



13/01/2016

EUROPEAN SOCIAL CHARTER

Comments by the Federation of Trade Union of Macedonia
(FTUM) on the 3rd national report
on the implementation of
the European Social Charter

submitted by

**THE GOVERNMENT OF « THE FORMER YUGOSLAV
REPUBLIC OF MACEDONIA »**

(Article 6§1 for the period
01/01/2011 – 31/12/2014)

Report registered by the Secretariat on
13 January 2016

CYCLE 2016

In relation to the received comments and remarks related to the Report submitted by the Republic of Macedonia (*Article 6 – Right to bargain collectively*), the **Federation of Trade Unions of Macedonia¹ (FTUM)** would like to emphasise the following :

The amendments to the Law on Labour Relations and the strict legal regulation of the provisions for determining the representativeness of workers' and employers' organizations in the Republic of Macedonia in the period after 2010 have improved the social dialogue and collective bargaining at all levels.

The proposal put forward by the Federation of Trade Unions of Macedonia (FTUM) and other social partners for tripartite participation of the social partners within the Commission for Determining of the Representativeness, allowed for autonomy and independence of the Commission in determining the representativeness of trade unions and employers, exclusively based on conditions stipulated in the Law on Labour Relations.

The signature of the Agreement on Establishment of the Economic and Social Council on national level (2010) is of particular importance as it has contributed to active involvement of social partners in development of national policies and strategies in all areas of social life.

Over the past years, several important pieces of legislation in the country were adopted, that had been initiated by the social partners and following the discussion in the ESC: Law on Minimum Wage, Law on Protection against Mobbing at Work Place, Law on European Works Councils, the Law on Prevention and Protection against Discrimination, Law on Amicable Resolution of Labor Disputes, etc. Several conventions have been ratified which contributed to significant improvement of workers' rights.

Non-representative trade unions have been involved in the work of the FTUM and were invited to meetings which tackled issues of common interest. Trade unions in the Republic of Macedonia signed a memorandum of cooperation which promotes the need for joint action aimed at promoting and protecting workers' rights.

The idea for setting up local economic and social councils has been promoted at the initiative of FTUM and in agreement with the social partners in the country to enable active participation of the social partners in the creation of local and regional policies based on comparative advantages and opportunities of the municipalities in the country.

Thus, local economic and social councils were established and they are functioning in Skopje, Kumanovo, Bitola, Prilep, Stip, Tetovo, Gostivar, Strumica, Gazi Baba, Kavadarci, Resen, Veles and Sveti Nikole.

FTUM as a representative trade union and social partner in the country is a signatory to the General Collective Agreement for the private sector of the economy. Negotiations about signature of this General Collective Agreement and the agreements for its extension or

¹ <http://www.ssm.org.mk/index.php?lang=mk>

amendment always take place between the representative workers' and employers' organizations without any interference by the government.

Branch trade unions of the FTUM signed 15 branch collective agreements on the basis of negotiations that had taken place between the representative organizations workers' and employers' without any interference or influence by the government.

The following branch collective agreements were signed:

1. Collective Agreement for the medical activity of the Republic of Macedonia;
2. Collective Agreement on social protection of the Republic of Macedonia;
3. Collective agreement for the textile industry of the Republic of Macedonia;
4. Collective Agreement for the leather and shoe industry of the Republic of Macedonia;
5. Collective Agreement for employees of the agriculture and food industry;
6. Collective Agreement for employees in the tobacco industry;
7. Collective Agreement for Energy;
8. Collective Agreement for the Defense Ministry;
9. Collective Agreement for chemical industry;
10. Collective Agreement for the Ministry of Interior;
11. Collective Agreement for public utilities
12. Collective Agreement for shelter companies of Macedonia;
13. Collective Agreement for catering;
14. Collective Agreement of the state, judicial bodies and the local government of the Republic of Macedonia;
15. Collective Agreement of the workers in the Forestry Public Enterprise.

Regarding the signature of the General collective agreement for public sector, negotiations stalled as a result of the difficulties of Confederation of Free Trade Unions of Macedonia (CFTUM) in relation to its representativeness; however, after resolving the issues within the CFTUM this year, the conditions have been created for continuation of negotiations for signature of the general collective agreement for the public sector.

Federation of Trade Unions of Macedonia and its affiliated trade unions in the public sector actively participated in the procedure for adoption of the Law on Administrative Staff (Servants) and the Law on Public Sector Employees. In relation with the adoption of these laws negotiations and meetings were organized among the public sector trade unions members of FTUM and the Ministry of Information Society and Administration. Among others, during the negotiations, at the initiative of FTUM it was insured that these laws reflect the role and importance of collective agreements in the regulation of labor relations.