

**ADDITIONAL PROTOCOL
TO THE EUROPEAN SOCIAL CHARTER**

3rd Greek Report

01/01/03 – 31/12/04

Additional Protocol to the European Social Charter
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Article 2

Right to information and consultation

Question A

No change.

Question B

No change.

Question C

No change.

Question D

No change.

Question E

No change.

Question F

No change.

Article 3

Right to take part in the determination and improvement of the working conditions and working environment

Question A

By Article 7, Presidential Decree 81/2003 (Official Gazette 77 A'), in respect of employees under a fixed-term contract and by Article 9, Presidential Decree 164/2004 (Official Gazette 134 A'), in respect of employees under a fixed-term contract in the public sector, provisions on the information and consultation of employees were adopted, according to which employees under a fixed-term contract are also calculated for the determination of the minimum number of employees, in excess of which their representation organs may be established within the enterprise according to the provisions in force. Furthermore by the abovementioned Presidential Decrees it is set that employers are making sure that proper information on fixed – term contracts or working relationships within the enterprise is provided to the existing representation organs of employees.

It should be noted that salaried employees' right to take part in the determination and improvement of the working conditions and working environment is, first of all, of a dual nature, namely, it is a right of each one separately and of all employees and, second, it belongs to all representatives of the employees, whether elected or not. Since the aim of this right is the protection of all employees and of each one separately with respect to the working conditions, health and safety, we believe that it is connected with the protection of the value of the human being as safeguarded by Article 2 of the Greek Constitution.

As regards the work of the Labour Inspectorate formed by Law 2639/1998 'Regulation of labour relations, formation of the Labour Inspectorate and other provisions' (Official Gazette 205 A'), the Labour Inspectorate is competent, inter alia, to control the compliance with and enforcement of the labour legislation on workers' safety and health (subparagraph (b), paragraph 1, Article 7) and to promptly take administrative measures, to impose the prescribed administrative sanctions, to appeal to justice for the imposition of criminal sanctions or to grant in its opinion a reasonable period of time for compliance with the pertinent provisions (subparagraph (e), paragraph 1, Article 7 in conjunction with articles 16 and 17 as amended by Article 3, Law 3385/2005 (Official Gazette 210 A'). (On the establishment and work of the Labour Inspectorate, the European Committee of Social Rights has been informed in detail by our country within the context of submission of previous national reports on the European Social Charter).

Question B

No change.

Question C

No change.

Question D

No change.

Question E

No change.

Question F

No change.