. Members receives free legal assistance and protection by their trade union.



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Manner of regulation of collective relations (by law, tradition, etc.)?

By the Labor Law, the statutes of the trade unions, the Statute of SSM and other internal regulations for the operation of trade unions and collective agreements.

Collective Agreements

- levels (for the economy, on a sector level, enterprise level ...)

Collective agreement are concluded between the employer or representative employers' association and representative trade union. On sector level and on company level.

In the Republic of Macedonia is concluded **General Collective Agreement for the private sector in the area of the economy** which applies directly and is required for employers and employees in the private sector.

SSM signed a General Collective Agreement for the private sector in the field of economy.



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General Collective Agreement for the public sector

It refers to the state authorities and other state bodies, local government units, institutions, enterprises, institutes, agencies, funds and other entities operating in public interest and is applied directly and is mandatory for employers and employees in the public sector.

Negotiations are nearing completion for a new General Collective Agreement for the public sector in the Republic of Macedonia and one of the signatories will be SSM.

Collective agreement at branch or department level, according to the National Classification of Activities is applied directly and is required for employers who are members of the employers' association signatories of the collective agreement or who subsequently joined the association.

On a branch level there are signed 15 collective agreements At the company level bipartite collective agreements are signed by the employer and the representative union. In Macedonia are signed about 40% of the all possible collective agreements.



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legislation on establishing a framework for collective bargaining and conclusion of collective agreements?

Regulated by the Labour Law, according to which the collective agreement is concluded by the employer or representative employers' association and representative trade union.

Tripartite social dialogue

Economic and Social Council – its composition

The social dialogue in Macedonia is institutionalized and operates there is an Economic and Social Council at national level with tripartite composition. The Economic and Social Council has 12 members, of which: 4 are representatives of the Government; 4 are representatives of trade unions, of which 2 of the Federation of Trade Unions of Macedonia and two from the Confederation of Free Trade Unions of Macedonia; 4 are representatives of the Organization of Employers of Macedonia.

In Macedonia there are established Economic and Social Council on National Level and Local Economic Social Councils on tripartite basis at the municipality level in 5 major cities, this process is intensified. The establishment of all these tripartite bodies was initiated by SSM and has its representatives in them.

SSM and BCM has its representatives in the Joint Consultative Committee of the European Social Committee (ECOSOC).



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The role of social partners in the process of adoption of labor and social legislation / drafting process of labor and social legislation

SSM with its representatives participates in the work of the committees and bodies of the highest state institutions. In the Parliament, SSM participates in the work of the National Council for European Integration, Committee of Labour and Social Policy, Legislative Committee, Finance and Budget Committee, Health Committee, the Committee for Equal Opportunities for Women and Men.

In the Government, SSM participates in the work of the National Council for Safety and Health at Work and collaborates with relevant ministries: Ministry of Labour and Social Policy, Ministry of Economy, Ministry of Finance, Ministry of Justice, Ministry of Health, Ministry of Education, as well as with the Secretariat for European Affairs. SSM has representatives in the Pension and Disability Insurance Fund, Health Insurance Fund, the Employment Agency.

SSM participates actively in the preparation of the National Strategy and the National Action Plan for Employment, which are based on the principles established by the European Commission's strategy for rapid, sustainable and inclusive growth - Europe 2020, as well as in other national programs, strategies and action plans of other areas important for the material and social position of the workers.

SSM participates in the work of **the National Coordination Body for Social Responsibility**. Through the Economic and Social Council, SSM sets out their standpoints on the draft laws on the legal status of workers.