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To
Council of Europe
European Committee of Social Rights
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Subject: Observations submitted by the Greek General Confederation of Labour –GSEE for the implementation of the First Group of European Social Charter’s Articles (articles 1,2,4,5,6, 8, 9, 10, 18, 19, 20, 21, 22, 24,25, 28,29).

The Greek General Confederation of Labour (GSEE), in its capacity of the supreme trade union organisation in Greece representing all workers employed in the Greek territory under private law contracts, would like to call upon the European Committee of Social Rights (ECSR) to examine the Observations submitted herein, as well as any subsequent observation that may be additionally submitted in the case new measures are implemented, as regards the due observance by the Greek State of fundamental labour rights enshrined in the revised European Social Charter’s 1st Group of articles.

Due to the extent of the reference period, GSEE would like to refer to all of its general and specific observations to the 5th national Report on the implementation of ESC’s labor rights, which are resubmitted as Annex I to our current Observations, as well as to the Confederation’s observations on the 1st Special Report on Social Rights and the Cost of Living Crisis, which are also resubmitted as Annex II.

Thanking in advance for the time and attention accorded to our Observations, we remain at your disposal should any additional information or explanation be needed.

On Behalf of GSEE

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President



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TABLE OF CONTENTS

I. Introductory Observations	2
1. GSEE’s institutional role.	2
2. Ratification of the revised European Social Charter (rev. ESC).....	2
3. Submission of the 7th national Report and transmission of copy to the national social partners.....	3
4. Observations on the presentation of legislative developments in the national framework during the reporting period of the 7th Greek Report (Reporting Cycle 2026)	3
II. Observations on specific articles of the revised European Social Charter	12
1. Article 2 - Right to just working conditions	12
Article 3 - The right to safe and healthy working conditions	25
Article 4 – The right to a fair remuneration	31
Article 5 - The right to organize.....	35
Article 6 - The right to bargain collectively.....	39
Article 20 - The right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex.	53
ANNEX I	
ANNEX II	

I. Introductory Observations

1. GSEE's institutional role.

The Greek General Confederation of Labour (GSEE), established in 1918, is the third-level trade union and the foremost representative central workers' organization in Greece. It represents, through its affiliated members, all private sector wage and salary earners (in dependent employment contract or employment relationships as defined in Article 1 of Law 1264/1982, OJ A' 79-1.7.1982). Our members, according to articles 2 and 7 par. 1 of our statute and article 7 of Law 1264/1982, are secondary trade union organizations, namely Labor Centers and Federations, whose members are first level trade unions, which represent, as mentioned, workers with a dependent employment contract or an employment relationship. GSEE current Members are 80 Labour Centers and 69 Federations, which cover workers throughout the country.

According to national legislation and practice, GSEE is the "national social partner" on behalf of workers' side and member of the European Trade Union Confederation (ETUC), whose action it actively supports.

Before commenting on the 7th National Report (referred to by the Greek Government as "8th") on the 'targeted questions' for Group 1 provisions (concerning labour rights), GSEE would like to make the following introductory remarks on the start of the new reporting system introduced by the decision of the Council of Europe's Committee of Ministers of 27 September 2022:

GSEE associates itself with the 'Legal Opinion' elaborated by the ETUC¹ on the question whether new reporting system is in conformity with Article 21 European Social Charter (ESC) 1961 and would like to draw the attention of the European Committee of Social Rights (ECSR) to it. It expresses the sincere hope that this will contribute to make the supervisory reporting system in legal and factual terms efficient.

2. Ratification of the revised European Social Charter (rev. ESC)

With regard to the information on the ratification by Greece of the European Social Charter (Law 1426/1984 – OJ A'32), the two Additional Protocols of 1988 and 1995 (Law 2595/98 – OJ A'63), the Amending Protocol of 1991 (Law 2422/1996 – OJ A'144) and the revised European Social Charter (hereinafter rev.ESC, Law 4359/2016-OJ A'5), with the exception of the provisions of paragraph 4 of article 3, and paragraph 12 of article 19, as well as the non-binding provision of article 6 regarding the establishment and use of arbitration mechanisms for the settlement of labor disputes and the employers' lockout, GSEE would like to refer to our introductory observations on the 5th national Report (2022). We would also like to note that until the submission of the Confederation's Observations to the 7th national Report on the rev.ESC's 1st Group of provisions, the envisaged Presidential Decrees for the ratification of the provisions of article 3 par.4 and 19 par.12 have not been yet issued, nor has their preparation procedure been known.

¹ ETUC Observations and Legal Opinion on the Reporting Cycle 2025 on the "1st Group of European Social Charter provisions" July 6, 2025 <https://etuclex.etuc.org/etuc-observations-and-legal-opinion-reporting-cycle-2025-1st-group-european-social-charter>

3. Submission of the 7th national Report and transmission of copy to the national social partners.

On March 18, 2026, the Ministry of Labour and Social Security (Directorate of International Relations) forwarded a copy of the “8th Greek Report on the Revised ESC (articles 2,3,4,5,6 & 20)” to the national social partners, including GSEE and the five employers’ organizations. This was done for informative purposes, as the report had already been submitted to the European Committee of Social Rights (ECSR) and registered on March 17, 2026.

GSEE would like to note that a timely and genuinely informative and consultative tripartite procedure on this important reporting process would have been welcomed. Such a procedure would enhance transparency regarding the process and content of the 7th national report on the 1st Group of provisions, in response not only to the targeted questions but also to the implementation of all the provisions included in this Group, as it concerns Greece’s compliance to already detected violations and the overall progress made by the competent Authorities in the due implementation of the rights enshrined in the 1st Group of the rev. ESC provisions. Institutional social dialogue is crucial, given our right and willingness to participate by submitting comments and/or additional information, as encouraged by the ECSR.

Furthermore, the Greek Government is aware of GSEE’s substantial interest in the proper implementation of the European Social Charter (ESC), as evidenced by the Collective Complaint No. 111, characterized as a case of general interest. Our reports on Greece's non-compliance with the ECSR's decision on the merits dated March 23, 2017 and September 26, 2022 on the overall state of labor rights as protected by the revised ESC, as well as our observations to the ad hoc Report on the Cost of Living Crisis, dated July 4, 2024 further emphasize this interest.

4. Observations on the presentation of legislative developments in the national framework during the reporting period of the 7th Greek Report (Reporting Cycle 2026)

4.1. Insufficient reference of the 7th National Report to Greece's progress in complying with the ECSR decisions.

GSEE would like to observe that in order to properly reflect and subsequently evaluate the prevailing situation in Greece, the 7th national Report would be appropriate to include a precise reference to the legislative measures adopted for the compliance and restoration of the due implementation of the rev. ESC’s provisions, which have been found by the ECSR to have been violated.

GSEE, in respect of the regular monitoring process of international Conventions, despite the critical changes that have occurred, has repeatedly tried to draw the attention of Greek Governments to the obligation of the national legislation and practice to comply with due implementation of the rev.ESC. This includes the letter to the Ministry of Labour in 2017 on the obligation to comply with ECSR decision on Collective Complaint 111/2014, which was also

submitted to the competent Directorate on Collective Complaints of the Council of Europe in 2018, the submission of our observations to the 5th national Report in September 2022, as well as the observations that we consistently submit to the ILO in the context of the regular monitoring process on the implementation of the relevant ratified International Labour Conventions.

Apart from a few exceptions of legal provisions, acknowledged as violating the ESC, that were repealed (explicitly or non-explicitly), Greece has systematically failed until today to comply with the obligations arising from the provisions of the rev. ESC. This failure is also confirmed by the fact that critical provisions, which are included in our Collective Complaint, not only have they not been abolished until now, but the legislative framework has been further deteriorated in specific areas of individual and collective labour law.

4.2. Consideration as up to date of GSEE's observations to the 5th National Report in relation to the presentation of the national legislative framework.

The national institutional framework, as far as the content the 1st Group of rev. ESC provisions is concerned, has since 2010 been characterized by the deregulatory interventions imposed in the context of the economic crisis and the inelastic terms of the international lending mechanism to Greece²; such terms, due to their long-term application, have acquired permanent characteristics and, above all, a lasting negative impact on the exercise of the specific rights of workers. In addition to re-establishing the exercise of certain rights (such as the age discrimination in the minimum wage/salary, art 1 para 2 rev. ESC) , most of the anti-labour measures imposed under the country's lending conditions still remain in force. Moreover, further anti-labour measures on this already established situation were imposed by legislation which has entered into force to this day, with a cumulative negative impact on workers and their rights³.

A characteristic piece of legislation is Law 4808/2021 dated 19 June 2021 (GG A'101), which not only maintained in force provisions already declared by the European Committee of Social

² See Collective Complaint 111/2014 submitted by GSEE, its update by GSEE in 2016 and the evidence put to the attention of the European Committee for Social Rights at its public hearing.

³ See also Greek National Commission for Human Rights (Observations on Draft Bill of Law 4808/2021, where it is mentioned «The Greek National Commission for Human Rights (GNCHR), responding again with responsibility to the mandate assigned to it by its founding law as the National Human Rights Institution (NHRI) and the independent advisory body to the Greek State on matters pertaining to human rights protection, is monitoring matters related to the promotion and protection of individual and collective labour rights, as well as other relevant labour rights, such as the protection of dignity, health and safety of workers, in the context of inter alia adapting the Greek legislation to the international and European provisions on human rights protection. (...) Given the significance of the issues regulated by this Draft Law, the GNCHR, by promoting the adoption of a human rights based approach, putting people at the centre, is submitting specific observations and recommendations, while, at the same time, pointing out important issues concerning the law-making process. The GNCHR draws the State's attention to the need to assess the cumulative impact of the measures that have been taken both during the economic crisis as well as during the ongoing health pandemic crisis on labour rights. (...) In particular, as regards the law making process, the GNCHR points out that the cumulative regulation of more than one issues of paramount importance for the rights of workers, such as the long-awaited ratification of the ILO Convention No. 190 or the incorporation of Directive (EU) 2019/1158, in a single Draft Law, which in fact introduces significant reforms in the legal framework on the protection of employment, that interact and cumulatively limit the protection scope for employment at the individual and collective level, is negatively assessed. The GNCHR notes that this controversial law-making process has not only deteriorated over the last decade, but it now tends to be consolidated as a practice with permanent characteristics. In fact, this phenomenon is exacerbated by the fact that the present Draft Law, both during the public consultation process and during its submission to the Parliament, was not accompanied by an appropriate Explanatory Memorandum, as part of the Impact Report, that would contribute to the understanding and assessment of its content. Moreover, the GNCHR notes with disappointment that, despite its repeated recommendations on the need to effectively monitor and assess the impact of both the austerity measures and the restrictive measures taken to address the COVID-19 pandemic on the enjoyment of human rights and especially on labour rights, the cumulative impact of these measures has never been assessed.(...)»

<https://www.nchr.gr/en/news/1259-summary-of-gnchr-observations-on-draft-law-of-ministry-of-labour-and-social-affairs.html>

Rights as incompatible with the ESC, but new restrictive regulations have also been imposed to the detriment of the individual and collective rights of workers in Greece. In GSEE's observations to the 5th national Report, to which we are referring again, information is provided on the Confederation's official reaction towards the competent Ministry of Labour.

Given the above mentioned, we would like to refer again to point 2 of our introductory remarks on the 5th national Report and request that they are taken into consideration as part of the present observations, given that they remain relevant since the 7th report includes extensive referrals to legislation adopted in 2021, mainly to L. 4808/2021. During the examination of the greek legislation's compliance to the provisions of rev. ESC by the ECSR, critical provisions of L. 4808/2021, also referred to in the current reporting cycle, were taken into consideration by the Committee, which either requested further clarifications and information (i.e. on art. 2 paras 1,6,7, art. 4 paras 2,5, art. 5, art. 6 paras 1,2,4, art. 26 paras 1, 2, art. 28, art. 29) or assessed their content and application as not being in compliance with the rev. ESC (art. 2 paras 2,3,4, art. 4 paras 1,3,4).

4.3. Obligation to report with clarity on the current legislative framework.

National Reports should reflect with clarity the current legislative framework at the time of their submission, all the more so since updated information on the country's regulatory framework in force and its implementation in practice has been officially and repeatedly requested by the ECSR. Also, the national Reports cannot include references to possible or upcoming legislative initiatives, which have not been completed at the time of their submission (pls see below, in the comments on articles 4 and 20, where reference is made to the incomplete legislative process of incorporating Directive (EU) 2023/970 on promoting pay transparency and ensuring the principle of equal pay between men and women for work of equal value).

4.4. Presentation of the national legal framework through references to the Labour Code (KED).

In the 7th national Report, the presentation of the national legislative framework is mainly done through direct references to the articles of the Labor Code (referred to as KED, Presidential Decree 62/2025, OJ A' 121), without however mentioning the elements of the exact legislative provision that is codified. This has the consequence of giving the wrong impression that these are provisions that were first put into effect in 2025 (year of publication of the Code), while it may concern, for example, legal provisions, included in the Code, that were put into effect in 2021 (e.g. with Law 4808/2021) and which have already been evaluated by the ECSR, or in a later year; however, it is necessary to mention clearly to what legislation KED articles are referred to, so that the regression or progress of the national legislative framework can be clearly understandable and after dully assessed. On the contrary, in other cases, the national Report makes reference to the provisions of the basic legislation, without mentioning their inclusion in the Labor Code, exacerbating the confusion regarding the presentation of the current legislative framework. This situation is a key feature of the current greek reality, which in practice has caused legal uncertainty for both workers and law enforcement officials and the Courts.

GSEE brings to the attention of the ECSR that the Labor Code - KED, which was published and entered into force on July 11, 2025, replaced the Individual Labor Law Code (PD 80/2025, OJ A'222/4-12-2022), as it also included (not substantially codified) the basic and historical legislative laws concerning fundamental collective labor rights (such as Law 1264/1982 on freedom of association and trade unions' operation and Law 1876/1990 on free collective

bargaining and collective labor agreements). The Labor Code is an administrative codification in the form of a Presidential Decree⁴, i.e. a structured listing of provisions of the legislation, without changing their content, as well as of regulatory acts (ie ministerial decisions). It is worth noting that the Code of Health and Safety Laws (referred to as “KNYAE”, Law 3850/2010), to which the 7th National Report refers, has also been included in the KED. KNYAE has a different legal force, because it was prepared and voted through the parliamentary procedure required by the greek Constitution (article 76 par. 6), while it contains the codification of substantial provisions of the integrated EU Law (EU Directives).

Furthermore, KED includes provisions of laws that incorporate European law in critical regulatory areas (gender equality, discrimination, collective redundancies, information and consultation, etc.), as well as provisions that contain the measures of implementation of ratified international labor Conventions, such as the ILO Convention 190 (on violence and harassment at work). The bad practice followed in the legislative process since the entry into force of the Individual Labor Law Code in 2022 and then the Labor Code in 2025 is that the regulations promoted in labor legislation do not amend the legislative acts to which they relate, but the provisions of the Code, causes, as mentioned before, serious legal uncertainty which has further negative impact to the implementation and monitoring of international conventions. An additional challenge to the required transparency and coherence of legislation with a serious impact on the due protection of the rights enshrined in national legislation, is the continuous inclusion in the KED of extensive procedural regulatory acts, which don't have the same legal force, on the registration of data in the central information systems (mainly the PS ERGANI II), which are subject to continuous amendments, usually through non-binding acts (circulars, communications/press releases etc.). GSEE would like to highlight that since 2023 onwards, these observations on the legal uncertainty of the labour legislation are made on a regular basis by the Scientific Service of the Parliament, during its parliamentary duty on commenting to the Bills, as well as by the National Committee for Human Rights, the national human rights' institution (NHRI), during the process of delivering its opinion on Bills concerning human rights, as provided for by law.

GSEE would also like to recall that the codification of labor legislation was a memoranda – imposed obligation⁵ undertaken in 2015, to which Greece had committed to comply. The main complaint made by the GSEE regarding this commitment was that through codification, the anti-labor measures implemented from 2010 onwards, the vast majority of which were assessed by international monitoring bodies (CEACR, ECSR) as violating the country's international commitments, would take on permanent characteristics.

4.5. Unclear and imprecise reference to the development of the national legislative framework.

Given the above mentioned, it appears that the 7th National Report does not adequately and sufficiently reflect the development of the national legislative framework with regard to the

⁴ Pls see Ministry's of Labor and Social Security Statement dated 1.12.2022 entitled "The codification of individual labor law has been completed", stating, among other things, that: "The codification does not bring about any amendment, addition or repeal of provisions, but brings together the existing provisions as they apply, with logical and thematic continuity in order to facilitate the search for the existing institutional framework. In the event that there is a difference between the text of the Code and the original provision that has been codified, the one that will be applied will be the original provision."

⁵ Law 4336/2015 (OJ A'94) on "Pension provisions – Ratification of the Financial Assistance Facility Agreement Draft from the European Stability Mechanism and rules for the implementation of the Financing Agreement", Art. 3 para. C "The labor legislation in force will be simplified and streamlined through its codification into a Labor Law Code by the end of 2016 (key deliverable)". After several legislative extensions, individual labour law has been codified with PD 80/2022, which has been repealed by the Labour Code PD 62/2025.

provisions under consideration of the rev.ESC's 1st Group provisions of the revised ECSR. GSEE would like to summarize the following observations:

After the entry into force of Law 4808/2021 and until the deadline for submitting the 7th national Report (31.12.2025), 3 central legislative initiatives were put forward by the Ministry of Labor and Social Security and adopted (Law 5053/2023 – OJ A' 158/26.09.2023, Law 5163/2024-OJ A' 199/06.12.2024, Law 5239/2025- OJ A' 178/17.10.2025). These Laws were initially presented as legislative acts transposing EU legislation (EU Directives 2019/1152 on transparent working conditions, 2022/2041 on adequate minimum wages) and ratifying International Labour Conventions (2014 Protocol to ILO 29 on forced labour, ILO 155 and 191 on safety and health at work). At the same time, however, they contained extensive further deregulatory changes to labour legislation, related to the implementation of the rev. ESC's 1st Group of provisions under consideration.

The implementation of the individual provisions contained in these Laws was accompanied by the issuance of numerous Ministerial Decisions, as well as Circulars, and Announcements/Press Releases, which in several cases contained regulations outside the legislative authorization of the relevant provisions of the legislation. The main branches of labor law, in which the major legislative interventions of the period from 2022 onwards are identified, are the individual labor law (e.g. regulations on working time, 13-hour daily work, reduction of daily rest time, individual arrangement of working time in an expanded annual report, 6-day work, introduction of two new ultra-flexible types of employment contracts, the on-demand contract and the contract covering "urgent needs", fragmented regulations for working parents, etc.), the law on health and safety – OSH, unfortunately without the required provisions addressing the high rate of occupational accidents and diseases (e.g. ratification of ILO C 155, regulations for safety technicians and occupational doctors, revision of the risk classification of enterprises, OSH coordinators in major contractual projects, etc.), the legal framework of minimum wage setting by the State (e.g. digital mechanism for collecting and analyzing data for calculating the statutory minimum wage, implementation from 2026 of a new system for its automatic adjustment based on a coefficient/algorithm, change in the consultation process through the greek Organisation for Mediation and Arbitration - OMED) and collective labor law (e.g. additional restrictions on the right to strike, further amendments and provisions to the registration process and data entry to the General Registry of Workers' Trade Unions etc).

On February 16, 2026 Law 5278/2026 was published (with effect from 1-2-2026) on the incorporation into legislation of the tripartite agreement reached in November 2025 entitled "National Social Agreement for the strengthening of Collective Labour Agreements". This tripartite agreement constitutes a national measure implementing the obligation under EU Directive 2019/1152 to increase to 80% the percentage of employees covered by collective labour agreements. Critical points of the agreement that were incorporated into the legislation are the subsidiary possibility of the GSEE and the national employers' organizations to co-sign sectoral collective labour agreements (CLAs) and the creation of a legal fiction regarding the achievement of the condition of covering the percentage provided for by national legislation for the extension of the binding force of sectoral CLAs to all workers and employers in the sector, the reduction to 40% (from 50%) of the percentage of workers that is required to be already covered by a sectoral or professional CLA in order for its binding force to be extended and declared as generally binding by Ministerial Decision, the abolition of the second level of Arbitration (appeal stage) and the important change in the access to the Mediation and Arbitration procedure, with the mandatory issuance of a decision on the admissibility of the application (of Mediation or Arbitration) by a special Committee (Committee on the Admissibility), which checks the registration of the workers' and employers' organisations to the competent public Registries, their ability to conclude the certain type of CLA and the actual failure of negotiations). By the time of submission of the GSEE's observations on the 7th

national Report, only 3 national sectoral CLAs had been signed by the contracting parties and co-signed by GSEE and the respective employers' organizations, all of which were extended and declared as generally binding by Ministerial Decision. Until the submission of GSEE's observations the application of the new provisions on the access to the Mediation and Arbitration processes of the OMED is limited, with only one (1) case having been examined for its admissibility to Mediation, following compliance with the new procedure and the issuance of the decision of the Committee on the Admissibility.

4.6. Parallel legislative interventions with a substantial influence on labor legislation

GSEE would like to refer to its relevant observations to the 5th national Report, while emphasizing that also the 7th national Report doesn't make any reference to areas of national policy, such as the policy for migrants, applicants of international protection and recognized refugees, which was characterized by the entry into force of extensive legislative provisions concerning the working conditions in Greece of third-country nationals. It should be noted that Greece, from 2022 onwards, continues to be severely affected by the influx of migrants and refugees⁶. Until the date of the 7th national Report submission (March 2026), critical legislation has been adopted⁷, i.e. Law 5275/2025 (GG A 17/06.02.2026), Law 5038/2023 (GG A'81/01-04-2023), which includes, among other provisions, extensive measures, which limits access to work and social security coverage for third country nationals (international protection applicants, refugees, beneficiaries of subsidiary protection, migrants). The knowledge of these measures would have an important impact on the country's assessment of the state of implementation of the provisions of the rev. ESC under examination. At the same time, and due to high labour demand especially in low skilled jobs (i.e. seasonal work in the touristic sector, construction, agriculture), measures were taken to facilitate the work invitations of third-country nationals, but without guarantees for their equal protection at work, nor for their general protection from illegal and abusive practices. As it is known, serious violations of international rules (i.e. the European Convention on Human Rights) concerning the terms and conditions of work of foreign workers have been identified by critical court judgments, such as the ruling by the European Court of Human Rights *Chowdury and others v. Greece*⁸, , with crucial pending

⁶ UNCHR Greece, Operational Data Portal

https://data.unhcr.org/en/situations/mediterranean/location/5179#_ga=2.247438023.295015393.1658845416-1406292524.1650005793

⁷ Greek National Commission for Human Rights (GNCHR) Reference Report on the bill of L. 5275/2026 on legal immigration policies and the transposition of Dir (EU) 2024/1233 , January 26, 2026 <https://www.nchr.gr/ta-nea-mas/2182-keimeno-paratiriseon-tis-eeda-sto-sxedio-nomou-tou-ypourgeiou-metanastefsis-kai-asylou.html> (in greek), Report on the Bill of L. 5038/2023 on Migration Code March 27,2023 <https://www.nchr.gr/2020-02-26-05-51-20/57-prosfyges-metanastes/1582-paratiriseis-tis-eeda-sto-sxedio-nomou-tou-ypourgeiou-metanastefsis-kai-asylou-kodikas-metanastefsis.html> (in greek)

⁸ The Court noted, in particular, that the applicants' situation was one of human trafficking and forced labour, and specified that exploitation through labour was one aspect of trafficking in human beings. The Court also found that the State had failed in its obligations to prevent the situation of human trafficking, to protect the victims, to conduct an effective investigation into the offences committed and to punish those responsible for the trafficking. Notably, GSEE has repeatedly requested the ratification of Convention 129 (Labour Inspection (Agriculture)) while encouraging the Greek Government to benefit from the Confederation's experience on the related issues as well as to ask for ILO's technical assistance to that direction. The ratification of ILO C 129 is part of the commitments included in the national Road Map to tackle Undeclared Work, which despite the fact that was validated with a tripartite procedure in October 25, 2016, has not been properly implemented.

See also Rule 9.3 - Communication from an NHRI (Greek National Commission for Human Rights (GNCHR)) (08/06/2020) in the case of *Chowdury and Others v. Greece* (Application No. 21884/15) https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016809eb8eb

issues as regards Greece's substantial compliance. The Greek National Commission for Human Rights has made serious observations on these issues, in the adoption of which GSEE's observations have been presented in its Plenary and taken into account, as we mention in our observations in the 5th national report, to which we refer again.

4.7. Lack of Impact Assessment Mechanism

Greece's response to multiple and parallel crises, particularly since 2010, accompanied by extensive restrictive measures against the individual and collective rights of workers showcased the Greek State's weakness to respond to its obligation to make an official assessment of the social and economic impact of these measures based on official data and appropriate economic and social indicators (e.g. indicators of disposable income, living standards and material deprivation, employment rates, unemployment, poverty and exclusion, flexible forms of work, working time, labour accidents, unlawful behaviour and analysis of its forms etc), with further specification based on vulnerability indicators (e.g. gender, disability, age, ethnic origin, migrant or refugee status etc.). The cumulative negative impact on workers' rights should be taken into consideration on the one hand, as it concerns the need for immediate and adequate restorative measures to protect work not only for those workers already affected by existing anti-labour legislation, but also for those who are in serious danger of being affected by their exposure to the risks of deregulated labour legislation and the multifaceted employers' illegal and, in general, unlawful behaviour.

While GSEE consistently emphasizes the importance of a comprehensive and current presentation of the national framework in accordance with the ESC norms and principles, it is regrettable that the 7th national Report, which spans the last 5 years (it begins from 2021), lacks any reference to the social and economic impact of national measures, found incompatible to the rev ESC. This impact assessment should have evaluated the reasoning, content, and duration of national policies and measures. The report should also have provided comments on the effectiveness and efficiency of implemented measures, their impact, alternative policy proposals, and other critical indicators.

GSEE has consistently highlighted the importance of conducting human rights impact assessments (HRIA) in its submissions to international and European supervisory bodies. This process is crucial for ensuring compliance with the ESC provisions on social rights. The Council of Europe's Toolkit on Human Rights Impact Assessment in crisis situations recently underscored the necessity and significance of HRIA⁹.

Special impact on gender equality.

The continuous lack of official and reliable human rights' impact assessment mechanism, also hinders the assessment of the impact of not restored anti-labour measures (i.e. deregulation of working time protection, migration policy measures) on gender equality. This important deficit is further aggravated in Greece by the uncertainty on the mandate and the competencies on the portfolio of gender equality at work. More specifically, one of the first policy actions of the newly elected Government in June 2023, which is the same since 2019, was the creation of a new Ministry, under the title Ministry of Social Cohesion and Family (Presidential Decree No

⁹ Council of Europe, [Toolkit - Human Rights Impact Assessment of the measures taken by the State in situations of crisis](#), May 2024. The Toolkit is the first instrument adopted at intergovernmental level that is intended to assist national authorities in this process. Following its preparation by the Steering Committee for Human Rights, it was adopted by the Committee of Ministers of the Council of Europe, at the 1491st meeting of the Minister's Deputies held on 6 March 2024.

77/2023/OJ A' 130-27.6.2023), which took over important competencies of the Ministry of Labour related to employment policy, such as social inclusion, gender equality, maternity/family protection, social housing etc. While noting that GSEE has direct special interest on these policies, this profound structural change, along with the detachment of the Labour Inspectorate and its transformation to independent authority (see below), has important impact on the monitoring of the gender dimension of the qualitative and quantitative implementation of the rev ESC's provisions. GSEE would like to put special emphasis also to the downgrading of the General Secretariat on Gender Equality, that has been transferred to this new Ministry with no reference to its title, that will have further negative impact on the promotion of gender equality and non discrimination at work, as well as on the due implementation of the rev ESC provisions due to the central role the non competent (now) Ministry of Labour and the detached Labour Inspectorate. GSEE has repeatedly communicated these observations to the ILO as it concerns the due implementation of ratified C 83, 100, 111, 150.

Based on the above mentioned, GSEE would like to request that the CEACR's Observations and Direct Requests of the years 2024 and 2025¹⁰ addressed to the Greek Government that are related to the confusion of responsibilities in the field of gender equality and its impact and the non due implementation of ratified C 83,100,111 and 150 are taken into consideration by the ECSR when evaluating the 7th national Report with regard to all the provisions under examination.

4.8. The role of Labour Inspection on the due implementation of the revESC.

The correct implementation of the revised ECC is inextricably linked to the operation of the Labor Inspectorate, the publicity and the evaluation of inspection data.

Due to the direct link between the due implementation of the 1st Group of provisions of the revised ECC under examination and the operation and work of the Labor Inspectorate, GSEE refers again to its relevant introductory observation in the 5th national Report, which remains relevant in its entirety.

We would also like to emphasize that due to i) the sudden separation of the Labor Inspectorate from the Ministry of Labor and ii) the consequent disruption of the State's central accountability for the coordination and supervision of the inspection policy and its results, while at the same time critical administrative links are maintained with the Ministry of Labor as it concerns the participation of its servants to the inspections of working conditions and with the Ministry of Development as it concerns the administrative coordination of OSH inspections, as well as iii)

¹⁰ ILO, ILO, CEACR Direct Request on the implementation of ratified C105 by Greece
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4435782,102658:NO

ILO, CEACR Observations on the implementation of ratified C100 by Greece
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4415380,102658:NO

ILO, CEACR Direct Requests on the implementation of ratified C100 by Greece
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4415377,102658

ILO, CEACR Observations on the implementation of ratified C111 by Greece
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4415371,102658:NO

ILO, Direct Requests on the implementation of ratified C111 by Greece
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4415368,102658

ILO, Direct Request on the implementation of ratified C150 by Greece
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4435555,102658:NO

the cease of the operation of the collective tripartite bodies for the social participation of national social partners in the policy for labor inspection and the social control of its results (Council on the Social Control of the Labor Inspectorate), GSEE has resorted since 2021 with urgent continuous updates until 2025 to the ILO supervisory mechanism for the control of ratified C81 implementation.

Based on the above mentioned, GSEE would like to request that the CEACR's Observations and Direct Requests of the years 2022 and 2025¹¹ addressed to the Greek Government on the non due implementation of ratified C81 are taken into consideration by the ECSR when evaluating the 7th national Report, as it concerns the obstacles to unhindered and effective controls of the implementation of the rev. ESC provisions under examination and the reporting deficit of the required relevant quantitative and qualitative data.

¹¹ ILO, CEACR Observations on the implementation of ratified C81 by Greece
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4435559,102658

ILO, CEACR Direct Requests on the implementation of ratified C81 by Greece
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4435555,102658

II. Observations on specific articles of the revised European Social Charter

1. Article 2 - Right to just working conditions

Article 2 para.1 - Reasonable daily and weekly working hours

ECSR, in its decision of March, 23 2017, unanimously concluded that Article 2(1) of the European Social Charter (reasonable duration of daily and weekly working hours with progressive reduction of the latter) is violated, due to the excessive permitted weekly working hours and the lack of adequate guarantees for collective bargaining (the framework within which they will operate). Under its 3rd evaluation (March 2024)¹², ECSR found that Greece has not taken measures to comply with this decision.

Non conformity to reporting obligations

As we mentioned in our introductory observations, the 7th national Report also with regard to Article 2, paragraph 1 of the revised ECSC does not meet critical reporting obligations, such as a) the clear presentation of the provisions of the national legislative framework on working time that fall within the reference period of the national Report, b) the clear presentation of the provisions of the national legislative framework, up to the time of submission of the national Report, especially in the case where they substantially change the content of the provisions to be examined, so as not to render the examination by the ECSR devoid of content, c) the presentation of the national legislative measures related to the due implementation and the compliance to the rev. ESC's provisions under examination.

Incomplete presentation of the national legislative framework.

With regard to the manner of presenting the provisions of the national legislative framework (pls. see relevant introductory observation), GSEE would like to show with examples the legal uncertainty that characterizes the 7th national Report due to the invocation of the provisions of the Labor Code, without reference to the critical provisions of the basic legislation they concern. Indicatively, we would like to refer to the provisions of KED invoked in the report as it concerns art.2 para.1 of the rev. ESC in relation to the basic legislative acts that they concern: art. 189 KED is art. 55 of Law 4808/2021, art. 187 KED is art. 2 of PD 27.6.1932, art. 193 KED is art. 4 of PD 27.6.1932 (as amended by art. 1 of LD 515/1970), art. 194 KED is art. 4 of Law 2874/2000 (as amended by art. 58 of Law 4808/2021), art. 174 KED is art. 6 of PD 88/1999, art. 173 KED is art. 5 of PD 88/1999 (as amended by art.3 of PD 76/2004), art. 581 KED is art. 80 of Law 4144/2013 (as amended by art. 78 of Law 4808/2021 and art. 22 of Law 5053/2023), art. 73 KED is art. 6 of Law 5053/2023 (as amended by art.4 of Law 5239/2025, with which art. 4 of Dir EU 2019/1152 has been incorporated to national law), art. 190 KED is art. 10 of Law

¹² European Committee of Social Rights (March 2024): Follow-up to decisions on the merits of Collective Complaints, Findings 2023 (adopted in January 2024) <https://rm.coe.int/findings-2023-en-final/1680b0630c>

5053/2023 (with which articles 10 and 11 of Directive EU 2019/1152 were incorporated in national law. National Report, which should clearly present the legislative framework in force and its amendments that are crucial for examining Greece's implementation of article 2, paragraph 1 of the rev.ESC, doesn't meet this substantial obligation, with a serious impact on the correct depiction of the prevailing situation in Greece.

GSEE's Observations to the 5th national Report.

Based on the above mentioned and with regard to the progress of the implementation of article 2 par. 1 of the rev. ESC since its last examination, GSEE would like to refer to all of its general and specific observations to the 5th national Report on the implementation of ESC's labor rights, which are resubmitted as Annex I to our current Observations and would like to request their re-consideration in their entirety, i.e. including the references to workers on digital platforms/point 1.1.7, managerial employers/point 1.1.8, domestic workers/point 1.3., workers in the health sector/point 1.5). We would like also to ask the re-consideration of the Confederation's observations in the 5th national Report regarding article 4 par. 2 of the rev. ESC, due to their relevance and importance in reflecting the situation in Greece. It is noted that the 7th National Report avoids responding with specific examples to the practical application of the working time provisions, as well as responding to the examples contained in the observations of the GSEE in the 5th National Report regarding article 2 par.1.

Weekly working hours of seafarers.

Regarding the specific question on the weekly working hours of seafarers, GSEE observes that it would be particularly important for the 7th national Report to contain data on the implementation of the legislation by the competent Ministry of Maritime Affairs and Insular Policy and the competent supervisory Authority, which is the Port Authorities (Central Port Authorities and the Port Authorities of the Coast Guard - Hellenic Coast Guard). GSEE supports the positions and complaints of its secondary member organization, the Panhellenic Maritime Federation (PNO). These concern the extended daily and weekly working time of seafarers employed on special categories, like the high-speed vessels, a situation that is exacerbated during periods of increased touristic flows. According to the data of PNO from the inspections carried out through the Special Department of Control and Inspections, it appears that on several high-speed vessels the 10-hour working time is violated and the work reaches 16 hours in 24 hours¹³. PNO is on constant alert due to complaints of violations of the legislation regarding the working time of seafarers, whether they are direct or caused as a consequence of other violations, such as the failure to cover the foreseen organic positions on the ships, sudden changes in itineraries, etc (Law 4078/2012 on the ratification of MLC, PD 381/2001 on the ratification of the Regulation

¹³ Δελτία Τύπου ΠΝΟ 8.5.2026 <https://www.pno.gr/post/%CF%80-%CE%BD-%CE%BF-%CE%B5%CF%81%CE%B3%CE%B1%CF%83%CE%B9%CE%B1%CE%BA%CF%8C-%CE%BA%CE%B1%CE%B8%CE%B5%CF%83%CF%84%CF%8E%CF%82-%CF%80%CE%BF%CF%85-%CE%B5%CF%80%CE%B9%CE%BA%CF%81%CE%B1%CF%84%CE%B5%CE%AF-%CF%83%CF%84%CE%B1-%CE%B5-%CE%B3-%CE%BF-%CE%B3-%CF%84%CE%B1%CF%87%CF%8D%CF%80%CE%BB%CE%BF%CE%B1>
18.12.2024 <https://www.pno.gr/post/%CF%80-%CE%BD-%CE%BF-%CE%B5%CF%81%CE%B3%CE%B1%CF%83%CE%B9%CE%B1%CE%BA%CF%8C-%CE%BA%CE%B1%CE%B8%CE%B5%CF%83%CF%84%CF%8E%CF%82-%CE%B5-%CE%B3-%CE%BF-%CE%B3-%CF%84%CE%B1%CF%87%CF%85%CF%80%CE%BB%CE%BF%CF%89%CE%BD-%CF%83%CE%BA%CE%B1%CF%86%CF%89%CE%BD>

See also World Maritime University, Quantifying an inconvenient truth : revisiting a culture of adjustment on work/rest hours, 2024 available at <https://www.wmu.se/scholarly-books/quantifying-an-inconvenient-truth>

on maximum working hours of crews of Passenger and Passenger/Vehicle and High-Speed vessels).

Examination of art. 2 as a whole

With regard to the provisions of the remaining paragraphs of article 2, for which Greece has been found to be non-compliant with the rev. ESC, GSEE would like to refer to its observations on the 5th national Report (Annex I).

Follow up observations by GSEE

Taking into account the critical developments in law and practice until the date of submission of the 7th National Report (March 2026), especially given that the National Report itself refers to developments that took place in the years 2024, 2025 and 2026, accompanying them with data (fragmentary) from labour inspections that took place in 2025, the GSEE would like to bring the following to the attention of the ECSR:

Critical amendment in 2024 of the national legislative framework on working time.

On top of the negative provisions adopted in 2021, the greek Government proceeded to new deregulative amendments of the legal framework on working time in September 2023, with the adoption of Law 5053/2023 (GG A 158/26.09.2023). The new measures provided for i) the introduction of probation period of 6 months in employment contracts of indefinite duration or of the ¼, with a maximum of 6 months, of the total duration in fixed term contracts, while maintaining employer's right to terminate indefinite-term contracts within the first 12 months without notice or severance pay (art. 4 and 19, included as art. 2 and 336 respectively to the Labour Code), ii) the obscure availability of workers through contracts of "on demand" work, though which they pre-agree to avail themselves for the provision (in principle) of a minimum number of working hours that are not less than ¼ of total agreed hours, after a prior written notice by the employers, which (in principle also) could not be given less than 24 hours (with exceptions, art. 6, included as art .73 to the Labour Code), iii) the extension of the five days working week, with the introduction of employer's ability to ask the provision of work at the sixth (6th) day for 8 hours, (in principle) exceptionally (for enterprises with continuous operation) and in case of unpredicted work load (for the enterprises with non-continuous 5days operation, that can extend it) (art. 25 and 26, included as art .192 and 192 respectively to the Labour Code), iv) introduction of further exceptions on enterprises that can legally work on Sundays and public holidays (art.27, included as art. 210 to the Labour Code), v) introduction of the right to agree on an individual basis of working time organization, issue regulated until now, only through collective agreements (art. 28, included as art. 202 to the Labour Code), vi) the extension of the capacity and deliverables of the central digital platform of ERGANI (now II) described in general terms by law, but mainly defined in their content through ministerial decisions, as provided to be issued for the extension of the application of the digital card and the 6th days' working week (art . 9,22,25,26,32, as included in art. 199, 581, 192, 191, 532 respectively to the Labour Code), vii) the, indirectly introduced, obligation of the independent authority of Labour Inspection, after its detachment, to fulfil its mandate and provide its work on the inspection of labour law application in conformity with the guidelines given by the Ministry of Labour, not through normative acts (i.e. legislation or ministerial decisions), but through "circulars", i.e. soft law administrative instructions.

GSEE would like to highlight that, especially as it concerns the new provisions for work on the 6th day of the week: the relevant provisions of Law 5053/2023 (art. 25 and 26) provide for the "exceptional" employment of workers on the 6th day of the week for up to 8 hours with a 40% increase in the daily wage in businesses that implement five-day work, whether they have continuous operation (article 25) or they are not by their nature of continuous operation, in case of "unpredicted particularly increased workload" (article 26). Both of these provisions, which were initially introduced in the Individual Labor Law Code (articles 182C and 182B of Presidential Decree 80/2022) don't define these vague legal concepts ("exceptional", "unpredicted particularly increased workload", as they contain a similar provision for the issuance of Ministerial Decisions for the procedure of registering this additional day in PS ERGANI II and any other relevant issue for their implementation. At the same time, in the Individual Labor Law Code, article 186 contained the provision of article 8 of Law 3846/2010, which also regulates the issue of work on the 6th day and provides that it is illegal, and in addition to the foreseen sanctions, should be compensated with an increase of the daily salary by 30%. GSEE has raised with an urgent letter the serious practical effects of these contradictory provisions, asking for clarifications, but the Ministry of Labour didn't correspond. It should be mentioned, that the low percentage of declared work on Saturdays, derived from data of the central information system PS ERGANI II, is not due to the reduced use of this measure, nor to changes in legislation, but to administrative restrictions on the access of all businesses to declare it digitally.

Despite the positive side of the provisions on the digital card, which is supported in principal also by the GSEE, its implementation was promoted in conjunction with the new deregulative measures on working time, both implemented not by ad hoc Ministerial Decisions but through the ones that regulate the use of the Information System ERGANI on the several aspects of working time declaration. Along with the time of the measures' implementation (July 1st, 2024) at the peak of the heatwaves, where normally measures on the reduction of working time should be implemented vigorously, these successive and cumulative measures have created an environment of confusion for workers, also for the Labour Inspection, and extensive abusive behaviours at the expense of workers' rights, their health and safety and their need to reconcile working and family/private life, especially those related to the extra 8 hour work on the 6th day (with no right for rest day), the work on Sundays, the extended overtime and the pressure to agree individually to an organization of working time.

GSEE has repeatedly strongly reacted to the adoption and the implementation of these measures on working time¹⁴, while we have asked the organization of seminars on the practical use of ERGANI system, for the information of trade union officials throughout Greece and of our central information services (i.e. GSEE's Centre for Workers' and Unemployed persons Information, KEPEA-GSEE). Meanwhile, these measures, which have raised international interest on the situation of working time in Greece¹⁵, have also created strong reactions of accountants' associations for the confusion created in their implementation, as well as of the Ministry of Labour employees' union, whose members are civil servants of the Ministry's competent services for the application of labour legislation and ask for the abolition of these provisions, while supporting all the arguments on their deregulative content and impact

¹⁴ Ministry of Labour Press Release on the implementation of digital card and the provisions related to work at the 6th day of the week <https://ypergasias.gov.gr/ti-ischyei-me-tin-psifiaki-karta-ergasias-se-viomichania-kai-lianeborio-se-leitourgia-i-dynatotita-efarmogis-6imeris-ergasias-sto-p-s-ergani-me-prostheta-ofeli-gia-tous-ergazomenous/>

GSEE Press Releases <https://gsee.gr/deltia-typou/terma-ta-paichnidia-nomothetikis-oikonomias-me-to-chrono-ergasias/>

¹⁵ <https://www.dw.com/en/greece-introduces-the-six-day-work-week/a-69439050>

<https://www.nytimes.com/2024/07/04/world/europe/greece-six-day-workweek.html>

<https://www.euronews.com/2024/07/01/controversial-six-day-workweek-begins-for-some-greek-businesses>

<https://globalnews.ca/news/10600358/six-day-work-week-greece-canada/>

<https://tech.co/news/4-day-workweek-greece-6-day>

to the detriment of workers' rights¹⁶. Indicatively, in their press release it is mentioned that they feel obliged to provide clarifications to the arguments of the Government that *"the new provisions on the 6-day work concerns those employees who had until now secured a five-day work system in the context of a collective or individual employment contract. With this arrangement, the very structure of labor law is being jeopardized, as the terms of both individual and collective labor contracts are changed for the worse by government intervention. This fact constitutes a flagrant violation of the fundamental "principle of favorability" of labor law, as the six-day work can be applied unilaterally by the employer as nowhere in the law is it defined that the consent of the employees is required for the imposition of the 6-day work. Therefore, statements about workers' consent are deliberately misleading to dampen reactions", "another inaccuracy mentioned in the press release of the Ministry, is that businesses submit an "application" for the implementation of the measure. The reality is that businesses simply submit a form called "Declaration of Employment on the Sixth Day". And this because according to the law "Employment on the sixth (6th) day of the week is registered by the employer, in ERGANI II before the employee takes up duty". The Ministerial Decision on the declarations to ERGANI refers to a "digital declaration of employer's notification" therefore no procedure for approving or rejecting the relevant declaration is foreseen. It is also extremely problematic that the relevant form does not contain a declaration on the number of workers who will be employed, therefore it is almost impossible to extract safe statistics on the extent that the implementation of the 6-day work will take. There is no specific time limit for the six-day work period. The company, invoking extraordinary circumstances or increased work load, can extend the six-day work system for as long as it wants for workers who have signed five-day contracts. ERGANI gives a protocol number to all Declarations, even if they define an application period of several weeks or months! In addition, even statements with a blank in the time period field are registered as normal! We emphasize that this is not a technical problem of configuring the information system, since the law itself does not set time limits!" "The government assumes enormous responsibilities by implementing these provisions as increasing the weekly working time objectively increases the risk of occupational accidents and occupational diseases. We remind you that the same law established the possibility of employment for many employers up to 13 hours a day. Working time limits are inextricably linked to health and safety conditions at work, therefore not only concern the work of the workers but also their very lives".*

It should be also mentioned that the European Commission, in its answer to a parliamentary question, has reserved the right to take position on the legitimacy of these provisions stating that *"since this Greek law also contains new provisions regulating working time and other working conditions, the Commission has to make a full assessment of compliance of the provisions of law nr. 5053/2023 with all applicable EU acquis"*¹⁷.

¹⁶ Association of Ministry of Labour Employees [Ζητά την απόσυρση της ρύθμισης για 6ήμερη εργασία, καθώς και όλων των αντεργατικών διατάξεων του νόμου Γεωργιάδη | 902.gr](https://www.ame.gr/902-gr)

¹⁷ Question for written answer E-002956/2023 to the Commission, 5.10.2023 https://www.europarl.europa.eu/doceo/document/E-9-2023-002956_EN.html

Further critical amendment in 2025 of the national legislative framework on working time.

In examining the national legislative framework for the implementation of 2 par.1 with regard not only to its continued violation, but also to the addition of new critical parameters that confirm non-compliance with it, GSEE brings to the attention of the ECSR the additional legislative changes adopted and put in practice in 2025 with Law 5239/2025 (OJ A 178/17.10.2025). It is noted that the 7th national Report provides data on inspections by the Labor Inspectorate in 2025 (e.g. for the period 6/2025 to 9/2025) without, however, making the required reference to the legislative framework governing these inspections.

The new measures, in force since October 2025 under Law 5239/2025 are the following: with regard to working time and annual leave of workers, the possibility of providing work for 13 hours per day for the same employer (article 7 of Law 5239/2025/article 194 KED); the possibility of organizing working time on a weekly basis (article 8 of Law 5239/2025/article 202 KED amending article 41 of Law 1892/1990); the possibility of additional employment (overtime) in rotation work (article 6 of Law 5239/2025/ 113 of KED, amending article 38 of Law 1892/1990); the facilitation of the use of overtime employment through the important reduction in social security contributions for the 5 hours overtime work at the employers' discretion, the additional overtime work and the work at night, Sundays and holidays (article 73 of Law 5239/2025, amending article 41 of Law 5184/2025); the reduction only to 5 consecutive days from 10 (for a 5-day week) or 6 days from 12 (for a 6 day-week) of the obligatory minimum period of annual leave's split, thus allowing the fragmentation of the annual leave with no limit (art. 10 of Law 5239/2025/art. 225 of KED, amending art. 8 of Law 549/1977) in combination with the abolition of the employer's obligation to declare worker's annual leave prior to its take-up (art. 9 of Law 5239/2025/art. 224 of KED, amending art. 4 of Law 539/1945); the possibility of the employer to consider the unjustified absence of 3 days from work, as voluntary resignation of the worker, without obligation to pay compensation (art.14 of Law 5239/2025/art. 303 of KED, amending art. 38 of Law 4488/2017); granting employers the opportunity to employ workers with fixed-term contracts of 2 days (art. 21 of Law 5239/2025/art. 578 A of KED); introduction of a flexible arrival of up to 120 minutes with an impact on what is considered as preparation time (art. 22 of Law 5239/2025/ art. 580 of KED, amending art. 74 of Law 4808/2021).

All the above mentioned provisions, which comprise the legislative framework of reference in force for the implementation of article 2 paragraph 1 of the rev,ESC, have significant influence on its upcoming evaluation, while indicate the seriousness of the lack of timely, detailed and sufficiently comprehensive data of the 7th National Report.

The new provision on the 13-hour work in the same employer (art. 7 of Law 5239/2025/art. 194 KED, amending art. 4 of Law 2874/2000)

GSEE observes that under the previous legislative framework, which is presented as in force in the 7th National Report, the possibility of parallel employment for several employers was foreseen, while the employer had the possibility of employing the worker overtime for up to 3 hours per day. Under the new legislative provisions, workers can work overtime for up to 4 hours per day, while at the same time the maximum daily employment time for the same employer is increased (8 hours + 1 hour of overtime at the discretion of the employer + 4 hours of additional overtime). This has the effect of circumventing the 11-hour daily rest, especially if we take into account a) the time spent commuting to and from work, b) the break time, which, under the legislation in force, is not considered as working time and c) the preparation time (in accordance with art. 22 of Law 5239/2025). Thus, in practice, it is obvious that the 11-hour rest

period is being violated, despite the fact that under Directive 2003/88/EC, it is recognized as a minimum standard of protection.

The argument invoked that these provisions do not change the situation, since 13-hour work for two employers has been already in force in Greece, is unfounded. This is because the possibility of providing 13-hour work for two employers, which was established by article 9 of law 5053/2023 and had already caused strong opposition from the GSEE, cannot constitute an argument for further worsening the existing situation, which is already highly problematic. We point out that working for two employers is (theoretically) a choice of the workers, while 13-hour work for one employer will essentially constitute their obligation. The 9th hour of daily work (overtime at the discretion of the employer) is already mandatory by law (we note that the institution of this type of overtime is an originality of the Greek legislator, in order to increase, at the employer's discretion, workers' daily working time by one hour). The remaining four hours after the 9th (10th, 11th, 12th and 13th) become mandatory for the worker, since, as provided in article 659 par. 1 of the greek Civil Code *"if there is a need for work beyond what is agreed or customary, the worker must perform it, provided they he/she is able and his/her refusal goes against good faith"*. Thus, according to the this provision, there is in principle an obligation for the worker to provide additional work, while he/she can refuse it only when his/her refusal is not contrary to good faith. The reasons for the worker's opposition to providing additional work must be invoked and proven by him/her, in order to avoid the consequences of any lateness or even the termination of his/her employment contract. However, even if the worker's consent to overtime work from the 10th to the 13th hour is considered necessary, this "consent" is usually not a product of free will, given the inherent inequality of the employer-worker relationship, which is also reinforced by the prevailing precariousness in the greek labor market.

The provision in article 16 of Law 5239/2025 (350 KED, amending art. 66 of Law 4808/2021) that the dismissal of a worker who refuses to provide overtime work is invalid, which is not new in our law, can be circumvented by the employer, who has the option of filing a complaint, denying that the dismissal was dictated by the worker's refusal to provide overtime work. Moreover, after the abolition of the provision on the valid reason for dismissal, the employer is not obliged to justify his termination of the employment contract.

The impact of the over-employment of Greek workers on their health and safety are catastrophic and are confirmed by the increasing number of work accidents, especially the fatal work accidents. The new provision on the 13 hours of daily work further expands the scope of exceeding working hours, to the detriment of the health and safety of workers, leading to their work burnout and dissolving any concept of their personal and family life.

It should be noted that, despite the fact that rapid technological developments have long ago created the conditions and have raised the issue of reducing working hours without reducing wages, which is also supported by the GSEE, Law 5239/2025 erodes even these minimum protection limits, normalizing, among other things, 13-hour daily work for the same employer, at a time when statistical data has been confirming for years the over-employment of workers in Greece at a pan-European level. At the same time, low wages and high cost of living, which erodes the purchasing power of wages, increase the need of workers for additional work, in a context of individualization of labor relations, situation that these provisions also intensify.

The GSEE would also like to note that under the provision of article 73 of Law 5239/2025 on the abolition of social security contributions to overtime payment, as well as the payment for work at night, on Sundays and on holidays, employers gain another incentive to employ existing employees in the company, instead of hiring new employees, since overtime, work on Sundays, holidays, at night, etc. become cheaper, while at the same time workers' rights are furtherly endangered, since the National Social Security Fund's (EFKA) revenues from social security

contributions is reduced. Social security contributions are acknowledged as "wage in the broad sense", as they constitute an additional element of work compensation, which (compensation) is not limited to the regular earnings.

Organisation of working time (also) on a weekly basis (art. 8 of Law N. 5239/2025/art. άρθρο KED, amending art. 41 of Law 1892/1990).

Working time organisation is a system of distribution of working time implemented by offsetting increased hours of employment in one period with fewer hours in another period. Under previous legislative interventions (article 59 of Law 4808/2021, article 28 of Law 5053/2023), which are not mentioned in the 7th National Report although they are crucial for the reporting period, the definition and implementation of the working time organization system essentially belongs to the managerial power of the employer, who has another tool for introducing further work flexibility and avoiding payment of overtime work. The legal requirement on the absence of a trade union or of an agreement between a trade union and the employer, in order for the employer to achieve an individual agreement with the worker on working time organization, is not critical, given that in Greece approximately 99.9% of enterprises are very micro, small and medium sized (SMEs), where due to the small number of workers, no trade unions exist. Besides, in practice, no employer will agree collectively to the arrangement, when he can implement it by individual agreement with the employee. This is the main reason, why there aren't any collective agreements on working time organization, which also explains why the 7th national Report doesn't contain any official data on that issue.

According to the legislation in force until 2025, two systems of working time organization are provided: one on a six-monthly and one on an annual basis. Law 5239/2025 provides for the possibility of agreeing on the organization of working time also on a weekly basis, while during the period of reduced employment, in addition to the reduced hours or days off, it is provided that an increase in annual leave with pay may be granted. Thus, in the framework of the promoted working time organization on a weekly basis, a 10-hour daily work in a 4 days' week and a granting of leave on the 5th day may be "agreed". This system can last up to 12 months. The argument invoked, that this measure will supposedly serve working parents, is unfortunate, since it ignores the reality of the non-existence or inadequacy of public structures for the care of children, especially during the days of the increased parental employment. Thus, this measure does not serve the balance of professional and family life, as announced. Furthermore, the four-day 10-hour working week, which is also provided for by Law 5239/2025 (article 7), essentially means that additional work (overtime) will be provided without additional pay, in exchange for a day off or an extra day off. The organization of working time in periods less than six months, e.g. on a weekly or even monthly basis, essentially means that the work is fully adapted to the needs of the company, instead of the latter hiring additional staff to cover them. With the already existing flexible working time arrangements, there are greater risks to the health and safety of workers caused by their over-employment, given that, according to the current legal framework, even during the period of reduced employment, overtime work of the worker is allowed with the increases provided for their payment (overtime at the discretion of employer 20%, additional overtime 40% when is legal and 120% when is illegal, ie not declared).

Overtime work in rotation work (art. 6 of Law N. 5239/2025/113 KED, amending art. 38 of Law 1892/1990).

Rotation work is considered to be the employment for fewer days per week or fewer weeks per month or fewer months per year or a combination thereof, based on full daily working hours. In the greek legal framework, the measure of rotation work indicates either limited enterprise's needs to be met or (in the case of unilateral imposition) a limitation of the economic activity of the enterprise, which is of such extent and intensity as to justify dismissals. Therefore, the existence of a need to provide additional work through overtime employment of the worker with rotation work contract, nullifies the reason for applying rotation work and requires its conversion into full-time or the recruitment of new personnel. Thus, the new provision on the overtime work of workers under rotation work contracts, undermines full-time employment and prevents new recruitment of personnel.

New type of fixed term employment contracts with (max) 2 days duration per week (α (art 21 of Law 5239/2025/ art. 578 A KED)).

Article 21 of Law 5239/2025 provides employers with the opportunity to hire workers in order to meet urgent needs with a fixed-term employment contract, lasting up to two (2) days per week, through a special electronic application under the title "Rapid Recruitment". The worker receives a notification of the proposal to conclude the contract through the electronic application "MyErgani", and must accept it, through the same electronic application, before the start of employment. According to this provision, a contract may be concluded for the provision of 2 days of work, which may be provided, consecutively or not, within a period of one week.

The wording of the provision "contract for up to two (2) days per week" creates confusion with rotation work: Rotation work is considered the employment for fewer days per week or fewer weeks per month or fewer months per year or a combination thereof in full working hours per day. The 2-day contract can be included in the concept of rotation work only if it is agreed: a) full daily working hours and b) when the work is agreed to be provided 2 days each week within a certain time period determined in broader time periods (e.g. month, semester, year, etc.).

Therefore, the new provision introduces a form of extreme flexibility of the employment contract, which, since the law does not distinguish, can be full-time or part-time or even involve a contract on demand. This means that the employer can make use of more non-standard (precarious) forms of employment.

An example of such a contract could concern the provision of work for 2 days a week (e.g. Saturday and Sunday or Friday and Sunday etc.):

- ***either*** with a full time 13-hour/day employment, including 1 hour overtime at the discretion of the employer and 3 hours additional overtime work
- ***or*** part-time work, e.g. 4 or 6 hours/day, with the possibility of providing additional work (with a 12% increase). This additional work can be provided, if the worker "agrees", even at a non consecutive period of the same day.
- ***or*** by a contract on demand, in which, for example, the working hours of the two working days in the week are agreed upon as well as the employee's notice period, which cannot be less than 24 hours. The employer may, according to the law, invoke circumstances that objectively justify a shorter notice period. In this case, there is no longer an obligation to agree on a minimum number of paid working hours, since article 21 of the same Law 5239/2025 abolishes a) the obligation of the parties to agree on a minimum number of paid working hours, which cannot be less than one quarter (1/4) of the agreed total number of

hours, b) the application to these contracts of all protective provisions, in particular those regarding working time (daily and weekly rest, breaks, night work, etc.). Thus, "on-demand" contracts are transformed, with the new provision, into pure "zero-hour" contracts, without any protection for the employee. Therefore, the employer can maintain a "reserve" of "free-of-cost" employees, without being obliged to provide any remuneration, in the event that he/she ultimately does not notify the worker to provide work.

Introduction of a flexible arrival of up to 120 minutes with an impact on what is considered as preparation time (art. 22 of Law 5239/2025/ art. 580 of KED, amending art. 74 of Law 4808/2021).

The new provision provides that in companies that are covered by the legislation on the digital card (system of declaring digitally the beginning and the end of work), flexible arrival of up to 120 minutes per day may be "agreed" in writing between the employer and the worker. The risk of abusive practices under the guise of an employer-worker "agreement" for flexibility in the clock-in and clock-out time is evident, as this "flexibility" allows the employer to informally change working hours and leave unpaid overtime work.

Also, it is provided that preparation time is deducted from working time. This time for the industrial sector can amount to up to 30 minutes before the start of work and thirty (30) minutes after the end of work. In enterprises - employers of the remaining sectors, preparation time amounts to up to ten (10) minutes before the start of work and ten (10) minutes after its end. This time is no longer considered working time, with all the consequences for the remaining daily rest time, since the 11th hour is now perforated.

ILO Committee of Experts on the Application of Conventions and Recommendations Observations and Direct Requests addressed to Greece.

In the framework of the regular monitoring procedure on the implementation of ratified ILO Conventions No1 (Law 2269/1920, OJ A'145/1.7.1920), No 14 (Law 2990/1929, OJ A'163/11.5.1929) and No 106 (Law 1174/1981, OJ A'182/13.7.1981), ILO CEACR, taking also into consideration of GSEE's submitted Observations, has addressed to the greek Government, through its Report¹⁸, important Observations and Direct Request, while commenting, in a negative way, on the vagueness and precariousness of the national legislative framework. Indicatively, CEACR, while examining, among others, the provisions of articles 174, 189, 194 of KED (included in the 7th national Report), as well as the above mentioned provision of Law 5239/2025, it states:

¹⁸ Report of the Committee of Experts on the Application of Conventions and Recommendations 2025, February 18, 2026 <https://www.ilo.org/resource/conference-paper/ilc/ilc114/application-international-labour-standards-2026>
CEACR Observation 2025 on the application by Greece of ratified C1 https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4448117,102658:NO
CEACR Direct Request 2025 on the application by Greece of ratified C1 , C14, C106 https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4448112,102658

CEACR Observations

“Articles 2(c), 4 and 5 of Convention No1. Variable distribution of normal hours of work over periods longer than a week. Circumstances and limits. (...) The Committee observes that none of the above provisions sets any precise circumstances for resorting to averaging of working hours. In this respect, the Committee recalls that: (i) the averaging of hours of work in general is authorized in the Convention only over a reference period of one week, and provided that a daily limit of nine hours is required (Article 2(b)); and (ii) in all the other cases in which the averaging of working hours is allowed over reference periods longer than a week, the circumstances are clearly specified, as follows:

(i) in case of shift work, it shall be permissible to employ persons in excess of 8 hours in any one day and 48 hours in any one week, if the average number of hours over a period of three weeks or less does not exceed 8 per day and 48 per week (Article 2(c));

(ii) in those processes which are required by reason of the nature of the process to be carried on continuously by a succession of shifts, the daily and weekly limit of hours of work may be exceeded subject to the condition that the working hours shall not exceed 56 in the week on the average (Article 4); and

(iii) in exceptional cases where it is recognized that the limits of 8 hours a day and 48 hours a week cannot be applied, agreements between workers’ and employers’ organizations may fix a longer daily limit of works, provided that the average number of hours worked per week, over the number of weeks covered by any such agreement, shall not exceed 48 (Article 5).

The Committee requests the Government to take the necessary measures to bring the above provisions into conformity with the requirements of the Convention”.

“Articles 3 and 6 of Convention No1. Exceptions to normal hours of work. Circumstances and limits on the number of additional hours (...) In this respect, the Committee observes that: (i) as a result, an employee may work up to 13 hours per day (eight normal working hours, one hour of “overwork” and four hours of overtime); and (ii) with regards to “exceptional overtime” (overtime that is not approved through the formalities and procedures provided for in the law), no maximum limits and circumstances are set. The Committee also notes that in its observations, the GSEE indicates that Law No. 4808/2021 increased overtime limits from 120 to 150 hours per year, with the possibility of further increases through Ministerial Decisions (section 58 of the Code of Labour Law).

*In this regard, the Committee recalls the fundamental importance of prescribing clear statutory limits for additional hours of work and of keeping the number of additional hours allowed within reasonable limits that take into account both the health and well-being of workers, and the employers’ productivity needs (2018 General Survey on working-time instruments, paras 151 and 179). It also recalls that temporary exceptions to normal hours of work are authorized in the Convention in very limited and well-circumscribed cases. **The Committee requests the Government to take the necessary steps to define the exceptional circumstances under which normal hours of work may be increased in industrial establishments and to set clear statutory limits for overtime in accordance with the Convention”.***

CEACR Direct Request

*Article 8(1)(c) of Convention No. 1. Record of additional hours. The Committee notes that in its observations, the GSEE indicates that the implementation of the recently introduced ERGANI II Information System on digital organization of working time has caused confusion and led to abusive practices. **The Committee requests the Government to provide information regarding***

the application in practice of the digital organization of working time and, in particular, whether abuses have occurred or can be detected.

Article 2(1), (2) and (3) of Convention No. 14 and Article 6(1), (2) and (3) of Convention No. 106. Right to weekly rest. Uniformity of weekly rest. Respect of traditions and customs. The Committee recalls that the principle of uniformity enshrined in Article 2(2) of Convention No. 14 and Article 6(2) of Convention No. 106 refers to the collective character of weekly rest with a view to ensuring, wherever possible, that it is taken at the same time by all workers on the day established by tradition or custom. The social purpose of this principle is to enable workers to take part in community life and in the special forms of recreation available on certain days (2018 General Survey on working-time instruments, para. 202). ***The Committee requests the Government to indicate the manner in which it is ensured that weekly rest is, whenever possible, granted simultaneously to the whole of the staff of each undertaking and so as to coincide with the days already established by the traditions or customs of the country or district, as required in Article 2(2) and (3) of Convention No. 14 and Article 6(2) and (3) of Convention No. 106.***

Observations by the National Commission for Human Rights

GSEE would like to note that the Greek National Commission for Human Rights (GNCHR), the greek national human rights' institution (NHRI)¹⁹, within the framework of its institutional role, made observations on the Bill of Law 4808/2021, which were included in the Confederation's observations on the 5th national Report and to which we would like to refer again (pls see ANNEX I).

GNCHR also made strict observations during the assessment of the provisions of the Bills of Laws 5053/2023 and 5932/2025²⁰, with special emphasis to the provisions which are related to core labour rights and protection, such as working time, annual leave, health and safety of workers (e.g. the regulations for the addition of a 4th hour of permitted overtime employment, expanding the legal employment of employees to 13 hours - a total of 13 hours/24 hours - with one employer, the possibility of additional/overtime employment in both part-time and rotational work, even when this is imposed unilaterally by the employer, the expansion of the possibility of individual organization of working time from one week to 12 months, the formation of a new type of 2-day employment contract, the abolition of the minimum limit of 2 weeks of continuous annual leave days, noting, among others, that:

- the amendments promoted on critical labour provisions are scattered across different chapters of the Law, which makes it difficult to understand their exact content, with a key impact on the legal certainty required for their implementation,
- there is a further expansion on the ways of regulating the duration and organization of workers' working time at an individual level, which, in parallel with the increase in the limits of overtime work, is expected to have an additional serious impact on their health and safety, while reducing the range of the content but also the possibility of being part of regulations agreed through collective labour agreements,

¹⁹ The Greek National Commission for Human Rights (GNCHR), is the A+ status national human rights' institution (NHRI) and the independent advisory body to the Greek State in human rights issues <https://www.nchr.gr/en/gnchr.html>

²⁰ GNCHR Observations on the bill of Law 5053/2023, September 20, 2023 <https://www.nchr.gr/2020-02-26-05-51-20/45-ergasia/1646-paratiriseis-tis-eeda-epi-tou-sxediou-nomou-tou-ypourgeiou-ergasias-kai-koinonikis-asfalis.html> (in greek)
GNCHR Observations on the bill of Law 5239/2025, October 10, 2025 <https://www.nchr.gr/2020-02-26-05-51-20/45-ergasia/2105-keimeno-paratiriseon-tis-eeda-epi-tou-sxn-tou-ypourgeiou-ergasias-dikaii-ergasia-gia-olous.html> (in greek)

- the legislative framework in force until 2023 on the organization and duration of working time and annual leave of employees, to which additional flexibilities are introduced, have already been the subject of regular monitoring, as well as examination of complaints against Greece and the finding of violations by the competent international monitoring bodies of the Council of Europe and the International Labor Organization, with the decisions and recommendations of which the required compliance has not been achieved to date,
- the flexible framework for regulating working hours and annual leave is expected to intensify the already existing phenomena of labor and economic exploitation and forced labor with vulnerable social groups as victims, such as foreign workers and women, and the underreporting that already characterizes these practices. The severe underreporting of labour violation, which is exacerbated by additional restrictive measures, such as those for the recognition and legal residence of asylum seekers, refugees and immigrants,
- digitalization and new forms of work shape a new operating environment for labor relations, in which the required regulatory and procedural synthesis and coherence between digital governance and protective labour rules, principles and practices must be pursued and achieved, with the constant challenge of addressing the persistent digital gap,
- digitalization of labour law practical implementation can have a positive aspect when it is accompanied by the explicit incorporation of the right to information, the right to object/withdraw, the right to express reservations and the existence of guarantees of transparency and accountability of the employer's practices, without creating an accountability gap. Digitalisation is not just a technical procedural process, given that it has a substantial impact on the legal position of the worker and his rights,
- a (gradual) abolition is observed, through the procedural provisions for the digital organization of work, of a basic pillar of individual labor law, which is the written individual employment contract, which is not a procedural stage, but an essential parameter of the legal relationship created in the context of the provision of dependent employment,
- the level of protection and effectiveness of the promoted provisions for the health and safety of workers, is directly linked to the promoted provisions on the number and the organization of the working hours and the annual leave of workers, because they increase the risk to their health and safety and affect the accumulation of mental and physical fatigue in every form of work and professional specialty, much more so in heavy and arduous professions.
- unfortunately, in Greece, the increasing number of work accidents and especially fatal accidents is well known, while the number of occupational diseases is not unknown. This alarming situation has been also observed by European and international bodies, along with the fact of their under-reporting.

Article 3 - The right to safe and healthy working conditions

Health and safety at work is a key priority for GSEE's actions and interventions at national, European and international level, in the framework of which the Confederation also monitors Greece's compliance with the obligation of due implementation of its international obligations. In this context, the GSEE would like to refer to the CEACR's Direct Request, included in its 2025 Report²¹, on the implementation by Greece of the ratified C187, highlighting the criticism of the serious deficit of statistical data and the need to immediately redress it through the use by the State of digital means, the need for real and substantial tripartite social dialogue in the drafting, implementation and evaluation of health and safety policy, the need for coordination by one (1) central Authority of health and safety policy and the need to activate the institutional cooperation with Hellenic Institute for Occupational Health and Safety (ELINYAE), the institution for health and safety at work of the national social partners in Greece²².

As it concerns domestic workers (art. 3 paras. 1 and 3)

Greek legislative system is characterized by unequal and inadequate protection to key working and social security aspects of domestic workers, given also the impact of further discriminative aspects such as the type of domestic work (live- in and live -out domestic workers), the legal status of workers (migrants or asylum seekers or refugees), multiple discrimination (based on gender or/and the other forbidden grounds), high risk of undeclared work and abusive practices of intermediaries/employment agencies. In general, domestic work is considered as atypical and excluded, by legislation and practice, from labour law and important social security provisions. Furthermore, the extent of informal domestic work and the impossibility of monitoring it are wide.

Greece has neither ratified ILO C189 on domestic workers, nor there is a specific legislative framework on domestic work. Thus domestic workers are more prone to suffer social exclusion and work informally beyond the scope of national labour legislation and enforcement mechanisms²³.

²¹ Report of the Committee of Experts on the Application of Conventions and Recommendations 2025, February 18, 2026 <https://www.ilo.org/resource/conference-paper/ilc/ilc114/application-international-labour-standards-2026>
CEACR Direct Request on the implementation of ratified ILO C187 and C 115 https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID%2CP13100_COUNTR Y_ID:4435565%2C102658

²² ELINYAE, <https://www.elinyae.gr/en/about>

²³ Further information on undeclared work, with reference to domestic work and the state of play in Greece, could be found on ILO CAS 30.5.2022 Discussion on the General Survey "Securing decent work for nursing personnel and domestic workers", Greece's Worker Member intervention

https://www.ilo.org/ilc/ILCSessions/110/committees/standards/cas-reports/WCMS_848032/lang--en/index.htm

2) ILO Technical Assistance Diagnostic Report on Undeclared Work (2016), based on which a tripartite Road Map on undeclared work was adopted (unfortunately not fully implemented)

https://www.ilo.org/emppolicy/pubs/WCMS_531548/lang--en/index.htm

https://www.ilo.org/global/WCMS_533853/lang--en/index.htm

https://www.ilo.org/employment/units/emp-invest/WCMS_481007/lang--en/index.htm

3) Testimonies at <https://www.balkanicaucaso.org/eng/Areas/Greece/Between-two-families-stories-of-migrant-domestic-workers-in-Greece-193380>

4) EP Committee on Women's Rights and Gender Equality Report on women domestic workers and carers in the EU 5.4.2016 - (2015/2094(INI)), whose Rapporteur was the elected MEP from Greece Kostadinka Kuneva, acknowledged trade union member from the cleaning sector https://www.europarl.europa.eu/doceo/document/A-8-2016-0053_EN.html followed by European Parliament Resolution of 28 April 2016 on women domestic workers and carers in the EU (2015/2094(INI)) <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52016IP0203>

There are no provisions, at least general, on important terms of work, such as food and accommodation (that many times are considered as part of work remuneration), the duration of breaks and weekly rest period, worker's protection in case of repatriation (ie when the residence permit expires, mostly without their fault) and the protection of domestic workers against abusive employers' practices on the probation period, especially after the recently adopted legislation on the 6months probation period and the automatic termination of the contract, if not renewed (art.4 L. 5053/2023 on the transposition of Dir 2019/1152). Furthermore, their access to Labour Inspection is limited, mostly due to the non-typical employment through the labour stamp ("ergosimo", or "voucher coupon" see below), but also to language obstacles (an indicative example is that the access to Labour Inspection as it concerns the submission of violence and harassment complaints is allowed only if the complaint is written in greek (Ministerial Decision 101269/2021/OJ B 5978 on the implementation of L.4808/2021 that ratified ILO C190). Also important, is the non-retroactive character of domestic workers' social security rights in the event that a complaint is filed, especially when they are not nationals and they have not a stable connection to the social security system. Thus special working conditions of live-in workers and those employed part-time by numerous employers are not covered by the national legislation in Greece that would ensure due access to social security benefits, which are linked for example to work accidents, and regular remuneration, also ensuring the legality of employment.

Domestic workers are covered by the minimum wage protection (if their work is legally declared), but are excluded from the framework on working time and health and safety. In any case the distinction between live-in and live-out workers has practical impact on basic working terms. Live-in domestic workers (not the majority of domestic workers) are employed through employment contracts of dependent work usually of indefinite duration with right to minimum wage and full social security coverage (25 days/month), but excluded from the framework of working time protection and health and safety provisions. These employment contracts must be declared to the central Information System ERGANI, providing to them a minimum level of transparency as it concerns the employer, the place where the work is provided and the (declared) amount of their payment. Declared domestic workers can also follow their social security profile through their access to the Information System of EFKA (national social security entity) by using their identification codes to the tax system. Live-out domestic workers are exposed to greater flexibility and inequality, due to the fact that the basic employer's obligation of payment and social security is fulfilled through the labour stamp ("ergosimo"²⁴, or "voucher coupon"), with no other obligation such a written employment contract or declaration of their employment to the ERGANH system. Domestic workers employed through labour stamp are excluded from unemployment benefit coverage.

As it concerns workers in gig or platform economy, telework and self employed persons (art. 3 paras. 1 and 3)

GSEE would like to raise an issue of general interest, after the assessment of the prima facie protective framework introduced in Greece in 2021 (Law 4808/2021, articles 68-72), which, instead of extending the scope of the existing institutional framework of individual and collective labour law to digital workers, has recognized anew the exercise of some individual (right to information on contractual terms, right to health and safety in abstracto) and collective

²⁴ The labour stamp scheme (ergosimo) is a simplified method for employers to pay labor remuneration and insurance contributions regarding specific professions and sectors of the Greek economy. In the form of a special coupon-check, the ergosimo is usually issued by banks (also through e-banking) where it is also cashed in view of having the relevant amounts withheld and immediately paid to employees and the concerned (not full) social security contributions respectively

rights (right to form associations, right to strike, right to conclude collective agreements). The progress invoked by the Government on the recognition of the ability to exercise labour rights is false, given that i) both the national system of rules on freedom of association and trade union rights and the system of rules on collective bargaining and collective agreements are based on the notion of dependent employment and ii) the newly introduced legislation on digital platforms, is based on the introduction by law (art 69 Law 4808/2021) of the negative presumption of non-existence of dependent employment relationship, given that the worker has the right, under his contract, to use subcontractors or substitutes, to provide its independent services to third parties, to determine himself the time for providing his services etc. Hence, the mere signing of a contract with the aforementioned content will generate a presumption to the detriment of the contract of dependent employment, according to which the worker, who is in fact providing dependent employment for a platform, is called upon to overturn it, by proving the true nature of his employment as dependent. Accordingly, the need to protect this category of workers requires primarily the establishment of the presumption in favor of their dependent employment relationship. It should be also mentioned that the greek national framework already contains since 2010 (Law 3846/2010, art 1) a positive legal presumption in favour of dependent employment relationship in cases where work is provided personally, solely or primarily for the same employer for nine consecutive months, from which it was decided to deviate as it concerns digital platform work²⁵. In any case, it should be noted that the misclassification of platform workers as by presumption providers of independent services or self-employed exposes them to financial and social risks, along with health and safety risks followed in most of the cases by lack of access to labour and social protection, while putting them automatically out of the control mandate of the Labour Inspectorate²⁶.

It should be also mentioned that by the time of the submission of GSEE's observations to the 7th national Report, Greece has not yet incorporated in its legal system the Directive EU 2024/2831 on improving working conditions in platform work.

Health and Safety Regulations (art.3 para. 2)

Regarding the questions included in point a), GSEE refers to its observations on the 7th national Report on article 2 par.1 of the rev. ESC, due to the serious impact of the deregulation of working time to the protection of health and safety of workers, along with the substantial weakening of their right to refuse additional employment. Specifically for the right to disconnect, the protection provided by the legislation is typical, as in practice there is no framework for the control of teleworking or platform work by the Labour Inspectorate.

²⁵ Hellenic Parliament, Observations of the Scientific Service on Draft Law of Ministry of Labour and Social Affairs "On the Protection of Employment Establishment of the Independent Authority Labor Inspectorate Ratification of the ILO Convention No. 190 on violence and harassment in the world of work Ratification of the ILO Convention No. 187 on the Promotional Framework for Occupational Safety and Health at Work Incorporation of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers" pg 35-38 <https://www.hellenicparliament.gr/UserFiles/7b24652e-78eb-4807-9d68-e9a5d4576eff/11666858.pdf>

ETUC, Platform Reps, Greece Country Report 2022 https://www.etuc.org/sites/default/files/page/file/2023-05/ETUC_country%20report_Greece-EN.pdf

GNCHR Observations on Draft Law of Ministry of Labour and Social Affairs "On the Protection of Employment Establishment of the Independent Authority Labor Inspectorate Ratification of the ILO Convention No. 190 on violence and harassment in the world of work Ratification of the ILO Convention No. 187 on the Promotional Framework for Occupational Safety and Health at Work Incorporation of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers" Summary in English (pg 4) and full text in Greek <https://www.nchr.gr/en/decisions-positions/81-employment/1259-summary-of-gnchr-observations-on-draft-law-of-ministry-of-labour-and-social-affairs.html>

²⁶ ILO (2019). Diagnostic report on bogus self-employment in Greece and recommendations for reforms https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_emp/documents/publication/wcms_686998.pdf

Obligation to present adequately the national legislative framework and its implementation in practice (art. 3 paras. 1, 2,3)

As we mentioned in our introductory remarks, the 7th national Report on article 3 of the rev. ESC should provide the required clear information on the content of the national legislation and its practical implementation, so that, among other things, compliance with paragraphs 1, 2 and 3 of article 3 can be properly assessed by the ECSR in the current reporting cycle²⁷. In this context, we would like to reiterate our introductory observation on the serious regulatory problems arising from the integration into the (administrative) Labour Code (KED) of the Greek Code of Laws on Health and Safety of Workers (KNYAE, Law 3850/2010), which constitutes a real and substantial codification of the crucial legislation on health and safety at work and has been adopted in accordance with the Greek Constitution through a parliamentary procedure. The inclusion of changes to the legislation in the relevant articles of the KED and not directly in the KNYAE, which also contains provisions for the incorporation of the European legislation, as well as provisions for the implementation of ratified international conventions, places the regulatory framework at high risk of legal uncertainty to the detriment of the due protection of employees.

The role of the National General Collective Labour Agreement in the field of health and safety at work.

An important deficit of the 7th National Report is the lack of reference to the role of the National General Collective Labor Agreement (NGCLA), which, under their institutional framework of Law 1876/1990, determined with universally binding force (force of law) the minimum wage and working conditions on equal terms for all workers in the Greek territory. The health and safety provisions that have over time been a point of agreement between the national social partners through the NGCLA, including the joint establishment and administration of the Hellenic Institute for Health and Safety at Work (NGCLA of the years 1991, 1996, 2000)²⁸, have attributed recognition to the NGCLA as an institution of economic and social progress of the country and substantial respect to the Constitution, the EU and the international law. In addition to the minimum wage, which is now regulated by law by the State, the NGCLA has over time incorporated the national social partners' agreement on critical provisions for health and safety, which remain in force, such as the adoption of the Autonomous Framework Agreement on Digitalization (NGCLA 2021), the European Framework Agreement on Telework (NGCLA 2006), the European Framework Agreement on Stress at Work (NGCLA 2008), equal protection in the field of health and safety of workers who are similar to employees (NGCLA 1998, NGCLA 2000), the tackling of sexual harassment and moral harassment in the workplace (NGCLA 2004), the commitment to joint actions to address climate change and the challenges of a just transition (NGCLA 2018), integration of the ELINYAE/national social partners' proposal for the National OSH Strategy for the years 2016-2020 (NGCLA 2017) etc.

Lack of data on the implementation in practice and control of OSH legislation.

National legislative framework shows satisfactory regulatory sufficiency, which has been reinforced through the ratification of ILO C187 (Law 4808/2021) and C155 (Law 5239/2025). However, the 7th national Report does not contain data on the practical implementation of the

²⁷ Conclusions XX-2, 2017, Complaint No. 30/2005.

²⁸ The National Institute for Occupational Safety and Health (ELINYAE) is the national social partners' institute on health and safety at work, established through the National General Collective Agreement, which according to the law (art. 126 of Law 4808/2021) is the official consultant of the State on these issues. <https://www.elinyae.gr/en/about>

provisions under examination, in all the questions that Greece is required to answer regarding article 3 of the rev. ESC. This deficit generally characterizes the Greek reality in the field of occupational health and safety, along with the fragmentation of competency and responsibility for labor inspection policy and the central data base in the field of health and safety, between the Ministry of Labor and Social Security, the Ministry of Development and the independent Labor Inspectorate, as well as individual administrative authorities, such as the Mining Inspection Directorate.

Thus, even if the regulatory framework for health and safety in Greece is typically satisfactory, nevertheless the national system of occupational health (OSH) could be characterized as dysfunctional and ineffective, as it focuses more on formal compliance than on efficiency, a fact which is evidenced by a high and unfortunately increasing rate of occupational accidents and an unknown number of occupational diseases, as there is no record of them. Unfortunately, this situation is worsened by other factors as well, such as the non-prioritization of health and safety in the integration policies of foreign workers in our country (migrants, asylum seekers and refugees), despite the serious condemnation of Greece for inhuman conditions of forced labor and exploitation (see notably the ECtHR's Chowdury decision and the reports of international control bodies within the framework of the ILO and the UN). Characteristic provisions regarding this essential lack are the provisions on the request upon invitation (“metaklisi”) for seasonal work (articles 13 and 18 of Law 4251/2014, as applicable, article 16 of Law 4783/2021 as applicable, article 5 of Law 4959/2022, article 6 Law 4959/2022, article 6 Law 5009/2023), the recent bilateral immigration agreements (i.e. between Greece and Bangladesh), the provisions of law 5078/2023 (article 190, 192, 193), which do not refer to and are not linked to the strict observance of health and safety obligations for the protection of workers (pls see our introductory remarks). Greece lacks an integrated OSH national policy, functional infrastructure, and accountability within its National OSH Strategy and annual program. This reflects a deficiency in prioritizing and cultivating a national preventative OSH culture.

OSH data – occupational diseases and accidents (art. 3 paras.1, 2, 3)

As mentioned above, in Greece there is a serious lack of a reliable system for announcing and recording occupational accidents and morbidity. GSEE highlights recent data provided by its member federation OSETEE on occupational health and safety (OSH) in Greece. OSETEE's research serves as a crucial database for OSH-related social dialogue, media coverage, and parliamentary discussions due to the absence of an agency recording workplace accidents promptly. The report reveals a dramatic increase in accidents, including fatalities, over the past two years, which are often underreported due to employer pressure on workers not to declare them officially, thus the official data of the Labour Inspectorate are different .

GSEE and its member organisations' figures on occupational accidents show a dramatic increase, as well as fatal occupational accidents , which are significantly under-reported. This is due to various factors, such as non-reporting from the employers, the pressure from the employers on the employees not to declare, the non-recording of the accidents as work-related by the other involved authorities (eg police) or the nursing institutions during the transport of the workers. The situation, as we said above, is exacerbated at the expense of workers, who are undeclared or falsely (under) declared as to their employment or are employed mainly through forms of insurance, such as the “ergosimo” (labour stamp, “labour voucher”) , or who do not have the linguistic ability to communicate with the authorities, alongside the everyday living insecurity, like foreign workers.

Under the shadow of the tragic milestone of the fatal train accident in Tempi, which shocked Greece in 2023, GSEE lists the following observations, which confirm the deviation of the data

i.e. of the Labour Inspectorate from the real situation and the criticality of the lack of reliable data:

- GSEE highlights data provided by its member federation OSETEE²⁹ on occupational health and safety (OSH) in Greece. OSETEE's research serves as a crucial database for OSH-related social dialogue, media coverage, and parliamentary discussions due to the absence of an agency recording workplace accidents promptly. The report reveals a dramatic increase in accidents, including fatalities, over the last years, which are often underreported due to employer pressure on workers not to declare them officially. GSEE notes that in 2025, at least 201 people have died due to work-related accident in Greece, number that unfortunately is rapidly escalating, while by June 2026 a historic negative record was recorded with 77 dead workers.
- Delays in accident reports and investigations cause suffering for victims' families. Greece lacks a central structure for recording and investigating work accidents, and findings are kept confidential until court processes conclude, contributing to information loss.
- Greece doesn't declare any data on professional diseases in EUROSTAT.
- There is a serious deficit and a need to establish a suitable uniform and mandatory form for recording occupational accidents.
- There is also a substantial lack of data on the state of health and safety at work in the reference period 2018-2022 with indicators related to the quality of work and the impact of restrictive measures at the expense of labor rights. Critical and common, globally recognized indicators of quality of work such as decent wages and working time, working conditions and job stability, informal forms of employment, workplace safety and the quality of the working environment are not taken into account. , as well as the quality of labor legislation.
- The health and safety of workers is a horizontal issue and must in principle be dealt with in a unified manner on the basis of relevant scientific, technological, social and environmental developments and needs, with further specialization depending on the sector of activity and the profession of the workers.
- Procurement contracts, especially subcontracting, remain problematic areas for accidents, exposing workers to employer negligence and confusion about whom they are employed by. Given that Greece has not ratified ILO C94, the extent of this extremely problematic, but mainly dangerous for workers' health and safety, situation has already been exposed and analyzed in 2009 by an ad hoc report of the Greek National Commission for Human Rights ³⁰.
- Causes for the rise in accidents include the lack of prioritization of OSH issues by the Ministry of Labor and employers, inadequate functioning of the Ministry's tripartite committee, and insufficient staffing and infrastructure of Labor Inspectorate in OSH.
- The data underscores the need for stronger OSH policies, coordination, and preventive measures to ensure the safety and well-being of workers in Greece.
- At the same time, the ratification of R204 would significantly contribute to the strengthening of the national regulatory framework.

²⁹The President of which, as representative of GSEE, has been elected as EU-OSHA Chairperson at its current term of office.

³⁰GNCHR 2009 Report on "Workers' rights and working conditions in the context of contract works"
See 2009 Annual Report pg 37 <https://nchr.gr/en/gnchr/annual-reports-en.html>
https://nchr.gr/images/English_Site/Ektheseis/eng2009.pdf

- In this context, it would be crucial for the Ministry of Labor and Social Security to indicate whether the Register of Delinquent Companies Providing Cleaning and/or Security Services operates³¹, with publication of its methodology and data and its extension to all types of contractual assignments.

Regarding the protection against environmental and climate change risks (Art. 3 paras 1 and 3)

The 7th National Report does not mention that there is no explicit legislative provision on workers' health and safety in the event of extreme weather events, which consistently affect society as a whole. Indicatively, GSEE would like to mention the expected dangerous rise in temperature during the summer. Unfortunately, and despite the constant warnings from the GSEE addressed to the competent tripartite body for health and safety at work, no legislative initiative has been taken to date to regulate with stable rules the timely adoption of appropriate measures to prevent and deal with heat stress of workers, especially those working outdoors. On the contrary, the Ministry of Labour is steadily issuing a non –binary circular. GSEE, on its own initiative, gives the last 5 years wide publicity to its own carefully checked information for the protection of workers, based on labour law principles, the already in force OSH legal framework and the scientific information from the competent authorities (i.e. the Hellenic National Meteorological Service, the Laboratory of Environmental Physiology of the University of Thessaly etc). Thus, GSEE would like to highlight the important role of the workers' side to the dissemination of public information as it concerns workers' health and safety in case of extreme weather phenomena (ie frost, storm, flood etc)³².

Article 4 – The right to a fair remuneration

The 7th National Report does not report on the progress made by Greece in complying with the violations found in paragraphs 1, 2, 3 and 4 of Article 4 of the rev. ESC, which are all of important legal and practical importance. GSEE would like to refer to its relevant observations in the 5th National Report for all the paragraphs of article 4 and request to be taken into consideration anew during the current examination by the ECSR, in combination with its observations in the 1st Special Report on the cost of living crisis, hereby resubmitted as Annex II. Especially, as it concerns paragraph 2 of article 4, we would like to refer to our present observations on the 7th National Report on article 2 paragraph 1 of the rev. ESC (pls see above).

³¹Law 3863/2010 art 69 para 2, as amended by art 22 para 2 of Law 4144/2013

³² Indicative GSEE's Press Releases on workers' protection from extreme heat <https://www.gsee.gr/katangelies-gia-ergasia-y-po-exontotikes-synthikes-kafsona-sti-voreia-ellada-logo-geografikon-periorismon-tis-egkykliou-tou-yp-ergasias-lipothymoun-akomi-kai-oi-epitheorites-ergasias-stous-e>
<https://www.gsee.gr/epeigousa-epistoli-tis-gsee-pros-tin-ypourgo-ergasias-gia-to-krisimo-zitima-tis-thermikis-kataponisis-ton-ergazomenon>
<https://www.gsee.gr/%CF%85%CE%B3%CE%B5%CE%B9%CE%B1-%CE%BA%CE%B1%CE%B9-%CE%B1%CF%83%CF%86%CE%B1%CE%BB%CE%B5%CE%B9%CE%B1-%CE%B5%CF%81%CE%B3%CE%B1%CE%B6%CE%BF%CE%BC%CE%B5%CE%BD%CF%89%CE%BD-%CF%83%CE%B5-%CF%83%CF%85%CE%BD-4>
<https://www.gsee.gr/%CE%B1%CE%BD%CF%84%CE%B9%CE%BC%CE%B5%CF%84%CF%8E%CF%80%CE%B9%CF%83%CE%B7-%CF%84%CE%B7%CF%82-%CE%B8%CE%B5%CF%81%CE%BC%CE%B9%CE%BA%CE%AE%CF%82-%CE%BA%CE%B1%CF%84%CE%B1%CF%80%CF%8C%CE%BD%CE%B7>

Article 4 para. 3 – The right of men and women to equal pay for work of equal value.

Despite the guarantee of the equal pay principle by the Greek Constitution (art. 22 para. 1b) and the relevant regulatory sufficiency of the national legislative framework, Greece has not yet taken measures to remedy the violation of paragraph 3 of Article 4 of the rev. ESC, in terms of compliance with the obligation to ensure access to effective legal remedies and the obligation to recognize and respect in practice the principle of wage transparency.

As we mentioned in our introductory remarks, national Reports must clearly reflect the current framework at the time of their submission, especially when the information on legislation and its practical application has been officially and repeatedly requested by the ECSR to be updated. They cannot also include references to possible or upcoming legislative initiatives, which have not been completed at the time of their submission, as observed in the 7th national Report extensive reference is made to the incomplete legislative process of incorporating Directive (EU) 2023/970 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms.

GSEE, in addition to its observations on the 5th national Report in article 4 para. 3 of the revised ESC (Annex I), would like also to state the following:

Confusion of State responsibility on gender equality.

The 7th National Report makes extensive reference to the on going, at the time of its submission, legislative process on the incorporation of EU Directive 2023/970, which falls under the responsibility of the Ministry of Labour and Social Security and has not been completed at the time of submission of the GSEE observations. At the same time, extensive reference is made to the actions promoting the practical implementation of EU Directive 2023/970 under the European FAIRPAY program, the implementation of falls under the responsibility of the Ministry of Social Cohesion and Family, to whose competency gender equality has been transferred since 2023 (before the competency belonged to the Ministry of Labour). The Ministry of Social Cohesion and Family is also responsible for awarding the “Equality Label” to companies for their practices in favor of gender equality, a process that hasn’t been institutionally communicated to the national social partners. For public sector workers, the Ministry responsible for their working conditions is the Ministry of Interior. The supervision of the implementation of gender equality as it concerns the terms of payment belongs to 3 independent authorities, namely the Labour Inspectorate, for private sector workers, and the National Transparency Authority, for public sector workers, and the Ombudsman, with parallel responsibility for both sectors. Within this particularly confusing framework of competencies and responsibilities, it should be noted that the competent tripartite administrative bodies of institutional social dialogue of the Ministry of Labour, such as the Equality Department of the Supreme Labour Council and the Social Control Council of the Labour Inspectorate and its local branches, have ceased to function. At the same time, the national social partners have been excluded from their stable institutional participation in the National Council for Gender Equality, which operates under the Ministry of Social Cohesion and Family.

Observations and Direct Requests addressed to the Greek Government by the ILO CEACR.

Taking into consideration that equal pay for work of equal value, forbidden discrimination at work, labour inspection and labour administration (as it concerns gender equality) are regulated by ILO Conventions ratified by Greece, GSEE has repeatedly submitted observations on their non due implementation, which have been examined by the Committee of Experts on the Application of Conventions and Recommendations (CEACR). Indicatively, GSEE would like to note:

- CEACR Direct Request ³³ on the application of ILO C 150 (Law 1546/1985, OJ A'94/22.5.1985) as it concerns the responsibility of the portfolio of gender equality at work, which, among others, concludes that ***“The Committee requests the Government to provide its comments in this respect. It requests the Government to provide an organizational chart of the new Ministry of Social Cohesion and Family, as well as information on its responsibilities indicating whether some of them are relevant to labour administration. It requests the Government to provide information on how the two Ministries cooperate to ensure coordination of labour administration. The Committee requests the Government to provide information on the involvement of the social partners in this restructuring”.***

- CEACR Direct Request³⁴ on the application of ILO C 100 (Law 46/1975, OJ A'105/3.6.1975), through which the Committee in 2024 addresses rigorously to the Government on the serious issue of the lack of adequate statistical data and targeted informative and training actions for the representatives of the competent administrative and control authorities and Courts. In relation to the minimum wage, it is mentioned that ***«In light of the persistent gender pay gap and gender segregation of the labour market, the Committee asks the Government to provide information on the measures taken to ensure that minimum wage rates for white-collar and blue-collar workers are fixed based on objective criteria and do not contribute to the undervaluation of positions in which women are predominantly employed. It also asks the Government to provide information on: (i) the manner in which it is ensured that in defining minimum wages through collective agreements, rates are fixed on objective criteria, free from gender bias, and that female-dominated occupations are not undervalued in comparison with those predominantly undertaken by men; and (ii) the percentage of women and men who are employed as white-collar workers and blue-collar workers and who are paid the minimum wages».*** In relation to the collective labour agreements ***«Recalling the important role that can be played by collective agreements in the application of the principle of the Convention, the Committee asks the Government to provide information on: (i) any measures taken to strengthen collective bargaining coverage, in particular with a view to implementing the EU Directive 2022–2041 of 19 October 2022 on adequate minimum wages, which requires member states with collective bargaining coverage of less than 80 per cent to submit an action plan to promote collective bargaining; (ii) the manner in which the application of the Convention is promoted through collective agreements, including information on how provisions contained in collective agreements promote equal remuneration for men and women for***

³³ Report of the Committee of Experts on the Application of Conventions and Recommendations 2025, February 18, 2026 <https://www.ilo.org/resource/conference-paper/ilc/ilc114/application-international-labour-standards-2026>
CEACR Direct Request 2025 on the application by Greece of ratified C150
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4435555,102658:NO

³⁴ Report of the Committee of Experts on the Application of Conventions and Recommendations 2025, February 10, 2025
<https://www.ilo.org/resource/conference-paper/application-international-labour-standards-2025>
CEACR Direct Request 2025 on the application by Greece of ratified C100
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4415377,102658:NO

work of equal value; and (iii) any activities implemented, in collaboration with the social partners, to promote the application of the principle of the Convention, and the results achieved».

GSEE supports that wage transparency measures are more effective when they are linked to collective bargaining, collective labour agreements and social dialogue, because transparency must lead to knowledge, evaluation and corrective measures, not just data. Social dialogue must not be a sterile declaration, but must be supported in practice as an essential factor for success in the implementation of Directive (EU) 2023/970, as well as the Directives with which it is inextricably linked, such as 2006/54/EC and (EU) 2022/2041, especially with regard to the objective of increasing to 80% the coverage of workers by collective labour agreements. **A crucial tool for the coordinated implementation of the Directives is the incorporation into the text of the collective labour agreements of the salary scales along with workers' professional qualification in their scope of coverage.** It must also be explicitly shielded through the stable (re)operation of the competent collective social dialogue bodies and the unhindered conclusion and extension of the binding force of the CLAs. Furthermore, **the NGCLA**, to the competence of which the determination of the minimum wage with universal force must be reintroduced, can continue to perform its central role without hindrance in terms of the introduction of wage structures, with the recognized scientific assistance of **the Institutes of the national social partners in Greece.**

The GSEE has supported and recalls the observations of the National Commission for Human Rights, on the Draft Law for the incorporation of Directive 2006/54/EC³⁵, which points out that the legitimization of trade unions, legal entities, associations of persons to exercise the rights of victims of discrimination before Courts and administrative Authorities, as well as the burden of proof, are crucial issues for the effective legal protection of victims of discrimination at work. It is known that these victims, out of fear of reprisals, ignorance of their rights or lack of evidence or financial means, or for all of these reasons, avoid resorting to the competent Courts or other Authorities. The entire functioning and effectiveness of the legislation depends largely on the correct formulation of the relevant procedural provisions and their inclusion in the legislation, which will make them more accessible and create the necessary legal certainty. However, the 7th national Report, in terms of ensuring access to effective legal remedies, does not mention the problems that remain in the Greek legal system: The requirement of “consent” of the affected person, provided for in the legislation, is essentially different from the term “approval, approbation”, which is also given ex post (relevant to the concepts of consent and approval are the articles 236-238 of the Civil Code). The “consent” requirement does not correspond to the spirit and purpose of the provision of Article 15 of Directive 2005/54/EC, which is to achieve legal protection for individuals who do not dare or cannot resort to Justice or an administrative Authority. Furthermore, it creates the risk of the relevant deadlines to lapse, and therefore the legal protection to be nullified.

The critical role of Labour Inspection

GSEE would like once again to refer to the impact of the transformation of Labour Inspectorate to Independent Authority and disruption of its causal connection and interaction with the Ministry of Labour and Social Affairs and the national social partners, as it concerns

³⁵ Greek National Commission for Human Rights, Comments on the Bill “Implementation of the Principle of Equal Opportunities and Equal Treatment of Men and Women in Matters of Employment and Occupation-Harmonization of Legislation with Directive 2006/54/EC of the European Parliament and of the Council, January 4, 2008 <https://www.nchr.gr/en/decisions-positions/87-gender-equality/444-comments-on-the-bill-implementation-of-the-principle-of-equal-opportunities-and-equal-treatment-of-men-and-women-in-matters-of-employment-and-occupation-harmonization-of-legislation-with-directive-2006-54-ec-of-the-european-parliament-and-of-the-council-of-5-july-2006.html>

the social participation and accountability towards them on the due application of gender equality and anti-discrimination legislation, as well as the legislation on violence and harassment at work introduced after the ratification of C190. It is emphasized that there after Law 4808/2021 and the detachment of Labour Inspection from the Ministry of Labour there is an unprecedented lack of quantitative and qualitative accountability on labour inspection controls, also as it concerns gender equality, discrimination, violence and harassment cases and controls. Also there is an important confusion of competencies on gender equality, discrimination, violence and harassment infringements and complaints between three (3) independent Authorities: i) Labour Inspection, ii) Ombudsman, iii) National Transparency Authority .

Furthermore, it should be mentioned that Labour Inspectorate i) doesn't examine ex officio the dimension of discriminative practices when examining workers' complaints on violations of their labour rights, unless the workers explicitly invoke the provisions on anti-discrimination legislation and ii) separates according to the Labour Inspections internal competency, the examination of workers' complaints either to the Labour Relations' Inspectorate or to the Health and Safety Inspectorate, despite the fact that for example discrimination against pregnant workers or violence at work need to be jointly addressed. Furthermore, the situation is more aggravated by the fact that not all Greece (an importantly island country) is covered by the before mentioned Labour Inspectorates and Ombudsman offices are based in the capital – Athens, as well as the ones of the National Transparency Authority. This last barrier is the main reasoning of GSEE's repetitive demand to the Ministry of Labour to include a special provision in the legislation on the right of the complainant worker to participate remotely during the examination of his/her complaint, if there is no competent Labor Inspectorate Service, nor the Ombudsman, located in the place of work or residence of the employee (in the case of remote work).

Article 5 - The right to organize

The 7th National Report, although critical as it concerns the pending assessment of Greece's progress in complying with the provision of Article 5 (introduced into the national regulatory framework after the ratification of the rev. ESC), does not clearly mention critical amendments to the national legal framework after 2020. The most characteristic example is the provisions that came into force in June 2021 under Law 4808/2021 to the detriment of critical aspects of workers' freedom of association, imposing restrictions on the establishment of trade unions with extensive State control, on the manner of operation and election of their representative bodies, on the exercise of basic collective rights by trade unions and their representatives. Therefore, GSEE would like to refer to all of its observations included the 5th national Report on article 5 of the revised ESC (Annex I) and request that they are evaluated in their entirety by the ECSR when examining the country's obligations of due compliance.

The digital General Registry of Workers' Trade Unions (GEMHSOE).

GEMHSOE still functions under the provisions of Law 4808/2021 (83-101), which amended important provisions of omnibus Law 1264/1982, the basic legislative act for trade unions' function (art. 1,2,3,5,8,13,14,15), despite the CEACR Direct Requests of the years 2021 and

2025³⁶, as well as the Council of State's (4th Chamber) Decision No 2175/2022, which found a series of violations in the content of the executive Ministerial Decision on GEMHSOE No 62599/26.8.2021 and recognized that the promotion of relevant legitimate and public interest objectives must not be pursued by legislative provisions resulting in infringing the core of freedom of association or putting forward restrictions on such freedom, in breach of the principle of proportionality or unlawfully infringing other rights protected by the Greek Constitution, the European Convention, the ILO Convention 87 or by the European Union Law, such as the right to the protection of personal data. Since the commencement of GEMHSOE operation (February 2022), trade unions's existence itself has been jeopardized, because their registration is precondition for their legal personality acquisition, substituting the operational independence guarantees of the Court and the judicial archives, were, until now, the trade unions' official files were kept. Furthermore and after the amendments adopted by Law 5278/2026 (on the National Social Agreement for the promotion of collective agreements) GEMHSOE still imposes compulsory trade union registration as a precondition for the exercise by trade unions of their right to recourse to Mediation for the conclusion of collective agreements and the right to apply for the extension of the signed collective agreement to which they are party. On the contrary, the Digital General Registry for Employers' Organisations (GEMHOE), functions on a substantially voluntary basis. Moreover, and importantly, employers organisations continue to acquire their legal personality through the same judicial procedure. It should be also mentioned that the majority of national employers' organisations that have a three level structure have also expressed their objections to the legal framework on the functioning of their digital registry (GEMHOE) and have asked for a process of social dialogue.

Digital transition challenges in labour rights protection.

Articles 70-71 of Law 4808/2021 (art.133-134 Labour Code), provide in principle, for trade union rights of service providers – natural persons and the protection (in principle) of their health and safety, as well as article 72 (art. 135 Labour Code) provides for the obligation to inform service providers of their rights. However, special negative emphasis should be put to articles 69-71 of Law 4808/2021 (art.132-134 Labour Code), which regulate the contractual relationship between digital platforms with service providers. More specifically, as it concerns those employees, the legislation introduces a negative presumption to the detriment of the existence of a dependent work (in which terms and conditions of employment can be examined by the Labour Inspectorate), since the service provider is entitled, under its contract, to use subcontractors or substitutes, to provide its independent services to any third party, to determine the time when the services are to be provided, etc. It is foreseen that only the signing of a standard contract with the above content will create a presumption at the expense of the dependent employment contract, even if the reality of employment, as is usually the case, will be completely different. This is a regulation leading to a weakening of the legal position of digital platform workers and hardening their position to submit evidence, as they will be the ones to break the presumption above, in particular, where, according to the correct legal classification of their contract, the latter should be considered as a dependent employment contract. Taking into consideration the need of unhindered access to collective and individual labour rights, the access to labour law protection is hindered by the introduction of the negative presumption of non-existence of dependent employment relationship, which is the current legal basis of the enjoyment of individual and collective labour rights in Greece. Thus, the argument of protecting digital platform workers' rights is typical and lacks of substantial content. It should

³⁶ CEACR, Direct Requests on the application by Greece of ratified C87 https://normlex.ilo.org/dyn/nrmlx_en/?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4467464,102658:NO

be also noted, that after the wide publicity in national and international level of these provisions, the Government has not comply to its legal obligation to issue the foreseen Presidential Decree (art. 67 par. 12 Law 4808/2021) on the regulation of several conditions of telework, with further relevance also to platform work, despite the fact that important issues such as those concerning the determination of place and time of the teleworking scheme, the safeguarding of confidentiality and privacy, the means and range of Labor Inspectorate control are not foreseen to be included and regulated³⁷. ILO CEACR through its 2021 Observation³⁸ on the implementation of C98 asks to be informed on the practical application of platform workers' collective rights.

Digital transition to trade union internal procedures functioning.

Digital transition of trade unions function has been accelerated during the pandemic crisis through legal provisions that extended the mandate of their governing bodies during the lock down and allowed their collective procedures, like the general assemblies, to be held remotely. In the meantime, GSEE has asked from the Government to facilitate this process by providing free or at least low cost internet access to all trade unions throughout the country, accompanied with free access to an adequate public platform for the electoral processes that safeguard the democratic rules and procedures of Law 1264/1982 along with measures to enable trade unions' access to the adequate infrastructure, accompanied with the development of a national training policy on digital collective and electoral processes, in cooperation with GSEE and the Labour Institute of GSEE. Despite the general importance of this process, which undoubtedly has a wider social impact on the general promotion of digital knowledge and processes, the Government has introduced through Law 4808/2021 (art. 84- amending art. 3 of Law 1264/1982, art. 86-amending art. 8 of Law 1264/1982, art. 87-amending art. 13 of Law 1264/1982) legal provisions on the obligatory character of trade unions' collective procedures (general assemblies and elections), the provision by the State of a public electoral platform (with no further reference) and the ability of trade unions to choose a different (private) platform if it fulfills the guarantees of secrecy and fairness. As it concerns the provision of the public electoral platform ZEUS, GSEE would like to mention that we have repeatedly asked the creation of an experts' working group between the Ministry, the public company/provider of the platform (EDYTE) and the Confederation, due to the need to adapt ZEUS to the proportional representation and time protocols of trade unions' electoral processes, along with a guide, that could be easily understood by trade union members, greek or not. On the contrary, an explicit joint Ministerial Decision (Minister of State and Minister of Culture and Sports) has been issued on the electoral processes of sports' associations (MD72664/2021 GG' B 719/24-2-2021 on the "Procedure for General Assemblies by digital means and conducting electronic votes for decision-making and the election of the members of the statutory bodies of sports federations and associations).

The lack of State's due diligence on the digital transition of trade unions is also evident by other facts. Indicatively, under art. 84 of Law 4808/2021, which amended with direct effect art. 3 of

³⁷ See also Greek National Commission's for Human Rights (GNCHR) Observations on Draft Law of Ministry of Labour and Social Affairs "On the Protection of Employment – Establishment of the Independent Authority 'Labor Inspectorate' – Ratification of the ILO Convention No. 190 on violence and harassment in the world of work – Ratification of the ILO Convention No. 187 on the Promotional Framework for Occupational Safety and Health at Work – Incorporation of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers" full text in greek https://www.nchr.gr/images/pdf/apofaseis/ergasia/paratiriseis_ergasiako_final.pdf summary in english <https://www.nchr.gr/en/decisions-positions/81-employment/1259-summary-of-gnchr-observations-on-draft-law-of-ministry-of-labour-and-social-affairs.html>

³⁸ CEACR Observation 2021 on the application of ratified C98
https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4120774,102658

central Law 1264/1982 (“trade unions’ official books and records”), the official paper books of trade union (members’ register, general assembly and governing body minutes’ book, cash book, property book) are abolished and replaced by digital books (records). Three (3) years after the introduction of this provision, during which the judicial services stopped to validate trade unions’ paper books, the Ministry of Labour and Social Security has not issued the foreseen in paragraph 4 Ministerial Decision, through which the form that the digital books will have, the date of commencement of implementation and every necessary detail for the implementation of this article should be determined. Given that there was information that the Ministry of Labour has created a working group on this issue, GSEE had officially reminded that explicit legal provisions impose the Confederation’s participation to this procedure (art. 29 of Law 1264/1982) and the legal form of the relevant legislation (issuance of Presidential Decrees after joint proposal of the Ministers of Labour and Justice on the form of trade unions’ books and the access to the copies on electoral minutes and of Ministerial Decision on the form of personal electoral book of trade union members). It should be mentioned that Greek Parliament’s Scientific Service³⁹, has criticized the lack of due legal diligence on the above mentioned provisions of Law 4808/2021.

Codification of collective labour law.

Further to GSEE’s introductory remarks on the legal uncertainty created by the Labour Code, it should be recalled that the Government, through the Ministry of Labour and Social Affairs, has established in 2022 a special working group on the codification of collective labor legislation, while in April 2023 it has announced that the final draft of the Code of Collective Labour Law is ready to be officially published to the Government Gazzette⁴⁰. GSEE has strongly reacted to this announcement because i) there are several provisions in omnibus Laws 1264/1982 (on freedom of association and the functioning of trade unions) and 1876/1990 (on the right to collective bargaining and the conclusion of collective agreements) that have already been found to violate international and european law, as well as the greek Constitution and ii) the participation of the GSEE, as the supreme representative third level organization, in the process of amending specific provisions is explicitly provided for by the Law. It should be mentioned that the codification of individual and collective labour law was one of the conditionalities of the Memoranda, imposed during the economic crisis, in order for the restrictive anti-labour measures to become officially and undoubtedly permanent.

Data on the practical application of art. 5 rev. ESC.

As it concerns the greek State’s obligation to collect and provide the comprehensive information on complaints of anti-union discrimination repeatedly asked for also by CEACR, GSEE stresses the lack of a coordinated data system connecting the public authorities i.e. the Ministry of Labour and Social Security, the Labour Inspectorate and the Judiciary. Further, GSEE has steadily asked that these data should be processed and assessed along with other information, i.e. type of trade union, trade unionist’s gender and post, grounds of anti-union discrimination, trade unionist’s job profile etc. The lack of official data and assessment covers also the CEACR request from the Government, included in its 2021 Observations on C98, to reply to GSEE allegations and provide information and statistics relating to complaints of anti-

³⁹ Greek Parliament’s Scientific Service Observations on the Bill of Law 4808/2021, pg.40
<https://www.hellenicparliament.gr/UserFiles/7b24652e-78eb-4807-9d68-e9a5d4576eff/11666858.pdf>

⁴⁰ Ministry of Labour and Social Security Press Release, April 11, 2023 <https://ypergasias.gov.gr/oloklirothike-i-kodikopoiisi-tis-ergatikis-nomothesias/>

union discrimination and any remedial action taken, given also the fact that important part of these data falls now under the competency of the Labour Inspection, that has been detached from the Ministry of Labour.

It should be also added, that a source of transparency and information was provided through the judicial archives, along with the workers' side direct knowledge to the structure of the special quasi-judicial "Committee on the Protection of Trade Union Officials" (art. 15 of Law 1264/1982). The so called "Article 15 Committee" had a first instance jurisdiction and structure, which consisted of i) the President of the First instance Judges of the district where the union member provides his/her job, ii) one employers' representative, appointed either from the merchants' or the industries' organizations and c) one workers' representative, appointed by GSEE. Its second instance (appeal) structure consists of i) the most senior President of the First instance Judges, ii) one employers' representative and iii) one workers' representative, appointed as referred before. For public sector, the structure of this Committee was replaced, as it concerns employers' side, by a representative appointed by the Minister of Interior and as it concerns workers' side, by ADEDY, the third level organization of public servants. The mandate of this Committee was to decide whether one of the strictly provided reasons (art. 14 para 10 of Law 1264/1982) for termination of union members' employment actually exists. Data on this process has ceased to exist, because under art.101 of Law 4808/2021, article 15, as well as the special reasons for protected trade union members' dismissal, have been abolished. It should be mentioned that Greek Parliament's Scientific Service, has criticized the abolition of these provisions of Law 1264/1982.

Τα παραπάνω αναφερόμενα κρίσιμα στοιχεία, όφειλαν να περιληφθούν στην 7^η εθνική Έκθεση ως προς την εφαρμογή του άρθρου 5 του αναθεωρημένου ΕΚΧ, ώστε να ανταποκρίνεται αυτή στην πραγματικότητα.

Article 6 - The right to bargain collectively.

The 7th National Report, while critical in terms of the pending assessment of Greece's progress in complying with the provision of article 6 introduced into the national regulatory framework with the ratification of the rev. ESC, does not clearly mention critical amendments to the national legal framework after 2020, such as those introduced by Laws 4808/2021 and 5053/2023, nor any data on their practical implementation. The impact of the further restrictions that came into force, are added to the already serious cumulative impact of the multiple legislative interventions on the right to collective bargaining imposed by the terms of the country's international loan mechanism, during the period of the economic crisis.

The amendments to the legislative framework are not visible thus understandable in the text of the 7th National Report, as the reference is made to the regulations of the Labour Code (KED) and not to the basic laws that contain the crucial legislative provisions (pls. see introductory remarks).

Therefore, GSEE would like to refer to all of its observations on the 5th national Report on article 6 of the rev. ESC (Annex I) and request that they are taken into consideration in their entirety by the ECSR, when examining the country's compliance to the obligation of (article 6) due implementation.

Art. 6 para.1 : Joint consultations.

Procedure of minimum wage setting.

The 7th National Report cites as a first example of joint consultation the process that precedes the state regulation, by Ministerial Decision, of the minimum wage. In this regard, the GSEE would like to observe the following:

The stable (since 1950⁴¹ as ameliorated in 1990) institutionally minimum wage setting process by the national social partners through collective bargaining and the conclusion of the National General Collective Agreement (NGCA) with universally binding force was abolished and followed by the allocation in 2012 (Law 4093/2012) of the minimum wage setting process to the authority of the State, with effect from April 1, 2013. This abolition has followed the State's intervention to the results of national collective bargaining included in the regulation of minimum wage in the NGCA of the years 2010-2012 with its nominal reduction of 22% for workers over 25 years of age and 32% for young workers until 25 years of age (subminimum wage). By amending article 8 § 1 of Law 1876/1990, the binding force and universal application of the NGCA were abolished. According to the imposed legislation NGCA can determine only non-wage issues with universally binding force for all workers throughout the country, while enterprises and employers that are not members of the national employers' organisations that are signatory parties to the NGCA (SEV, GSEVEE, ESEE, SETE, SBE) shall not be bound since 12.11.2012 (date of publication of the above law) by wage conditions, if agreed to be included in the NGCA. Hence, the universal binding force of the NGCA with regard to the minimum wage was abolished and the ability to regulate with general applicability all working conditions has been therefore removed from GSEE and trade unions in favor of the State interventionism. The erosion of NGCA's ability to set minimum terms of payment and universal binding nature has diminished the bargaining power of GSEE and its affiliates, negatively impacting wages and working conditions across Greece.

The 2013 MoU based system of State's regulation of minimum wage, which has been implemented from 2019 until 2024⁴², has been revised after the transposition of Directive (EU) 2022/2041 on adequate minimum wages by Law 5163/2024 (GG A' 199, art 6), with the adoption of certain criteria based on a coefficient/algorithm with fixed parameters⁴³, which will apply from 1.1.2028 for the annual adjustment of the statutory minimum wage and daily wage in both the private and the public sector, while for the years 2025, 2026 and 2027, art. 15 of this

⁴¹ Law 3239/1955/GG A' 125

⁴² According to article 103 of Law 4172/2013 the Minister of Labour is given legislative authorization to issue a Ministerial Decision determining the minimum wage, after consultation with the national social partners (GSEE, SEV, GSEVEE, ESEE, SETE, SBE) and the approval of the Government's Council of Ministers. The procedure of this system, which provides for the preparation of reports by specific research bodies and the analysis of available data from various sources (such as ELSTAT, ERGANI, Eurostat, OECD), was coordinated by the President of OMED and facilitated by its services.

⁴³ The new system of automatic determination of minimum wage will result, after consultation, from the sum of a) the annual rate of change of the consumer price index between 1 July of the previous year and 30 June of the current year for the lowest twenty percent (20%) of the income distribution of households and b) half of the annual rate of change of the purchasing power of the general wage index during the same period. The purchasing power of the general wage index constitutes a new criterion for Greek legislation. If the above coefficient leads to a reduction in the statutory minimum wage, no adjustment is made, in accordance, in fact, with the requirements of article 5 par. 3 of Directive 2022/2041 which sets as a condition that the application of the automatic indexation mechanism "does not lead to a reduction in the legal minimum wage".

Furthermore, according to Article 5(4) of the Directive and paragraph 28, Member States should apply indicators and related reference values to guide their assessment of the adequacy of the statutory minimum wage. They may choose between indicators widely used at international level (such as the Kaitz index) and/or indicators used at national level with the aim of achieving a decent standard of living, reducing in-work poverty, as well as promoting social cohesion and upward social convergence and reducing the gender pay gap. The assessment may be based on widely used international benchmarks, such as the ratio of the gross minimum wage to 60% of the gross median wage, and the ratio of the gross minimum wage to 50% of the gross average wage, which are currently not met by all Member States, or the ratio of the net minimum wage to 50% or 60% of the net average wage. The assessment may also be based on benchmarks linked to indicators used at national level, such as the comparison of the net minimum wage with the poverty line and the purchasing power of minimum wages.

Law preserves the mechanism of the State's determination of the statutory minimum wage and daily wage through Ministerial Decision of the Minister of Labour, after consultation with the national social partners and the approval of the Council of Ministers. As proven in practice, the contribution of social partners to the consultation process on the minimum wage is not essential as a key element of good governance and meaningful social dialogue, but simply procedural and symbolic, given that the Government is not bound by its outcome. In 2024, GSEE with a justified letter addressed to the President of OMED⁴⁴ who coordinates the process, has announced its decision not to participate with its appointed representatives to the minimum wage process of 2025 for two basic reasons: firstly, that the "social dialogue" part of the process remains superficial, given that the Government steadily and officially declares that the minimum wage will be regulated by its own initiative at 950 euros by 2027, as well as that the new automated system does not meet the minimum criteria of the Directive and does not ensure consultation with the national social partners and secondly, that the Government through the adopted legislation impedes the restoration of the NGCA both as a collective bargaining mechanism of regulating minimum wage with universal binding effect and as a basic means of achieving the main objectives of Directive EU 2022/2041 (art 1.1), i.e. the adequacy of statutory minimum wages with the aim of achieving decent living and working conditions and the promotion of collective bargaining for wage setting, where coverage by collective agreements is lower than 80%. It is worth noting, that all national social partners in the 2014 NGCA explicitly agreed and kept with in force with a standstill clause repeated in 2024, that if any restrictive provision imposed by legislative intervention in the content of the 2010-2011-2012 EGSSE is lifted, then immediate negotiations will begin to determine the wage terms of the EGSSE.

Status of institutional joint consultations and tripartite social dialogue processes

The principle of tripartism, which involves workers, employers, and the government in social dialogue, is not effectively implemented in Greece. There is a lacuna in institutional dialogue procedures, which results to a crucial information deficit and augmenting impact on the due implementation of art. 6 para. 1 of the rev.ESC, along with the relevant ratified ILO Conventions, like C98 and C144. There has been a lack of effective institutionalized tripartite social dialogue for over a decade. Since 2010, Greek Governments have not engaged in substantive social dialogue, eg. on employment policy, limiting the consideration of viewpoints and comments from organizations like GSEE. Notably, GSEE and the national employers' organisations⁴⁵ have agreed on the inclusion in the National General Collective Agreement of 2014 (art.1)⁴⁶, of their joint commitment to proceed in 4 actions, with the technical assistance of the ILO, the first of which was "a) the mapping of the current state of play and the assessment of the effectiveness of tripartite social dialogue structures". In 2015, a significant agreement⁴⁷ was reached among the national social partners to restore confidence and enhance their participation in social dialogue. This commitment led to the commission of a study on the state

⁴⁴ GSEE Press Release January 27, 2025 and January 28, 2025 (in greek)

<https://gsee.gr/deltia-typou/epistoli-gsee-ston-proedro-tou-omed/>

<https://gsee.gr/deltia-typou/peri-akatanoiton-kai-allon-daimonion/>

⁴⁵ GSEVEE <https://imegseevee.gr/en/projects/initiatives-undertaken-by-the-social-partners-for-restoring-trust-and-strengthening-their-effective-participation-in-the-social-dialogue/>

⁴⁶ National General Collective Agreement of 2014, available in greek here:

https://gsee.gr/wp-content/uploads/2022/06/2014_03_26_egsse_2014.pdf

⁴⁷ National Social Partners' Joint Statement (2015), adopted after the High Level Round Table Discussion, with the presence of ILO Director General Mr Guy Ryder, in the framework of the National Social Partners' Plan of Joint Actions 2014-2015 <https://www.ilo.org/resource/news/ilo-support-greece-boosting-labour-market-policies-and-social-economy>

of play of tripartite social dialogue in Greece and have reached a unanimous position on strengthening the effectiveness of tripartite social dialogue, included in a official policy paper⁴⁸.

Established institutional tripartite social dialogue Bodies either do not function properly or do not function at all. Main employment policy Bodies like the National Employment Committee, the National Social Protection Committee (both founded by Law 3144/2003, art 1 and 2 respectively) have ceased to function, while there is now uncertainty for their mandate due to the creation of the new Ministry of Social Cohesion, thus the institutional participation of national social partners. Furthermore, with the exception of the Plenary of the Supreme Labour Council (the 7th national Report refers to it, but it's not the only tripartite body), the Division of the Supreme Labour Council responsible for Health and Safety issues (SYAE, despite also our criticism on its effective functioning, as mentioned also to our Observations submitted in August 2023) and the Division for the Promotion of the Application of International Labour Standards, crucial institutional (under the auspices of the Ministry of Labour) tripartite social dialogue Divisions of the Supreme Labour Council either have ceased to function (i.e. the Council for Social Control of the Labour Inspectorate, the Division on Undeclared Work, despite the important ILO technical assistance contribution) or don't function for over a decade (i.e. the Division on Gender Equality). It is reiterated that the dossier of gender equality issues has been downgraded and transferred to the new Ministry for Social Cohesion and Family, thus there is still confusion on the competency and the responsibility to foster the institutional social dialogue processes. GSEE would like to mention that with repetitive letters has also asked the inclusion of critical new policy fields, such as digital transition (new technologies, artificial intelligence applications) and climate change, to the mandate of the already existing collective bodies of the Ministry of Labor or the creation of new divisions of the Supreme Labour Council.

Bipartite meetings with the political leadership of the Ministry of Labour and Social Security cannot replace/substitute the due tripartite institutional process. Social dialogue should be frank and effective, correspond to the commitments of the State and be conducted with the sincere intention to take into account the views and the experience of workers' representatives in the final configuration of policy and measures.

GSEE deeply regrets the fact that the Ministry of Labour has excluded the representation of all national social partners, thus their participation, from the working group⁴⁹, settled by Ministerial Decision in April 2024, on the incorporation of european Directive 2022/2041 on adequate minimum wages in the EU and the ratification of Minimum Wage Fixing Convention No 131, which, unfortunately, hasn't been decided by the Ministry not to be ratified. Once the Ministerial Decision was published, GSEE has sent an urgent letter to the Minister of Labour pointing out the State's obligation under European and international law, to engage the national social partners in this procedure, expressing also our willingness to participate with our experience and data on the process that is intrinsically related to the restoration of legislative framework on collective bargaining and collective agreements and our priority for the re-instatement of the National General Collective Agreement as the main minimum wage setting mechanism.

In May 2025, in the framework of its obligation under Dir EU 2022/2041 to achieve the percentage of 80% in the coverage through CLAs, the Ministry of Labour has invited GSEE and the national employers' organizations to participate to an ad hoc committee for a initial exchange of views on certain aspects of the national collective bargaining system (representativity criteria, types of CLAs, extension of scope and duration of CLAs, Mediation, Arbitration, OMED, sectors, productivity, wages and other allowances) . This ad hoc committee has completed its task, while the next stage of the obligatory procedure (according to the Directive) will follow after September 2025, during which the national social partners will deliver their official positions for the adoption

⁴⁸ https://www.sev.org.gr/Uploads/Documents/50559/keimeno_koinonikou_dialogou_2015.pdf

⁴⁹ https://www.efsyn.gr/oikonomia/elliniki-oikonomia/435839_pois-fobatai-toys-koinonikoys-etairoys

of a Road Map on the achievement of the 80% coverage⁵⁰. As mentioned to the 7th national Report, this process has led to the tripartite agreement incorporated to the National Social Agreement on the Promotion of Collective Agreements, which was incorporated in February 16, 2026 to Law 5278/2026.

It should be also mentioned, that national social partners were also excluded from the participation to another important procedure related to the institutional framework of collective bargaining and collective agreements, the incorporation of Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms, which was initially assigned to the Ministry of Social Cohesion and Family, but in May 2025 taken by the Ministry of Labour. A new working group has been established in May 2025, without the participation of the national social partners, even though GSEE has asked for its institutional participation. It should be mentioned that in April 2026, the Minister of Labour has invited the national social partners to discuss the draft Bill on the implementation of the Directive.

The National General Collective Labour Agreement.

GSEE welcomes the reference included in the 7th national Report to important provisions agreed upon after joint consultations and collective bargaining between the national social partners, i.e. the GSEE on behalf of workers, and the SVE, GSEVEE, SETE, SBE on behalf of employers. The

Art. 6 para 2: Collective bargaining

Without questioning the value of reporting and the prospect of implementing the National Social Agreement signed after collective bargaining in November 2025 and incorporated into legislation in February 2026 to strengthen collective bargaining, both the 5th and the 7th national reports avoid presenting the evolution of the implementation of the collective bargaining framework and the impact that the successive and cumulative restrictive measures have had on this fundamental right.

Current characteristics of the collective bargaining system in Greece.

One of the main characteristics of the collective bargaining system in Greece is the Individualization of labour regulations through State's determination of minimum wage along with the decentralization of collective bargaining to the enterprise level⁵¹, through the deterioration of the collective agreements coverage. Since 2010, the successive legislative

⁵⁰ Directive EU 2022/2041 calls on Member States that have national mechanisms for setting statutory minimum wages to ensure the effective participation of social partners in wage setting, in order to set fair wages that allow a decent standard of living, while paying particular attention to lower and middle-income groups, with a view to upward convergence.

⁵¹ Important data on the number and types of CLAs that have been signed to date and the extremely small number of Arbitration Awards can be found, in addition to its annual reports, in the Study published in 2025 by OMED (<https://www.omed.gr/el/meletes-ereunes>) entitled "Collective Negotiations in Greece in the Years 2013-2023" Malagardi A., Stampoulis M., 2025, Sakkoulas Publications. The study focuses on the development of collective bargaining in Greece during the eleven-year period 2013-2023, within and outside of OMED. In particular, it aims to evaluate the practical implications of the changes that took place during the period 2013-2023 through the description, analysis and assessment of developments in collective bargaining and to detect the trends and prospects of the Greek collective bargaining system both in the new national landscape and in the European one, under the light of the EU Directive (2022/2041) on adequate minimum wages. The study can be found (in Greek) on the internet page of OMED <https://www.omed.gr/sites/default/files/omed-meleti-pdf%20gia%20ektiposi.pdf>.

measures⁵² imposed as part of the conditionalities included in the Memoranda of the Greece's international loan mechanism, have achieved their main target to enhance State's and business' control (directly and indirectly through main conditions of work, ie regulation of working time) on labour cost formation and reduction, through:

- i) the abolition of the institutionally stable minimum wage setting process by the national social partners through collective bargaining and the conclusion of the National General Collective Agreement (NGCA) with universally binding force
- ii) the freezing of the minimum wage at 586.08 euros for five years
- iii) the steady erosion with specific combined measures of the sectoral and professional level of collective bargaining,
- iv) the State's control to the collective rights' system as a whole, through the introduction by law of the two public registries, GEMHOE for the employers' organisations and GEMHSOE for trade unions,
- v) the standardization of the State's controlled system in the chapter of individual labour law of the new Code of Labour Law and the exclusion of the minimum wage process from the collective labour legislation.

More specifically:

- i) the steady erosion with specific combined measures of the sectoral and professional level of collective bargaining, such as the suspension of indefinite duration of the favourability principle in favour of the enterprise level agreements and the process of extending the binding force of collective agreements, the limitation of the extension period that collective agreements are binding after their expiration from 6 to 3 months along with the limitation of the extended provisions only to the basic wage and 4 allowances, the unilateral regulation of working conditions⁵³, the tightening of the mediation process and the obstacles to the access to arbitration, the extensive obligatory criteria that should be referred in the mediation proposal and the arbitration decision⁵⁴. The target of these successive additional measures was to decentralize collective bargaining and individualize the industrial relations' system in two levels: in the enterprise level, through the conclusion of enterprise collective agreements (concluded also by the yellow formations of "associations of persons") and in the personal level, through a) the individual working contracts of newly hired workers or the amendment of the already employed workers' contracts, due to the lack of sectoral or professional binding collective agreements and b) the formulation of crucial conditions of work on an individual basis at the employer's initiative and the worker's "acceptance", such the regulation working time out of the framework of normal hours (8hours/per day, 40 hours/5days'week) on an individual basis (art. 59 Law 4808/2021 as revised by art. 38 Law 5303/2023⁵⁵). The dismantling of the collective bargaining and arbitration

⁵² An indicative presentation of the adopted legislation includes L.3845/2010, L. 3863/2010, L. 3871/2010, L. 3899/2010, L. 4024/2011, L.4046/2012 and Ministerial Council Act 6/2012, L. N. 4093/2012, L. 4303/2014, L. 4472/2017, L.4475/2017, L. 4549/2018, L. 4635/2019, L. 4808/2021, L. 5303/2023.

⁵³ One recent example of the State's non due implementation of C98, is the adoption of Law 5131/2024 (GG A' 128/2.8.2024). Even though, according to the law, the enterprises' internal regulations are concluded through collective agreements (Law 1876/1990), through the provision of the art. 30 of Law 5131/2024 the new established subsidiaries of public companies' that belong to the Growthfund can unilaterally form the company's internal regulation with unhindered and full managerial prerogative. GSEE has strongly reacted, when the draft Bill became known, reminding the legal obligation of the State to respect collective bargaining processes (GSEE Press Release July 30, 2024 <https://gsee.gr/deltia-typou/epistoli-gsee-ston-ypourgo-oikonomias-kai-oikonomikon/>). The content of the art. 30 was also negatively criticized by the Scientific Service of the Parliament on its report on the draft Bill Report of Parliament Scientific Service on the draft Bill of Law 5131/2024 <https://www.hellenicparliament.gr/UserFiles/7b24652e-78eb-4807-9d68-e9a5d4576eff/12652266.pdf>

⁵⁴ GSEE Observations of the years 2019-2023

⁵⁵ GSEE's submitted Observations for the years 2021-2024

mechanism as a whole, has reduced workers to passive onlookers in the process of setting terms of pay and work, whose regulation is referred to individual bargaining and individual employment contracts while affecting at the same time the basic trade union tool, which is collective autonomy and the right to strike. It should be stressed that for all major problems facing workers that constitute demands pursued through strike action, greek legislation has, a referred before, has established a whole range of extensive restrictions, that annul in practice the right to strike;

- ii) the State's control to the collective rights' system as a whole, which, additionally to the above mentioned measures and their impact, has been deepened through the introduction by law (Laws 4635/2019 and 4808/2021) of the two public registries, GEMHOE for the employers' organisations and GEMHSOE for trade unions, with the added restriction for the latest, to subject their legal existence and the exercise by them of all their fundamental collective rights from their registration to it. On the contrary, employers have no implication in law and in practice, in case that they are not registered in their respective registry. In addition, as the greek Ministry of Labour admits in its 2024 report before the CEACR on the application of C87, none of the national social partners' employers' organisations has been registered to GEMHOE. GSEE has analysed this situation in its submitted observations to the ILO since 2021, while noting again that the greek Council of State 4th Chamber by virtue of its Decision 2175/2022⁵⁶ has recognised that the promotion of relevant legitimate and public interest objectives must not be pursued by legislative provisions like the ones regulating the workers' public Registry (GEMHSOE) resulting in infringing the core of freedom of association or putting forward restrictions on such freedom, in breach of the principle of proportionality or unlawfully infringing other rights protected by the Greek Constitution, the European Convention, the ILO Conventions 87 and 98 or by the European Union Law, such as the right to the protection of personal data. According to the greek Constitution, given its major general interest, this case was deferred to the Supreme Court's Plenary and after its hearing on May 5, 2023, the final decision is expected shortly. As it concerns the legal framework and its application in practice of GEMHSOE CEACR Direct Request of 2021, echoes GSEE's concerns on due application of C87;
- iii) The State's controlled system has been standardized in the basic provisions of individual labour law and the minimum wage process has been excluded from the collective labour legislation. As mentioned before, the legislative system on the State-led formulation of minimum wage has been standardized with permanent provisions included in the Code of Individual Labour Law (PD 80/2022), as amended with the uniform Labour Code published in July 2025 (PD 62/2025, GG A' 121). GSEE's strongly opposes this unilateral actions of interventionism in the whole system of provisions on freedom of association and collective bargaining. In addition, the restrictions to the CLAs extension process, the mediation and arbitration processes have been also standardized through their inclusion to the Labour Code (art. 404, 409-413).

⁵⁶ Summary of Decision 2175/2022 (in greek)

http://www.adjustice.gr/webcenter/portal/ste/pageste/epikairoita/apofaseis?contentID=DECISION-TEMPLATE1667908429718&_afLoop=17778512049836789#!%40%40%3F_afLoop%3D17778512049836789%26centerWidth%3D65%2525%26contentID%3DDECISION-TEMPLATE1667908429718%26leftWidth%3D0%2525%26rightWidth%3D35%2525%26showFooter%3Dfalse%26showHeader%3Dtrue%26_adf.ctrl-state%3D15q91e2tt2_184

Full text (in greek)

http://www.adjustice.gr/webcenter/faces/wcnav_externalId/search-caselaws?bldId=74668DA9F1E73305339EB7AF0ED40670&_afLoop=17778377553429833#!%40%40%3F_afLoop%3D17778377553429833%26bldId%3D74668DA9F1E73305339EB7AF0ED40670%26_adf.ctrl-state%3D15q91e2tt2_105

Deterioration in collective bargaining coverage

GSEE would like to refer again to its repeatedly submitted general observation, that Greek State lacks of a uniform, transparent and coherent system of collecting and assessing data (also) on the collective agreements (CLAs) number and coverage. On the other hand, GSEE's positions and observations rely on the data and assessment of CLAs state of play, which are provided by GSEE's Labour Institute (INE GSEE) and the Organisation for Mediation and Arbitration (OMED), institution governed by the national social partners. Both sources of data, that are acknowledged for their credibility, confirm and update our submitted observations to the ILO, on the deterioration in collective bargaining coverage.

More explicitly according to INE GSEE's annual reports and OMED's annual action reports⁵⁷, which contain important information on the evolution of CLAs and Arbitral Awards, and its specific studies under the title "Collective bargaining in Greece: Trends, Milestones and Prospects" for the years 2012-2013⁵⁸ and 2013-2023⁵⁹, the following data and conclusions are included:

- During the period 1990-2010, in addition to the NGCA, approximately 100 sectoral, 90 professional and 150 enterprise level CLAs were concluded annually. The number of sectoral CLAs was stable and this type of CLAs was at the center of the structure of the collective bargaining system, formulating its core. The number of professional CLAs was also stable and the number of enterprise level CLAs was characterized by a slight upward trend between 1990-1999 and 2000-2008. Before the crisis, worker coverage CLAs was nearly 100%, due to the conclusion and the universal binding force of NGCA⁶⁰.
- After the recourse to the international loan mechanism in 2010 and the imposition of its conditionalities, the erosion of NGCA's ability to set minimum terms of payment and of its universally binding nature has negatively impacted wages and working conditions across Greece and impeding the conclusion of CLAs of the other types. Especially during the years 2013-2017, changes in the structure of collective bargaining are evident as a result of the above mentioned restrictive legislative interventions. The comparative figures of the number of collective agreements by type for the years 2013-2017 confirm the change in the structure of collective bargaining in Greece, with the main feature being the rapid decentralization of collective bargaining to the enterprise level and the parallel decline in the degree of CLAs coverage of the labor market to percentages of 42.3% for the year 2013, 15% for the year 2014, 16.7% for the year 2015, 17.8% for the year 2016, 18.7% for the year 2017 and 25.8% for the year 2018, percentages which have been the lowest in the EU countries.
- Available data (see tables below) confirm that is an absence and almost complete disappearance of national Sectoral CLAs in large sectors of the Greek economy, mainly from 2010 and 2011 onwards, such as, for example, the sector of commercial enterprises which covers 16.5% of total employment for 2023. Also, the sectors of agricultural cooperative organizations, geotechnical, fur workers, leather goods, law firms, publishing houses, tobacco workers, ceramics, textiles, KTEL, Quarries, Distillery,

⁵⁷ OMED Annual Reports (in greek)

<https://www.omed.gr/el/content/%CE%B1%CF%80%CE%BF%CE%BB%CE%BF%CE%B3%CE%B9%CF%83%CE%BC%CE%BF%CE%AF-%CE%AD%CF%81%CE%B3%CE%BF%CF%85-%CE%BF%CE%BC%CE%B5%CE%B4>

⁵⁸ C. Ioannou, K. Papadimitriou (2013) "Collective bargaining in Greece in the years 2011-2012. Trends, Milestones and Prospects" OMED

⁵⁹ A. Malagardi, M. Staboulis (2025) "Collective bargaining in Greece in the years 2013-2023. Trends, Milestones and Prospects" OMED, Sakkoulas

⁶⁰ OECD Bλ. <https://stats.oecd.org/index.aspx?DataSetCode=CBC>

service provision, plastics, radio, iron and steel, television stations, printers, packaged foods, pharmaceutical companies, papermaking, chemical industry, newspapers, etc.

- Regarding the national professional CLAs, there has been a disappearance and absence to this type of CLA, mainly since 2011 and onwards, in professions such as agronomists, free theater actors, foremen, teachers at vocational training institutes, textile workers, tour guides, permanent construction workers, oil and liquid fuel tanker drivers, industrial chemical engineers, mine and lignite mine operators, industrial enterprise operators, physiotherapists in private laboratories, etc.
- Compared to other European countries, according to data from the European Central Bank⁶¹, the coverage by collective bargaining, as updated in 2023, reaches 15-20%, as can be seen from the European Central Bank data below:

Overview of wage bargaining systems in selected euro area countries⁸

	Germany	France	Italy	Spain	The Netherlands	Austria	Greece	Portugal	Finland	Belgium	Slovenia	Slovakia	Lithuania	Luxembourg
Collective agreement coverage (of total employees)	51% formal; 73% effective	100%	100%	80%	80-85%	94%	15-20%	85%	90%	100%	68%	50%	15-20%	59%
Average length	Differs by sector (avg: 25 months in 2019, 19 months in 2020 and 24 months in 2021)	No fixed length but usually one year (obligation to negotiate at least once a year)	3 years	Usually 2-3 years (but some agreements 3-4 years)	1-2 years (average 19 months)	12 months (but can also be 24 months)	min 1 year and max 3 years	2/3 of contracts 1 year; 15% 2 years	1-2 years	2 years (starting in odd year)		Usually 1 year but can also be 3-4 years	4 years (in 2021)	2-3 years (3 years is max)
Calendar	No pattern	Most agreements signed in first quarter of the year	No pattern	Usually agreements start on 1 Jan and end on 31 Dec – but often substantial renegotiation lags	Through-out the year - but kick off in each autumn (with wage demand of largest union)	Whole year (metal sector as wage leader usually in November); most agreements start in Jan or May	No pattern	No pattern		Beginning of the odd year (sector level over the course of the first year)	Most agreements start in January		No pattern	Most agreements start in January
Level	Sector-level	Firm- and sector-level	Sector-level	Sector/region (usually sector-province combination)	Sector- and firm level	Sector-level, region- sector-level	Firm-, sector-, national-level	Sector-level	Sector-level	Firm-, sector- and national level	Firm- and sector-level	Firm- and sector-level	Flexible; working time: different levels	Firm- and sector-level
One-offs	Recently very common; often used in times of high uncertainty	Few sectoral agreements include one-offs	One-offs exist but are usually limited	Delays in negotiations can lead to revisions to previous year figures	One-offs are becoming more important	Usually rare but recently more frequent	Limited role			Limited role			Irregular payments account for around 7% of gross earnings	
Use in wage forecasting	Yes	Partially - mainly as cross check	Yes	Yes – key ingredient to wage forecasts	Yes - forward looking indicator/scenario analyses	Yes	Partially - as cross check	Some	No	Partially as cross check and add. information	No	No	No	Yes

Source: National Central Banks and ECB - survey questionnaire July 2022 – updated September 2023.

Notes: Data available for 14 countries. Note that the average agreement duration and frequency of one-off payments may vary over the years. The coverage rate of 94% for Austria is based on an analysis conducted by Statistics Austria and is somewhat lower than the OECD's estimate of 98% cited in Table 3. Green is for countries for which the wage tracker is available, yellow for countries for which the wage tracker is being developed and red for countries for which micro data on wage agreements is not available.

The coverage of workers by collective agreements has plummeted. Greece has one of the worst rates of collective bargaining coverage⁶² (around 20%), which is almost 60

⁶¹ European Central Bank (2024), Gornicka Lucyna, Koester Gerrit, A forward – looking tracker of negotiated wages in the euro area, Occasional Paper Series, No 338, <https://op.europa.eu/el/publication-detail/-/publication/bb2c1bbb-cbd0-11ee-b9d9-01aa75ed71a1/language-en/format-PDF/source-324957668>

percentage points away from the target of 80% set by the Directive 2022/2041 for all Member States. Compared to other European countries in terms of collective bargaining coverage, Greece stands in the penultimate position as reported for the year 2023⁶³.

- The quantitative evolution of CLAs since 1992, along with the percentage of arbitration decisions, can be overviewd from the following Table, issued by Organisation for Mediation and Arbitration (OMED)⁶⁴. OMED, as known, is the independent body governed equally by the national social partners (GSEE-workers' side, SEV, GSEVEE, ESEE, SETE, SVE-employers' side), that has the competency to provide mediation and arbitration services, as well as conciliation services, after the transfer in 2021 (art. 98 of Law 4808/2021, amending art.13 of Law 1876/1990) of this competency from the Ministry of Labour and the Labour Inspection to OMED.

TABLE															
The Structure of Collective Bargaining and the Annual Flow of Collective Labour Agreements (CLAs) and Arbitral Awards (AA) Reference Periods of 1876/1990															
YEAR	NGCA		Professional				Sectoral National		Enterprise		Total			%	
			National		Local		& Local								
	ΣΣΕ	ΔΑ	ΣΣΕ	ΔΑ	ΣΣΕ	ΔΑ	ΣΣΕ	ΔΑ	ΣΣΕ	ΔΑ	ΣΣΕ	ΔΑ.	ΣΣΕ + ΔΑ	ΣΣΕ	ΔΑ.
1992			28	12	14	5	66	8	63	7	171	32	203	84,24%	15,76%
1993	1		50	11	26	2	98	15	105	2	280	30	310	90,32%	9,68%
1994	1		44	14	26	2	99	17	117	4	287	37	324	88,58%	11,42%
1995	1		41	14	25	4	64	13	108	2	239	33	272	87,87%	12,13%
1996	1		46	16	20	6	76	18	242	3	385	43	428	89,95%	10,05%
1997			44	14	25	8	69	26	143	4	281	52	333	84,38%	15,62%
1998	1		51	13	16	10	87	28	137	7	292	58	350	83,43%	16,57%
1999			23	20	18	9	70	19	115	3	226	51	277	81,59%	18,41%
2000	1		54	15	22	4	98	17	122	6	297	42	339	87,61%	12,39%
2001			34	12	24	1	60	22	146	5	264	40	304	86,84%	13,16%
2002	2		43	19	32	6	96	20	175	11	348	56	404	86,14%	13,86%
2003			28	25	26	8	52	26	168	5	274	64	338	81,07%	18,93%
2004	1		37	16	43	4	101	22	216	10	398	52	450	88,44%	11,56%
2005			37	18	24	8	84	15	234	20	379	61	440	86,14%	13,86%

⁶² European Central Bank, Gornicka Lucyna, Koester Gerrit, A forward – looking tracker of negotiated wages in the euro area, Occasional Paper Series, No 338, <https://op.europa.eu/el/publication-detail/-/publication/bb2c1bbb-cbd0-11ee-b9d9-01aa75ed71a1/language-en/format-PDF/source-324957668>

⁶³ OECD (2023), Collective bargaining coverage, A detailed methodological note <https://www.oecd.org/els/emp/Detailed%20methodological%20note%20on%20collective%20bargaining%20coverage.pdf>

⁶⁴ OMED 2025, Report delivered for the minimum wage setting process in 2025 <https://ypergasias.gov.gr/wp-content/uploads/2025/03/9.-%CE%9F%CE%9C%CE%95%CE%94-%CE%95%CE%9A%CE%98%CE%95%CE%A3%CE%97-%CE%93%CE%99%CE%91-%CE%9A.%CE%9C.-2025.pdf>

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			National		Local		& Local								
	ΣΣΕ	ΔΑ	ΣΣΕ	ΔΑ	ΣΣΕ	ΔΑ	ΣΣΕ	ΔΑ	ΣΣΕ	ΔΑ	ΣΣΕ	Δ.Α.	ΣΣΕ + ΔΑ	ΣΣΕ	Δ.Α.
2006	1		42	17	34	6	100	24	224	7	401	54	455	88,13%	11,87%
2007			23	14	20	3	73	19	202	7	318	43	361	88,09%	11,91%
2008	1		43	17	27	2	117	25	215	15	403	59	462	87,23%	12,77%
2009			15	11	12	5	47	30	215	12	289	58	347	83,29%	16,71%
2010	1		33	8	14	6	31	21	227	11	306	46	352	86,93%	13,07%
State of implementation of Law 1876/1990, as amended by Law 3899/2010															
2011			15	5	7	1	23	12	170	9	215	27	242	88,84%	11,16%
State of implementation of Law 1876/1990, as amended by Ministerial Council’s Act (PYS) 6/2012															
2012			4	1	6		19	7	975		1004	8	1012	99,21%	0,79%
2013	1		3		10		10		410		434	0	434	100,00%	0
State of implementation of Law 4303/14 17-10-2014															
2014	1		3	2	5		10	5	290	2	309	9	318	97,17%	2,83%
2015	1		6	1	7		5	6	265	4	284	11	295	96,27%	3,73%
2016	1		3		7		5	10	325	14	341	24	365	93,42%	6,58%
2017	1		4	2	6		10	8	248	3	269	13	282	95,39%	4,61%
2018	1		6		10		12	10	279	2	308	12	320	96,25%	3,75%
2019			5	1	4		10	2	164		183	3	186	98,39%	1,61%
2020	1		2	4	3		8	2	151	3	165	9	174	94,83%	5,17%
2021	1		5		7		12	2	159		184	2	186	98,92%	1,08%
2022	1		3		6		18		184	1	212	1	213	99,53%	0,47%
2023			4		3		11		169	1	187	1	188	99,47%	0,53%

Source OMED

- In 2024⁶⁵, only 18 sectoral and professional CLAs (both national and local) were signed and deposited with the Ministry of Labor and Social Security, consisting of 9 national and 9 local CLAs. Additionally, 238 enterprise-level CLAs were signed in the same year. A new NGCA has been also concluded for the years 2024-2025, with an explicit

⁶⁵ INE GSEE, 2025, Annual Report on the Greek Economy and Employment, pg. 104 available in greek https://www.inegsee.gr/wp-content/uploads/2025/08/EKTHESH_2025.pdf

standstill clause to maintain in force all its previous agreed terms (except minimum wage) and a special agreement on the terms of bipartite governance of the account's resources, consisting of the workers' and employers' contributions mainly for vocational training. Moreover, in 2024, four professional CLAs are in force, covering all maritime workers who are regulated under a special regime and are deposited and certified by the Minister of Maritime.

- The 47 sectoral and professional CLAs currently in force are estimated, according to trade unions' data and the number of salaried workers in the private sector declared to the ERGANI System, to theoretically cover about 711.500 workers, approximately 28% of all salaried workers (2.519.726)⁶⁶. However, the actual coverage is likely much lower, as only 7 of these CLAs have been extended and declared universally binding, covering sectors such as hotels, tourist shops, private insurance, and maritime professions, covering approximately 502.630 workers employees (20% of all salaried employees). The remaining CLAs are only binding on the members of the contracting parties (employers and workers). This limitation is exacerbated by common practices among enterprises, such as claiming non-membership in employers' organizations to avoid CLA application or misclassifying workers to bypass the relevant CLA. The Ministry of Labour is obligated to provide the ILO with detailed information on how many CLA extension applications were made, the sectors and professions they covered, and the reasons these were not processed by the Supreme Labour Council's Plenary. One example that verifies the lack of procedural transparency is the non extension of the national professional CLA of hotel electricians, despite the fact that the Ministry of Labour has used the relevant data for the extension of the national sectoral CLA of the touristic sector, fact that has been publicly criticized by the GSEE and the competent Federation of Electricians⁶⁷.
- Regarding the coverage of employees by enterprise CLAs, based on the monthly reports of the "ERGANI" System for the year 2024, the 238 submitted CLAs potentially cover 168.161 employees, showing an increase compared to 2023, in which 209 new enterprise CLAs were signed, potentially covering 137.171 employees. The vast majority of the 2024 company-wide collective bargaining agreements, namely 156 company-wide agreements (66%), which potentially cover 110.747 salaried employees, keep salaries unchanged and the remaining 82 company-wide agreements (34%) provide for salary increases and concern 57.414 employees.
- Beyond the number of CLAs per year and by type of agreement, what is noteworthy and important is the fact that from 2021 onwards, CLAs in the field of sectoral and similar professions become practically non-existent, as a result of the application of Law 4635/2019 and its restrictive provisions on unilateral recourse only in sectors or professions where the resolution of the collective dispute is required by an existing reason of general social or public interest related to the functioning of the Greek economy. In other words, collective bargaining, when occurred, in sectoral or similar professions from 2021 onwards has been completed with the conclusion of CLA.
- As referred in CEACR 2021 Observations on C98, regarding the current national legislation on the restricted recourse to arbitration, SEV "acknowledges that this change in the application of the Convention was intended to align the current legal framework concerning compulsory arbitration with the decisions of the ILO". All the above

⁶⁶ Information System ERGANI, Annual Special Issue 2024

⁶⁷ GSEE Press Release January 28, 2025 on the non declaration of the national professional CLA of hotel electricians (includes the competent Federation of Electrician Press Release)

<https://gsee.gr/deltia-typou/leitourgei-loipon-o-koinonikos-dialogos-kai-oi-syllogikes-diapragmatefseis-idou-oi-apodeikseis/>

available and presented data confirm that the access to arbitration, after its abolishment, was re-instated, but with severe restrictions, that eliminate its use. GSEE, echoes the Council of State's Plenary landmark Decision 2307/2012. The Supreme Court ruled that the legislative provisions which allow requests for arbitration only if both parties consent, is incompatible with article 22, par. 2 of the Greek Constitution, the letter and spirit of which require the legislature to establish an arbitration system as subsidiary mechanism for resolving collective labour disputes in case of failure of collective bargaining. The activation of this process does not require the consent by both parties of the collective dispute, but, by virtue of the same constitutional provision, the consent of at least one party is sufficient. Thus, the arbitration system, as it was regulated by the initial provisions of Law 1876/1990, has the status of "a last resort and a subsidiary means of dispute resolution", which has been further proved in practice, during the last years, as confirmed by the above mentioned data. SEV wants the total abolishment of this crucial procedure, that creates disincentives to the parties to react in bad faith during the negotiations and the mediation, the result of which they must accept in order to have recourse to the arbitration. Thus, GSEE firmly believes that all obstacles to mediation, imposed in 2014 and 2018, and arbitration processes, imposed until 2019 should be abolished without further delay.

The National Social Agreement for the strengthening of collective agreements.

Following the conclusion and signing, in November 2025, of the National Social Agreement for the Strengthening of Collective Labour Agreements, as a measure of implementation of the Directive (EU) 2022/2041, the Ministerial Decision including the relevant Action Plan was issued in December 2025, followed by the enactment of Law 5278/2026, which incorporated the Agreement into national legislation.

The National Social Agreement and the relevant Action Plan establish a structured framework for the strengthening of collective bargaining and social dialogue. According to the main provisions of the Agreement:

- A subsidiary competence of the GSEE is established for co-signing sectoral collective agreements if requested, on behalf of the workers' side, by the contracting - signing party.
- Sectoral CLAs should include the elements necessary to clearly define their scope, including at least the Tax Activity Codes (TACs) of the relevant sector.
- Under the new framework, a sectoral or professional CLA may be declared as generally binding for the entire sector or profession, provided that it already binds employers who employ more than 40% of the workers in the sector or profession (instead of the 50% required until now), following a request submitted by any of the parties bound by the CLA to the Minister of Labor.
- A sectoral CLA may be extended without assessment if the 40% threshold is met, if it is co-signed by the GSEE and the most representative or national employers' organization in the relevant sector.
- The full after-effect of the terms of the CLA after its expiration is restored, while the extension of the binding force of a CLA after its expiry remains at the 3-month period (the extension period of the NGCLA remains at the 6-month period). Workers hired during the three-month de lege extension of the expired CLA are also covered by it.
- The law simplifies the information required for registration in the General Register of Workers' Trade Unions (G.E.M.I.S.O.E.) and the General Register of Employers' Organizations

(G.E.M.I.O.E.). If a trade union is not registered in G.E.M.I.S.O.E., its right to resort to the Organisation for Mediation and Arbitration (OMED) for the provision of Mediation and Arbitration services cannot be exercised, as well as its right to submit an application for extension of the binding force of the CLA.

■ Regarding the recourse to OMED for the provision of Mediation and Arbitration services, the Law establishes the functioning of the Committee on the Admissibility within OMED with the competence to examine the admissibility of unilateral Mediation and Arbitration applications and to issue a decision within 15 working days after submission. The decision can be appealed in Court within 10 days after it is served. In addition, the Law abolishes the Second-Instance Arbitration Committee of the OMED, while arbitration decisions can be directly appealed in court within 10 days of notification.

GSEE would like to note that until the date of the submission of its observations implementation of the rev ESC's 1st Group of provisions, there is insufficient quantitative and qualitative data to analyze the implementation of the National Social Agreement.

Art. 6 para. 4 – Collective action

Further restrictions to the right to strike

Law 4808/2021 (art.91 and 93, art. 420 Labour Code) introduced new restrictions to the right to strike, i.e. the obligation of trade unions to deliver the written (already provided by law 1264/1982) notice of the declared strike by bailiff, with additional expenses, that includes a detailed description and justification of the strike (day and time of strike, when the strike starts and ends, the form of the strike, its reasons in detail) and the civil liability of trade union and its members in personal, in case of not protecting the right to work of those workers that don't participate to the strike. The introduction of vague concepts, such as psychological violence, poses great risks to the exercise of the right to strike, being in danger of becoming inactive..

In addition to these restrictions, art. 31 of Law 5053/2023 added a 4th paragraph to art.93 of Law 4808/2021, through which a specific criminal offence is introduced also on the added criminal liability of the trade union representatives and/or members. This provision had created strong reactions, even from members of the Judiciary⁶⁸. It is evident that all these prohibitions, combined with other anti-union provisions (like the creation of trade unions and the exercise of their rights only after the registration to the State controlled public registry GEMHSOE), do not only hinder the legitimate exercise of the right to strike, but lead to its collapse in breach also of article 23, par. 2 of the Greek Constitution that explicitly protects the right to strike. Greek Parliament's Scientific Service⁶⁹, as well as the greek National Commission for Human Rights⁷⁰ have strongly criticized both of the above mentioned provisions.

⁶⁸ Sevastidis Ch (2023), "The criminalization of labor struggles in the harshest form" <https://antimolia.gr/christoforos-sevastidis-i-poinikopoiisi-ton-ergatikon-agonon-stin-pio-skliri-morfi/>

⁶⁹ Greek Parliament's Scientific Service Observations on the Bill of Law 4808/2021 <https://www.hellenicparliament.gr/UserFiles/7b24652e-78eb-4807-9d68-e9a5d4576eff/11666858.pdf>
Observations on the Bill of Law 5053/2023 <https://www.hellenicparliament.gr/UserFiles/7b24652e-78eb-4807-9d68-e9a5d4576eff/12362525.pdf>

⁷⁰ GNCHR Observations on the Bill of Law 4808/2021 (full text in greek) https://www.nchr.gr/images/pdf/apofaseis/ergasia/paratiriseis_ergasiako_final.pdf
summary in english <https://www.nchr.gr/en/decisions-positions/81-employment/1259-summary-of-gnchr-observations-on-draft-law-of-ministry-of-labour-and-social-affairs.html>
Observation on the Bill of Law 5053/2023

Article 20 - The right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex.

The 7th National Report does not report on the progress in Greece's compliance to restore the violation of Article 20 of the rev. ESC⁷¹. GSEE refers to its above submitted observations on Article 4 , while adding the following:

Characteristic examples, among others, of previous and new measures bearing upon labour standards and workers rights and their impact on gender equality and illegal discrimination at work that are legislated without any recourse to social dialogue with the social partners are the following:

Workers' institutional participation in achieving gender equality in employment and labour rights.

National Action Plans on Gender Equality (current 2021-2025), especially as it concerns their actions for the promotion of gender equality at work, are adopted and monitored without institutional tripartite social dialogue. Even though, given the importance of these National Action Plans, we have repeatedly sent our contributions to the State's competent Authorities stressing, among the basic priorities, the need for the restoration of tripartite social dialogue on gender equality, GSEE was excluded (i.e. institutional workers' participation) from the Members of the National Council for Gender Equality⁷². Moreover, part of the anti-discrimination employment policy depends almost entirely on European programs for its funding, therefore, GSEE underlines the need for a coherent and stable governance policy on gender equality and non-discrimination which safeguards and monitors coherently equality through the constant provision and state-funded public policies and services. To this end, it is critical to restore the involvement of national social partners. Indicatively, actions that have impact on gender equality and protection against discrimination, racism, intolerance, violence and harassment at work are included, without interaction and coherence, to Action Plans of inter-governmental competency such as i) the Action Plan on Gender Equality 2021-2025⁷³, ii) the Action Plan against Racism and Intolerance⁷⁴, iii) the Action Plan for Persons with disabilities⁷⁵, iv) Action Plan on Migration and Asylum⁷⁶ v) the National Strategy and Action Plan for Roma Social Inclusion 2021 – 2030, vi) the LGBTQI+ Equality Strategy (2020-2025)⁷⁷, vii) the National Action Plan on Women, Peace, Security⁷⁸ etc

Other important actions for the promotion of gender equality at work, such as the gender equality labeling of enterprises⁷⁹ and the “childcare units within large companies”⁸⁰ were

<https://www.nchr.gr/2020-02-26-05-51-20/45-ergasia/1646-paratiriseis-tis-eeda-epi-tou-sxediou-nomou-tou-ypourgeiou-ergasias-kai-koinonikis-asfalisis.html>

⁷¹ Complaint No. 131/2016, University Women of Europe (UWE) v. Greece , ECSR Follow up Report, March 2024

⁷² Art. 19 Law 4604/2019 (OJ A' 50), as amended by art. 20 Law 4808/2021 (OJ A' 101).

⁷³ <https://isotita.gr/esdif-2021-2025/>

⁷⁴ <https://moj.gov.gr/wp-content/uploads/2021/03/NAPRI-en.pdf>

⁷⁵ <https://primeminister.gr/wp-content/uploads/2020/12/2020-ethniko-sxedio-drasis-amea.pdf>

⁷⁶ <https://migration.gov.gr/etisia-schedia-drasis-ypovrgeion-2021/>

⁷⁷ <https://migration.gov.gr/en/migration-policy/integration/politiki-entaxis-se-ethniko-epipedo/>

⁷⁸ https://primeminister.gr/wp-content/uploads/2021/06/ethniki_statigiki_gia_thn_isothta_ton_loatki.pdf

⁷⁹ In implementation of UN Security Council Resolution 1325/2000

⁷⁹ Art 21 Law 4604/2019 (OJ A' 50), as amended by art. 21 Law 4808/2021 (OJ A' 101).

⁸⁰ By virtue of L. 1483/ 1984 (art 12 para 1), the national framework provided for the enterprises with more than 300 workers

adopted despite important observations on the enterprise qualifications' criteria, raised by GSEE, for example the minimum obligatory health and safety criteria for the protection of children. It should be mentioned that there is no legal provision, thus legal transparency, on how and under what conditions equality labels are attributed to enterprises. These State's actions are also part of the Law 4604/2019 (OJ A' 50) on substantial gender equality, which was also adopted without any institutional tripartite social dialogue and without social dialogue in general with the GSEE. Concerning this important legislative initiative (Law 4604/2019), GSEE had once more raised the issue of proper tripartite social dialogue to an official letter sent before the adoption of the Law to all co-competent Ministries, while noting several problematic points on the provisions of the Bill, which raised important issues on the legal (coherence with the already existing legal framework) and practical implementation of the promoted legal provisions.

The added value of workers' institutional participation

GSEE through the nationwide information collected by its 149 member second level organizations (80 Labour Centers and 69 Federations), their affiliate first level trade unions, and its own structures of free-of-charge information to workers (the Information Centre for Workers and the Unemployed- KEPEA and the Network for Information and Advice of GSEE's Labour Institute-INE) can verify that gender-equality, discrimination, violence and harassment incidents are under-reported due to the difficulties, obstacles and fear of retaliation measures against workers. GSEE has also equipped trade unions with a publicly available and updated Guide on the support by them of victims of discrimination, harassment and violence at work⁸¹.

GSEE can confirm that the impact of successive crisis and restrictive anti-labour measures on the daily life of workers with family responsibilities has been deep, rendering their welfare to mere survival into an environment of deregulated labour and family/personal life. As demonstrated by the Confederation's participation in 2015 in the "National Social Partners' Plan of Joint Action to restore confidence and empower their effective participation to social dialogue"⁸² in order to, inter alia, combat discrimination in the labour market prohibited by law, GSEE can contribute to better understating the situation in the field i) by presenting quantitative and qualitative information collected by its nationwide structure, ii) by sharing trade unions' experience in actions targeted to the strengthening of the capacity of judges, labour officials or other competent authorities to detect and address discrimination based on all grounds provided for by the law and iii) by sharing GSEE Labour Institute's recognised scientific expertise for example for vocational education and training, occupational profiling etc. Furthermore, with respect to the prevention of discrimination against women of vulnerable groups according to Law 4531/2018 that ratified the Istanbul Convention, GSEE notes the need for coordination of all the authorities involved and to the systematic provision of psychological, social and legal support and accommodation to the victims.

to provide for sufficient and suitable space for the accommodation of a "crèche", after the opinion on suitability of the Ministry of Health and the conclusion of enterprise collective agreement on the relevant provisions. Given, as mentioned in our Observations, that no institutional tripartite dialogue has been made (also) on this issue, this provision has not been used in favour of workers in an adequate manner (See National Report pg 48). GSEE has raised these issues with an official letter to the Ministry of Labour in January 2022.

⁸¹ GSEE's guide is available here <https://gsee.gr/25-noemvri-pagkosmia-imera-gia-tin-eksaleipsi-tis-vias-kata-ton-gynaikon> (in greek) and has been also included in the webpage of the racism-victim-support.gr platform <https://gsee.gr/25-noemvri-pagkosmia-imera-gia-tin-eksaleipsi-tis-vias-kata-ton-gynaikon>

⁸² <https://imegseevee.gr/en/projects/initiatives-undertaken-by-the-social-partners-for-restoring-trust-and-strengthening-their-effective-participation-in-the-social-dialogue/>

The critical role of the GSEE scientific Institute – INE GSEE

GSEE participates to the public dialogue through our Institute of Labour (INE GSEE), which is acknowledged of the level and quality of its scientific analysis and contribution. Based on the statistical data on Greece of INE research, women during the period 2008-2014, were gradually forced to leave paid work in order to meet needs that were not covered by the State and related to the care of the family, children and the elderly⁸³. In 2018, 23.7% of women in the active population were unemployed, compared to 14.7% of men⁸⁴. This is a significantly larger gap than the EU average (0.5%)⁸⁵. Similar are the results of the INE Annual Report 2020⁸⁶, which shows that the pandemic had a serious impact on young women's unemployment. Specifically, in the fourth quarter of 2020, the unemployment rate for women aged 15 to 19 exceeded 70%, when in the first quarter of the same year, it was equal to 35.6%. For women aged 25 to 29, the unemployment rate increased from 25%, in the fourth quarter of 2019, to 33% in the fourth quarter of 2020. According to INE GSEE findings, the pandemic crisis has exacerbated gender inequality, especially at a young age, in a labor market where gender equality was far from achieved prior to the onset of the crisis. Furthermore, certain gaps are still identified in the existing legislation and in its implementation in practice, that limit women's labour rights, such as the high female unemployment rate (21,50% in December 2020), gender pay gap (appr 17% in March 2021)⁸⁷, dismissals of pregnant women in the private sector in flagrant breach of the law, the absence of a minimum single maternity benefit to all working mothers and the continuous reduction of the already insufficient day-care structures for children and dependent persons. In recent years, the positive growth rates of the Greek economy have contributed to improvements in same labour market indicators. However, gender disparities remain significant, with the employment rate of women in 2024 being 17.4 percentage points lower than that of men (the second-largest gender employment gap in the EU). At the same time, the unemployment rate among women is the highest among EU Member States and exceeds that of men by 4.8 percentage points (the largest gap in the EU)⁸⁸.

Moreover, the impact of the multiple State interventions to collective autonomy, especially as to the scope and mandatory character of both general and sectoral Collective Agreements setting uniform labour standards, resulted in the widening of the gender pay gap. The real assessment of the state of play can't be achieved due to the continuous failure to collect reliable statistics on the grounds of gender discrimination in the workplace in Greece.

The role of the National General Collective Agreement (NGCA) and the need of legal clarity and cohesion

The 7th national Report doesn't make the due reference to the role of the National General Collective Agreement (NGCA) to the national system of minimum standards of work. Important minimum standards of work for the promotion of gender equality, maternity protection and reconciliation of family and work life, with universally binding application to

⁸³ During the period 2008-2014, the men employment reduced by 26.4% and that of women by 19.5%. Especially for women, the risk of poverty and social exclusion in Greece rose to 36.7% in 2014 from 29.8% in 2008, Update, INE ΓΣΕΕ Edition 240, March-April 2018

⁸⁴ General Secretariat for Demography and Family Policy and Gender Equality (GSDFPGE) "Women's Unemployment", Table 3 Unemployment rates by gender 2013-2018.

⁸⁵ EIGE database EU - 28 for 2017.

⁸⁶ INE GSEE, Annual Report 2020, The Greek economy and the employment, October 2020 [in Greek] p. 10.

⁸⁷ INE GSEE Annual Report 2022 https://www.inegsee.gr/wp-content/uploads/2022/05/ETHSIA_EKTHESI_2022.pdf Observatory – Bulletin on Economic Developments <https://www.inegsee.gr/wp-content/uploads/2022/01/DOE0122.pdf>

⁸⁸ INE GSEE, Annual Report 2025, The Greek economy and the employment, June 2025 [in Greek] p. 82-86.

all workers in the greek territory, were agreed, after collective bargaining, as terms of the National General Collective Agreement (NGCA) and were recognized as pioneering, especially since 1990, for the promotion of gender equality, non discrimination, maternity, parental and child protection at work⁸⁹. Recent Law 4808/2021 (OJ A'101), through which also EU Directive 2019/1158 on work-life balance for parents and carers has been transposed in the national Legislation (art 24-54), adopts many of NGCA's regulatory provisions, without any reference to it. It should be mentioned that on previous similar occasions, when national legislation adopted provisions of the NGCA, an explicit reference was made to the law. Indicative example is the content of article 37 of Law 4808/2021 on the forms and duration childcare leave granted after the end of maternity leave, which is based on the collective agreement on that issue since 2002 through explicit term of the NGCA 2002-2003. Law 4808/2021 makes no reference to the NGCA, despite the fact that this provision was incorporated to the national legal framework through explicit provision in L. 3144/2003 (art.7 according to which "...article 6 of NGCA 2002-2003 is ratified and acquires the force of law..."). The same happens with the provisions of L. 4808/2021 that introduce as new, despite their inclusion in the national legal framework, the provisions of NGCAs on paternity leave (art 27) , the leave for visiting children's school (art 38), marriage leave (art 39), protection of single parents (45), time off for the care of dependants (art 42) etc. Due to the lack of social dialogue process, all these were raised through an ad hoc urgent letter on Chapter III of the draft Bill of L. 4808/2021 submitted by GSEE in May 2021 to the Ministry of Labour and Social Affairs, but were not taken into consideration. This is also a clear example of State's ignorance to the outcome of the bipartite social dialogue.

The need for promoting gender equality and non-discrimination at work through a coherent and accessible legal framework.

Due to the lack of institutional dialogue process (also) on the implementation measures of C190, GSEE with another urgent letter of May 2021 on draft Bill⁹⁰ of Law 4808/2021, has urged to Ministry of Labour and Social Affairs on the State's obligation to ensure the coherence of the legal framework on gender equality, discrimination, violence and harassment at work. GSEE's focused on the already in force (before the draft Bill of Law 4808/2021) legislative framework⁹¹ and the obligation not to introduce legal provisions that create rights, obligations and process before the competent Authorities that are contradictory, incoherent and create confuse for workers which are victims of inequalities, violence and harassment at work. Legal uncertainty has been also created as it concerns the vital right for access to competent Authorities of victims of inequalities, violence and harassment at work due to the transform of the Labour Inspection to independent authority (art 102 of Law 4808/2021) and the revealing, due to the incoherent framework, of procedural difficulties, such as the competency now of three (3) independent authorities (Labour Inspection, Ombudsman, National Transparency Authority) on control procedure and the procedural requirements. Public sector workers have

⁸⁹ <https://www.gov.gr/en/sdg/work-and-retirement/terms-and-conditions-of-employment/general/national-general-collective-agreement-egsse>

⁹⁰ GSEE letter on the draft Bill of Law 4808/2021 <https://gsee.gr/?p=37487> (in greek)

⁹¹ C190 implementation measures that are included in Law 4808/2021 were adopted without due diligence to the already existing framework in force through Law 4531/2018 (OJ A' 62, on the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence in general (the Istanbul Convention), Law 4604/2019 (OJ A' 50 on Substantive Gender Equality, Preventing and Combating Gender-Based Violence), Law 4443/2016 (OJ A' 232)among others, on the transposition into Greek legislation the Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, the Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation), Law 3896/2010 (OJ A 207 concerning the application of the principle of equal opportunity and treatment of men and women in terms of employment - transposition of Directive 2006/54/EC).

also to face this incoherency, as well as the legislative gaps or deficiencies related to the competent Bodies as it concerns protection against discriminatory or abusive practices.

Also, as mentioned above, Labour Inspectorate i) doesn't examine ex officio the dimension of discriminative practices when examining workers' complaints for example on dismissal or pay reduction or change in working arrangements, unless the workers explicitly invoke in written and explicitly the provisions on anti-discrimination legislation, even though the discriminatory bases is evident, ii) separates according to the Labour Inspections internal competency, the examination of workers' complaints either to the Labour Relations' Inspectorate or to the Health and Safety Inspectorate, despite the fact that for example discrimination against pregnant workers or violence at work need to be jointly addressed and iii) examines complaints on violence and harassment cases only when they are submitted in greek (art. 3 of Ministerial Decision 101269/2022/ OJ B' 5978 on Law's 4808/2021 - ILO C190 implementation measures process before the Labour Inspection). If complaints are not written in greek and don't refer explicitly to the legislation in breach, then they are declared as inadmissible, thus imposing further restrictions against non national or illiterate worker-victims, despite their known vulnerability. This obligation is not imposed by law as it concerns the process before the Ombudsman, according to Laws 3896/2010 and 4443/2016. It should be also mentioned that the situation is more aggravated by the fact that not all Greece (an importantly islandic country) is covered by services of Labour Inspectorates, while Ombudsman's offices are based in the capital – Athens, as well as the ones of the National Transparency Authority.

Lack of coherent statistical data.

There is a lack of coherent collection of data with reliable and comprehensive statistics beyond the internal records of civil services compounded by the non-functioning of any competent tripartite social dialogue body. The lack of coherent data has been aggravated after the transfer of gender equality administrative and political competencies and state Bodies (like the General Secretariat for Gender Equality) from the Ministry of Interior, to the Ministry of Labour and Social Affairs and since 2023 to the Ministry of Social Cohesion and Family. It should be also mentioned that the portfolio on gender equality has lost its autonomy, has been downgraded under the portfolio of “family” and has been merged with the portfolio of human rights under the competency of the General Secretariat for Equality. This political and administrative deficit and its impact to the data collection system results in the failure to collect reliable statistics on discrimination in the workplace on the basis of gender and other grounds of discrimination⁹².

The lack of statistical data on the enjoyment also of the ICERD rights has been a concern of CERD and its relevant recommendations in 2024, according to which “ this lack limits the Committee's ability to properly assess the situation of such groups, including their socioeconomic status and any progress achieved by implementing targeted policies and programmes”⁹³.

⁹² For example as it concerns the take up of parental leaves GSEE refers to the annual Reports as it concerns Greece on [leavenetwork.org](https://www.leavenetwork.org), where almost every year there is steady reference on “There is no information on the uptake of the various types of leave. Statistics provided by the Labour Inspectors' Authority on private sector employees record people on leave by sex; however, there is no information about how many employees are eligible, but do not make use of their entitlement. Furthermore, these statistics are collected under the equal treatment legislation and do not provide any data on the uptake of leaves that apply exclusively to mothers” Country Report of 2021 <https://www.leavenetwork.org/annual-review-reports/country-reports/>

And annual Reviews available here <https://www.leavenetwork.org/annual-review-reports/archive-reviews/>

⁹³ CERD, Concluding observations on the combined twenty-third and twenty-fourth periodic reports of Greece, December 24, 2024 CERD/C/GRC/CO/23-24

Gender equality in practice “lags behind”, as noted also by the UN WG on discrimination against women and girls in its visit in Greece in April 2019. The lack of available and reliable data and strong monitoring capacity is also a key challenge for Greece that impedes progress⁹⁴. According to EIGE data women’s empowerment in Greece both in the public and private sector remains disappointing⁹⁵.

It is here worth mentioning, that ILO CEACR in its Direct Request on the application of C100, refers explicitly to the UN Working Group on Discrimination Against Women in Law and in Practice noting that in April 2019 “(it) highlighted the need for women’s equal access to the labour market and improved pay and conditions at work, and expressed specific concern at the persistence of the gender pay gap and the absence of women in leadership roles (OHCHR, Press statement of 12 April 2019). **In light of the persistent gender pay gap and occupational gender segregation of the labour market, the Committee asks the Government to provide information on: (i) the application of Law No. 4706/2020 and its impact on the presence of women on Boards of Directors; and (ii) any other measures taken, including in collaboration with employers’ and workers’ organizations, to raise awareness, make assessments, and promote and enforce the application of the Convention. It asks the Government to provide information on the proactive measures implemented, including in the framework of the National Action Plan for Gender Equality for 2016–20 and for 2021–2025, to address the gender pay gap by identifying and addressing its underlying causes, such as vertical and horizontal occupational gender segregation and stereotypes regarding women’s professional aspirations, preferences and capabilities, and their role in the family, and by promoting women’s access to a wider range of jobs with career prospects and higher pay. Recalling that regularly collecting, analysing and disseminating information is important for addressing appropriately unequal pay, determining if measures taken are having a positive impact on the actual situation and the underlying causes of the gender pay gap, the Committee requests the Government to take all necessary measures to provide updated statistical information on the gender pay gaps, both in the public and private sectors**, while (the CEACR) invites one more time the greek Government, to collaborated with employers’ and workers’ organizations, the Ombudsperson and the enforcement authorities⁹⁶. This has not happened until now. Furthermore, in addition to its Direct Request to the Government, CEACR in its Observations of 2024 on ratified C100, “notes that, in its 2024 concluding observations, the United Nations (UN) Committee on the Elimination of Discrimination against Women (CEDAW) also expressed concern about: (1) the persistent gender pay gap; (2) the concentration of women in lower-paid jobs and in the informal economy, where they are exposed to exploitation and have no access to social security systems; and (3) the large number of women engaged in unpaid care work (CEDAW/C/GRC/CO/8-9, 20 February 2024, paragraph 33). **In light of the significant gender pay gap, the Committee wishes to stress that it is important to deal with the persistent**

<https://imadr.org/cerd-114th-session-summaryarmenia-ecuador-greece-kenya-monaco-and-saudi-arabia/>
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FGRC%2FCO%2F23-24&Lang=en

GNCHR Written Contribution for the List of Themes prior to Greece’s review of its combined 23rd and 24rd periodic report by the Committee on the Elimination of Racial Discrimination (CERD) in its 114th Session, September 16, 2024
<https://www.nchr.gr/en/news/1887-gnchr-written-contribution-for-the-list-of-themes-prior-to-greece-s-review-of-its-combined-23rd-and-24rd-periodic-report-by-cerd.html>

⁹⁴ UN Human Rights Council, Visit to Greece: Report of the Working Group on discrimination against women and girls, A/HRC/44/51/Add.1, April 2019. The WG experts are concerned that there is uneven coordination of support services for victims of the various forms of gender-based violence, as well as programmes for perpetrators

⁹⁵ See <https://eige.europa.eu/gender-equality-index/2021/EL>
<https://eige.europa.eu/gender-equality-index/2021/country/EL>

⁹⁶ CEACR Direct Requests of 2024 and 2020 on the application of C100

https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4415380,102658

underlying causes of pay inequality that still need to be addressed in the country. A comprehensive approach to the reduction and elimination of pay disparity between men and women involving societal, political, cultural and labour market interventions is required. In that regard, the Committee observes that the Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between women and men through pay transparency and enforcement mechanisms (EU Pay Transparency Directive) entered into force on 6 June 2023, and that EU Member States must implement it within three years”.

GSEE concurs with GNCHR observation⁹⁷ that lack of available and reliable data and of strong monitoring capacity is key challenge that impedes progress⁹⁸, while noting the need to enhance the capacity of the Hellenic Statistical Authority in order to play an important role, in synergy with all the involved stakeholders, towards the development of national statistics under a human rightsbased approach. The GNCHR has repeatedly expressed its serious concerns at the general lack of available and updated data and statistics on various areas of human rights protection, disaggregated by sex, age, race, ethnicity, geographical location and socioeconomic background, which are necessary for the systematic monitoring and evaluation of progress towards the realisation of human rights, as well as for informed and targeted policymaking⁹⁹.

Despite the officially acknowledged dimension in Greece of underreporting in the incidents of harassment and violence at work, there is an increase of incidents of sexual harassment, abuse and exploitation in power relations, including the workplace, politics, sport, arts and educational settings¹⁰⁰. GSEE has also welcomed the courage of the gold medallist in sailing Sofia Bekatorou to publicly denounce the incident of sexual abuse she suffered at a young age, in the context of exploitation in a power relation and hierarchy in the workplace and has emphasized to its public Statements¹⁰¹ that access to justice for victims of sexual violence, the role of trade union by their side or on behalf of them before the Authorities, the effective investigation of violations of sexual life and freedom and the fair administration of justice are among the most fundamental aspects of the protection of fundamental rights. GSEE has asked on the urgent restoration of institutional tripartite social dialogue with explicit mandate on zero tolerance and targeted actions on i) the timely intervention to protect victims of sexual violence, also in cases it has multiple basis (i.e domestic violence, racist motive), the effective judicial protection of their rights and the victims' access to fair justice through effective, transparent and confidential and without delay procedures, ii) the strengthening of all services dealing with cases of sexual harassment and abuse, such as health structures, police, psychological, social and legal support services, telephone hotlines and accommodation to women under threat, iii) the systematic and regular collection of detailed, reliable and comparable data, iv) the adoption and strengthening of awareness-raising and information activities aimed at preventing and raising awareness of the rights of victims, while encourage them to break their silence.

⁹⁷ GNCHR Observations on Greece's combined 23rd and 24th periodic report to the Committee on the Elimination of Racial Discrimination (CERD) of the International Convention on the Elimination of All Forms of Racial Discrimination, July 2021 https://www.nchr.gr/images/English_Site/DIAKRISEIS/GNCHR_Observations_CERD_final.pdf

⁹⁸ UN Human Rights Council, Visit to Greece: Report of the Working Group on discrimination against women and girls, A/HRC/44/51/Add.1, April 2019. The WG experts are concerned that there is uneven coordination of support services for victims of the various forms of gender-based violence, as well as programmes for perpetrators

⁹⁹ GNCHR, Stakeholder Report to the Universal Periodic Review (UPR) of Greece UN Human Rights Council, 39th session, 25 March 2021, p. 9.

¹⁰⁰ League for Women Rights, Press Release, 15.1.2021.

¹⁰¹ GSEE press releases <https://gsee.gr/?cat=14>

As it concerns the Ombudsman's Special Reports on Equal Treatment of the year 2024¹⁰², GSEE i) notes that the data presented on labour cases are not reflected to Labour Inspection's data, and ii) concurs with Ombudsman's legislative and administrative proposals.

Gender equality and third country nationals

Despite the explicit regulatory framework on the prohibition of work related discrimination against third country national workers (Law 4443/2016), migrants' and refugees' integration in Greece, is seriously hindered also due to the legal and administrative obstacles faced by them in accessing their rights (work, education, health, housing)¹⁰³. This situation has an important negative impact against women third country nationals, which is hidden in terms of data, but known to us from our member trade union organisations and their action in the field. For example, asylum applicants' and refugee access to the labour market has been further hindered by obstacles (mostly important delays) in acquiring a Foreigner's Temporary Insurance and Health Coverage Number (PAAYPE) ¹⁰⁴, which is a requirement for employment. The framework under which PAAYPE is granted remains vague, while the transition from PAAYPE to AMKA (the steady social security number) has proved particularly time-consuming (already in many cases it reaches a year!) and hindered even more the legal access of this population to the labour market and to healthcare. As further noted by the Greek National Commission for Human Rights in September 2020, "in practice, it is ascertained that asylum seekers cannot benefit from the right to work, as the documents of ERGANI have not yet been adapted so that PAAYPE holders can be included, while due the coronavirus and the difficulty in renewing international protection applicants' cards, employers are reluctant to employ staff with an expired card¹⁰⁵. Also, due to administrative constraints, important delays in renewal of migrants'/refugees' residence permits, have as a result for them to be employed with expired residence permits on an undeclared status, through no fault of their own. This phenomenon, which has an important gender aspect, but invisible in data, is furtherly aggravated by the increased seasonal labour needs during the summer and the increased risk of labour exploitation and forced labour in case of employed beneficiaries of international protection with expired residence permits.

Gender dimension in Human Rights' Impact Assessment (HRIA)

GSEE's reiterates the emphasis regarding the cumulative negative effect of previous violations that have not been addressed by the Government and new violations ensuing from subsequent measures and the lack of official and reliable human rights' impact assessment mechanism. GSEE emphasizes the cumulative effect of the imposed anti-labour measures of the period 2010-2025, which, while undermining collective labour rights, have resulted to the establishment of the supremacy of employers' managerial prerogative with a severe impact (among others) on gender equality in employment and occupation. It is more than obvious that

¹⁰² Ombudsman, Special Annual Report on Equal Treatment 2024

<https://www.synigoros.gr/el/category/eidikes-ek8eseis/post/eidikh-ek8esh-or-ish-metaxeirish-2024>

¹⁰³ https://www.gcr.gr/media/k2/attachments/Joint_NGO_Briefing_on_the_situation_in_Greece_27_10_2021.pdf
<https://www.gcr.gr/en/news/press-releases-announcements/item/1365-open-letter-of-17-organizations-to-the-minister-of-migration>

¹⁰⁴ AIDA Country Report on Greece (2020) pg 182 https://asylumineurope.org/wp-content/uploads/2021/06/AIDA-GR_2020update.pdf

<https://www.gcr.gr/el/news/press-releases-announcements/item/689-koini-anafora-25-organoseon-gia-peristatika-paraviasis-dikaionaton-ton-aitounton-asylo>

¹⁰⁵ GNCHR, Annual Report on the Refugee and Migration Issue: Part B, September 2020, available in Greek at: <https://bit.ly/3fugGfW>, p.124.

the Greek labour market retains its permanent characteristics of great and increasing flexibility and is unprotected and deprived of binding principles and rules that have hitherto ensured the right to decent work and the substantial application of gender equality and non discrimination at work.

As Greek National Commission for Human Rights (GNCHR), the national human rights' institution (NHRI) , has observed on the draft Bill of Law 4808/2021¹⁰⁶ as it concerns provisions for working parents *“Also, the GNCHR expresses its concern over the implementation of flexible arrangements as to employment terms for working parents, especially given that this is combined with a general flexibility as regards working time, which is promoted in other provisions of the same Draft Law. The GNCHR recommends to the competent Authorities to ensure the guarantees of transparency and objectivity, as well as the prohibition of discrimination against workers on grounds of exercising the aforementioned rights”*.

¹⁰⁶ GNCHR Observations on Draft Law of Ministry of Labour and Social Affairs "On the Protection of Employment – Establishment of the Independent Authority 'Labor Inspectorate' – Ratification of the ILO Convention No. 190 on violence and harassment in the world of work – Ratification of the ILO Convention No. 187 on the Promotional Framework for Occupational Safety and Health at Work – Incorporation of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers" Summary in English
https://www.nchr.gr/images/English_Site/ERGASIA/Summary_of_GNCHRs_Observations_on_Draft_Labor_Law_final.pdf