

Montenegrin Employers Federation (MEF/UPCG)



UNIJA POSLODAVACA
CRNE GORE

Workers' participation in management

Employees directly or through representatives have rights for pooling, participation in negotiation, Peaceful Settlement of Disputes, consulting, informing and telling of opinions according to Labor Law

Current Montenegrin Labor legislation is not familiar with institution of Workers Councils

Employers inform Trade unions, at least once per year about:

- 1) Results of business year;
- 2) Development plans and their influence on workers status, changing of wages policies...;
- 3) Measures of improvements of conditions at the workplace, OHS and other questions important for social position of workers;

Employers inform TU organization about :

- 1) measures of security and safety at the work;
- 2) Introducing of new technologies and changes in organization;
- 3) schedule of working hours, night work and overtime;
- 4) Bringing of programs of implementation technological, economical and structural changes and programs of the exercise of the rights of employees who have been made redundant;
- 5) the time and manner of payment of wages.

Workers' participation in management

- The employer shall promptly notify and deliver the act to the trade union organization to attend meetings of the bodies on which the employer consider the initiatives and proposals employer.
- The representative trade unions have the right to participate in the discussion before the competent authorities of the employer.
- CA defined closely participation of the TU according to Labor Law.

- Trade Union can be:
 - 1) TU organized at the national level in Montenegro ; need 10% of census – currently 2 representative TU – SSCG, USSCG
 - 2) TU organized at the branch, group or subgroup level; 15% census fore representative
 - 3) Trade union on company level– 20% for census

How are collective labor relationships regulated by tradition, other)?

- Labor Law ("Official Gazette", no. 49/08 66/12)
- Law on Social Council ("Official Gazette", no. 16/07, 20/11)
- Law on strike ("Official Gazette", no. 43/03 40/11)
- Law on protection and safety at work place ("Official Gazette.", no. 79/04 40/11)
- Law on Peaceful Settlement of Disputes (" Official Gazette ", no. 16/0753/11)
- Law on representativeness of Trade Unions (" Official Gazette ", no. 26/10)
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- Collective agreements

Collective agreements

- **Collective agreement can be: General, on Branch and Collective agreement in company;**
- **Currently General CA is not valid in Montenegro and negotiation are in progress.**
- **Labour Law determinate subject, usage of CA, participants in negotiation, ways of negotiation, adoption and signing and time duration of CA.**
- **General Collective agreement is concluded for whole territory of Montenegro and its application on all employees and employers. It is agreed between Government of Montenegro, representative organization of employers and Trade Union.**
- **Branch CA for separate branches, groups or subgroups of sectors and its application on employees and employers in branch, group or subgroup. In area of economy – main authority representative employer federation and representative trade union organization.**
- **CA in company apply only for employees in that company.**

Tripartite social dialogue

- Constitution of Montenegro ("Sl. list Crne Gore", br. 01/07) (čl. 65)
"The social status of employees shall be adjusted in the Social Council.
Social council is created from representatives of TU, employers and Government."

Law on Social council (" Official Gazette ", no. 16/07, 20/11)

- ✓ 11+11+11
- ✓ Government 11
- ✓ Representative employers organization (UPCG)11
- ✓ Representative TU organization (SSCG+USSCG) 6+5

Social council work plenary and in seven sections.

Social councils work:

- *On national level;*
- *On local level.*

Tripartite social dialogue

- Council bring decisions (solutions and conclusions), provide opinions, push initiatives and give suggestion.
- Social Council considered and take positions on issues: the development and improvement of collective bargaining, the impact of economic policies and measures for implementing of the social development and stability of employment policy, wages and prices, competition and productivity, privatization and other issues of structural adjustment, environmental and working protection, education and vocational training, health and social protection and safety; demographic trends and other issues relevant to the implementation and improvement of economic and social policy.
- The Council shall consider and give opinions on the drafts of laws and regulations relevant to the economic and social position of employees and employers, and consider the annual report of the inspection work.

Thank you !

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