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## **EUROPEAN SOCIAL CHARTER**

13<sup>th</sup> National Report on the implementation  
of the European Social Charter

submitted by

**THE GOVERNMENT OF CYPRUS**

Articles 2, 4, 5, 6, 22, 28 and 29

for the period 01/01/2013 - 31/12/2016

Report registered by the Secretariat on

14 November 2017

**CYCLE 2018**



**GOVERNMENT OF THE REPUBLIC OF CYPRUS**

**Report on Article 2  
RIGHT TO JUST CONDITIONS OF WORK**

**Of the Revised European Social Charter**

**(Reference period: 1/1/2013-31/12/2016)**

**Article 2§1**

- 1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms**

No change from previous report.

- 2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework**

No change from previous report.

- 3) Please provide pertinent figures, statistics or any other relevant information, if appropriate**

No change from previous report.

**Reply to the comments of the ECSR in its Conclusions of 2016**

**Q1: Under what circumstances and for which categories of workers may the working hours in one week, including overtime, exceed 60 hours?**

Working Time Laws of 2002 to 2007 provide that every employee can work up to 48 hours per week including overtime. The total number of hours worked on a weekly basis can be calculated as an average over a period of 4 months. An opt-out to this provision is available for workers who consent to work more than 48 hours per week provided that:

- The employer meets the general principles of the protection of the safety and health of workers
- The employee has the right to refuse to be excluded without suffering any consequences
- The employer keeps a record for employees who consent.

- The Ministry of Labour, Welfare and Social Insurance can prohibit exceeding the maximum weekly working time on the basis of safety and / or health of workers
- The employer is obliged to provide information on the workers' consent to the Ministry of Labour, Welfare and Social Insurance.

Furthermore, the provision with respect to weekly work of up to 48 hours does not apply to workers whose working hours cannot be calculated and / or predetermined or can be determined by the workers themselves, in particular for the following worker categories:

- Executives or other persons empowered to make autonomous decisions.
- Workers which are family members
- Workers in the ritual sector of churches and religious communities.

Finally, it must be noted that Working Time Laws of 2002 to 2007 (including above mentioned provisions) are fully compatible with Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time.

**Q2: What rules apply to on-call service and whether inactive periods of on-call duty are considered as a rest period in their entirety or part?**

There are no specific regulations regarding on-call duty. However, Article 16 of Working time Law of 2002 to 2007 provides that an employer may interrupt the rest period of certain categories of employees given that alternative rest time is provided. Working Time Laws of 2002 to 2007 (including above mentioned provisions) are fully compatible with Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003, concerning certain aspects of the organisation of working time.

**Q3: Provide information regarding the violations of working time regulations.**

During 2017, 21 cases of violations of working time regulations were brought before the competent Courts. In most cases, violations concerned weekly working hours.

**Article 2§2**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

Law 70 of 2015 amended the public holidays allowed for shop assistants. More specifically, the amending Law provides that Easter Sunday is a public holiday for shop assistants working in shops allowed to operate during Sundays.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

### **Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: Have the amendments regarding shop assistants regulations affected the rules concerning public holidays?**

Law 70 of 2015 amended the public holidays allowed for shop assistants. More specifically, the amending Law provides that Easter Sunday is a public holiday for shop assistants working in shops allowed to operate during Sundays.

### **Article 2§3**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

### **Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: Confirm, in the light of the relevant provisions, that annual leave may not be replaced by financial compensation and that employees do not have the option of giving up their annual leave.**

Working Time Laws of 2002 to 2007 provide that every employee is entitled to paid annual leave of at least four weeks per year. Furthermore, the Laws regulate that the annual leave may be replaced by financial compensation only

in the event of termination of the employment relationship. Employers who violate these provisions are liable to imprisonment of up to one year or to a fine of up to 3.400 euros or to both penalties.

**Q2: Provide information concerning the provisions of Article 2 par. 3 of the Charter regarding the obligation to provide employees with 2 weeks of uninterrupted annual holidays during each year and that annual leave exceeding 2 weeks may be postponed in particular circumstances defined by domestic law.**

The organisation of working time legislation does not provide for a maximum period of uninterrupted annual leave. Such provisions exist in the Annual Leave with Pay Laws of 1967 to 2011, which provide for an uninterrupted period of annual leave of 9 working days, provided that payments of annual leave are made through the annual leave fund administered by the Social Insurance Department.

**Q3: Workers who suffer from illness or injury during their annual leave are entitled to take the days lost at another time?**

Yes (Annual Leave with Pay Laws of 1967 to 2011, section 6).

### **Article 2§5**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

### **Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: Concerning the derogations from the weekly rest period, are there any agreements regarding the appropriate protection to be granted when**

**it is possible for objective reasons to grant equivalent compensatory rest to employees whose weekly rest period is being suspended?**

No such agreements have been reported.

**Q2: Are there any changes concerning the employer's right to defer the weekly rest period to the following week?**

No change from previous report (conclusions 2007).

### **Article 2§6**

**1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms**

No change from previous report.

**2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework**

No change from previous report.

**3) Please provide pertinent figures, statistics or any other relevant information, if appropriate**

No change from previous report.

### **Article 2§7**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

## **Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: Is there continuous consultation with the workers' representatives on the introduction of night work, its conditions and on measures taken to reconcile the needs of the workers with the special nature of night work?**

Cyprus has ratified and enforces ILO Convention no. 171 regarding Night Work since 1994. Regarding workers being assigned night work, it must be noted that in addition to other legal instruments that apply, the provisions of the Safety and Health at Work Laws of 1996 to (No.2) 2015 and relevant Regulations issued in accordance with these Laws, require employers to carry out a suitable risk assessment for such workers. Based on the result of the risk assessment, suitable preventive and protective measures must then be taken by the employer to safeguard the safety and health of these workers. Furthermore, the above mentioned OSH legislation (The Safety Committees at Work Regulations of 1997) imposes the requirement on the employer to carry out consultations with the Safety Representatives who are appointed or elected by their co-workers on all safety and health at work issues. This legislation provides that safety representatives should be appointed at workplaces where more than 2 employees are at work.

Acknowledging the special risks (physical and mental) associated with night work, the Labour Relations Department is in continuous consultation with employers and employees' representatives (or employees), on various topics, including night work, where applicable. According to the Organisation of Working Time Law, the employers and the employees (or their representatives) are obliged to engage in consultation regarding the safety and health issues associated with night work in order to assess the risks and decide on measures to reconcile the needs of the night workers.



**GOVERNMENT OF THE REPUBLIC OF CYPRUS**

**Report on Article 4  
RIGHT TO FAIR REMUNERATION**

**Of the Revised European Social Charter**

**(Reference period: 1/1/2013-31/12/2016)**

**Article 4§5**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

**Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: In the light of section 10, paragraph 4 of the Protection of Wages Laws which provide for wage deductions to be compatible with the subsistence needs of the workers and their dependents, define how this compatibility is determined? Also provide information on the limits.**

According to section 10, paragraph 4 of the Protection of Wages Laws of 2007 and 2012, deductions from an employee's salary shall be limited to the extent that he/she can provide for himself/herself and his/her family. The presence of such provisions in national law allows for the exercise of discretion by the competent authority (Labour Relations Department). In particular, in accordance with section 10, paragraph 4, the Laws take into account the fact that each employee's subsistence needs (including his/her family) depend on his/her personal circumstances, meaning family status, total household income, housing needs e.t.c. By taking into consideration the exact personal circumstance, the Ministry of Labour, Welfare and Social Insurance exercises its discretion. In case the employee disagrees with the Ministry's decision, final

judgement is given in Courts of Law. It should be noted that no such complaints have been lodged since the relevant legislation was voted into law.

Regarding subsistence needs, these are calculated based on the Guaranteed Minimum Income Laws of 2014 to 2017, which provide a methodology for the calculation of each household's minimum subsistence needs. By comparing the total of the calculated subsistence needs with the total of the household's income, the appropriate deductions from the salaries can be decided. It must be noted that among other factors, the methodology for calculating subsistence needs takes into consideration the value of grocery supplies, transport, housing e.t.c.

**Q2: Provide information on wage assignment permitted by Law and how the subsistence needs of the workers and their dependents is being determined**

Protection of Wages Laws of 2007 and 2012 provide that deductions from the salary shall be allowed only with regards to:

- Deductions provided for by law or regulation.
- Deductions provided for by regulations of pension funds, provident funds and health care schemes.
- Deductions governed by a judicial decision.
- Deductions for compensation for loss or damage sustained by the enterprise and caused by intentional or gross negligence on the part of the employee.
- Other deductions with the consent of the employee.

Concerning the determination of subsistence needs, please refer to Q1 above.

**Q3: Are there any limits applied in practice to the payment of wages through benefits in kind, the process of obtaining worker's consent and/or the consequences of prohibiting inducements to make use of shops and services operated by the employer in practice?**

The Protection of Wages of 2007 and 2012 forbid the compensation of any part of the salary in the form of alcoholic beverages or any other harmful substances. However, part of the salary may be paid in kind if this is customary in a specific sector of economic activity. Payments in kind are limited as follows:

- The products must be suitable and beneficial for the employee's household.
- The products' value is reasonable and fair.
- The employee consents.

Each employees' personal circumstances are assessed separately bearing in mind the above-mentioned criteria. Consequently, final decision is subject to the exercise of discretion by the Ministry of Labour, Welfare and Social Insurance (please refer to question 2 above for details).

**Q4: Explain the statutory grounds for deductions referred to in section 10, paragraph 1(a) of the Protection of Wages Laws and / or other permitted grounds for deductions (such as attachment from recovery of dept., criminal or disciplinary fines, tax deductions, deductions for reduced output, reimbursement of advances on pay, trade union dues e.t.c).**

The main legislations, which provide for deductions from wages, are the following:

- Social Insurance Laws of 2010 to 2017. These Laws provide that the employer must retain from an employee's remuneration any amount regulated as an employee's contribution to the social insurance scheme. Currently, the employers retain 7,8% of each employee's wages, a sum which is deposited to with the Social Insurance Fund.
- Income Tax Laws of 2002 to 2017. According to these Laws, every employer is obliged to deduct from each employee's earnings the income tax payable to the Tax Department of the Ministry of Finance.

Other deductions from the salary can only be made with the consent of the employee and provided that the employee's subsistence needs are being met.

**Q5: Provide information on the limits of deductions from wages applicable to the pay of workers governed by the Civil Servants Law of 27 January 1990 (Law 1/1990) and/or the Remuneration of Civil Servants and Staff Act of 23 July 2004 (No. 223/2004) and of seafarers governed by the Merchant Shipping (Masters and Seamen) Act of 25 June 1963 (Law 46/1963).**

Both the Civil Servants Laws of 1990 to 2015 and the Remuneration of Civil Servants and Staff Laws of 2004, regulate deductions to wages of civil servants. The above mentioned legislation does not provide for any limits of deductions.

Regarding the Merchant Shipping (Masters and Seamen) of 1963 to 2002, there are no provisions regarding limitations on deductions from wages.

The Merchant Shipping (Masters and Seamen) Act of 1963 to 2002 provides for some specific deductions from wages. Specifically, section 12 paragraph 3 (g) provides that fines, reduced commissions or other legal sanctions for

misconduct can be deducted from salaries. Section 39 provides that seamen causing themselves deliberate illnesses or injuries will not be entitled to wages for the period they are unable to perform their duties. In addition to that, section 41 of the Laws regulate deductions (no more than one month's wages) from the salary of a seafarer in order to cover the legal costs suffered by the master regarding seafarer's offences resulting in the seafarer's conviction by a competent court.

## **GOVERNMENT OF THE REPUBLIC OF CYPRUS**

### **Report on Article 5 RIGHT TO ORGANIZE**

#### **Of the Revised European Social Charter**

**(Reference period: 1/1/2013-31/12/2016)**

#### **Article 5§1**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

#### **Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: Provide a full an up-to-date description of the situation in law and practice in respect to Article 5 as the most recent detailed information of the situation**

The basic principles and legal basis with which the right to organise is guaranteed has remained the same. No changes have been required since the right to organise has been fully respected, and is adequately provided for by the Constitution, ILO Conventions, ratifying laws, and the Trade Union Laws. It should be noted that this information has already been provided in previous reports on the Application of European Social Charter.

During 2012, Law No. 55(III)/2012 law amending ILO Convention 135 ratifying law was enacted (a copy of the ratifying law with amendments was sent with the previous report), regarding workers representatives, introducing provisions to clarify workers representatives' rights to access the workplace. The amending law clearly specifies that workers' representatives have the right to

enjoy such facilities as may be necessary for the proper exercise of their functions, including access to the workplace with due respect to the rights of property and management in order to apprise workers of the potential advantages of unionization.

In this respect, the right to organise has thus been further strengthened since it is now clearly stated that trade union representatives have the right to promote the right to organise with campaigns they may undertake at an employer's premises.

**GOVERNMENT OF THE REPUBLIC OF CYPRUS**

**Report on Article 6  
RIGHT TO BARGAIN COLLECTIVELY**

**Of the Revised European Social Charter**

**(Reference period: 1/1/2013-31/12/2016)**

**Article 6§1**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

**Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: How the new rules regarding Law 10(III)/2012 were implemented in practice and their impact on joint consultation?**

During the past 5 years, the implementation of Law 10(III)/2012 improved joint consultation between employers and employees' representatives. The new Law provides safeguards to trade unions' access to workplaces and carrying consultations with employers.

**Article 6§2**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

**Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: Provide detailed description of the Law 55(I)/2012 and its impact on the voluntary negotiations between employers and workers.**

Law 55(I)/2012 was introduced to deal with possible cases in which free collective bargaining was hindered by employers who refuse to recognise trade unions for collective bargaining purposes. Within the framework of the Law, one or more trade unions seeking recognition for collective bargaining purposes can submit an application for recognition to the Trade Union Registrar. The Registrar takes into consideration the following conditions:

- The negotiating enterprise is defined.
- The negotiating enterprise employs more than 30 workers.
- At least 25% of the enterprise's workers are members of the applicant trade unions.
- There are no other pending proceedings regarding the right to collectively bargain.
- The employer refuses to negotiate.

When the Registrar accepts the application, she may issue a Recognition Order for the enterprise if:

- Trade Unions have more than 50% membership in the enterprise.
- Voting is being organized by the Trade Unions Registrar and Trade Unions gain more than 50% of the votes and these votes account for more than 40% of the enterprise's workers.

Before voting, the Trade Union Registrar must facilitate trade union access to the enterprises in order for them to inform the workers about the process and to support their cause.

Finally, in cases where, as provided for by Law No. 55(I)/2012, a trade union is recognised for collective bargaining purposes by the issue of a relevant Recognition Order, the resulting collective bargaining negotiations are procedurally governed by the existing machinery laid down by the Industrial Relations Code.



**Q2: Provide detailed description of the procedures applicable in the phase of recognition of trade unions for collective bargaining.**

Other than those described in previous reports as well as the procedures described in Q1 above, there are no other procedures applicable in the phase of recognition of trade unions. Consequently, concerning these matters, there are no changes since the last reporting period, meaning that the Industrial Relations Code is still in force without any modifications.

**Article 6§3**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

**Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: Provide an up-to-date description of the situation.**

Currently, collective agreements in the construction industry are under negotiation for renewal, possibly affecting wage floors for specific professions in these sectors.

Concerning the banking sector, negotiations are now held individually for each banking organisation instead of for the whole sector. Within this framework, most collective agreements reached this year provided for wage increases ranging between 3% to 5%, depending on the years of experience and the wage scale of each employee. Another major change concerns the provident fund employer contributions which will be reduced from 11.5% to 9%.

Negotiations are also underway for the renewal of collective agreements in Private Clinics, and for the Metal Products sector. The collective agreement for the Wood Products sector was renewed, with no change, till the end of June 2017, and in the same manner the collective agreement for vehicle mechanics/garages was renewed up to the end of 2017.

During 2016, the Department of Labour Relations received a total of 177 applications for mediation in labour disputes, compared to 228 applications in 2015. Disputes included the renewal of collective agreements and labour disputes arising from existing terms of employment. Throughout the year, 14 strikes took place, resulting in the loss of 35.801 workdays, compared to 31 strikes that took place in 2015, resulting in the loss of 13.224 workdays.

#### **Article 6§4**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

#### **Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: Provide an up-to-date description of the situation.**

There is no change since the last report of the Government of Cyprus on Article 6 paragraph 4 of the revised European Social Charter.

As mentioned in previous reports, a bill amending Trade Union Laws was submitted before the House of Representatives in 2009, to bring the legislation in conformity with Article 6, paragraph 4 of the European Social Charter. The Government withdrew all draft Laws pending before the House of Representatives in 2013 to re-examine their purpose and functionality.

The Ministry of Labour, Welfare and Social Insurance is drafting a new bill to bring the relevant legislation in conformity with the European Social Charter.

In practice, no complaints have been received from workers and trade unions regarding the right to strike. During 2016, 14 strikes took place, resulting in the loss of 35.801 workdays, compared to 31 strikes that took place in 2015, resulting in the loss of 13.224 workdays.

**GOVERNMENT OF THE REPUBLIC OF CYPRUS**

**Report on Article 22  
RIGHT OF WORKERS TO TAKE PART IN THE DETERMINATION AND  
IMPROVEMENT OF WORKING CONDITIONS AND WORKING  
ENVIRONMENT**

**Of the Revised European Social Charter**

**(Reference period: 1/1/2013-31/12/2016)**

**Article 22**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

It is noted that the Laws regarding Safety and Health at Work have been further amended twice in 2015 by Law No. 170(I)/2015 to enable the Minister of Labour, Welfare and Social Insurance to issue relevant Orders and by Law No. 178(I)/2015 to extend these Laws to cater for the prevention of major accidents and the limitation of the consequences of such accidents.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

**Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q: The Committee requests more detailed and precise information on the appointment, duties and functioning of safety representatives, safety committees and safety officers**

The appointment, duties and functioning of safety representatives, safety committees and safety officers is prescribed in the Safety Committees at Work Regulations (P.I. 134/1997). Furthermore, in accordance with the provisions of the Management of Safety and Health at Work Regulations (P.I. 173/2002), employers with more than five employees must assign one or more workers to engage in activities for the prevention and protection against risks to the safety and health of employed persons. These workers must be sufficiently trained, knowledgeable and experienced in safety and health at work issues. In cases the capabilities within a workplace are not available / adequate, then the employer may assign the carrying out of protective and preventive work to external services / external consultants.

In order to ensure the compliance of employers with the above legal provisions, during regular and targeted inspection campaigns regarding Occupational Safety and Health (OSH), the Inspectors of the Department of Labour Inspection, check whether safety representatives are appointed in each workplace where more than persons are employed and whether safety committees, in which a defined number of safety representatives participate, are established (where 10 or more persons are employed). In cases of larger workplaces, where 200 or more persons are employed, a safety officer must be employed. Safety officers must carry out safety and health at work related duties on a full time basis.

Currently, the DLI's computerized database contains the following relevant data:

	Private sector	Public sector	Total in DLI database
<b>Safety Committees</b>	3750	424	4174
<b>Safety Officers</b>	110	27	137

DLI is requesting and checking the reports on OSH issues submitted every year by all Safety Officers. This report is based on a specific format / questionnaire introduced by DLI which includes questions related to the consultation and participation of workers in all OSH issues such as training and functioning of Safety Committees.

Furthermore, the DLI publishes a register on its website with the names and contact details of those persons / entities which have been approved, subject to the fulfillment of defined minimum qualifications, to offer to interested employers external services for the protection and prevention of risks.

## **Q2 Sanctions for employers**

Regarding sanctions on employers who have contravened the above mentioned legislation, during the period 2012-2016, the DLI has carried out criminal proceedings of a number of employers for a total of 75 contraventions of the requirements of the Safety Committees at Work Regulations and of the Management of Safety and Health at Work Regulations. In each of the cases, a court of law issued relevant monetary fines and or imprisonment / suspended imprisonment of the employer involved.

Finally, the Training and Horizontal Issues Section of the DLI continues to provide training regarding safety and health at work to employed persons who carry out duties of internal protective and preventive services in workplaces. In the case of safety officers, an annual meeting is carried out by the DLI, with attendance of approx. 100 persons, where training and information exchange takes place. Additionally, the DLI sends to safety officers, in electronic format, up to date information on safety and health at work matters, such as EU-OSHA publications, ILO information (e.g. world day on Occupational Safety and Health) as well as legislation updated and new guides prepared by the DLI.

**GOVERNMENT OF THE REPUBLIC OF CYPRUS**

**Report on Article 28  
RIGHT OF WORKERS' REPRESENTATIVES TO PROTECTION IN THE  
UNDERTAKING AND FACILITIES TO BE ACCORDED TO THEM**

**Of the Revised European Social Charter**

**(Reference period: 1/1/2013-31/12/2016)**

**Article 28**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

**Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: Provide more precise information on which ex-workers' representatives are granted protection in terms of termination of employment and unfair treatment.**

Workers representatives are protected against termination of employment through the Termination of Employment Laws of 1967 to 2016. These Laws provide that no worker representative can be dismissed because of their function. With regards to discrimination against workers representatives, such practices are prohibited by the provisions of the Workers' Representatives Convention (Ratification) Laws of 2005 and 2012. In practice, the above mentioned protection is also offered to ex workers representatives.

**GOVERNMENT OF THE REPUBLIC OF CYPRUS**  
**Report on Article 29**  
**RIGHT TO INFORMATION AND CONSULTATION IN PROCEDURES OF**  
**COLLECTIVE REDUNDANCY**

**Of the Revised European Social Charter**

**(Reference period: 1/1/2013-31/12/2016)**

**Article 29**

**(1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.**

No change from previous report.

**(2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc) to implement the legal framework.**

No change from previous report.

**(3) Please provide pertinent figures, statistics or any other relevant information, if appropriate.**

No change from previous report.

**Reply of the Government of Cyprus to the Conclusions of the European Committee of Social Rights 2016**

**Q1: What is the average number of employees who are covered by the Collective Redundancies Law?**

It is estimated that approximately 146.730 employees are covered by the Collective Redundancies Law of 2001 (Statistical Service, 2012). These employees work in establishments that employ 20 or fewer persons.

***Preventive measures and sanctions***

**Q1: What preventive measures exist to ensure that redundancies do not take effect before the obligation of the employer to inform and consult the workers' representatives has been fulfilled?**

Section 6 paragraph 1 of the Collective Redundancies Law of 2001 provides that the employer shall notify in writing the Ministry of Labour, Welfare and Social Insurance about any planned collective redundancy. Upon reception of such notifications the Labour Relations Department investigates whether the employer provided the information and consultation provided for by the Law.