



European  
Social  
Charter

Charte  
Sociale  
Européenne



COUNCIL  
OF EUROPE

CONSEIL  
DE L'EUROPE

01/03/2012

RAP/Cha/CRO/VI(2012)

## **EUROPEAN SOCIAL CHARTER OF 1961**

6th National Report on the implementation of  
the European Social Charter of 1961

submitted by

### **THE GOVERNMENT OF CROATIA**

(Articles 1 and 9 of the 1961 Charter  
and Article 1 of the 1988 Additional Protocol  
for the period 01/01/2007 – 31/12/2010)

---

Report registered by the Secretariat on 29 February 2012

**CYCLE XX-1 (2012)**



Ministry of Labour and Pension System

**The Sixth Report of the Republic of Croatia on Measures Taken for the  
Application of the Adopted Provisions of the European Social Charter  
(Articles 1 and 9) and the Provisions of the 1988 Additional Protocol  
(Article 1) for the period January 2007 - December 2010**

January 2012

## **REPORT ON THE APPLICATION OF THE EUROPEAN SOCIAL CHARTER**

*For the period from January 2007 to December 2010 made by the Government of the Republic of Croatia in accordance with Article 21 of the European Social Charter, on measures taken to give effect to the accepted provisions of the European Social Charter, the instrument of ratification or approval of which was deposited on 26 February 2003, and relating to Articles 1 and 9 of the Charter and Article 1 of the Protocol.*

*In accordance with Article 23 of the Charter, copies of this report have been communicated to:*

- *Union of Autonomous Trade Unions of Croatia;*
- *Independent Trade Unions of Croatia;*
- *Croatian Association of Trade Unions;*
- *Federation of Croatian Trade Unions of Public Services;*
- *Association of Workers' Trade Unions of Croatia;*
- *Croatian Association of Employers.*

## Table of Contents

1. Article 1 - THE RIGHT TO WORK	4
Paragraph 1. – Full Employment Policy	4
Paragraph 2 - On Occupation Freely Entered Upon (non-discrimination, forced labour prohibition and other positions)	38
Paragraph 3 – Free Employment Services	56
Paragraph 4 – Vocational Guidance, Training and Rehabilitation	68
2. Article 9 – THE RIGHT TO VOCATIONAL GUIDANCE	87
a) Vocational Guidance Functions, Organisations and Operations	87
b) Education and Training of Persons with Disabilities	90
c) Employment of Persons with Disabilities	91
3. Article 1 of the Additional Protocol	100

## **Article 1 – THE RIGHT TO WORK**

*With a view to ensuring the effective exercise of the right to work, the Parties undertake:*

- 1. to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment;*
- 2. to protect effectively the right of the worker to earn his living in an occupation freely entered upon;*
- 3. to establish or maintain free employment services for all workers;*
- 4. to provide or promote appropriate vocational guidance, training and rehabilitation.*

The Constitutional provisions in the Republic of Croatia have not changed during the reporting period.

### ***Paragraph 1***

#### ***Full Employment Policy***

Since the last Report, a new Labour Act has been adopted (Official Gazette No. 149/09), which entered into force on 1 January 2010, save for Chapters 4, 5, 6 and 7 of Section XVII of the Act and the penal provisions contained in Article 293, paragraph 1, sub-paragraphs 34-48 of the Act.

The Act on Job Placement and Unemployment Insurance (Official Gazette No. 80/08 and 121/10) regulates employment placement, vocational guidance, educational activities aimed at increasing labour employability, insurance in the event of unemployment, labour market active operations aimed at providing incentives for physical and professional mobility of labour force and new employment and self-employment, sources of funds for operations of the Croatian Employment Service, as well as the organisation, management and implementation of the Employment Service activities.

Further, the 2009-2010 and 2011-2012 National Employment Promotion Plans (NEPP) have been adopted at national level. The active policy measures falling under the remit of the Croatian Employment Service contained therein have been oriented towards subsidising employment of the unemployed and the professional training intended for job retention; funding training courses for the unemployed according to the market needs and; and subsidising and financing employment under public works programmes. National Implementation Plans (NIP) for 2007, 2008, 2009, 2010 and 2011 have also been adopted.

### *The Employment State-of-Play*

The employment rate in the Republic of Croatia dropped substantially in the last couple of years. According to the Eurostat data, employment rate among the 15-64 population group has fallen from 57.8 per cent in 2008 to 56.6 per cent in 2009, and further to 54.1 per cent in 2010. Employment rate for males in the same age group declined from 65.0 per cent to 62.4 per cent, and further to 59.5 per cent, while the employment rate of women first slightly increased from 50.7 per cent in 2008 to 51.0 per cent where it stood in 2009, only to drop back to 48.8 per cent in 2010. The employment rate amongst the 55-64 population group rose from 36.7 per cent in 2008 to 38.4 per cent in 2009, only to decline to 35.7 per cent in 2010. A sizable decline in the employment rate over the last couple of years is a consequence of the international economic crisis that affected Croatia too.

**Table 1:** 2006-2010 aggregate employment data broken down by gender and age

Year	Employment Rate (%)					
	15-64 Population Group			55-64 Population Group		
	Total	Men	Women	Total	Men	Women
2006	55.4	61.5	49.4	34.3	44.4	25.7
2007	57.0	64.2	50.0	35.8	48.4	24.2
2008	57.8	65.0	50.7	36.7	49.0	25.5
2009	56.6	62.4	51.0	38.4	50.1	28.0
2010	54.1	59.5	48.8	35.7	47.0	25.8

Source: Croatian Employment Service

According to the Eurostat data, the unemployment rate amongst the 15-74 population group rose from 8.4 per cent to 9.1 per cent between 2008 and 2009, and further to 11.8 per cent in 2010. The rate of men unemployment in the respective years rose from 7.1 per cent to 8.0 per cent, and to 11.4 per cent. The rate of women unemployment in the respective years rose from 10.0 per cent to 10.3 per cent, and to 12.3 per cent. The unemployment of youth rose from 22.3 per cent to 25.0 per cent, and further to 31.5 per cent. Thus, the economic crisis brought about severe consequences for Croatia's labour market.

**Table 2:** 2006-2012 aggregate unemployment data broken down by gender and age

Year	Unemployment Rate (%)			
	15-74 Population Group			15-24 Population Group
	Year	Men	Women	
2006	11.2	9.9	12.8	28.9
2007	9.6	8.4	11.2	24.0
2008	8.4	7.1	10.0	22.3
2009	9.1	8.0	10.3	25.0
2010	11.8	11.4	12.3	31.5

Source: Croatian Employment Service

### Committee's Question

#### ***Unemployment and Employment of Persons with Disabilities***

The records of the Croatian Employment Service as at 31 December 2010 contained a total of 6,255 unemployed persons with disabilities, i.e. less than 2.0 per cent of the unemployed population registered with the Employment Service. On 31 December 2009, the records of the Croatian Employment Service contained a total of 6,215 unemployed persons with disabilities, i.e. 2.1 per cent of the total unemployed population, while the records as at 31 December 2008 presented a total of 5,579 persons with disabilities, i.e. 2.4 per cent of the total unemployed population in the Republic of Croatia. Hence, while the number of persons with disabilities who are unemployed and kept on record with the Employment Service rose between 2008 and 2010, their share in the structure of total unemployment follows a downward path due to an increase in the overall unemployment.

Taking into consideration the overall number of the unemployed persons with disabilities who got employed during the 2005-2010 period, one may conclude that the period from 2005 to 2007 saw a positive upward trend in the target group employment. During the course of 2008, 2009 and 2010, there was a drop in the number of the newly employed persons with disabilities kept on the Croatian Employment Service record. A total of 1,267, 1,028 and 1,080 persons with disabilities have been employed in 2008, 2009 and 2010, respectively, clearly presenting a tendency of a diminished employment capacity versus the year of 2007 when a total of 1,423 persons with disabilities kept on the Employment Service record have been employed. Such a drop reflects the trend in the overall employment during the period 2008-2010 which has also been following a declining path. Encouraging is the fact that the

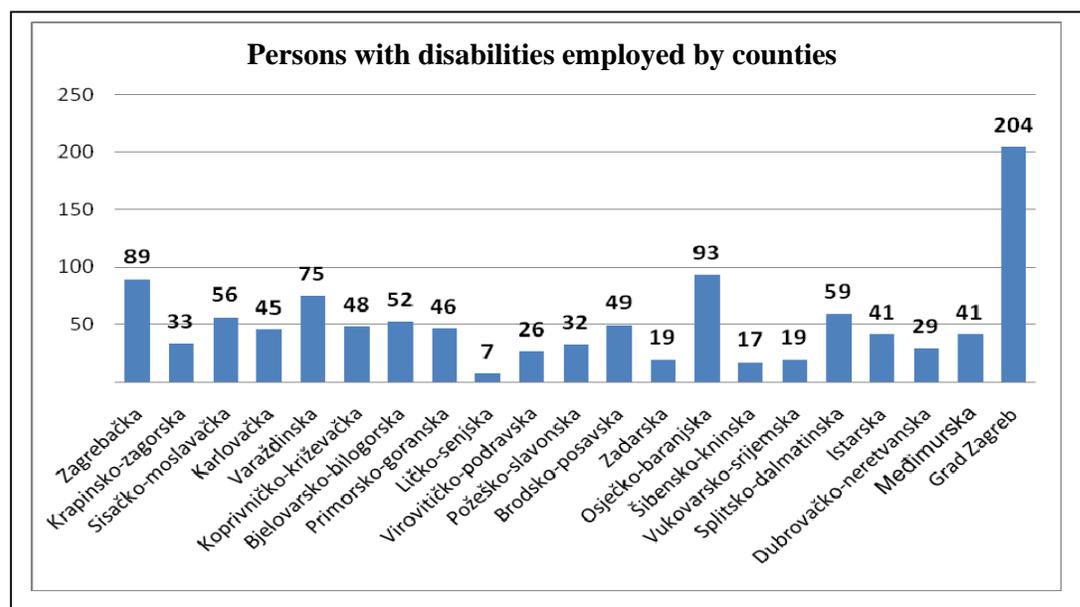
total number of the newly employed persons with disabilities kept on record increased during the course of 2010 as compared to 2009, testifying to an intensified investment of effort on the part of the Croatian Employment Service counsels and other labour market stakeholders into getting this target group employed in spite of difficult conditions in the labour market.

**Table 3:** Data on the number of the unemployed and employed persons with disabilities kept on the Croatian Employment Service record broken down by years covering the period 2005-2010

Year	Number of the unemployed persons with disabilities as at 31 December	Number of employed persons with disabilities during the period 1 January-31 December
2005	5,892	1,034
2006	5,790	1,211
2007	5,703	1,423
2008	5,579	1,267
2009	6,215	1,028
2010	6,255	1,080

Source: Croatian Employment Service

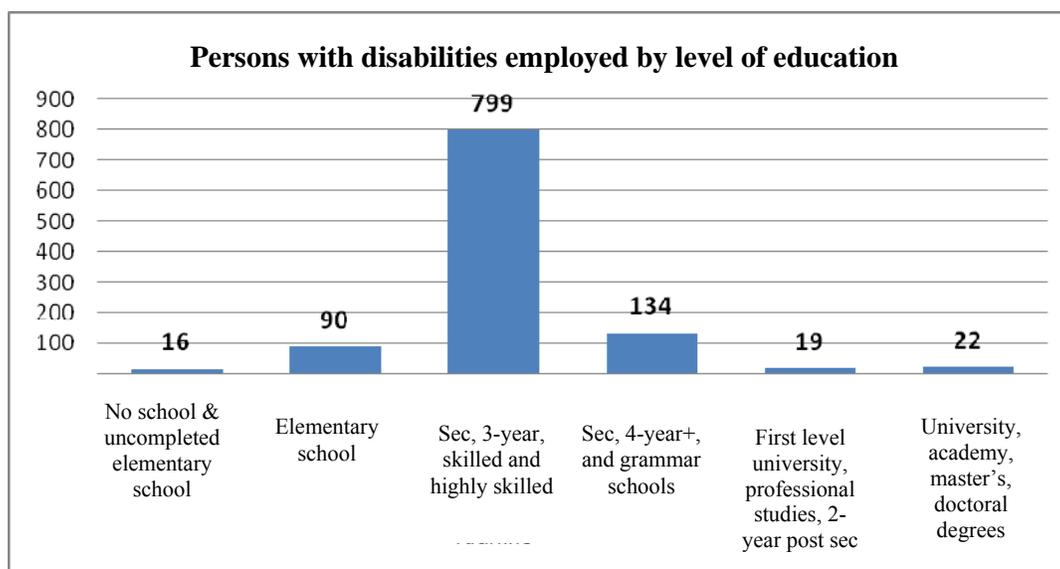
**Graph 1:** Overview of the number of employed persons with disabilities kept on the Croatian Employment Service record broken down by counties



Source: Croatian Employment Service

The greatest number of the employed persons with disabilities was recorded in the City of Zagreb (204 i.e. 18.9 per cent of the total number of employed persons with disabilities), followed by the Osijek-Baranja County (93), the Zagreb County (89) and the Varaždin County (75).

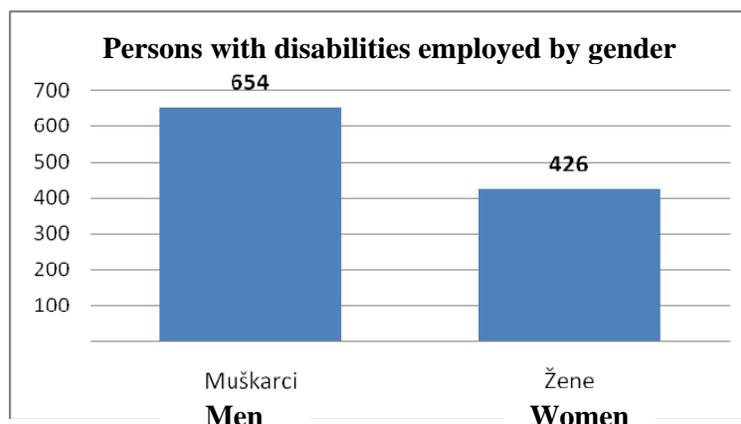
**Graph 2:** Overview of the number of employed persons with disabilities kept on the Croatian Employment Service record by the level of education



Source: Croatian Employment Service

In 2010, the greatest number of persons with disabilities had their secondary education completed. More precisely, the number included 933 persons (86.39 per cent of the total number of employed persons with disabilities), of which 799 employed persons with disabilities had completed their three-year secondary qualifications and 134 persons their four-year secondary qualification.

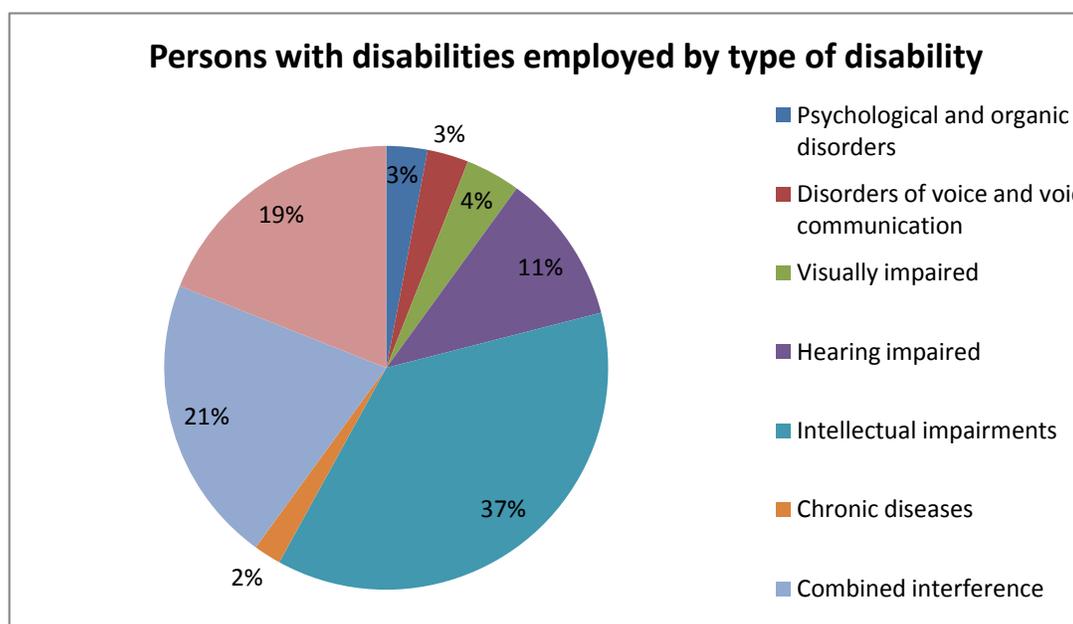
**Graph 3:** Overview of the number of employed persons with disabilities kept on the Croatian Employment Service record broken down by gender



Source: Croatian Employment Service

The records of the Croatian Employment Service show that a total of 654 men (60.51 per cent) and 426 women with disabilities (39.44 per cent) have been employed.

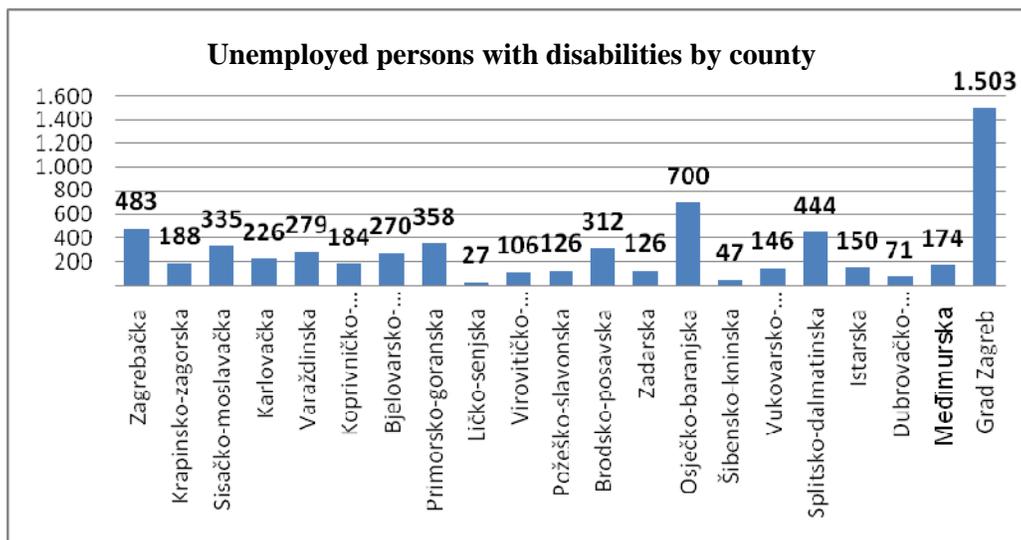
**Graph 4:** Overview of the number of employed persons with disabilities kept on the Croatian Employment Service record broken down by type of disability



Source: Croatian Employment Service

The greatest number of employed persons with disabilities fall under the category of persons with intellectual insufficiencies (402, i.e. 37 per cent), followed by those with combined disorders (221, i.e. 21 per cent) and the physically disabled (204, i.e. 19 per cent).

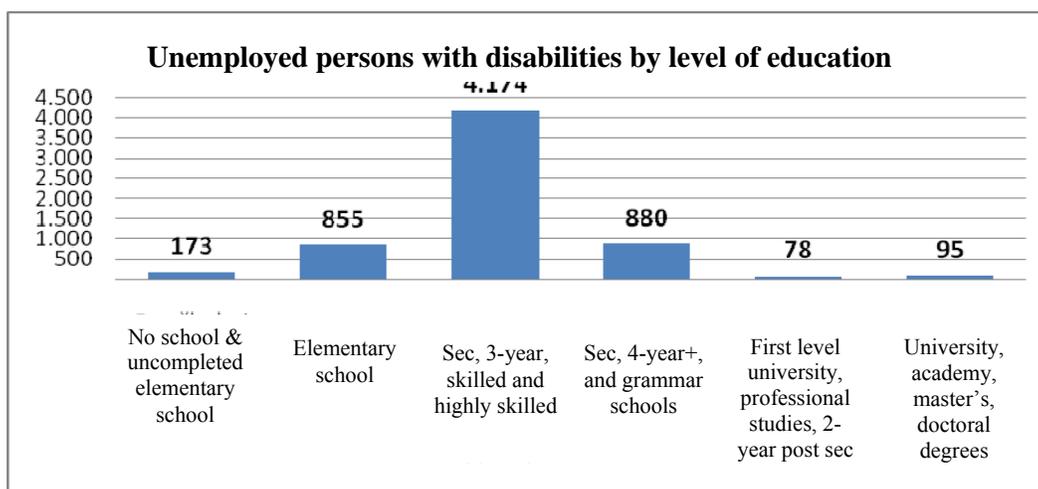
**Graph 5:** Overview of the number of the unemployed persons with disabilities kept on the Croatian Employment Service record broken down by counties



Source: Croatian Employment Service

The greatest number of the unemployed persons with disabilities has been recorded in the City of Zagreb (1,503, i.e. 24.03 per cent of the total number of the unemployed persons with disabilities kept on the Employment Service's record), followed by the Osijek-Baranja County (700), the Zagreb County (483) and the Split-Dalmatia County (444).

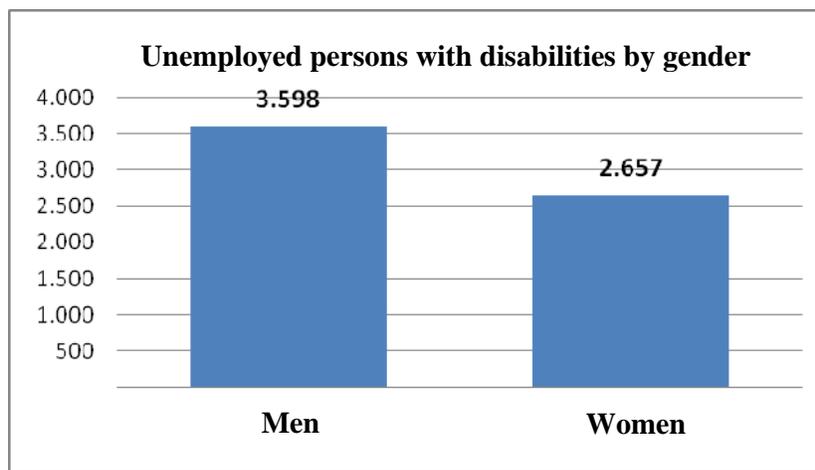
**Graph 6:** Overview of the number of the unemployed persons with disabilities kept on the Croatian Employment Service record broken down by the level of education



Source: Croatian Employment Service

To the largest extent, the unemployed persons with disabilities fall under the secondary qualification category (5,054, i.e. 80.8 per cent), of which a total of 4,174 persons have completed three-year secondary education, while 880 unemployed persons with disabilities have completed four-year secondary school programmes.

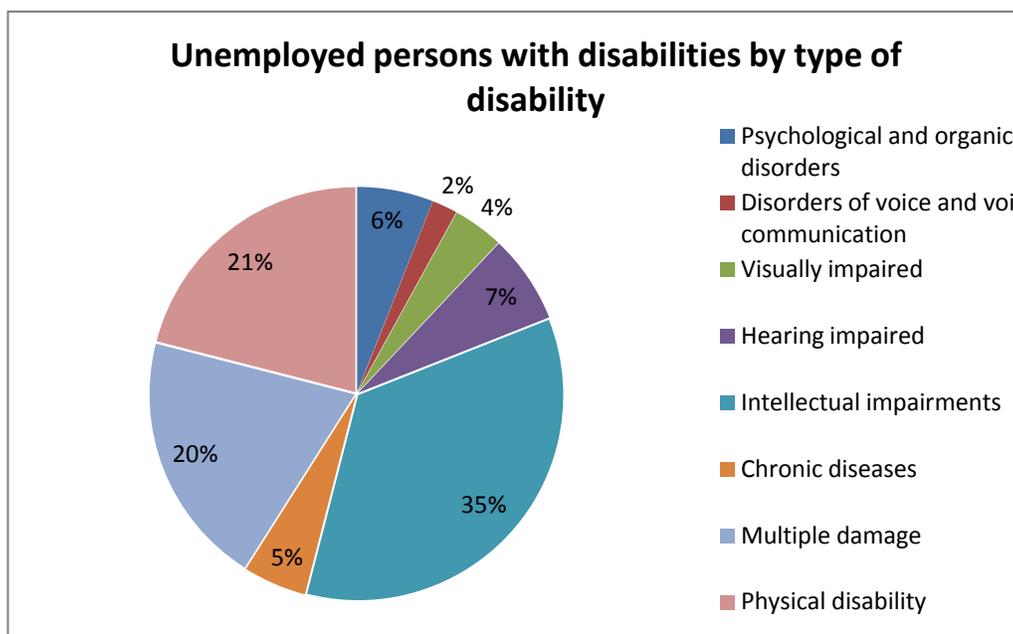
**Graph 7:** Overview of the number of the unemployed persons with disabilities kept on the Croatian Employment Service record broken down by gender



Source: Croatian Employment Service

Men have accounted for the greatest portion of the unemployed persons with disabilities kept on the Employment Service’s record (3,598, i.e. 57.5 per cent).

**Graph 8:** Overview of the number of the unemployed persons with disabilities kept on the Croatian Employment Service record broken down by type of disability



Source: Croatian Employment Service

The Croatian Employment Service records contain the greatest number of the unemployed persons with intellectual insufficiencies, more precisely 2,165, i.e. 35 per cent, followed by

persons with physical disabilities (1,317), persons with multiple impairments (1,273), persons with hearing impairment, persons with mental and organic disorders, persons with chronic diseases, persons with visual impairments and persons with speech and communication disorders.

The Republic of Croatia has recognised a great potential of persons with disabilities. Therefore, it has been very active in implementing active employment policy applied to persons with disabilities via the adoption of a series of international documents, their incorporation into the national legislation and application in practice. Naturally, the activities the Republic of Croatia have been taking are not oriented towards employing persons with disabilities only, but have also encompassed the promotion of the right to an active and equitable participation of persons with disabilities in the society, with the view to improving quality of their lives.

Namely, the Act on Vocational Rehabilitation and Employment of Persons with Disabilities has been adopted as early as in 2002 (Official Gazette No. 143/02, 33/05), which laid down the foundation for the development of an active employment policy applied to persons with disabilities.

Viewed from an angle of employment preparation and the very employment of the unemployed, vocational rehabilitation under the Act on Vocational Rehabilitation and Employment of Persons with Disabilities (Official Gazette No. 143/02, 33/05) involves the activities listed hereunder:

- identifying the residual work and general capacities;
- providing vocational information, counselling services and evaluation of vocational capabilities;
- labour market analysis, employability and labour inclusion;
- evaluating options for the development and improvement of vocational training programmes;
- training for work, qualification upgrade, re-qualification and programmes aimed at maintaining and improving labour and labour-social skills and abilities until employment.

The adoption of the Act on Vocational Rehabilitation created preconditions for putting the Fund for Vocational Rehabilitation and Employment of the Disabled in place. The Fund has been established on the basis of the Regulation issued by the Government of the Republic of Croatia in 2003, and its establishment meant that the Government of the Republic of Croatia has added an additional instrument to ensure equal inclusion of persons with disabilities in the labour market. In formal and legal terms, the Fund started operating in November 2006. The core activities of the Fund may be grouped as follows:

1. implementing the policy of the development and improvement of professional rehabilitation and employment of the disabled;
2. financing or subsidising vocational rehabilitation institutions and labour centres;
3. making cash benefit disbursements;
4. financing or subsidising programmes and projects intended for promotion, employment and retention of employment of persons with disabilities;
5. supervision over the exercising of the right to cash incentives and spending of other Fund's resources;
6. other matters foreseen in the Fund Establishment Regulation and the Fund Charter.

In keeping with the Act on Vocational Rehabilitation and Employment of Persons with Disabilities, the Fund generates revenues from:

- the state budget;
- Special contribution regulated in Article 10a, paragraphs 2 and 3 of the Act on Vocational Rehabilitation and Employment of Persons with Disabilities;
- unspent special-purpose resources;
- gifts and cash aid provided by the domestic and international legal and natural persons;
- other revenues generated on the grounds of the Act and other regulations.

In dealing with the issue of employment of persons with disabilities, the Croatian Employment Service puts a specific emphasis of individual approach to an unemployed person.

Therefore, in order to adopt a more systematic approach to dealing with the issue of employing persons with disabilities, the Croatian Employment Service has its Division for Vocational Rehabilitation and Employment of Persons with Disabilities. All regional offices of the Employment Service have hired specifically trained placement counsellors to handle persons with disabilities. In cooperation with the vocational guidance counsellors, evaluation of the disabled person's capacity to work is being conducted, including psychological and medical assessment aimed at referring the user to adequate type of vocational rehabilitation. Additionally, the unemployed persons with disabilities have been enabled to participate in various types of group counselling sessions customised to fit the particular type of disability. The purpose of these is to promote an active approach to job seeking and exercising the right to social and psychological support. The said areas of work have been customised to the needs and the abilities of persons with disabilities. For instance, the regional offices of the Croatian Employment Service conduct group vocational information and counselling activities intended for persons with hearing impairments, providing them with translation to sign language in cooperation with the Association of the Deaf and the Hearing Impaired.

The Croatian Employment Service intensively cooperates with all the relevant stakeholders from the area of vocational rehabilitation of persons with disabilities, more precisely with the Fund for Vocational Rehabilitation and Employment of the Disabled and numerous NGOs catering for the disabled. The NGOs of persons with disabilities and those catering for the disabled have proven to be strong drivers of initiatives aimed at strengthening possibilities for the disabled, which is why the Croatian Employment Service has been actively supporting NGO programmes aimed at attaining social integration for persons with disabilities and improving the quality of their lives.

A portion of the active policy measures for subsidising employment implemented by the Croatian Employment Service refers to the provision of subsidies for integrating the disadvantaged into the labour market. They represent special groups of the unemployed, such as persons with disabilities (Measure – Subsidies for employment of special groups of the unemployed). In addition to the employment subsidising measures, the Employment Service also promotes employment via measures aimed at subsidising and financing training and those aimed at getting involved in public works. In 2010, the active employment policy measures conducted by the Croatian Employment Service wave covered a total of 349 persons with disabilities, while a total of 146 persons with disabilities have been involved in 2009.

Moreover, the Republic of Croatia is a signatory to and has ratified various international documents promoting and guaranteeing the rights of persons with disabilities. Worth mentioning among them is the UN Convention on the Rights of Persons with Disabilities. The Republic of Croatia was the third and fourth country in the world to sign (30 March 2007) and ratify the Convention, respectively.

Further to be mentioned is the Council of Europe Disability Action Plan 2006-2015. Jointly with the UN Convention on the Rights of Persons with Disabilities, it serves as the groundwork for the 2007-2015 National Strategy of Equalisation of Opportunities for Persons with Disabilities (Official Gazette No. 63/07) that the Government of the Republic of Croatia has adopted in June 2007. The National Strategy defined the areas of operation as well as the implementing activities covering all areas of life of persons with disabilities, including their family lives, partaking in political, public and cultural life, education, employment and vocational rehabilitation, accessibility, mobility, health and social welfare, legal protection, living in the community, as well as independently. Such a comprehensive approach enables equal integration of persons with disabilities into all areas of life, respect for their dignity and prevention against discrimination and raising public awareness. A contributing factor may also be found in cooperation with NGOs of persons with disabilities. The Government of the

Republic of Croatia recognised them as partners in equal inclusion of persons with disabilities into the society.

In addition, the Zagreb Declaration has been adopted at the European High Level Conference on the Council of Europe Disability Action Plan 2006-2015 in September 2007 in Zagreb, providing support to the Council of Europe Action Plan and its implementation.

For the purpose of taking adequate actions in the area of promoting and protecting the rights of persons with disabilities, the Government of the Republic of Croatia has established the Government of the Republic of Croatia's Commission for Persons with Disabilities in 1997, as a professional and an advisory body of the Government of the Republic of Croatia tasked with making proposals, opinions and expert explanations in the area of protecting and rehabilitating persons with disabilities and their families and conducting various activities for their benefit.

As an additional instrument to ensure better protection and quality of life of persons with disabilities, the Croatian Parliament has adopted the Ombudsman for Persons with Disabilities Act back in 2007 (Official Gazette No. 107/07), and the Ombudsperson for Persons with Disabilities has been appointed in May 2008.

Furthermore, the Government of the Republic of Croatia has adopted the Joint Assessment of the Employment Policy Priorities (JAP) co-signed with the European Commission, as the groundwork for the development of the 2009-2010 and 2011-2012 National Employment Promotion Plans (NEPP). The Fund took part in its production and implementation.

The Joint Memorandum on Social Inclusion of the Republic of Croatia (JIM), which the Government of the Republic of Croatia co-signed with the European Commission on 5 March 2007, was the groundwork for the production of the 2007, 2008, 2009, 2010 and 2011 National Implementation Plans (NIP). Measures contained in the NIPs have been adjusted to meet new circumstances and challenges on an ongoing basis and the Fund for Vocational Rehabilitation and Employment of the Disabled has been involved in its production and implementation.

Competent ministries monitor the implementation of all relevant papers and plans, and the Fund for Vocational Rehabilitation and Employment of the Disabled is obliged to submit regular written reports on the measures taken and implemented, which also goes for all other stakeholders involved in implementation of the above documents.

Therefore, the policy for persons with disabilities in the Republic of Croatia is founded upon international documents and international standards and practices which have been interwoven with national legislation, and specifically founded upon the principles of non-

discrimination, equal opportunities and inclusion of persons with disabilities into the social processes, thus creating the preconditions for attaining accessibility of all civil, social, political and other rights for the benefit of persons with disabilities. All activities of the Fund for Vocational Rehabilitation and Employment of the Disabled follow the said orientation with the view to raising public awareness of the need and possibilities for employment of persons with disabilities and their inclusion into the labour market.

Consequently, the Fund has been disbursing subsidies to employers intended for employment and employment retention for persons with disabilities on an ongoing basis since 2006. In keeping with the Decision on exercising the right to disability employment subsidies (Official Gazette No. 08/08, 20/09, 96/09 and 44/10), the employers are entitled to the following incentives:

I. REGULAR SUBSIDY – in effect on an ongoing basis throughout the duration of employment of a person with disabilities, broken down as follows:

1. CASH SUBSIDY – A BENEFIT IN AN AMOUNT OF THE BASIC HEALTH INSURANCE AND EMPLOYMENT CONTRIBUTIONS PAID

An employer who hired a person with disabilities is entitled to receive a cash subsidy for the person in an amount of the basic health insurance and employment contributions paid. A self-employed person is entitled to a cash subsidy in an amount of the basic health insurance contribution paid in for the person.

2. DIMINISHED PERFORMANCE DIFFERENCE COMPENSATION

An employer who hires a person with disabilities who cannot take on the same volume of work as a healthy worker can is entitled to the compensation for the salary difference due to diminished performance of the person with disabilities. The volume of work is established as per the average capacity of a healthy worker.

3. PERSONAL ASSISTANT (WORK AIDE) COST SUBSIDY

An employer, i.e. a self-employed person, is entitled to a subsidised portion of the cost of the other person (personal assistant), who temporarily or permanently assists a person with disabilities while performing certain activities that the disabled person may not perform autonomously due to the type or degree of disability.

II. SPECIAL SUBSIDY – applied from time to time

1. ONE-OFF PAYMENTS – TRAINING OF PERSONS WITH DISABILITIES

1.1. Training of employed persons with disabilities

A self-employed person, i.e. an employer who refers an employee with disabilities to training or who delivers such training is entitled to a compensation of 60 per cent of the amount spent for training of persons with disabilities.

#### 1.2. Training of unemployed persons with disabilities for employment purposes

If an employer refers an unemployed person with disabilities to training before entering into a labour contract, the employer is entitled to a 60 per cent coverage of the training cost. If an employer referred a person with disabilities to training before entering into a labour contract, the employer is obliged to enter into a permanent labour contract with the person within 60 days upon the completion of training.

Furthermore, an unemployed person with disabilities who continues with his/her education during the self-employment preparatory stage is entitled to a 60 per cent coverage of the training cost. The person who is to become self-employed is obliged to start a business activity within 90 days upon the completion of training.

### 2. WORKPLACE ADJUSTMENT FUNDS – ARCHITECTURAL ADJUSTMENTS

An employer who enters into a labour contract with a person with disabilities who is in need of having his/her workplace adjusted in terms of architectural barriers removal due to the type and severity of disability, i.e. a person to become self-employed and having such a need, are entitled to compensation of costs associated with workplace and work conditions adjustment for such a person.

### 3. WORK CONDITIONS ADJUSTMENT FUNDS – TECHNICAL ADJUSTMENT

An employer who enters into a labour contract with a person with disabilities who is in need of having his/her work conditions adjusted in terms of workplace technical adjustment due to the type and severity of disability, i.e. a person to become self-employed and having such a need, are entitled to compensation of costs associated with workplace and work conditions adjustment for such a person.

### 4. LENDING UNDER FAVOURABLE TERMS AND CONDITIONS INTENDED FOR THE PURCHASE OF MACHINERY, EQUIPMENT, TOOLS OR ACCESSORIES NEEDED FOR EMPLOYMENT OF PERSONS WITH DISABILITIES

An employer, i.e. a person to become self-employed, who are the beneficiaries of earmarked loans for the purchase of machinery, equipment, tools or accessories needed for self-employment or employment of a person with disabilities are entitled to a subsidised interest of up to 70 per cent of the contractual interest rate in accordance with the loan agreement entered into with a commercial bank. The subsidised interest remains in effect until the loan gets repaid, providing that the purchased piece of machinery, equipment, tool or

accessories are operated by the person with disabilities (or the self-employed person with disabilities).

#### 5. SUBSIDISING THE COST OF AN OCCUPATIONAL THERAPIST

An employer, i.e. a self-employed person are entitled to a subsidised portion of costs of a person who provides assistance to the person with disabilities in mastering the work processes for a maximum of four months upon the date of entering into the labour contract.

**Table 4:** Types of subsidies and number of applications received and processed

<b>Subsidy</b>	<b>Number of applications received and processed</b>
Contributions refund	1,159
Diminished performance	338
Personal assistant	384
Training	76
Workplace adjustment	17
Work conditions adjustment	25
Subsidised interest	12
Occupational therapist	76
<b>TOTAL</b>	<b>1,971</b>

Source: Fund for Vocational Rehabilitation and Employment of the Disabled

In 2010, the total number of the received/processed applications for the above subsidies stood at 1,971. In the same year, there were a total of 420 employers who received the subsidies, while the number of persons with disabilities who received the subsidies amounted to 3,226 (1,412 women and 1,814 men). This number of persons with disabilities under subsidy scheme pertains to those for whom refunds of basic health insurance and employment contributions were made. All persons with disabilities for whom the employers received other types of subsidies are involved in the system of making refunds for the basic health insurance and employment contributions.

**Table 5:** Breakdown of employers and employed persons with disabilities by counties

County	No. of employers	No. of employed PwD	Women wD	Men wD
Zagreb	25	51	12	39
Krapina-Zagorje	11	86	65	21
Sisak-Moslavina	24	147	84	63
Karlovac	10	43	28	15
Varaždin	11	82	51	31
Koprivnica-Križevci	22	213	86	127
Bjelovar-Bilogora	23	73	43	30
Primorje-Gorski kotar	26	82	34	48
Lika-Senj	3	6	2	4
Virovitica-Podravina	6	47	24	23
Požega-Slavonija	17	77	38	39
Slavonski Brod-Posavina	9	97	58	39
Zadar	7	86	69	17
Osijek-Baranja	17	119	36	83
Šibenik-Knin	4	7	0	7
Vukovar-Srijem	2	2	1	1
Split-Dalmatia	22	160	82	78
Istria	27	157	70	87
Dubrovnik-Neretva	9	17	4	13
Međimurje	17	54	35	19
City of Zagreb	130	1,620	598	1,022
<b>TOTAL:</b>	<b>420</b>	<b>3,226</b>	<b>1,412</b>	<b>1,814</b>

Source: Fund for Vocational Rehabilitation and Employment of the Disabled

Even though the period 2007-2010 has seen a sizable increase in the number of employers became the recipients of subsidies for employment of persons with disabilities, some counties saw a slow-down of the employers and persons with disabilities growth trend, while some countries experienced a decline in the number of employers and persons with disabilities.

County	§3 No. of empl.	§3 No. of PwD	§8 No. of empl.	§8 No. of PwD	§14 No. of empl.	§14 No. of PwD	§43 No. of empl.	§43 No. of PwD	§29 & §34 No. of empl.	§29 & §34 No. of PwD	§21 & §25 No. of empl.	§21 & §25 No. of PwD	§39 Empl.	§39 PwD	EMPL. RETENT. EMPL.	EMPL. RETENT. PwD
Zagreb	25	51	5	5	8	15	1	1	0	0	0	0	0	0	0	0
Krapina-Zagorje	11	86	1	3	1	3	0	0	0	0	0	0	0	0	0	0
Sisak-Moslavina	24	147	2	2	4	7	1	3	0	0	0	0	0	0	0	0
Karlovac	10	43	0	0	1	1	0	0	0	0	0	0	0	0	0	0
Varaždin	10	81	2	11	3	12	2	5	0	0	0	0	0	0	1	10
Koprivnica-Križevci	21	212	3	26	6	26	3	3	0	0	0	0	1	23	0	0
Bjelovar-Bilogora	23	71	6	44	5	43	1	5	0	0	0	0	0	0	1	39
Primorje-Gorski kotar	26	81	3	9	4	10	1	1	0	0	0	0	1	5	1	8
Lika-Senj	3	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Virovitica-Podravina	6	47	0	0	1	1	0	0	0	0	0	0	0	0	0	0
Požega-Slavonija	17	73	11	29	12	37	12	23	8	28	0	0	0	0	0	0
Slavonski Brod-Posavina	9	97	3	11	4	11	2	3	0	0	0	0	0	0	0	0
Zadar	6	84	2	2	3	3	0	0	1	2	0	0	1	1	0	0
Osijek-Baranja	17	119	2	49	2	27	0	0	0	0	0	0	0	0	0	0
Šibenik-Knin	2	7	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Vukovar-Srijem	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Split-Dalmatia	20	149	7	126	9	132	4	9	1	1	1	1	0	0	1	119
Istria	27	157	2	19	3	20	1	1	0	0	0	0	0	0	1	17
Dubrovnik-Neretva	9	17	1	3	1	5	0	0	0	0	0	0	0	0	0	0
Međimurje	17	54	5	21	5	11	1	1	1	1	0	0	0	0	0	0
City of Zagreb	126	1,610	33	350	42	328	13	34	5	8	1	19	0	0	2	299
<b>TOTAL:</b>	<b>411</b>	<b>3,194</b>	<b>89</b>	<b>711</b>	<b>114</b>	<b>692</b>	<b>42</b>	<b>89</b>	<b>16</b>	<b>40</b>	<b>2</b>	<b>20</b>	<b>3</b>	<b>29</b>	<b>7</b>	<b>492</b>

2010 EMPLOYERS TOTAL	420
2010 PwD TOTAL	3226

**Table 6:** Number of applications approved on the basis of individual types of subsidy and disbursements made to employers by counties  
Source: Fund for Vocational Rehabilitation and Employment of the Disabled

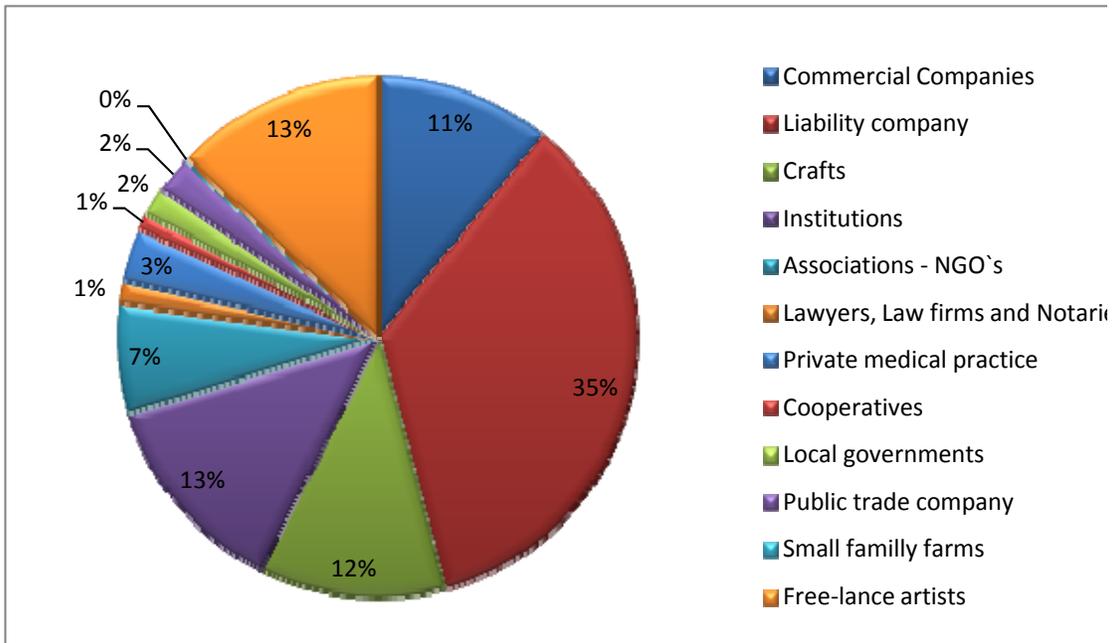
The table below presents the disbursements broken down by categories of subsidies for the period 2007-2010:

**Table 7:** Disbursements broken down by category of subsidy for the period 2007-2010

<b>Year/Subsidy</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>Total</b>
Basic health insurance and employment contributions refund	11.936.243	25.183.369	26.122.343	21.780.662	<b>85.022.617</b>
Diminished performance difference compensation	5.281.384	5.385.424	7.134.177	6.409.997	<b>24.210.982</b>
Personal assistant's cost subsidisation	4.504.169	7.251.208	5.007.492	7.031.103	<b>23.793.972</b>
Training of PwD	56.904	124.699	135.361	92.788	<b>409.752</b>
Workplace and work conditions adjustment funds	21.561.830	5.934.266	875.310	3.829.485	<b>32.200.891</b>
Subsidised interest for the purchase of machinery, equipment, tools and accessories	229.326	181.056	200.225	243.116	<b>853.723</b>
Occupational therapist's costs subsidisation	Presented jointly with the personal assistant	Presented jointly with the personal assistant	605.927	379.487	<b>985.414</b>
Employment retention under protected conditions	0	7.420.000	580.000	6.510.002	<b>14.510.002</b>
<b>TOTAL</b>	<b>43.569.856</b>	<b>51.480.022</b>	<b>40.660.835</b>	<b>46.276.640</b>	<b>181.987.353</b>

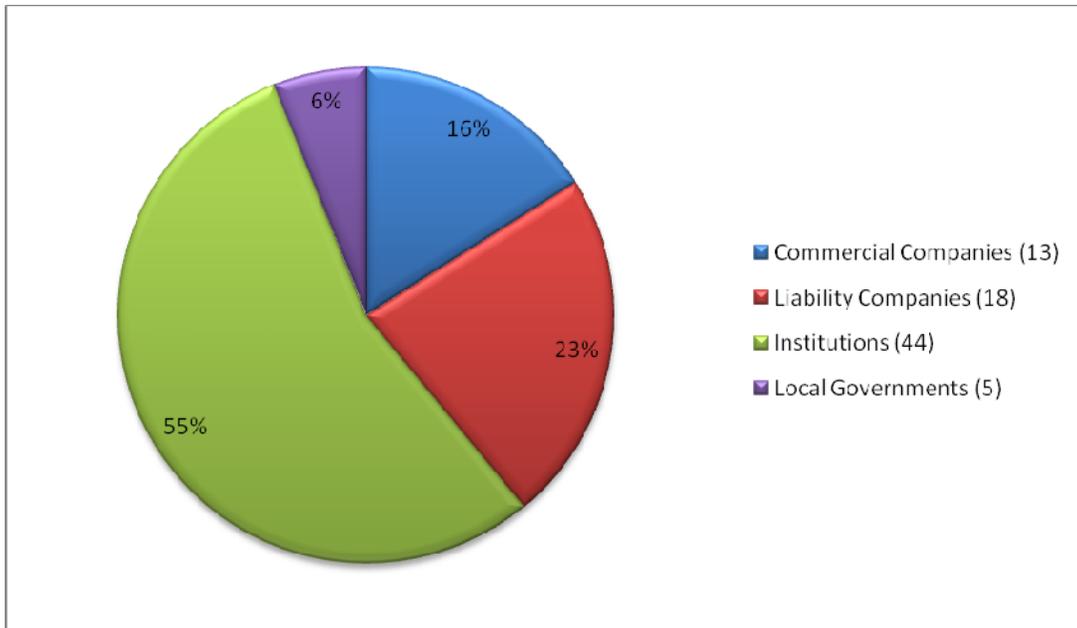
Source: Fund for Vocational Rehabilitation and Employment of the Disabled

**Graph 9: Types of employers by business activities**



Source: Fund for Vocational Rehabilitation and Employment of the Disabled

**Graph 10: Number and percentage of employers under the quota system by business activities**



Source: Fund for Vocational Rehabilitation and Employment of the Disabled

Note: All data presented refer to the year of 2010 and the employers using subsidies granted by the Fund for Vocational Rehabilitation and Employment of the Disabled.

**Table 8:** Quotas and types of institutions/occupations by counties

County	JSC/Quota	Ltd/Quota	Crafts	Institutions	NGOs and Associations	Lawyers, law offices and notaries public	Private doctor's offices	Cooperatives	Local self-government	Public Enterprises	Family-owned agricultural estates	Free artists	TOTAL
Zagreb	1	18/3	5	-	-	-	-	-	1	-	-	-	25
Krapina-Zagorje	2/1	2	4	3/3	-	-	-	-	-	-	-	-	11
Sisak-Moslavina	1/1	10/3	5	4/4	3	1	-	-	-	-	-	-	24
Karlovac	3/1	2	-	1	2	1	-	1	-	-	-	-	10
Varaždin	2/1	3	1	4/2	-	1	-	-	-	-	-	-	11
Koprivnica-Križevci	2	8	3	2	3	1	1	-	2/1	-	-	-	22
Bjelovar-Bilogora	-	5	2	4/1	4	-	8	-	-	-	-	-	23
Primorje-Gorski kotar	8/2	12	3	1	-	-	-	-	2/2	-	-	-	26
Lika-Senj	-	1/1	-	-	1	-	-	-	1/1	-	-	-	3
Virovitica-Podravina	-	3	1	2/2	-	-	-	-	-	-	-	-	6
Požega-Slavonija	-	13	-	3/3	-	-	1	-	-	-	-	-	17
Slavonski Brod-Posavina	2/1	2	2	1/1	1	-	-	1	-	-	-	-	9

Zadar	-	2/1	-	2/2	-	-	-	-	2	-	1	-	7
Osijek-Baranja	2/1	8/3	3	2/1	1	-	-	1	-	-	-	-	17
Šibenik-Knin	-	2/2	-	-	-	-	-	-	-	-	-	-	2
Vukovar-Srijem	-	1	-	-	-	-	1	-	-	-	-	-	2
Split-Dalmatia	3/1	6	2	5/3	2	2	1	1	-	-	-	-	22
Istria	7/1	9/1	2	5/2	2	-	-	1	-	-	-	1	27
Dubrovnik-Neretva	-	6/1	2	1	-	-	-	-	-	-	-	-	9
Međimurje	2	9/1	4	1/1	1	-	-	-	-	-	-	-	17
City of Zagreb	19/3	50/2	18	23/19	13	1	4	-	1/1	1	-	-	130
<b>TOTAL:</b>	<b>54/13</b>	<b>172/18</b>	<b>57</b>	<b>64/44</b>	<b>33</b>	<b>7</b>	<b>16</b>	<b>5</b>	<b>9/5</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>420</b>

Total by legal structure:	54	172	57	64	33	7	16	5	9	1	1	1	420
Of which under quota:	13	18	0	44	0	0	0	0	5	0	0	0	80

Source: Fund for Vocational Rehabilitation and Employment of the Disabled

**Table 9:** Data on the number of employed PwDs (persons with disabilities) in county offices vs. total number of employees in 2010

COUNTY	TOTAL NO. OF EMPLOYEES	PwDs EMPLOYED	EMPLOYMENT CONTRIBUTION RATE PAID IN BY ENTITIES SUBJECT TO QUOTA
Istria	168	2	0.2%
Split-Dalmatia	212	5	0.2%
Zadar	103	0	0.2%
Krapina-Zagorje	87	1	0.2%
Požega-Slavonija	60	0	0.2%
Međimurje	62	2	0.1%
Dubrovnik-Neretva	108	5	0.1%
Karlovac	93	7	0.2%
Osijek-Baranja	171	0	0.2%
Varaždin	95	3	0.1%
Zagreb	132	4	0.2%
Bjelovar-Bilogora	78	1	0.2%
Koprivnica-Križevci	75	0	0.2%
Lika-Senj	63	2	0.1%

Source: Fund for Vocational Rehabilitation and Employment of the Disabled

**Table 10:** Data on the number of employed PwDs in ministries vs. total number of employees in 2010

<b>MINISTRY</b>	<b>TOTAL NO. OF EMPLOYEES</b>	<b>PwDs EMPLOYED</b>	<b>EMPLOYMENT CONTRIBUTION RATE PAID IN BY ENTITIES SUBJECT TO QUOTA</b>
Ministry of Finance	8,218	329	0.2%
Ministry of Sea, Transport and Infrastructure <sup>1</sup>	648	22	0.2%
Ministry of Economy, Labour and Entrepreneurship <sup>2</sup>	305	0	0.2%
Ministry of Tourism	86	0	0.2%
Ministry of Defence	1,254	29	0.2%
Ministry of Justice	543	19	0.2%
Ministry of the Interior	26,506	344	0.2%
Ministry of Administration	126	5	0.1%
Ministry of Foreign Affairs and European Integration <sup>3</sup>	1,361	29	0.2%
Ministry of Health and Social Welfare <sup>4</sup>	588	5	0.2%
Ministry of Environmental Protection, Physical Planning and Construction <sup>5</sup>	556	14	0.2%
Ministry of Regional Development, Forestry and Water Management <sup>6</sup>	465	6	0.2%
Ministry of Culture	490	11	0.2%

<sup>1</sup>Based on the Act on the Structure and the Scope of Ministries and other central state administrative bodies (OG 150/11) this ministry has changed its name to the Ministry of Maritime Affairs, Transport and Infrastructure.

<sup>2</sup>Based on the Act on Structure and the Scope of Ministries and other central government bodies (OG 150/11) this ministry has been divided on the Ministry of Economic Affairs, Ministry of Entrepreneurship and Trade and Ministry of labor and pension systems.

<sup>3</sup>Based on the Act on the Structure and Scope of Ministries and other central state administrative bodies (OG 150/11) this ministry has changed its name to Ministry of Foreign and European Affairs

<sup>4</sup>Based on the Act on the Structure and Scope of Ministries and other central state administrative bodies (OG 150/11) this ministry has changed its name to the Ministry of Health.

<sup>5</sup>Based on the scope of the Act on Organisation and Scope of Ministries and other central government bodies (OG 150/11) this ministry has been divided on the Ministry of Environment and Nature Protection and the Ministry of Construction and Physical Planning.

<sup>6</sup>Based on the Act on the Structure and Scope of Ministries and other central government bodies (OG 150/11) this ministry has been divided on the Ministry of regional development and EU funds

Ministry of Families, Veterans' Affairs and Intergenerational Solidarity <sup>7</sup>	235	7	0.1%
Ministry of Science, Education and Sports	307	3	0.2%
Ministry of Agriculture, Fisheries and Rural Development <sup>8</sup>	710	3	0.2%

Source: Fund for Vocational Rehabilitation and Employment of the Disabled

### Committee's Question

#### ***Immigrants' unemployment status***

Pursuant to Article 8 of the Act on Job Placement and Unemployment Insurance (Official Gazette 80/08 and 121/10), citizens originating from the members of the European Economic Area with the rights and duties as defined by this Act have been made equal to the Croatian citizens. The rights and duties set forth in the Act will start applying to the citizens originating from members of the European Economic Area from the Republic of Croatia's accession date.

The records of the unemployed kept by the Croatian Employment Service may contain entries of an asylum seeker, a foreigner under subsidiary protection, i.e. temporary protective measures in the Republic of Croatia as long as the subsidiary or temporary protection measures remain in effect. In order to exercise the right to cash benefit during the period of unemployment, an unemployed foreigner is allowed to get registered. This refers to the unemployed foreigners whose labour contracts have been terminated without their fault or with consent, providing he/she has an approved temporary residence in the Republic of Croatia. Once the cash benefit has been exhausted or the temporary residence period has expired, the person is no longer kept on record. On such grounds, the Croatian Employment Service recognises asylum seekers and foreigners with permanent dwelling and temporary residence within its scope of competence. The record of the unemployed as at 31 March 2011 showed a total of 139 foreigners, of which 7 were asylum seekers.

<sup>7</sup>Based on the Act on Organisation and Scope of Ministries and other central government bodies (OG 150/11) this ministry has been divided on the Ministry of War Veterans and the Ministry of Social Welfare Policy and Youth.

<sup>8</sup>Based on the Act on Organisation and Scope of Ministries and other central government bodies (OG 150/11) this ministry has been divided on the Ministry of Agriculture and Ministry of Regional Development and EU Funds.

### ***On the employment policy***

Based on the 2009-2010 National Employment Promotion Plan, the Croatian Employment Service has been carrying out measures focused on promoting employment of youth without prior work experience, the special groups of the unemployed (including persons with disabilities as a subgroup), the long-term unemployed and persons over 50 years of age. The activities were conducted in line with the priorities established in the Joint Assessment of the Employment Policy Priorities in Croatia in 2008.

The aim of employment subsidies is to integrate all groups of the unemployed under threat of becoming the long-term unemployed and socially excluded due to their level of education, socioeconomic living conditions, as well as health and other properties into the labour market. The provision of employment with regular income stream influences the economic independence of an unemployed person and brings a positive attitude towards business and family environments. These activities provide additional motivation for working and remaining a part of the labour market for the vulnerable groups, with the view to becoming the long-term employed.

Additionally, people belonging to the abovementioned groups of the unemployed have been involved in the following measures: Subsidising the self-employment of the long-term unemployed, adult training, vocational training for work without employment and Public Works.

The measure titled *Employee Training* is a government aid intended for vocational training and is being assigned to employers to train their new entrants for jobs not covered by skilled labour force in the market, and the employees faced with the introduction of new technologies, higher standards of and changes to the production programmes of the employer. The measure was employed to subsidise 70 per cent of general vocational training cost for small- and medium-sized employers and 60 per cent of cost for large employers, and 35 per cent of specific vocational training cost for small- and medium-sized employers and 25 per cent of specific vocational training cost for the large employers. Costs which serve as the groundwork for computing the amount of vocational training subsidy include the following: Cost of lecturers, travelling expenses of lecturers and trainees, including accommodation, other costs such as material and consumables directly related with the project, tools and equipment depreciation to the extent to which they are being exclusively used for vocational training project, as well as vocational training project-related guidance and counselling costs.

The measure titled *Training of the Unemployed* is oriented towards improvement of employability for the unemployed. Due to their lack of certain sets of knowledge and skills, these are being involved in training programmes for occupations lacking in the local labour

market. This measure not only improves employability of the unemployed but also enhances the lifelong learning concept and helps reduce local labour market supply-demand mismatches. The measure finances 100 per cent of training cost delivered in an educational institution, while cash aid is being disbursed to the trainees in an amount of the non-taxable scholarship level as specifically regulated, as well as travelling expenses and insurance as per the regulations of the Croatian Pension Insurance Institute, cost of meals for those trainees who are getting their training outside their place of residence under the licensed and special programmes under the remit of the Ministry of the Interior and the Croatian Mine Action Centre.

The measure titled Vocational Training for Work without Employment has been carried out since July 2010. The measure aims to enable the young unemployed persons without prior experience to enter the labour market by providing them with vocational training for work. Vocational training is being provided for young people who completed their schooling under the secondary and higher education programmes intended for occupations under obligation of taking on civil service, professional or craftsmanship admission exams. While such training aims at helping the young to generate work experience, the lack of which prevents them from getting their first job, it also helps them pass the professional and craftsmanship exams. The Employment Service refunds the pension insurance cost for the employer, which has to be mandatorily paid for the person undergoing a vocational training programme. The trainee receives a cash allowance of HRK 1,600.00 a month.

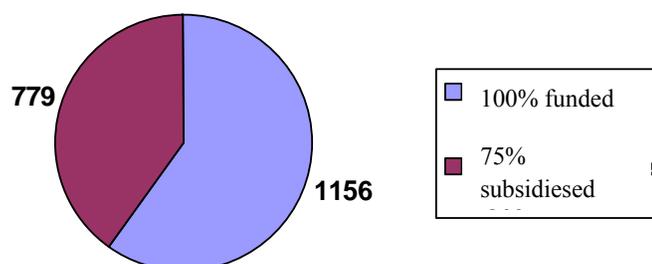
#### Committee's Question

##### ***Public Works Programmes***

The employment for the long-term unemployed and other disadvantaged groups in the labour market in the short-term public works or community service programmes bears an influence on their employability and motivation to get a job, as well as on their social inclusion. The subsidy amounts are being determined according to the period during which the persons have been registered as unemployed on the basis of minimum wage of HRK 2,814.00 increased by the amount of contribution on top of gross salary, amounting to a total of HRK 3,300.82. A total of 75 per cent of the HRK 3,300.82 (i.e. HRK 2,475.61) a month is being subsidised for the long-term unemployed kept on the unemployment record for a minimum of 12 months or special groups of the unemployed kept on the unemployment record for a minimum of six months, plus transportation cost of up to HRK 300 a person, while 100 per cent of the HRK 3,300.82 gross salary cost is being covered for the unemployed kept on the unemployment record for a minimum of 36 months, plus transportation cost of up to HRK 300.

In 2009, the public works programmes covered a total of 1,935 people, of which 855 were women. A total of 1,156 persons have been covered by the 100 per cent funding scheme, while 779 persons have been involved in programmes under the 75 per cent subsidy scheme.

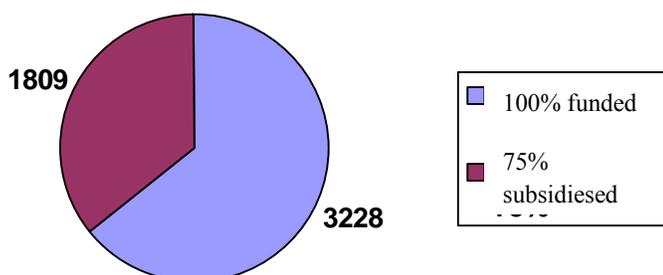
**Graph 11.** Share of persons involved in 2009 public works financing/subsidy schemes



Source: Croatian Employment Service

In 2009, the public works programmes covered a total of 5,037 people, of which 2,704 were women. A total of 3,228 persons have been covered by the 100 per cent funding scheme, while 1,809 persons have been involved in programmes under the 75 per cent subsidy scheme.

**Graph 12:** Share of persons involved in 2010 public works financing/subsidy schemes



Source: Croatian Employment Service

**Table 11:** Number of persons involved in public works programmes in 2009 and 2010 by counties

County	No. of persons involved in public works programmes in 2009		No. of persons involved in public works programmes in 2010		<b>2009 and 2010 TOTALS</b>	
	Total	Women	Total	Women	Total	Women
Zagreb	4	0	197	87	201	87
Bjelovar-Bilogora	217	87	352	179	569	266
Međimurje	62	35	206	125	268	160
Dubrovnik-Neretva	49	21	84	52	133	73
Lika-Senj	52	22	78	37	130	59
Karlovac	82	33	300	164	382	197
Krapina-Zagorje	25	12	89	60	114	72
Koprivnica-Križevci	51	25	171	102	222	127
Sisak-Moslavina	125	48	288	194	413	242
Osijek-Baranja	222	78	662	318	884	396
Požega-Slavonija	32	2	107	71	139	73
Istria	2	1	6	3	8	4
Primorje-Gorski Kotar	23	15	223	117	246	132
Slavonski Brod-Posavina	123	65	307	194	430	259
Split-Dalmatia	339	204	629	405	968	609
Šibenik-Knin	39	10	151	63	190	73
Varaždin	109	43	188	82	297	125
Vukovar-Srijem	225	90	416	159	641	249
Virovitica-Podravina	98	47	274	119	372	166
Zadar	51	15	155	76	206	91
City of Zagreb	5	2	154	97	159	99
<b>Total</b>	<b>1,935</b>	<b>855</b>	<b>5,037</b>	<b>2,704</b>	<b>6,972</b>	<b>3,559</b>

Source: Croatian Employment Service

***Active employment policy measures coverage***

In 2009, the active employment policy measures included in the National Employment Promotion Plan covered a total of 6,296 persons kept on the unemployment record, of which 692 persons were employed via the employment subsidies, 644 persons were included in training for known employers (training subsidies), 3,025 persons were involved in labour market training and 1,935 persons were employed through the Public Works Programme. From the total of 6,296 persons covered by the measures in 2009, a total of 2,915 (46.3 per cent) of them were women. A total of HRK 93,036,878.16 were disbursed from the commencement of the measures implementation until 31 December 2009.

**Table 12:** Coverage of persons per the 2009-2010 National Employment Promotion Plan measures in 2009

County	Employment subsidies		Employee training		Training funding		Public works		Total	
	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women
Zagreb	27	11	0	0	17	9	4	0	48	20
Bjelovar-Bilogora	18	9	111	81	100	62	217	87	446	239
Međimurje	62	26	296	66	113	57	62	35	533	184
Dubrovnik-Neretva	16	5	0	0	69	49	49	21	134	75
Lika-Senj	0	0	0	0	42	25	52	22	94	47
Karlovac	16	2	1	0	110	54	82	33	209	89
Krapina-Zagorje	19	7	0	0	84	63	25	12	128	82
Koprivnica-Križevci	11	5	0	0	91	50	51	25	153	80
Sisak-Moslavina	41	17	9	0	263	184	125	48	438	249
Osijek-Baranja	67	39	63	22	457	136	222	78	809	275
Požega-Slavonija	15	11	0	0	67	24	32	2	114	37
Istria	22	11	0	0	63	57	2	1	87	69
Primorje-Gorski Kotar	44	31	34	9	116	57	23	15	217	112
Slavonski Brod-Posavina	14	9	0	0	191	34	123	65	328	108
Split-Dalmatia	96	59	116	64	339	167	339	204	890	494
Šibenik-Knin	17	8	0	0	60	25	39	10	116	43
Varaždin	33	18	5	4	116	65	109	43	263	130
Vukovar-Srijem	49	24	0	0	256	103	225	90	530	217
Virovitica-Podravina	23	12	0	0	137	65	98	47	258	124

Zadar	17	12	4	1	62	52	51	15	134	80
City of Zagreb	85	50	5	0	272	109	5	2	367	161
<b>Total</b>	<b>692</b>	<b>366</b>	<b>644</b>	<b>247</b>	<b>3,025</b>	<b>1,447</b>	<b>1,935</b>	<b>855</b>	<b>6,296</b>	<b>2,915</b>

Source: Croatian Employment Service

In 2010, the active employment policy measures included in the National Employment Promotion Plan covered a total of 13,088 persons kept on the unemployment record, of which 2,139 persons were employed via the employment subsidies, 614 persons were included in training for known employers (training subsidies), 284 persons became self-employed, 4,566 persons were involved in labour market training, 448 persons were involved in vocational training without employment, and 5,037 persons were employed through the Public Works Programme. From the total of 13,088 persons covered by the measures in 2010, a total of 6,468 (49.4 per cent) of them were women. A total of HRK 195,479,411.17 were disbursed from the commencement of the measures implementation until 31 December 2010.

**Table 13:** Coverage of persons per the 2009-2010 National Employment Promotion Plan measures in 2010

County	Employment subsidies		Self-employment subsidy		Employee training		Training funding		Public works		Vocational training without employment		Total	
	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women
Zagreb	66	30	11	8	34	22	13	12	197	87	7	6	328	165
Bjelovar-Bilogora	47	18	7	3	17	17	200	80	352	179	29	21	652	318
Međimurje	143	63	21	8	139	40	114	52	206	125	21	14	644	302
Dubrovnik-Neretva	58	34	2	1	0	0	134	56	84	52	3	3	281	146
Lika-Senj	14	4	1	0	0	0	62	18	78	37	7	7	162	66
Karlovac	68	31	6	3	0	0	155	107	300	164	31	22	560	327
Krapina-Zagorje	84	25	9	6	0	0	105	57	89	60	21	17	308	165
Koprivnica-Križevci	55	30	1	0	0	0	125	58	171	102	30	24	382	214
Sisak-Moslavina	95	54	16	6	0	0	301	131	288	194	42	34	742	419
Osijek-Baranja	262	152	47	18	15	13	469	172	662	318	37	24	1492	697
Požega-Slavonija	49	25	4	2	13	5	98	27	107	71	36	31	307	161
Istria	50	26	13	8	0	0	145	99	6	3	0	0	214	136
Primorje-Gorski Kotar	160	91	19	12	60	0	299	179	223	117	10	8	771	407
Slavonski Brod-Posavina	52	25	6	3	0	0	290	56	307	194	34	26	689	304
Split-Dalmatia	231	122	17	9	182	19	442	209	629	405	24	14	1525	778

Šibenik-Knin	38	18	11	5	19	0	140	85	151	63	0	0	359	171
Varaždin	62	32	4	2	97	35	120	71	188	82	21	12	492	234
Vukovar-Srijem	122	64	17	6	12	3	267	103	416	159	32	27	866	362
Virovitica-Podravina	79	32	12	3	20	8	135	51	274	119	31	17	551	230
Zadar	24	13	14	4	0	0	185	102	155	76	10	7	388	202
City of Zagreb	380	233	46	19	6	1	767	296	154	97	22	18	1375	664
<b>Total</b>	<b>2,139</b>	<b>1,122</b>	<b>284</b>	<b>126</b>	<b>614</b>	<b>163</b>	<b>4,566</b>	<b>2,021</b>	<b>5,037</b>	<b>2,704</b>	<b>448</b>	<b>332</b>	<b>13,088</b>	<b>6,468</b>

Source: Croatian Employment Service

Furthermore, the Croatian Employment Service has been carrying out employment measures spelled out in the Roma Programme/the Decade of Roma Inclusion Action Plan. In 2009, these measures covered a total of 244 persons belonging to the Roma national minority kept on the unemployment record, of which 233 of them have been employed, while 11 of them have been included in the Training for an Unknown Employer measure. A total of HRK 3,041,927.92 have been disbursed until 31 December 2009 based on the schemes of employment subsidies and training of the unemployed belonging to the Roma minority.

**Table 14:** Coverage of the unemployed members of the Roma minority included in the active employment policy measures in 2009

County	Subsidising/financing training of the Roma minority members		Subsidising employment of the Roma minority members in the duration of 24 months		Subsidising employment of the Roma minority members in the public works programmes		Total	
	Total	Women	Total	Women	Total	Women	Total	Women
Bjelovar-Bilogora	0	0	0	0	9	3	9	3
Međimurje	9	3	1	0	41	8	51	11
Koprivnica-Križevci	0	0	0	0	40	13	40	13
Osijek-Baranja	0	0	0	0	101	26	101	26
Sisak-Moslavina	0	0	1	1	0	0	1	1
Slavonski Brod-Posavina	2	0	0	0	26	1	28	1
Varaždin	0	0	0	0	14	1	14	1
<b>Total</b>	<b>11</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>231</b>	<b>52</b>	<b>244</b>	<b>56</b>

Source: Croatian Employment Service

In 2010, the measures covered a total of 304 persons belonging to the Roma national minority kept on the unemployment record, of which 272 have been employed, while 32 of them have been included in the measure titled Financing Training of the Unemployed Members of the Roma Minority. A total of HRK 4,898,088.25 have been disbursed until 31 December 2010 based on the schemes of employment subsidies and training of the unemployed belonging to the Roma minority.

**Table 15:** Coverage of the unemployed members of the Roma minority included in the active employment policy measures in 2010

County	Subsidising/financing training of the Roma minority members		Subsidising employment of the Roma minority members in the duration of 24 months		Subsidising employment of the Roma minority members in the public works programmes		Total	
	Total	Women	Total	Women	Total	Women	Total	Women
Bjelovar-Bilogora	0	0	0	0	17	5	17	5
Međimurje	16	2	2	0	69	20	87	22
Koprivnica-Križevci	0	0	0	0	17	7	17	7
Sisak-Moslavina	0	0	1	1	12	3	13	4
Osijek-Baranja	1	0	0	0	116	29	117	29
Slavonski Brod-Posavina	3	0	0	0	18	2	21	2
Šibenik-Knin	0	0	1	1	0	0	1	1
Varaždin	0	0	0	0	9	2	9	2
Virovitica-Podravina	0	0	0	0	1	0	1	0
City of Zagreb	12	7	0	0	9	5	21	12
<b>Total</b>	<b>32</b>	<b>9</b>	<b>4</b>	<b>2</b>	<b>268</b>	<b>73</b>	<b>304</b>	<b>84</b>

Source: Croatian Employment Service

Committee's Question

**Active Employment Policy Measures Spending**

**Table 16:** Active employment policy measures spending and participants

Year	Spending			Participants	
	HRK	EUR (1:7.5)	Share of GDP (%)	No.	Share of the unemployed (%)
2006	96,273,089.25	12,836,411	0.03	5089	1.7
2007	153,429,430.34	20,457,257	0.05	8710	3.3
2008	137,057,583.78	18,274,344	0.04	7751	3.3
2009	96,078,806.08	12,810,507	0.03	6540	2.5
2010	200,377,499.42	26,717,000	0.06	13392	4.4

Source: Croatian Employment Service

Thus, the total 2010 spending on active employment policy measures rose by 108.6 per cent in comparison with a year earlier, while the number of measure participants increased by 104.8 per cent. The share of spending to GDP also rose, which goes for the share of the participants in the total number of the unemployed too. This sizable increase in total spending and number of participants happened in spite of very difficult fiscal circumstances.

**Table 17:** Participants and funds paid broken down by measures and implementation years

Measures	Persons	Funds	Persons	Funds
	covered	paid	covered	paid
	2009	2009	2010	2010
Subsidising first employment of youth without prior experience	213	5,566,158.00	767	20,303,404.35
Subsidising employment of the long-term unemployed	298	8,185,995.04	940	26,990,821.37
Subsidising employment of persons over 50	116	3,176,757.72	305	8,575,209.25
Subsidising employment of special groups of the unemployed	65	1,654,322.76	127	3,523,109.50

Subsidising self-employment of the long-term unemployed	0	0.00	284	8,516,860.28
Subsidising training for known employer	644	3,464,967.63	614	2,900,087.63
Funding labour market training	3,025	36,216,227.80	4,566	32,592,181.62
Vocational training without employment	0	0.00	448	259,193.65
Public works	1,935	34,772,449.21	5,037	91,818,543.52
<b>TOTAL</b>	<b>6,296</b>	<b>93,036,878.16</b>	<b>13,088</b>	<b>195,479,411.17</b>
<b>Roma programmes</b>	<b>244</b>	<b>3,041,927.92</b>	<b>304</b>	<b>4,898,088.25</b>
<b>GRAND TOTAL</b>	<b>6,540</b>	<b>96,078,806.08</b>	<b>13,392</b>	<b>200,377,499.42</b>

Source: Croatian Employment Service

## Committee's Question

### ***Entrepreneurship among women***

The number of female entrepreneurs in the Republic of Croatia rose threefold in the last six years. While companies and crafts owned by women in 2008 represented one fourth of the total number of companies and crafts, the share of women entrepreneurship in the number of the employed and total revenue and profits generation was considerably lower than that among men. Companies owned by women employ a total of 13 per cent of labour force, and participate with 11.1 per cent and 9.3 per cent in total revenue and profits in Croatia, respectively. The size of companies and total revenue level directly correlate with the gender aspect of company ownership. The larger the company and the turnover, the less likely is for a woman to be the owner: women are owners of 31.8 of micro businesses, 18.8 per cent of small-sized business and only 12 per cent of medium-sized businesses (2010-2103 Women Entrepreneurship Development Strategy).

Namely, apart from the usual entrepreneurship development obstacles and problems, women usually face some additional ones. These specifically include: social obstacles, obstacles in terms of a lack of the required knowledge and skills, obstacles in their surroundings and in terms of finance.

According to the conclusions arrived at based on a research and the production of a study on the current position of women in the labour market in Croatia produced under an IPA "Women in the Labour Market" project, entrepreneurship and self-employment have been ranked highly among the job creation options. Still, female entrepreneurs make up only one fourth in the total number of companies and crafts. The removal of the objective and subjective obstacles faced by women entrepreneurs and those who would embark on becoming entrepreneurs undoubtedly belong to a set of recommendations towards an improved women employability.

During 2010, the Croatian Employment Service also took part in the passage of the Strategy on Entrepreneurial Learning 2010-2014 and the implementation of the Strategy's Action Plan.

### ***Paragraph 2***

#### ***Direct or Indirect Discrimination***

Article 5 (Basic employment rights and duties) of the new Labour Act prohibits any direct or indirect discrimination in the area of labour and work conditions, including the selection criteria and employment requirements, promotion, vocational guidance, professional training and improvement, and re-qualification, in keeping with special laws.

Simultaneously, the employers are obliged to protect workers' dignity during their work performance against behaviour of their superiors, co-workers and persons they regularly contact with during the performance of their job, should such behaviour be undesired and contrary to special laws.

In respect of the discrimination-related question covering the period from the last report, in addition to the Labour Act, two additional acts have been adopted too, including the Anti-Discrimination Act (Official Gazette No 85/08) and the Gender Equality Act (Official Gazette No. 82/08).

The Anti-Discrimination Act ensures protection and promotion of equality as the highest value of the constitutional order of the Republic of Croatia, creates prerequisites for the realisation of equal opportunities and regulates protection against discrimination on the grounds of race or ethnicity or colour, gender, language, religion, political or other beliefs, national or social origin, property, trade union membership, education, social status, marital or family status, health condition, disability, genetic heritage, native identity, expression or sexual preference.

The Gender Equality Act regulates general bases for the protection and promotion of gender equality as one of the fundamental values of the constitutional order of the Republic of Croatia, and it defines and regulates the protection against sexual discrimination and the creation of equal opportunities for women and men.

### Committee's Question

#### ***1. Prohibition of employment discrimination***

The courts interpret the notion of indirect discrimination in keeping with the provision contained in Article 2, paragraph 2 of the Anti-Discrimination Act (Official Gazette No. 85/08), which reads: "Indirect discrimination shall be taken to occur when an apparently neutral provision, criterion or practice places or could place a person in a less favourable position on the grounds referred to in Article 1 paragraph 1 of this Act, in relation to other persons in a comparable situation, unless such a provision, criterion or practice may be objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary."

Albeit in force since 2009, the Anti-Discrimination Act based case law covering this issue hasn't been established yet.

In its Article 13, The Gender Equality Act (Official Gazette No. 82/08) regulates the field of employment and labour by forbidding gender discrimination in public and private sectors in terms of: requirements for employment, promotion at work, access to education and

vocational training, work conditions, membership of associations, harmonising professional and family lives, giving birth, parenting and fostering. Furthermore, the Article also prescribes the manner for advertising a job and that job title must be expressed in both male and female genders.

Article 2 of the same Act prescribes that no one shall suffer any harm from giving a statement in front of a competent body in the capacity of a witness or victim of sexual discrimination or from alerting the public about a case of sexual discrimination, while Article 33 prescribes pecuniary fines imposed upon natural persons, legal persons' responsible persons, craftsmen and those performing an independent business activity should they put a person who reported a case of discrimination in good faith, witnessed discrimination or refused an order to take a discriminatory course of action in a less favourable position.

Failure to report the Ombudsperson on probable cause for discrimination by a responsible person in a government body or a local and regional self-government unit may be sanctioned under Article 38 of the Act.

Pursuant to Article 30 of the Gender Equality Act, lawsuits in cases of sexual discrimination are being filed to the general jurisdiction courts. A person who believes to have been damaged may request indemnity under the obligations law regulating liabilities for damages. Further, Article 30, paragraph 3 of the same Act introduces a possibility to press collective charges on the count of discrimination.

We need to point out the fact that the Gender Equality Office of the Government of the Republic of Croatia has no authority to establish whether or not discrimination took place. The Office receives complaints and submissions from the citizens, whereby they point to possible cases of discrimination. On the basis of the legally defined procedure, the Office is obliged to refer those to the Gender Equality Ombudsperson for further action. Some complaints of the citizens are being dealt with by sending additional inquiries and requests for clarifications to persons allegedly in breach of the Gender Equality Act. In some instances, the Office sends warnings to persons in breach, notifying them of citizen's complaint concerning the breach of the Gender Equality Act and informs the Gender Equality Ombudsperson thereof. The Office forwards complaints pertaining to sexual discrimination to the Ombudsperson and other specialised ombudsmen offices for further action.

Concerning the employment discrimination supervision, the State Inspectorate as a competent body in the field conducted the following during the years of 2009 and 2010:

***In 2009:***

In 2009, the State Inspectorate's labour inspectors covering the employment relations have conducted a total of 15,044 onsite inspection exercises.

Concerning discrimination of the job seekers and the already employed, we wish to remind that most employers with which onsite supervision over the application of the regulations falling under the scope of employment and occupation is being conducted by this state administration body are not under an obligation to hire people on the basis of a public competition or to report their demand for labour force to the Croatian Employment Service. Further, we wish to remind that the provisions of the Labour Act then in effect, and pertaining to the prohibition of discrimination of job seekers and the employed, have not been sanctioned in misdemeanour terms. This is the reason why this particular state administration body has not been authorised to take direct action in instances of possible discrimination and the identification of discriminatory employment terms and conditions or to establish whether or not discrimination took place in a specific case. However, Article 5 of the Labour Act prescribes that if a job seeker believes an employer has taken a discriminatory course of action, such a person may require damages from the employer through a court under the general regulations falling under the law on obligations, with this option covered for the already employed under the provision contained in Article 109 of the old Labour Act. Pursuant to Article 6 of the old Labour Act, if a job seeker or an already hired worker presents a set of facts during a dispute justifying the doubt that the employer has taken a course of action in opposition to the provisions contained in Article 2 of the old Labour Act, i.e. a discriminatory course of action, the burden of proof remains with the employer to show that discrimination did not take place. During 2009, a total of 13 complaints filed by workers were received due to the harm to dignity at workplace, of which 11 were filed by women (Article 30 of the old Labour Act). The same period saw the submission a total of six complaints on discrimination (Article 2 of the old Labour Act), of which two were filed by women.

The Anti-Discrimination Act (Official Gazette No. 85/08), which came into force on 1 January 2009, prescribed that the Ombudsman shall perform matters falling under the remit of a central state body in charge of discrimination issues. As goes for the bodies indicated in Article 8 of the said Act, the State Inspectorate is obliged to report reasonable doubt of discrimination to the Ombudsman or special ombudsmen, with the consent of a person suspected to be a victim of discrimination.

***In 2010:***

In 2010, the State Inspectorate's labour inspectors covering the employment relations have conducted a total of 15, 776 onsite inspection exercises.

Concerning discrimination, we wish to point out that the Labour Act in force as of 1 January 2009, save for chapters 4, 5, 6 and 7 of section XVII of the Act and penal provisions contained in Article 293, paragraph 1, subsections 34-48 of the Act that will come into force with the date of the Republic of Croatia's accession to the European Union, the implementation of which falls under the remit of the State Inspectorate unless provided for otherwise in another piece of legislation, contains only a general provision prohibiting a direct or an indirect discrimination in the area of labour and work conditions, including selection criteria, conditions applied to employment, promotion, professional appraisal, vocational guidance, professional training and improvement and re-qualification as per special acts. This is a result of a horizontal alignment against the Anti-Discrimination Act (Official Gazette No. 85/08) which enables the protection and promotion of equality, creates preconditions for equal opportunities and regulates protection against discrimination on any grounds (race, gender, language, denomination, political or other beliefs, national or social background, property, etc.) in all areas of life, labour relations included. The new anti-discrimination legislation expended the jurisdiction of the Ombudsman. Hence, the provisions contained in Article 12 of the Anti-Discrimination Act sets the Ombudsman as the central body in charge of the discrimination suppression in the Republic of Croatia, whereas some matters from its scope of competence are being handled by special ombudsmen (gender equality, for persons with disabilities and children), when so laid down in special acts on their establishment.

Pursuant to the provisions of the same Act, all bodies, natural and legal persons subject to the provisions of the Act are under obligation to report reasonable doubt of discrimination to the Ombudsman, i.e. to the Gender Equality Ombudsperson, Ombudsperson for Persons with Disabilities and the Children's Ombudsperson for cases falling under their respective remits. The above course of action should be taken providing a prior consent has been obtained from a person suspected to be a victim of discriminatory treatment. In addition, worth mentioning is that the State Inspectorate received a total of 28 complaints in 2010 on the grounds of discrimination filed by job seekers, of which 27 filed by women and four by workers relative to workplace discrimination, of which three were filed by female workers.

In respect of the discrimination issue, discrimination of women included, we wish to point out that the Labour Act provisions imply indirect jurisdiction of labour inspectors through the supervision over the application of the provision contained in Article 125 of the Labour Act, the breach of which is sanctionable in misdemeanour terms. This provision defined the obligation of an employer hiring at least 20 staff to adopt and publish a Labour Ordinance which, *inter alia* provided for both the anti-discrimination procedure and measures. In the same period, the labour inspectors filed motions to indict before competent misdemeanour courts, among other, due to reasonable doubt of the commitment of 84 breaches falling under Art. 125, paragraph 1 of the Labour Act, sanctionable under Art. 293, paragraph 1, item 26 and paragraph 1 of the Labour Act (failure to adopt a Labour Ordinance, the failure to publish

the Labour Ordinance or failure to provide for those issues that have to be provided for in the Ordinance, including the anti-discrimination procedure and measures). Since the provisions contained in Article 130, paragraph 2 of the Labour Act prescribed that an employer who hires at least 20 staff is under obligation of appointing a person who shall be authorised, in addition to the employer, to receive and resolve complaints relative to the protection of workers' dignity, and paragraph 7 of the same Article prescribed that all data established in the process of protecting workers' dignity shall be treated as secret, labour inspectors filed motions to indict before competent misdemeanour courts, among other, on the basis of a reasonable doubt of the commitment of a total of 31 breaches falling under Art. 130, paragraphs 2 and 7 of the Labour Act, sanctionable under Art. 293, paragraph 1, item 28 and paragraph 2 of the Labour Act. During 2010, a total of 11 complaints of workers have been received for the breach of dignity at workplace, of which seven were filed by women (Article 130 of the Labour Act).

#### Committee's Question

#### ***Employment of foreigners and jobs with permanently or temporarily denied access to foreign nationals***

Since changes have been made to the legislation regulating the area of entry, dwelling and work of foreigners in the reporting period, worth mentioning is the adoption of the Act on the Amendments to the Foreigners Act (Official Gazette No. 36/09), which introduced changes to the provisions pertaining to the issuance of work and business permits. While this piece of information is irrelevant for the reporting period, worth mentioning is the adoption of the new Foreigners Act in October 2011 (Official Gazette No. 130/11, entered into force on 1 January 2012), which will be presented in the next report in greater detail. However, the new Act concerning labour and employment introduced a new notion of dwelling and work permit within and beyond the annual quota, which at the same time serves as the temporary dwelling and work permit. The dwelling and work permit is issued by the Police Directorate/Police precinct on the basis of a single administrative document. It also defines categories of foreigners which may work in the Republic of Croatia up to a determined time period without having the dwelling and work permit. The foreigners who own or operate in companies recipients of investment incentives are enabled to regulate their residence and work in a simpler manner. Compared to the old Act, there have been changes of the conditions for the issuance of the dwelling and work permits to foreigners taking up key positions in a company. Additionally, there is an obligation on the part of the police precinct, i.e. police stations to supply the employers, regional and local offices of the Tax Administration with dwelling and work permits, i.e. with the labour registration receipt.

In the context of the Committee's question, we wish to include the following information:

The provisions contained in the Civil Service Act (Official Gazette No. 92/05, 107/07, 27/08 and 49/11) and the Regulation on Civil Service Public and Internal Job Competition Announcement and Implementation (Official Gazette No. 74/10) apply to employment in state bodies.

General civil service admission terms and conditions are regulated by the provision contained in Article 48, paragraph 1 of the Civil Service Act (Official Gazette No. 92/05, 107/07, 27/08 and 49/11). In addition to the general civil service admission terms and conditions laid down in the said provision, a special act, regulation or an ordinance on internal order of the given state body may prescribe additional civil service admission criteria. All general and specific civil service admission terms and conditions must mandatorily be spelled out in the text of the public job announcement put out by government bodies, in keeping with the provisions contained in Article 4, paragraph 2, item 3 of the Regulation on Civil Service Public and Internal Job Competition Announcement and Implementation.

While the provision contained in Article 48, paragraph 1d) of the Civil Service Act identifies the Croatian citizenship as one of the general civil service admission criteria, Article 48, paragraph 2 of the same Act prescribes an option for admitting a foreign national or a person without citizenship to civil service. According to this provision, these persons must meet the requirements set forth in a special act and their admission requires a prior approval granted by a central state administration body in charge of civil service affairs (the Ministry of Administration).

Against such a backdrop, a foreigner may be admitted to civil service should he/she apply to the announced job competition and meet general and specific terms and conditions spelled out in the announcement. This also goes for meeting the criteria from the Foreigners Act, and is subject to the admission approval granted by Ministry of Administration. Prior approval of the Ministry of Administration is being granted on the basis of a request of the state body which selected a foreign national candidate during the job competition procedure.

Currently underway is the exercise of populating data into the Public Sector Employee Register. Therefore, at this point there are no data at hand as to the number of foreigners employed in state bodies. However, we may confirm that the competent Ministry of Administration and its predecessors have not been supplied with requests from state bodies to grant approval for civil service admission of non-Croatian nationals in the past several years.

Further, there are categories of employment with permanently or temporarily denied access to foreign nationals. These include the following legal profession positions, in which Croatian citizenship is one of the requirements:

a) A judge may be appointed if he/she is a citizen of the Republic of Croatia, graduated from a university studies of law and passed the bar exam, has work experience in keeping with this act, professional ability and demonstrated work abilities (Article 48 of the State Judicial Council Act, Official Gazette No. 116/10).

b) A Croatian citizen with a university degree in law obtained in the Republic of Croatia, who passed the Bar exam and met all other requirements depending on the position to which he/she is being appointed may be appointed a Deputy State Attorney General and the State Attorney General (Article 109 of the State Attorney's Office Act, Official Gazette No. 76/09, 153/09, 116/10 and 145/10).

c) Pursuant to Article 13 of the Notaries Public Act (Official Gazette No. 78/93, 29/94, 16/07 and 75/09), the following are required to be appointed a notary public: a person must be a citizen of the Republic of Croatia, with business capacity and meeting general health requirements for the performance of judge's service, in possession of a university degree in law obtained in the Republic of Croatia or a recognised foreign degree of a law school from outside the Republic of Croatia, Bar exam and notaries public exam passed, after the passage of the bar exam the person has to have at least five years of experience in legal professions, the person is worthy of public trust for the performance of notaries public profession, the person undertakes, should he/she be appointed a notary public, to abandon any other for-pay service or any other for-pay employment in or membership of a legal person's body involved in any economic activity; the person actively masters Croatian language and another official language in the field in which he/she is to perform the notary public profession; person may demonstrate that he/she shall supply the equipment and premises fitting to criteria defined by the competent Ministry of Justice, as needed and adequate for notaries public service; supplied a statement, should he/she be appointed a notary public, to ensure the equipment and premises as per the criteria of the Ministry needed and adequate for the performance of notaries public service.

d) A public bailiff may be a person with citizenship of the Republic of Croatia, has business and health capacity to perform public bailiff tasks, has graduated from the university law studies in the Republic of Croatia or had his/her law school diploma obtained from outside the Republic of Croatia recognised and has passed the bar and public bailiff exams; a person worthy of public trust for the performance of public bailiff profession, and has undertaken to give up, in case appointed as bailiff, other for-pay service or another for-pay business activity; supplied a statement, should he/she be appointed a public bailiff, to ensure the equipment and premises as per the criteria of the Ministry of Justice needed and adequate for the performance of public bailiff service (Public Bailiffs Act; Official Gazette No. 139/10).

e) Pursuant to Article 48 of the Legal Profession Act (Official Gazette No. 09/94, 117/08, 50/09 and 18/11), the right to be registered on the list of attorneys shall be given to a person meeting the following requirements: the person is of the Croatian citizenship; the person has business capacity; the person's health condition is such to allow the performance of law practice; the person has graduated from a Faculty of Law in the Republic of Croatia; upon graduation the person has completed at least three (3) years of internship in a law office or has had judicial jobs in judicial bodies (court intern, attorney general's intern, notaries public intern) or has worked for at least four (4) years on other legal jobs; has passed the Bar Exam in the Republic of Croatia; no investigation and criminal procedures are being conducted against the person as *ex officio* prosecution; the person is not employed; the person is worthy of performing the legal profession; the person has a liability insurance contract entered into for the purpose of performing the legal profession; has to deposit a statement to be in possession of the equipment and premises needed and adequate for the performance of legal profession; has passed an exam stipulated in the Attorneys' Code of Ethics and the Tariff for the Remuneration of Attorneys' Fees and Reimbursement of Attorneys' Costs.

However, after the Republic of Croatia's accession to the European Union, Article 36a of the Legal Profession Act shall enter into force (Official Gazette No. 9/94, 117/08, 50/09, 75/09 and 18/11), whereby an attorney from a member-state of the European Union shall be entered on the List of Foreign Attorneys authorised to practise the legal profession in the Republic of Croatia under the professional title 'attorney' and shall have all the rights and duties in his pursuit of the legal profession, provided that he/she meets the following requirements: he/she is a citizen of a member-state of the European union or some other state signatory to the Agreement creating the European Economic Area; has business capacity; no investigation and criminal procedures are being conducted against the person as *ex officio* prosecution; is worthy of performing the legal profession; does not engage in jobs incompatible with the legal profession; the person has a liability insurance contract entered into for the purpose of performing the legal profession; has to deposit a statement to be in possession of the equipment and premises needed and adequate for the performance of legal profession; and provided that he passes an examination proving his/her familiarity with the legal order of the Republic of Croatia.

f) While establishing the requirements needed for the performance of a permanent court-appointed expert witness job, in keeping with Article 2 of the Permanent Court-Appointed Expert Witnesses Ordinance (Official Gazette No. 88/08 and 08/09), a person meeting the general civil service admission criteria and additional criteria specified here may be appointed a permanent court-appointed expert witness: needs of to be of Croatian citizenship; the person's health condition is such to allow him/her to perform the permanent court-appointed expert witness' tasks; after graduation from an adequate university studies, i.e. an adequate

school, the person has performed jobs in a profession he/she has been trained for at least five years; has completed an adequate undergraduate and graduate studies and has performed jobs in a profession he/she has been trained for eight years and if graduated from an adequate secondary school and has performed jobs in a profession he/she has been trained for 10 years and has a liability insurance contract entered into for the performance of the permanent court-appointed expert witness tasks.

After the Republic of Croatia becomes a member of the European Union, the provision contained in Article 3 of the Permanent Court-Appointed Expert Witnesses Ordinance shall enter into force (Official Gazette No. 21/98, 88/08, 08/09 and 126/11), whereby a citizen of a member-state of the European Union or another country signatory to the Agreement on creating the European Economic Area may be appointed a permanent court-appointed expert witness, provided that he/she meets the requirements specified in Article 2 of the Ordinance.

It stems from the above that the Croatian citizenship stands as a permanent requirement for the appointment to functions of judges, Deputy Attorney's General, the Attorney General, notaries public and public bailiffs, while this requirement shall temporarily remains in effect for the citizens of the European Union member-states, i.e. countries signatory to the Agreement on the European Economic Area only until the Republic of Croatia joins the European Union for the performance of the legal profession and the tasks of permanent court-appointed expert witnesses.

#### Committee's Question

##### ***The Gender Equality Ombudsperson authorities and powers***

The Gender Equality Ombudsperson's authorities and powers have been set forth in the Gender Equality Act (Official Gazette No. 82/02), whereby the Gender Equality Ombudsperson has been determined as the head of an independent anti-discrimination body in the area of gender equality, and that such a body shall be the Office for Gender Equality of the Government of the Republic of Croatia.

Pursuant to Article 19 of the Gender Equality Act, the Ombudsperson's authorities deal with receiving reports filed by all natural and legal persons in respect of gender equality discrimination, providing assistance to natural and legal persons who filed sexual discrimination complaints for the purpose of initiating a court proceeding, conducting a conciliation procedure with the consent of the relevant parties and an option of making an out of court settlement, gathering and analysing statistical data on sexual discrimination and

conducting independent discrimination-related research exercises and issuing independent reports.

Pursuant to Article 22, paragraph 1, the Ombudsperson shall act autonomously and independently, monitor the implementation of the Gender Equality Act and other regulations relating to gender equality and report thereof to the Croatian Parliament at least once a year. Paragraph 2 of the same Article of the Gender Equality Act prescribes the competence of the Gender Equality Ombudsperson and authorises her to consider cases of violations of the principle of gender equality, cases of discrimination against individuals or groups of individuals committed by government bodies, bodies of local and regional self-government units and other bodies vested with public authority, by employees of those bodies and other legal and natural persons.

Pursuant to Article 23, paragraph 1 of the Gender Equality Act the Ombudsperson shall be entitled to issue warnings, make proposals and recommendations while carrying out tasks from under her competence.

The legal background described infers that the Ombudsperson is authorised to independently and autonomously look into every complaint in order to establish whether or not the complainant has been discriminated at any grounds set forth in the Gender Equality Act, arrive at conclusions on the matter and, in case discrimination has been established, is authorised to issue warnings and make recommendations to the discriminating legal or natural persons, albeit until the commencement of a potential court proceeding only. If the complainant decides not to have a court proceeding commenced and if the Ombudsperson judges such a course of action to be purposeful on a case-by-case basis, the Ombudsperson may inform the complainant of his/her right to commence a court proceeding before a competent court on the count of discrimination, as per Article 30 of the Gender Equality Act. In keeping with Article 6 of the Gender Equality Act, the Gender Equality Ombudsperson is authorised to explore and take action on the grounds of complaints pertaining to unequal treatment on the basis of one's gender, marital and family status, pregnancy, maternity and sexual preference.

A discrimination complaint on any of the abovementioned grounds may be filed also by various stakeholders and thereby initiate the looking into the complaint.

## Committee's Question

### ***Work of inmates***

During the period observed (in 2010), an average of 1,645 inmates (32.31 per cent of total average number) have been working a month (as per the full monthly business hours pool), of which an average of 237 inmates worked longer hours than regular full-time job.

From the number, a total of 1,549 inmates were the ones serving their sentences (94.16 per cent), 27 detainees (1.64 per cent) and 69 minors (4.20 per cent).

An average of 244 inmates have been deemed incapacitated for work. A total of 92 inmates have been injured at work.

The inmates have been engaged as follows:

- in prison workshops 468 (28.45%)
- auxiliary, technical, manual and intellectual work (maintenance) 1,088 (66.14%)
- outside a penitentiary or a prison 87 (5.29%)
- in *Lipovica* and *Orljava* companies 2 (0.12%)

Concerning work in penitentiaries, prisons and correctional facilities, the inmates have been working as follows:

**Table 18:** Work of inmates in penitentiaries, prisons and correctional facilities

	Penitentiaries	Prisons	Correctional Facilities
Prison workshop	436 (40%)	32 ( 7%)	-
Maintenance	645 (59%)	377 (78%)	66 (96%)
Work outside prison or penitentiary	8 ( 1%)	76 (15%)	3 ( 4%)
Work in companies	2 ( 0%)	-	-
<b>TOTAL :</b>	<b>1,091</b>	<b>485</b>	<b>69</b>

Source: Ministry of Justice

Looking against the same period a year earlier, the total number of inmates hired for work was lower by 2.49 per cent. However, looking at the percentage of work utilisation of inmates versus the total inmate population, which is a more realistic indicator, the number of inmates

hired for work was in decline by as much as 7.66 per cent in comparison with the same period a year earlier.

Inmate work utilisation in penitentiaries accounted for 56.89 per cent (-9.44 per cent vs. 2009), 16.16 per cent for prisons (-3.00 per cent vs. 2009), while work utilisation of minors in correctional facilities stood at 93.24 per cent (+11.33 per cent vs. 2009).

Based on the payroll data and irrespective of the number of work hours put in, the number of inmates hired for work stood at 1,838, of which there were 1,717, 34, 84 and 3 persons serving their sentence, detainees, minors and convicts, respectively. Compared against the previous period, this implies a 1.42 per cent increase for inmates serving their sentence, and a 2.86 per cent, 3.45 per cent and 50 per cent decline amongst detainees, minors and convicts, respectively. The work utilisation of prisoners against the total population accounts for 36.10 per cent, including 48.90 per cent amongst prisoners serving their sentence and 2.76 per cent amongst detainees. The workshop utilisation rate of inmates serving their sentences in penitentiaries and prisons stood at 65.46 per cent and 30.33 per cent, respectively.

During the period observed, a total of 80 inmates remained working for their employers, an 8.05 per cent decline versus the same period a year earlier, including 2 prisoners serving their sentence in Turopolje Penitentiary, 10 prisoners serving their sentence in Bjelovar Prison, 3 in Dubrovnik Prison, 2 in Gospić Prison, 8 in Karlovac Prison, 6 in Osijek Prison, 1 in Pula Prison, 8 in Rijeka Prison, 3 in Sisak Prison, 1 in Split Prison, 1 in Šibenik Prison, 3 Varaždin Prison, 2 in Zadar Prison and 30 in Zagreb Prison. On the basis of their work, the employers paid in a total of HRK 995,686.00 to the penitentiary and the prisons, of which HRK 247,759.00 was disbursed to the inmates. A total of seven inmates continued performing their independent business activities, including 2 in Dubrovnik Prison, 1 in Karlovac Prison, 2 in Osijek Prison, 1 in Rijeka Prison and 1 in Zadar Prison. On the basis of the scheme for subsidising the cost of serving the sentence, the inmates paid in a total of HRK 40,128.00.

Prison workshops have been mostly set up under the Inmate Work and Vocational Training departments, which perform wood and metal works, catering, agriculture, maintenance, gravelling, quarrying, concrete items manufacture, etc.

Auxiliary and technical jobs performed by inmates in penitentiaries and prisons most frequently refer to the penitentiary or prison facilities and perimeter cleansing and maintenance, car washing, painting, auxiliary jobs in laundry, kitchen, warehouse, prison workshop, prison shop, etc.

Outside the penitentiaries or prisons, the inmates have been involved in auxiliary jobs in sawmills, construction industry, landscaping, truck cargo handling agriculture, etc., while some of them either performed independent business activities or worked with their employers.

Based on inmates' remuneration, a total of HRK 11,223,994.00 was paid to the inmates in the period considered, of which a total of HRK 10,847,010.00 for regular business hours and HRK 376,983.00 for overtime.

Average remuneration amounts to HRK 549.00 for regular business hours work and HRK 682.00 for regular and longer hours. Average wages for regular business hours are the highest for working in companies (HRK 801.00), while they are the lowest for working outside penitentiaries or prisons (HRK 473.00).

The work of inmates in the observed period generated a total of HRK 35,551,716.00 worth of revenue and HRK 33,814,944.00 of expenses, leading to a surplus of HRK 1.736.772,00.

Due to a lack of budgetary funding, the surplus generated was fully utilised. In addition, on the basis of deferred income from the work of inmates a total HRK 5.562,545.00 worth of additional expenses have been incurred, pertaining to a larger extent to subsidised serving of prison sentence and to a lesser extent to capital expenditure (procurement of equipment needed in prison workshops and by inmates).

The section below presents a comparative overview related to inmate work during the period from 2004 to 2010.

a) workplace breakdown

**Table 19:** Work by inmates broken down workplace

<b>Workplace</b>	2004	2005	2006	2007	2008	2009	2010	% decline/ increase 2010/2009	% decline/ increase 2010/2004
Prison workshop	460	474	531	565	602	525	468	- 10.86	+ 1.74
Maintenance	607	653	739	869	964	1,060	1,088	+ 2.64	+ 79.24
Outside penitentiary or prison	43	42	34	60	87	95	87	- 8.42	+ 102.33
In <i>Lipovica</i> and <i>Orljava</i> companies	19	21	15	18	11	7	2	- 71.43	- 89.47
<b>TOTAL</b>	<b>1,129</b>	<b>1,190</b>	<b>1,319</b>	<b>1,512</b>	<b>1,664</b>	<b>1,687</b>	<b>1,645</b>	<b>- 2.49</b>	<b>+ 45.70</b>

Source: Ministry of Justice

b) breakdown by penitentiaries, prisons and correctional facilities

**Table 20:** Work by inmates broken down by penitentiaries, prisons and correctional facilities

	2004	2005	2006	2007	2008	2009	2010	% decline/ increase 2010/2009	% decline/ increase 2010/2004
Penitentiaries	801	861	953	1,067	1,163	1,132	1,091	- 3.62	+ 36.20
Prisons	273	270	297	387	436	488	485	- 0.61	+ 77.66
Correctional facilities	55	59	69	58	65	67	69	+ 2.99	+ 25.45
<b>TOTAL</b>	<b>1,129</b>	<b>1,190</b>	<b>1,319</b>	<b>1,512</b>	<b>1,664</b>	<b>1,687</b>	<b>1,645</b>	<b>- 2.49</b>	<b>+ 45.70</b>

Source: Ministry of Justice

**Table 21:** Income generated from the work of inmates

1. Revenue from work of inmates in the penitentiary or prison	33,670,478
2. Revenue from work of inmates outside the penitentiary or prison	1,881,238
<b>3. TOTAL REVENUES (1+2)</b>	<b>35,551,716</b>
4. Inmate labour related expenditure	29,716,292
5. Inmate wages disbursed	4,082,434
6. Remunerations	16,218
<b>7. TOTAL EXPENDITURE (4+5+6)</b>	<b>33,814,944</b>
8. Average number of inmates working	557
<b>9. REVENUE BALANCE (3-7)</b>	<b>1,736,772</b>
10. Revenue balance spending	
10.a. Expenditure for the improvement of work and living conditions for inmates in penitentiary or prison	51,892
10.b. Technological work improvement expenditure	106,121
10.c. Current expenditure	6,019,513
10.d. Capital expenditure	1,121,791
<b>11. REVENUE BALANCE UNSPENT</b>	<b>-5,562,545</b>

Source: Ministry of Justice

**Table 22:** Number of inmates working and remunerations disbursed

<b>AVERAGE MONTHLY NUMBER OF INMATES WORKING</b>	<b>REGULAR WORK</b>	<b>OVERTIME</b>
auxiliary, technical, manual and intellectual work	1,088	157
prison workshop	468	79
working in <i>Orljava</i> and <i>Lipovica</i> companies	2	0
work outside penitentiary or prison	87	1
<b>TOTAL</b>	<b>1,645</b>	<b>237</b>
<b>REGULAR WORK REMUNERATION PAID</b>		<b>GRAND TOTAL</b>
		<b>10,847,010</b>
average monthly per inmate		549
highest individual remuneration		1,106
lowest individual remuneration		339
auxiliary, technical, manual and intellectual work	total	6,920,237
	average monthly per inmate	530
prison workshop	total	3,413,825
	average monthly per inmate	608
working in <i>Orljava</i> and <i>Lipovica</i> companies	total	
	average monthly per inmate	

auxiliary, technical, manual and intellectual work prison workshop	total	19,217
	average monthly per inmate	801
working in <i>Orljava</i> and <i>Lipovica</i> companies	total	493,731
	average monthly per inmate	473
<b>OVERTIME REMUNERATION PAID</b>	total	376,983
	average monthly per inmate	133

Source: Ministry of Justice

### Committee's Question

#### ***Restrictions related to fight against terrorism***

Concerning Committee's question as to the existence of a legal act on the fight against terrorism that would exclude persons of certain citizenships from some types jobs or employment, the issue of criminal offence of terrorism and terrorism related criminal offences have been provided for in the Criminal Code (Official Gazette No 110/97, 27/98, 50/00, 129/00, 51/01, 111/03, 190/03, 105/04, 84/05, 71/06, 110/07 and 152/08), i.e. in Articles 169-172, 179-181, and Article 187 of the Criminal Code.

While all the criminal offences mentioned contain a legal prescription of characteristics of terrorism and other sanctionable terrorism-related actions with relevant penalties, none of them relates to the issue of employment. The same issue of employment is not addressed in the effective National Anti-Terrorism Strategy either (Official Gazette No. 139/08).

### Committee's Question

#### ***Services in exchange of military service***

On 5 October 2007, the Croatian Parliament has adopted the Decision on the Cessation of the Compulsory Military Service (Official Gazette No. 105/07). The application of the Decision commenced on 1 January 2008.

The legal foundations for the passage of such a decision have been created in August 2007 with the amendments to the Defence Act coming into force (Official Gazette No. 33/02, 58/02 and 76/07). One of the Armed Forces reform goals has been focused on professionalizing the armed forces, which implies the termination of the compulsory and introduction of a voluntary military service system.

Should there be an endangerment of the Republic of Croatia, the Decision may be put out of force. According to the Ministry of Defence analyses, the fact that conscripts will no longer

be called for military service shall not influence the combat readiness of the Armed Forces. Until the year of 2015, the Armed Forces should keep developing according to plan including a maximum of 2,000 military service volunteers per annum.

The duration of the voluntary military service has been defined in Article 18 of the Voluntary Military Service Ordinance (Official Gazette No. 70/08) and was set at 14 weeks.

### Committee's Question

#### ***Full/part time work***

##### ***1. Full-time work***

Even with the process of aligning the Labour Act with the *acquis communautaire*, the approach that the Republic of Croatia has adopted remained in part loyal to the International Labour Organisation's concept of having the maximum weekly working hours. Along those lines, the provisions contained in Article 43 of the Labour Act envisaged an option to enter into an employment contract for either full- or part-time work, defining part-time work as any business hours shorter in duration than full-time work, ensuring the protection of part-time workers in keeping with the Directive on Part-Time Work and regulating the duties of the employers.

As it was the case until now, full-time work may last for a maximum of 40 hours a week, while an employer, a worker, the workers' councils, unions and employers' association are allowed to contract for a full-time work shorter in duration. However, unless otherwise provided for, full-time work lasts for 40 hours a week.

If shorter hours, say 35 hours a week, have been defined as full-time work on the basis of a law, a collective agreement, an agreement between workers' council and an employer or an employment contract, such hours will be counted as full-time work for the labour force. On the other hand, the duties of the employer towards workers on the basis of business hours shorter than 40 hours a week shall remain the same as if they would have been if full-time work were 40 hours, which goes for both the pay and other intangible rights. The difference may occur in instances when the pay is not being contracted for as a monthly wage but rather as an hourly rate (not customary in the Republic of Croatia). In such an instance, however, minimum monthly wage should also be paid, or a different kind of monthly pay as defined in a relevant collective agreement or another source of rights binding for the employer.

Entering into employment contracts setting working hours longer than those legally prescribed is not allowed. Such contractual stipulation becomes null and, while in effect, represents an infringement falling in the group of the most severe breaches an employer may commit, with pecuniary penalty ranging from HRK 61,000.00 to HRK 100,000.00.

## **2. *Part-time work***

In addition to the definition of full-time work, the new amendments to the Labour Act also defined the notion of part-time work, describing it as any working hours shorter in duration than full-time work.

It is important for part-time work that the relevant contract specifies it with those words precisely, given the fact that full-time work also may be shorter than 40 hours a week. Hence, the employment contract should expressly specify if part-time work is the subject matter of the contract.

Pursuant to the provision contained in Article 43, paragraph 5, the notion of a comparable worker is being introduced for part time-work. By doing this, the provisions contained in Article 11 of the Labour Act are being adequately applied to part-time workers. These provisions refer to fixed-term employment contracts and for the first introduce time the notion of a “comparable worker” to the Croatian labour legislation. A comparable worker is a worker against who work conditions and rights of workers employed on fixed-term contracts shall be compared. Thus, just as there is a reference to fixed-term employment contracts, the provision also goes for part-time contracts.

### ***Paragraph 3***

#### Committee’s Question

##### ***Free employment services***

The Croatian Employment Service (CES) is a public institutions with rights, duties and responsibilities as defined in the Act on Job Placement and Unemployment Insurance, tasked with resolving the issues of employment and unemployment in the broadest possible meaning of those terms.

CES has 22 regional units and 95 local units, thereby enabling the accessibility of its services throughout the territory of the Republic of Croatia. As at 30 November 2010, CES has had a total of 1,256 staff.

Concerning the structure of the employees, a total of 679 of them (54.1 per cent) have their university or master’s degrees; 208 (16.6 per cent) employees have first level university

degree, professional studies or two-year post secondary qualification; 292 (23.2 per cent) employees have four-year secondary school qualifications; 23 (1,8%) employees have their three-year secondary school qualification or have been qualified as skilled or highly-skilled workers, while 54 (4.3 per cent) employees either have no qualification, have or have not completed their elementary education. The staff with high education completed comprise the absolute majority in the structure of the CES employees (70.7 per cent).

From the total number, a total of 1,126 or 89.6 per cent have been hired in regional services, and 130 staff or 10.4 per cent have been hired at the Headquarters. The largest number of the staff are in the Zagreb (178), Split (128), Osijek (90) and Rijeka (74) Regional Services, i.e. 37.4 per cent of the total CES staffs have been employed in the above regional services.

A total of 714,819 and 815,486 of individual counselling sessions with the unemployed have been conducted in 2009 and 2010, respectively. In order to improve the efficiency of active job seeking exercise, a total of 2,950 different workshops for the unemployed have been organised in 2009, which exceeded the 2008 rate by 55 per cent. In 2010, a total of 3,679 different types of workshops have been organised including 33,633 participants, a result exceeding that of 2009 by 21 per cent.

#### Committee's Question

##### *Vacancies reported by employers*

Concerning the vacancies reported by employers, there has been a total of 102,427 and 104,739 vacancies reported to the Croatian Employment Service in 2009 and 2010, respectively. In 2010, it took an average of 32 days to fill in the vacant positions. A relatively swift taking of the vacancies was mainly the consequence of an increase in the number of the unemployed. A total of 118,228 and 141,105 persons kept on the Croatian Employment Service record have been employed in 2009 and 2010, respectively.

**Table 23:** Data on the unemployed, reported vacancies and persons kept on the Croatian Employment Service record employed

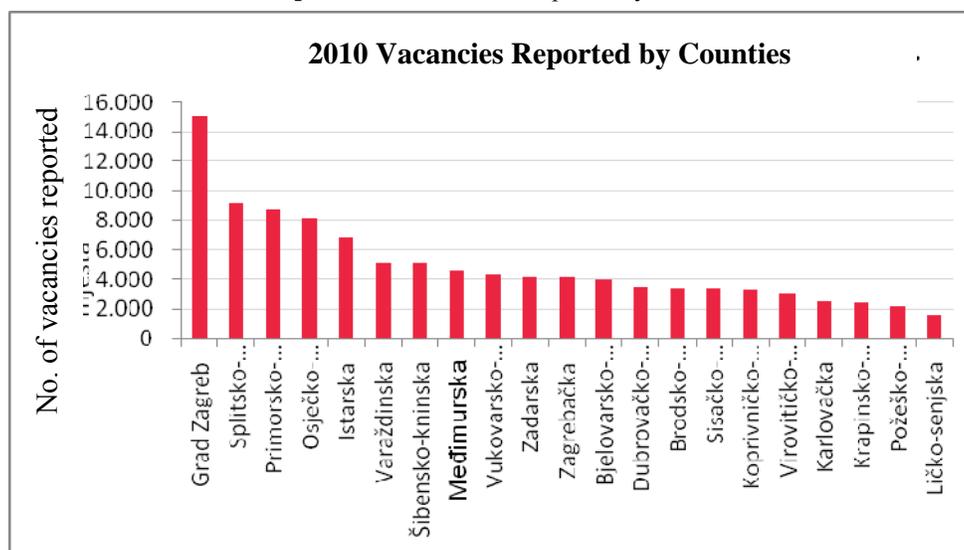
<b>Year</b>	<b>Unemployed</b>	<b>Vacancies</b>	<b>Employed (outflow)</b>
2006	291,616	130,517	149,460
2007	264,448	141,487	146,689
2008	236,741	141,794	128,228
2009	263,174	102,427	118,286

2010	302,425	104,739	141,105
------	---------	---------	---------

Source: Croatian Employment Service

The employers may report their labour force needs to the Croatian Employment Service using a prescribed template personally, by post, phone, e-mail, fax or online through a web based service. In 2010, the Croatian Employment Service received a total of 53,636 labour force needs reports for a total of 104,739 workers. The largest number of vacancies was reported in the City of Zagreb (14.5 per cent of the total number of workers required), the Split-Dalmatia County (8.8 per cent), the Primorje-Gorski Kotar County (8.4 per cent), the Osijek-Baranja County (7.7 per cent), the Istria County (6.6 per cent), etc.

**Graph 13: 2010 Vacancies reported by counties**



Source: Croatian Employment Service

Employers were mainly seeking workers from service and trading sectors (25,101 i.e. 24.0 per cent) and simple occupations, such as cleaners, couriers, transport workers, workers without an occupation and similar (24,979 i.e. 23.8 per cent). Furthermore, a sizable portion in the structure of total workers sought referred to experts and scientists (15.2 per cent), workers in crafts and individual manufacture (13.2 per cent), as well as engineers, technicians and related occupations (11.9 per cent).

**Table 24:** Overview of vacancies reported to the CES by classes of occupation

Class of occupation	2010	%
(1) Institution heads, officials and directors	214	0.2
(2) Experts and scientists	15,938	15.2
(3) Engineers, technicians and related occupations	12,504	11.9
(4) Office and desk clerks	6,473	6.2
(5) Service and trading occupations	25,101	24
(6) Agricultural workers, hunting-breeding and forestry workers, fishermen	672	0.6
(7) Occupations in crafts and individual manufacture	13,857	13.2
(8) Machinery, vehicle handlers	5,001	4.8
(9) Simple occupations	24,979	23.8
Total	104,739	100

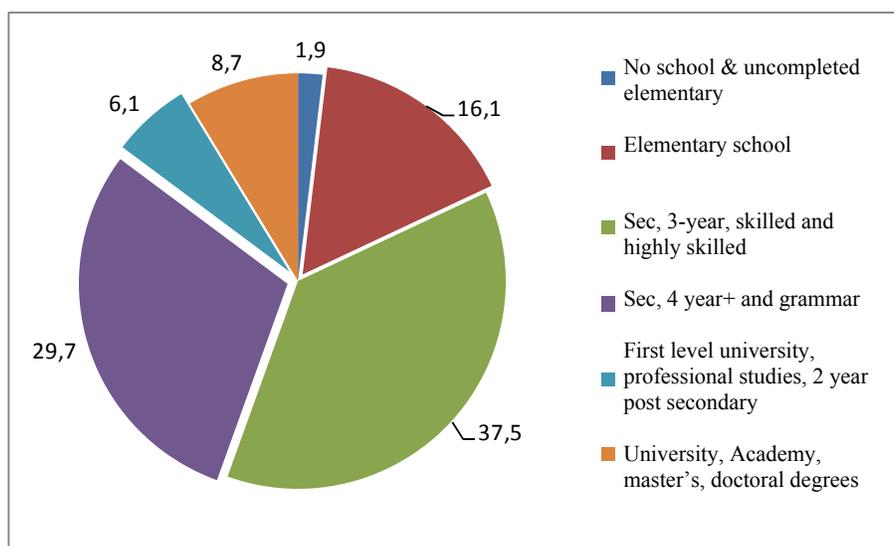
Source: Croatian Employment Service

The greatest number of labour force needs was seen in the activities of accommodation and foods preparation and serving (16.1 per cent of the total), followed by the processing industry (15.7 per cent), education (13.8 per cent) and wholesale and retail trade (13.5 per cent).

A total of 141,105 persons from the Croatian Employment Service record have entered into employment in 2010, which is a result by 19.3 per cent greater in comparison with 2009 when a total of 118,286 persons have been employed.

The largest portion of the recorded employment refers to persons with secondary school qualifications, including those with three-year secondary school vocational qualifications, skilled and highly-skilled workers (28.5 per cent) and persons with four-year secondary school vocational qualifications and grammar school completed (31.1 per cent). These are followed by persons with university and academy degrees (22.4 per cent), first-level university degree, professional studies or two-year post secondary school qualification (8.8 per cent), people with elementary school completed (7.9 per cent), and persons without qualifications or those who haven't completed the elementary school (1.4 per cent).

**Graph 14:** Employment of persons kept on CES record by level of education



Source: Croatian Employment Service

It has been a customary thing for the people from the processing industry; trade sector; accommodation, food preparation and serving; and construction industry to constitute the largest population with prior working experience kept on record. These four lines of business at the same time employ the largest number of people. Thus, the year 2010 saw the numbers and ranking of the employed as follows: wholesale and retail trade: 24,619 persons i.e. 17.4 per cent, accommodation, food preparation and serving: 23,914 persons i.e. 16.9 per cent, processing industry: 23,563 persons i.e. 16.7 %, construction industry: 12,316 persons i.e. 8.7 per cent, etc.

**Table 25:** Overview of vacancies reported and employment from CES record in 2010, as per business activities from the 2007 National Business Activity Classification

Business activity (NKD 2007)		Vacancies reported		Persons employed from CES record	
		No	%	No	%
A	Agriculture, forestry and fisheries	3.254	3,1	6.265	4,4
B	Mining and extraction	215	0,2	279	0,2
C	Processing industry	16.454	15,7	23.653	16,8
D	Power, gas, heating supply air-conditioning	141	0,1	112	0,1
E	Water supply; waste water collection, waste management and environmental rehabilitation	1.681	1,6	2.285	1,6
F	Construction industry	6.824	6,5	12.316	8,7
G	Whole sale and retail trade; repair of vehicles and motorbikes	14.135	13,5	24.619	17,4
H	Transport and warehousing	2.337	2,2	4.085	2,9
I	Accommodation and food preparation and serving	16.855	16,1	23.914	16,9
J	Information and communication	1.111	1,1	1.268	0,9
K	Financial and insurance activities	1.576	1,5	1.636	1,2
L	Real-estate sales	372	0,4	649	0,5
M	Expert, scientific and technical activities	2.663	2,5	4.580	3,2
N	Administrative and auxiliary services	5.861	5,6	9.179	6,5
O	Public administration and defence; compulsory social insurance	5.501	5,3	3.891	2,8
P	Education	14.435	13,8	9.854	7,0
Q	Health care and social welfare	6.852	6,5	5.493	3,9
R	Arts, entertainment and recreation	1.473	1,4	1.914	1,4
S	Other services	2.966	2,8	4.317	3,1
T	Domestic worker employers; household producing various goods and render various services for own needs	30	0,0	776	0,5
U	Extra-territorial organisations and bodies	3	0,0	20	0,0
T O T A L		104.739	100,0	141.105	100,0

Source: Croatian Employment Service

**Table 26:** Overview of vacancies reported and employment from CES record in 2010 by counties

County	Vacancies reported		Persons employed	
	No.	%	No.	%
Zagreb	4.173	4,0	6.687	4,7
Krapina-Zagorje	2.419	2,3	3.368	2,4
Sisak-Moslavina	3.368	3,2	6.199	4,4
Karlovac	2.534	2,4	4.727	3,3
Varaždin	5.099	4,9	5.620	4,0
Koprivnica-Križevci	3.333	3,2	3.613	2,6
Bjelovar-Bilogora	3.926	3,7	5.619	4,0
Primorje-Gorski Kotar	8.774	8,4	9.640	6,8
Lika-Senj	1.601	1,5	1.652	1,2
Virovitica-Podravina	3.062	2,9	4.435	3,1
Požega-Slavonija	2.132	2,0	3.095	2,2
Slavonski Brod-Posavina	3.371	3,2	6.015	4,3
Zadar	4.175	4,0	5.896	4,2
Osijek-Baranja	8.064	7,7	13.810	9,8
Šibenik-Knin	5.077	4,8	4.463	3,2
Vukovar-Srijem	4.333	4,1	8.221	5,8
Split-Dalmatia	9.179	8,8	17.115	12,1
Istria	6.869	6,6	7.101	5,0
Dubrovnik-Neretva	3.478	3,3	4.852	3,4
Međimurje	4.594	4,4	4.090	2,9
City of Zagreb	15.178	14,5	14.887	10,6
<b>TOTAL</b>	<b>104.739</b>	<b>100,0</b>	<b>141.105</b>	<b>100,0</b>

Source: Croatian Employment Service

Pursuant to the Act on Job Placement and Unemployment Insurance (Official Gazette No 80/08 and 121/10) and the Job Placement Ordinance (Official Gazette No. 39/09), the job placement activities outside the Croatian Employment Service may also be performed by legal persons in the form of a company and natural persons performing it as an independent business activity. Before getting registered in an adequate register, these persons (job placement agents) must obtain a permit from the ministry in charge of labour affairs. According to the records kept by the Ministry of Economy, Labour and Entrepreneurship, a total of 32 job placement agents (31 legal and 1 natural persons) had their permits to perform job placement activity by end-December 2010.

Pursuant to Article 20 of the Job Placement Ordinance, that the Minister in charge of labour adopted in pursuance of Article 5, paragraph 2 of the Act on Job Placement and Unemployment Insurance, all legal and natural persons who perform job placement activity are obliged to keep record of job seekers and employers who report their labour force needs.

The job placement agents are obliged to supply the Ministry of Economy, Labour and Entrepreneurship with data kept on record (using the ODP-1 form) for the purpose of consolidating and producing the statistical reports on job placement performance handled outside the Croatian Employment Service.

There are no reports for earlier years, since the obligation of filing the completed ODP-1 form has been introduced in April 2009, with the “old” Job Placement Ordinance coming into force (Official Gazette No. 39/09). At the very beginning of its application, there were some “rookie” problems with the online application of the template. Therefore, only data for the last three months of 2009 have been consolidated.

Data on the employers the job placement agents cooperate with, on the workers sought by the employers through job placement agents and the workers employed through job placement agents are being presented in the Reports as follows:

Data on the distribution of employers by counties, their legal form, the National Business Activity Classification scheme, and the seat of international employers are being presented in the following reports (1 through 4):

**1) Number of employers seeking labour force by counties** – Regional distribution of employers from the Republic of Croatia who sought labour force through job placement agents is dominated by the employers from the City of Zagreb (190 i.e. 58.8 per cent), followed by those from the Zagreb (58 i.e. 18.0 per cent), the Primorje-Gorski Kotar (18 i.e. 5.6 per cent), the Sisak-Moslavina (13 i.e. 4.0 per cent), the Istria (11 i.e. 3.4 per cent), the Split-Dalmatia (6 i.e. 1.9 per cent) and the Dubrovnik-Neretva (6 i.e. 1.9 per cent) Counties. Four employers taking the share of 1.2 per cent have been represented with job placement agents in the Zadar and Međimurje Counties each. Three employers in the total number of employers who were seeking labour force through job placement agents have been represented in Karlovac, Lika-Senj and Slavonski Brod-Posavina Counties each, while one employer has been recorded in Varaždin, Koprivnica-Križevci, Virovitica-Podravina and Požega-Slavonija Counties each.

**2) Number of employers seeking labour force by their legal form** – From the total number of employers in the territory of the Republic of Croatia, a total of 315 (97.5 per cent) of them have been registered as companies, while eight employers (2.5 per cent) have been registered as craftsmen.

**3) Number of employers seeking labour force by their business activity** – The processed data per the National Business Activity Classification scheme (NBAC 2007) show that the greatest portion of the employers have had registered business activities of: trade (67 i.e. 20.7 per cent), processing industry (52 i.e. 16.1 per cent), accommodation and food preparation and serving (34 i.e. 10.5 per cent), domestic workers’ employers (33 employers

i.e. 10.2 per cent), and information and communication, as well as financial and insurance activities (25 employers i.e. 7.7 per cent each).

**4) Number of international employers seeking labour force by their country of origin –**

Having data on the seat of the international employers available enables insight into global markets from which employers sought labour force in the Republic of Croatia. The table below presents countries of origin of 30 employers, the total number recorded with job placement agents in 2010:

**Table 27:** Data on the number of international employers who sought labour force by the job placement agent's country of origin (January-December 2010)

No.	Country	No. of employers	No.	Country	No. of employers
1.	AUSTRIA	7	9.	MARSHALL ISLANDS	1
2.	BAHAMAS	1	10.	GERMANY	1
3.	CYPRUS	1	11.	PANAMA	1
4.	MONTENEGRO	1	12.	ROMANIA	1
5.	THE CZECH REPUBLIC	1	13.	UNITED STATES OF AMERICA	2
6.	ITALY	1	14.	SLOVENIA	1
7.	HUNGARY	6	15.	SWITZERLAND	2
8.	MALTA	1	16.	GREAT BRITAIN AND NORTHERN IRELAND	2
				<b>TOTAL</b>	<b>30</b>

In 2010, a total of 888 workers had been sought through job placement agents. Reports 5 through 7 present the structure of the sought labour force, broken down by occupation, level of education, employment and working hour duration.

**5) Number of workers sought by occupation –** The structure of the occupations among the labour force sought through job placement agents was dominated by high shares of the following occupations in the total number of labour force required: sales persons (174 i.e. 19.6 per cent), musicians (99 i.e. 11.1 per cent), B.Sc. economists (84 i.e. 9.5 per cent). These are followed by occupations taking a lesser share in the overall number of workers required: telemarketing sales personnel (29 i.e. 3.3 per cent), commercial clerks (27 i.e. 3.0 per cent), sales directors (26 i.e. 2.9 per cent), preschool teachers (23 i.e. 2.6 per cent), administrative

clerks (19 i.e. 2.1 per cent), IT specialists (16 i.e. 1.8 per cent), MDs (14 i.e. 1.6 per cent), avionics engineers (13 i.e. 1.5 per cent), etc.

**6) Number of workers sought by level of education** – The educational structure of workers required has been dominated by workers who completed their four-year secondary school programmes (368 workers i.e. 41.4 per cent) and those with university degrees (329 i.e. 37.0 per cent). A substantially lesser number of workers have been sought through job placement agents from the following groups of education: professional studies following the Bologna Process ranging from 180 to 240 ECTS points (81 i.e. 9.1 per cent), specialised graduate professional studies (43 i.e. 4.8 per cent), training for simple jobs (18 workers i.e. 2.0 per cent), professional studies of <180 ECTS points (15 workers i.e. 1.7 per cent), etc.

**7) Number of workers sought by contract and working hours duration** – The report on workers sought by duration presents the number of workers by the duration of employment a worker can establish with an employer (fixed-term or open-ended) and by the duration of working hours (full- or part-time). In 69.6 per cent of cases, the employers would hire the required workers (618 workers) on an open-ended basis, while 30.4 per cent of required workers (270) would be hired on a fixed-term basis. More than two thirds of the required labour force (86.0 per cent) would work full-time (764 workers), and a substantially lesser number of them (124) would work part-time.

A total of 700 workers have been hired through private job placement agents in 2010, as follows: 447 workers in the territory of the Republic of Croatia and 253 of them abroad. Reports 8 through 13 present the structure of domestic workers and those abroad. Data is consolidated and follow the features of: gender, age, occupation, education, employment, hours and county, while report 14 presents countries in which workers have been employed through job placement agents.

**8) Number of workers employed by gender** – Looking from the angle of gender, more than a half of the employed workers were men (403 i.e. 57.6 per cent), and the remainder were women (297 i.e. 42.4 per cent).

**9) Number of workers employed by age** – Employment by age groups predominantly included people in the age groups of 25-34 (409 i.e. 58.4 per cent) and of 35-44 (142 i.e. 20.3 per cent), while the other age groups recorded a lesser number of employees, especially in the age group of 55-64 (18 workers) and one person of 65+.

**10) Number of workers employed by occupation** – Looking at the structure of workers' occupations by the National Occupations Classification scheme (NPC), the following occupations dominated the overall employment through job placement agents with high shares: waiters (114 i.e. 16.3 per cent), musicians (99 i.e. 14.1 per cent) and sales persons (86 i.e. 12.3 per cent). A sizable portion in the employment structure pertains to: buss boys (52 i.e. 7.4 per cent), B.Sc. economists (37 i.e. 5.3 per cent) and sales directors (24 i.e. 3.4 per cent). A tangibly lesser amount of the employed covered the following occupations: receptionists (19 i.e. 2.7 per cent), photographers (18 i.e. 2.6 per cent), economics clerks (15 i.e. 2.1 per cent), telemarketing sales personnel (11 i.e. 1.6 per cent), store managers (10 i.e. 1.4 per cent), etc.

**11) Number of workers employed by level of education** – Among the workers hired through job placement agents, more than a half had completed their four-year secondary education (424 i.e. 60.6 per cent), followed by university education (149 i.e. 21.3 per cent). The other educational groups were represented in the structure of workers employed to a considerably lesser extent, while as many as three educational groups saw no employment of workers kept on record (one- or two-year secondary education programmes; graduate master's studies to date; and the postgraduate doctoral studies).

**12) Number of workers employed by contract and work hours duration** – Concerning the duration of employment and working hours of persons hired through private job placement agents in 2010, the predominant feature was the employment on the basis of fixed-term employment contracts (458 i.e. 65.4 per cent) versus the open-ended employment contracts (242 persons i.e. 34.6 per cent). At the same time, a total of 601 persons i.e. 85.9 per cent have been hired for full-time work, and 99 of them i.e. 14.1 per cent for part-time work.

**13) Number of workers employed by counties** – Employment of workers through private job placement agents by counties resulted in greater employability rate in the City of Zagreb (171 workers i.e. 38.3 per cent from the total number of workers employed through job placement agents in the Republic of Croatia) and the Zagreb County (130 workers i.e. 29.1 per cent). A considerably lesser number of workers have been employed in the Primorje-Gorski Kotar (81 i.e. 18.1 per cent), the Istria (27 i.e. 6.0 per cent), the Zadar (15 i.e. 3.4 per cent), the Sisak-Moslavina (8 i.e. 1.8 per cent), the Split-Dalmatia (5 i.e. 1.1 per cent) and Slavonski Brod-Posavina and Osijek-Baranja Counties (two workers i.e. 0.4 per cent each). One worker had been employed in the Karlovac and the Požega-Slavonija Counties each, while in as many as nine counties there was no employment through job placement agents in 2010.

**14) Number of workers employed abroad** – In addition to 447 workers employed in the territory of the Republic of Croatia, the operation of private job placement agents resulted in the **employment of 253 workers abroad**. From the overall number of workers employed abroad, a total of 144 of them (56.9 per cent) were employed in the Bahamas, 39 in Malta, 34 in Panama, 10 workers in the United Kingdom of Great Britain and Northern Ireland, 8 in the Marshall Islands, 4 with employers in Serbia and three in Slovenia. Two workers have been hired by employers from Austria, Italy, Hungary and Turkey each, and one by employers from Bulgaria, Montenegro and Romania, each

In conclusion, a total of 24 registered job placement agents have supplied the Ministry of Economy, Labour and Entrepreneurship with their Reports on the performance of job placement activity for the purpose of hiring workers outside the scope of the Croatian Employment Service for the period January-December 2010. A total of 323 employers seated in the Republic of Croatia and 30 employers seated abroad sought the services of private job placement agents, whereas the employers altogether required a total of 888 workers in the period under consideration. Simultaneously, the activities of private job placement agents resulted in hiring a total of 700 workers, 447 and 253 in the Republic of Croatia and abroad, respectively.

#### ***Croatian Employment Service – Preparing the unemployed for employment***

In 2010, the Croatian Employment Service has substantially increased the number of activities aimed at the unemployed and job seekers via individual and collective information sessions on various issues relative to management of one's professional development curve. In the context of global crisis, the Croatian Employment Service has placed a special emphasis in 2010 on the activities aimed at preparing the unemployed for their employment. These involve a competencies assessment and development, vocational training and re-qualification of the unemployed for the purpose of improving their competitiveness in the labour market, vocational guidance and selection services, as well as the development of services in vocational rehabilitation and employment of persons with disabilities and other physical factors which make makes people harder to employ employment. In doing so, the Croatian Employment Service first and foremost focused on rendering group services (group information sessions, group career development counselling sessions, career management skills adoption, etc.) in order to allow as many Employment Service beneficiaries as possible to take part in these activities.

## **Paragraph 4**

### ***2009 and 2010 vocational guidance for the unemployed***

During the course of 2009, the Croatian Employment Service has intensified its work with the unemployed and job seekers as compared to earlier years, including the areas of vocational guidance, especially the vocational information sessions, employing group sessions, self-information, use of computer programmes and similar as vehicles towards this objective. More than 19,670 unemployed persons underwent targeted information dissemination sessions concerning specific professional development and improved employability issues.

The 2010 vocational guidance activities referred to various forms of vocational information dissemination and counselling of the unemployed and other target groups. This included pre-emptive action and working with students in their selection of adequate educational programmes. For student vocational information purposes, a total of 12,750 brochures and 27,440 CD editions of five regional secondary school enrolment brochures have been issued. Furthermore, for the needs vocational information intended for students in their final grades of elementary and secondary schools, a total of 2,500 informative brochures titled “Future Students’ Guide” and 5,000 CD editions of a brochure titled “2010 Secondary School Enrolment” have been purchased from the Ministry of Education, Science and Sports.

Vocational guidance of students encompass the application of the Pupil Vocational Intent Survey to identify priority student population for vocational counselling on an inadequate selection of educational programmes or occupation. During the course of 2010, a total of 57,367 students have been surveyed, of which 40,449 elementary school and 17,241 secondary school students, i.e. 84 per cent and 37 per cent of the overall student population in final grades of elementary and secondary schools, respectively. The survey results have shown that approximately 30 per cent of students are in need of vocational assistance in selecting their educational programmes/occupations.

Depending on the needs of students and type of difficulties they face, the vocational guidance counsels render professional information and counselling services. This type of assistance is especially needed to students with developmental difficulties and major health disorders, which restrict their educational and professional options. Additionally, a priority group to be included in the professional counselling services include students with various behavioural disorder or with learning difficulties, and they are the ones to leave secondary schools too. In 2010, the vocational information and counselling services covered a total of 39,470 students in final grades of elementary and secondary schools (42 per cent of the entire population). For the purpose of promoting occupations required in the labour market, the Croatian

Employment Service cooperated with the regional Chambers of Trades and Crafts to promote craftsmanship for students and financed medical examinations of students for the purpose of the enrolment in those programmes. In 2010, a total of 1,288 medical examinations were financed for the enrolment of students in occupations demanded by the labour market.

In 2010, the “My Choice” vocational guidance computer programme was in use at 88 licensed locations – in all regional Employment Service offices, in the elementary and secondary schools, the adult training institutions and other labour market institutions. A total of 8,356 beneficiaries used the programme in the Employment Service’s regional offices, of which 6,796 were students. The results of an evaluation carried out in 2010 have shown an exceptional level of their satisfaction with this service.

**Table 28:** Vocational guidance indicators

ACTIVITY	2002	2003	2004	2005	2006	2007	2008	2009	2010
<i>Written information</i>									
No. of leaflets and brochures	106,000	113,500	107,000	91,000	113,000	147,745	131,000	170,732	138,865
<i>Elementary and secondary school pupils</i>									
Career intention survey				45,000	59,862	49,693	48,763	60,312	57,367
Vocational information	35,192	26,088	27,900	27,200	27,637	26,597	32,068	30,079	25,460
Vocational counselling	15,550	12,059	12,210	12,060	13,135	14,470	14,631	14,813	13,993
<i>The unemployed</i>									
Vocational information	31,208	28,262	17,100	12,800	11,481	10,052	13,536	19,670	20,507
Individual professional	6,463	5,519	6,290	5,940	5,935	6,353	7,697	6,541	7,603
Group vocational counselling Unemployed persons/Job seekers – no. of workshops	1,613	1,429		1,013	1,107	1,102	1,593	2,950	3,679
Group vocational counselling Unemployed persons/Job seekers- no. of persons	28,830	10,029		6,724	7,603	8,303	12,075	26,637	33,633

Training selections – no. of selections	114	116	99	83	182	440	484	489	792
Training selections – no. of persons	1,581	2,035	2,220	1,010	2,455	4,702	3,732	5,377	8,600
No. of persons included in training activities through local partnerships		752		497	1,819	468	1,365	347	119
<i>Employers</i>									
Training selections – no. of selections	294	174	267	247	370	552	627	338	343
Training selections – no. of persons	4,065	3,051	6,000	3,031	3,717	3,586	3,237	2,787	2,908

Source: Croatian Employment Service

The services of professional psychological counselling and assessment of one's working capacity, including psychological testing, psychological interviews and examinations by an occupational medicine specialist, covered a total of 7,603 unemployed persons with especially pronounced labour market (re-)integration difficulties. Further, a total of 1,135 psychological selection exercises have been conducted, including a total of 11,508 candidates, of which 343 selection exercises were carried out for new employment purposes (2,908 persons), and 792 for the purpose of getting the unemployed involved in training activities (8,600 persons). In addition to referring people to training activities, the National Employment Promotion Plan served as the groundwork to continue cooperating with the local and regional self-government units (119 unemployed persons referred to training process through 15 different training programmes).

### *Vocational guidance for persons with disabilities in the Croatian Employment Service*

Pursuant to the Act on Vocational Rehabilitation and Employment of Persons with Disabilities (Official Gazette No. 143/02 and 33/05) and the implementation of the measures included in the 2007-2015 National Strategy of Equalisation of Opportunities for Persons with Disabilities, throughout 2009 the Croatian Employment Service has been continuously involved in identifying the unemployed with disabilities and other factors making them hard to employ, hence, in need for vocational guidance. In 2009, vocational counselling activities included a total of 1,644 persons with disabilities, of which 412 persons underwent individual counselling sessions, while 1,232 of them were involved in group counselling through workshops. There were a total of 134 workshops delivered, adjusted to the needs of persons with disabilities, a figure sizably larger than that in 2008.

The 2010 vocational information and counselling activities carried out by the Croatian Employment Service included a total of 1,471 persons with disabilities, of which 458 underwent group counselling in workshops.

There were a total of 48 workshops customised to the needs of persons with disabilities, among which we wish emphasize workshops on active job seeking by the unemployed hearing impaired that the Employment Service organises together with the Deaf and the Hearing Impaired Association of the City of Zagreb.

Persons with especially pronounced labour market (re-)integration difficulties have been covered by professional psychological counselling, including assessment of their working capacities. It frequently required the employment of additional psychological and diagnostic instrument sets and opinions from occupational medicine specialists. These most complex services covered a total of 6,541 persons assessed to have especially pronounced labour market (re-)integration difficulties. In addition to the standardised workshops intended for the unemployed with the view to developing their career management competencies (skills) and active job seeking skills, the Croatian Employment Service delivered specific workshops intended for various target groups (the long-term unemployed, youth, persons with disabilities, etc.) depending on the needs of the regional labour market.

In addition to getting the people involved in training activities for the purpose of improving their employability via the active employment policy measures, the year 2009 saw cooperation with local and regional self-government units to deliver 33 professional training programmes in eight counties. These were aimed at training for certain jobs, and included training programmes to gain and upgrade knowledge and skill sets. The programmes saw the participation of a total of 347 unemployed persons. From the total number of people included in the training programme, 67 per cent were women (232) and 36 per cent (125) young people of up to 29 years of age. The outturn was expectedly short of that in 2008, taking account of

the drop in tax revenues generated by the local and regional self-government units. The unemployed partook in training programmes for occupations required in the local/regional markets, such as IT training, catering, economics, trade and business administration, construction industry, etc.

#### Committee's Question

#### ***Guidance and training for persons with disabilities***

As at 31 December 2010, the Croatian Employment Service's record kept a total of 6,255 unemployed persons with disabilities registered. During the course of 2010, a total of 1,080 persons with disabilities kept on the Employment Service's record have been employed.

A portion of the active policy measures aimed at subsidising employment and carried out by the Croatian Employment Service refers to the promotion of labour market integration for the disadvantaged, i.e. special groups of the unemployed, persons with disabilities included (Measure 4 – Subsidising employment of special groups of the unemployed). In addition to the employment subsidising measures, the Croatian Employment Service encourages employment via measures aimed at subsidising and financing the training activities and public works. In 2010, the active policy measures carried out by the Croatian Employment Service covered a total of 349 persons with disabilities, while a substantially lesser number of persons with disabilities (146) used such subsidies in 2009.

Further, Article 6 of the Act on Vocational Rehabilitation and Employment of Persons with Disabilities (Official Gazette No. 143/02 and 33/05) prescribed the vocational rehabilitation measures and activities as follows:

- establishing residual work and general capacities; vocational information, counselling and assessment of vocational abilities; analysis of labour market, employability and work inclusion; evaluation of options for the delivery, development and improvement of vocational training programmes; training for work, qualification upgrade and programmes for the maintenance and improvement of work, labour and social skills and abilities until employment; information and counselling on learning and work aids; individual and group programmes aimed at improving labour and social inclusion in the community; counselling on the application of various learning and work technologies and techniques with an assessment of options for application; pre-vocational learning, planning and application of the technology selected; building motivation and training persons with disabilities in the use of technology selected; technical assistance, support, monitoring and results evaluation; funding sources information and support.

Given the insufficiency of the regulatory background, a lack of a developed vocational rehabilitation model and the criteria and benchmarks needed to carry it out, vocational rehabilitation may not be implemented in the way envisaged in the Act. In keeping with the said limitations, vocational rehabilitation in the Republic of Croatia is either being carried out in part or not at all. The Ministry of Economy, Labour and Entrepreneurship has put a working group in place (with active participation of the Fund for Vocational Rehabilitation and Employment of the Disabled and the Croatian Employment Service) for the purpose of implementing the measures included in the 2007-2015 National Strategy of Equalisation of Opportunities for Persons with Disabilities. Its work deals with the establishment of a single list of disabilities and impairments, a single expertise body and the manner for conducting vocational rehabilitation, to serve as the foundation for the development of a vocational rehabilitation model and the establishment of the Vocational Rehabilitation Centre. A proposed Single Functional Capabilities List was passed in July 2010 to enable a basis for the creation of a social and medical disability models. In addition to physical impairments, the expertise would also encompass the functioning of a person with disabilities and his/her environmental factors. A trial run of the proposed Single Functional Capabilities List was planned to last until the end of June 2011. There are plans to open Regional Vocational Rehabilitation Centres after the inter-ministerial working groups finish their work on the single functional capabilities list and the single expertise body. It will take some time to complete the exercise of levelling the differences between all systems taking part in dealing with the rights of persons with disabilities. Due to a lack of the needed legislation, these systems establish the status of the disabled autonomously to meet their needs. For this reason, the Fund for Vocational Rehabilitation and Employment of the Disabled has launched two projects, which will contribute to the establishment of a better quality legislation in the area of vocational rehabilitation.

*1. Project titled "Establishment of the criteria and labour centre operation subsidy model by the Fund for Vocational Rehabilitation and Employment of the Disabled"*

The Fund for Vocational Rehabilitation and Employment of the Disabled has initiated this pilot project in July 2009. Namely, the Act on Vocational Rehabilitation and Employment of Persons with Disabilities (hereinafter referred to as the Act) envisaged the forms and types of work persons with disabilities can perform. A possibility of working in a labour centre may be provided for a person with disabilities who cannot get employed and retain employment under special conditions with an employer or in a sheltered workshop because of the person's work and general capabilities. A labour centre has been defined as an institution which caters for persons with disabilities who cannot get employed or retain their employment under general or special conditions by enabling them to work. Moreover, the Act prescribes that the funding for the Labour Centre operation is to be secured by its founder and the Fund for Vocational

Rehabilitation and Employment of the Disabled. This involves sizable monies that may potentially be claimed from the Fund for Vocational Rehabilitation and Employment of the Disabled on such grounds. This is especially true because the Act hasn't provided a detailed prescription of the meaning of the labour centre operating resources provided by the founder and the Fund. It remains unclear whether or not this is the labour centre's start-up, seed capital or the funds are being secured for labour centre needs on an ongoing basis for its regular operation, or it may be understood as a mixture of the two. Furthermore, this provision does not clearly state what is the share in total funding to be provided by its founder and the Fund for Vocational Rehabilitation and Employment of the Disabled. Importantly, the Republic of Croatia does not have a labour centres network in place envisaged by the Act. Rather, there are *de facto* three labour centres at this point, with only one of them formally put in place but still remaining idle (DES - Split), while the remaining two are of very small capacities and number of beneficiaries against the needs of persons with disabilities (the Zagreb-based Association for Promoting Inclusion, and URIHO sheltered workshop).

The development of this project proposal started after recognising the need for the labour centres to operate in the Republic of Croatia. These should serve as places to include persons with disabilities in labour-based activities, due to the fact that they may neither get employed in the open labour market nor in sheltered workshops. The idea was also to make them a place where people with disabilities who have been unemployed for a longer period could be involved in work activities to enable them to reconnect with the labour market. Namely, there is a common feature to some persons with disabilities who have been unemployed for a longer period and are being kept on the Croatian Employment Service record or are beneficiaries of the unemployment insurance benefits from the social welfare system. Their considerably diminished and sometimes completely non-existent working skills are this common feature. Given the lapse of time since their last employment (noteworthy is the fact that some of them have never been employed), they need to be given a chance for their working skills to evolve. The aim is to employ those people whose residual working skills would allow it, be it in a sheltered workshop or in the open labour market. Such an employment system permeability that enables persons with disabilities to make transition from one employment system to another is in line with all acts on the rights of persons with disabilities. The very labour centre mechanism is something that enables persons with disabilities to take scores of activities to fulfil their potentials and to get actively involved in the social life.

Based on the aforesaid, there is an obvious need for putting the labour centres in place in Croatia. However, due to vague regulations, it is impossible at present to reliably establish the extent to which the Republic of Croatia (through the Fund for Vocational Rehabilitation and Employment of the Disabled) should participate in subsidising such institutions. Therefore,

the aim of the project is to use the two beneficiary institutions put in place in different legal forms, but already involved in carrying out labour centre activities, as vehicles for establishing the manner in which a labour centre operates. It would also serve to establish the extent to and the manner in which the Fund should participate in financing such a centre. The implementation of this project will open up possibilities for finding an adequate model for establishing and subsidising labour centres in accordance with the financial conditions in the Republic of Croatia and the actual needs for labour centre services. Further, it would give impetus for the development of additional activities aimed at preparing persons with disabilities to enter the labour market.

The following objectives have been set under the project “Establishment of the criteria and labour centre operation subsidy model by the Fund for Vocational Rehabilitation and Employment of the Disabled”:

Creating models and clear criteria on the basis of which the Fund for Vocational Rehabilitation and Employment of the Disabled will take part in subsidising the work of labour centres;

- Transparency in subsidising the labour centres by the Fund for Vocational Rehabilitation and Employment of the Disabled;

Contributing to the establishment of unambiguous criteria and guidelines for the establishment of labour centres; through the support for labour centre operations, indirectly enable persons with disabilities to gain a greater autonomy, preparation for labour market, and active inclusion in the society.

The idea behind the project is to use two beneficiary institutions put in place in different legal forms, but already involved in carrying out labour centre activities, as vehicles for establishing the manner in which a labour centre operates, and the manner in which the Fund for Vocational Rehabilitation and Employment of the Disabled can support their operations financially.

The beneficiary institutions taking part in the project include:

1. URIHO sheltered workshop - Zagreb
2. Association for Promoting Inclusion - Zagreb

A total of 100 beneficiaries participated in centres' programmes until 31 December 2010.

These are two legal persons with different legal forms, i.e. an institution and an NGO. Insight into the work of labour centres operating under two very different systems will enable a better view of the labour centre operation financing needs and offer a broader spectrum of options for establishing the best model for the Fund's financing of the labour centres. Such an approach is greatly important, since any domestic or foreign natural and legal persons may put labour centres in place under the Act.

Project sustainability: The core mission of the Fund for Vocational Rehabilitation and Employment of the Disabled deals with implementing the policy for the development and improvement of vocational rehabilitation and employment of persons with disabilities. This is done with the view to giving the persons with disabilities a chance to equally participate not only in labour and employment but indirectly in all areas of the community life. Along these lines, the project will yield tangible parameters towards better addressing labour-related issues in a labour centre in keeping with the actual needs of beneficiaries and within the available possibilities of the Fund for Vocational Rehabilitation and Employment of the Disabled. Clear criteria will enable a transparent use of state budget resources and more opportunities for the disabled to access the labour market.

In 2009 and 2010, the Croatian Employment Service cooperated with URIHO (Institution for Rehabilitation of Disabled Persons by Professional Rehabilitation and Employment), the City of Zagreb and the Fund for Vocational Rehabilitation and Employment of the Disabled to achieve a new model of “Labour Centre” vocational rehabilitation in Zagreb. Four groups of 20 unemployed persons with disabilities each have completed their six-month vocational rehabilitation in the Labour Centre in the period observed. The role the Croatian Employment Service takes in this project has to do with the delivery of the employment preparation process for the unemployed with disabilities and monitoring the process of their vocational rehabilitation. Based on the rehabilitation process monitoring that included labour and social activities, an assessment of employability of the Centre beneficiaries was carried out. Job placement activities have been undertaken for these persons after their graduation from the vocational rehabilitation programme.

The Employer of the Year Award project for persons with disabilities was launched under a UNDP project the *Right to Live in a Community: Social Inclusion and Persons with Disabilities*, and on the occasion of the 2007 *European Year of Equal Opportunities for All*, with the view to making the society as a whole, and not only the employers, sensitive to the needs of persons with disabilities and aware of their working potentials. The purpose of the award is to highlight the employers with positive practices and experiences in hiring persons with disabilities. It raises public awareness in the community by promoting positive examples in hiring persons with disabilities in Croatia and rapport with them at workplace. The implementation of the Employer of the Year project for persons with disabilities is being handled with participation of the Delegation of the European Commission to Croatia (DEC), UNDP, the Croatian Employment Service (CES), MojPosao web portal, the Croatian Union of Associations of Persons With Disabilities (SOIH), the Croatian Union of Physically Disabled Persons Association (HSUTI) and the Association for Promoting Inclusion (UPIM).

2. Project titled “Vocational rehabilitation as a method for integrating persons with disabilities into the Croatian labour market”

The Fund for Vocational Rehabilitation and Employment of the Disabled has launched this project together with *BBRZ - Berufliches Bildungs und Rehabilitationszentrum* of Linz from the Republic of Austria, OSVIT NGO and URIHO. Support to the project implementation was provided by the Ministry of Economy, while it is being supported and co-financed by the Ministry of Labour, Social Welfare and Consumer Protection of the Republic of Austria, the Fund and BBRZ. Project partners include the Fund, BBRZ, OSVIT NGO and URIHO. The Croatian end of a working group put in place for the purpose has been tasked with the development of a vocational rehabilitation model. The working group includes representatives from the Ministry of Economy, Labour and Entrepreneurship (the Ministry of Labour and Pension System as of December 2011) and the Croatian Employment Service. End of May 2011 is the envisaged timing for the completion of Stage 1 of the project, aimed at developing a “Diagnostic Week” model. Under the *Vocational rehabilitation as a method for integrating persons with disabilities into the Croatian labour market* project, the Croatian Employment Service takes part in the working group for the vocational rehabilitation model development. Additionally, counsellors for persons with disabilities and vocational guidance counsellors of the Croatian Employment Service partake in psychological diagnostic training, as well as in identifying and selecting the unemployed planned to undergo work capacity assessment under the project.

Project objective: The development of a vocational rehabilitation model for Croatia, taking into account the individual medical, social and psychological diagnoses and economic/existential requirements of persons with disabilities in order to improve or enable their access to labour market.

Specific project goals:

- Reaching common understanding (agreement) as to the vocational rehabilitation aim and content;
- Getting familiar with the current vocational rehabilitation system in Austria and Croatia;
- Joint definition of procedures in place in Croatia, pertinent to vocational rehabilitation running and measures development;
- Dissemination of information on legal and structural backgrounds in Austria and Croatia;
- Modernising the vocational rehabilitation system and methods in Croatia;
- Devising an efficient system of coordination and cooperation between relevant vocational rehabilitation stakeholders (actors) in Croatia;

- Dissemination of information to internal structures and flows of vocational rehabilitation “non-governmental service organisations”;
- Improving possibilities (chances) for employment of persons with disabilities in Croatia.

Project content/activities:

Comparison of the vocational rehabilitation system in Austria against that of Croatia by making comparison of the current vocational rehabilitation system on the basis of an analysis of vocational rehabilitation in Croatia and benchmarking the results against the tested Austrian model.

Fields of activities (procedures) for the development of an adequate Croatian model will be agreed upon with the Austrian counterparts.

Based on the data from the Vocational Education and Adult Training Agency, the following section presents types of programmes for students with developmental difficulties (33 of them), carried out in secondary schools or vocational training centres, i.e. in their specific classes, on the basis of a decision granted by the Ministry of Science, Education and Sports. It also presents the number of participants in training programmes for pupils with developmental difficulties.

Based on the decision of the Ministry of Science, Education and Sports, the following schools and vocational training centres with special purpose classes are involved in conducting the programmes of vocational training of pupils with developmental difficulties:

1. SCHOOL OF INDUSTRY AND CRAFTS, VIROVITICA
2. AGRICULTURE AND FOODSTUFFS SCHOOL, POŽEGA
3. SCHOOL OF INDUSTRY AND CRAFTS, NOVA GRADIŠKA
4. SCHOOL OF INDUSTRY AND CRAFTS, SLAVONSKI BROD
5. SCHOOL OF CRAFTS, OSIJEK
6. *VINKO BEK* VOCATIONAL TRAINING AND EDUCATION SCHOOL, OSIJEK
7. TEXTILE AND DESIGN SCHOOL, OSIJEK
8. *ISIDOR KRŠNJAVI* SECONDARY SCHOOL, NAŠICE
9. AGRICULTURE AND FORESTRY SCHOOL, VINKOVCI
10. SCHOOL OF CRAFTS, KOPRIVNICA
11. *IVAN SELJANEC* SECONDARY SCHOOL, KRIŽEVCI
12. CATERING AND FOODSTUFFS SCHOOL, BJELOVAR
13. NATURAL HISTORY SCHOOL, KARLOVAC
14. MIXED INDUSTRY AND CRAFTS SCHOOL, KARLOVAC
15. *MIJO MIRKOVIĆ* SCHOOL OF ECONOMICS, RIJEKA

16. EDUCATION AND TRAINING CENTRE, RIJEKA
17. *IVAN ŠVEAR* SECONDARY SCHOOL, IVANIĆ
18. SECONDARY VOCATIONAL SCHOOL, VELIKA GORICA
19. SECONDARY SCHOOL, KRAPINA
20. SECONDARY SCHOOL, PREGRADA
21. TECHNICAL TRAINING SCHOOL, KUTINA
22. SECONDARY VOCATIONAL SCHOOL, VARAŽDIN
23. *ARBORETUM OPEKA* SECONDARY SCHOOL, MARČAN
24. CONSTRUCTION INDUSTRY SCHOOL, ČAKOVEC
25. ECONOMIC SCHOOL, ČAKOVEC
26. SCHOOL OF CRAFTS, KOPRIVNICA
27. SECONDARY SCHOOL, PRELOG
28. SCHOOL OF CRAFTS, ČAKOVEC
29. SCHOOL OF INDUSTRY AND CRAFTS, SISAK
30. TECHNICAL TRAINING SCHOOL, DARUVAR
31. EDUCATION AND TRAINING CENTRE, DUBRAVA
32. *SLAVA RAŠKAJ* EDUCATION AND TRAINING CENTRE, ZAGREB
33. *VINKO BEK* EDUCATION AND TRAINING CENTRE, ZAGREB
34. SECONDARY SCHOOL - EDUCATION AND TRAINING CENTRE, ZAGREB
35. AGRICULTURE, FOODSTUFFS AND VETERINARY SCHOOL, ZADAR
36. HOTEL, TOURISM AND CATERING SCHOOL, ZADAR
37. SCHOOL OF INDUSTRY AND CRAFTS, ŠIBENIK
38. *ŠUBIČEVAC* EDUCATION AND TRAINING CENTRE
39. SECONDARY VOCATIONAL SCHOOL, ŠIBENIK
40. SCHOOL OF CONSTRUCTION, CRAFTS AND GRAPHICS, SPLIT
41. TOURISM AND CATERING SCHOOL, SPLIT
42. *JURAJ BONAČI* EDUCATION AND TRAINING CENTRE, SPLIT
43. SECONDARY VOCATIONAL SCHOOL, ŠKOLA MAKARSKA

**Table 29:** List of training programmes for students with developmental difficulties and number of beneficiaries

<i>OCCUPATION</i>	<i>NO. OF STUDENTS</i>
Assistant auto body technician	43
Assistant locksmith	35
Assistant heating and air conditioning technician	65
Assistant plumber and gas installation technician	23
Assistant tiles	9

Assistant painter and lacquer coater	45
Assistant administrator	81
Business secretary	29
Administrative clerk	71
Economics clerk	42
Administrator	20
Buss boy	7
Assistant cook	8
Assistant cook and pastry maker	308
Telephone operator	18
Assistant auto painting technician	29
Tailor	20
Assistant knitter	8
Graphics technician	20
Hardwood floor technician	17
Machinery and construction installation technician	23
Cable and installation technician	8
Assistant bookbinder	18
Assistant gardener	19
Assistant florist	15
Assistant tailor	23
Auto body technician	22
Cook	20
Pastry maker	18
Locksmith	9
Leather-work assistant	27
Bookbinder	44
Assistant carpenter	20

Source: Ministry of Science, Education and Sports

Students with developmental difficulties nowadays get more and more integrated into the regular classes. The greatest number of them may be found in programmes for the following occupations: economics clerk, commercial affairs clerk, administrative clerk, sales person, electronics technician, IT technician, auto electrician, cook, pastry maker, waiter, gardener, florist and baker.

### **The development of an adequate vocational rehabilitation model for Croatia**

Based on the procedures (areas of activities) agreed upon with the partner organisations, a proposal of a structured vocational rehabilitation model will be developed, specifically focused on:

- modernising the vocational rehabilitation system and methods in Croatia;
- the vocational rehabilitation development, process optimisation and organising its flows in Croatia;
- optimising the vocational rehabilitation educational measures;
- improving employability of persons with disabilities.

The model development is among other oriented towards the core assumptions of the Croatian national strategy for the introduction of the current vocational rehabilitation system by the EU standards, in line with the Croatia's efforts of becoming a member of the European Union.

Expected results:

- Report/analysis of the current vocational rehabilitation structure in Croatia;
- Presentation (overview) of the differences between the Austrian and the Croatian vocational rehabilitation structures;
- Proposal of a vocational rehabilitation model, which would be adequate for the Republic of Croatia based on the experience generated.

Implementation of these projects and a successful application of projects' results will lay a foundation for the development of a vocational rehabilitation model.

### Committee's Question

#### ***Adult Education***

Adult education in the Republic of Croatia is being carried out on the basis of the Adult Education Act (Official Gazette No. 17/07) and the accompanying ordinances, and is being implemented by adult education institutions founded on the basis of the Act on Institutions (Official Gazette No. 76/93, 29/97, 47/99 (corr.) and 35/08).

An adult education institution is being founded on the basis of a articles of association adopted by its founded, in accordance with the provisions contained in the Institutions and Adult Education Acts.

An adult education institution may be founded by the Republic of Croatia, local and regional self-government units and other legal and natural persons.

The founder of an adult education institution supplies the competent ministry with a request for making an evaluation of the compliance of articles of association against the Act, with the following enclosures:

- two copies of articles of association signed by the founder and
- evidence of HRK 200.00 administrative fee paid.

An adult training institution articles of association must contain provisions prescribed in Article 13 of the Institutions Act.

After the competent ministry issues its decision confirming that articles of association have been found compliant with the Act, the founder files an application to a relevant commercial court in order to enter the adult education institutions into the court register.

After the relevant commercial court makes a decision on entering the adult education institution into the court register, the founder files a request to the competent ministry to grant the approval for the delivery of the programme, with the enclosures listed hereunder (Article 43 of the Ordinance on Standards and Norms, Manner of and Procedure for Establishing the Adult Education Institutions Compliance, Official Gazette No. 129/08):

- decision testifying that articles of association have been found compliant with the act and an excerpt from the court register;
- education programme with an opinion of the Vocational Training and Adult Education Agency (in keeping with Article 21 of the Ordinance above);
- information on teachers to participate in the programme delivery and the lead lecturer;
- information on premises in which education would be delivered and on equipment, teaching aids and other material conditions needed to deliver the programme;
- decision on meeting the minimum technical and hygienic requirements for the premises; and
- evidence on HRK 2,000.00 administrative fee paid.

For the purpose of establishing whether or not the conditions for adult education programme delivery have been met, the minister appoints a commission that will inspect the adult education institution to see whether or not it meets the prescribed programme delivery conditions. On such grounds, the competent ministry issues a resolution, whereby the adult education institution is allowed to commence its work.

According to the data contained in the database of the Vocational Training and Adult Education Agency, the Republic of Croatia had a total of 452 adult education institutions in 2010.

In 2010, the Agency's database recorded a total of 24.527 trainees. The institutions have been entering their data into the database since 2009 in compliance with the Adult Education Act (Official Gazette No. 17/07) and the Adult Education Records Ordinance (Official Gazette No. 129/08). Given that the process of populating the database is currently underway, it may not be said with certainty whether or not the figure above is realistic.

The Vocational Training and Adult Education Agency (VET Agency) is the key stakeholder in vocational training and adult education in the Republic of Croatia. It has been mandated with planning, developing, organising, conducting, monitoring and improving the system of vocational training and adult education. The Agency also performs key developmental and counselling activities and operates as a focal point for government institutions, social partners and international organisations in the area of vocational training and adult education.

Concerning the employers' participation in covering the workers training costs, the Government Education and Training Support Act and the Regulation on the Amendments to the Act (Official Gazette No. 109/07 and 134/07) prescribed that the entrepreneurs who perform economic activities and are involved in sales of goods and services, are entitled to make a deduction of certain percent of eligible cost incurred on the grounds of training the staff from the tax base. The essence of this support is to recognise the training cost twice (in terms of tax compliance deduction): firstly, as a regular cost which reduces profits generation and, secondly, as a support.

Education costs include travelling expenses (accommodation, transportation, per diems). The basic precondition is that the entrepreneur should provide a record for monitoring these expenses, as prescribed in the Ordinance on the Content of the Government Education and Training Support Records (Official Gazette No. 12/08) and possess documentation, i.e. invoices and/or contracts on the basis of which cost has been incurred. Costs must be eligible, which means that the employer's operation is such that it requires staff training.

The support is being established on the basis of entrepreneur size and type of education:

**Table 30:** Manner for establishing the amount of support on the basis of entrepreneur size and type of training

	Large enterprises	SMEs
General training	up to 50 per cent	up to 70 per cent
Specialised training	up to 25 per cent	up to 35 per cent

Source: <http://burza.com.hr/novac/porezi-i-financije/2011/04/98946-drzavna-potpورا-za-obrazovanje-radnika/>,  
25 January 2012

In this context, general training enables the acquiring of qualifications that may be applied in other areas of work and with other employers, while specialised training refers to acquiring qualifications which are mostly applicable for the purpose of the employer who funded the training course.

The size of an entrepreneurs is being established on the basis of the value of their assets, revenue generation and number of employees, in accordance with the Accounting Act (Official Gazette No. 109/08).

### ***Regular education and prohibition of discrimination***

Concerning the prohibition of discrimination in education, the Elementary and Secondary Education Act (Official Gazette No. 87/08, 86/09 and 92/10) prohibits discrimination and requires respect for human rights. One of the objectives of education in schools is to:

- “educate students in accordance with the general cultural and civilisational values, human and children’s rights, make them able of living in a multicultural world, respecting the differences and being tolerant and of taking an active and responsible part in the democratic development of the society” (Article 4, paragraph 1, item 3);

Among the educational principles at the level of elementary and secondary education, the following is being emphasized:

- “education in elementary and secondary schools shall be founded upon equality of educational chances for all students taking account of their specificities” (Article 4, paragraph 2, item 2).

Further, the school house rules establish:

- “rules governing mutual relations between students and employees”;

- “rules governing safety and protection against socially unacceptable forms of behaviour, discrimination, hostility and violence” (Article 58, paragraph 3).

The National Curriculum Framework for Preschool, Primary, and Secondary Education (hereinafter referred to as the National Curriculum Framework) was adopted in July 2010. The National Curriculum Framework is the groundwork for the production of a series of curricula documents, manuals, brochures, questionnaires, etc. Further, according to Article 28, paragraph 2 of the Elementary and Secondary Education Act (Official Gazette No. 87/08), it is also the foundation for the adoption of school curricula.

Throughout the National Curriculum Framework, a special emphasis is being put on the issues of equality of the right to education for all as the foundation of social justice for all who take part in the education system of the Republic of Croatia.

Chapter II of the National Curriculum Framework defines the educational values and general goals, with a specific emphasis on the values, such as knowledge, solidarity, identity and responsibility.

Solidarity implies a systematic training of children and the youth to become sensitive for the others, the family, the weak, the poor and the deprived of their rights, for their surroundings and the living environment altogether. Moreover, education is intended to develop a sense of personal identity with students, associated with the sense of respect for the differences. The responsibility is one of the core values of the educational activity, since a modern socio-cultural environment presumes education of a truth loving, honest, peacemaking, tolerant and a person with solidarity, responsible before himself/herself and the others.

The individual objectives have been derived from those values. One of them is “to educate students in accordance with the general cultural and civilisational values, human rights and rights and duties of children, make them able of living in a multicultural world, respecting the differences and being tolerant and of taking an active and responsible part in the democratic development of the society.”

These values and objectives need to be connected with the contents of the core education and everyday life in schools and the society. These values must mandatorily be applied by all teachers, professors and professional associates in all educational cycles, areas and subjects, curricular and extra-curricular activities.

Chapter III titled the National Curriculum Framework Principles, presents the anchoring principles for the national curriculum production and implementation, including: equality of chances of getting education for all, whereby “education and schooling may neither be a privilege of a minority nor it may be diminished because of the differences – ethnic, sexual, gender-based or those socially conditioned”. The National Curriculum Framework also points out the principle of respect for human and children’s rights.

The curriculum approach has been focused on the development of competencies, including social and civic ones of “becoming able for human and intercultural cooperation.”

The social competency is being developed through the curriculum subject of Personal and Social Development. The subject is being effected in all other subjects in both elementary and secondary schools. “Education for personal and social development enables the students to build communication, organisational and social skills and abilities, build their self-esteem, acquire skills needed for cooperation in multicultural environment and build mature viewpoints of others and self”. The purpose is for the students to develop the sense of responsibility for their own behaviour and living, as well as a positive rapport with the others and to constructively participate in social life. The objectives include the acceptance of the “rules of participatory relations in a group, solidarity, kindness, mutual assistance and accepting the differences.”

Amongst the more significant elements of the Civic Education as a crosscutting curriculum subject, there are knowledge, skills, abilities and stances that work towards the development of a democratic awareness of students and encourage them to actively and efficiently participate in the development of democratic viewpoints in school, the local community and the society at large. “By getting to know themselves and their role in the development of the society better and by accepting the differences of the others, students develop their independence, personal integrity and a positive rapport with other students and their surroundings.” They will continue developing awareness of the rights, duties and the responsibilities of individuals, equal rights in the society, respect for the law and tolerance.

For the purpose of implementing the education policy, and especially in respect of the above objectives, the Ministry of Science, Education and Sports cooperates with the civil society organisations, especially in the areas of education for human rights and democratic citizenry, as well as in the areas of implementing the measures and activities contributing to the development of an inclusive society.

## **Article 9 – THE RIGHT TO VOCATIONAL GUIDANCE**

*With a view to ensuring the effective exercise of the right to vocational guidance, the Parties undertake to provide or promote, as necessary, a service which will assist all persons, including the handicapped, to solve problems related to occupational choice and progress, with due regard to the individual's characteristics and their relation to occupational opportunity: this assistance should be available free of charge, both to young persons, including schoolchildren, and to adults.*

### ***Vocational guidance within the education system***

#### Committee's Question

##### ***a) Vocational guidance functions, organisations and operations***

Vocational guidance comprises a set of various activities enabling individuals to identify their possibilities, abilities and fields of interest while in various ages, in order to make decisions on education, training and employment and to manage their own professional career.

The definition stems from the Resolutions of the Council of the European Union: Strengthening the Lifelong Guidance Policies, Systems and Practices, 9286/04 EDUC 109 SOC 234, and 2008: Better Integration of the Lifelong Guidance into the Lifelong Learning Strategies – 2905, the Council meeting on education, youth and culture, Brussels, 21 November 2008.

The Croatian Employment Service has been recognised as the main institution in charge of a systematically organised lifelong vocational guidance activities in the Republic of Croatia (*Source: European Training Foundation (ETF) & European Centre for the Development of Vocational Training (CEDEFOP)-(2009. Case Study Contributions from the European Training Foundation, Guidance and counselling to fight early school leaving in Croatia)*)

Vocational guidance includes vocational information, counselling, as well as examination of psychological, physical and health conditions of a beneficiary. It may be carried out individually and in groups, depending on the purpose, abilities and needs of the beneficiaries individually.

##### **Vocational guidance for schoolchildren**

Vocational guidance for students of final grades of elementary and secondary schools represents the so-called early interventions and is preventative in its nature, since it serves as an assistance in taking adequate decisions as to the choice of educational programmes and employment. Students can arrange their vocational guidance sessions either together with the professional associates in schools (pedagogues, psychologists, etc.) or directly with the

expert vocational guidance service. An appointment can be made by visiting a regional office of the Croatian Employment Service, by phone (calling the Vocational Guidance Section) or via email at [hzz@hzz.hr](mailto:hzz@hzz.hr).

Vocational guidance of students encompasses the conducting of research of the career intentions of students of elementary and secondary schools using the Student Career Intention Survey. It is being used to identify the priority groups of students for vocational counselling on the most adequate choice of an education programme/occupation. The data on the number of surveyed students have been presented under 2009 and 2010 Vocational Guidance of the Unemployed.

Special attention is being paid to those students who presumably might face difficulties in terms of accessing the labour market after the completion of their education, including students with developmental difficulties, health disorders, learning disabilities, behavioural disorders, etc. Pursuant to the *Decision on Elements and Criteria for the Selection of the Secondary School Enrolment Candidates* of the Ministry of Science, Education and Sports, students with more pronounced developmental difficulties have the right of a direct enrolment into secondary schools, based on the opinion of the Croatian Employment Service's Vocational Guidance Department. The students with more pronounced developmental difficulties are entitled to enrolment precedence. Students who demonstrate secondary school underachievement are also being referred to the professional vocational guidance team. An expert opinion on the most adequate selection of an education programme is a result of vocational guidance for the student, which induces teamwork on the subject, with an option of conducting psychological testing, an interview and a medical examination by an occupational medicine specialist. On the one hand, the expert opinion takes accounts of the labour market needs and educational options, and individual possibilities and needs of the students, on the other.

The 2010 vocational information and guidance activities covered a total of 39,470 students of final grades of elementary and secondary schools (42 per cent of total population). For the purpose of promoting the occupations required in the labour market, the Croatian Employment Service also cooperates with the regional Chambers of Trades and Crafts to promote craftsmanship for students and finances medical examinations of students for the purpose of enrolment in those programmes. In 2010, a total of 1,288 medical examinations were financed for the purpose of student enrolment in occupations demanded by the labour market.

**Table 31:** Data on the number of students of final grades of elementary and secondary schools involved in the vocational guidance activities in the period 2005-2010

<b>ACTIVITY</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
Student Career Intention Survey	45,000	59,862	49,693	48,763	60,312	81,488
Student vocational information	27,200	27,637	26,597	32,068	30,079	19,366
Student vocational guidance	12,060	13,135	14,470	14,631	14,813	9,635

Source: Croatian Employment Service

Each regional office of the Employment Service organises Jobs Fairs, Vocational Guidance Days and other events that allow students a chance to get familiar with the offer of the educational institutions, key stakeholders in the labour market, and give them a chance to use the vocational guidance services. For the purpose of promoting occupations sought in the labour market, the Croatian Employment Service cooperated with the regional Chambers of Trades and Crafts to promote craftsmanship for students and financed medical examinations of students for the purpose of enrolment in those programmes

Given the need for enabling the vocational guidance services availability, the Croatian Employment Service cooperated with the British CASCAiD and the Ministry of Science, Education and Sports to develop a new vocational guidance instrument – the “My Choice” computer programme.

In 2010, the “My Choice” vocational guidance computer programme was in use at 88 licensed locations – in all regional Employment Service offices, in the elementary and secondary schools, the adult training institutions and other labour market institutions. A total of 8,356 beneficiaries used the programme in the Employment Service’s regional offices, of which 6,796 were students, as indicated earlier.

The programme contains descriptions of 300 occupations and allows making a self-test of one’s interests in terms of career. Based on the replies provided in an interactive questionnaire, the programme proposes adequate occupations. The programme also contains current information on education and employment in the Republic of Croatia. If they have no possibility of using the My Choice programme in their schools, the students may use it in any of the Croatian Employment Service’s regional offices. They can use the programme on their own or with the help of a vocational guidance counsellor.

Students use the programme most frequently when they are indecisive as to the choice of a university or an occupation, or to get informed of various educational programmes. Programme evaluation exercises are being regularly carried out on the basis of evaluation questionnaires covering three target groups, i.e. the student, the unemployed and the counsellors. The evaluation exercises have shown that there is a great degree of user satisfaction with the content and the application, which they have rated a very useful tool for the purpose of making a decision on one's further career development. Currently underway in the Croatian Employment Service is the revision of the existing and the development of a new version of the My Choice 4.0 computer programme that will incorporate the gender-sensitive titles for 350 occupations contained in the programme, with the view to motivating both genders in the student population to change their usual patterns and choices of occupation which have not been traditionally associated with one of the genders.

#### ***b) Education and training of persons with disabilities***

The lifelong learning strategy being implemented in Croatia is founded upon the European efforts towards building a competitive society. At the same time, the relationship towards persons with disabilities is being built upon the principles of equity and respect for the human rights, i.e. persons with disabilities are citizens involved in the social, economic and political life of the community. Vocational guidance for persons with disabilities is being conducted by applying an individualised, holistic approach.

Training persons with disabilities for productive work refers to vocational and occupational training. Vocational training is being delivered in regular secondary schools or specialised institutions following individualised, customised or special programmes. Occupational training is being conducted in special elementary education institutions under the respective remits of the education, health and social welfare systems. This area has been regulated to a standard through laws and implementing regulations. However, there are a series of practical issues, such as: insufficient alignment between the secondary education programmes and the labour market needs; students with developmental difficulties are being schooled for virtually non-existent occupations or low accumulative occupations; teachers and professional associates have been insufficiently trained for working with children with developmental difficulties, an insufficient number of vocational rehabilitation staffs in schools; further, other students have not been adequately prepared to undergo education programmes jointly with students experiencing developmental difficulties; the process for establishing psychological and physical conditions of a student during education is being rarely performed, students frequently get negative rating during several consecutive years, which most frequently leads to the suspension of their education; poor spatial and material conditions in many schools,

spatial disarray, unbalanced distribution of institutions network, insufficient and inadequate equipment and a lack of textbooks customised to the needs of persons with different types of difficulties; these also are considerable obstacles to an adequate training of persons with disabilities for work. In addition, there is the question of quality of occupational training when it comes to persons with a higher degree of disabilities, i.e. those which may not acquire even the lowest qualification. Their occupational training nowadays has been boiled down mainly to “occupational therapy”.

Persons with disabilities have precedence in terms of the enrolment to higher education programmes, the assignment of government scholarships and the assignment of rooms in student dorms. Still, there is a need for intensifying the support to students with disabilities during the course of their studies.

### *c) Employment of persons with disabilities*

The work of the Croatian Employment Service relative to persons with disabilities is being monitored through various activities conducted for their benefit, and through the Employment Service’s employment subsidies intended for both persons with disabilities and the employers alike.

Persons with disabilities represent one of the groups with a difficult access to labour market. From among the unemployed kept on record of the Croatian Employment Service, a total of 1,080 persons with disabilities have been employed until 31 December 2010.

In recent years, the Republic of Croatia has been investing increased efforts for the purpose of encouraging employment and easing access to the labour market for persons with disabilities, including various mechanisms such as raising public and employers’ awareness of the competencies and labour capabilities of persons with disabilities, as well as employment and education subsidising measures, coupled with the development of various forms of vocational rehabilitation for persons with disabilities.

For the purpose of addressing the issue of employment of persons with disabilities, all regional offices of the Croatian Employment Service hire job placement counsellors for employment of persons with disabilities, specifically trained in that area. The Employment Service’s Headquarters has had an operational Disabled Vocational Rehabilitation and Employment Section since 2003.

Within the framework of a project titled “Promoting an Intensified Inclusion of Persons with Disabilities into the Labour Market”, a manual for labour market counsellors was prepared. It will help the counsellors for persons with disabilities greatly as they are providing them with counsel and assistance.

Under the project, Action Plans for persons with disabilities have been also produced for eight counties to provide additional guidance for including persons with disabilities into the labour market.

Employment of persons with disabilities stands as a key component of vocational rehabilitation of persons with disabilities.

The hard-to-employ indicators for persons with disabilities include:

- skill mismatches against the labour market needs (e.g. occupations in textile and graphics industry, i.e. other occupations with a lesser labour market demand);
- lower formal level of education versus the remainder of the population;
- a lack of prior work experience;
- long-term unemployment.

During the process of finding an adequate employment, there is a need for carrying out the Active Job Seeking process. A great assistance in job seeking may be found in examples of good practices for employment of persons with disabilities.

Within the framework of a project titled “Promoting an Intensified Inclusion of Persons with Disabilities into the Labour Market”, a manual was produced for the benefit of the disabled, which may be of great help while seeking a job.

Under IPA Component IV “Human Resource Development”, grant schemes have been approved and assigned for a total of 19 projects valued at EUR 2,189,706.39.

The project under the grant schemes include the following:

1. “Development of artistic skills as a gateway to the world of work”

BENEFICIARY: Croatian Employment Service, Kutina regional office

PARTNERS: Kutina Adult Training University; Association of persons with disabilities; City of Kutina, Moslavina Museum

PROJECT VALUE: EUR 102,543.64

2. “Services for work activities with the support to people with intellectual difficulties”

BENEFICIARY: Association for Promoting Inclusion

PROJECT VALUE: EUR 127,156.69

3. „IN.Promo – Inclusion of persons with intellectual disabilities into the labour market”

BENEFICIARY: Centre for inclusion and community support

PARTNERS: The Istria County; the Istria County Chamber of Trades and Crafts; City of Labin; Association for assistance to the mentally retarded of the Istria County; Inclusion and Community Support Centre

PROJECT VALUE: EUR 96,123.50

4. “Regional rehabilitation centre functioning model”

BENEFICIARY: Centaroprema RE&ZIN

PARTNERS: Primorje-Gorski Kotar County, Croatian Employment Service, Rijeka regional office; Porin Regional Development Agency; City of Rijeka Physically Disabled Society

PROJECT VALUE: EUR 135,787.58

5. “First job counter”

BENEFICIARY: Croatian Institute for Local Government (HILS)

PARTNERS: Association for promoting the rights, interests and possibilities of youth with disabilities in Slavonia and Baranja „PREOKRET“; Croatian Employment Service, Vukovar regional office

PROJECT VALUE: EUR 96,603.88

6. “Introduction of the model of the virtual workshop for the long-term unemployed persons with the aim of increasing their employability”

BENEFICIARY: URIHO – Institution for Professional Rehabilitation and Employment of Persons with Disabilities

PARTNERS: City of Zagreb; Croatian Employment Service, Zagreb regional office

PROJECT VALUE: EUR 142,207.56

7. “Partnership for progress”

BENEFICIARY: Croatian Union of Associations of Persons With Disabilities – SOIH

PARTNERS: Vukovar-Srijem County, Virovitica-Podravina County; Lika-Senj County; Croatian Employers’ Association

PROJECT VALUE: EUR 142,894.64

8. “Work and education for people with disabilities”

BENEFICIARY: Croatian Employment Service, Osijek regional office

PARTNER: Union of the Osijek-Baranja County Disabled Persons

PROJECT VALUE: EUR 96,731.73

9. “ESCO – Education for social cooperatives – new opportunities for people with isabilities”

BENEFICIARY: Autonomous Centre – ACT

PARTNERS: Međimurje Physically Disabled Association; Society of Dystrophic, Cerebral Palsy, Poliomyelitis and other Physically Disabled Čakovec; Association for Assistance to the Mentally Retarded of the Međimurje County; the Međimurje County Blind Association  
PROJECT VALUE: EUR 110,120.12

10. “Providing the equal opportunities for employment of persons with disabilities due to mental illness”

BENEFICIARY: “Sunrise” Association for Protection and Promotion of Mental Health

PARTNERS: Croatian Employment Service, Zagreb regional office; City of Zagreb

PROJECT VALUE: EUR 150,721.40

11. “Creation of conditions for stimulating employment of persons with disabilities in the City of Daruvar and its surroundings”

BENEFICIARY: Association of Persons with Disabilities Daruvar

PARTNERS: Bjelovar-Bilogora County; City of Daruvar; Daruvar Radio; Association of Persons with Disabilities Somogy from Hungary

PROJECT VALUE: EUR 86,172.99

12. “Social Employment Centre for the Disabled”

BENEFICIARY: ZVONO – Association of Children and Youth with Disabilities

PARTNERS: Creative development association – Slap; Janus education institution

PROJECT VALUE: EUR 128,472.00 €

13. “Centre for Disabled Persons Employment”

BENEFICIARY: Centre for professional rehabilitation of disabled persons – “Suvenir Nova”

PARTNERS: Bjelovar-Bilogora County; City of Daruvar; Croatian employment Service, Bjelovar regional office

PROJECT VALUE: EUR 128,589.99

14. “Employment of blind persons – advantage or disadvantage”

BENEFICIARY: Croatian Guide Dog and Mobility Association

PARTNER: Zagreb School of Crafts

PROJECT VALUE: EUR 99,224.42

15. “Work ability with disability”

BENEFICIARY: Lada, d.o.o. for the disabled vocational rehabilitation and employment

PARTNER: Croatian Employment Service, Zagreb regional office

PROJECT VALUE: EUR 120,672.03

16. “Yes, I can do it”

BENEFICIARY: Croatian Paraplegic and Quadriplegic Association

PARTNER: Zagreb Adult Training University; Croatian Employment Service, Zagreb regional office

PROJECT VALUE: EUR 99,511.62

17. „Unlimited“

BENEFICIARY: Krapina-Zagorje County

PARTNER: Zagorje Development Agency; Croatian Employment Service, Krapina regional office

PROJECT VALUE: EUR 99,579.87

18. “Employability Despite Disability”

BENEFICIARY: Society of Dystrophic, Cerebral Palsy, Poliomyelitis and other Physically Disabled Slavonski Brod

PARTNER: Croatian Employment Service, Slavonski Brod regional office; Slavonski Brod Development Agency

PROJECT VALUE: EUR 109,761.63

19. “To employment through mobility”

BENEFICIARY: Instruktažni centar, d.o.o. for training, research and development

PARTNER: Križevci Association of the Disabled; Croatian Employment Service, Križevci regional office; City of Križevci

PROJECT VALUE: EUR 116,831.10

In addition to the grant schemes, the Croatian Employment Service is a beneficiary of a service agreement. The agreement was used to produce a study titled “Labour Market Position and Needs of Persons with Disabilities”, deliver a training session for strengthening the capacities of labour market counsellors in promoting and advocating the advantages of employing persons with disabilities. A total of 89 counsellors/job placement agents in the labour market underwent the training session (of which 65 counsellors from the Croatian Employment Service). A manual on different techniques aimed at promoting employment of persons with disabilities was produced for the training purposes, but primarily for the future work of the counsellors. The manual was developed in two formats – electronic and paper-based. The electronic version of the manual represents a flexible and sustainable tool for labour market counsellors. Under this component, two additional manuals have been drafted, i.e. the manual for employers on the selection, employment, workplace adjustment and adequate monitoring of persons with disabilities, and the active job seeking manual intended for persons with disabilities. The manual for persons with disabilities has also been printed in

Braille, with an audio CD version available as well. Moreover, a total of eight regional action plans for employment of persons with disabilities have also been produced (the Sisak-Moslavina, Primorje-Gorski Kotar, Bjelovar-Bilogora, Krapina-Zagorje, Varaždin, Osijek-Baranja, and Split-Dalmatia Counties and for the City of Zagreb), which will see their follow-up through the activities of the Local Partnerships for Employment.

A visible aspect of the project may be seen in a unique web portal ([www.fond.hr](http://www.fond.hr)) intended for persons with disabilities, employers and the broader public. It was devised together with the Fund for Vocational Rehabilitation and Employment of the Disabled. During the closing event of the project, three grant winning projects have been presented. The Association for Promoting Inclusion presented a project of including the long-term unemployed mentally challenged persons into the labour market, while the Croatian Guide Dog and Mobility Association presented a project of employing the blind. Representatives of URIHO presented the first virtual workshop for the disabled in Croatia, that will help them acquire work experience.

The closing event has brought a conclusion whereby an efficient integration of persons with disabilities into the labour market requires a synergic and a coordinated approach by all segments of the society, starting from the health and social welfare systems, through education and employment, with an exceptionally important support by families and associations catering for persons with disabilities.

In keeping with the Decision on exercising the right to disability employment subsidies (Official Gazette No. 08/08) and the Amendments to the Decision (Official Gazette No. 20/09, 96/09 and 44/10), the employers are entitled to regular and special subsidies subject to their meeting certain criteria.

In addition to the disbursement of cash subsidies, the Fund for Vocational Rehabilitation and Employment of the Disabled informs the employers of the possibilities for employing persons with disabilities through the media, and by taking part in expert assemblies dealing with the rights of the disabled. The representatives of the Fund for Vocational Rehabilitation and Employment of the Disabled take part in them as lecturers.

The Employer of the Year Award project for persons with disabilities includes partnership of the Fund for Vocational Rehabilitation and Employment of the Disabled together with the Delegation of the European Commission to Croatia (DEC), UNDP, the Croatian Employment Service (CES), MojPosao web portal, the Croatian Union of Associations of Persons With Disabilities (SOIH), the Croatian Union of Physically Disabled Persons Association (HSUTI) and the Association for Promoting Inclusion (UPIM). The project aims at making the society as a whole, and employers more specifically, aware not only of the needs of persons with

disabilities but also of their work potential, with an emphasis on positive examples of employing persons with disabilities and benefits the employers can reap from their employment. Worth emphasizing is the fact that the Fund for Vocational Rehabilitation and Employment of the Disabled traditionally cooperates with OSVIT NGO in organising an international conference covering the subject of the disabled vocational rehabilitation and employment, which is being held annually in Zadar.

An important task of the Fund for Vocational Rehabilitation and Employment of the Disabled deals with its work on the achievement of the objectives set in the 2007-2015 National Strategy of Equalising Opportunities for Persons with Disabilities (Official Gazette No. 63/07), adopted on the basis of the UN Convention on the Rights of Persons with Disabilities and the Council of Europe Disability Action Plan 2006-2015.

All the activities of the Fund for Vocational Rehabilitation and Employment of the Disabled have been oriented towards the achievement of the core objective of raising public awareness of the needs and possibilities for hiring persons with disabilities and their successful inclusion into the labour market.

### ***Croatian Employment Service's Employment Preparation***

Concerning data on employment preparation, what certainly matters is the vocational assistance provided by the Croatian Employment Service. While it bears influence on the level of employability of job seekers, it also acts pre-emptively on aligning the labour market demand and supply. Employment preparation covers:

1. individual counselling;
2. professional employment plan;
3. vocational guidance;
4. getting familiar with the active job seeking methods and techniques;
5. employment training;
6. vocational rehabilitation.

1. Individual counselling is an activity aimed at providing assistance in defining labour potential, improving employability, defining an occupation in which a person has the greatest chances of getting employment, with a professional employment plan for the person developed as a result.

2. The Professional Employment Plan is a binding written agreement between the unemployed and the employment counsellor, defining the occupations and jobs the person can

perform (given the vocational, working and personal capacities), and the activities under active job seeking exercise, employment preparation activities and implementation deadlines.

3. As an employment policy tool, vocational guidance works towards the alignment of the labour market demand and supply sides.

It covers:

1. assessment of capabilities, skills and knowledge for the purpose of employment, education or vocational rehabilitation;
2. improvement of active job seeking knowledge and skills through workshops titled “How to present yourself to an employer?”, “How to seek a job – CV and application writing” and “Self-assessment methods”.

4. Active job seeking methods and techniques

Active job seeking implies planning of jobs seeking activities, information, ongoing monitoring of the vacancies advertised and improving one’s own skills and the way of seeking job.

When seeking a job, it is important to follow the labour market conditions and get informed of the vacancies advertised. It is important for one to apply to the vacancies advertised, and send an application and CV to those employers presumed to currently or in near future be in need of employees of a given profile. Furthermore, it is necessary to make a self-assessment – to reflect on one’s knowledge, skills, interests, characteristics, desires and expectations in professional life and values, as well as of current possibilities and needs.

It is also important to be aware of knowledge, skills and qualities the job seeker possesses and to identify areas and knowledge sets for improvement in order to make job seeking exercise easier (IT skills, language skills, new technologies for some occupations, etc.).

There are two basic activities undertaken for the unemployed, which help them produce an active job seeking plan, i.e. vocational information and counselling.

a) VOCATIONAL INFORMATION supplies the unemployed with information needed to make a decision as to the choice of an occupation, qualification and area of work, as well as for planning further career development. Vocational information may be provided in writing, verbally or through self-informing efforts, whereas it may be conducted individually or in groups.

b) VOCATIONAL COUNSELLING helps the unemployed and job seekers to be aware of their options and make a decision on the most adequate choice of education, employment and

rehabilitation. Counselling may also be conducted individually or in groups. As needed it may include psychological testing and medical examinations by an occupational medicine specialist for the purpose of assessing one's work capabilities.

#### 5. Employment training

Training activities for the unemployed are being organised in order to align their competencies with the current and projected labour market needs.

The Croatian Employment Service carries out training activities under its Active Employment Policy Measures (employment and training funding and subsidising), while it also cooperates on the matter with local and regional self-government units, and within the framework of various European Union projects.

#### 6. Vocational rehabilitation

Vocational rehabilitation comprises a series of procedures intended for the unemployed with disabilities, ensuring the adoption of knowledge and skills required to get employed or to retain the current employment.

These include:

1. determining the residual working and general capabilities;
2. vocational information, counselling and assessment of vocational capabilities;
3. training for work, re-qualification, qualification upgrade, programmes aimed at maintaining and improving labour and social skills and capabilities during the course of employment;
4. programmes of improving working and social inclusion into the community.

**Article 1 of the 1988 Additional Protocol – Right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex**

Changes made to the legislation are being more thoroughly discusses in the section of the Report pertaining to Article 2 of the Charter.

Committee’s Question

***Equal Rights – Pensions***

Due to an overall alignment of the Pension Insurance Act (Official Gazette No. 102/98, 127/00, 59/01, 109/01, 147/02, 117/03, 30/04, 177/04, 92/05, 43/07, 79/07, 35/08, 40/10, 121/10, 130/10, 139/10) against the Directive 97/81/EC of the Council for the purpose of equalising opportunities for allowing part-time workers to have access to the pension insurance rights, the Act has been amended in 2003, 2008 and 2010.

Amendments to the Pension Insurance Act enabled an equal access to the right to an old age pension for both full-time and part-time workers, while it also enabled them an access to all pension insurance rights (old age, early, disability and survivor’s pensions and vocational rehabilitation).

The same access to the pension insurance rights for the persons mentioned was enabled through the amendments to Article 25 of the Act. According to the amendments, the period of part-time employment is deemed full-time employment for the purpose of meeting the requirements to acquire the rights arising from the Pension Insurance Act. The amount of pension benefit is being set according to the overall duration of pension insurance, including insurance period achieved on the basis of part-time work, as well as the amount of salaries, i.e. the base amount for the payment of contribution or for the exercising of the pension insurance rights.

***Special protective measures***

The most important legal regulations and enactments in the area of vocational rehabilitation and employment of persons with disabilities include the following: the Act on Vocational Rehabilitation an Employment of Persons with Disabilities (Official Gazette No. 143/02 and 33/05), the Act on Job Placement and Unemployment Insurance (Official Gazette No. 80/08, 94/09 and 121/10), the Active Job Seeking an Availability for Work Ordinance (Official Gazette No. 39/09) an the Anti-Discrimination Act (Official Gazette No. 85/08).

The Act on Vocational Rehabilitation and Employment of Persons with Disabilities (Official Gazette No. 143/02 and 33/05) presents a single venue consolidating the issues of vocational rehabilitation, work and employment of persons with disabilities. The Act identifies the following rights: the right to employment and work of persons with disabilities in the labour market under general or specific conditions, i.e. the right to employment in the open labour market or an institution or a company set up for the purpose of employing the disabled (sheltered workshop – persons with disabilities who cannot get employed in the open labour market or retain their job with the application of the benefits prescribed in the Act due to their labour-related and general capabilities), the right to self-employment (starting up one's own craft, a company or the performance of an independent business activity) and employment on family-owned agricultural farms. The Act also prescribes an obligation for state administration bodies, judiciary bodies and other state bodies, the local and regional self-government units' bodies, public services, extra-budgetary funds and legal persons fully or predominantly owned by the Republic of Croatia to have persons with disabilities employed (depending on the total number of staff) in an adequate position, based on own choice and with adequate work conditions.

The adoption and the application of the said regulations and enactments created the anti-discrimination preconditions in the area of labour and working conditions (Article 8 of the Anti-Discrimination Act, Official Gazette No. 85/08), prevention of encouragement to discrimination and failure to make reasonable adaptation (Article 4 of the same Act), as well as for equal opportunities, protection against discrimination and placing a person in a less favourable position on the grounds of disability (Article 1 of the same Act).

#### Committee's Question

##### ***Position of women in employment and training***

Measures taken in order to apply the Gender Equality Act (Official Gazette No. 82/08), the Anti-Discrimination Act (Official Gazette No. 85/08) and the Labour Act (Official Gazette No. 149/09) in practice, especially when it comes to equal opportunities in the area of labour and employment, fall under the remits of various competent bodies.

Within the scope of its competence and in the reporting period, the Gender Equality Office employed various seminars, roundtable events, forums, etc. as vehicles to regularly present the provisions contained in the Gender Equality Act, providing for an option of pressing charges on the count of sexual discrimination and defining the role of institutional mechanisms for gender equality and procedures aimed at protection against gender-based discrimination.

Additionally, since 2008 the Civil Service Training Centre of the Ministry of Public Administration has been delivering one-day seminars intended for civil servants covering the subject of “Legal Gender Equality Provisions”. One of the practical exercises during the seminar pertained to getting familiar with those provisions of the Gender Equality Act, which regulate the right and option to press charges in cases of labour market related sexual discrimination.

Within the framework of a project titled “Encouraging Equality in the Croatian Labour Market” (2009-2010) under the PROGRESS Association programme held by the Croatian Employment Service, the Ivo Pilar Social Sciences Institute has conducted a research exercise using representative samples of employers and the unemployed. The results have indicated that both respondent groups had relatively weak knowledge of the notion of discrimination, the relevant legislation and institutions, as well as the rights attributed to possible discrimination victims.

Significant progress has been achieved in the field of advertising vacant positions in public journals, and the legal obligation to state an option whereby persons of any gender may apply for the job is mainly being respected.

The Gender Equality Office commenced the application of Article 11 of the Gender Equality Act in respect of the obligation on the part of state bodies and predominantly government-owned companies of producing their respective gender equality promotion and establishment action plans. This application started immediately after the passage of the new Gender Equality Act in 2008. This was put into effect by sending guidelines for the application of Article 11 to all the parties subject to its application.

Until mid-2010, all ministries, central state offices and many predominantly government-owned legal persons have produced their respective action plan proposals towards the gender equality promotion and establishment. Since these action plans also contain the measures implementation plan included in the national gender equality policy, the adoption of the new 2011-2015 National Gender Equality Strategy (Official Gazette No. 88/11) dated July 2011 will also result in drawing these bodies’ attention to the need of revisiting and upgrading the respective action plans.

Analysis of the tasks assigned to gender equality coordinators in the state administration bodies as an integral part of the action plans was included in the 2010 Gender Equality Ombudsperson Report.

According to the records kept by the Croatian Employment Service, the share of women in the overall 2010 employment accounted for 54.0 per cent (76,260 women employed in comparison to the overall number of employed of 141,105).

**Table 32:** Number of the employed persons kept on the Employment Service record by gender

Year	Total	Women	Share of women
2009	118,286	69,558	58.8
2010	141,105	76,260	54.0
2010/2009 Index	119.3	109.6	

Source: Croatian Employment Service

The report of the Croatian Employment Service on the implementation of the 2006-2010 National Gender Equality Promotion Policy clearly shows that Croatian Employment Service 2009 professional training and improvement subsidies covered a share of women in training for a known employer of 38.3 per cent (247), the share of those involved in training for labour market stood at 47.8 per cent (1.447), and the share of women in the structure of the total people employed through the public works programme accounted for 44.1 per cent. The 2010 subsidies for training for a known employer include a total of 163 women (26.5 per cent), the portion of women among the self-employed totalled 44.3 per cent, whereas their portion in the labour market training scheme fared at 44.2 per cent. The public works programme included 53.6 per cent of women.

**Table 33:** Share of women in the active employment policy measures as per the 2009-2010 National Employment Promotion Plan

Year	Employment subsidies		Self-employment subsidies		Employee training		Training funding		Public works		Vocational training without employment		TOTAL	
	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women
2009	692	366	0	0	644	247	3,025	1,447	1,935	855	0	0	6,296	2,915
2010	2,139	1,122	284	126	614	163	4,566	2,021	5,037	2,704	448	332	13,088	6,468
<b>TOTAL</b>	<b>2,831</b>	<b>1,488</b>	<b>284</b>	<b>126</b>	<b>1,258</b>	<b>410</b>	<b>7,591</b>	<b>3,468</b>	<b>6,972</b>	<b>3,559</b>	<b>448</b>	<b>332</b>	<b>19,384</b>	<b>9,383</b>

Source: Croatian Employment Service

The selection of education is still influenced by traditional patterns, the family and schools. The Croatian Employment Service conducts vocational guidance for students of final grades of elementary and secondary schools as well as university students. It also provides professional assistance to other people who are considering another type of education and/or employment

The share of girls enrolling in the industrial and artisan school programmes increased in comparison with 2007 and totalled 36.3 per cent. The number of female students enrolled in

public colleges also improved to reach 56.3 per cent, which also went for the number of women who completed their university education in 2009 accounting for 58.6 per cent. The share of women amongst the persons holding a master's of science degree has been growing on an ongoing basis to reach a level of 55.6 per cent in 2010, while the number of women with doctoral degrees also rose in 2010 a reached 51.1 per cent (Source: National Bureau of Statistics, "2010 Croatia in Figures"). The number of males who obtained master's degrees in the humanities has been increasing to reach a share of 35.7 per cent, while their share in arts totalled 42.9 per cent. Simultaneously, the portion of female holders of master's degrees rose in natural sciences (73.9 per cent) and biotechnology (64.4 per cent). Research and development sector in the Republic of Croatia hires a total of 16,072 people, with the share of women accounting for 49.8 per cent. Amongst the people with the status of a researcher, there is a total of 46.9 per cent of women employed (Sources: NBS 2010 Statistical Information; NBS Statistical Report 1446/2011).

The Implementation Activity Plan of the Economic Recovery Programme of the Government of the Republic of Croatia dated May 2010 envisaged a measure aimed at improving the educational achievements in math and natural sciences. This measure has been implemented throughout 2010 via several activities – promoting the enrolment in grammar schools majoring in natural science and mathematics during the seventh and the eighth grades of the elementary schools via educational campaigns, spurring interests for mathematics, natural and technical science studies and encouraging taking on inter-class optional programmes in natural sciences. The objective was to boost interest of the entire student population for the traditionally "male fields".

The new 2011-2015 National Gender Equality Strategy defined two measures aimed at promoting employment of women in the ICT sector, which will contribute to the elimination of segregation in the area.

For the purpose of improving the position of women in the labour market and raising public awareness, numerous targeted activities have been undertaken, including the conducting of relevant scientific research and sectoral policy making. From the signature of the Joint Assessment of the Employment Policy Priorities of the Republic of Croatia (JAP) in May 2008, the Government of the Republic of Croatia has been adopting its two-year national employment promotion plans. The 2011-2012 National Employment Promotion Plan (hereinafter referred to as the NEPP) highlights the following key priority: increasing the level of employability and the rate of participation of prime age women with low or inadequate education (especially with low or inadequate skills) in the labour market, women victims of violence, the long-term unemployed, the inactive and women belonging to national minority groups. To make the participation in the labour market easier for them, the NEPP contains a series of activities, such as: training programmes, encouraging local and regional

self-government units to give priority in their social plans to the development of those community services providing support to families and harmonising family and professional life of a woman, subsidising professional improvement of employees over 50 years of age under threat of losing their jobs due to employer's transition to new technologies, etc.

The 2011-2015 National Gender Equality Promotion Policy has been adopted (Official Gazette No. 88/11), in which the reduction of unemployment and the removal of all kinds of discrimination of women in the labour market remain to the most important strategic objectives.

The Ministry of Economy, Labour and Entrepreneurship (the Ministry of Entrepreneurship from December 2011) has been conducting a project entitled "Women Entrepreneurship". The amounts of funds granted have been continuously growing, and a total of 353 grants have been approved in 2004 totalling HRK 3,500,000.00, while in 2010 a total of 1,001 applications were approved amounting to HRK 10,540,000.00. Women entrepreneurs also get involved in the use of other incentivised projects handled by the Ministry of Economy, Labour and Entrepreneurship in accordance with the *Small- and Medium-sized Enterprise Promotion Plan*, such as: strengthening competitiveness of small enterprises, competitiveness and innovation, craftsmanship training, young, beginner and disabled entrepreneurs, training for entrepreneurship, etc. In 2009, a total of 1,167 women entrepreneurs have received incentives from these groups totalling HRK 28,082,994.00.

Government bodies (judiciary excluded) employed a total of 22,980 women in the year 2009, which is by 912 more than in 2008, and 29,862 men, a figure by 399 less than in 2008. (as per the 2009 and 2010 Reports on the Implementation of the 2006-2009 National Gender Equality Promotion Policy). The share of women rose from 42.17 per cent to 43.49 per cent.

Number of women also increased in the group of government officials, senior civil and public servants, i.e. from 20 per cent in 2000 to 30.2 per cent in 2009. Albeit persistently low, there is a slow growth in the share of women in diplomatic professions, from eight percent of ambassadorships in 2000 to 15 per cent in 2010. (Sources: NBS "2010 Men and Women in Figures" and the Ministry of Foreign Affairs and European Integration). The number and share of women in state administration's managerial positions has been systematically increasing. On the basis of the 2010 Statistical Yearbook of the National Bureau of Statistics, we may conclude that their share in 2007 accounted for 2.4 per cent in the overall structure of women employed, while this number stood at 3.2 per cent in 2009. Unlike women, the share of men has been dropping. In 2007, it accounted for 7.2 per cent, while in 2009 it reached 7.0 per cent of the overall population of the employed men in Croatia.

Pursuant to Article 298, paragraph 5 of the new 2009 Labour Act, women can work at any position, since an Ordinance on jobs women must not perform was put out of force. Hence,

the employers may schedule women to perform night work and any other type of job, including those potentially hazardous for life and health of women, e.g. mining or jobs generally hazardous, unhealthy and cumbersome (Articles 48, 50 and 51 of the Labour Act). A pregnant woman may not be scheduled to take on such jobs. Night work may not be scheduled for a pregnant woman, save for instances when she required such work and a certified physician has judged that night work would not jeopardize her life or health, as well as life and health of the child.

Resultantly, provisions on the prohibition of night work for women in industry have been removed, including the prohibition of the subterranean or submersed work of women. Therefore, employers are no longer obliged to seek approvals from competent bodies in respect of women night work.

Amendments to the Gender Equality Act of 2008 (Official Gazette No. 82/08) refer to obligations of strengthening the gender equality institutional capacities, the scope of competence of bodies in charge of ensuring its implementation at central and local government levels, as well as to the establishment of a central independent gender equality anti-discrimination body. Further, court protection instruments have been introduced in the Act, as well as civil law indemnification mechanism. It defined the burden of proof, the protection of victims against retaliation and introduced the incitement to discrimination as discriminatory behaviour. The Act is applicable to any legal and natural persons, while specifically developed penalties are aimed at sanctioning any legal or natural persons taking a course of action contrary to this Act.

Protection of women from placing them in an unfavourable position on the basis of pregnancy and maternity has been regulated in Article 6, paragraph 2 of the Gender Equality Act. It strictly forbids discrimination on the basis of one's marital and family status, while a less favourable treatment of women due to pregnancy and maternity is deemed discriminatory. A similar provision appears again in Article 13, dealing with the prohibition of discrimination in the field of labour and employment. Discrimination on the basis of pregnancy, maternity and any form of fostering is prohibited in the public and private sectors. Additionally, Article 9, paragraph 3 explicitly states that measures oriented towards women protection, especially in respect of pregnancy and maternity, are not deemed discriminatory.

The issue of protecting women against discrimination on the basis of pregnancy and maternity in the labour market has also been regulated in other regulations, with the Labour Act worth of a specific mention. The Labour Act regulates the issues of women night work and their employment in hazardous occupations, while the Ministry of Economy, Labour and Entrepreneurship is in charge of its implementation.

Citizens of both genders may address the Gender Equality Ombudsperson personally in the Office, via written complaints or by phone. Case files are being open on the basis of a damaged citizen's request, at requests of other natural and legal persons (NGOs, government bodies and offices, gender equality committees/commissions, other institutions and individuals) or at ombudsperson's initiative. By their content, they refer to the breach of the gender equality principle of discrimination on the grounds of gender, marital or family status and sexual preference and native identity and expression, as well as to failure to monitor the implementation of the Gender Equality Act.

Approximately 30 parties contact the office a week by phone. Since case files are not being opened in such instances, the data is not included in the statistical overview.

During the course of 2009, a total of 919 case files have been handled, including:

- 885 case files started in 2009; an
- 34 case files carried forward from earlier years:

The 919 case files refer to:

- 308 case files received on the basis of citizens complaints, of which 274 new case files from 2009 an 34 from earlier periods;  
9 new case files from 2009, started at the initiative of the Gender Equality Ombudsperson on the grounds of breaching the principle of gender equality or discrimination of individuals on the grounds of gender;
- 602 new case files from 2009 opened at the initiative of the Ombudsperson for the purpose of monitoring the application of the Gender Equality Act, i.e. on the basis of letters referred from other institutions, organisations or legal persons.

Should the 283 new case files in 2009 be broken down by gender of the damaged parties, the Ombudsperson has considered cases pertaining to:

- 195 women (68,9 per cent);
- 58 men (20,5 per cent);
- 19 groups of women (6,7 per cent),
- 2 groups of men (0,7 per cent);
- 9 groups of women and men together (3,2 per cent).

After taking action on the basis of the complaints, the Ombudsperson issued a total of 31 written warnings, made 33 recommendations and 19 proposal, in total less as compared with 2008. This is primarily the result of a progress made in the work of the police and the social welfare centres.

### *On the structure of complaints*

Data refer to 283 new case files received from the citizens during the course of 2009, with a 1.7 per cent decline compared to 2008.

In 283 cases, actions have been taken at request or initiative of:

- damaged persons: women in 159 cases (56.2 per cent), men in 57 cases (20.1 per cent);
- third parties on behalf of the damaged parties in 67 cases (23.7 per cent), including: government bodies and other institutions in 34 cases (12.0 per cent), NGOs in 19 cases (6.6 per cent), individuals in two cases (0.8 per cent), at request of the others in three cases (1.1 per cent),
- the Ombudsperson in 8 cases (3.2 per cent).

As was the case in earlier years, persons from the entire territory of the Republic of Croatia turned to the Gender Equality Ombudsperson with their complaints, most of them coming from the City of Zagreb (37.4 per cent), followed by the Istria County (9.9 per cent), the Primorje-Gorski Kotar County (8.0 per cent), the Split-Dalmatia County (7.3 per cent) and others.

Statistical data are being gathered and analysed by: discrimination on the grounds of gender, marital or family status and sexual preference, gender identity an expression.

Grounds for discrimination:

- gender 251 (88.7 per cent),
- other 32 (11.3 per cent).

During the course of 2010, a total of 742 case files have been handled, including: 665 case files started in 2010 and 77 case files carried forward from earlier years.

The 742 case files referred to:

- 333 case files received on the basis of citizens complaints, of which 294 new case files from 2010 and 39 from earlier periods;
- 29 new case files from 2010, started at the initiative of the Gender Equality Ombudsperson on the grounds of breaching the principle of gender equality or discrimination of individuals on the grounds of gender;
- 380 opened at the initiative of the Ombudsperson for the purpose of monitoring the application of the Gender Equality Act, i.e. on the basis of letters referred from other institutions, organisations or legal persons, of which 342 new ones

from 2010 and 38 from earlier years. This result shows a 7.3 per cent increase as compared to 274 complaints filed by citizens in 2009.

Analysis of the case files show that there were 294 complaints of citizens and 29 case files of discrimination cases started at the initiative of the Ombudsperson, i.e. a total of 323 new case files in 2010 (14.1 per cent increase compared to 283 case files in 2009).

A breakdown of 323 new 2010 case files by gender:

- 214 women (66.3 per cent);
- 35 men (10.8 per cent);
- groups: of women 43 (13.3 per cent), of men and women 23 (7.1 per cent) of men 6 (1.9 per cent);
- unknown: 2 (0.6 per cent).

In 323 cases, actions have been taken at request or initiative of:

- damaged persons: women in 172 cases (53.3 per cent), men in 33 cases (10.2 per cent);
- third parties on behalf of the damaged parties in 89 cases (27.5 per cent), including: government bodies and other institutions in 30 cases, NGOs in 25 cases, individuals in 33 cases and at request of others in one case;
- the Ombudsperson in 29 cases (9.0 per cent).

As was the case in earlier years, persons from the entire territory of the Republic of Croatia turned to the Gender Equality Ombudsperson with their complaints, most of them coming from the City of Zagreb (48 per cent), followed by the Osijek-Baranja County (7.6 per cent), the Zagreb County (7.0 per cent), the Primorje-Gorski Kotar County (5.7 per cent), the Split-Dalmatia County (4.8 per cent) and others.

The 323 cases broken down by type of discrimination included:

- 187 cases of direct discrimination (57.9 per cent) and 20 cases of indirect discrimination (6.2 per cent), a total of 207 cases, of which 31 cases referred to harassment and sexual harassment;
- 84 complaints referring to domestic violence;
- 32 complaints which involved neither discrimination nor unequal treatment.

Of the 323 cases, a total of 207 of them have been analysed on the grounds of discrimination.

Within the meaning of Article 6 of the Gender Equality Act, the grounds were as follows:

- gender - 176 cases (85.0 per cent);
- marital or family status - 19 cases (9.2 per cent);
- sexual preference - 12 cases (5.8 per cent);

- native identity and expression – no cases (0.0 per cent).

The 323 case files analysed by areas of discrimination within the meaning of the provisions contained in Article 19, paragraph 2, items 1, 2 and 3 of the Gender Equality Act:

- 83 cases (25.7 per cent) – employment and working conditions; ability to work for an employer or independently, including the criteria and requirements for the selection of candidates for a particular job and promotion at work; access to all types of vocational guidance, vocational and additional training and re-training;
- 137 cases (42.4 per cent) – social security, including social welfare, pension and health insurance, and unemployment insurance;
- 26 cases (8.1 per cent) – public information and media;
- 23 cases (7.1 per cent) – education, science and sports;
- 18 cases (5.6 per cent) – justice and administration;
- 2 cases (0.6 per cent) – health protection;
- 2 cases (0.6 per cent) – membership of and activities in unions, civil society organisations, political parties or any other type of organisation;
- 32 cases (9.9 per cent) – no discrimination involved.

The aforesaid indicates that there was a suspicion of discrimination in 207 of 323 cases, received as discriminatory complaints on such grounds. Discrimination was not established in 32 cases, while 84 cases pertained to domestic violence. A total of 291 cases have been resolved (90.1 per cent).

From the 323 cases processed, bodies complained against included:

I. 53.9 per cent of government bodies, legal persons with public authorities and predominantly government-owned:

- 98 (30.3 per cent) legal persons with public authorities (16 institutes, 42 centres, 1 council, 6 health, 28 educational and 5 other public institutions);
- 74 (23.0 per cent) government bodies (60 state administration bodies, 2 national parks, 12 judiciary bodies);
- 2 (0.6 per cent) predominantly government-owned legal persons (2 Ltd's).

II. 5.5 per cent of local and regional self-government units' bodies and legal persons predominantly owned by them:

- 14 (4.3 per cent) local and regional self-government units;
- 4 (1.2 per cent) legal persons predominantly owned by local self-government units (4 Ltd's).

III. 39.7 percent of other persons:

- 60 (18.6 per cent) private legal persons (JSC's and Ltd's);

- 60 (18.6 per cent) natural persons (53 male and 7 female);
- 8 (2.5 per cent) associations of citizens.

IV. 0.9 per cent of other: 3 others (0.9 per cent).

After taking action on the basis of the complaints, the Ombudsperson established the existence of discrimination in 60 cases (18.6 per cent) and issued a total of 55 written warnings and made 55 recommendations, and filed eight motions for starting a misdemeanour proceedings (77.4 per cent increase vs. 2009, when she issued 31 written warnings, resulting among other things from an increased number of complaints in 2010, and a 66.6 per cent increase vs. 2009, when she issued a total of 33 written recommendations, resulting among other things from an increased number of complaints in 2010), one motion for pressing criminal charges and three written initiatives to make changes to the legislation. The outcome for 32 pending cases (9.9 per cent) was unknown as at 31 December 2010. In addition, after taking action on the basis of complaints in 39 cases from earlier periods, she issued six additional warnings and recommendations, each. She informed the parties in the process of their rights and duties in a total of 173 cases (53.6 per cent).

From the structure of 342 case files not involving complaints by citizens, a total of 109 case files have been started at the initiative of the Ombudsperson (for monitoring the application of the Gender Equality Act in the area of employment) in which she issued the same number of warnings and made 3 recommendations (Article 13, paragraph 2 of the Gender Equality Act).

The statistical data above shows that there was an increase in the number of complaints by 7.3 per cent compared to 2009, that they have predominantly referred to sexual discrimination and involved women to the greatest extent. Data also shows that persons complained against indirect discrimination in a relatively small number of cases, which goes to show that guarantees against such a discrimination haven't taken roots in practice, i.e. that the citizens face difficulties trying to understand it.

The greatest number of complaints is still received in respect of exercising the employment and social rights, whereas the citizens complained against actions taken by government bodies and other legal persons under their remit (53.9 per cent) more than against private persons (18.6 per cent) and all other persons (27.5 per cent).

Taking action on the basis of complaints and at her own initiative, the Gender Equality Ombudsperson was active at all levels of state administration and local and regional self-government units, including other legal and natural persons and the media. She issued a total of 170 written warnings, made 64 recommendations and 9 proposals and took an active role in

the sessions of the Gender Equality Committee and the Human and National Minorities' Rights Committee of the Croatian Parliament, where she presented her remarks on legislative bills.

Moreover, during the course of 2010 she appeared publicly and alerted to discrimination. She has done this by visiting six counties, took part in 85 roundtable events and conferences, had 10 international meetings in and beyond the Office, appeared in 38 TV and radio shows, her statements were published in 98 newspaper articles, while the number of hits to the Ombudsperson's website rose by 32 per cent.

### Committee's Question

#### ***Equal opportunities promotion measures***

Aside from some very rare exceptions, there are no occupations that could be performed exclusively by members of one gender. The National Occupations Classification (Official Gazette No. 147/10) indicates titles of all occupations in both genders. In its Article 13, the Gender Equality Act prescribes that job vacancies must be advertised in such a way that the advertisement clearly states that persons of both genders may apply for the job. An exception to the rule may be effected only when the nature of the job is such that the characteristics associated with any of the grounds for discrimination (marital and family status, pregnancy and maternity, sexual preference) represent a real and decisive requirement that disables one from taking on such a job, providing that there is a justifiable cause to be thereby achieved (Article 13, paragraph 4). In cases of indirect discrimination, an exception to placing a person of one gender into a less favourable position compared to a person of the opposite sex by applying neutral legal norms, criteria or practice is possible only if such a course of action is objectively justifiable by a legitimate cause and the means towards the objective are adequate and necessary (based on Article 7, paragraph 2).

The Gender Equality Act allows the introduction of special measures, it defines the notion, the aim, deadlines and legal framework for its introduction. Article 11 prescribes special measures for state administration bodies and predominantly government-owned legal persons, the local and regional self-government units, legal persons and craftsmen who hire more than 20 staff, as well as for social partners in the collective bargaining process.

From a series of affirmative actions aimed at removing inequalities, improving equal opportunities in the labour market, achieving an equal access to employment, equal pay, training, etc., numerous targeted activities have been taken, including implementation of relevant scientific research and the adoption of sectoral policies and national strategies. For

instance, from seven critical areas covered in the 2006-2010 National Gender Equality Promotion Strategy (Official Gazette No. 114/06), one area is solely devoted to the measures aimed at improving the position of women in the labour market. An analysis of implementation of these measures have shown a substantial improvement in the area of aligning the vacancy advertisements against the provisions of the Gender Equality Act and the efficiency of the measures referring to women entrepreneurs. The *2010-2013 Women Entrepreneurship Development Strategy* was adopted under the implementation of a measure included in the national policy. The Gender Equality Office and the competent ministry provide financial support for the [www.poduzetna.hr](http://www.poduzetna.hr) web portal.

Regular and ongoing cooperation was established with NGOs operating in the area of women entrepreneurship promotion. For the purpose of improving position of women in the labour market and awareness raising, the Croatian Businesswoman Association *Krug* has carried out a project in 2010 titled “Women in Business, Science and Politics in the Republic of Croatia”. The project was funded by the Ministry of Economy, Labour and Entrepreneurship and used to produce an analysis of the role of women in business, science and politics. The same association cooperates with the Croatian Chamber of Commerce to annually organise the celebration of the Global Women Entrepreneur’s Day. Since 2009, the celebration has involved the award of a prize to the most successful female entrepreneur and manager that the KRUG Croatian Businesswoman Association chooses from among its membership for the business results achieved a year earlier.

The Gender Equality Office of the Croatian Government has established an ongoing and long-standing cooperation with the KRUG Croatian Businesswomen Association with the view to providing continuous support to the economic empowerment of women by promoting entrepreneurship among them. The Office supports networking of business women and carries out many activities under partnership with KRUG, coupled with the provision of financial support to individual projects of the Association. Each year’s May, the Office takes part in the celebration of the Global Women Entrepreneur’s Day, it has sponsored many expert assemblies and roundtable events. It also supports and takes part in the work of the regular women entrepreneur conventions of the Adriatic-Ionian Area as an important promoter of international networking. The Office’s webpage follows the trends in this area and informs the public on various aspects of female entrepreneurship in the country and abroad.

The process of harmonising family, private and professional lives does not follow the requirements for removing the inequalities in the social standing between men and women. However, there is a slight increase in the number of men who cater for their children. This number rose from 1.14 per cent of men who used additional maternity leave in 2008 to 1.86 per cent of men in 2010 who exercised other rights on the basis of the Maternity and Parenting Support Act. Further, there is an insufficient number of educational and other social institutions to meet the needs and interests of families through the supply of their services.

Noteworthy here is the fact that the implementation of social policy measures greatly influences the overall economic circumstances in a country.

Additionally, the Croatian Employment Service has developed a grant scheme “Women in the Labour Market”, under the Human Resource Development Operational Programme of Component IV of the Instrument of Pre-accession Aid IPA totalling EUR 2,017,480.00. The projects funded through the grant scheme are oriented towards the inclusion of women into the labour market, especially those facing specific difficulties in getting employment. Projects are being implemented in a large number of the Croatian counties in cooperation with NGOs. Within the framework of the “Women in the Labour Market” project, a total of EUR 1,000,000.00 was envisaged for a service contract to produce an analysis of the current state of play and make recommendations for the improvement of policies and programmes in the area. Within seven additional grant schemes of the HRD OP, a total of 85 additional projects have been supported by end-2010. These are the projects in which women are either direct beneficiaries or are being implemented by NGO’s involved in the protection of women’s rights. The grant schemes altogether total approximately EUR 13 million.

Key activities need to be undertaken to reduce the pay gap, to support the development of women entrepreneurship at national and local levels and for the purpose of promoting measures for harmonising family, private and professional lives. Ongoing efforts will be continuously invested into research, analysis and improvement of quality of statistical data on the structural indicators of the position of both men and women in the labour market, as well as into raising public awareness of the stereotypes and obstacles on the road towards the economic empowerment of women in various areas, including the ICT sector.