

Former Yugoslav Republic of Macedonia: Industrial relations profile

Facts and figures

Area: 25,713 square kilometres

Population: 2,022,547 (2002 census)

Language: Macedonian

Capital: Skopje

Currency: Macedonian denar (MKD) (€1 = MKD 61.67 as at 27 February 2014)

Economic background	
GDP per capita (in purchasing power standards, index: EU27=100)	35 (2012)
Real GDP growth (% change on previous year)	2.8% (2011); -0.4% (2012)
Inflation rate	3.9% (2011); 3.3% (2012); 2.8% (2013)
Average monthly labour costs, in €	€500 (2013)
Average labour productivity, in €	€554.6 (Real GDP per person employed)
Gross annual earnings, in €]]	€5,800 (2010)
Gender pay gap	n.a.
Employment rate (15–64 years)	43.9% (2011); 44.0% (2012)
Female employment rate (15–64 years)	35.3% (2011); 35.3% (2012)
Unemployment rate (15–64 years)	31.6% (2011); 31.2% (2012)
Monthly minimum wage	MKD 8,050 (net); MKD 12,265 (gross)

State Statistic Office, 2013

Industrial relations characteristics, pay and working time	
Trade union density (%) (2013) (trade union members as a percentage of all employees in dependent employment)	30%
Employers' organisation density in (%) (percentage of employees employed by companies that are members of an employer organisation)	24%
Collective bargaining coverage (%) (percentage of employees covered by collective agreements)	100%

Number of working days lost through industrial action per 1,000 employees	n.a.
Collectively agreed pay increase(%)(annual average: 2012–2013)	n.a.
Actual pay increase(%)(annual average: 2012–2013)	n.a.
Collectively agreed weekly working hours	40
Actual weekly working hours	40

State Statistic Office of Macedonia, 2013

Background

Economic context

In general, the social environment has not been favourable for the development of industrial relations in the former Yugoslav Republic of Macedonia. The economic context was very bleak during the entire transitional period, with low levels of economic growth and a very low level of both foreign direct investment (FDI) and local investments, a high level of unemployment (constantly over 32%) and an increasing trend of poverty. Those most severely affected by the region's political and economic transition expressed their dissatisfaction strongly throughout the 1990s, through numerous strikes, street rallies and demonstrations. These protest actions, many of which were organised by trade unions, had little effect. Gradually the tensions subsided but, under the threat of company closures and massive layoffs, the employed workers renounced their solidarity and collective action, adopting a strategy of individual self-interest (Hristova, 1995; Hristova 2001). This situation, in which workers feel threatened, disoriented and under permanent pressure, is still prevalent. The number of those leaving the country (particularly young people) searching for a better life is worrying. In recent years, there has been a decrease in unemployment and an increase in foreign investments, but these processes are at an early stage. This means that more essential issues (employment, persistent poverty) remain a basic problem for a large share of the population. In the economic structure, sectors with low productivity predominate. In order of their contribution to total GDP the four main ones are (State Statistical Office, 2013):

1. Mining and quarrying; Manufacturing; Electricity, gas, steam and air conditioning supply; Water supply, sewerage, waste management and remediation activities – 15.7%
2. Wholesale and retail trade, repair of motor vehicles and motorcycles; Transportation and storage; Accommodation and food service activities – 18.2%
3. Agriculture, forestry and fishing – 9.6%
4. Construction – 5.8%.

Labour market

The labour market is still showing the effects of the transition process: a low employment rate, high share of informal employment, high unemployment rate and a very unfavourable structure of participants in the labour market. The unfavourable structure of unemployed persons (high share of people with low education, high participation of young people and people aged 55–64) suggests slow economic development of the country, low demand for new types of jobs, inadequate education and age offer of profiles, and inappropriate policies in the labour market. Under such conditions, the very high rate of long-term unemployment suggests that unemployment is not only an economic, but also a social problem associated with the impoverishment and social exclusion of significant segments of the population (Jakimovski et al, 2013). This imbalance between supply and demand means that labour costs are very low. Therefore, in the former Yugoslav Republic of Macedonia it is not only the unemployed who

face poverty and social exclusion and not inclusion, but also low-income employees, especially in some economic sectors (for example: the textile industry, trade and catering). According to the State Statistical Office, the share of employment in the main economic sectors for 2013 was as follows:

1. Manufacturing – 19.4%;
2. Agriculture, forestry and fishing – 18.7%;
3. Wholesale and retail trade, repair of motor vehicles and motorcycles – 13.5%;
4. Construction – 6.9%.

Legal and administrative context

From the beginning of the transition, the legal context has been rather favourable to industrial relations. In the 1991 constitution, the former Yugoslav Republic of Macedonia was proclaimed as a social state with a high level of provision for social and economic rights, including the right of labour to be organised for the promotion of its interests. Strikes and collective bargaining became constitutional categories and the constitution created very flexible provision for the participation of labour in the management of firms. Article 58 of the constitution states that ‘ownership and labour form the basis for management and sharing in decision-making’. These basic values promoted in the constitution were operationalised in many laws, the pillar of which is the Labour Code.

In the process of harmonising this regulation with EU standards, many laws were reviewed and many new ones created. Some analysts highlight two tendencies in this process of revision. One of these is the significant expansion of the Labour Code to include many new provisions concerning discrimination, collective bargaining, trade unions and strikes. Despite this, critics say that further laws are needed on trade unions, collective bargaining, strikes and mobbing to improve the situation of workers. The second tendency is the restriction of workers’ rights (reduction of the guaranteed number of annual leave days, reduction of the base for calculating severance pay, and abolishing the right of priority in employment of people made redundant (Law on Labour Relations). Certain unions and some NGOs have complained about these restrictions, but there has not been a particularly strong reaction in society as a whole.

During the entire transition period it was very difficult for trade unions to identify political actors that would support the demands of workers and social dialogue in general. Although there are many parties on the political scene that identify themselves as being on the political left or political right, an examination of their actual behaviour indicates that the parties are in fact in the centre or right of centre. Such a conclusion can be drawn if one were to analyse the privatisation process of the socially owned enterprises, privatisation in the public sector (health system, education, electricity supply, heating, and so on), reduction of labour rights, reforms in the health system, and cooperation of political parties with trade unions (Savevskiet al, 2010; Hristova, 2008).

The Law on Labour Inspection determines the organisation and operation of the state labour inspectorate, which supervises the implementation of laws and other regulations relating to labour relations, collective agreements and individual employment contracts. The supervision is carried out by state inspectors (for labour relations and health and safety at work). The inspectors must carry out an inspection of each workplace once a year, ensuring the employers’ implementation of the regulations on labour relations and safety at work are in compliance with the law. The inspectorate has a preventive role (identifying irregularities and specifying deadlines for their removal), but also has the right to suspend the operation of the employer. The number of labour inspectors has been increasing.

Industrial relations context

The entire social context has traditionally favoured neo-liberal doctrines, which also have a relatively strong influence on the structure of the economy and hence on industrial relations. The main industrial relations actors emerged with some delay and relatively slowly in the former Yugoslav Republic of Macedonia. Until 2005, the social scene was effectively dominated by one trade union: the Confederation of Trade Unions of Macedonia, the successor of the former socialist trade union. On the other side, there

was only the Chamber of Commerce (from the socialist period) which performed the role of an employers' organisation. One of the main problems with the pluralisation of the social scene (on the side of unions and of employers' organisations) was the question of representativeness. After a delay of 15 years, in 2005 the problem was solved through changes in the Law on Labour Relations: the qualifying level of membership was fixed at 10% for unions and 5% for employers' organisations.

In general, however, almost throughout the transition period the public perception of trade unions has been that they are not important social actors, as they are unable to promote and protect the interests of employees. They are instead seen as too close to the political elites. There is a similar perception of the employers' organisations. However, the power of the state is evident, and even increasing. In such circumstances, it can be said that an asymmetry of power characterises relations between the main actors in the social dialogue, with all the implications that such a distribution of power has for the industrial relations system.

Main actors

Public authorities

The most significant institutions for industrial relations in the former Yugoslav Republic of Macedonia include: the Ministry of Labour and Social Policy, the Economic and Social Council of the Republic of Macedonia ([ESC](#)), the Council for Safety and Health at Work¹ and the Commission responsible for determining representativeness.

The Minister of Labour and Social Policy also has the office of President of the ESC. The ESC was established on 30 December 1996, by means of the Agreement on establishing the Council. The ESC initially consisted of 11 members. Pursuant to the new agreement on establishing the ESC in 2010, the Council now has 12 members, as follows: four members of the representative trade unions, four members of the representative employers' associations and four government representatives.

The Council for Safety and Health at Work was introduced by the Law on Safety and Health at Work in 2007 (Official Gazette of the Republic of Macedonia No. 92/07) and was established in 2008, being composed of 15 members on a parity basis between the social partners. In 2009, by means of an amendment to the Labour Law (Official Gazette of the Republic of Macedonia No. 130/09), a Commission determining the representativeness of trade unions and employers' associations was set up. The Commission consists of nine members: three members each from the government, the representative trade unions and the representative employers' associations.

Trade unions

Trade union membership, and hence union density, has been falling continuously. Until 1990, union density amounted to 97%–98% (during socialism all employees were members of a trade union), but by 2010 union density had fallen to about 28%. In 2013, a major trend in terms of trade union density was its stabilisation at around 30%. There is no tendency for increasing union membership, but examples of union members transferring from one confederation to another (for example, in 2012 the Defence Union transferred from KSS to SSM).

The main trade union confederations are:

1. Federation of Trade Unions of Macedonia – [SSM](#): 75,995 members (17.47%) (Majhosev, 2012), member of the European Trade Union Confederation (ETUC); 18 branch unions;
2. Confederation of Free Trade Unions of Macedonia – [KSS](#): 43,727 members; 9 branch unions (Majhosev, 2012);

¹ This body doesn't have web address.

3. Union of Independent and Autonomous Trade Unions of Macedonia –[UNASM](#): no data for membership; 6 branch organisations; member of the International Trade Union Confederation (ITUC).
4. Confederation of Trade Union Organisations of Macedonia –[KSOM](#);² 8,000 members; 2 branch unions; no data on international membership.

Trends in trade union developments

At the beginning of the 1990s, there were two trade union federations: the Federation of Trade Unions of Macedonia (SSM) and the Union of Independent and Autonomous Trade Unions of Macedonia (UNASM). SSM was the successor of the socialist-era trade union that inherited a widespread organisational network and numerous members. It covered practically all economic and non-economic activities, and about 75%–80% of all workers were organised in this federation. UNASM was constituted in 1992 and united several independent trade union organisations. Initially, this alternative trade union was viewed with great distrust and even animosity. Faced with numerous difficulties, it failed to become influential. In fact, during almost the entire transition period (1990–2005), SSM was the dominant actor in industrial relations from the trade union side.

SSM was reestablished at its congress in 1990 (having been originally founded in 1946). It was organised on a voluntary basis, with 17 independent trade unions in branches ranging from construction to the police force, affiliated on the basis of the branch (industrial) principle. Within the federation are 10 regional union representative offices and 10 municipal union offices, which do not function as legal entities. The federation has a network of 2,000 primary trade union organisations, with a membership of 75,997, of whom 42,219 are in the private sector and 33,778 in the public sector (Official Gazette, 2010a). SSM is the trade union representative and is represented in all tripartite bodies of the country. Branch trade unions affiliated to SSM have signed 14 branch collective agreements.

UNASM was founded in 1991. According to sources at the union's headquarters, it has a membership of about 20,000, organised in over 100 primary trade union organisations and six federations. In the larger cities, 10 UNASM territorial coordinators have been appointed. The most numerous union by itself is the Independent Union of Farmers, which has about 500 individual members. UNASM does not have representative status, but it is a full member of the ITUC.

The Confederation of Free Trade Unions (KSS) was founded at a congress in Skopje on 28 December 2005. It was formed as a new alternative to SSM. The founder unions were the Union of Education, Science and Culture (SONK), the Union of Defence, the Union of Financial Organisations (SFO) and the Union for Traffic. They were joined by seven other trade union federations. SONK is the largest and financially most powerful union within KSS, having established its own organisational structure in 20 community centres that perform tasks for KSS as well. KSS has about 700 primary trade union organisations (SONK has about 600 local trade unions) with 43,727 members, of whom 27,727 are members of SONK (Official Gazette, 2010b).

The Confederation of Trade Union Organisations in Macedonia (KSOM) was established in 2006. The basic core of this union consists of employees from the Macedonian Railways. KSOM has 50 affiliated trade unions, with about 8,000 members. The confederation does not have representative status.

The Coalition of Independent Trade Unions of Macedonia (KNSM) was established in 2009 with its headquarters in Ohrid. KNSM has 1,368 members working in the production of electrical machinery and appliances.

The main bastion of trade unions is in the public sector. In the private sector, the situation is quite different. In some of the big privatised companies the employees are organised in trade unions, while in

² This information is obtained from President of KSOM, Marian Ristevski. This Confederation don't have web address.

the newly established firms (which are generally smaller), this is an exception. However, even in the big companies it is questionable whether trade unions operate completely independently from the company owners. Another trend in the trade union movement during the transition period (1990–2011) was a fragmentation and formation of new trade union federations and confederations. The reason for this tendency was disunity in the union leaderships of individual branch unions and their struggle for a higher position in the union hierarchy. The trade union movement has also been marked by politicisation and ideological profiling (Majhosev, 2007). Individual union leaders were candidates for parliament on certain political party lists (in 1998), primarily on the left-oriented candidate lists. In 1994 and 2002, SSM publicly supported the candidates and the programme of a left-wing party, which gave rise to internal political divisions and turbulence in this union.

Employer organisations

By 2012, a total of six employers' associations had been registered in the former Yugoslav Republic of Macedonia, only one of which (ORM) had representative status. In 2013, two new associations in the transport area were registered: the Macedonia Association of Carriers in Road Traffic (Istok),³ and the Association of Independent Unions of Transporters of Republic of Macedonia ([MAKAM-TRANS](#)) (Majhosev, 2012).

The most important employers' associations are: the Organisation of Employers of Macedonia ([ORM](#)), Business Chamber of Macedonia (BKM), Employers' Association of Transport and Communications of Macedonia (ZRSVM), National Federation of Temporary Employment Agencies (NFAPV), National Association of Operators of Public Communications Networks (NAOJKM)⁴, and the Employers' Association of Water Management (Majhosev, 2012).

The most important and also representative association of employers in the private sector is the ORM, which includes 1,012 companies in 15 sectors, employing nearly 70,000 employees, which represents over 24% of all employees in the private sector.

The ORM was established in 2004 in accordance with the Law Concerning Associations of Citizens and Foundations. In the same year, the ORM separated from the ECM (*Economic Chamber of Macedonia*), and started to act as a separate entity in social dialogue. In June 2006, the ORM signed the General Collective Agreement for the Economy of the Republic of Macedonia, for the side of the employers, with the SSM signing on behalf of the workers.

As of August 2010, 12 associations of employers by branches (industries) according to activity had been formed within the ORM. These included the Textile Trade Association – Textile cluster, the leather and shoe industry, the tobacco industry, communal services, hotels, restaurants and cafés, protective companies, the chemical industry, agriculture, food and baking. Associations of employers within the organisation have signed eight branch collective agreements, in four of which the minimum wage was determined (textiles, leather and shoe industry, agriculture, and food industry). The ORM became representative with resolution No. 08-2226/5 signed by the Minister of Labor and Social Policy on 14 July 2010.

The Business Chamber of Macedonia-BCM) was registered in 2001 as an association of citizens under the name the Confederation of Employers of Macedonia (KRM). In 2006, it was entered in the register of employers in the Ministry of Labour and Social Politics. Until August 2010, the BCM had a total of 8,500 members, employing over 40,000 workers. In 2006, the Chamber of Craftsmen, which represents more than 1,500 companies, became a member of the KRM. This confederation has signed five branch collective agreements covering about 22,000 workers, which translates to about 55% coverage with collective agreement. The KRM has four regional offices. *On 21 December 2009, it was re-registered*

³ This information is obtained from Ministry of Labor and Social Policy/Registar na rabotodavci/.

⁴ This information is obtained from Ministry of Labor and Social Policy/Registar na rabotodavci/.

under the name the Business Chamber of Macedonia (BCM) or Business Macedonia. This organisation did not obtain representative status and complained to the Commission responsible for assessing representativeness. The appeal was rejected.

Other associations of employers enrolled in the register of employers are the Association of Employers for Traffic and Communications of Macedonia, the National Federation of Agencies for Temporary Employment, the National Association of Operators for Public Communication Networks (NAOJKM) and the Employers' Association of Water Management (ZRV), but they do not have representative status.

Trends in employer organisation developments

Unlike the unions, the employers' associations, with minor exceptions, show no tendency to fragmentation and conflict. Representative status at national level is only held by the ORM, which represents the employers of over 23% of all employees in the private sector in the former Yugoslav Republic of Macedonia. In the private sector, there is little interest in establishing new boards of employers and obtaining representative status according to the national classification of activities (NCA). This tendency hinders the process of collective bargaining in certain industries (metal industry, construction, metallurgy, mining, trade, forest industry), so instead of taking place at branch level bargaining is carried out at employer level.

Industrial relations

Collective bargaining

Levels of collective bargaining	National level (Intersectoral)	Sectoral level	Company level
Principal or dominant level	***		
Important but not dominant level		**	
Existing level			*

Pursuant to Article 205 of the Law on Labour Relations of the Republic of Macedonia, the general collective agreement (GCA) for the private sector and that for the public sector are applied immediately and are mandatory for all employers and employees in both sectors. This means that 100% of employees in the private or public sector are covered by a collective agreement.

Collective agreements at the branch or department level apply immediately and are mandatory only for employers who are members of the employers' association that signed the agreement or subsequently joined the association. In 2013, the rate of coverage of employees by branch collective agreement was 35%, the same level as in 2010. Collective agreements apply at the employer (company) level and cover even employees who are not members of a union that is a signatory of the Collective Agreement.

Collective agreements in the former Yugoslav Republic of Macedonia are legal instruments that regulate the rights and obligations arising from a labour relationship. The basic institutional mechanism through which wage bargaining is coordinated is tripartite and bipartite social dialogue. At the national level, the coordination of wage bargaining is led by the ESC, and at the level of branches and departments the main mechanisms for coordination of wage bargaining are the negotiating teams and working groups of the negotiating parties. The main trend in collective bargaining is decentralisation; that is, putting more emphasis on collective agreement at the level of branches and employers, particularly in the area of wages, including the minimum wage.

Industrial disputes

In 2013, 11 strikes involving 1,075 participants (altogether) were organised in the former Yugoslav Republic of Macedonia, which lasted about five days each. Ten social protests were also organised with 2,350 participants. The main reason was the poor material and social position of workers, collective bargaining disputes, or violation of employees' rights (Majhosev, 2006). Strikes were mainly organised in the field of economic production (shoe industry, metal industry, agriculture, construction), but there were also strikes in public and communal enterprises (utilities). The main reasons for the strikes were failure to sign collective agreements, low wages, non-payment of compensation for food and annual leave allowance and declarations of redundancy (Majhosev, 2012). The Law on Peaceful Resolution of Labour Disputes makes provision for a separate body at the national level for conciliation, arbitration and mediation, but such a body has not yet been established.

Tripartite concertation

The most important tripartite body in the state for tripartite concertation is the ESC which has 12 members on a parity basis. In 2013, the Council held five meetings at which 14 legal projects from the economic and social domain were reviewed and harmonised, the most important of which are: the Labour Law, Law on Service in the Army, Law on Resolving the Status of Redundant Workers, Law on Employees in the Public Sector, Law on Administrative Services, Law on Peaceful Resolution of Labour Disputes, Law on Minimum Wage, General Collective Agreement for the Private Sector, General Collective Agreement for the Public Sector, and ratification of International Labour Organization (ILO) Conventions.

The most important activity of the ESC is getting the agreement of the three social partners to a gradual increase in the minimum wage, starting from March 2014 to MKD 8,800 (€142), so that in March 2016 it would reach MKD 10,080 (€163).

Until 2013, nine local ESCs were established at the municipality level (in Skopje, Bitola, Kumanovo, Štip, Kavadarci, Prilep, Ohrid, Tetovo and Strumica) and more may be formed in other municipalities.

An important bipartite agreement was reached between the Ministry of Defence and the Union of Defence and Security (SOB), raising the age limit of service of professional soldiers from 38 to 45 years.

Workplace representation

Main channels of employee representation	Works council type (WC)	Trade union (TU)	Other body
1 Most important body		Union representative (elected representative)	Representative for safety and health at work
2 Alternative body			Representative for information and consultation

There are only two forms of representation of workers at their workplaces: union representatives (elected representative) and representatives for safety and health at work. The number of representatives for safety and health at work in the enterprise depends on the number of employees. The composition and responsibilities of these representatives are regulated by law. Representatives of the union provide legal assistance to members and represent the employees before the managers, management bodies, labour inspection and courts. (For more information, see Federation of Trade Unions of Macedonia, 2006, and the Constitution of SSM of 2010).

In 2012, Directive 2002/14/EC establishing a general framework for informing and consulting employees was implemented in the Law on Labour Relations. In accordance with Article 94-a of the Law, the employer is obliged to consult and inform the union on issues relating to the social, economic and financial situation of the employees in the company. The collective agreement at branch and employer level introduced an employee representative responsible for information and consultation that enjoys immunity (special protection).

Main issues in collective bargaining or industrial relations

Minimum wage

The minimum wage is regulated by the Law on Minimum Wage (Official Gazette of the Republic of Macedonia No.11/12 and No. 30/14), which was first adopted in 2012. With this law, the minimum wage is established at 39.6% of the average gross wage in the state in the previous year and for 2012 it was set at MKD 8,050 (€130) a month. The data show that 28,222 workers (7%) received a wage below the minimum (October 2011) (Savevski et al, 2013). In 2013, the unions proposed amendments to the Law on Minimum Wage. As a result, the social partners agreed that the minimum wage should increase gradually within a period of three years, as follows: in March 2014 the minimum net salary was determined MKD 8,800 (€142), in March 2015 the minimum net salary was determined MKD 9,590 (€155) and in March 2016 it would be to MKD 10,080 (€163).⁵ The Law provided the possibility for a gradual increase in the minimum wage in the leather and textile industry in the following three years, which in March 2018 would reach MKD 10,080 a month. The minimum wage is not determined by age and level of education.

Pay developments

At all levels of collective bargaining there is a provision, in determining the minimum wage (basic wage), for the lowest level of complexity (ratio 1), which is based on cost of living, economic opportunities, general wage level by activity, level of productivity, cost-effectiveness, profitability, social benefits and other economic and social factors. Article 108 of the Law on Labour Relations regulates the principle of equal pay for work of equal responsibility for the same job, regardless of gender. In 2006, the Law on Equal Opportunities for Women and Men was adopted (Official Gazette of the Republic of Macedonia No. 66/06 and 117/08), and pursuant to Article 23 of the law a legal representative (lawyer) for equal opportunities was appointed, who identifies unequal treatment between men and women.

The 2009 Human Development Report shows that the ratio of wages of men and women (the gender gap) in the former Yugoslav Republic of Macedonia was 0.49 at the time, reflecting the highest gender pay gap among the countries of Central and Eastern Europe (Kazandžiska et al, 2012, pp. 23–26). As mentioned in Kazandžiska et al (2012), according to the Angel-Urdinola/Macias research from 2008, it is estimated that the gender pay gap between men and women in 2006 was between 25% and 27.3%.

Working time

The working week, as a rule, lasts for 5 working days, or 40 hours (Article 116, Law on Labour Relations (consolidated version, Official Gazette of the Republic of Macedonia No. 54/13). The law and collective agreements may define a working week of less than 40 hours, but not less than 36 hours per week. In accordance with a collective agreement of the employer, the full-time week may last less than 36 hours per week for certain types of dangerous jobs (involving radiation, high temperatures, altitude or underground work).

⁵ The amount of the minimum wage for 2014, 2015 and 2016 is presented in net amount

In the textile industry in 2013, the trend of exceeding the legal weekly working hours continued, with workers in some textile factories working an extra 10–12 hours a week, with the work not adequately compensated for.

In the Law on Labour Relations annual leave amounts to 20 working days. By means of collective agreements, annual leave may be extended to 26 working days and increases based on years of service, age, complexity of the job, working conditions and health status, among others.

Other issues in collective agreements

The Law on Labour Relations regulates several issues regarding discrimination, as follows: prohibition of discrimination, direct and indirect discrimination, exceptions to the prohibition of discrimination, harassment and sexual harassment, psychological harassment at the workplace (mobbing), compensation for discrimination damage, the burden of proof, and others. The general collective agreement in the private sector in the economy, the general collective agreement for the public sector and branch collective agreements explicitly regulate the issue of protection in cases of discrimination, established by law, where a job applicant or employee is entitled to compensation for damage under the Law of Obligations. For example, the branch collective agreements for the leather and shoe industry, textile industry, tobacco industry, agriculture and food industry, primary education, secondary education and forestry, stipulate that in case of discrimination under the provisions of the Law on Labour Relations and the general collective agreement, the employee is entitled to indemnity in the amount of five times the average wage in the country paid before the establishment of the discrimination.

In 2013, a Law on Protection from Harassment at the Workplace was adopted, that specifically regulates the procedure for the protection of employees' rights in the case of psychological harassment.

Collective agreements at all levels contain provisions relating to the procedure and criteria for declaring employees redundant, in which the union plays an important role. When the employer introduces economic, technological and structural changes, it is required to notify the union for the purpose of mutual consultation and giving suggestions for prevention and mitigation of the conditions and harmful consequences. When employees are declared redundant, the criteria developed in each collective agreement which express the specificity of the activity are taken into consideration. In almost all collective agreements it is established that in the event of posts having an equal number of points, preference is given to, for example, workers who have five years until retirement, single parents, parents with a disabled child and workers with an occupational illness.

Collective agreements at all levels include provisions for training and education of employees. The employee has the right and duty to partake in continuous education, further education and training, according to the needs of the working process, to maintain or improve their ability to work in their job position, as well as preserving the job. Vocational training, education and further education of employees shall be performed under the conditions and manner determined by the programme for education of employees adopted by the employer. The Law on Safety and Health at Work stipulates that the employer must provide to each employee appropriate training for health and safety at work tailored to the specific job position (Article 31, Law on Safety and Health at Work (consolidated version, Official Gazette of the Republic of Macedonia No. 53/13)).

The issue of gender equality in collective agreements is not clearly regulated at any level of collective bargaining. From a legal perspective, the issue of (non-)discrimination, and therefore gender equality, is regulated in the Law on Labour Relations. Since general and branch collective agreements are in the phase of harmonisation with the provisions of the Law on Labour Relations, it is expected that the issue of gender equality will soon be defined in an appropriate manner.

Employee's rights/fundamental rights

The key institutions for enforcement of employees' rights are: the Court of First Instance in which there is a department in charge of labour disputes, the labour inspectorate, the [Ombudsman](#), the [Commission for](#)

[Protection Against Discrimination](#), the National Council for Safety and Health at Work, the Health Insurance Fund, and the Commission on Equal Opportunities.

The labour inspectorate has 63 inspectors working on labour relations and 36 inspectors dedicated to safety and health at work. In 2013, labour inspectors for labour relations conducted 23,286 regular supervision visits and 3,454 control inspections of employers with a total of 290,435 employees. In the same year, 2,551 complaints were filed with the labour inspectorate and the inspectorate issued 652 decisions for misdemeanours and 6 criminal charges. The State Inspectorate for Safety and Health at Work conducted 16,594 inspections of which 10,699 were regular inspections, 4,167 were control inspections, and 1,338 were inspections on the basis of reported injuries at work, and found 15,687 violations in relation to safety and health at work. There were 602 decisions for prohibition of work, 202 submitted requests for initiation of misdemeanour procedure and 27 criminal charges.

In 2012, 3,232 complaints were filed with the Ombudsman, of which 306 or 7.04% concerned the protection of rights arising from labour relations (Ombudsman of the Republic of Macedonia, 2012, pp.23–24.) In 2012, the Commission for Protection against Discrimination received 75 complaints, of which 28 concerned employment and labour relations (Commission for Protection Against Discrimination of the Republic of Macedonia, 2013).

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