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of the European Social Charter

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THE GOVERNMENT OF LATVIA

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**MINISTRY OF WELFARE
OF THE REPUBLIC OF LATVIA**



**11th Report
on the implementation of the
European Social Charter (Revised)
(Article 1, Article 9, Article 10, Article 15,
Article 18§1, and §4, Article 20, Article 24 and Article 25)**

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ARTICLE 1: THE RIGHT TO WORK

ARTICLE 1 PARA. 1

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

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;”

1. Please describe national employment policy and the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Overview of the labour market situation in Latvia (2011-2014)

After several years (2005–2007) of rapid economic growth, when the average annual GDP growth rates exceeded 10%, in 2008 the Latvian economy entered into a recession due to the global financial crisis. During the crisis GDP diminished by almost 20%, reaching the lowest point in late 2009. From 2011–2013 annual GDP growth rates reached on average 4.7% and Latvian economy was one of the fastest growing in the EU. From 2014 GDP growth rates decreased in the result of a slow growth of EU economies and weakening of economy in the Russian Federation. Annual Growth rate for 2014 is 2.4%.

Since 2010 rapid growth of exports of goods and services had been observed and it was the main impulse for GDP growth. Exports in 2012 exceeded the pre-crisis level by almost 25%. Since 2013, in conjunction with the low demand in foreign markets, the export dynamics has become more moderate. Export in 2014 was affected by the slower than expected growth in the EU countries and the weakening of the economy in the Russian Federation and export increased by 2.2%.

Although in the recent years the relatively strong growth of the Latvian economy has been observed GDP is still at about 5% lower level than before the crisis - in 2007.

Population number in Latvia is still reducing. During the last four years (since the end of 2010) population number in the country has diminished by 88,5 thousand, and at the end of 2014 it comprised 1 million 986.1 thousand. Population decrease rate in 2014 constituted 0.77%, as compared to 2010 when it was the highest since 1992 and comprised 2.16%. The decline is determined by the negative net migration and negative natural growth. In 2014, as the number of deaths exceeded the number of births, Latvia population reduced by 6.7 thousand (-0.41%), while because of the long-term migration – by 8.7 thousand (-0.69%). Since 1991, natural increase in Latvia has been negative. Working age (15-61) population, which accounted 1,26 million persons (63% from the total number of inhabitants) at the end of 2014, is decreasing at an even higher rate, both due to the high number of emigrants in this age group and fall in the number of persons in age group 15-24 years due to the low birth rates in 1990-ties. The information compiled shows that in 2014 the number of emigrants at working age (15–61) exceeded the number of immigrants at this age 2 times.

In the fourth quarter of 2007 labour market indicators reached their best results – the unemployment rate 5.3% and employment rate 69.9% (age group 15-64, Eurostat). Such a positive development was determined by the rapid economic and wage growth, which facilitated the higher labour market participation. The downturn in economic activity in 2008 had a significant impact on the labour market – the unemployment grew rapidly and the number of available vacancies in the labour market reduced sharply. In previous years, the number of persons being continuously unemployed raised noticeably, making the risk of structural unemployment more evident for the next years. According to Central Statistical Bureau (hereinafter – CSB), there were 1416.8 thousand people aged 15-64 in

private households in the 4th quarter of 2010 in Latvia. 1028.1 thousand of them were active population (72.6%) – 842.0 thousand employed (59.4%) and 186.1 thousand unemployed (13.1%).

Starting from 2011 the situation on the labour market has slowly been improving.

In the 4th quarter of 2014 there were 1288.5 thousand people aged 15-64 in private households in Latvia. 957.2 thousand of them were active population (74.3%) – 856.6 thousand employed (66,5%) and 100.6 thousand unemployed (7.8%). The majority of employed persons were in the age group 45-54 years (25.1%) and 74.5% from the total number were aged 25-54.

In the 4th quarter of 2014 the majority of active population aged 15-64 years has gained vocational (33.3%) or higher education (32.3%), although the proportion differs slightly for men – 35.6% with vocational and 23% with higher education, and women – 30.9% with vocational and 41.9% with higher education. In the 4th quarter of 2014 the share of active population with basic or secondary education composed 34.4%.

Employment target for Latvia, as set in the “*Europe 2020*” strategy, is to reach the target of 73% employment rate for the group aged 20-64years by 2020. In 2014 the employment rate for this group was 70.7%.

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

Active labour market policy (hereinafter – ALMP) measures available for unemployed and other persons

The main legal document regulating labour market policy implementation in Latvia is the Support for Unemployed Persons and Persons Seeking Employment Law.

The Regulations of the Cabinet of Ministers No. 75 of 25 January 2011 “Regulations Regarding the Procedures for Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for Selection of Implementers of Measures” indicates organizational procedures for providing employment services to unemployed, job-seekers, adults and other target groups.

Amendments of Support for Unemployed Persons and Persons Seeking Employment Law approved by Parliament include:

- Granting of the rights to receive the support specified in Law for unemployed persons, persons seeking employment and persons subject to the risk of unemployment for persons who are holders of a European Union blue card, residing in Latvia during the validity term of the card (approved by Parliament on 9 June 2011, into force from 5 July 2011);
- Adjustment of regulation of some ALMP programs (paid temporary work, support measures for persons under risk of job-loss (approved by the Parliament on 24 November 2011, into force from 3 December 2011);
- Stricter job search activity requirements introduced and profiling of the job-seekers according to their prospects in labour market introduced, responsibility of the Cabinet of Ministers to approve the suitable job criteria established (approved by the Parliament on 13 June 2013, into force from 18 July 2013).

The Regulations Regarding the Procedures for Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for Selection of Implementers of Measures prescribe the set of measures for unemployed and persons seeking employment as well as for persons under the risk of job-

loss as well as criteria and improved procedures for suitable job (introduced from 2013). Measures are aimed at promoting inclusive labour market, by providing appropriate training and educational programmes, as well as other employment services (vocational guidance, information on available vacancies) in order to match worker's knowledge and experience with the labour market needs. The Latvia's ALMP measures are organized and implemented by the State Employment Agency (hereinafter - SEA). ALMP measures in Latvia, especially development of training and educational programmes are based on the results obtained in the labour market research, forecasts and assessments carried out by different experts, public institutions, academic sector, non-governmental institutions and international experts and organisations.

Recent improvements of SEA operational work and ALMPs' include:

- Recent policy initiatives have been taken to improve the effectiveness and efficiency of ALMPs. First of all, a **profiling system** has been implemented in the SEA since summer 2013. The measures offered to the target groups since summer 2013 are sequenced in the most effective order, initially concentrating on job-search and providing suitable and more costly measures at a later stage. A variety of measures, sequenced in the most effective order are offered to target groups, enabling as fast as possible return to employment. Individual job plans and job-search assistance continues to be provided, while a slightly stricter and precise definition of suitable job offer has been introduced in 2013.
- Recent and planned initiatives include more focused SEA services for target groups considering different obstacles they face (re)entering the labour market.
- **Improvement of SEA services.** Since 2011, all the training programmes are implemented by applying a method of training vouchers. Training fields and educational programmes are organized in accordance with the labour market demand and national economy development forecasts, and agreed with economic and social partners and experts. In order to develop the training voucher system further, a monitoring system of training providers is put in place (it is possible to receive on-line information about evaluation of a particular programme made by participants, who fill in a special evaluation sheet and also to see the results of a programme – the share of participants who found work within 6 months after completion) and on-going work continues to introduce a more sophisticated solution for applying electronically to training.
- There is work ongoing to elaborate the application of the “unit cost” method to training vouchers. Additionally state and municipal VET institutions will be further encouraged to take part in provision of adult learning including retraining of unemployed. Based on the World Bank study some adjustments to the training voucher scheme are likely. One of the options might be making it more flexible and suited to individual's needs, for example by supporting the opportunity for adult learners to study together with usual students including in state and municipal VET institutions.
- **The Youth Guarantee implementation started** in 2014. First, the support is available to young registered unemployed at the SEA. In September 2014 enrolment into the 2nd chance vocational education programs was opened - inter alia provision of training programmes for imprisoned youth is also foreseen. In 3rd quarter 2014 an activation measure to reach youth neither in employment, education or training (hereinafter - NEETs) in municipalities was launched. The aim of the Youth Guarantee is to establish a long-term and comprehensive approach on timely activation of young people, by providing support to entering employment or returning into the education system. The initiative will be implemented in the time period 2014 - 2020. The main target group for the Youth Guarantee in Latvia are

young people aged 15-29 years, who after the registration at the SEA or gaining the status of Youth Guarantee client (in education system) within a 4 month period receive a good quality offer of employment, continued education, an apprenticeship or a traineeship.

- Aiming at the long-term unemployed a pilot project (March 2013 – January 2014) has been carried out in the SEA, focusing on a **closer co-operation with municipal social services** and aiming at labour market integration of long-term unemployed. Results have been positive – more than a half of all participants found a job. The results of the pilot project were used in elaboration of new activation program for the long-term unemployed.
- Next to that support measures aimed at **long - term unemployed with addiction problems** continued in 2013. Around 100 persons benefited from this measure in 2013 and participated in Minnesota program.
- On March 2013 the measure “**Promotion of regional mobility of persons employed by companies**” (hereinafter – Measure) was launched. The aim of the Measure is to promote regional mobility of persons employed by companies by providing financial aid to cover the transport and/or apartment rent costs during the first four months of the employment legal relationship. The Measure aims to provide support for the unemployed in territories in which they face difficulties in finding a job, and direct them to jobs in nearby regions and cities. The Measure is implemented in the workplaces in the territory of the Republic of Latvia, with the exception of Riga where there is sufficient demand for particular employees with specific education and professional experience. Companies in Riga can take part in the Measure only if the employer simultaneously offers to establish employment legal relationship with at least 25 unemployed persons registered at the SEA.

The Ministry of Welfare together with State Employment Agency continue to strengthen the employment measures.

Persons, to whom the status of an unemployed person has been granted, have the right to receive services of vocational training (also available within the education system), retraining and the upgrading of qualifications:

- an acquisition of further vocational education that provides an opportunity to unemployed persons to acquire vocational qualifications. After the acquisition of the relevant programme the unemployed person shall take a qualification examination. A document attesting the vocational qualification is issued to the unemployed person, who has passed the qualification examination in accordance with the regulatory enactments governing the acquisition of vocational education;
- an acquisition of non-formal education that includes the acquisition of systemised social and vocational basic abilities in accordance with the changing requirements of the labour market. A certificate specified in the programme is issued to the unemployed person;
- acquisition of the first level and second level vocational higher education programmes that provides an opportunity to an unemployed person to acquire higher education. A higher education diploma is issued to the unemployed person in accordance with the laws and regulations governing the acquisition of education.

Since 2011, all the labour market (SEA) training programmes are implemented by applying a method of training vouchers. The training vouchers can be used to choose a course offered by the training providers approved by SEA. At least once a year all training programmes for the unemployed and job-seekers are approved by a special Training Commission (established by the Ministry of Welfare) involving representatives of branch ministries (the Ministry of Education and Science, the Ministry of Welfare, the Ministry of

Economics), municipalities, social partners, non-governmental organizations, the academic field, associations, etc. The list of the training programmes is approved, improved and changed considering the labour market situation: short and longer term forecasts, numbers of unemployed and vacancies in the respective sectors, as well as views of the Sector expert councils etc.

An unemployed person may be involved in the acquisition of the vocational education programmes repeatedly not earlier than two years after completion of the previous vocational education programme. Regarding to non-formal education an unemployed person and a person seeking employment, within one year, may be involved in the acquisition of no more than two non-formal education programmes.

In time period between August 2009 and until June 2015, the labour market(SEA) training programmes were implemented within the framework of the European Social Fund (ESF) Project "Training of Unemployed and Jobseekers in Latvia-2". The project was financed both from the State basic budget (29% of total financing), and ESF (81%).

The financial resources for the training of unemployed persons and jobseekers may be used for:

- covering the expenses of the implemented education programmes within the framework of the training of unemployed persons and jobseekers;
- adaptation of the training and traineeship places for the unemployed persons, for whom disability has been determined, in conformity with the opinion of the occupational therapist;
- covering of expenses for the services of the sign language interpreter, companion, occupational therapist and other specialists to the unemployed persons involved in the measures, who conform with one of the target groups specified in the Support for Unemployed Persons and Persons Seeking Employment Law;
- the expenses of the vocational education program qualification examination and final examination, organising them at the accredited examination centres;
- covering of expenses for the performance of health examinations, to the unemployed persons and persons seeking employment involved in the measures, if such checks have been provided for in the regulatory enactments governing mandatory health examinations;- etc.

While participating in measures, the unemployed are receiving monthly scholarship/grant in the amount of 99,6 EUR. Since 2009, the SEA provided lifelong learning for working adults aged 25 years and above. Taking into account the overall demographic trends, characterised by the low birth rates and population ageing, it is important to integrate working age persons into the labour market and extend their active working life.

In December 2014, 33% of all registered unemployed were long-term unemployed (more than 1 year), 9,2% were young unemployed aged 15-24 years, 14,2% were people at pre-retirement age (5 years before retirement), 10,2% were persons with special needs, 3,3% - persons after childcare leave and 0,4% - after imprisonment.

Additionally, the Ministry of Economics has developed and the Investment and Development Agency of Latvia (since 2008) is implementing a programme "Support for employees' training in partnership". Within the project financing is provided for training of employees (mainly in high qualification professions and priority economic sectors). Training is organized in partnership with the sectoral associations (60 - 80% of project co-financing is covered from the EU Structural Funds). 24 855 employees were trained and 2 251 companies were involved during the period 2009 - 2014. The programme is implemented also in the EU funding period 2014 - 2020 with total amount of 24,9 million

EUR. It is estimated that within the programme 1 300 entrepreneurs will be involved and 24 320 employees trained.

Compared to 2010, a proportion has increased for the people at preretirement age (3,2 % share in 2010). The number of registered older unemployed people (50+) is higher than the number of unemployed young people (11,6 thousand compared to 7,5 thousand). The average duration of unemployment of registered unemployed who are older than 50 is more than 11 months, while the duration of unemployment for unemployed young people (aged 15-24) is currently 3 months.

The Guidelines On the Inclusive Employment Policy in 2015 - 2020, approved by the Cabinet of Ministers on 12 May 2015. contain three main chapters:

- (1) the analysis of labour market trends and major challenges;
- (2) policy goals and achievable results;
- (3) further steps including detailed set of tasks, the implementation timeline and allocated finance.

Among the policy results reduction of long term unemployment rate and increase of the employment rate are defined. There are three key directions the activities are grouped into:

First group of activities is focused on inclusive labour market, including provision of support for the disadvantaged groups as long-term unemployed, young NEET, pre-retirement age unemployed and persons with disabilities. The major initiatives include:

Improvement of profiling services;

Strengthening of cooperation between SEA and municipal social services (to activate long-term unemployed);

Implementation of Youth Guarantee;

Elaboration and implementation of Active Ageing strategy;

Putting in place a legislative framework for the social entrepreneurship and provision of support for social enterprises.

Second group overarches the activities related to development of balanced labour market, considering the demographic trends. The key initiatives include improvement of labour-market forecasting and establishment of the cross-sectional platform for monitoring of labour market trends.

Towards better matching of labour market skill supply and demand the improvement of training delivery (voucher method) and work-based training is planned.

Third group of activities includes the measures to develop inclusive employment, more friendly labour force tax and benefit system.

The financial resources for the implementation of Guidelines are State budget and European Social fund.

Taking into account increasing number of older unemployed people (50+) with the support of the European Union the Ministry of Welfare is implementing a project „Latvia: Developing a Comprehensive Active Ageing Strategy for Longer and Better Working Lives", which objective is to develop an evidence-based and comprehensive active ageing strategy in Latvia that would facilitate longer and better working lives taking into account the considerable demographic challenges that the country is currently facing.

Within this project the World Bank carried out a study and provided recommendations for the improvements in active ageing situation and for developing an active ageing strategy. The main focus is on the labour market participation and productivity of the labour force, especially aged 50+. However, linked issues like social security, care for family members and health are covered. A strategic partnership with Austria, Poland and Estonia was

formed in order to exchange good practices and experience during study visits and seminars (the project implementation period is from March, 2014 to February, 2016).

The number of registered young unemployed also was decreasing in past years (15,4 thousand at the end of 2011; 10,4 at the end of 2012; 9,5 at the end of 2013, 9,2 at the end of 2014). The main reasons for youth unemployment in Latvia are the insufficient level of education (around 70% are with secondary education or lower) and lack of work experience.

There is focus on strengthened co-operation with education sector in order to help young people, who left school or training without achieving upper-secondary education, to return to school or enrol in vocational training for in-demand skills. There is an intention to fully use available resources within the Youth Employment Initiative in the programming period (2014 - 2020) of the EU structural funds. The Ministry of Welfare and the Ministry of Education and Science is collaborating to ensure the Youth Guarantee encompassing both education and active labour market policy measures.

Measures have been designed particularly for vulnerable groups of unemployed. Almost all ALMP(active labour market policy) measures provide additional adaptation of training and work places for persons with disabilities. The SEA offers various services (measures to improve competitiveness - short-term training programmes to improve job search skills; career consultation; vocational education programmes; training at the employer or at the request of an employer; informal education programmes; subsidised employment for the most vulnerable groups of unemployed; measures to support the unemployed to enter self-employment or entrepreneurship; lifelong learning programmes for adults; public works programme (launched in 2012 upon the expiry of the measure "Workplaces with stipend emergency public works programme"), measures supporting regional mobility of employees).The following measures are intended exclusively for youth (implemented in Youth Guarantee) – Job for Youth, Support for Youth Volunteers, Youth Workshops (getting acquainted with different professional areas) and assistant training and practice of assistants to the SEA inspectors was implemented during the crisis.

Measures for specified groups of persons make provisions for the employment of unemployed persons at the workplaces co-financed by the state, in order to help the unemployed persons to comprehend the requirements of the labour market, to promote integration into society and settlement in a permanent work. The measure involves: an establishment of legal employment relations, a designation of a qualified work manager, an acquisition of the basic abilities and skills necessary for the work, an adaptation of the workplace and services of the sign language interpreters, companions and other specialists - as necessary.

One of the form is subsidized employment - measures for specified groups of persons, in particular for persons aged 15 - 24, for persons at pre-retirement age, for persons with disabilities, for persons after parental leave, for long-term unemployed, for persons after imprisonment and others in need. Under this measure, a person can be involved in employment relations, receiving monthly remuneration (paid by employer, but part - minimum monthly wage- is granted by the state) and working under supervision of a person employed in a company (also receiving additional remuneration).

Many measures have been launched aimed at increasing labour market participation of persons with disabilities - one of the priority groups participating (mentioned under Law on Unemployed and Job Seekers) in SEA measures.

Career guidance services are available and widely used for persons with disabilities (unemployed or job seeking). Starting 2014, SEA operates the Profiling system, which helps to gain better and more targeted results.

During the period 2010 - 2014 participation of unemployed and job seekers in SEA career guidance consultations is still high, but number of disabled people is rising up noticeably.

SEA works professionally using special methods and staff trained tests and methods tailored (aimed on different groups of people with disabilities; like Russell – Ferguson method informative and special tailored supportive materials, other).

SEA has cooperation with appropriate organisations – State Integration Agency (hereinafter SIA); organisations of disabled people (*Apeirons; Hearing impaired*).

SEA experts cooperate and consult schools related in education system as well. SEA makes use of Career guidance services to ensure that systematic and targeted efforts will help more people into the labour market.

In addition SEA activities, the SIA works with disabled (but not only) persons on testing a form of individual training and job support. This was developed to give people with serious health problems the necessary medical assistance/rehabilitation in combination with individual follow-up aimed at them finding training and suitable jobs in the ordinary labour market.

The work is based on a close, binding cooperation between the career guidance, individual tests, further training, involvement of employers, health service as well. The cooperation includes various approaches and measures relating to rehabilitation, career guidance and inclusion. One of the goals of this cooperation is to motivate and recruit people with disabilities for participation in the labour market.

In accordance with the Law on Social Services and Social Assistance state provides vocational rehabilitation for persons with disabilities or predictable disabilities. Law stipulates that vocational rehabilitation is a set of a set of activities that ensure the acquisition of a new profession, professional knowledge or skills, according to the type of level of functional disorders of a person and taking into account his/her previous education and professional qualification.

Citizens and non-citizens of the Republic of Latvia, aliens and stateless persons, who have been assigned personal identity number and who have received a residence permit (excluding persons with temporary residence permit) are entitled to receive vocational rehabilitation, financed from the State budget.

Vocational rehabilitation services are free of charge for person with disability or predictable disability.

Procedure, by which a person is claiming for and receiving vocational rehabilitation, is stipulated by the Regulation of the Cabinet of Ministers No. 271, of 17 April 2012 “Procedure by which a Person Receives Vocational Rehabilitation Services”. In accordance with these regulations person has the right to receive the vocational rehabilitation course several times.

In order to prevent misinterpretation regarding the personal scope entitled to the rights to receive social care services, social rehabilitation services and vocational rehabilitation

services and social work to certain groups of persons, which now exists because of actual wording of the Law On Social Services and Social Assistance Article 3, in 2014 the Ministry of Welfare of the Republic of Latvia elaborated the amendments to the Law On Social Services and Social Assistance regarding defining the personal scope entitled to the rights to receive social services and social assistance. These amendments aim to stipulate the principle that social care services, social rehabilitation and vocational rehabilitation services and social work assistance are accessible to all persons who have lawful rights to reside and who are lawfully residing in Latvia, if they meet certain requirements in order to receive respective assistance and service. The rights to the services and assistance mentioned in this Law will be to those nationals of other State Parties to whom the temporary residence permits have been issued. However to cover the expenses of these services or assistance, the public finances will not be involved (i.e. the budget expenses of State or local governments).

Amendments were accepted by the Cabinet of Ministers on 16 December 2014. Since 26 December 2014 amendments are debated in the Parliament.

Vocational rehabilitation financed by the State budget is provided by a specialized vocational rehabilitation institution - Social Integration State Agency (hereinafter - SISA). Vocational rehabilitation, provided by SISA includes:

- professional adequacy and job simulation tests;
- accredited college level and Professional level training programs;
- psycho-social assistance;
- assistance in placement and job finding.

Parallel to studies, SISA provides also social and medical rehabilitation for persons with disability or predictable disability.

SISA also has 5 regional support points, from where identification of persons with disability/predicted disability and motivation of respective is carried out.

One of the risk group that is facing labour market challenges on EU as well as on national level are young people.

"Europe 2020" strategy aims at promoting growth and employment in the EU as a whole and for each EU Member State individually. *"Europe 2020"* strategy has three main priorities: smart, sustainable and inclusive growth. At the same time according to the Latvian National Reform Programme for implementation of *"Europe 2020"* strategy, the Latvian goal is to promote growth and employment by providing medium-term GDP growth rates of 4-5% and a high employment rate of 73% by year 2020¹. In addition, Council of the EU recommendation to Latvia of 2013 encouraged to address the situation in relation to youth unemployment by introducing guarantees for youth, establishing a comprehensive career guidance system and at the same time implementing reforms in vocational education and training (VET) sector.

According to Eurostat, the youth unemployment rate was 28.5% in 2012, but in the 2nd quarter of 2013 it decreased to 20.1% in Latvia, which is below the EU average. According to the Central Statistical Bureau of Latvia, the number of NEETs aged 15-24 in the 3d

¹ http://www.em.gov.lv/images/modules/items/LV_NRP_lat.pdf

quarter of 2013 reached 37.8 thousand (approximately 65 thousand people graduated from schools and universities in 2012/2013). In 2012 the number of young registered unemployed continued to decrease (in January 2012 there were 15 615 young registered unemployed, in March 2010 – 28 295). End October 2013 there were 8 709 young registered unemployed aged 15-24 in Latvia, (9.7% of all registered unemployed and approximately 27% of NEETs' group)².

In the planning documents of Latvia, young people have also been identified as one of the priority target groups of the active labour market policy, poverty reduction measures as well as in the field of education and social exclusion taking into account the fact that the youth unemployment rate in Latvia remains one of the highest among EU Member State.

Based on the assessment that current investments in the human capital of youth will deliver long-term benefits and contribute to sustainable and inclusive economic growth as well as taking into account situational background and targets set in “*Europe 2020*” strategy, Council of the EU together with European Commission has delivered a proposal to establish Youth Guarantee measures. Main target group of Youth Guarantee are young people who are not in education, employment or training (NEETs).

In Latvia, Youth Guarantee measures are being implemented in three stages, including measures of activation of discouraged young people (NEETs) aged 15-29 who are not in education, employment or training, in municipalities to facilitate their involvement in education, including VET, labour market and other related activities. This particular measure is being implemented by the Agency for International Programs for Youth³ (hereinafter – AIPY) in the frame of the project “KNOW and DO!”

The implementation of the project “KNOW and DO!” was started by the AIPY in September 2014 with a financial support of the European Social Fund and State funding and will last until the end of 2018. The legal framework of the given project is set in the specific objective 8.3.3. “To increase inclusion of SEA non-registered NEETs and foster their inclusion in education, supported measures within the framework of Youth Guarantee, and NGOs or youth centers” of the operational program’ “Growth and Employment” of the European Union funding instruments for 2014 - 2020.

The project is being implemented within the Youth Guarantee initiative aimed at young people aged 15-29 who are not in education, employment or training (NEET) and are not registered at the State Employment Agency as unemployed. The target group, which includes the most disadvantaged young people such as youngsters with disabilities and others, possesses a common feature of being inactive and unmotivated.

The aim of the given project is to develop skills of that particular target group of young people and facilitate their involvement in education, including VET to master craftsman, Youth Guarantee activities implemented by the SEA or the State Education Development Agency (hereinafter - SEDA), active employment or preventative unemployment reduction measures provided by the SEA as well as in non-governmental organizations or youth center activities.

The provisional number of young people who are going to receive the support during the project around to 5262. To achieve the set goal the project will be implemented in close cooperation with local municipalities and their strategic partners, such as national and local governmental and non-governmental institutions, youth centers and other institutions that

²OECD Investing in Youth: Latvia, http://www.keepeek.com/Digital-Asset-Management/oced/social-issues-migration-health/investing-in-youth-latvia_9789264240407-en#page1

³ <http://jaunatne.gov.lv/lv/jauniesu-garantija/par-projektu-proti-un-dari>

are engaged in youth work. A network of a wide spectrum of service providers will be created thus facilitating a close cross-sectoral cooperation and ensuring the best possible outcome in terms of outreach of disengaged youth, their re-motivation and eventually bringing them back to active social and economic life. In addition to ensure a quality of services provided to young people which is of utmost importance to achieve the expected project results the AIPY will provide a methodological support to municipalities by organizing trainings to project implementation staff, evaluation meetings to exchange experiences and good practices as well as supervisory visits.

The project foresees several phases of youth engagement. During the first phase young people of the target group are being identified and outreached to inform them about the opportunities provided by the project. This is being done by municipalities in close cooperation with their strategic partners ensuring that all representatives of the target group including the most disadvantaged ones are being addressed and engaged.

During the second phase young people are being profiled by experienced/trained specialists (i.e. people who have passed the training provided by the AIPY) to identify what skills and competences the particular young person shall develop, i.e. personal, social, labour and/or others in order to successfully return to social and economic life. Based on the profiling results an individual support programme of measures is being designed which at a later stage of its implementation can be elaborated according to the young person's needs in terms of measures and programme duration. Those young people who during profiling have expressed readiness to actively participate in the process of job search or further education are directed to join Youth Guarantee activities implemented by SEDA or SEA. The profiling process as such is based on an individual approach and support provided by qualified specialists including consultation about possible VET opportunities.

The individual support program of measures is designed to better fit the particular young person's needs therefore it includes individual and group support activities such as specialist consultations, formal and informal learning activities, volunteer and social work, leisure time activities and others. It is essential to mention that mentor's role in the implementation of individual support programme is very significant therefore his involvement is obligatory.

Within the Youth Guarantee, the following activities are provided:

- Implementation of initial VET programmes for acquiring 2nd and 3rd level professional qualification in 1 or 1,5 years;
- Implementation of education programmes for improving general basic skills within the framework of continuing VET programme and professional development programme for imprisoned persons;
- Ensuring career support activities in VET institutions and in places of detention;
- Allocation and payment of monthly scholarships for students of VET institutions in the amount of 70 to 115 EUR per month.

Since September 2014, 1-1.5 years VET programmes provide youth aged 17 to 29 years with a Level 2 or Level 3 professional qualification. 2 505 young NEETs had enrolled into the programme from September till December 2014. 35 VET schools offer young people to acquire more than 90 professions. The sectors of qualification include the food industry, IT systems and programming, administrative, secretarial services, construction services, beauty treatment, agriculture, catering services, transportation, hotel services, railway services, housekeeping, accounting, manufacturing of wood objects, banking and finance, forestry machinery, tourism, interior design, multimedia design, marketing, telemechanics

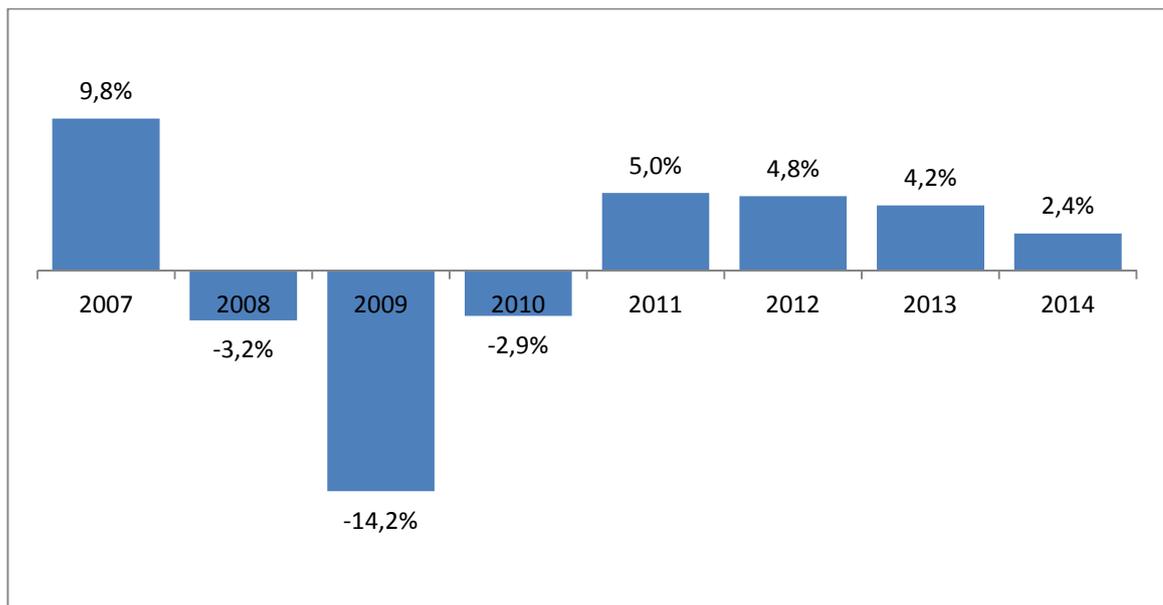
and logistics, polygraphy and publishing, power engineering and electronics, veterinary medicine, machinery science, plant nursery.

Regarding the appropriate career guidance, SEDA provides career information, specifically information on learning opportunities from primary through adult education in Latvia by maintaining the National Database of Learning Opportunities. Answers to citizens' enquiries on learning opportunities in Latvia and elsewhere in the EU are also provided through an on-line question and answer service shared between the National Database of Learning Opportunities and the Euroguidance Programme.

3. Please provide pertinent figures, statistics (for example Eurostat data) or any other relevant information, in particular: the GDP growth rate; trends in employment covering all sectors of the economy: employment rate (persons in employment as a percentage of the population aged 15-64 years), youth employment rate; activity rate (total labour force as a percentage of the population aged 15 years and over); unemployment rate, long-term unemployment rate, youth unemployment rate; employment status (employed, self-employed); all figures should be broken down by gender; employment policy expenditure as a share of GDP, including the relative shares of 'active' (job creation, training, etc.) and 'passive' (financial compensation, etc.) measures.

Table no.1

GDP growth rate, % changes to the previous year (CSB)



Data source: The Central Statistical Bureau (CSB) of Latvia, www.csb.gov.lv

Table no.2

Labour market indicators of Latvia in 2007-2014 (Eurostat)

	2007	2008	2009	2010	2011	2012	2013	2014
Employment rate ⁴	68.1	68.2	60.3	58.5	60.8	63.0	65.0	66.3
Activity rate ⁵	72.6	74.2	73.5	73.0	72.8	74.4	74.0	74.6
Youth employment rate (15-24 years)	38.1	37.0	27.5	25.4	25.8	28.7	30.2	32.5
Unemployment rate (15-64 years)	6.2	8.0	18.0	19.8	16.5	15.3	12.1	11.1
Youth unemployment rate	10.6	13.6	33.3	36.2	31.0	28.5	23.2	19.6
Long-term unemployment (15-64) ⁶	26.9	24.1	25.8	45.1	54.5	52.1	48.7	43.0

Table no.3

Latvian labour market indicators in 2007-2014, breakdown by gender (Eurostat)

	2007		2008		2009		2010		2011		2012		2013		2014	
	Males	Females														
Employment rate	72.7	63.9	71.5	65.2	60.3	60.4	57.9	59.0	61.5	60.2	64.4	61.7	66.8	63.4	68.4	64.3
Activity rate	77.9	67.8	78.3	70.3	76.6	70.7	75.3	70.8	75.8	70.1	77.1	72.0	76.6	71.6	77.8	71.6
Youth employment rate	43.8	32.2	42.1	31.7	29.5	25.4	26.5	24.3	28.3	23.4	31.8	25.4	33.3	27.0	36.5	28.3
Unemployment rate	6.7	5.7	8.7	7.3	21.4	14.6	23.0	16.6	18.9	14.1	16.5	14.2	12.8	11.4	12.1	10.1
Youth unemployment rate	11.0	10.0	14.0	13.1	36.4	29.2	37.3	34.8	31.3	30.6	27.8	29.5	21.8	24.9	19.4	20.0
Long-term unemployment	30.2	22.7	23.1	25.2	26.0	25.6	48.2	41.0	59.0	48.4	53.6	50.4	52.3	44.7	44.8	40.8

⁴ Persons in employment as a percentage of the total population aged 15-64.

⁵ Total labour force as a percentage of the total population aged 15-64.

⁶ Long-term unemployment (12 months or more) as a percentage of the total unemployment.

Table no.4

Labour market main indicators by ethnicity and gender in 2014

	Latvians			Other ethnicity		
	Total	Males	Females	Total	Males	Females
Activity rate, %	75.5	78.0	73.1	73.0	77.4	69.0
Employment rate, %	68.0	69.5	66.6	63.3	66.4	60.5
Unemployment rate, %	9.9	10.9	8.9	13.2	14.2	12.3

Data source: Central Statistical Bureau of Latvia, persons aged 15-64.

Table no.5

Employment by the kind of economic activity (NACE Rev. 2)

	2008	2009	2010	2011	2012	2013	2014
Total (%)⁷	100						
Agriculture, hunting and forestry	8.0	8.7	8.6	8.9	8.4	8.0	7.5
Manufacturing and energy	17.6	16.4	16.3	15.8	16.3	16.4	15.6
Construction	11.8	8.0	6.8	7.1	7.1	7.5	8.3
Wholesale and retail trade; repair of cars, motorcycles and personal and household goods, hotels and restaurants	18.7	19.0	19.0	18.7	17.8	17.9	18.3
Transport, storage and communications	10.7	11.1	11.5	11.4	11.0	11.4	12.6
Financial intermediaries, real estate, renting and business activities	7.8	9.1	10.3	10.6	11.5	11.5	11.2
Public administration and defence; compulsory social security	8.0	7.8	7.0	6.9	6.7	6.9	6.6
Education	8.2	9.2	9.9	10.3	10.5	10.6	9.6
Health and social services	4.6	5.5	5.8	6.0	5.8	5.3	5.9
Other	4.7	5.2	4.6	4.2	4.7	4.4	4.5

Data source: Central Statistical Bureau of Latvia. Persons aged 15-74.

⁷ The total number includes persons who have not indicated their kind of activity.

Table no.6

Status of employed persons working in the main job

	2007		2008		2009		2010		2011		2012		2013		2014	
	Males	Females														
Total %	100															
Employees	87.1	91.1	87.1	92.5	85.5	91.2	86.2	90.6	86.3	90.9	86.2	91.0	86.2	90.6	85.6	91.2
Employers	4.4	2.0	5.0	1.9	5.8	1.9	5.4	2.6	5.0	2.4	5.3	2.6	5.5	2.9	5.6	2.4
Self-employed	6.9	5.1	6.4	4.4	7.0	5.5	7.0	5.3	7.6	5.6	7.5	5.7	7.2	5.8	7.7	5.9
Unpaid persons ⁸	1.6	1.8	1.5	1.2	1.7	1.4	1.4	1.4	1.1	1.1	1.1	0.7	1.1	0.6	1.0	0.6

Data source: Central Statistical Bureau. Persons aged 15-74.

Table no.7

Employed persons working full-time and part-time work

	2007		2008		2009		2010		2011		2012		2013		2014	
	Males	Females														
Total %	100															
Full-time	95.3	91.9	95.1	91.5	92.7	89.9	91.9	88.5	92.6	89.0	92.8	88.4	93.6	89.9	94.7	90.3
Part-time	4.7	8.1	4.9	8.5	7.3	10.1	8.0	11.4	7.3	10.9	7.1	11.6	6.1	10.0	5.1	9.6

Data source: Central Statistical Bureau of Latvia. Persons aged 15-74.

Table no.8

Employed persons by hours actually worked per week

	2007	2008	2009	2010	2011	2012	2013	2014
	Total %	100%						
0 hours	3.3	5.1	5.6	5.2	4.9	5.7	5.4	5.3
1-39 hours	12.0	15.1	17.0	16.5	15.4	14.5	14.8	13.1
40 hours	63.8	63.4	63.6	68.0	70.9	71.5	71.9	72.8
More than 41	20.3	16.0	13.0	9.7	8.3	7.6	6.9	7.5
Not indicated	0.7	0.4	0.8	0.7	0.5	0.7	1.0	1.2

Data source: Central Statistical Bureau of Latvia. Persons aged 15-74.

⁸ Helping to other family members in an enterprise etc.

Table no.9

LMP expenditure by type of action

UNIT	Million euro			
LMP_TYPE	GEO/TIME	2011	2012	2013
Labour market services	Latvia	7,195	7,678	7,034
Training	Latvia	27,842	18,023	26,991
Employment incentives	Latvia	11,714	7,439	3,941
Supported employment and rehabilitation	Latvia	:	0,003	0,065
Direct job creation	Latvia	26,005	14,688	13,068
Start-up incentives	Latvia	0,573	0,547	0,285
Out-of-work income maintenance and support	Latvia	64,358	58,466	71,535
Early retirement	Latvia	:	:	:
Total LMP (categories 1-9)	Latvia	137,686	106,845	122,919
Total LMP measures (categories 2-7)	Latvia	66,134	40,700	44,350
Total LMP measures and supports (categories 2-9)	Latvia	130,492	99,167	115,885
Total LMP supports (categories 8-9)	Latvia	64,358	58,466	71,535

Data source: European Commission - Directorate general for employment, social affairs and inclusion (DG EMPL) EUROSTAT: <http://appsso.eurostat.ec.europa.eu/nui/show.do>

Table no.10

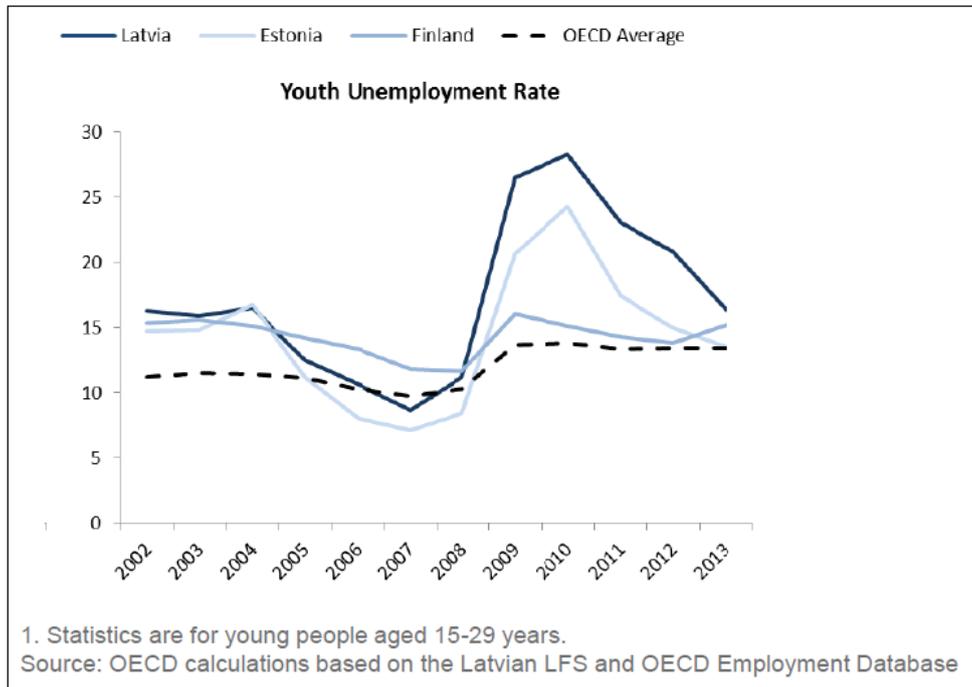
Expenditures on ALMP Measures and number of participants (Ministry of Welfare⁹ and SEA)

	2011	Persons	2012	Persons	2013	Personas	2014	Persons
	Ls		Ls		Ls		EUR	
Training measures	15,78	40 515	10,91	30 677	15,30	38 200	15,50	25 028
Lifelong learning training vouchers	2,36	15 638	0,55	7 187	0,92	7 698	1,78	8 474
Measures to enhance competitiveness	0,63	52 472	0,62	66 158	0,42	46 052	0,51	41 367
Career counselling and vocational guidance	0,30	47 721	0,27	67 136	-	44 118	-	45 671
Business and self-employment start-ups	0,40	488	0,38	485	0,20	346	0,28	265
Regional mobility	-	-	-	-	0,035	182	0,072	268
Practice at a workplace	1,24	1 806	0,24	480	-	-	-	-
Workplaces with stipend	18,37	63 248	-	-	-	-	-	-
Public works	-	-	10,24	31 155	9,2	32 099	7,9	19 204
Subsidized employment for the most vulnerable	5,29	3121	4,42	2 150	2,28	2 227	3,97	2 664
Complex inclusion programme (complex inclusion measures)	3,01	14 937	1,54	17 374	1,53	15 485	2,07	16 504
Employment Measures During Summer Holidays for Persons Studying in General, Special or Vocational Education Institutions	-	-	-	-	-	-	0,76	4 287
Youth Guarantee Measures	-	-	-	-	-	-	2,06	24 445
TOGETHER:	47,37	239 946	29,18	222 802	29,88	186 407	34,86	188 177
ESF	39,95		22,74		23,85		27,06	
State budget	7,42		6,44		6,03		7,80	

⁹ The Ministry of Welfare of the Republic of Latvia – hereinafter MoW, www.lm.gov.lv

Table no.11

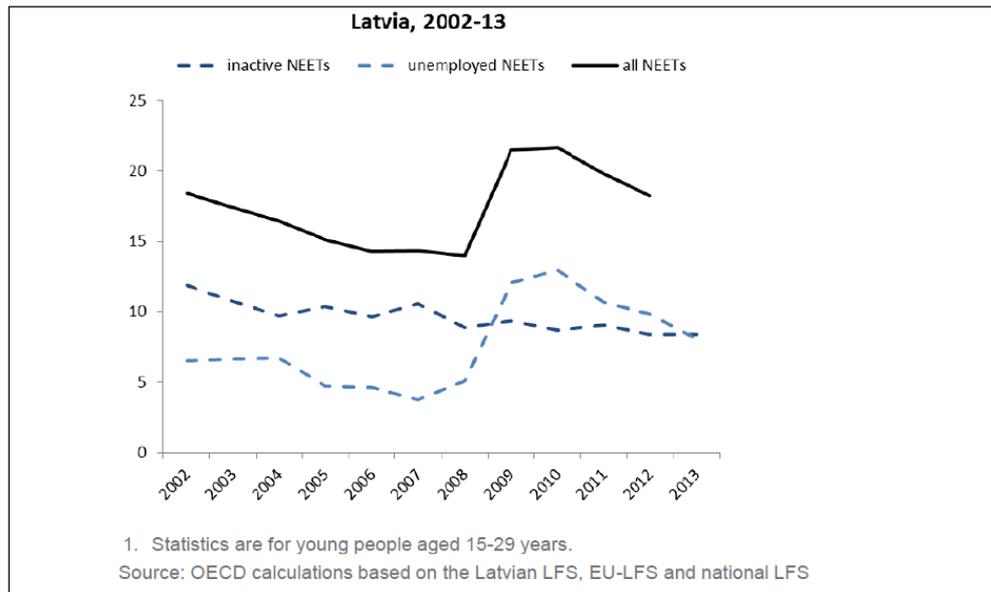
Unemployed youth as a share of all active youth (in %)



Data source: Ministry of Education and Science

Table no.12

Inactive and unemployed NEETs as a share of the total youth population (in %)



Data source: Ministry of Education and Science

Table no.13**Participation of unemployment and job seekers in SEA career guidance consultations (2011-2014)**

Period	Total Number of participants	Persons with disabilities		Gender	
		Unemployed	Other	Male	Female
2011.	47677	1752	106	846	1012
2012.	67093	2812	80	1333	1559
2013.	44102	3187	70	1438	1819
2014.	76414	5442	102	2738	2806
2014*	30751	1070	-	611	459

* including Youth Guarantee

Data source: State Employment Agency

Table no.14**Participation of disabled persons in SIA career guidance measures (2011-2014)**

Period	Total Number of participants*	Gender	
		Male	Female
2011.	148	69	79
2012.	64	28	36
2013.	144	68	76
2014.	126	48	78

*except those who received career consultations via email or by phone

Data source: State Integration Agency

Table no.15

**Participation of registered unemployed with disabilities in ALMP
measures in 2008-2010 (SEA)**

	2011		2012		2013		2014	
	Number of persons	Share in the total number of participants, %	Number of persons	Share in the total number of participants, %	Number of persons	Share in the total number of participants, %	Number of persons	Share in the total number of participants, %
Training measures	645	7.4	766	9.1	865	10.1	549	10.7
Training at employer	28	2.6	1	12.5	3	2.6	2	2.6
Subsidized employment for the most vulnerable groups of unemployed	745	47.2	497	63.1	289	17.3	520	39.5
Complex inclusion measures	686	5.9	1152	7.5	1185	8.9	2250	16
Workplaces with stipend emergency public works programme	2783	5.5	-	-	-	-	-	-
Measures to support unemployed to enter selfemployment or entrepreneurship	7	2.6	15	4.7	12	6.9	8	6.2
Non-formal training	1895	7.2	1378	9.4	2457	11.7	1715	11.1
Measures for raising competitiveness	3107	6	4670	7.1	4492	9.8	4650	11.3
Public works programme	-	-	2302	7.4	3119	9.7	2294	11.9
Youth Guarantee	-	-	-	-	-	-	929	3.8
Career counselling and vocational guidance	3078	3.7	2892	4.3	3257	7.4	4474	9.8

Data source: State Employment Agency

ARTICLE 1 PARA. 2

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

to protect effectively the right of the worker to earn his living in an occupation freely entered upon;”

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

After crisis, from 2011 average wage showed a steady growth and since 2012 has exceeded the level of pre-crisis average indicator. Furthermore in 2014 the growth in average wages and salaries witnessed the most rapid increase since the recovery of the Latvian economy. Growth of average wages was

more determined by the labour market competition, demand for qualified workers and specialists, as well as other economic factors.

It should be noted that despite the gradual reduction of labour tax burden, it is still relatively high compared to other European Union countries. Latvia ranks tenth by the effective tax rates on labour in the European Union.

The data of CSB shows that the number of available vacancies after significant reduction in 2009-2010 remains quite low.

Regarding the minimum wage in Latvia, the Article 61 of the Labour Law - "Minimum Wage" does not define the terms, but sets the main provisions regarding the minimum wage. In compliance with the law, a minimum wage shall not be less than the minimum level determined by the State.

On 16 March 2011 the Cabinet of Ministers accepted the concept "Concept On Determination of the Minimum Monthly Wage for Subsequent Years" (hereinafter – Concept), which provides that the minimum monthly wage shall not be linked to specific indicators, however, the potential changes thereof shall be evaluated according to the economic situation in the State, analysing economic and other indicators.

The Concept provides for the following basic principles for determination and review of the minimum monthly wage:

1. Basic principle for determination of the minimum wage – the minimum wage is not linked to any particular macroeconomic and other indicators however, the potential changes thereof are evaluated according to the economic situation in the State and other indicators.

2. Basic principle for periodicity of review of the minimum wage – once a year.

3. Basic principle for co-ordination of the minimum wage – the amount of the minimum wage and date of introduction in the following calendar year is co-ordinated with social partners at a NTCC (hereinafter - National Tripartite Co-operation Council) meeting before taking of the decision at the Cabinet of Ministers.

4. Basic principle for approval of the amount of the minimum wage – during development of the draft State budget, taking into account the decision of the NTCC, the Cabinet of Ministers takes a decision on the specific amount of the minimum wage in the following calendar year and the date of introduction thereof.

5. Basic principle for coherence of review of the minimum wage – in reviewing the minimum wage, the monthly wage scales of employees of institutions financed from the State and local government budget are reviewed, increasing them according to the possibilities of the budget and taking into account the effect of increasing the minimum wage on the balance sheet of the State general budget and the macroeconomic situation.

6. Basic principle for ensuring the additional financing necessary for increasing the minimum wage – the additional financing necessary for increasing the minimum wage is provided for in the draft law on the State budget for the following year.

The minimum monthly salary within the scope of normal working time, as well as minimum hourly wage rates, is determined by the Cabinet of Ministers. The procedures for the specification and review of the minimum monthly wage shall be determined by the Cabinet of Ministers. According to Regulation On Procedures for the Specification and Review of the Minimum Monthly Wage (issued by Cabinet of Ministers on 17 May 2011 No. 390), the Ministry of Welfare together with the Ministry of Finance and the Ministry of Economics must each year evaluate the economic situation in the State and to draw up proposals regarding the amount of the minimum monthly wage, taking into account the macroeconomic forecasts prepared by the Ministry of Economics and the changes in the economic situation in the previous year, the planned changes in the tax system (changes in the personal income tax rate, in the minimum not taxable with personal income tax, in rates of the mandatory State social insurance contributions), as well as changes in the minimum monthly wage in other Baltic states (Estonia and Lithuania) and the average annual value of the basket of complete subsistence minimum calculated by the Central Statistical Bureau per one inhabitant per month (in force to 2014). Such indicators as gross domestic product (hereinafter - GDP) in comparable prices, GDP in actual prices, GDP increase in comparable prices, GDP increase in actual prices, the average number of employed inhabitants, unemployment level, productivity in comparable prices, increase of productivity in comparable prices, average gross monthly wage, increase of average gross wage, consumption price index are analysed for the evaluation of the economic situation.

The proposal is submitted to the National Tripartite Co-operation Council for discussion. After the debate with social partners and Latvian Union of Municipalities the conceptual proposal is submitted to the Cabinet of Ministers.

The minimum age setting mechanism is binding to all sectors and professions. Although the minimum wage has to protect less qualified workers, in Latvia's case the minimum wage earners include some groups of qualified workers. It may be evidence of compressed wage scale and to some extent of the "envelope wages". The minimums monthly wage for 2015 was 360 EUR.

No substantial changes were undertaken in relation to the adopted anti-discrimination norms and in prohibition of forced labour also. In compliance with the Article 106 of the Constitution of the Republic of Latvia every person has the right to choose the occupation and workplace in accordance with own capabilities and qualifications. Forced labour is prohibited. The involvement in the liquidation of the catastrophes and their consequences, as well as the employment on the bases of the decision made by a Court is possible.

At the same time we would like to inform that on 16 June, 2011 the amendments to the Labour Law were adopted (came into force as from 20 July, 2011), making changes into the regulation of temporary agency work and thereby transposing the provisions of the Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency in the Labour Law. In accordance with the mentioned amendments

Article 7 (Principle of Equal Rights) of the Labour Law has been supplemented with new Parts 4 and 5 providing that it is the duty of the work placement service as the employer to ensure the same working conditions and apply the same employment regulations to an employee who has been appointed for a specified time to perform work in the undertaking of the recipient of the work placement service as would be ensured and applied to an employee if employment legal relationships between the employee and the recipient of the work placement service had been established directly and the employee was to perform the same work. The working conditions and employment regulations referred to in Part four of this Article shall apply to work and recreation time, work remuneration, to pregnant women, women during the period following childbirth up to one year, women who are breastfeeding, to the protection assigned to children and adolescents, as well as to the principle of equality and the prohibition of differential treatment.

Also, the mentioned amendments to the Labour Law Article 28 (Employment Legal Relationships and Contracts of Employment) has been supplemented with new Parts 4, 5 and 6 prescribing that if an employee has been posted to perform work for the benefit of and under the management of the recipient of the work placement service within the scope of the work placement service, it is the duty of the recipient of the work placement service to ensure the employee with safe and harmless working conditions during the period of posting according to the requirements of regulatory enactments regulating labour protection, except mandatory health examinations. During the period of posting an employee shall be responsible to the recipient of the work placement service for the losses caused thereto in accordance with the regulations of this Law regarding the compensation of losses caused by employees. During the period of posting the recipient of the work placement service shall be responsible to the employee of the work placement service for the losses caused thereto in accordance with the regulations of this Law regarding the compensation of losses caused by employers.

At the same time on 23 October, 2014 the amendments to the Labour Law (came into force as from 1 January, 2015) were made, updating Part 3 of Article 32 (Job Advertisements) and thereby currently determining that in a job advertisement the name and surname of an employer who is a natural entity or the name (firm) and registration number of an employer who is a legal entity, or the name (firm) and the registration number of the recruitment company who is evaluating the suitability of applicants and performing the selection on the employer's behalf shall be specified.

On 25 April, 2013 several changes were made to Article 41 (Violation of the Regulatory Enactments regulating Employment Legal Relations to Labour) of the Latvian Administrative Violations Code (came into force on 29 May 2013) currently providing for the following (after amendments to the Law of 26 September 2013 ⁷10):

In the case of a violation of regulatory enactments regulating employment legal relations, except for the cases, which are specified in Parts two and

¹⁰ Amendments implementing the transition of the fines from Lats to Euros (the amendments came into force on 1 January 2014)

three of this Article – a warning shall be issued or a fine shall be imposed on the employer – for a natural person or an official in an amount from thirty five up to three hundred and fifty EUR, and for a legal person – from seventy up to one thousand one hundred EUR.

In the case of not entering into a written form of the contract of employment – a fine shall be imposed on the employer – for a natural person or an official in an amount from seventy up to three hundred and fifty EUR, and for a legal person – from seven hundred up to three thousand six hundred EUR.

In the case of not ensuring the State specified minimal monthly wage, if the person is employed for a normal working time, or not ensuring the minimal hourly tariff rates – a fine shall be imposed on the employer – for a natural person or an official in an amount from four hundred and thirty up to five hundred and seventy EUR, and for a legal person – from eight hundred and fifty up to seven thousand and one hundred EUR.

In the cases of the violations specified for in Part one of this Article, if they have been recommitted within a year after the imposition of administrative sanction – a fine shall be imposed on the employer – for a natural person or an official in an amount from three hundred and fifty up to seven hundred EUR, and for a legal person from one thousand one hundred up to two thousand nine hundred EUR.

In the cases of the violations specified for in Part two of this Article, if they have been recommitted within a year after the imposition of administrative sanction – a fine shall be imposed on the employer – for a natural person or an official in an amount from three hundred and fifty up to seven hundred EUR, and for a legal person from — from three thousand six hundred up to seven thousand one hundred EUR.

In the cases of the violations specified in Part three of this Article, if they have been recommitted within a year after the imposition of administrative sanction – a fine shall be imposed on the employer – for a natural person or an official in an amount from five hundred and seventy up to seven hundred EUR, and for a legal person – from seven thousand one hundred up to fourteen thousand EUR.

Regarding the low number of recognised discrimination cases, it is explained by the fact that part of the received complaints on the discrimination following the inspections of the State Labour Inspectorate was considered to be unjustified, taking into account that according to the regulatory enactments governing labour legal relations there were not found any discrimination signs that could be recognised as violation.

The number of discrimination cases received in the State Labour Inspectorate are reflected in Point 3 of Article 1§2 of this Report regarding statistical information (Table no.18).

In accordance with the Article 4 of the Advocacy Law of the Republic of Latvia, the following persons may work as advocates in Latvia:

- 1) sworn advocates (citizens of LV);
- 2) assistants to sworn advocates (citizens of LV);

- 3) citizens of European Union Member States who have obtained the qualification of an advocate in one of the European Union Member States (hereinafter – advocates of European Union Member States);
- 4) foreign advocates, except for advocates of European Union Member States, may practice in Latvia in accordance with the international agreements on legal assistance binding to the Republic of Latvia.

Pursuant to the information provided by the Latvian Council of Sworn Advocates there are no precedents when citizens of non-European Union member states would have asked for competence of a sworn advocate in Latvia.

In the meantime it is important to point out that in civil and administrative proceedings natural persons may conduct matters in court personally or through their authorized representatives. Matters of legal persons shall be conducted in court by officials who act within the scope of authority conferred upon them pursuant to law, articles of association or by-law, or by other representatives authorized by legal persons. Any natural person may be an authorized representative in the civil procedure, taking into account the restrictions specified in Law (e.g. not attained legal age; persons who, by a judgment of a court, have been deprived of the right to conduct the matters of other persons; persons who have rendered legal assistance to the other party in the dispute in this matter or in another matter related thereto; etc.). So the representative in civil or administrative court proceeding could be any person not only sworn advocate. In criminal matters the representative of accused person can be only sworn advocate.

According to Section 130 - 134 of the Advocacy Law of the Republic of Latvia, if an advocate of a European Union Member State certifies his/her knowledge of the official language and Latvian laws and the Latvian Council of Sworn Advocates (hereinafter - the Council) recognises the professional qualification of the advocate of the European Union Member State as adequate for permanent activity, he/she has the same right to professional activity and duties as a sworn advocate of Latvia (hereinafter - advocate). If an advocate of a European Union Member State has performed professional activities in Latvia under their home-country professional title for at least three consecutive years and if he/she has certified the necessary knowledge and practice obtained in the field of Latvian law to the Council, he/she shall be issued a certificate for the recognition of professional qualification. In order to certify the necessary skills and knowledge, an applicant shall submit an application and the relevant documents regarding the number and content of the cases, which he/she has handled to the Council. The Council shall examine the efficiency and regularity of the activities of the relevant advocate, additionally requiring explanations from the advocate in oral or written form. If an advocate of a European Union Member State has not been working in Latvia under their home-country professional title for at least three years, he/she shall submit to the Council an application and the evidence confirming his/her qualification and the rights recognised in his/her home Member State. The Council shall organise an examination of the conformity of the professional qualification in accordance with the Law On Regulated Professions and the Recognition of Professional Qualification. After the

successful passing of such examination, the advocate shall be issued a certificate for the recognition of professional qualification. The Council may refuse to recognise the professional qualification of an advocate pursuant to a substantiated decision if the professional qualification of the advocate is not in conformity with the provisions of the professional qualification of a Latvian sworn advocate or if there have been disciplinary and other infringements in the professional activity of the advocate. A decision of the Council to refuse to recognise the professional qualification may be appealed to the court.

Like it was indicated by the Council, advocates of the European Union Member States under their home-country professional title may operate in Latvia in the same way as the Latvian advocates, however they shall be attracted to an individually practising advocate or advocate office in Latvia in order to acquire the Latvian court proceedings and in order the Council could ascertain that such advocates of the European Union Member States do not participate in criminal proceedings as they are not permitted to do so.

Section 92 of the Constitution of the Republic of Latvia stipulates that everyone has the right to defend his/her rights and lawful interests in a fair court. Everyone shall be presumed innocent until his/her guilt has been established in accordance with law. Section 19 of the Criminal Procedure Law provides for principle of presumption of innocence, which means that no person shall be considered guilty until the guilt of such person in the committing of a criminal offence has been determined in accordance with the procedures laid down in this Law. While Section 20 of the Criminal Procedure Law stipulates that each person regarding whom an assumption or allegation has been expressed that such person has committed a criminal offence has the right to assistance of a defence counsel, that is, the right to know what offence such person is suspected of committing or is being accused of committing, and to choose his/her position of defence. Taking into account the above mentioned, it is to be concluded that right the defence counsel, who is a person, the duty of whom is to prove that a suspected person or an accused is not guilty, has a very significant role in the criminal proceeding. The prohibition for advocates of the European Union Member States to participate in criminal proceedings as defence counsels is determined on the basis of principal law of Latvia in order to execute the principal rights of a person stipulated therein, it is not stipulated by any means in order to restrict or discriminate in any way the rights of advocates of the European Union Member States. Such a prohibition has been determined in order to provide for the fundamental rights of a person (accused, suspected person) for the suspected or accused person to receive high quality defence from the defence counsel, who has complete knowledge of legislation and court proceeding of Latvia during the criminal proceeding as well as the official language.

Besides, in cases, when an advocate of the European Union Member States has worked in Latvia for three years and has certified his knowledge of the official language and in the field of the Latvian Law, and the Council has recognized the professional qualification of the advocate of the European Union Member State as adequate for permanent activity, he/she shall have the same rights for professional activity and duties as the Latvian advocate, including to participate in criminal proceedings as a defence counsel.

In addition, like it was indicated by the Council, only 15 advocates of the European Union Member States operate in Latvia under their home-country professional title and 1 advocate, who is equal with the Latvian advocate, while advocates, who are not citizens of the European Union Member States, have not turned to the Council with a request to permit them to practice in Latvia.

Considering the above mentioned, we believe that the Advocacy Law of the Republic of Latvia complies with the European Social Charter and there are no disproportionate restrictions set for citizens of the European Union Member States, who practice as advocates in Latvia, violating or discriminating them.

Furthermore the Latvian legislation does not provide unpaid work of prisoners for private companies or companies who act as the subcontractors in prison workshops.

Article 56.¹ of Punishment Execution Code of Latvia (hereinafter - Code) provides that in regard of need of resocialization prisoners can be engaged in paid and unpaid work:

- 1) there are several types of paid work of prisoners:
 - a) The Code provides possibility for prisoners to work for private companies, inside or outside the prison. The Code and the Regulations of the Cabinet of Ministers No.63 „Order of employment of prisoners for salary” (regulation adopted on 17 January, 2012), and No.487 „Order of involvement of private company in employment of prisoners” (regulation adopted on 10 July, 2012) contains detailed regulation concerning prisoner’s working hours, salary, procedure, how private company can create working place in prison, obligation to sign a contract with prisoner who work for this private company, as well as safe work conditions. Private companies in prisons of Latvia work with production of different products – wood and metal production, etc.;
 - b) There is possibility for paid work for cleaning or maintenance work in prison (for example, in kitchen etc.), thus working as prison staff. This is work in so – called “maintenance crew” and is known in post – soviet countries, it provides possibility for prisoner to work in unqualified job place financed by prison. Signing of agreement between prison and prisoner is necessary in this case. Please note that maintenance and cleaning of prisons is operated by prison staff (not by any private company).
- 2) Article 56.¹⁰ of the Code provides that prisoners have obligation to take part in activities connected to maintenance, cleaning of prison premises and territory, as well as improvement of material and cultural conditions of prisoners as part of their resocialization process. Such involvement is organized with aim to train prisoners for meaningful every – day activities, which include also cleaning of their living room or cell, etc.

The Law on Support for Unemployed Persons and Persons Seeking Employment states the basis for the loss of unemployed person’s status. Among other reasons a refusal from suitable job offer twice, as well as failure to fulfil the duties of an unemployed person without a justified reason

are mentioned. Meanwhile, the abovementioned Law states that the Cabinet of Ministers determines the criteria for suitable job.

Several factors are taken into account when defining suitable job:

1. Factors like **Professional background and education** are considered (for the first three months starting from acquisition the status of unemployed a job in the occupation in which unemployed has necessary knowledge and skills to fulfil the tasks of the job, has to be accepted).
2. **Health condition.** Unemployed has the obligation to inform SEA on any functional disorders or health problems limiting job opportunities. The conclusion of doctor has to be submitted.
3. **Travel-to-work time.** Suitable job has to: (1) be reachable in one hour driving (in one way) by public transport from the declared residence place of unemployed (or one hour and a half after first three months of unemployed spell); (2) the distance from the residence place to public transport and from the public transport to job does not exceed 2 kilometres; the transport cost does not exceed 20% from the expected gross wage.
4. **Suitable wage** is defined as average wage of past six months when the unemployed person was employed (except for the last month of employment). Suitable wage level is decreased after 6 months of unemployment spell. For the next three months it is 80% of previous wage. Later there are no such limits set, except for legally binding minimum monthly wage
5. **The availability for work** is considered during the profiling of the unemployed person and defining suitable job in terms of readiness of starting to work. Individual factors, such as health conditions and constraints to start working that do not depend on the will of the unemployed (care of the child, if child care service is not provided by municipality; and care of disabled person) are taken into account.

The Regulations of the Cabinet of Ministers (and SEA internal procedures in greater detail) describe the monitoring of the job-search activities. The unemployed has to affirm job search activities and has to provide job-search evidence in every follow-up meeting with SEA counsellor that is held at least once in two months. The job-search diary is issued for the client and he/she has to fill-in the information on the fulfilment of job search activities and inform the SEA counsellor on the activities during next meeting. The client has to provide information on vacancy and to supply the name and contact information of employers he/she has contacted, the data of application as well as the status of application (rejected by employer, in evaluation or accepted by employer). In case of rejection the client has to provide information on the reasons of rejection.

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

SEA internal procedures were developed to implement profiling and suitable job offer requirements.

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

Table no.16

Minimum and average monthly wage in 2011-2014

	2011	2012	2013	2014
Average gross monthly wage, EUR	660	685	716	765
% changes to the previous period	4.4	3.7	4.6	6.8
Average net monthly wage, EUR	470	488	516	560
% changes to the previous period	4.5	3.9	5.6	8.6
Minimum wage, EUR	285	285	285	320
% changes to the previous period	11.1	0.0	0.0	12.5
% of average wage	43.1	41.6	39.7	41.8

Data source: Central Statistical Bureau of Latvia

Table no.17

Average number of job vacancies and job vacancy rate

	2011	2012	2013	2014
Average number of job vacancies	3008	3351	3934	3714
Job vacancy rate, % of occupied posts	0.4	0.4	0.5	0.4

Data source: Central Statistical Bureau of Latvia

Table no.18

Complaints on discrimination in labour relations received in the SLI

Reporting period	Number of received complaints	Number of recognised violations
2011	53	6 orders and 13 administrative fines
2012	75	2 orders and 33 administrative fines
2013	64	3 orders and 17 administrative fines
2014	22	58

Data source: State Labour Inspectorate

Besides that the State Labour Inspectorate does not divide received complaints and recognised violations on the discrimination in more detail – like on the types of discrimination.

ARTICLE 1 PARA. 3

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

to establish or maintain free employment services for all workers;”

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

The Latvian public employment service - SEA provides labour market services and active labour market policy measures to the unemployed and job-seekers free of charge. It participates in the ERUREs network. Information on SEA budget: http://www.nva.gov.lv/docs/28_56aa070970d064.41472194.pdf

(Please see also information provided on Article 1§2 in this Report)

Indicators have been developed and improved for monitoring the effectiveness of ALMP measures:

- The proportion of persons returning to work from the total number of registered unemployed in the corresponding year: 2011 – 32,2%, 2012 – 35,0%; 2013 – 35,6%; 2014 – 37,6%.

- The proportion of ALMP participants solved their unemployment problem (found work, became self-employed etc.) after participation in ALMP measures – 32,5% in 2014; 27,4% in 2013; 24,7% in 2012; 27,6% in 2011.

Licencing and supervision of private providers

According to national regulation (the Regulations of the Cabinet of Ministers No. 458 of 3rd July, 2007 "Procedures for Licensing and Supervision of Businesses – Providers of Work Placement Services"), private employment companies must provide reports on the estimated number of persons consulted and placed to work. The information submitted also differs – a part of companies submit an information on the number of persons being consulted, other part – on the number of persons actually being placed to work. Taking into account that the number of issued licenses may differ from the number of companies actually working, there is only approximate data on the average number of persons placed to work (according to the above mentioned Regulations of the Cabinet of Ministers No.458 twice a year all companies are obligated to inform the SEA about persons placed to work. In cases companies aren't submitting the information, SEA is sending to those companies additional request for the information. Unfortunately not all of the companies are responding).

The number of licences issued by the SEA for providing employment services: 2011 – 43 licences; 2012 – 24 licences; 2013 – 23 licences; 2014 – 23 licences. According to the information provided by the SEA, there were 116 private employment companies currently working in the country (August 2015).

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

No additional information.

3. Please provide indicators, estimated if necessary, on the functioning and the performance of the employment services in practice, including the number of vacancies registered by employment services; placement rate (placements made by the employment services as a share of notified vacancies).

Table no.19

Registered vacancies and registered unemployed (SEA, 2011-2014)

Year	Month	Number of registered unemployed	Registered unemployment level, %	Number of registered vacancies at the end of the corresponding period	Number of registered unemployed returned to work	
					together	women
2011	January	164551	14,5	2391	4355	2377
	May	149600	13,2	3738	7319	3342
	September	131659	11,6	3726	6382	3813
2012	January	132575	11,7	2430	4318	2445
	May	121994	12,3	4364	6540	3186
	September	108322	11,0	5073	6092	3797
2013	January	107488	10,9	3669	3981	2336
	May	97769	9,9	6130	6805	3154
	September	89435	9,1	5928	5927	3680
2014	January	96762	9,8	4689	4027	2416
	May	87780	9,1	6286	6044	2915
	September	79104	8,2	6564	6204	3952

Data source: State Employment Agency

Table no.20**Registered unemployed (thsnd.) returned to work (SEA)**

Total number:	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	43,13	39,46	39,00	35,45	41,84	65,11	65,65	52,92	54,19	60,64	68,94	64,18	60,82	58,33	58,51
Man	18,57	16,66	16,54	14,86	17,31	28,07	27,41	21,22	23,17	31,61	34,61	31,09	28,06	27,22	27,54
Woman	24,57	22,80	22,46	20,59	24,54	37,04	38,24	31,70	31,02	29,03	34,33	33,09	32,76	31,11	30,97

Data source: State Employment Agency

Table no.21**SEA clients (thsnd.) 2000-2014**

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
180,09	181,74	186,39	177,82	182,32	167,74	148,58	103,74	101,52	168,19	180,03	159,60	127,04	121,57	80,77

Data source: State Employment Agency

Table no.22

Registered unemployed and SEA inspectors in 2011-2014 (SEA)

	Registered unemployed	Inspectors/Employment agent	Average number of unemployed per one inspector
December 2011	130 296	225	579
December 2012	104 052	206	505
December 2013	93 321	185	504
December 2014	82 027	185	443

Data source: State Employment Agency

Table no.23

The SEA posts (workloads) 2011-2014

	2011	2012	2013	2014
Together	785	724	774	815
Actual number of employees:	766	701	750	776
Man	6%	5%	6%	6%
Woman	94%	95%	94%	94%

Data source: State Employment Agency

Table no.24

Breakdown of the SEA staff by age, 2014

Age	Woman	Man
20-29 years	132	16
30-39 years	174	18
40-49 years	162	9
50-59 years	182	7
60-69 years	67	3
70 years and more	6	-

Data source: State Employment Agency

Table no.25

Breakdown of the SEA staff by education, 2014

Level of education	% from the total number
Bachelor degree	12%
Tertiary education	41%
Higher vocational education (2nd level)	30%
Higher vocational education (1st level)	11%
Master degree	3%
General secondary education	2%
Secondary vocational education	1%

Data source: State Employment Agency

Table no.26

Persons placed in work by private employment services in foreign countries in 2014 (SEA):

Country:	Persons
USA	11
Denmark	28
Greece	34
Cyprus	6
Russia	6
Great Britain	441
Netherlands	610
Norway	176
Spain	12
Germany	738
Sweden	1
Together	2283

Data source: State Employment Agency

ARTICLE 1 PARA. 4

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

to provide or promote appropriate vocational guidance, training and rehabilitation;”

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

Vocational guidance provision in the Republic of Latvia is under the responsibility of Ministry of Welfare and Ministry of Education and Science.

(Please see information provided on the Article 9, Article 10, Article 15 and Article 20 in this Report)

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

Measures have been designed particularly for vulnerable groups of unemployed. Almost all active labour market policy (ALMP) measures provide additional adaptation of training and work places for persons with disabilities. The SEA offers various services (measures to improve competitiveness - short-term training programmes to improve job search skills; career consultation; vocational education programmes; training at the employer or at the request of an employer; informal education programmes; subsidised employment for the most vulnerable groups of unemployed; measures to support the unemployed to enter self-employment or entrepreneurship; lifelong learning programmes for adults; public works programme (launched in

2012 upon the expiry of the measure “Workplaces with stipend emergency public works programme”), measures supporting regional mobility of employees). The following measures are intended exclusively for youth (implemented in Youth Guarantee) – Job for Youth, Support for Youth Volunteers, Youth Workshops (getting acquainted with different professional areas) and assistant training and practice of assistants to the SEA inspectors (was introduced during the crisis).

Measures for specified groups of persons make provisions for the employment of unemployed persons at the workplaces co-financed by the state, in order to help the unemployed persons to comprehend the requirements of the labour market, to promote integration into society and settlement in a permanent work. The measure involves: an establishment of legal employment relations, a designation of a qualified work manager, an acquisition of the basic abilities and skills necessary for the work, an adaptation of the workplace offered and services of the sign language interpreters, companions and other necessary specialists.

One of the form is subsidized employment - measures for specified groups of persons, in particular for persons of age from 15 to 24, for persons at pre-retirement age, for persons with disabilities, for persons after parental leave, for long-term unemployed, for persons after imprisonment and others in need. Under this measure, a person can be involved in employment relations, receiving monthly remuneration (paid by employer, but part (minimum monthly wage) is granted by the state) and working under supervision of a person employed in a company (also receiving additional remuneration).

Many measures have been launched aimed at increasing labour market participation persons with disabilities - one of the priority group participating (noticed in Law on Unemployed and Job Seekers Act) in SEA measures offered.

Career guidance services are available and widely used for disabled persons (unemployed or job seeking) in SEA. Starting 2014 SEA operate with e.g. Profiling system, which helps to gain the better and more targeted results to assist persons and disabled people.

During the period 2010 -2014 participation of unemployment and job seekers in SEA career guidance consultations are still high, but number of disabled people rising up noticeably.

SEA works professionally using special methodises and staff trained. In order to facilitate the best possible service many methodises are widely used: Tests and methodises tailored (aimed on different disabled groups; Russell – Ferguson methodises; informative and special tailored supportive materials, other).

SEA has cooperation with appropriate organisations – State Integration Agency; organisations of disabled people (*Apeirons; Hearing impaired*). SEA experts cooperate and consult schools related in education system as well. SEA will make use of available Carrera guidance to ensure that systematic and targeted efforts will help more people into the labour market.

In addition SEA activities, the State Integration Agency (hereinafter - SIA) continues to work with disabled (but not only) persons on testing a form of individual training and job support. This was developed to give people with serious health problems the necessary medical assistance/rehabilitation in combination with individual follow-up aimed at them finding training and suitable jobs in the ordinary labour market.

The work is based on a close, binding cooperation between the career guidance, individual tests, further training, involvement of employers, health service as well. The cooperation includes various approaches and measures relating to rehabilitation, career guidance and inclusion. One of the goals of this cooperation is to motivate and recruit people with disabilities for participation in the labour market.

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

Table no.27

Persons with disabilities for whom disability was determined for the first time¹¹

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Total, incl.:	9007	8435	8350	8867	9849	9818	9856	10355	11980	14636	15894	14589	15017	16570	16188
working	2673	2474	2388	2754	3391	3661	4153	4935	4667	5508	5311	4781	4813	5366	5308
not working	6334	5961	5962	6113	6458	6157	5703	5420	7313	9128	10583	9808	10204	11204	10880

Table no.28

Persons identified by SISA, receivers of professional adequacy and job simulation tests and receivers of full vocational rehabilitation service

	2011	2012	2013	2014
Persons, identified by SISA regional support points	1 200	1 581	1 787	1 200
Receivers of professional adequacy and job simulation tests	400	406	416	400
Receivers of vocational rehabilitation service	400	397	372	380

Data source: Social Integration State Agency

¹¹ Data source: State Medical Commission for the Assessment of Health Condition and Working Ability. Information also is available in the Central Statistical Bureau database.

Table no.29

Receivers of vocational rehabilitation service by tier of disability

	2011	2012	2013	2014 (provisional)
Persons with tier I or tier II disability	X	232	232	196
Persons with tier III disability	X	165	140	184
Total	400	397	372	380

Data source: Social Integration State Agency

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.”

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

The career guidance services in Latvia are provided within the labour market and educational institutions system.

(Please also see information provided on the Article 1 in this Report)

Career guidance is an essential part of the education and training systems in Latvia. The aim of the career guidance services are independent, informed and meaningful choices of individuals about their future career or education paths. Like in many other European countries career guidance in Latvia is a support measure that consists of the three following components: information, guidance (advice) and counselling.

Ministry of Education and Science (hereinafter - MoES) and the Ministry of Welfare (hereinafter - MoW) share the responsibility for the organization of vocational guidance services. The White Paper on the Career Development Support System (approved on 26 March 2006) defines the role and the responsibilities of governmental authorities. The bodies responsible for educational institutions, usually municipalities, also share this responsibility to provide guidance and counselling to youth.

SEDA (subordinate institution to the Ministry of Education and Science) coordinates the implementation of Career Guidance System, prepares, publishes and distributes informational materials about the education system, training and qualification opportunities for Latvian career guidance professionals and meets users’ needs by providing information services for career guidance professionals and individuals online.

SEDA also organizes information and training seminars for career guidance professionals and young people in schools. The services provided by SEDA are free of charge for all clients, regardless of public or private legal status. SEDA has been nominated as the Secretariat for the Cooperation Council for the Career Guidance System. The Secretariat calls the Council meetings when development processes in the guidance system require involvement of decision-makers. According to the amendments of SEDA Statutes of 2014, SEDA became responsible for the enhancing of the cooperation between the institutions providing career development, as well as for the development of the information resources and methodological materials for the development of career guidance issues. The Council includes representatives of the MoES, the MoW, the Ministry of Economics, the Ministry of Environmental Protection and Regional Development, Latvian Association of Local and Regional

Governments, Latvian Employers' Confederation and Latvian Adult Education Association.

The Education Law, adopted by the Parliament of the Republic of Latvia on 29 October 1998, states the need to provide career guidance. The work on improving and establishing comprehensive career guidance system is in the process starting with the amendments in the Education Law (amendments adopted in 2013) that set a clear framework for provision of career guidance in education by defining of key components of carrier guidance, as well as determining the individuals rights to receive career guidance services in schools, and the responsibilities of the stakeholders at school and local government level in the Education Law.

The career guidance action direction has been included in the Education Development Guidelines for 2014 - 2020 and its' Implementation Plan (2014) as a separate action direction – "2.1 Development of career education system and service availability". The planned actions include creation of career education support system, career education development, and expansion of service availability in general and vocational education in the entire Latvia. Also, it is planned to provide a career choice activities for youth such as profession and job monitoring activities, career days, presentation of good practice examples in cooperation with employers, etc. These measures will contribute to reduction in the numbers of early school leavers, facilitating a targeted choice of further education/profession according to skills, knowledge, and interests, as well as increase the labour market competitiveness of youth (Please see Table No. 30).

The Career Education Implementation Plan for 2015 - 2020 was approved in December 2015 it entails a detailed description of the career education provision in the State and municipalities general and vocational education institutions. According to the Plan - 23 million EUR of EU Structural funds are dedicated to the career guidance provision in 328 vocational education and general education schools till 2023.

General education

Addressing the information component of the career guidance, various information activities are offered to the pupils at schools: individual and group counselling, meetings with employers, provision of information on education and career opportunities, provision of information to parents.

Promotion of vocational guidance within the education system also takes place within the annual Career Week campaign, starting from 2012 and involves coordinating activities of municipal Education boards A week's programme of in-school and extramural activities is provided, focussing students' attention on career and self-exploration (Please also see Table No. 31).

Addressing the guidance component, the career management skills development is integrated into compulsory education subject lessons and class lessons and can be a topic for project week activities and field trips. Teachers can freely organize their lessons and choose methods as long as curriculum objectives are achieved (Please also see Table No. 32).

Personnel at schools, who may deal with career education activities, include the school guidance counsellor, class and subject teachers, the school librarian and the deputy head in charge of educational matters.

Amendments to the Regulation of the Cabinet of Ministers on the teaching profession and staff positions at school were passed on 10 May 2011. Before this change, salaries of career guidance counsellors were not eligible for funding from national education budget subsidies and local governments had to find funding elsewhere. Starting from 2011/12 school year this situation has changed and 86 teachers-career counsellors are employed on a part time basis in schools (March 2015) and this trend is increasing (Please also see Table No. 33).

Class teachers, school librarians, school career guidance counsellors, EURES advisors, career guidance counsellor trainers and guidance counselling master's programme students receive information and methodological support in the form of seminars, guidance materials and tools adapted or developed by the Information and Career Guidance Department with the support of national budget funding and the Euroguidance programme (Please also see Table No. 34).

Vocational education

The legal framework underlines (The Regulation of Cabinet of Ministers No. 144 of 19.03.2013. „Vocational education competence center status designation and cancellation procedure”) that Vocational Competence Centre (hereinafter - VCC) is obliged to provide career management skills training. VCC also provides accreditation of vocational competences acquired outside the formal education system. Thus, while participating in accreditation of prior learning and in lifelong learning activities, VCC has to ensure access for their students to career guidance services. It is recommended that VCC should employ a professionally trained career guidance counsellor. EU structural funds are dedicated to the career guidance provision widening also in VET institutions.

SEDA maintains the information portal on vocational profiles “Profesiju pasaule” (“World of Professions”). The information contained in the portal is targeted at young people in order to help them to understand the requirements and nature of different types of work, be better equipped to choose an occupation suitable for them (Please also see Table No. 35).

Higher education

Career guidance in higher education institutions in Latvia is organized taking into account their autonomy. Career centres have been established in only a few public and private institutions. Institutions determine the range of services to be offered and the target groups (current and potential students, alumni, etc.), depending on the number of students enrolled, the profile of the university and the involvement of university management. For example, the Riga Technical University has developed a Business Incubator as one of their student career development tools. The majority of service providers considering the following priorities: arranging student internships, coordinating job-offers, organising career fairs, providing information about learning opportunities and the labour market. Each institution's priorities form a basis for the integration of career guidance in its various structural units. Most

commonly, career guidance services are located in units, which are responsible for providing support for students, or in units dealing with the administration of academic, marketing or external relations issues.

Adult learning

The target group covers the economically active population, but also the unemployed. Adults can receive career support at the public employment services (hereinafter -PES) – SEA under the responsibility of MoW, as well as private providers of fee-based services, such as career coaches. Adults can also receive career support services, while being students at any stage of education level.

SEDA provides career information, specifically information on learning opportunities from primary through adult education in Latvia by maintaining the National Database of Learning Opportunities, as well as through an on-line question and answer service shared between the National Database of Learning Opportunities and the Euroguidance Programme (Please also see Table No. 36).

The Education Law (Article 55, amendments adopted in 2013) determines the individual's rights to use the premises, laboratories, equipment, devices, cultural, sports and medical objects and inventory, schoolbooks, other literature necessary for the educational process, teaching resources and electronic teaching resources of an education institution, as well as receive library, information and career development support services during the educational process in accordance with the procedures laid down in the internal procedure regulations.

Therefore everyone involved in Latvian education system has rights to receive career development support services during the educational process. This also applies to nationals of the other States Parties.

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

The Ministry of Welfare will continue and strengthen the measures specified in the Labour market strategy. Various measures have been launched aimed at increasing labour market participation of persons with disabilities - one of the priority groups participating (Support for Unemployed Persons and Persons Seeking Employment Law) in measures offered by the SEA.

Career guidance services are available and widely used by persons with disabilities (unemployed or job seeking) as well in SEA. Starting from 2014 SEA operates a Profiling System, which helps to gain better and more targeted results to assist persons, including the people with disabilities.

During the period 2010 -2014 participation of unemployment and job seekers in SEA career guidance consultations is still high, the number of disabled people has increased noticeably (Please also see Table No. 38).

SEA works professionally using special methodises and trained staff. In order to facilitate the best possible service many methods are used: Tests and

methods tailored (aimed at different disabled groups; Russell – Ferguson method; informative and specially tailored supportive materials, other).

SEA has cooperation with other relevant organisations – SIA; organisations for people with disabilities (*Apeirons; Hearing impaired*). SEA experts also cooperate with and consult schools. SEA makes use of Career guidance services to ensure that systematic and targeted efforts will help more people into the labour market.

In addition to SEA activities, the SIA continues to work with people with disabilities (but not only) testing a form of individual training and job support. This was developed to give people with serious health problems the necessary medical assistance/rehabilitation in combination with individual follow-up leading to finding training and suitable jobs in the ordinary labour market. SIA offers appropriate support and training possibilities with different vocational training programmes (Vocational school) and with college level trainings (College).

Persons with disability or a prognosticable disability are provided with vocational rehabilitation services during the vocational suitability assessment and support in professional integration after obtaining the professional diploma.

Career guidance consultations, individual tests, further training, involvement of employers, health service are implemented in a coordinated way. The cooperation includes various approaches and measures relating to rehabilitation, career guidance and inclusion. One of the goals of this cooperation is to motivate and recruit people with disabilities for participation in the labour market.

3. Please supply any relevant statistics or other information on public spending on vocational guidance services, their geographical distribution and the institutions that provide them, their staffing levels and the qualifications of those staff, and the number of persons served and their characteristics, in terms of age, sex, educational level and occupation.

Table no.30

Education Development Guidelines for 2014-2020 goals regarding career guidance

Goal	2 To promote development of an individual's professional and social skills based on values education for life and competitiveness in the work environment.			
Policy result	Performance indicator	Base value (year)	2017	2020
Direction: 2.1 Development of career education system and service availability				
Support system for career development is created and service availability is ensured.	Proportion of the number of career consultants and educatees in general and vocational education institutions in the territory of local governments.	n/a	1/700	1/600
	The total number of educational institutions that provide career education services.	60 (2012)	262	328
	Information availability in e-environment on education opportunities in Latvia (the number of education programmes of all stages and all types is in data bases) is ensured.	12,800 (2012)	14,000	16,000
	Increase in the amount of information on the Internet site of the "Profesiju pasaule" on the business directions and main occupations in the labour market, their description and visualization (interviews, photo galleries, videos).	30 % 14/84 (2012)	60 % 28/168	100 % 47/282
	Activities of Euroguidance, the European Commission's consultation and information exchange network, for development of professional competencies of career support specialists (the number of activities).	16 (2012)	16	16

Data source: Ministry of Education and Science

Table no.31

Career Week campaign

Indicator	2011	2012	2013	2014
Number of municipalities involved	--	5	11	15
Number of activities provided	--	not available	794	1120
Number of student participants	--	9000	24197	69800

Data source: Ministry of Education and Science

Table no.32

Education and career guidance is integrated into compulsory subjects

	Subject's title	Age pupils/students of in VET
ISCED 1	Home economics and technologies	~9
	Social sciences	~9
	Natural sciences	~13
ISCED 2	Home economics and technologies	~15
	Social sciences	
	Physics	
ISCED 3	Domestic sciences	~18
	Physics	
<u>Normative regulation:</u> <ul style="list-style-type: none"> - Regulation of Cabinet of Ministers No. 468 of 12.08.2014. "Regulation on the national standard for basic education, the subject standards for basic education and education programmes"; - Regulation of Cabinet of Ministers No. 281 of 21.05.2013. "Regulation on the national standard for general secondary education, the subject standards for general secondary education and education programmes". 		

Data source: Ministry of Education and Science

Table no.33

Career counsellors in general education

Indicator	2012/2013	2013/2014	2014/1015
Number of staff members	54	80	86

Data source: Ministry of Education and Science

Table no.34

Support for careers practitioners

Indicator	2011	2012	2013	2014
Number of seminars	20	25	24	38
Number of participants	579	589	787	979
Number of materials published	4	10	9	5

Data source: Ministry of Education and Science

Table no.35**“Profesiju pasaule” (“World of Professions”)**

Indicator	2011	2012	2013	2014
Number of vocational profile descriptions developed	26	18	30	31
Number of visits per year	not available	not available	30068	65142

Data source: Ministry of Education and Science

Table no.36**National Database of Learning Opportunities**

Indicator	2011	2012	2013	2014
Number of education institutions providing information	1571	1990	2031	1977
Number of learning opportunities published	11602	13000	13705	13735
Average number of unique users of the database per month	16162	15390	13508	16197
Number of visits to the database annually	304620	236564	202908	240174

Data source: Ministry of Education and Science

Table no.37**Citizens' enquiries**

Indicator	2011	2012	2013	2014
Enquiries about learning opportunities in Latvia	540	415	329	296
Enquiries about learning opportunities abroad	125	51	30	32

Data source: Ministry of Education and Science

Table no.38

Participation of unemployment and job seekers in SEA career guidance consultations (2010 - 2014)

Period	Total Number of participants	Persons with disabilities		Gender	
		Unemployed	Other	Male	Female
2010.	78347	1886	199	947	1138
2011.	47677	1752	106	846	1012
2012.	67093	2812	80	1333	1559
2013.	44102	3187	70	1438	1819
2014.	76414	5442	102	2738	2806
2014. <i>including persons in frame of Youth Guarantee*</i>	30751	1070	-	611	459

*This shows that young people under the age of 30 are given priority participating in Youth Guarantee measures as well.

Data source: Ministry of Education and Science

Table no.39

Expenditures on vocational guidance services and participants (SEA)

	2011	Persons	2012	Persons	2013	2014
					Persons	Persons
Career counselling and vocational guidance	0,30	47 721	0,27	67 136	44 118	45 671

* expenditures were not calculated separately, but were part of the SEA yearly administration budget

Data source: State Employment Agency

Table no.40

Persons received (thsnd.) SEA vocational guidance services

	2011	2012	2013	2014
Total number of participants, including:	47,72	67,13	44,11	45,67
<i>registered unemployed</i>	39,88	59,37	38,44	39,74
Man	17,50	24,63	15,32	17,42
Woman	22,37	34,74	23,12	22,31
<i>other persons seeking employment (not employed)</i>	0,17	0,12	0,22	0,23
Man	0,08	0,05	0,10	0,08
Woman	0,09	0,07	0,12	0,14
<i>employed persons</i>	0,26	0,35	0,54	0,33
Man	0,06	0,09	0,15	0,07
Woman	0,19	0,26	0,39	0,25
<i>students, pupils and persons gaining education</i>	4,41	6,41	4,28	4,97
Man	1,95	2,96	1,87	2,17
Woman	2,45	3,44	2,41	2,79
<i>parents</i>	0,00	0,00	0,01	0,00
Man	0,00	0,00	0,00	0,00
Woman	0,00	0,00	0,01	0,00
<i>persons after childcare leave</i>	0,49	0,52	0,86	0,48
Man	0,00	0,00	0,00	0,01
Woman	0,49	0,52	0,86	0,47
<i>persons at pre-retirement age</i>	2,44	5,20	3,99	6,23
Man	0,97	2,19	1,60	2,81
Woman	1,44	3,00	2,38	3,42
<i>persons with disabilities</i>	1,85	2,89	3,25	4,47
Man	0,84	1,33	1,43	2,21
Woman	1,01	1,55	1,81	2,34
<i>persons after imprisonment</i>	0,04	0,12	0,10	0,13
Man	0,04	0,10	0,09	0,12
Woman	0,00	0,01	0,01	0,01
Amount of recipients who received vocational guidance services via internet	11164*	3169*	2923*	3027*

* Number of registered users of SEA homepages' module "Career". Registered users have received e-consultations on education and career guidance as well as have passed tests available. Since year 2012 registration is not compulsory, some services are available for non-registered users also.

Data source: State Employment Agency

ARTICLE 10: EVERYONE HAS THE RIGHT TO APPROPRIATE FACILITIES FOR VOCATIONAL TRAINING

ARTICLE 10 PARA. 1

“With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:

to provide or promote, as necessary, the technical and vocational training of all persons, including the handicapped, in consultation with employers’ and workers’ organisations, and to grant facilities for access to higher technical and university education, based solely on individual aptitude;”

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

In Latvia, Education Law states that every citizen of the Republic of Latvia, holder of non-citizen passports issued by the Republic of Latvia, citizen of European Union, European Economic Area countries and Switzerland, permanent resident of the European Community, holding a residence permit for Latvia, stateless person in possession of a travelling document issued by the Republic of Latvia, third country national or stateless person, who are in possession of a valid residence permit for the Republic of Latvia, person having refugee or alternative status and person who has received temporary protection within the Republic of Latvia, have equal rights to education in Latvia. Different treatment is prohibited, based on race, nationality, social status, religion, political views, health, etc.

Vocational Education Law ensures the implementation of state vocational education and training (hereinafter - VET) policy and development of VET system in Latvia. The aim of this Law is to ensure the possibility to acquire general knowledge and skills, as well as professional qualification. It also defines VET degrees, professional qualification levels; the competence of stakeholders, involved in VET, as well as ensures comparability with VET and professional qualifications acquired abroad.

The Regulation of the Cabinet of Ministers No. 211 “On State Vocational Education and Training Standard” (last amended in 2010) define the main aim and tasks of VET programmes, obligatory content, evaluation principles and procedure, etc.

Because of the low prestige of VET, caused by historical reasons and due to the outdated infrastructure and weak link with the enterprises nowadays, the majority of the pupils, after graduating from basic education, continue their studies in general education institutions and do not obtain professional qualifications. .

The national aim for reforms in VET is to improve the quality of VET, thus ensuring its conformity with the labour market needs, as well as to foster efficient use of available resources. It is planned to promote the change of the proportion of the number of VET and general education students in favour of VET (50/50 in 2020), thus increasing of the share of qualified work force.

In accordance with the Law on Social Services and Social Assistance, state provides vocational rehabilitation for persons with disabilities or predictable disabilities. The law stipulates that vocational rehabilitation is a set of activities that ensure the acquisition of a new profession, professional knowledge or skills, according to the type of level of functional disorders of a person and taking into account his/her previous education and professional qualification.

Vocational rehabilitation services are financed from State budget and are free of charge for person with disability or predictable disability.

Citizens and non-citizens of the Republic of Latvia, aliens and stateless persons, who have been assigned personal identity number and who have received a residence permit (excluding persons with temporary residence permits) are entitled to receive vocational rehabilitation, financed from state budget.

In order to prevent misinterpretation regarding the personal scope entitled to the rights to receive social care services, social rehabilitation services and vocational rehabilitation services and social work to certain groups of persons, which now is possible because of actual wording of the Law On Social Services and Social Assistance, Article 3, in 2014 the Ministry of Welfare of the Republic of Latvia elaborated the amendments to the Law On Social Services and Social Assistance regarding defining the personal scope - people entitled to the right to receive social services and social assistance. These amendments aim to stipulate the principle that social care services, social rehabilitation and vocational rehabilitation services and social work assistance are accessible to all persons who have lawful rights to reside and who are lawfully residing in Latvia, if they meet certain requirements in order to receive respective assistance and service. The rights to the services and assistance mentioned in this Law will be granted to those nationals of other State Parties to whom the temporary residence permits have been issued. However to cover the expenses of these services or assistance, additional public finances will not be involved (i.e. the budget expenses of State or local governments).

Amendments were accepted by the Cabinet of Ministers on 16 December 2014. From 26 December 2014, these amendments are debated in the Parliament.

Procedure, by which a person is claiming and receiving vocational rehabilitation, is stipulated by the Regulation of the Cabinet of Ministers No. 271, of 17 April 2012 "Procedure by which a Person Receives Vocational Rehabilitation Services". In accordance with this regulation, a person has the right to participate in the vocational rehabilitation course several times.

Vocational rehabilitation services, financed by state budget are provided by SISA. This includes:

- professional adequacy and job simulation tests;
- accredited college level and Professional level training programs;
- psycho-social assistance;
- assistance in placement and job search.

Parallel to studies, SISA provides social and medical rehabilitation to persons with disability or predictable disability.

SISA also has 5 regional support points, from where identification of persons with disabilities/predicted disabilities and motivation of respective is carried out.

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

The objective will be achieved through further enhancement of VET institutional network, modernization of VET infrastructure, ensuring flexibility in delivery and financing of VET programs, focusing on stronger link with the labour market forecasts and continuing to invest in teaching methods and teaching staff; and to meet the actual labour market demand, new initiatives are being implemented – the piloting of work-based learning approaches. The implementation of these measures is done in close cooperation with the Sectoral Expert Councils and employers' organizations.

In Latvia, the reform of VET is ongoing since 2009. The concept "Raising attractiveness of VET and involvement of social partners within VET quality assurance" (2009) initiated a wide range of measures aimed at restructuring professional qualifications and programs. The guidelines for optimization of VET establishments network for 2010-2015 (2010) are intended to ensure continued structural reforms in VET system. An information note to the Cabinet of Ministers on optimizing VET school network was prepared 2 July, 2013 and served as a basis for further negotiations with the municipalities.

By optimizing the number of VET institutions (from 56 institutions in 2010 to 29 in 2015) it is planned to establish (award the status) 18 VET competence centres by the end of 2015, as well as to retain smaller VET institutions with a particular specialization (also 2 VET institutions to acquire basic skills). The reforms also include strengthening the cooperation with social partners, modernizing infrastructure of VET institutions.

Several VET development challenges have been addressed by the amendments to the VET Law, adopted in April 2015, in order to ensure a comprehensive strategic approach to education, training and employment issues. The amendments envisaged strengthening the role of Sectoral Expert Councils, the development and functioning of VET institutions' Convents (an

advisory body incorporating, besides the VET institution's director, also representatives from the local government, entrepreneurs and employers, ministries, sectoral associations and other relevant stakeholders). This will promote activities targeted at regional and local employment and societal needs. The amendments also address the issue of the sectoral qualifications' structure and modularisation of VET programs for better labour market compliance.

Guidelines on Education Development 2014-2020 (approved by the Parliament on 22 May, 2014) includes one of the action fields „Introduction of inclusive education principle” in order to facilitate the development of inclusive education in Latvia to ensure children with disability a qualitative and competitive basic education and secondary education, promoting inclusion of children with disabilities in all education levels and types according to their abilities. In education environment it is necessary for students with disability to receive a support so that they could develop their abilities and skills to the utmost and such support is available by implementing inclusive education principles. Inclusive education creates preconditions so that children with disabilities irrespective of their functional impairments but according to their abilities and needs would receive qualitative education. Also inclusive education is a tool that would facilitate the change of paradigm by creating a socially inclusive culture and non-discriminatory attitude towards people with disabilities and would promote greater awareness and respect towards each other when children with and without disability grow and learn together. Wherewith implementation of inclusive education principle is one of the further field in education sphere in order to ensure efficient inclusion of children with disability in comprehensive schools.

Youth Guarantee Initiative

(Please also see information provided on the Article 1 Paragraph 4 of this Report)

Addressing the problem of youth unemployment, especially supporting young people aged 15-29 who are not in education, employment and training (NEET), the Youth Guarantee program (YG) is being implemented since the beginning of 2014. The program is coordinated by the Ministry of Welfare in close co-operation with the MoES. It includes three national projects:

- the State Employment Agency's project “Active labour market policy measures for unemployed young people” targets young registered unemployed people aged 15-29 years and provides a variety of measures, starting with vocational guidance and ending with subsidized employment;
- the State Education development agency's project “Implementation of VET for young people not in employment and training (NEET group)” provides integration of NEETs (15-29 years) into the education process and labour market through receiving the professional qualification in 1 – 1.5 years VET programmes;
- the Agency's for International Programs for Youth project “Know and Do!” raises the motivation of inactive NEETs (15-29 years) to start participation in employment or education measures.

More information about the Latvian Youth Guarantee may be found at www.jauniesugarantija.lv.

Funding of 63.4 million EUR is foreseen for the three stages of the YG over the period 2014 - 2018, with 46% coming from the European Social Fund (ESF, 29.2 million EUR), another 46% from the EU's Youth Employment Initiative (YEI, 29.0 million EUR) and the remaining 8% from the state budget and private co-financing (5.1 million EUR).

The number of YG participants in so called "qualitative measures" from 01.01.2014. till 01.09.2015. reached 8 288 young people aged 15-29 years. Simultaneously on average 34 000 young unemployed received vocational guidance services, support in job searching and short training in job finding. The YG financing in 2014 was 3 160 474 EUR (including YEI - 1 469 256 EUR, ESF – 1 469 256 EUR, state budget financing – 140 690 EUR and private – 81 272 EUR). The number of participants in the first half of 2015 – 2506 young people aged 15-29 years, financing – 6 627 799 EUR (including YEI – 2 875 895 EUR, ESF – 2 875 895 EUR, state budget financing – 400 462 EUR and private – 475 547 EUR). The planned funding for 2015 is 13 325 542 EUR (including YEI – 6 129 749 EUR).

The first evaluation of YG measures was done by OECD in 2014¹². The study gives an in-depth analysis of policies targeting youth and fostering employability and competitiveness of young people. In Chapter 4 information on raising school completion rates and providing high-quality professional training can be found, while Chapter 3 addresses social policies giving support to those young people facing risk of poverty.

Sectoral Expert Councils

In 2011, 12 Sectoral Expert Councils (hereinafter - SECs) were established. In cooperation with the SECs, the sectoral professions and qualifications have been revised in compliance with the actual labour market situation. The issue of skills has been in the center of attention and the strategy on skills has been implemented in close cooperation with the social partners. The work is being carried out in compliance with the short, medium and long term labour market forecasts of the Ministries of Welfare and Economy - on the needed professions and skills. This is supported within the European Social Fund project "Improvement of the national qualifications' system, VET content and the cooperation of the involved parties". The project has been implemented by SEDA in cooperation with the Employers' Confederation of Latvia, the free Trade Union Confederation of Latvia and the National Centre for Education and State Education Quality Service.

Support of the EU structural funds

With the support of the European Social Fund, the quality of initial VET

¹² <http://www.oecd.org/els/soc/investing-in-youth-latvia-9789264240407-en.htm>

programmes has been improved. Project's total budget is 14.85 million EUR, closing date – 30 April 2015. The goals are: 1) to improve the quality of program implementation of initial VET, including promoting successful training of students of VET and to ensure obtainment of balanced competences and skills for professional activity and continuing education; 2) to improve the quality of programmes' implementation in initial VET, including acquiring basic skills and increasing participation in secondary education level, to promote faster integration into the labour market and ensure obtainment of balanced competences and skills for professional activity and continuing education.

It supported activities such as: (1) development of learning content; (2) improving the teaching methods or practical training and development of teaching tools; (3) development of teachers' intellectual resources to improve the quality of learning process and the quality of library collections, as well as user training; (4) additional advisory teaching support to students in order to promote successful learning in VET; (5) activities for the development of vocational, social and communication skills and ability to promote the cooperation with employer and client or to develop economic activities, including training and skills competitions; (6) implementation of practical training that is appropriate to qualification requirements outside the education institutions, including at a master craftsman or a merchant, or in an institution that is appropriate to qualification requirements; (7) introduction of e-resources and e-learning solutions in the learning environment, including information and communication technologies in subject learning or practical training and teaching practices, or improvement of student skills regarding the use of information technologies; (8) implementation of education programmes, including their adaptation according to the target group.

As a result, 10 067 students had a practical training outside the education institution, 11 387 students are studying developed initial VET programmes, 4097 students have acquired skills needed on the labour market, and 13.72% students acquired improved VET programmes.

With support of the European Social Fund, National Qualification Framework, VET content and cooperation among the stakeholders involved in VET has been improved. Project's total budget is 3.63 million EUR, closing date – 30 November 2015. The goal is to improve quality and efficiency of VET according to the development of sectors of national economy by restructuring VET, creating industry qualification system, by researching sectors of the national economy, develop or improve occupational standards and requirements of specialisations qualification and validation of skills acquired beyond the formal education system. It supports the following activities: (1) establishment and ensuring operation of sectoral expert councils, research of competences und skills in sectors of the national economy, creation of sectoral qualification system, development or improvement of occupational

standards, development of requirements to related occupations and specialisations; (2) implementation of module approach in development or improvement of learning of VET programmes for basic professions, related professions and specializations, including professional development programmes; (3) improving the examination process, development of accreditation of skills, competences and knowledge acquired beyond the formal education system.

As a result, the proportion of general education institutions and VET institutions that implement improved programmes as a proportion of the total number of general education institutions and VET institutions has reached 94.12%.

With support of the European Regional Development Fund, equipment is modernized and infrastructure is improved for implementation of VET programmes. Project's total budget is 163.58 million EUR, closing date – 4th quarter 2015. The goal is the implementation of VET programmes by means of improved infrastructure, thus fostering VET to meet the labour market requirements. It supports the following activities: (1) modernisation of equipment, facilities and technologies, as well provision with information technologies for implementation of VET programmes (at least in one VET programme from the priority thematic areas or groups of programmes); (2) reconstruction and renovation of VET institutions' buildings, structures, premises including dormitories and infrastructure, or constructing new buildings; (3) modernization of libraries and at least two cabinets of natural sciences (mathematics, physics, chemistry, biology or information technology); (4) adjusting VET institutions for people with functional disabilities; (5) providing teaching support, including transport vehicles as visual and technical tools which are necessary for implementation of programmes, and technical equipment, including information technologies, if VET institution implements VET programme from priority thematic areas or groups of programmes; (6) reconstruction and renovation of VET institutions' buildings, structures, premises including dormitories and infrastructure, and constructing new buildings or structures which are necessary for modernization of infrastructure of VET institutions according to priority thematic areas or groups of programmes, including demolition of structures, buildings or part of buildings which are necessary for reconstruction of the existing buildings or for construction of new buildings; (7) modernization of libraries and classrooms (except purchasing of gym teaching support and technical equipment); (8) renovation or reconstruction of sport halls only if they are an integral part of such projects, which are intended to renovate or reconstruct buildings or structures, in which VET programmes are being implemented from priority thematic areas or groups of programmes; (9) adjusting VET institutions for people with functional disabilities.

As a result, 21 VET institutions have modernised infrastructure and teaching equipment, and proportion of VET students who study in modern conditions (% from total number of student in priority thematic areas or groups of programmes) would reach 34.88%.

3. Please supply statistics or any other relevant information to show how this provision is applied in practice. The main indicators of compliance with this provision are: the total amount of public expenditure devoted to vocational training; the number of vocational and technical training institutions and types of education and training provided; number of teachers and pupils.

Table no.41

Proportion of the number of VET and general education students after graduating the basic education (%)

	General education	VET
2014/2015	63,96%	36,04%
2013/2014	64,67%	35,33%
2012/2013	64,09%	35,91%
2011/2012	64,04%	35,96%

Data source: Ministry of Education and Science

Table no.42

Persons identified by SISA, receivers of professional suitability and job simulation tests and receivers of full vocational rehabilitation service

	2011.	2012.	2013.	2014.
Persons, identified by SISA regional support points	1 200	1 581	1 787	1 200
Receivers of professional suitability and job simulation tests	400	406	416	400
Receivers of vocational rehabilitation service	400	397	372	380

Data source: Social Integration State Agency

Table no.43

Receivers of vocational rehabilitation service by group of disability

	2011.	2012.	2013.	2014. (provisional)
Persons with tier I or tier II disability	X	232	232	196
Persons with tier III disability	X	165	140	184
Total	400	397	372	380

Data source: Social Integration State Agency

ARTICLE 10 PARA. 2

“With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:

to provide or promote a system of apprenticeship and other systematic arrangements for training young boys and girls in their various employments;”

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

In Latvia, Education Law declares that every citizen of the Republic of Latvia, holders of non-citizen passports issued by the Republic of Latvia, citizens of European Union, European Economic Area countries and Switzerland, permanent residents of the European Community holding a residence permit for Latvia, stateless persons in possession of a travelling document issued by the Republic of Latvia, third country nationals or stateless persons who are in possession of a valid residence permit for the Republic of Latvia, persons having refugee or alternative status and persons who have received temporary protection within the Republic of Latvia have equal rights to education. It also prohibits different treatment, based on race, nationality, social status, religion, political views, health, etc.

Vocational Education Law ensures the implementation of state vocational education and training (VET) policy and development of VET system in Latvia. The aim of this Law is to ensure the possibility to acquire general knowledge and skills, as well as professional qualification. It also defines VET degrees, professional qualification levels; the competence of stakeholders involved in VET, as well as ensures comparability with VET and professional qualifications acquired abroad.

The Regulation of the Cabinet of Ministers No. 211 “On State Vocational Education and Training Standard” (last amended in 2010) define the main aim and tasks of VET programmes, obligatory content, evaluation principles and procedure, etc.

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

Work-based learning

Implementation of work-based learning (hereinafter - WBL) is a high-level priority in VET , ensuring better compliance between the training provision and the actual labour market. The Education Development Guidelines 2014-2020 envisage that by 2020 50% of VET students have to be involved in WBL processes.

A major initiative since 2012 is the implementation of WBL approaches in the VET system. The decision to pilot WBL approaches was taken in relation to the acquisition of best practice from other EU countries (e.g. Germany and Austria. Through the implementation of WBL pilot project the WBL approaches have been tested – in order to evaluate their suitability in the Latvian context, to identify the existing and potential problems, to discuss and adjust WBL model to Latvian VET system and to make a decision regarding the implementation of WBL approaches at systemic level.

In April 2015, respective amendments to the VET Law were adopted stipulating that WBL is a form of the implementation of a VET program. Specific Regulations of the Cabinet of Ministers on WBL will be prepared in 2015/2016. In addition, EU structural funds will be used to support the implementation of WBL in VET. A major challenge is the involvement of employers in the WBL processes – for making placements in enterprises available. This requires a development of a system for incentives for employers. A well-considered information and promotion campaign reaching out to a broad spectrum of target groups and supported by an effective carrier guidance system are also crucial to implement WBL. The main target groups are teaching and training providers, employers and professional associations, public administrations at national, regional and local level, social partners and also the potential learners and their families

Further activities in this area include:

- development of a comprehensive legal framework supporting the implementation of WBL;
- effective and efficient use of EU funds for the promotion of WBL approaches;
- promoting and disseminating the examples of good practice;
- improved career guidance approaches;
- promoting the issues of training of trainers and mentors;
- promoting innovative approaches for the cooperation between general education institutions, VET and higher education institutions;
- strengthening the role of social partners and employers representatives including Sectoral Expert Councils in the VET provision;

- new approaches to VET governance and change of thinking paradigms at all levels, including public administrations, with strengthened inter-ministerial cooperation and improved information circulation mechanisms.

3. Please supply statistics or any other relevant information to show how this provision is applied in practice. The main indicators of compliance with this provision are: the existence of apprenticeship and other training arrangements for young people; the number of young persons benefiting from training system; how the arrangements for vocational training are divided between the various types of vocational activity; length of the apprenticeship; the total public spending (and private spending, if possible) on these types of training and the availability of places for all those seeking them; equality of access to apprenticeship training for all those interested, including national of the other States party.

In September 2013, a pilot project within the existing legal framework was initiated involving 148 students in 17 different programmes in six VET schools with 29 large and medium companies participating. Between the VET school, the company and the student a trilateral agreement is signed and an employment contract is signed between the school and the student (obligatory in case of the pilot project). Within the pilot project the company is the main partner regarding curriculum and training plan development, setting the number of days for training in enterprise per week and during the year. At the same time, school selects students based on criteria set by the company and provides theoretical knowledge.

After two years of the pilot project around 15 VET institutions to a varying degree have undertaken the implementation of WBL in VET involving 200 enterprises and 500 students in 40 different programmes. Within these processes the needs of the national economy and such factor as the prevailing proportion of micro and small enterprises has to be taken into consideration.

ARTICLE 10 PARA. 3

“With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:

to provide or promote, as necessary:

- a. adequate and readily available training facilities for adult workers;***
- b. special facilities for the retraining of adult workers needed as a result of technological development or new trends in employment;”***

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

(Please also see information provided on the Article 1 Paragraph 4 and Article 10 Paragraph 1 of this Report)

According to the Education Law, adult learning is a multi-dimensional educational process, which ensures the development of the individual and his/her ability to compete in the labour market, during the course of a lifetime of a person. The Cabinet of Ministers determines the procedures by which the state finances adult non-formal education programmes, further education programmes and professional competence development, as well as the criteria for the receipt of the relevant financing. MoES implements adult learning policy and ensures distribution of allocated financing, as well as supervises its spending. Adult learning can be provided in formal and non-formal education programmes.

The economic crisis highlighted the role of adult learning in promoting employment and reducing unemployment risk. The target of the policy in this area is to achieve that by 2020 15% of the population (age group 25-64) would be involved in the adult learning (Please see Table no.42).

In Latvia, the implementation of the National Lifelong Learning Policy Guidelines for 2007–2013 was suspended in 2013, which main goals were to provide the availability of lifelong learning, promote quality adult learning and effective use of resources. Although the activities in this area witnessed post-crisis effect, especially regarding financial resources, development of adult education in Latvia has progressed. There are evening (shift) and day schools that offer to acquire evening (shift) or part-time education programmes, making students' distribution about 70% in evening (shift) and 30% in day schools. In order to provide second chance education, new evening (shift), part-time, social and pedagogical correction, as well as special education programmes are being licenced. In 2014/2015 academic year there were 320 licenced education programmes, *inter alia*, 131 evening (shift) and 189 extramural (including distance learning) general education programmes.

In Latvia, local municipalities promote the development of adult learning, supporting institutions (adult learning centres, cultural centres, day schools that provide non-formal learning); implementing or supporting projects targeted at improving adult non-formal education; supporting NGOs, etc. These practices are very important, as they provide adult education opportunities closer to home. Provision of basic skills and outreaching low-skilled adults is implemented with the support of learning programmes engaging adults in lifelong learning, including language knowledge, ICT skills, initiative and entrepreneurship, social and civil skills, maths and sciences, culture and “learning to learn”.

Contributing to cooperation and ensuring coordination among the partners involved in adult education, MoES ensured the implementation of European programme for adult cooperation (2013-2014), aiming at promotion of cooperation and establishment of common coordination and exchange of

information among the partners involved in adult education, including higher institutions, private partners, local municipalities, NGOs and public. One of the project activities is providing consultations to adults regarding available education opportunities.

In order to ensure the alignment of Latvian National Qualifications Framework to the European Qualifications Framework (hereinafter - EQF), Latvian regulation for education classification includes the alignment to the appropriate level of EQF, incorporating all education levels (basic education, secondary education and higher education), as well as forms of education (general, vocational and academic). In 2011, amendments were made to the regulation, providing alignment to the International Standard Classification of Education - ISCED 2011.

Article 157 (Study Leave) of the Labour Law prescribes that an employee, who without discontinuing work, studies at an educational institution of any type, in accordance with a collective agreement or an employment contract shall be granted study leave with or without retention of work remuneration. If a piecework salary has been specified for the employee, study leave shall be granted paying out average earnings or not paying it (Part 1, Article 157). An employee shall be granted a study leave of 20 working days for the taking of a State examination or the preparation and defence of a diploma paper with or without retaining the work remuneration. If a piecework salary has been specified for the employee, a study leave shall be granted with or without paying out the average earnings (Part 2, Article 157).

In addition Part 1 of Article 29 (Prohibition of Differential Treatment) of the Labour Law provides that differential treatment based on the gender of an employee is prohibited when establishing employment legal relationships, as well as during the period of existence of employment legal relationships, in particular when promoting an employee, determining working conditions, work remuneration or occupational training or raising of qualifications, as well as when giving notice of termination of an employment contract. Differential treatment based on the gender of employees is permitted only in cases where a particular gender is an objective and substantiated precondition, which is adequate for the legal purpose reached as a result, for the performance of the relevant work or for the relevant employment (Part 2, Article 29). If in case of a dispute an employee indicates conditions which may serve as a basis for his or her direct or indirect discrimination based on gender, the employer has a duty to prove that the differential treatment is based on objective circumstances not related to the gender of the employee, or also that belonging to a particular gender is an objective and substantiated precondition for performance of the relevant work or the relevant employment (Part 3, Article 29). Harassment of a person and instructions to discriminate against him or her shall also be deemed to be discrimination within the meaning of

this Law (Part 4, Article 29). Direct discrimination exists if in comparable situations the treatment of a person in relation to his or her belonging to a specific gender is, was or may be less favourable than in respect of another person. Less favourable treatment due to granting of a prenatal and maternity leave, or a leave to the father of a child shall be considered as direct discrimination based on the gender of a person (Part 5, Article 29). Indirect discrimination exists if apparently neutral provisions, criterion or practice cause or may cause adverse consequences for persons belonging to one gender, except in cases where such provisions, criterion or practice is objectively substantiated with a legal purpose the achievement of which the selected means are appropriate (Part 6, Article 29). Harassment of a person within the meaning of this Law is the subjection of a person to such actions which are unwanted from the point of view of the person, which are associated with his or her belonging to a specific gender, including actions of a sexual nature if the purpose or result of such actions is the violation of the person's dignity and the creation of an intimidating, hostile, humiliating, degrading or offensive environment (Part 7, Article 29). If the prohibition against differential treatment and the prohibition against causing adverse consequences is violated, an employee in addition to other rights specified in this Law, has the right to request compensation for losses and compensation for moral harm. In case of dispute, a court at its own discretion shall determine the compensation for moral harm (Part 8, Article 29). The provisions of this Article, as well as Article 32, Part one and Articles 34, 48, 60 and 95 of this Law, insofar as they are not in conflict with the essence of the relevant right, shall also apply to the prohibition of differential treatment based on race, skin colour, age, disability, religious, political or other conviction, national or social origin, property or marital status, sexual orientation or other circumstances of an employee (Part 9, Article 29).

According to Part 1 of Article 96 of the Labour Law the workplace of an employee, who has been sent for occupational training or to raise his/her qualifications thus interrupting work, shall be retained. The employer shall cover expenditures associated with occupational training or the raising of qualifications.

An employer has a duty to pay out the remuneration specified in Part three of this Article if an employee does not perform work due to a justifiable reason, especially in the cases where the employee: 3) on the basis of relevant orders by the employer, during working time participates in occupational training or improvement of qualifications (Clause 3, Part 1, Article 74, Labour Law). If for an employee a time salary has been specified, in the cases referred to in Parts one and two of this Article, he/she shall be paid out the specified remuneration for work. If for an employee a piecework salary has been

specified, in the cases referred to in Parts one and two of this Article, he/she shall be paid out average earnings (Part 3, Article 74, Labour Law).

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

The validation of non-formal and informal learning and recognition of learning outcomes has been taken forward, developing methodology for assessment and recognition of non-formal learning. In VET, the mechanism for recognition of knowledge, skills and competences acquired outside the formal education system has been developed, granting the accredited education institution or examination centre the right to assess professional competence acquired outside the formal education system, thus also promoting European quality assurance in VET framework and use of VET quality assurance indicators. From 2011 to 2014, 1922 persons received new professional qualification within the process of validation of non-formal and informal learning and recognition of learning outcomes.

Education Development Guidelines for 2014 – 2020 stress the provision of education options for adults in order to reach 15% of adults involved in education by 2020. The main measures include: (1) amendments of regulatory framework, providing support to adult education; (2) adult education for employees, improving professional competence and qualification, in order to decrease the mismatch with labour market needs, promote competitiveness and labour productivity; (3) support to employers in provision of formal and non-formal education for employees; (4) strengthen the capacity of VET institutions in adult learning, improving cooperation with business and competence of teachers; (5) provide necessary information about the recognition of competences acquired outside the formal education system; (6) promote international cooperation of adult educators (institutions, organizations) in formal and non-formal education in the context of Europe 2020 strategic targets. These activities are also be supported in the EU funds programming period 2014 – 2020.

Within the planning period of the EU funds 2007 – 2013 the Ministry of Economics implemented training of employees for the promotion of the competitiveness of businesses, for the improvement of the qualification of their personnel. The employee training was carried out within priority 1.3 “Promotion of employment and health at work”, within measure 1.3.1 “Employment”, activity 1.3.1.1 “Improvement of competitiveness of the population at the working age on the labour market, including re-qualification of employees and active employment measures. Sub-activity 1.3.1.1.1 “Support for the training of employees for the promotion of business’ competitiveness – support for training organised in partnerships” is still under implementation and two stages of selection of project applications are carried out therein. The second stage of selection of project applications is aimed at

promoting investment in human resources and the direct participation of the implementers of the activity and associations in the improvement of the qualification of the labour available to them, thus encouraging the productivity at work, encouraging the development of the labour market and business operations and improving the competitiveness of the economy. The third stage of selection of project applications aimed at improving the productivity of micro and small businesses and their work efficiency by improving the qualification and skill of their employees in the area of information and communication technologies, thus ensuring the growth of the business competitiveness and promoting the development of the national economy.

Furthermore within the framework of the Sub-activity funding is not granted for studies in higher education programs or for obtaining vocational education, instead, it is granted to life-long learning measures by encouraging the improvement of the knowledge and skills of existing employees, thus promoting the improvement of the work productivity and competitiveness of undertakings.

Conclusions regarding the evaluation of the Sub-activity are included in the initial evaluation of specific aid goal 1.2.2 „Promotion of the introduction of innovations at businesses” measure 1.2.2.1 “Support to employee training” and measure 1.2.2.3 „Support to ICT and non-technological training and training for promoting the attraction of investors”.

The new employee training program will be implemented in compliance with SAM 1.2.2 “Promotion of the introduction of innovations at businesses” measure 1.2.2.1 “Support to employee training” aimed at providing the labour of suitable qualification to businesses promoting the improvement of the work productivity and the development of new or improved products and their introduction in production.

3. Please supply statistics or any other relevant information to show how this provision is applied in practice. The main indicators of compliance with this provision are: the existence of facilities for training and retraining of adult workers, in particular the arrangements for retraining redundant workers and workers affected by economic and technological change; the approximate number of adult workers who have participated in training or retraining measures; the activation rate – i.e. the ratio between the annual average number of previously unemployed participants in active measures divided by the number of registered unemployed persons and participants in active measures; equal treatment of non-nationals with respect to access to continuing vocational training.

Table no.44

Persons (age group 25-64) involved in the adult learning

	% of the population (age group 25-64) involved in the adult learning
2014	5,5
2013	6,5
2012	6,9
2011	5,1

Data source: Ministry of Education and Science

Simultaneously, it should be noted, that in Latvia, only 1.3 percent of persons in age group 55-74 were involved in lifelong learning in 2011, while the indicator for persons in the age group 18-74 was 10.3 percent (Eurostat). In 2010-2014, taking into consideration low involvement in lifelong learning and also consequences of the global economic and financial crisis, as well as fact that it is crucial for this age group to stay in the labour market, the State Employment Agency implemented lifelong learning programmes for adults, targeting vulnerable groups of employed people aged 25 years and older, as well as employed people aged 45 years and more.

The list of these training programmes was approved by the National Commission for defining the training fields and approving the training programmes. A training voucher with maximum sum of 355,72 EUR was issued and the SEA covered 70% of its value (although vulnerable groups of employed, such as persons with disabilities, at a pre-retirement age or poor and needy people, also those with 2 children and more, are released from a 30% starting fee). If the training programme's costs exceeded 355,72 EUR a person could compensate a difference himself/herself.

Participation in programmes could last up to 6 months. Simple or low-skilled occupations were excluded from the list of training programmes.

The number of participants in the State Employment Agency's implemented lifelong learning programs in 2010-2014 was 27 983 employed people (11 512 in Riga's region, 3 371 in Vidzeme, 4 408 in Kurzeme, 4 143 in Zemgale and 4 549 in Latgale).

However, lifelong learning programmes provided by the SEA expired and the overall responsibility of lifelong learning in 2015 - 2020 is shifted to the MoES (the national discussions are on-going on implementation of a pilot project on provision a part of lifelong activities through the existing mechanism in the public Employment Agency).

ARTICLE 10 PARA. 4

“With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:

to provide or promote, as necessary, special measures for the retraining and reintegration of the long term unemployed;”

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

(Please also see information provided on the Article 1 Paragraph 1, Article 10 Paragraph 1, Paragraph 2 and Paragraph 3 of this Report)

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

(Please also see information provided on the Article 1 Paragraph 1, Article 10 Paragraph 1, Paragraph 2 and Paragraph 3 of this Report)

3. Please supply any relevant statistics or other information on the proportion of workers not covered by these limits and the reasons why they are not covered, and state whether any particular measures have been taken to assist young persons under 18 who do not benefit from any restrictions on their working hours.

(Please also see information provided on the Article 1 Paragraph 1, Article 10 Paragraph 1, Paragraph 2 and Paragraph 3 of this Report)

ARTICLE 10 PARA. 5

“With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:

to encourage the full utilisation of the facilities provided by appropriate measures such as:

a. reducing or abolishing any fees or charges;

b. granting financial assistance in appropriate cases;

c. including in the normal working hours time spent on supplementary training taken by the worker, at the request of his employer, during employment;

d. ensuring, through adequate supervision, in consultation with the employers’ and workers’ organisations, the efficiency of apprenticeship and other training arrangements for young workers, and the adequate protection of young workers generally.”

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

Part 1 of Article 96 of the Labour Law specifies that the workplace of an employee, who has been sent for occupational training or to raise his/her qualifications thus interrupting work, shall be retained. The employer shall cover expenditures associated with occupational training or the raising of qualifications. Part 2 of Article 137 (Accounts of Working Time) of the Labour Law prescribes that for employees who, on the basis of an order of the employer, concurrently are acquiring an occupation (profession, trade), the time spent on studies and work shall be summed and shall be regarded as working time. An employer has a duty to pay out the remuneration specified in Part three of this Article if an employee does not perform work due to a justifiable reason, especially in the cases where the employee: 3) on the basis of relevant orders by the employer, during working time participates in occupational training or improvement of qualifications (Clause 3, Part 1, Article 74, Labour Law). If for an employee a time salary has been specified, in the cases referred to in Parts one and two of this Article, he/she shall be paid out the specified remuneration for work. If for an employee a piecework salary has been specified, in the cases referred to in Parts one and two of this Article, he/she shall be paid out average earnings (Part 3, Article 74, Labour Law).

(Please also see information provided on the Article 1 Paragraph 1, Article 10 Paragraph 1, Paragraph 2 and Paragraph 3 of this Report)

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

(Please also see information provided on the Article 1 Paragraph 1, Article 10 Paragraph 1, Paragraph 2 and Paragraph 3 of this Report)

3. Please supply statistics or any other relevant information to show how this provision is applied in practice. The main indicators of compliance with this provision are: whether the vocation training is provided free of charge or that fees are reduced; existing system for providing financial assistance (allowances, grants, loans, etc.); measures taken to include time spent on training taken by workers in the normal working hours; supervision and evaluation measures taken in consultation with social partners to ensure the efficiency of apprenticeship for young workers.

(Please also see information provided on the Article 1 Paragraph 1, Article 10 Paragraph 1, Paragraph 2 and Paragraph 3 of this Report)

According to statistics provided by the SEA, the knowledge of the state language by the registered unemployed people is the following: out of 78 thousand registered unemployed 54.2% are Latvians, 25.7% are Russians and 20.1% are other nationality. Out of all registered unemployed 59.2% completed education in the state language, 4.8% has the higher degree knowledge of the state language, 14.5% has the average grade knowledge,

11.9% has the lowest grade knowledge and 9.6% do not have certification in the state language knowledge (31.10.2015. data).

ARTICLE 15: THE RIGHT OF PERSONS WITH DISABILITIES TO INDEPENDENCE, SOCIAL INTEGRATION AND PARTICIPATION IN THE LIFE OF THE COMMUNITY

ARTICLE 15 PARA. 1

“With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:

to take the necessary measures to provide persons with disabilities with guidance, education and vocational training in the framework of general schemes wherever possible or, where this is not possible, through specialised bodies, public or private;”

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

In the Constitution of the Republic of Latvia Chapter 8 „Fundamental Human Rights” Article 112 states that everyone has the right to education. The state ensures that everyone may acquire primary and secondary education without charge. Primary education is compulsory, meaning that these rights include persons with disabilities/ special needs.

Pursuant to Article 4 of the Education Law the preparation of children from the age of 5 for the acquisition of basic education and the acquisition of basic education, or the continuation of acquisition of basic education until reaching the age of 18, is mandatory. Pre-school education for 5–6 year old children is compulsory. Education for younger children is optional. Children with special needs usually attend general pre-school groups, but there are a number of special groups and special pre-school institutions.

According to the General Education Law, special education is part of general education. Students, who require special organisation of their learning environment, application of special teaching methods and additional pedagogical support are entitled to special education.

Special schools or special education classes within general education schools provide education for children with special needs that corresponds to their individual health condition. The structure of special education is very similar to that of the mainstream education, providing opportunities for persons with special needs to attain general knowledge and skills with strong emphasis on their applicability, facilitating social inclusion.

The General Education Law determines that special needs is a necessity to receive support and rehabilitation, creating an opportunity for a student to acquire educational programme, taking into account his/her state of health, abilities and level of development.

General education and VET programmes are adapted for persons with special needs and/or with health problems. The provision of educational services for children with special needs and the procedure of identification of special needs are defined in the Regulations of the Cabinet of Ministers. The aims and the goals of general education are described in the Standards of General Education, adopted by the Cabinet of Ministers. The main principles and procedures for the assessment of students, including those with special

needs, are also adopted by the Cabinet of Ministers. The amendments made to the Law on General Education in 2011 introduced the requirement to provide support measures (accommodation) and development of an individual education plan for learners with disabilities in mainstream settings. The Regulations of the Cabinet of Ministers ensure the availability of appropriate support measures (accommodation) during the state tests and examinations as well.

Education Development Guidelines 2014 - 2020 adopted by the Parliament on 22 May 2014, emphasize quality and inclusive education to foster personal development, human well-being and sustainable national growth. In order to meet the objective, the main focus is on implementation of the principles of inclusive education, along with accessibility of services related to counselling and support specialists, elaboration of study materials required for students with special educational needs and ensuring a suitable study environment. Education policy activities are aimed at individuals, rather than institutions'. An important outcome in the implementation of the principle of safe environment of the educational institution, inclusive education and individualised approach is the development of each person's knowledge, ability and talent.

General education

Students with special needs can acquire education in mainstream schools and pre-schools, included in either a mainstream class or in a group according to the general education programme or in special education programme. Their education can also be provided in special classes or special groups in mainstream education institutions. They can attend special schools, which can also be special boarding schools.

According to the amendments to the Education Law (adopted in 2013) education materials were identified to be used in implementation of an education programme and acquisition of the education content, including to be used in the e-environment:

study literature; methodological support (methodological recommendations, learning editions provided for teachers); additional literature(necessary for implementation of educational programmes); visual support ;didactic games (to be used in the learning process; digital teaching support and resources; handouts (materials which are provided for each learner); educational technical support (technical equipment and devices to be used in learning process, including technical equipment and devices provided for learners with special needs);learning materials (used for the acquisition of learning content, carrying out practical tasks);installations and equipment (devices, tools, instruments, objects and accessories, including sports equipment,); individual study accessories (like tools for personal use of learners, which are used as educational support or in relation to the provision of learning opportunities: stationary, clothing and footwear, specific clothing, footwear and hygiene accessories necessary for the acquisition of the mandatory content of individual learning subjects).

There is a strong political will and support of non-governmental organisations to move forward with the integration/inclusion of children and youngsters with special needs into the mainstream education system. The main task of the MoES, the local boards of education and the municipality authorities is to

provide the best possible conditions for students with special needs in mainstream education institutions. There is a strong need for the development of a nationwide support system for people with special needs. The National Centre for Education is responsible for implementing national policy in special and inclusive education. The centre's main objectives are: to coordinate the development of support system for learners with special needs, provide methodological guidance for special education, to consult all stakeholders about the issues of special and inclusive education, to develop cooperation between different national and international agencies, to gather evidence of good practice and to disseminate it, to suggest amendments to legislation concerning the education of people with special needs and to improve the assessment of children with special needs.

According to the General Education Law, if a child follows a special education programme in mainstream settings, the school is responsible for the provision of support measures during learning and an individual education plan should be developed for every child integrated/included into the mainstream settings. Support measures are used during the education process and during state tests and examinations. According to the Regulations of the Cabinet of Ministers, No 709 of October 16, 2012 there are two types of pedagogical medical commissions (hereinafter - PMC): the State Pedagogical Medical Commission, formed by the MoES, and Municipal Pedagogical Medical Commissions, formed by district or town municipalities. The commissions consist of different specialists: special education teachers, speech therapists, psychologists, and sometimes doctors and social workers. They assess different aspects of the child's performance. The Regulations define the competences of the PMC. The PMC assesses children's abilities and analyses their health condition and level of development, as well as documents from education institutions, doctors, exercise books, achievement sheets, etc. They also recommend the most appropriate educational programme; recommend education at home for pupils with long-term illnesses; and consult teachers, parents, learners and other stakeholders about issues concerning special and inclusive education.

The assessment of learners' intellectual abilities, academic knowledge and social skills should be made before the meetings of the PMC. The commissions have the right to obtain information from the educational institutions regarding children with special needs, such as on the support measures and accommodation provided. They also have the right to follow the progress of the child with special needs in any educational institution.

The PMC can identify the following special educational needs: learning disabilities (difficulties), hearing impairments, visual impairments, physical disabilities, language impairments, intellectual disabilities, mental health disorders, severe and multiple disabilities, long-term illnesses.

According to the above-mentioned special education needs, there are nine special education programmes. Seven of them – for learners with visual impairments, hearing impairments, physical disabilities, language impairments, mental health disorders, learning disabilities and long-term illnesses – provide mainstream education programme in content. The

methods of instruction, provided support and additional services differ from mainstream programmes. According to the Education Law, parents can choose what kind of educational institution their child attends – a special school, a special class or a special group in a mainstream school – or that they could be integrated in a mainstream class.

Vocational education

Principle of inclusive education is being implemented in VET, acknowledging the main challenges and searching for innovative solutions, including improvement of infrastructure. Assistant's service is available for students with disabilities in order to help them to move around the VET institutions.

VET institutions with appropriate support provide each integrated student with special needs with individual plan for acquiring the education programme. Certain changes were made in VET curriculum, including for students with mental development disorders.

Students with special needs are able to acquire VET programmes both in general education institutions and VET institutions.

Erasmus+ programme provides a possibility to implement education and experience exchange projects. Currently three projects have been approved for persons with special needs, to be implemented till 31 May 2016 with the goal to improve professional skills.

Specialised vocational rehabilitation center - Social Integration State Agency coordinates and provides vocational rehabilitation services for persons with disabilities . Persons in the working age, if they are suffering from disability and obtain recommendation from the State Medical Commission for the Assessment of Health Condition and Working Ability to master a profession is received, are entitled to receive these services.

Higher education

In Latvia, higher education is provided in accordance with the Law on Higher Education Institutions. It states that admission to higher education studies is based on an open and equal competition. The state funded study places are granted based on academic merit. In case of equal academic results preference is given to people with special needs.

The accessibility of higher education for persons with special needs is also provided according to the Regulation of Cabinet of Ministers No. 220 "On Granting, Repaying and Ceasing Study Loan and Student Loan" of 29 May, 2001. The regulation states that a person with special needs can obtain a state-guaranteed loan to cover the tuition fee, as well as to support studies. The loan and interest are ceased, when the diploma is obtained.

According to the Construction Law (into force since 01.01.2014) and to the "General Rules of Construction" No. 112 issued by the Cabinet of Ministers, all public buildings, including those of higher education institutions, should correspond to the accessibility requirements, suitable for the people with special needs.

Based on this, during the construction process, the environment has to be created in a way that allows each person to move conveniently and use these buildings in accordance with the purposes they have been built for. The same principle underpins the regulatory enactments like Construction regulations for

buildings of 2 September, 2014; General regulations governing territorial planning, use and building, of 30 April, 2013; Roads and streets construction regulations of 14 October, 2014 and other regulatory enactments, including Latvian construction standards.

The Ministry of Economics has placed informative materials regarding requirements for accessible environment (in conformity with the new legislation governing construction) on its website - in line with the Cabinet order No. 474 of 3 September, 2014 regarding implementation plan for guidelines for implementing the UN Convention on the Rights of Persons with Disabilities, for the years 2014 - 2020.

With support of the European Regional Development Fund, premises and devices were modernized for improvement of study programme quality in higher educational institutions, including provision of education opportunities for individuals with functional disabilities. Project's total budget was 145.66 million EUR, closing date - December 31, 2013. The goal was to improve the quality and accessibility of higher education, modernize infrastructure of higher education institutions, including suitability to individuals with functional disabilities, provision of devices, equipment and technologies. It supported the following activities: (1) reconstruction and renovation of buildings, structures, premises and infrastructure of higher education institutions, if necessary constructing new buildings; provision with devices, equipment and technologies to implement new or upgraded study programmes in priority thematic areas; (2) modernization of libraries if higher education institution implements new or upgraded study programmes in priority thematic area; (3) adjust higher education institutions for people with functional disabilities, if higher education institution implements new or upgraded study programmes in priority thematic area.

As a result, 25 higher education institutions received modernized infrastructure and teaching equipment, and proportion of higher education students who study in modern conditions (% from total number of student in priority thematic areas or groups of programmes) reached 40.36%.

Part 1 of Article 7 (Principle of Equal Rights) of the Labour Law prescribes that everyone has an equal right to work, to fair, safe and healthy working conditions, as well as to fair work remuneration. The rights provided for in Part one of this Article shall be ensured without any direct or indirect discrimination – irrespective of a person's race, skin colour, gender, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation or other circumstances (Part 2, Article 7, Labour Law). In order to promote the adoption of the principle of equal rights in relation to disabled persons, an employer has a duty to take measures that are necessary in conformity with the circumstances in order to adapt the work environment to facilitate the possibility of disabled persons to establish employment legal relationships, fulfil work duties, be promoted to higher positions or be sent for occupational training or the improving of qualifications, insofar as such measures do not place an unreasonable burden on the employer (Part 3, Article 7, Labour Law).

In addition Clauses 3 and 8 of Part 1 of Article 4 of the Labour Protection Law provides that an employer shall implement labour protection measures in accordance with the following general principles of labour protection: 3) adapting the work to the individual, mainly as regards the choice of design of the workplace, the work equipment, as well as the working and production methods paying special attention to alleviating monotonous work and work at a predetermined work-rate and to reducing negative effect thereof on health; 8) preventing the effect of the working environment risks on the safety and health of those employees for whom in accordance with regulatory enactments special protection has been determined.

Moreover Article 22 of the Labour Protection Law specifies that those employees for whom in accordance with regulatory enactments special protection has been determined (persons up to 18 years of age, pregnant women, women in the post-natal period, disabled persons, etc.), in compliance with the evaluation of the working environment risks, as well as a physician's opinion, have the right to supplementary reliefs determined by an employer.

The Social Services and Social Assistance Law stipulates that the State ensures the vocational rehabilitation of disabled persons according to the funds granted in the annual State Budget Law. The Social Integration State Agency (hereinafter – Agency) coordinates and provides vocational rehabilitation services for persons with disabilities and that persons in the working age, if they are suffering from disability and recommendation from the State Medical Commission for the Assessment of Health Condition and Working Ability to master a profession is received, are entitled to receive vocational rehabilitation services.

The Disability Law stipulates that for a person with a predictable disability the disability risk is prevented or reduced by ensuring the right to receive state funded vocational rehabilitation services in priority order, according to the individual rehabilitation plan.

The Vocational Education Law regulates the implementation of State vocational education and operation, administration and development of the vocational education system.

The Regulation of the Cabinet of Ministers No. 271 of 17 April 2012 “Procedure According to which Persons Receive Vocational Rehabilitation services” stipulates the procedure according to which persons with disabilities and persons with prognosticable disabilities receive vocational rehabilitation services in the Agency. In accordance with these Regulations a person can receive the vocational rehabilitation course several times.

Latvia ratified the United Nations Convention on the Rights of Persons with Disabilities (hereinafter – the Convention) on 1 March, 2010 and it entered into force on 31 March, 2010. Awareness about persons with disabilities has changed following the ratification of the Convention. The Convention defines the transition from medical pattern that emphasizes the human inability and dependence from other people towards human rights` model where the emphasis is laid on the rights of persons with disabilities and independent

living and active participation in social processes. According to the Convention the States-Parties recognize the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms.

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

A course of action „Education” is set as one of the action fields in the “Implementation Guidelines of the United Nations Convention on the Rights of Persons with Disabilities for 2014 - 2020” (approved by the Cabinet of Ministers order No.564 of 22 November, 2013) aimed at ensuring children with disabilities a qualitative and competitive basic education and secondary education, promoting inclusion of children with disabilities in all education levels and types according to their abilities.

After ratification of the Convention there have been implemented several measures for fulfilling the commitments set in the Convention and improving legal framework (new measures introduced – assistant services in municipalities and education institutions, service of a sign language interpreter etc.).

State paid service of a sign language interpreter for acquiring education: persons with hearing impairments are entitled to receive state paid service of a sign language interpreter to acquire an education program. This service is provided to persons with hearing disability who acquire professional basic education, professional secondary education or higher education. The service is provided from the 1st September, 2012 and in the framework of this service a sign language interpreter is ensured during learning process up to 480 academic hours within one study year. Service of a sign language interpreter is provided by Latvian Association of the Deaf and it is financed from the state budgetary resources.

Service of an assistant at the education institutions: as of 1 September, 2012, a new service for persons with disabilities has been introduced (paid for from the State budget) - people with disabilities can receive new support service - service of an assistant at the education institution to support moving about and performing self-care at the institutions of general basic education, basic vocational education, general secondary education and secondary vocational education. An assistant service includes assistance for the following purposes: movement in the education institution; self-care (personal hygiene, assistance with meals, dressing etc.); communication with teachers; assistance in training records, school supplies and workplace arrangement; interacting with peers and other persons in an educational institution, participation in the school events, etc. It is also anticipated to extend a target group that receives an assistant service in education institutions defining that an assistant shall be available also to students of higher education thereby promoting education availability at all education levels.

The National Centre for Education during 2011 - 2013 implemented the European Social Fund’s project „The Development of Support Systems for

Learners with Disabilities". The aim of the project was to develop support system for young people with disabilities to provide access to quality education and promote their social integration.

From the beginning of project three Special Needs Education Laboratories were established in the University of Latvia, University of Liepaja and Rezekne Higher Education Institution. The above mentioned institutions conducted the study of the present situation in special education relating to materials and methods used in the educational process, support available to teachers, learners, families, understanding of special educational needs in different groups of involved in education process (support personnel, subject teachers, school administration, parents, learners). Laboratories developed methodological materials for teachers to work with learners who have language impairments, learning disabilities; visual impairments; autism and mental health disabilities; intellectual disabilities; cochlear implants and hearing impairments. To pilot and validate the developed materials 25 educational institutions including pre-schools, general education schools, special schools and VET schools were chosen. All the developed materials are available for download from the National Centre for Education webpage:

Laboratories revised the course in teachers' education programmes about introduction into special needs education and diversity to develop a unified (similar) course in all three higher education institutions. Three professional competence development courses of 36 hours were developed and implemented by the laboratories. Over 300 teachers and support staff attended courses related to work with learners with behaviour problems, learning disabilities and hearing impairments.

To develop the support system in the country eight Inclusive Education Support Centres were established in eight cities of Latvia that provided support to individual learners, schools and local authorities. The Centres were working on assessment of the needs of learners, consulted schools and families, and conducted the work of pedagogical medical commissions. The specialists (psychologists, special teachers, speech therapists) were educated in assessment of the needs of children, were taught how to issue recommendations for the appropriate educational programs and support measures.

For the development of diagnostic instruments for assessment of learners the agreement was signed with the University of Latvia. During the project five different tests for the assessment of the needs of children were developed: 1) WISC-IV - Wechsler IV (for clinical groups – intellectual disabilities, learning disabilities, learners with ADHD); 2) ABAS-II - Adaptive Behaviour Assessment System; 3) CBC - Child Behaviour Checklist (part from - Achenbach System of Empirically Based Assessment); 4) DIBELS - Indicators of Basic Early Literacy Skills; 5) (LMST-I) – the achievement tests for Latvian language and mathematics.

With the support of the European Social Fund, measures were implemented to reduce social exclusion of youth and to integrate disabled youth into education. Project's total budget is 8.31 million EUR, closing date – 31 December 2013. The goal was to provide educational support for young people with learning problems and promote appropriate education, offer further education for young people in the compulsory education age with low

basic skills and for young people in social correction educational institutions and for young people with disabilities. It supported the following activities: (1) implementation of measures for social exclusion decrease and inclusive education, encourage introduction of innovative approaches and solutions; (2) providing necessary educators and support personnel (psychologist, social pedagogue, assistant); (3) providing teachers' assistants; (4) providing necessary additional training in learning subjects, including official language; (5) providing appropriate acquiring of pedagogical correction, VET (with pedagogical correction), VET programmes, special education programmes and social correction programmes; (6) support to establishing all-day groups and social correction classes in education institutions; (7) inclusion of students with special needs in educational system; (8) promoting working and domestic skills to the youth in the groups at risk of social exclusion and young people with special needs or functional disabilities; (9) providing support activities to the young people from low income families.

As a result, 24 386 children and youngsters in the groups at risk of social exclusion received support in education process. The number of integrated students with special needs in general and VET institutions (% of students with special needs) increased up to 46.57%.

With support of the European Social Fund, support system has been developed for young people in need of inclusive education and for young people in groups at risk, training, provision and professional development of the necessary personnel. Project's total budget is 5.91 million EUR, closing date – 31 December 2013. The goal was to reduce early school leaving, promote integration of youngsters with special needs in education system by strengthening the capacity of involved institutions and developing support systems and personnel. It supported the following activities: (1) implementation of support system for inclusive education and for young people in groups at risk of social exclusion, development of appropriate methods, instruments, programmes and equipment, including provision of basic skills in pedagogical correction and development of professional rehabilitation programme, implementation of e-studies and e-resources, implementation of national databases; (2) development of teachers' and support personnel's professional competence, development of informative and learning materials, implementation of innovative solutions; (3) strengthening capacity of institutions involved in inclusive education and support of young people in groups at risk of social exclusion, including development of professional competences of personnel and pedagogical medical commission; (4) development of support system for inclusive education and for young people in groups at risk of social exclusion, and training of necessary personnel (teachers and support personnel), improvement of the quality of training, development or improvement of initial education and professional competence development programmes and education materials, development and implementation of innovative solutions, including solutions for developing e-studies and e-resources and their use in learning process.

As a result, eight Inclusive Education Support Centres were established (please see the information provided above).

With support of the European Regional Development Fund, infrastructure and equipment in special education institutions has been improved. Project's total budget was 9.17 million EUR, closing date - 31 December 2013. The goal was to improve the educational environment in special education institutions facilitating development of working and household skills for students with special needs. It supported the following activities: (1) ensuring access to education institutions for students with special needs, including functional disabilities; (2) reconstruction and renovation of special education institutions' buildings, structures, premises, infrastructure and utilities to ensure access to education institutions and premises for students with functional disabilities; (3) acquisition of learning materials, including e-learning and software; acquisition of technologies, including renewal and complementing of libraries' foundation and video materials, as well as acquisition of necessary furniture; (4) provision of specially equipped transport for transportation of students.

As a result, infrastructure was modernized and environment improved for students with special needs in 63 special education institutions. Proportion of students with special needs, who were ensured with study possibilities in improved educational environment, reached 100%.

With support of the European Regional Development Fund, infrastructure in general secondary education institutions was improved for the students with functional disabilities. Project's total budget was 4.94 million EUR, closing date – 31 December 2013. The goal was to ensure access to education institutions for students with functional disabilities. The main activity was the adjustment of general secondary education institutions in order to ensure access to students with functional disabilities, which also included constructing works.

As a result, 36 general secondary education institutions were adjusted for students with functional disabilities. Proportion of general secondary education institutions that were adjusted for students with functional disabilities from total number of general secondary education institutions reached 10%.

Concerning the Social Integration State Agency – it is the only specialised institution in Latvia which provides vocational rehabilitation services¹³ by enabling persons with disabilities or prognosticable disabilities who are in the working age - according to the type and severity of person's functional impairment and level of obtained education and qualifications to master new professions, to renew or develop professional knowledge and skills.

Persons with disabilities in the working age can receive state funded vocational rehabilitation services in the Agency if they have received recommendation from the State Medical Commission for the Assessment of Health Condition and Working Ability to acquire a profession within the framework of vocational rehabilitation services.

Vocational rehabilitation is a set of measures which, on the basis of functional impairment and individual assessment of vocational suitability, provides labour market inclusion of persons with disabilities, mental disorders or with predictable disabilities in the working age, ensures new professions,

¹³ Regulation of the Cabinet of Ministers No. 271 of 17 April 2012 "Procedure According to Which Persons Receive Vocational Rehabilitation Services".

acquisition of professional knowledge or skills or renewal and multidisciplinary services (social rehabilitation with treatment elements, specialist consultations)¹⁴.

The primary task of the Agency is vocational rehabilitation of those persons who cannot continue working in previously acquired profession due to functional impairment, cannot align with the mainstream vocational education system but can acquire another profession if provided with sufficient social and medical support during the education process to reduce the influence of functional impairment.

Vocational rehabilitation includes:

- 1) vocational suitability assessment during which a team of experts in activities that last up to 10 days identifies person's professional interests, motivation to learn, previous knowledge and experience, determines health condition and compatibility of psychological and physical features with the chosen profession and the level of intellectual abilities and provides individual recommendations for obtaining vocational education;
- 2) obtaining of professional diploma - within the framework of vocational elementary education, vocational education, vocational secondary education, first level vocational higher education, vocational further education and training programmes;
- 3) individual social rehabilitation by ensuring medical or socio-psychological support;
- 4) professional integration support.

Other support services - training of drivers, accommodation, catering, transportation as well as sport, rest and leisure services - are provided within the framework of vocational rehabilitation.

The right of persons with disabilities to independence, social integration and participation in the life of the community - for persons with disabilities or prognosticable disabilities is ensured during obtaining the professional diploma as a part of vocational rehabilitation service.

3. Please provide pertinent figures, statistics or any other relevant information to demonstrate effective access to education and vocational training for persons with disabilities (total number of persons with disabilities, number of persons with disabilities of 0-18 years of age, number of persons with disabilities in mainstreaming and special education and vocational training, including higher education; number of integrated classes and special education institutions, basic and in-service training for teachers).

Total number of persons with disabilities in Latvia on 01.01.2014: 161722 (including 7957 children (aged 0-18) with disabilities, 20156 persons of Group I disability (very severe disability), 76446 (severe disability), 57163 (moderately expressed disability).

¹⁴ Definition proposed in the draft "Amendments to the Social Services and Social Assistance Law" (148/p.12)

Total number of persons with disabilities in Latvia on 01.01.2015: 168152 (including 8222 children with disabilities, 22070 persons of Group I disability (very severe disability), 78283 (severe disability), 59577 (moderately expressed disability)).

An assistant service for mobility and self-care in education institutions:

- 1) in 2012 received 200 students;
- 2) in 2013 received 214 students;
- 3) in 2014 received 263 students.

Table no.45

Students with special needs

	Students with special needs integrated in general education institutions		Students in special education institutions	Students in classes with special education programme	Integrated students with special needs as % of total number of students with special needs
	acquiring general education programmes	acquiring special education programmes			
2014/2015	353	3800	5857	1356	36,54 %
2013/2014	356	3421	5805	1283	34,76 %
2012/2013	328	2891	6737	1179	28,91 %
2011/2012	187	2308	6899	1072	23,84 %

Data source: Ministry of Education and Science

Table no.46

Students with special needs in VET programmes in general education institutions

Academic year	Students with special needs
2014/2015	811
2013/2014	860
2012/2013	689
2011/2012	678

Data source: Ministry of Education and Science

Table no.47

Students with special needs in VET institutions

Academic year	Students with special needs
2014/2015	376
2013/2014	387
2012/2013	382
2011/2012	393

Data source: Ministry of Education and Science

Vocational suitability assessment

Persons with disabilities are informed (identified) and provided with consultation within the framework of vocational suitability assessment about the vocational rehabilitation services offered by the Agency, persons' vocational suitability is determined and recommendations provided on the vocational rehabilitation possibilities.

Table no.48

Persons informed about the vocational rehabilitation services

	2011	2012	2013	2014
Number of persons who were informed and received consultations	1,200	2,643	1,787	2,699

Data source: Social Integration State Agency

Table no.49

Persons who were informed and underwent the vocational suitability assessment

	2011	2012	2013	2014
Vocational suitability assessment carried out (persons), including:	400	406	416	408
women	181	194	221	221
men	219	212	195	187
persons with group I disability	19 (5%)	12 (3%)	11 (3%)	16 (4%)
persons with group II disability	156 (39%)	145 (36%)	144 (35%)	190 (47%)
persons with group III disability	211 (53%)	237 (58%)	243 (58%)	194 (47%)
disabled children	14 (3%)	12 (3%)	17 (4%)	8 (2%)
persons with a prognosticable disability	0	0	1	0

Data source: Social Integration State Agency

Table no.50

After vocational suitability assessment recommendations to receive vocational rehabilitation services in the Agency were given

	2011	2012	2013	2014
Vocational rehabilitation services recommended (persons), including:	370	339	351	376
Jurmala Secondary Vocational School	288	257	262	293
College	82	82	89	83
women	172	153	191	200
men	198	186	160	176

Data source: Social Integration State Agency

Acquiring of professional diploma

Traditionally the primary task of a vocational school is to provide higher, secondary vocational education and vocational education, while the primary task of the Agency is vocational rehabilitation of those persons who cannot continue working in previously acquired profession due to functional impairment, cannot align with the mainstream vocational education system but can acquire another profession if provided with social and medical support to reduce the influence of functional impairment. Vocational rehabilitation includes acquisition of vocational study programmes and support measures both during the studies and afterwards, thus promoting labour market integration. This forms the unique character of vocational education obtained in the Agency as compared to the education provided in the mainstream education system.

Table no.51

The Agency offers obtaining of professional diploma in Jurmala Secondary Vocational School and College

	2011	2012	2013	2014
Number of students in Jurmala Secondary Vocational School, including:	357	293	356	396
vocational and professional secondary study programmes	225	172	183	208
further education and training programmes	132	121	173	188
Students enrolled in the College	312	287	245	220

Data source: Social Integration State Agency

Support in professional integration after obtaining of professional diploma

In order to prepare the students of Jurmala Secondary Vocational School and College for integration in the labour market, various intervention measures are carried out:

- career counsellor consultations (over the phone, via e-mail, face-to-face);
- career adaptability activities;
- study trip to employers during Practice(Prakse.lv) days and workplace visits organised by the educators;
- provision of traineeship;
- preparation of students for a successful job search within the framework of course "Socio-psychological training".

Alumni receive support through consultations and provision of information about SEA activities and services for persons with disabilities (subsidized work places and jobs for youth) and about the offers of employers or sending of internet links to openings, cooperation with youth development programmes' group "Go Beyond" which engages in integrating persons with special needs in jobs at LLC "Rimi Latvia".

From 2011 to 2014 vocational orientation in the Agency was received by all persons (alumni) who received vocational rehabilitation:

Number of alumni of Jurmala Secondary Vocational School, indicating female/male:

In 2011 44 persons with disability and 16 persons who studied for a fee graduated from Jurmala Secondary Vocational School.

Out of 44 persons with disability: 24 - men, 20 - women.

Out of 16 persons who studied for a fee: 11 - men, 5 - women.

75 persons with disabilities studied in further education and vocational education courses. From them: 34 - men, 41 - women.

Five cooperation contracts with employers have been signed.

Ergotherapist of the Social Integration State Agency assessed the environment accessibility in JSC "Sadales tīkls" Training Centre in Ventspils Street 56/58 and provided recommendations. As a result of cooperation the environment was adjusted and three students in a wheelchairs attended qualification traineeship.

For students: study trips were organised during which they learned about the work environment in the companies. Support was provided for finding a traineeship place, preparation of CV and application letter, consultations took place regarding the interview with an employer. Progress of traineeship was monitored, cooperation with practice companies took place during the traineeship.

For alumni: information about SEA activities and services for persons with disability (subsidized work places and jobs for youth) was provided. Offers from the employers or internet links to openings were sent.

In 2012 44 persons with disabilities and 13 persons who studied for a fee graduated from Jurmala Secondary Vocational School.

Out of 44 persons with disabilities: 21 were men, 23 - women.

Out of 16 persons who studied for a fee: 11 - men, 2 - women.

73 persons with disabilities studied in further education courses. From them: 48 were men, 25 - women.

Six cooperation contracts with employers have been signed.

Within the framework of the 5th activity "Improvement of Training System and Approbation for Youth with Functional Impairments" under ESF project "Setting up the Vocational Education Support Programme for Youth at Social Exclusion Risk" career adaptability activities' programme was developed and its approbation commenced.

For students: within the framework of career management activities students learned about the education system in Latvia, about support system for persons with disability, analysed and evaluated interests, skills, values. Employment opportunities in the selected profession in Latvian companies were identified; skills in finding information about the openings and using of this information were obtained. Skills for starting the work for the purpose of adaptation in the new work environment, for resolution of conflict situations, for overcoming fear and low self-confidence, for preparation of documents when applying for a traineeship or job were acquired. Study trips to employers were organised,

For alumni: offers from employers or internet links to openings were sent. Application letters were improved; several CVs were prepared according to Europass template. Individual consultation was provided to alumnus when visiting the career counsellor. Information was provided about SEA activities and services for persons with disabilities (subsidized work places and jobs for youth).

In 2013 37 persons with disabilities graduated from Jurmala Secondary Vocational School.

Out of 37 persons with disabilities: 15 - men, 22- women.

66 persons with disabilities studied in further education courses. From them: 33 - men, 33 - women.

One cooperation contract with employers has been signed.

For students: within the framework of career management activities students learned about the education system in Latvia, about support system for persons with disabilities, analysed and evaluated interests, skills, values. Employment opportunities in the selected profession in Latvian companies were identified, skills to find the information about the openings and use this information were obtained; skills to take up the duties for the purpose of adaptation in the new work environment, to resolve the conflict situations, to overcome fear and low self-confidence, to prepare documents when applying for a traineeship, work were obtained. Study trips at employers were organised during practice (Prakse.lv) days.

For alumni: individual consultation was provided to alumnus when visiting the career counsellor. Job openings offered by the employers were sent. Support was provided during the preparation for a job interview, for preparation of application letter. Recommendations were provided regarding the improvement of CV. Information was provided about SEA activities and services for persons with disability (subsidized work place and jobs for youth).

In 2014 33 persons with disabilities and 8 persons who studied for a fee graduated from Jurmala Secondary Vocational School.

Out of 33 persons with disabilities: 19 - men, 14 - women.

Out of 8 persons who studied for a fee: 8 - men.

108 persons with disabilities studied in further education courses. From them: 57 - men, 51 - women.

One cooperation contract with employers has been signed. Cooperation with youth development group "Go Beyond" which engages in integrating persons with special needs in jobs at LLC "Rimi Latvia".

For students: within the framework of career management activities students learned about the education system in Latvia, about support system for persons with disabilities, analysed and evaluated interests, skills, values. Employment opportunities in the selected profession in Latvian companies were identified, skills to find the information about the openings and use this information were obtained; skills to take up the duties for the purpose of adaptation in the new work environment, to resolve the conflict situations, to overcome fear and low self-confidence, to prepare documents when applying for a traineeship, work were obtained. Study trips at employers were organised during practice (Prakse.lv) days. Three persons needed support during the job interview in the company.

For alumni: offers from the employers or internet links to openings were sent. Individual consultation was provided to alumni when visiting the career counsellor. Information was provided about SEA activities and services for persons with disabilities (subsidized work places and jobs for youth).

Number of alumni of the College, indicating female/male:

In 2011 29 persons with disability and 5 persons who studied for a fee graduated from the College and acquired the first level higher vocational education.

Out of 29 persons with disabilities: 11 - men, 18 - women.

5 women studied for a fee.

10 persons graduated from the College and obtained qualification "Deaf-mute translator". From them: 1 - man, 9 - women.

For students: within the framework of study course "Socio-psychological training" the students were prepared for a successful job search to be able to create the desirable commitment image and prepare the documents necessary for job application. Individual consultations took place and support was provided in finding the traineeship companies.

For alumni: assistance was offered in professional integration issues, solving the career issues. Job openings offered by the employers were sent. Information was provided about SEA activities and services for persons with disabilities (subsidized work places and jobs for youth).

In 2012 20 persons with disabilities and 7 persons who studied for a fee graduated from the College and acquired the first level higher vocational education.

Out of 20 persons with disabilities: 7 - men, 13 - women.

Out of 7 persons who studied for a fee: 4 - men, 3 - women.

1 person graduated from the College and obtained qualification "Deaf-mute translator".

For students: within the framework of study course "Socio-psychological training" the students were prepared for a successful job search to be able to create the desirable commitment image and prepare the documents necessary for job application. Within the framework of career management activities students learned about the education system in Latvia, about support system for persons with disabilities, analysed and evaluated interests, skills, values. Employment opportunities in the selected profession in Latvian

companies were identified; skills in finding information about the openings and using of this information were obtained. Skills for starting the work for the purpose of adaptation in the new work environment, for resolution of conflict situations, for overcoming fear and low self-confidence, for preparation of documents when applying for a traineeship, job were acquired. Study trips were organised during which students learned about the work environment in companies. Meetings with the representatives from the Association of Accountants of the Republic of Latvia, the Latvian Association of Personnel Management, the Association of Hotels and Restaurants of Latvia and the State Employment Agency Jurmala Office were organised.

For alumni: assistance was offered in the professional integration issues, solving the career issues. Information about openings in the companies according to the acquired qualification was provided. Information was provided about SEA activities and services for persons with disabilities (subsidized work places and jobs for youth).

In 2013 39 persons with disabilities and 4 persons who studied for a fee graduated from the College and acquired the first level higher vocational education.

Out of 43 persons with disabilities: 18 - men, 21 - women.

Out of 4 persons who studied for a fee: 1 - man, 3 - women.

7 women graduated from the College and obtained qualification "Deaf-mute translator".

For students: within the framework of study course "Socio-psychological training" the students were prepared for a successful job search to be able to create the desirable commitment image and prepare the documents necessary for job application. Individual consultations took place and support was provided in finding the traineeship companies. Study trips were organised during which students learned about the work environment in companies.

For alumni: assistance was offered in the professional integration issues, solving the career issues. Information about openings in the companies according to the acquired qualification was provided. Assistance was provided in improving CV and application letter. Individual consultations over the phone were provided. Information was provided about SEA activities and services for persons with disabilities (subsidized work places and jobs for youth).

In 2014 20 persons with disabilities and 1 person who studied for a fee graduated from the College and obtained the first level higher vocational education.

Out of 20 persons with disabilities: 7 - men, 13 - women.

1 man studied for a fee.

15 women graduated from the College and obtained qualification "Deaf-mute translator".

For students: within the framework of study course "Socio-psychological training" the students were prepared for a successful job searching to be able to create the desirable commitment image and to prepare the documents necessary for job application. Individual consultations took place and support was provided in finding the traineeship companies. Study trips at employers were organised during *Prakse.lv* days.

For alumni: assistance was offered in the professional integration issues, solving the career issues. Information about openings in the companies

according to the acquired qualification was provided. Information was provided about SEA activities and services for persons with disability (subsidized work places and jobs for youth). Offers from the employers or internet links to openings were sent.

Table no.52

Report prepared by the Agency about the alumni of Jurmala Secondary Vocational School and the College for a period from 2010 to 2014

Jurmala Secondary Vocational School			College			
	Men	Women	Total	Men	Women	Total
Secondary vocational education and vocational education (state budget)	112	102	214			
Secondary vocational education and vocational education (paid studies)	44	17	61			
Further education and training courses*	220	233	453			
College (state budget)				55	90	145
College (paid studies)				9	14	23
Study programme "Deaf-mute translator" (state budget)				1	32	33
TOTAL	376	352	728	65	136	201

Data source: Social Integration State Agency

Agency staff involved in rendering vocational rehabilitation services

99 employees from the Agency and 4 structural units (Vocational suitability and support department, Jurmala Secondary Vocational School, College, Car driving training and adaptation department) and educators (59 persons) were involved in provision of vocational rehabilitation services. 5 support centres - in Cīrava, Jelgava, Cēsis, Rēzekne and Daugavpils - were set up for implementation of vocational rehabilitation services. Employees involved in provision of vocational rehabilitation services are highly qualified (higher professional or academic education according to the position).

Expenses of the Agency for rendering vocational rehabilitation services to the customers in 2013 equalled to EUR 1,660,554, in 2014 - EUR 1,356,671.

Table no.53

EU fund projects in the field of vocational rehabilitation implemented in the Agency from 2010 to 2013

Project	Address/ implementing party	Time	Results
<p>Within the framework of ESF projects the provided services to the customers were improved, current materials in the field of vocational rehabilitation were improved and new elaborated, internet-based environment and solutions were created to ensure better quality services. Creation of vocational education support system is continued and it will help to ensure qualitative service not only to SISA but also to arrange the vocational education system for persons with disability in Latvia.</p>			
<p>Improvement of quality of initial vocational education programmes in Jurmala Secondary Vocational School (JSVS)</p>	<p>Jurmala Secondary Vocational School</p>	<p>01. 05. 2010 - 30. 04. 2012</p>	<p>Target group is 120 students of Jurmala Secondary Vocational School who participate in practical training, study and qualification traineeship at the employers. Educational aids were elaborated for subjects in study programmes "Computer systems" and "Accounting", the students received consultative support regarding the studies, physiotherapist support, study trips were organised to companies in various regions of Latvia, contracts were signed with the employers about traineeship places.</p>
<p>Enhancing the attractiveness of initial vocational education (JSVS)</p>	<p>Jurmala Secondary Vocational School</p>	<p>20. 03. 2009 - 31. 08. 2013</p>	<p>Grants for students who acquire any of initial vocational education programmes, who have good study progress and no unauthorized absence.</p>
<p>Elaboration of vocational education system for youth at social exclusion risk (JSVS)</p>	<p>Jurmala Secondary Vocational School, College</p>	<p>01. 03. 2011 – 31.12.2012.</p>	<p>Improvement of competence of vocational education teachers and provision of educational aids to students; improvement of database containing persons who need and receive vocational rehabilitation; creation of information circulation model; creation, approbation and implementation of study course "Vocational Rehabilitation" in study programmes of university specialists - psychologists, social workers etc.; improvement and approbation of training system (elaboration of study programme according to module principle, improvement of methodology to</p>

			organise further education, elaboration of new education and further education programmes); development of internet-based resources to be used in the study process; improvement of capacity of teachers and support staff.
Day employment centre - specialised workshop (SEA)	Day centre	09. 03. 2011 – 28.02.2013.	Sewing and printing workshops set up, 5 months training programme elaborated for persons with disability, low education or previous experience level. Target group - 48 persons.

Data source: Social Integration State Agency

ARTICLE 15 PARA. 2

“With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:

to promote their access to employment through all measures tending to encourage employers to hire and keep in employment persons with disabilities in the ordinary working environment and to adjust the working conditions to the needs of the disabled or, where this is not possible by reason of the disability, by arranging for or creating sheltered employment according to the level of disability. In certain cases, such measures may require recourse to specialised placement and support services;”

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

Part 1 of Article 7 (Principle of Equal Rights) of the Labour Law prescribes that everyone has an equal right to work, to fair, safe and healthy working conditions, as well as to fair work remuneration. The rights provided for in Part one of this Article shall be ensured without any direct or indirect discrimination – irrespective of a person’s race, skin colour, gender, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation or other circumstances (Part 2, Article 7). In order to promote the adoption of the principle of equal rights in relation to disabled persons, an employer has a duty to take measures that are necessary in conformity with the circumstances in order to adapt the work environment to facilitate the possibility of disabled persons to establish employment legal relationships, fulfil work duties, be promoted to higher positions or be sent for

occupational training or the raising of qualifications, insofar as such measures do not place an unreasonable burden on the employer (Part 3, Article 7).

Besides according to Part 1 of Article 29 (Prohibition of Differential Treatment) of the Labour Law differential treatment based on the gender of an employee is prohibited when establishing employment legal relationships, as well as during the period of existence of employment legal relationships, in particular when promoting an employee, determining working conditions, work remuneration or occupational training or raising of qualifications, as well as when giving notice of termination of an employment contract. Differential treatment based on the gender of employees is permitted only in cases where a particular gender is an objective and substantiated precondition, which is adequate for the legal purpose reached as a result, for the performance of the relevant work or for the relevant employment (Part 2, Article 29). If in case of a dispute an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on gender, the employer has a duty to prove that the differential treatment is based on objective circumstances not related to the gender of the employee, or also that belonging to a particular gender is an objective and substantiated precondition for performance of the relevant work or the relevant employment (Part 3, Article 29). Harassment of a person and instructions to discriminate against him/her shall also be deemed to be discrimination within the meaning of this Law (Part 4, Article 29). Direct discrimination exists if in comparable situations the treatment of a person in relation to his/her belonging to a specific gender may be less favourable than in respect of another person. Less favourable treatment due to granting of a prenatal and maternity leave or a leave to the father of a child shall be considered as direct discrimination based on the gender of a person (Part 5, Article 29). Indirect discrimination exists if apparently neutral provisions, criterion or practice cause or may cause adverse consequences for persons belonging to one gender, except in cases where such provisions, criterion or practice is objectively substantiated with a legal purpose the achievement of which the selected means are appropriate (Part 6, Article 29). Harassment of a person within the meaning of this Law is the subjection of a person to such actions which are unwanted from the point of view of the person, which are associated with his/her belonging to a specific gender, including actions of a sexual nature if the purpose or result of such actions is the violation of the person's dignity and the creation of an intimidating, hostile, humiliating, degrading or offensive environment (Part 7, Article 29). If the prohibition against differential treatment and the prohibition against causing adverse consequences is violated, an employee in addition to other rights specified in this Law, has the right to request compensation for losses and compensation for moral harm. In case of dispute, a court at its own discretion shall determine the compensation for moral harm (Part 8, Article 29). The provisions of this Article, as well as Article 32, Part one and Articles 34, 48, 60 and 95 of this Law, insofar as they are not in conflict with the essence of the relevant right, shall also apply to the prohibition of differential treatment based on race, skin colour, age, disability, religious, political or other conviction, national or social origin, property or marital status, sexual orientation or other circumstances of an employee (Part 9, Article 29).

A job advertisement (a notification by an employer of vacant work places) may not apply only to men or only to women, except in cases where belonging to a particular gender is an objective and substantiated precondition for the performance of relevant work or for a relevant employment (Part 1, Article 32, Labour Law). If, when establishing employment legal relationships, an employer has violated the prohibition of differential treatment, an applicant has the right to bring an action to a court within three months from the date of receipt of refusal of the employer to establish employment legal relationships with the applicant (Part 1, Article 34, Labour Law). If employment legal relationships have not been established due to the violation of the prohibition of differential treatment, the applicant does not have the right to request the establishment of such relations on a compulsory basis (Part 2, Article 34, Labour Law). If an employer when giving a notice of termination of an employment contract during the probation period has violated the prohibition of differential treatment, an employee has the right to bring an action to a court within one month from the date of receipt of a notice of termination from the employer (Article 48). An employer has a duty to specify equal work remuneration for men and women for the same kind of work or work of equal value (Part 1, Article 60, Labour Law). If an employer has violated the provisions of Part one of this Article, the employee has the right to request the remuneration that the employer normally pays for the same work or for work of equal value (Part 2, Article 60, Labour Law). An employee may bring the action referred to in Part two of this Article to court within a three-month period from the day he/she has learned or should have learned of the violation of the provisions of Part one of this Article (Part 3, Article 60). If an employer in determining working conditions, occupational training or the raising of qualifications has violated the prohibition of differential treatment; the relevant employee has the right to request the termination of such differential treatment (Part 1, Article 95, Labour Law). If an employer in determining working conditions, occupational training or the raising of qualifications or promotion of an employee, has violated the prohibition of differential treatment, the relevant employee has the right to bring an action to a court within a three-month period from the day he/she has learned or he/she should have learnt of the violation of the prohibition of differential treatment (Part 2, Article 95, Labour Law).

For its part, according to Part 2 of the Article 109 (Prohibitions and Restrictions on a Notice of Termination by an Employer) of the Labour Law an employer is prohibited from giving a notice of termination of an employment contract to an employee who is declared to be a disabled person, except in cases set out in Article 101, Part one, Clauses 1, 2, 3, 4, 5, 6, 7 and 10, and Article 47, Part one of this Law (the employee has without justified cause significantly violated the employment contract or the specified working procedures; the employee, when performing work, has acted illegally and therefore has lost the trust of the employer; the employee, when performing work, has acted contrary to moral principles and such action is incompatible with the continuation of employment legal relationships; the employee, when performing work, is under the influence of alcohol, narcotic or toxic substances; the employee has grossly violated labour protection regulations and has jeopardised the safety and health of other persons; the employee

lacks adequate occupational competence for performance of the contracted work; the employee is unable to perform the contracted work due to his/her state of health and such state is certified with a doctor's opinion; the employer – legal person or partnership – is being liquidated; during the probation period). In addition Part 4 of Article 109 of the Labour Law prescribes that an employer is prohibited to give a notice of termination of an employment contract in the case specified in Article 101, Part one, Clause 11 (in case when the employee does not perform work due to temporary incapacity for more than six months, if the incapacity is uninterrupted, or for one year within three years, if the incapacity repeats with interruptions, excluding a prenatal and maternity leave in such period, as well as a period of incapacity, if the reason of incapacity is an accident at work the cause of which is related to exposure to the environment factors or an occupational disease) until recovery of capacity or determination of disability, if the reason of incapacity is an accident at work or occupational disease.

Moreover the Regulation of Cabinet of Ministers No. 359 of 28 April 2009 „Labour Protection Requirements in Workplaces”, Regulation of Cabinet of Ministers No. 92 of 25 February 2003 „Labour Protection Requirements in Performing Construction Work” and Regulation of Cabinet of Ministers No. 150 of 21 February 2006 „Labour Protection Requirements for Extraction of Minerals” determine the requirement to arrange workplace according to the needs of disabled person if it is necessary.

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

(Please also see information provided on the Article 1 Paragraph 3 and Paragraph 4 and Article 9 of this Report)

3. Please provide pertinent figures, statistics or any other relevant information on the number of persons with disabilities in working age, in ordinary employment and in sheltered employment (estimated, if necessary). Please, also indicate whether the basic provisions of labour law applies to persons working in sheltered employment where production is the main activity.

(Please also see information provided on the Article 1 Paragraph 3 and Paragraph 4 and Article 9 of this Report)

ARTICLE 15 PARA. 3

“With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:

to promote their full social integration and participation in the life of the community in particular through measures, including technical aids, aiming to overcome barriers to communication and mobility and

enabling access to transport, housing, cultural activities and leisure.”

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

Latvia has improved the Construction Standard requirements. In 2014 the Parliament has adopted a new Construction Law. Accessibility of the environment is one of the construction principles. The Ministry of Economy has published explanatory material about Environment availability requirements in website:

(https://www.em.gov.lv/lv/nozares_politika/buvnieciba/informacija_un_skaidrojumi/vides_pieejamiba)

In order to provide the rights to independence of persons with disabilities, their social integration and participation in implementation of their rights, since 2013, the service of assistant has been introduced in Latvia.

According to Disability Law (entered into force on 1 January 2011) consequences of a disability for the persons with a disabilities shall be reduced by the right to receive the service of an assistant for up to 40 hours per week paid from the State budget, provided at the local government where the place of residence has been declared (Article 12, Part 1, paragraph 3).

According to Disability Law consequences of a disability for the persons with a disability shall be reduced by ensuring the right to receive the service of a sign language interpreter (paid for from the State budget for up to 10 hours per month) for providing contacts with other natural and legal persons (Article 12, Part 1, paragraph 6).

According to Disability Law consequences of a disability for the persons with a disability shall be reduced by ensuring the right for the persons with Group I or Group II disability, the persons with a disability up to the age of 18 years and the person who accompanies a person with a Group I disability or a person with a disability below 18 years of age to utilise free of charge all types of public transport within the territory of the Republic of Latvia, except for air transport, taxis and passenger carriages on inland waters (Article 12, Part 1, paragraph 7).

According to Disability Law consequences of a disability for the persons with a disability shall be reduced by ensuring the possibility to receive aid for adapting one dwelling for the persons with a Group I disability, the persons with a Group II visual disability or hearing impairment and the persons up to the age of 18 years, who has medical indications for the necessity for special care for a disabled child. The aid conditions and the procedures for the receipt thereof is determined by the Cabinet of Ministers (Article 12, Part 1, paragraph 9).

The service of an assistant is stipulated by the Regulation of Cabinet of Ministers of 18 December 2012 No. 942 “The procedure for assigning and financing the service of an assistant in the local government (hereinafter – Regulation No. 942). The Regulation No. 942 determines:

- the procedure for granting the service of an assistant;
- requirements to the assistant who provides assistance;

- the criteria for determining the necessity of the service of an assistant;
- the criteria for determining the amount of the service of an assistant;
- the procedure for the necessary financing and assignment of State budget to the service of an assistant.

The social service offices, in accordance to the criteria of Regulation No. 942 assess and make a decision about the assignment of the social service by determining the amount of the social service (hours per week) and the time period during which the service is assigned. The social service office signs a contract about giving the social assistance with the person who demands the service of an assistant, and with the assistant. Every month the social service offices of the local governments apply to the Ministry of Welfare for the financing of the services of an assistant provided during the last month.

By the Law on Social Services and Social Assistance, state provides persons with permanent or persistent disorders of vital body functions or anatomical defect with assistive technology when opinion of a general practitioner or other medical staff is received. Provision of technical aids allocated from the annual state budget. Persons eligible to receive state funded assistive technology are as follows:

- persons with disabilities and children with disabilities,
- persons in need of a technical aid in order to reduce or prevent disorders of vital body functions,
- persons with a predictable disability, if a need for a technical aid is foreseen in the individual rehabilitation plan.
- persons with anatomical defects can receive prosthesis or orthopedic shoes.

Requirements for providing assistive technology are defined by the Regulation of the Cabinet of Ministers. The Cabinet of Ministers also approves a list of assistive technology that is funded by the state budget. As assistive technology has a certain period of use, persons can apply repeatedly.

By the Law on Social Services and Social Assistance state provides vocational rehabilitation for persons with disability or predictable disability. Law stipulates that vocational rehabilitation is a set of activities that ensure the acquisition of a new profession, professional knowledge or skills, according to the type of level of functional disorders of a person and taking into account his/her previous education and professional qualification.

Vocational rehabilitation services are financed from state budget and are free of charge for person with disabilities or predictable disabilities.

The purpose of Article 2 of the Law on Public Transport Services (of 15 July, 2007) is to ensure the availability of public transport services. According to the aim defined by Law on Public Transport Services the Regulations of Cabinet of Ministers No. 599 of 28 August, 2012 “Order of Provision and use of Public Transport Services” has been adopted (hereinafter – Regulations No. 599). Regulations No. 599 foresees time scale according to which public transport

should be adapted in order to mitigate getting in the public transport for persons with functional disabilities and to ensure the mobility of those persons - till 1 January, 2022 public transport should be fully adapted in routes of regional significance, partly – till 1 January, 2016; In routes of city significance buses should be fully adapted till 1 January, 2016, but electric transport used in public transport services should be fully adapted till 1 January, 2024, partly – till 1 January, 2016.

Regulations No. 599 state also that:

- Carriers should ensure that information on stops of corresponding public transport in public transport compartment is accessible in audio or visual formats;
- Buses should be equipped with route sign.

Regulations No. 599 foresee to ensure information (routes schedule) at stops and platforms in audio and visual formats.

Besides that already mentioned Disability Law ensures the right for the persons with Group I or Group II disability, the persons with a disability up to the age of 18 years and the person who accompanies a person with a Group I disability or a person with a disability up to 18 years of age to utilise free of charge all types of public transport within the territory of the Republic of Latvia, except for air transport, taxis and passenger carriage on inland waters.

The Railway Law regulates all the important railway issues in the rail sector. Carriage by rail is regulated by the Carriage by Rail Law (of 21 December, 2000) and the Law on Public Transport Services.

Pursuant to Section 4.1 of the Carriage by Rail Law, Regulation (EC) No. 1371/2007 of the European Parliament and of the Council of October 23, 2007 on rail passengers' rights and obligations related to domestic rail passenger and luggage services (hereinafter – the Regulation) shall not apply till 3 December, 2019, except for its Articles 9, 11, 12, 19, Paragraph 1 of Article 20 and Article 26. (As amended by the law of 12 November, 2009 with amendments made in accordance with the law of 30 October, 2014, which took effect on 16 November, 2014. Amendment to the second part for the replacement of the figures and words "December 3, 2014" with the figures and words "December 3, 2019" took effect on 04 December, 2014 (Clause 5 of the Transitional Rules).

Currently the requirements laid down in Article 19 and Paragraph 1 of Article 20 of the Regulation are being fulfilled, which provide for the active involvement of organizations of disabled persons and persons with reduced mobility in the establishment or having in place of non-discriminatory access rules for the transport of disabled persons; as well as upon request, in providing disabled persons and persons with reduced mobility with information

on the accessibility of rail services and on the access conditions of rolling stock and in offering reservation of tickets at no additional cost.

To ensure that disabled persons and passengers with reduced mobility are independent, that they integrate and participate in public life, JSC “Pasazieru vilciens” fulfils the Procedure for Providing Services to the Persons with Reduced Mobility, Using Stairclimbers approved by the Decision No. 19/182 of SJSC “Latvijas dzelzceļš” Board of Directors on 12 August, 2010. The Procedure prescribes that JSC “Pasazieru vilciens” shall organize the carriage of persons with reduced mobility in electric trains and diesel trains.

Services for persons with reduced mobility are offered at 9 passenger stations - Riga, Krustpils, Rezekne, Daugavpils, Jelgava, Saulkrasti, Sigulda, Dubulti, Vaivari.

During the time period from May 2013 till the end of 2014 applications were submitted for the following number of mobile stairclimbers - from May till December 2013 - 47 mobile stairclimbers, and in 2014 – 60 mobile stairclimbers.

Receiving an application, representatives of SJSC “Latvijas dzelzceļš” and employees of JSC “Pasazieru vilciens” ensure a specially equipped rolling stock for the carriage of persons with reduced mobility to the station or train stop they need. Train conductors – controllers meet such persons in the train vestibule, accompanying them to a special space in the train carriage and checking whether their wheelchairs are properly fastened. With the train stopping at a specific station or train stop, the conductor – controller unfastens the person with reduced mobility and moves him/her to the train vestibule. Using a mobile stair climber, the person gets out of the train.

In 2015 diesel trains undergo modernization for their passengers with reduced mobility, which include not only disabled persons, but also elderly people, mothers with baby strollers, to more conveniently get in and out of the train.

Persons with disabilities, irrespective of age and the nature and origin of their disabilities are provided with electronic communications services. Main legislative act in the electronic communications field in the Republic of Latvia is the Electronic Communications Law.

According to the Electronic Communications Law the Public Utilities Commission (hereinafter – Regulator) may determine a requirement to an electronic communications merchant, who provides publicly accessible electronic communications services, that end-users who are persons with disabilities, irrespective of age and the nature and origin of their disabilities would be ensured:

- Access to electronic communication services equivalent to that enjoyed by the majority of end-users;
- Possibility to use the electronic communications services available for the majority of end-users and to select an electronic communications service provider.

In accordance with Electronic Communications Law, the Regulator shall independently take decisions and issue administrative acts, which are binding to specific electronic communications merchants and users.

Main rules regarding transport of persons with disabilities by ships are established by the Regulation No. 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004, which is directly applicable from 18 December 2012. It covers the rules regarding the non-discrimination between passengers with regard to transport conditions offered by carriers, non-discrimination and assistance for disabled persons and persons with reduced mobility, the rights of passengers in cases of cancellation or delay, minimum information to be provided to passengers, the handling of complaints and general rules on enforcement.

In accordance with the requirements of the Regulation No. 1177/2010, other issues are regulated additionally in the national legislation – Maritime Code and Latvian Administrative Violations Code.

The Maritime Code was amended (relevant amendments came in force from 21 January 2013) to include Chapter XXVI.¹ “Protection of the Rights of Passengers”. This Chapter consists of 3 Sections (Section 251.¹ Protection of the Rights of Passengers Section; 251.² Procedures for Submitting and Examining Complaints of Passengers; Section 251.³ Special Conditions for the Protection of the Rights of Disabled Passengers and Passengers with Reduced Mobility).

Section 251.¹ i.a. determines the responsibility of the relevant institutions, carrier and port terminal. The Consumer Rights Protection Centre is the body responsible for the protection of the rights of passengers within the meaning of Regulation No. 1177/2010. The Maritime Administration of Latvia is responsible for the technical conformity of ships with the requirements of laws and regulations. The carrier and port terminal shall ensure the fulfilment of the requirements stipulated in Regulation No. 1177/2010 for carriers and port terminals.

Section 251.² provides procedures for submitting and examining complaints of passengers.

In accordance with Section 251.³ a carrier and port terminal shall take the relevant measures in order to ensure the assistance laid down in Regulation No. 1177/2010 to disabled passengers and passengers with reduced mobility. It is also stated in Section 251.³ that according to that indicated in Regulation No. 1177/2010 the carrier and port terminal shall ensure a corresponding training of employees. It shall be carried out by a person who has special

knowledge regarding the needs of disabled persons and persons with reduced mobility.

The Latvian Administrative Violations Code within its amendments of 26 September 2013 (in force since 1 January 2014) was accompanied by a new Section 155.¹⁷ “Failure to Observe the Rights of Sea Ship Transport Passengers” providing that in the case of failure to observe the rights of sea ship transport passengers in the case of cancellation or a delay of a cruise - a warning shall be issued or a fine shall be imposed on legal persons in an amount from 140 EUR up to 1000 EUR, and in the case of the violations provided for in this Section, if they have been recommitted within a year after the imposition of administrative sanction – a fine shall be imposed on legal persons in an amount from 350 EUR up to 7100 EUR.

Latvia has introduced several laws in the cultural sector that state the need to ensure the availability of cultural services to all groups of society.

The purpose of the Law on Cultural Institutions is to define the types of culture institutions in Latvia, sources of funding for these institutions and their economic activities, and state guarantees for the functioning of culture institutions. It sets out general cultural policy frameworks. Article 2 describes the functions of cultural institution, among others: “it creates, collects, preserves, researches, promotes and makes available cultural values”.

The Law on the State Culture Capital Foundation states that the foundation shall financially support projects implemented by natural and legal persons, which foster the preservation and dissemination of cultural values and the availability thereof to the general public.

One of the general principles of the operations of libraries stated in Law on Libraries is to ensure public access to the library collection to everyone in accordance with the prescribed procedures of the library. According to law, a library may be accredited, if it ensures every user access to its collection, database and information system, as well as to the collections of other libraries within Latvia or outside, using inter-library loan services.

The purpose of the Law on Museums is to specify public relations in the field of museums in order to ensure and to promote the museum services – preservation, research and accessibility to the society of cultural heritage.

The purpose of the Law on Archives is to ensure creation, accumulation, appraisal, preservation, accessibility and use of the national documentary heritage upon implementation of appropriate records and archives management. The law states that the records stored in the National Archives of Latvia, the institution archives and accredited private archives shall be freely accessible for any person in accordance with the procedures specified by this Law.

Article 4 of the Latvian National Opera and Ballet Law states, that one of the function of the National Opera and Ballet is that it shall gather, compile and evaluate cultural information and shall ensure the accessibility thereof to society. Article 13 states that the national remit shall ensure the availability of the achievements of world opera, ballet and music culture and popularisation thereof in Latvia.

The Law on the National Library of Latvia states that each legal and natural person has the right to use the collection, the databases and information system of the National Library of Latvia free of charge and receive full information regarding thereof in accordance with the regulations regarding the use of the library.

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

Service of an assistant for performing activities outside home

As of 1 January, 2013 a new service for persons with disabilities has been launched – a municipality based service of an assistant for performing activities outside home (regulated by the Regulations of Cabinet of Ministers No. 942 „Procedure for Allocation and Financing a Service of an Assistant in the Municipality” of 18 December, 2012).

An assistant service is eligible to:

- 1) person with Group I or Group II disability, on the basis of conclusion by the State Medical Commission for the Assessment of Health Condition and Working Ability on the necessity for a service of an assistant;
- 2) person with disability aged 5 to 18 years, on the basis of conclusion by the State Medical Commission for the Assessment of Health Condition and Working Ability on the necessity for special care due to severe functional impairments.

Service of an assistant amounts to 40 hours a week within the territory of Latvia (except for persons with Group I visual disability who receive a benefit for using a service of an assistant 10 hours a week and who receive a service up to 30 hours a week if a service of assistant exceeds 10 hours a week that is specified by the municipality social service office).

Persons with disabilities use this service basically to:

- do shopping, spend free time, attend cultural events;
- arrive at work, educational institution, day center;
- receive medical treatment services (incl. attend a family doctor);
- engage in public activities (work in associations, to go in for sports a.o.);
- single measures (be in contact with other natural and legal persons).

State paid services of a sign language interpreter to ensure communication

As of January 1, 2013 a new service for persons with hearing disability has been launched – persons with hearing impairments are eligible to receive state paid services of a sign language interpreter to ensure communication. In the framework of a service a sign language interpreter is provided during communication with other physical and legal persons – up to 120 hours a year. This service is provided to persons whose hearing impairments cannot be compensated by technical aids, on the basis of confirmation by attending physician, stating that a person has hearing impairments and he/she needs a service of a sign language interpreter.

Support to adopt a dwelling

According to the Regulations of the Cabinet of Ministers No. 1170 of 21 December, 2010 “Regarding the Procedures by Which Persons with Disability shall Receive Aid for Adapting a Dwelling and the Conditions for the Receipt of Aid” people with Group I disability (irrespective of the type of impairment), people with visual or hearing Group II disability and people until 18 years of age to whom medical indications are determined implying a necessity for special care of a disabled child, are entitled to the support to adapt one dwelling (support is provided by allocating a funding from the state budgetary funds to compensate the interest paid by a person for adapting a dwelling in compliance with an agreement with credit institution registered in the Republic of Latvia). Apart from the state support to adapt a dwelling given above, also several municipalities have defined a support to adapt a dwelling – in both ways a fixed amount of money and performing particular adapting (installation of ramps or lifts a.o.).

Project’s activities include consultations of experts of environmental accessibility on European Regional Development Fund (hereinafter - ERDF) and Cohesion Fund (hereinafter - CF) co-financed project implementation sites (2011-2013)

In the framework of HP “Equal Opportunities” outsourced experts of environmental accessibility have carried out on-the-spot checks and individually consulted the personnel working on the implementation of ERDF and CF co-financed projects on the subject of environmental and information accessibility for persons with movement, hearing and visual disability and persons with intellectual disability. They also inquire and discuss any plans to build, renovate, reconstruct and arrange buildings, develop transport infrastructure, including roads, streets, public transport etc., use of IT or other activities within the project.

Until July 2013, in total, 317 consultations on project implementation sites have already been provided.

In 2012 experts of environmental accessibility collected best practice examples – particularly successful and innovative measures or solutions ensuring gender equality, active ageing and equal opportunities for persons with functional disabilities in ERDF and CF co-financed projects.

Best practice examples are available online: <http://sf.lm.gov.lv/lv/vienlidzigas-iespejas/pazinojums4/>.

Recommendations for the improvement of Building regulations (issued by the Cabinet of Ministers) and guidelines (2012)

On the base of this best practices and examples has developed the recommendations for the improvement of Building regulations (issued by the Cabinet of Ministers) and guidelines that will explain how to implement the Building regulations in the field of environmental accessibility for persons with movement, hearing and visual disability and persons with intellectual disability. Guidelines have reviewed at Jun, 2012 by the working group of environment accessibility. Guidelines were located more than 25 institutions websites and that serve as an auxiliary material for the architects, construction students, builders, municipal employees, ERDF project implementers.

Available on web-site:

http://sf.lm.gov.lv/f/files/vienlidzigas_iespejas/VADLINIJAS.pdf

The training video of the best practice examples on ERDF and CF co-financed projects (2012)

On 13 November, 2012 the training video „Accessible environment – Opportunities and Solutions” was broadcasted on Television of Latvia. The video was created in 2011 and it contains information on implemented measures that provide environmental (buildings, transport infrastructure, including roads, streets, public transport etc.) and IT accessibility for persons with movement, hearing, visual and mental disorders as well as environmental accessibility regardless on gender and age in the framework of ERDF and CF co-financed projects. Video promotes the best practices in order to teach and inform the project implementers and general public on the ways to ensure HP Equal Opportunities in infrastructure projects and as well to raise awareness of the environmental accessibility for everyone in the society. In addition, one chapter of the video targets, in particular, gender and age discrimination aspects in the context of ERDF and CF co-financed activities.

Training video is available at the Ministry of Welfare and online: <http://www.youtube.com/watch?v=oGT5gwXF3Qw>

By the Law on Social Services and Social Assistance the fulfillment of the State duties to the provision of the technical aids shall be ensured by the State limited liability company “National Rehabilitation Centre “Vaivari”” also tiflotechnology and surdotechnology shall be ensured by the Latvian Society of the Blind, Latvian Association of the Deaf,

Provision of technical devices and other equipment for persons with visual or hearing disability is organized by two non-governmental organizations – Latvian Association of the Blind and Latvian Association of the Deaf. Provision of other assistive technology is organized by the National Rehabilitation Centre “Vaivari” (hereinafter – Centre). If necessary, the Latvian Society of the Blind, the Latvian Association of the Deaf and the State limited liability company “National Rehabilitation Centre “Vaivari”” also select other service providers in accordance with the procedures specified in the regulatory enactments regulating public procurement.

The Latvian Society of the Blind, the Latvian Association of the Deaf and the State limited liability company “National Rehabilitation Centre “Vaivari”” shall be under the functional supervision of the Ministry of Welfare, shall ensure rational use and control of the funds granted from the State budget, using not more than 10 % of the funds granted from the State budget for administrative costs related to the provision of these services. The organizations referred to for the provision of the fulfillment of these duties are entitled to issue administrative statements.

Assistive technology is mostly distributed to persons from socially vulnerable groups; therefore it is fully funded by the state. Person has to pay only a single-payment of 1,50 EUR) if assistive technology is provided to a child or a single-payment of 7,00 EUR if assistive technology is provided to an adult.

Persons with low incomes, persons living in a long-term social care and social rehabilitation institution, persons who have declared a place of residence in a medical treatment institution and persons serving a sentence in a place of imprisonment are released from the single-payment.

If a person is willing to use a specific or a higher-level assistive technology that is not included in the list of state funded assistive technology, it is possible to apply for a co-funding. The state co-funding is a cost of an analogue assistive technology included in the list of state funded assistive technology.

A new mid-term cultural policy document *Creative Latvia* has been elaborated for the period 2014 - 2020. The document was adopted by the government in July 2014. The cultural policy guidelines state the vision that the diversity, richness and accessibility of the cultural environment and the participation of active and creative individuals in the creation thereof affect not only the quality of personality and life of an individual, but also society and national development. Following priorities have been outlined:

- preservation and development of cultural capital, involving community members in cultural processes;
- a creative life-long learning and cultural education system oriented towards employment;
- cultural and creative industries with high export potential;
- creative territories and accessibility of cultural services.

The structure of the society is continuously developing; the system of attitudes and values of the society is also changing. Thus, the diversity of the society, the interests and rights of different groups must be taken into account, without any discrimination and according to the principle of equality, also promoting social inclusion of persons with functional disorders, promoting gender equality and equal opportunities. There are action directions and policy indicators defined to ensure the accessibility of cultural services and cultural education.

The strategic objective of the first priority is: to strengthen and increase the value of cultural capital of Latvia and to promote participation and inclusion of as large part of the society in cultural processes as possible. Several tasks and activities to be performed within the scope of action directions of the first priority include the need to ensure accessibility of visual art, theatres and concert organisations services, accessibility of the National Museum Holding, National Documentary Heritage, library, as well as information and knowledge resources and services offered by libraries accessibility to the society. One of the tasks provides for gradual increase of the budget available for non-governmental cultural activities, ensuring diversity of cultural processes and their accessibility.

Measure "To strengthen the accessibility of the existing cultural services and to promote the accessibility of new cultural services in cultural institutions, also promoting social inclusion for persons with functional disorders" will be carried out 2017 - 2020 within the scope of the State budget; it is planned to attract financing within the framework of projects administered by the Social Integration Foundation and local government.

The strategic objective of the second priority is: to promote diverse, high-quality and accessible offer of cultural education, as well as to promote the development of creativity of a personality in all levels of education.

One of the performance indicators of an accessible creative life-long learning is the number of pupils with special needs in cultural education institutions (vocationally oriented and vocational secondary education). In 2014 there were 83 pupils with special needs in cultural education institutions.

Demand for digital content is increasing in the field of cultural services. Several groups of the society particularly value convenient free-of-charge access to cultural information, which ensures being informed, possibility to educate, thus strengthening the awareness of social inclusion and the possibility of active participation. Several cultural content digitalisation projects were implemented in the previous period of EU Structural Funds (2007-2013) (DCML, NDLL, USAIS, JCNMH, etc.), within the scope of which both digitalisation of the content of cultural heritage and development of e-services has been commenced, thus ensuring more efficient access to services. Inclusion in international digital data bases (EUROPEANA, etc.) is important as it helps to increase interest in Latvia and its culture.

The strategic objective of the fourth priority is: to promote regional growth based on local culture and creativity and development of high-quality living space, ensuring high-quality and diverse access to cultural services to each inhabitant.

One of the performance indicators of this priority is the increase in the proportion of digitally available items of the holding (museums, archives, libraries).

3. Please provide pertinent figures, statistics or any other relevant information on persons with disabilities' access to housing, transport, telecommunications and cultural and leisure activities.

Information and training of the Stakeholders

The Ministry of Welfare provides the Course of Lectures "Universal design" and "Equal opportunities" to promote the rights of persons with disabilities and inclusion. Comprising 77 seminars so far, informed the stakeholders – officials and staff, project applicants, project proposals, evaluators, Regional information centre on EU structural funds' staff and project implementers. In total 3373 persons have undergone training including:

Table no.54

Year	2008.	2009.	2010.	2011.	2012.	2013.	2014.	Total
Number	488	930	577	607	358	174	240	3373

Data source: The Ministry of Welfare

Table no.55**Data about the service of assistants provided**

	2013	2014
The number of assistants who have provided assistant service	2985	6880
The number of clients who benefited from the service in total Including:	3067	6794
- Children between 5 and 18 years of age with disability	457	696
- Adults from 18 years of age	2610	6098
The local governments where the service has been provided (there are 119 local governments in Latvia in total)	114	117

Data source: The Ministry of Welfare

Table no.56**Provision of technical aids**

	2013	2014
Prostheses	1114	1026
Orthoses	1921	1933
Ortopedic shoes	2152	2035
Personal mobility technical aids	1613	2316
Personal care technical aids	1290	2178
Tilotechnology	2285	3147
Surdototechnology	3354	5355

Data source: The Ministry of Welfare

Table no.57

Persons identified by Agency, receivers of professional adequacy and job simulation tests and receivers of full vocational rehabilitation service

	2011	2012	2013	2014
Persons, identified by SISA regional support points	1 200	1 581	1 787	1 200
Receivers of professional adequacy and job simulation tests	400	406	416	400
Receivers of vocational rehabilitation service	400	397	372	380

Data source: The Ministry of Welfare

Table no.58

Receivers of vocational rehabilitation service by tier of disability

	2011	2012	2013	2014 (provisional)
Persons with tier I or tier II disability	X	232	232	196
Persons with tier III disability	X	165	140	184
Total	400	397	372	380

Data source: The Ministry of Welfare

Table below reflects the number of carried persons with disabilities in public transport during the period from May, 2013 till December, 2014.

Table no.59

Mode of Public Transport	Number of carried persons with disabilities	
	May-December, 2013	January-December, 2014
By Buses	874 102	1 503 868
By Rail	801 991	817 481
Total	1 676 093	2 321 349

Data source: The Ministry of Transport

In 2012 53% or 946 cultural institutions in Latvia specified, that their premises are accessible for people with functional impairments. As the result of continuous improvement by the end of 2014 already 1054 cultural institutions (60%) confirm the accessibility for people with functional impairment – among them 63% public libraries, 61% cultural centres, 59% museums. All 8 state and municipal professional theatres provide access for people with functional limitations, as well as Latvian National Opera and Riga Circus.

Since 2012 the Latvian National Opera has become more accessible, as a special elevator has been opened for persons with physical impairments. The Latvian National Opera building was constructed in 1863 and renovated in 1995. The building was previously relatively handicapped-friendly, but the new elevator has substantially improved the accessibility.

22 museums have begun projects of improvement of accessibility for people with functional limitations, as well as for people with visual or hearing impairments.

14 museums have developed reconstruction projects to provide appropriate infrastructure for people with functional impairments. Several museums are planning training activities for the staff to develop skills and qualification needed to work with different groups of visitors, also with people with disabilities.

Most museums offer guided tours for people with functional, visual or hearing impairment.

11 museums offer audio guides and local acoustic sources specially adapted for hearing impaired visitors. National History museum of Latvia offers stands for people with visual impairment. Different objects are placed on these stands and are available to touch them. The comments are written in Braille.

53% of cultural education institutions specified, that their premises are fully suitable for teaching people with functional limitations.

In 2012 3 infrastructure reconstruction projects in tertiary cultural education institutions were finished, co-financed by the European Regional Development Foundation, enabling access to the premises for people with functional disabilities.

During Jazeps Vitols Latvian Academy of Music reconstruction of the attic and modernization of the infrastructure the premises were adjusted for people with functional disorders.

An additional set of premises is made available to the students of the Latvian Academy of Art. It is a multifunctional edifice with a space specifically designed for multimedia studies - photo lab, video studio, exhibition and conference hall etc. It is made accessible to all users by modernizing the infrastructure and equipment, thus providing an opportunity to study for people with functional difficulties.

Reconstruction and restoration works have also been completed at the Theatre Study Base of Latvian Academy of Culture (hereinafter - LKA) Zirgu Pasts (Horse Post Station). Now LKA can be proud of the only building in Latvia that is suitable for training of prospective theatre actors and directors, and choreographers of contemporary dance. Zirgu Pasts has gained new effigy, still maintaining its charm. It was achieved by integration of historic architectural features into modern design elements. In the course of

reconstruction works, the building was adjusted for use by people with impaired mobility.

Latvian Library for the Blind (hereinafter - LNERB) provides access to books and information in a form suitable for people unable to read ordinary print, such as Braille books and talking books. On 2014 there were 2030 registered library users in Latvian Library of Blind. Library services for the visually disabled are offered at the central library situated in Riga and in seven branch libraries located in the biggest cities of Latvia. Each branch serves its region, thus covering the whole territory of Latvia. Library users can receive the necessary information directly at the library, over the phone or using postal services, which are, for the visually disabled, free of charge. Another possibility is to have books delivered, for users unable to visit the library, using libraries' transport. The card catalogues are available in ordinary print and Braille.

The Braille department provides books and information printed in Braille and also serves customers, who need information in Braille for personal purposes. The Sound Recording Studio provides books and information recorded in various audio formats. In 2014 19 books and 11719 pages of informative materials were produced in Braille, 66 audio books, 12 audio magazines were produced.

LNERB provides also reading aloud. On 2014 there were in total 387 hours of reading aloud, 743 people were participating.

Latvian Library for the Blind offers creative activities, concerts and themed evenings, conferences, workshops, discussions and off-site tours. Library is working in close cooperation with non-governmental sector and social institutions to provide wider participation. Library is organising events not only for people with visual impairment, but also for people with other disabilities (intellectual, physical impairment etc.), thus helping to unleash their creativity and bring out their talents.

On 2014 LNERB has organized 124 different events: concerts and exhibitions with participation of people with disabilities (not only visual impairment), competitions, seminars, poetry-reading events etc.

LNERB also provides jobs for the handicapped people. The Braille department offers staff training to master the rare Braille skills. There is special equipment in the department, which provides employees, especially visually impaired people, with full value work conditions. As additional devices, visually impaired people also use a typewriter with Braille and a closed circuit TV magnifier, which magnifies up to 20x. At the library, there is an Internet connection available and computers adapted for the visually impaired users.

The Law "On Medium-term budgetary framework for 2014, 2015 and 2016" allocates funds for Latvian Library for the Blind for the equipment of the library space. In 2014 new equipment in reading rooms was made and installed, appropriate for the placement of the library collection and compliant to work environment requirements.

Table no.60

MUSEUMS	Number of persons, who received the support in 2014	Funding in 2014, EUR			
		I disability group	II disability group	III disability group	Total
Free entrance					
National History Museum of Latvia	504	-	-	-	-
Museum of the History of Riga and Navigation	437 (pupils - 169, adults– 268)	-	-	-	1264,35
Latvian Museum of Photography	80 (only adults)	-	-	-	284.00
Mentendorff's House	306 (pupils - 276, adults– 30)	-	-	-	292,20
RVKM and branches total:	823 (pupils – 445, adults– 378)	-	-	-	1840,55
Rundale Palace Museum	408915	1500,00	18945,00		20445,0016
Turaida Museum Reserve Free entrance for people with 1st and 2nd disability group and for people who accompany persons under 18 years of age and persons with 1st disability group.	The number of supported persons is stored up together with the number of other 11 target groups of visitors, which are subject to free admission.	-	-	-	-
Reduced admission fee for persons with 3rd disability group: summer season - 0,71 EUR (standard price – 4,98 EUR), winter season – 0,28 EUR (standard price – 2,85 EUR)	Summer season – 2308 Winter season– 34	-	-	Summer – 9855,16 Winter– 87,38	9942,5417

Data source: The Ministry of Culture

(Please also see information provided on the Article 1 Paragraph 3 and Paragraph 4 and Article 9 of this Report)

¹⁵ By providing information Rundale Palace Museum has indicated that the data are inexact.

¹⁶ By providing information Rundale Palace Museum has indicated that the data are inexact.

¹⁷ The amount of discount for visitors with 3rd disability group in 2014 (unearned income)

ARTICLE 18: THE RIGHT TO ENGAGE IN A GAINFUL OCCUPATION IN THE TERRITORY OF OTHER PARTIES

ARTICLE 18 PARA. 1

“With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake:

to apply existing regulations in a spirit of liberality;”

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

Legislation governing the right of foreigner to reside and be employed in the Republic of Latvia is the Immigration Law and its subordinate legislation – Regulations of Cabinet of Ministers No. 564 “Regulation regarding Residence Permits” adopted on 21 June 2010, Regulations of Cabinet of Ministers No. 55 “Regulations Regarding Employment of Foreigners” adopted on 28 January 2014 and Regulations of Cabinet of Ministers No. 1034 “Regulations Regarding the State Fee for Examination of the Documents Necessary for Requesting a Visa, Residence Permit or the Status of a Long-term Resident of the European Union in the Republic of Latvia and the Services Related Thereto” adopted on 1 October 2013. Reforms in this area are not planned.

Taking into account that unemployment in the Republic of Latvian during the post-crisis period remained quite high, currently there is no reason to carry out any reform to simplify admission of the foreign employees for the purposes of employment. On January 1, 2014 amendments to the Immigration Law came into force reducing the administrative procedure when a foreigner enters the Latvian Republic for the purposes of employment that is implementing Directive 2011/98/EU of the European Parliament and the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State.

It must be highlighted that the right to request a permanent residence permit, in accordance with the procedures prescribed by Immigration Law, as well as the right to work for any employer is granted to a foreigner (and to his family members) who, in accordance with the procedures prescribed by the Asylum Law, has been granted a refugee status.

Whereas foreigner has alternative status or temporary protection in accordance with procedures prescribed by the Asylum Law, he/she has the right to request a temporary residence permit in accordance with the procedures laid down in Immigration Law for a definite period of time as well as obtaining the right to work. Moreover the right to employment has also a person who has received a temporary residence permit as a family member of the person who has alternative status or temporary protection.

For immigration - a labour market test is applied to ensure protection for the low qualified jobs as the wage requirements are set. Employer has to register the vacancy at the State Employment agency and if the vacancy is not filled

with suitable candidate within one month, employer may ask The Office of Citizenship and Migration Affairs to approve invitation for visa request or a residence permit for a foreigner. The employer submits work contract and a set of documents to the Office of Citizenship. <http://www.pmlp.gov.lv/lv/sakums/pakalpojumi/iecelosana-lv/arzemnieku-nodarb.html>

Part 1 of Article 7 (Principle of Equal Rights) of the Labour Law prescribes that everyone has an equal right to work, to fair, safe and healthy working conditions, as well as to fair work remuneration. The rights provided for in Part one of this Article shall be ensured without any direct or indirect discrimination – irrespective of a person's race, skin colour, gender, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation or other circumstances (Part 2, Article 7).

According to Part 1 of Article 29 (Prohibition of Differential Treatment) of the Labour Law differential treatment based on the gender of an employee is prohibited when establishing employment legal relationships, as well as during the period of existence of employment legal relationships, in particular when promoting an employee, determining working conditions, work remuneration or occupational training or raising of qualifications, as well as when giving notice of termination of an employment contract. Differential treatment based on the gender of employees is permitted only in cases where a particular gender is an objective and substantiated precondition, which is adequate for the legal purpose reached as a result, for the performance of the relevant work or for the relevant employment (Part 2, Article 29). If in case of a dispute an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on gender, the employer has a duty to prove that the differential treatment is based on objective circumstances not related to the gender of the employee, or also that belonging to a particular gender is an objective and substantiated precondition for performance of the relevant work or the relevant employment (Part 3, Article 29). Harassment of a person and instructions to discriminate against him/her shall also be deemed to be discrimination within the meaning of this Law (Part 4, Article 29). Direct discrimination exists if in comparable situations the treatment of a person in relation to his/her belonging to a specific gender is, was or may be less favourable than in respect of another person. Less favourable treatment due to granting of a prenatal and maternity leave or a leave to the father of a child shall be considered as direct discrimination based on the gender of a person (Part 5, Article 29). Indirect discrimination exists if apparently neutral provisions, criterion or practice cause or may cause adverse consequences for persons belonging to one gender, except in cases where such provisions, criterion or practice is objectively substantiated with a legal purpose the achievement of which the selected means are appropriate (Part 6, Article 29). Harassment of a person within the meaning of this Law is the subjection of a person to such actions which are unwanted from the point of view of the person, which are associated with his/her belonging to a specific gender, including actions of a sexual nature if the purpose or result of such actions is the violation of the person's dignity and the creation of an intimidating, hostile, humiliating, degrading or offensive

environment (Part 7, Article 29). If the prohibition against differential treatment and the prohibition against causing adverse consequences is violated, an employee in addition to other rights specified in this Law, has the right to request compensation for losses and compensation for moral harm. In case of dispute, a court at its own discretion shall determine the compensation for moral harm (Part 8, Article 29). The provisions of this Article, as well as Article 32, Part one and Articles 34, 48, 60 and 95 of this Law, insofar as they are not in conflict with the essence of the relevant right, shall also apply to the prohibition of differential treatment based on race, skin colour, age, disability, religious, political or other conviction, national or social origin, property or marital status, sexual orientation or other circumstances of an employee (Part 9, Article 29).

A job advertisement (a notification by an employer of vacant work places) may not apply only to men or only to women, except in cases where belonging to a particular gender is an objective and substantiated precondition for the performance of relevant work or for a relevant employment (Part 1, Article 32, Labour Law). If, when establishing employment legal relationships, an employer has violated the prohibition of differential treatment, an applicant has the right to bring an action to a court within three months from the date of receipt of refusal of the employer to establish employment legal relationships with the applicant (Part 1, Article 34, Labour Law). If employment legal relationships have not been established due to the violation of the prohibition of differential treatment, the applicant does not have the right to request the establishment of such relations on a compulsory basis (Part 2, Article 34, Labour Law). If an employer when giving a notice of termination of an employment contract during the probation period has violated the prohibition of differential treatment, an employee has the right to bring an action to a court within one month from the date of receipt of a notice of termination from the employer (Article 48). An employer has a duty to specify equal work remuneration for men and women for the same kind of work or work of equal value (Part 1, Article 60, Labour Law). If an employer has violated the provisions of Part one of this Article, the employee has the right to request the remuneration that the employer normally pays for the same work or for work of equal value (Part 2, Article 60, Labour Law). An employee may bring the action referred to in Part two of this Article to court within a three-month period from the day he/she has learned or should have learned of the violation of the provisions of Part one of this Article (Part 3, Article 60). If an employer in determining working conditions, occupational training or the raising of qualifications has violated the prohibition of differential treatment; the relevant employee has the right to request the termination of such differential treatment (Part 1, Article 95, Labour Law). If an employer in determining working conditions, occupational training or the raising of qualifications or promotion of an employee, has violated the prohibition of differential treatment, the relevant employee has the right to bring an action to a court within a three-month period from the day he/she has learned or he/she should

have learnt of the violation of the prohibition of differential treatment (Part 2, Article 95, Labour Law).

In addition Part 3 of Article 35 prescribes that when preparing an employment contract, the employer has the duty to request that a foreigner presents a visa or residence permit, which attests that the foreigner was granted the right to employment except in the cases provided for in regulatory enactments when the attestation regarding the right to employment with a particular employer or in a particular speciality (profession) is not required. This regulation shall not apply to citizens of the European Union and persons who have the right of free movement in accordance with Article 2(5) of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code). Part 8 of Article 37 of the Labour Law specifies that it is allowed to employ foreigner only if the right to employment was granted to him/her which is attested by a relevant note in the visa or the residence permit issued to a foreigner, except in the cases provided for in regulatory enactments when the attestation regarding the right to employment with a particular employer or in a particular speciality (profession) is not required. This regulation shall not apply to citizens of the European Union and persons who have the right of free movement in accordance with Article 2(5) of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code). For its part, it is prohibited to employ a person who is not entitled to reside in the Republic of Latvia (Part 9, Article 37, Labour Law). An employment contract shall be signed in the official state language. If an employee is a foreigner who does not have sufficient knowledge of the official state language, the employer has the duty to notify the provisions of the employment contract to the employee in a language known by him/her in writing (Part 10. Article 40, Labour Law).

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

N/A

3. Please supply any relevant statistics or other information, if appropriate, on the rate of refusals to issue work permits in response to requests from nationals of other States party, broken down by country and whether these are first time requests or applications for renewal.

Table no.61

Statistics on the temporary residence permits in relation to employment during 1 May 2013 till 31 December 2014 issued (5722 in total)

No.	State	Main submitter					Family members					All together
		Till 3 month	From 3 - 6 month	From 6 - 12 month	> 12 month	In total	Till 3 month	From 3 - 6 month	From 6 - 12 month	> 12 month	In total	
1	Albania			1		1					0	1
2	Algeria			1	1	2		1			1	3
3	Armenia		2	15	18	35	2	1	11	8	22	57
4	Australia		2	5	3	10					0	10
5	Austria				3	3					0	3
6	Azerbaijan			9	2	11	1		7	3	11	22
7	Belarus		5	392	205	602	3	7	51	80	141	743
8	Belgium				12	12					0	12
9	Bosnia and Herzegovina			2		2					0	2
10	Brazil			3		3					0	3
11	Bulgaria				76	76				3	3	79
12	Canada	3	5	11	9	28		1	2	3	6	34
13	China		4	56	24	84			10	2	12	96
14	Colombia			2	1	3					0	3
15	Costa Rica				1	1					0	1
16	Croatia		1	1	5	7					0	7

17	Cuba			3	1	4					0	4
18	Cyprus				1	1					0	1
19	Czech Republic				5	5				1	1	6
20	Denmark				26	26				3	3	29
21	Dominican Republic			1		1				2	2	3
22	Egypt		1	1		2				1	1	3
23	Estonia			1	59	60				6	6	66
24	Finland				29	29				8	8	37
25	France				36	36				6	6	42
26	Georgia	3	3	36	11	53	1	2	3	12	18	71
27	Germany				58	58				5	5	63
28	Ghana			6	1	7					0	7
29	Great Britain				74	74				3	3	77
30	Greece				5	5					0	5
31	Honduras			1		1					0	1
32	Hong Kong					0				1	1	1
33	Hungary				3	3				1	1	4
34	Iceland				5	5					0	5
35	India		1	60	74	135			2	2	4	139
36	Indonesia			1		1			1		1	2
37	Iran			1		1					0	1
38	Iraq			1		1					0	1
39	Ireland				9	9					0	9
40	Israel	5	1	18	8	32		1	27	4	32	64
41	Italy				73	73				2	2	75
42	Japan			12	5	17			1	2	3	20
43	Jordan	1				1					0	1

44	Kazakhstan			19	13	32		2	10	10	22	54
45	Kyrgyzstan			6		6			1		1	7
46	Lithuania			1	215	216				42	42	258
47	Macedonia			6	5	11					0	11
48	Madagascar		1			1					0	1
49	Malaysia			3	5	8					0	8
50	Mauritania			1		1					0	1
51	Mexico			2	2	4			5	5	10	14
52	Moldova			37	3	40		2	4	6	12	52
53	Mongolia				2	2				4	4	6
54	Montenegro			2		2					0	2
55	Myanmar			1		1					0	1
56	Nepal			13	8	21					0	21
57	Netherlands				27	27				4	4	31
58	New Zealand			2		2					0	2
59	Nigeria		1	3	1	5					0	5
60	Norway				10	10					0	10
61	Pakistan			1		1					0	1
62	Philippines			205	48	253					0	253
63	Poland				45	45					0	45
64	Portugal				8	8					0	8
65	Romania				50	50					0	50
66	Russia	4	14	480	395	893	9	21	286	267	583	1476
67	Salvador			1		1					0	1
68	Senegal			1		1					0	1
69	Serbia			5		5			1		1	6
70	Singapore			4	1	5			8		8	13

71	Slovakia				7	7				5	5	12
72	Slovenia				2	2				2	2	4
73	South Africa			1		1					0	1
74	South Korea			18	13	31	2		18	15	35	66
75	Spain			3	28	31				1	1	32
76	Sweden			1	62	63				6	6	69
77	Switzerland				4	4					0	4
78	Syria			1	1	2					0	2
79	Taiwan			3	2	5					0	5
80	Tajikistan			1	1	2		1	1	1	3	5
81	Thailand			9	6	15					0	15
82	Turkey		5	38	30	73	1		13	13	27	100
83	Turkmenistan			2	3	5					0	5
84	Ukraine	1	5	554	242	802	2	11	102	48	163	965
85	United States	5	5	88	34	132	6	2	15	10	33	165
86	Uruguay			1	3	4					0	4
87	Uzbekistan	1	2	58	23	84		1	18	8	27	111
88	Vietnam			2		2			4		4	6
	In total	23	58	2213	2142	4436	27	53	601	605	1286	5722

Data source: Ministry of the Interior

Currently the statistics on the residence permit refusal in relation to employment has not been collected. Approximate percentage of refusals is less than 1% of the total number of applications for residence permits.

ARTICLE 18 PARA. 4

“With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake:

the right of their nationals to leave the country to engage in a gainful occupation in the territories of the other Parties.”

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

As the nationals exercise the right to leave the country to engage in gainful occupation, there are no plans for any reform. There are measures aimed at encouraging re-emigration (Re-emigration plan has been prepared, coordinated by the Ministry of Economics).

The working age population in Latvia is shrinking – it fell by 25% since 2000. Even with the most optimistic estimates of slower emigration, the working-age population is projected to be almost 10% smaller in 2020 than in 2010.

The exact magnitude of emigration is difficult to measure directly. The 2011 Census led to an 8% correction of the population size due to underreporting of emigration in the population registry. All analyses, however, point to negative net migration. Since 2000, Latvia's population declined by about 16% between 2000 and 2012, of which 10% was due to negative net migration. Emigration was particularly intense during 2009-2012, accounting for one-third of the overall (migration plus natural) population decline from 2000 to 2012. Estimates of gross emigration from Latvia are about 40 000 (close to 2% of the population) annually during 2009-2010. Although outflows have now declined they remain above 25 000 annually, still higher than the pre-crisis levels. Youth cohorts were overrepresented among emigrants. In 1990, there were 209 000 residents aged 0-4. In 2015, there were only 145 000 residents aged 25-29. Mortality accounted for a 1% decline in this cohort, while the other 29% can be attributed to negative net migration. The figures are similar for other young cohorts: the cohort aged 0-34 in 1990 lost 29% of its size by 2015. There are at least 350 000 fewer people aged 25-59 than would have been with zero net migration.

Even in the presence of a shrinking youth cohort and emigration, the size of the tertiary educated population in Latvia had been increasing due to higher educational attainment among youth. But since 2013, it has been falling. Of those who graduated in Latvia between 2002 and 2009, about one-third was no longer in the country in 2014.

Regarding legislation governing the right of foreigner to reside and be employed in the Republic of Latvia is the Immigration Law and its subordinate legislation – Regulations of Cabinet of Ministers No. 564 “Regulation

regarding Residence Permits” adopted on 21 June 2010, Regulations of Cabinet of Ministers No. 55 “Regulations Regarding Employment of Foreigners” adopted on 28 January 2014 and Regulations of Cabinet of Ministers No. 1034 “Regulations Regarding the State Fee for Examination of the Documents Necessary for Requesting a Visa, Residence Permit or the Status of a Long-term Resident of the European Union in the Republic of Latvia and the Services Related Thereto” adopted on 1 October 2013. Reforms in this area are not planned.

Taking into account that unemployment in the Republic of Latvia during the post-crisis period remained quite high, currently there is no reason to carry out any reform to simplify admission of the foreign employees for the purposes of employment. On January 1, 2014 amendments to the Immigration Law came into force reducing the administrative procedure when a foreigner enters the Latvian Republic for the purposes of employment that is implementing Directive 2011/98/EU of the European Parliament and the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State.

A labour market test is applied in case a worker-third country national is invited. This ensures protection of low qualified jobs, as wage requirements are set. The employer must register the vacancy with the State Employment agency and if this vacancy is not filled within a month, the employer can apply to the Office of Citizenship and Migration Affairs.

The right to request a permanent residence permit, in accordance with the procedures prescribed by Immigration Law, as well as the right to work for any employer is granted to a foreigner (and to his family members) who, in accordance with the procedures prescribed by the Asylum Law, has refugee status.

Whereas foreigner has alternative status or temporary protection in accordance with procedures prescribed by the Asylum Law then he/she has the right to request a temporary residence permit in accordance with the procedures laid down in Immigration Law for a definite period of time as well as obtaining the right to work. Moreover the right to employment has also a person who has received a temporary residence permit as a family member of the person who has alternative status or temporary protection.

If a foreigner enters the Republic of Latvia for the purpose of employment then his/her spouse and minors also have the right to enter the Republic of Latvia.

A foreigner who has received a temporary residence permit as a spouse of a foreigner who has received a permanent residence permit has the right to employment without restrictions as it is prescribed by the Immigration Law.

Legislation in force is applied directly, without special measures (except in the case where the public administration staff training is foreseen) for their implementation.

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

N/A

ARTICLE 20: THE RIGHT TO EQUAL OPPORTUNITIES AND EQUAL TREATMENT IN MATTERS OF EMPLOYMENT AND OCCUPATION WITHOUT DISCRIMINATION ON THE GROUNDS OF SEX

“With a view to ensuring the effective exercise of the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex, the Parties undertake to recognise that right and to take appropriate measures to ensure or promote its application in the following fields:

- a. access to employment, protection against dismissal and occupational reintegration;***
- b. vocational guidance, training, retraining and rehabilitation;***
- c. terms of employment and working conditions, including remuneration;***
- d. career development, including promotion.”***

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

Article 91 of the Constitution of the Republic of Latvia rules that all people in Latvia are equal before law and court. People’s rights are exercised without discrimination. Also Article 106 of the Constitution specifies that everyone has the right to freely choose employment and place of work according to one’s skills and abilities. This right means, first of all, that all people have equal access to the labour market, and, second, that the state cannot set other restricting criteria to people except requirements to skills and abilities without which employees would not be able to complete their work duties (decision of the Constitution Court on 20 May, 2003, case No. 2002-21-01). As well as Article 107 of the Constitution states that every employee has the right to receive remuneration that corresponds to the performed work and that is not less than the minimum salary set by the state, as well as the right to weekly days off and annual paid leave.

Part 1 of Article 7 (Principle of Equal Rights) of the Labour Law prescribes that everyone has an equal right to work, to fair, safe and healthy working conditions, as well as to fair work remuneration. The rights provided for in Part one of this Article shall be ensured without any direct or indirect discrimination – irrespective of a person’s race, skin colour, gender, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation or other circumstances (Part 2, Article 7).

Besides according to Part 1 of Article 29 (Prohibition of Differential Treatment) of the Labour Law differential treatment based on the gender of an employee is prohibited when establishing employment legal relationships, as well as during the period of existence of employment legal relationships, in particular when promoting an employee, determining working conditions, work remuneration or occupational training or raising of qualifications, as well as

when giving notice of termination of an employment contract. Differential treatment based on the gender of employees is permitted only in cases where a particular gender is an objective and substantiated precondition, which is adequate for the legal purpose reached as a result, for the performance of the relevant work or for the relevant employment (Part 2, Article 29). If in case of a dispute an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on gender, the employer has a duty to prove that the differential treatment is based on objective circumstances not related to the gender of the employee, or also that belonging to a particular gender is an objective and substantiated precondition for performance of the relevant work or the relevant employment (Part 3, Article 29). Harassment of a person and instructions to discriminate against him/her shall also be deemed to be discrimination within the meaning of this Law (Part 4, Article 29). Direct discrimination exists if in comparable situations the treatment of a person in relation to his/her belonging to a specific gender is, was or may be less favourable than in respect of another person. Less favourable treatment due to granting of a prenatal and maternity leave or a leave to the father of a child shall be considered as direct discrimination based on the gender of a person (Part 5, Article 29). Indirect discrimination exists if apparently neutral provisions, criterion or practice cause or may cause adverse consequences for persons belonging to one gender, except in cases where such provisions, criterion or practice is objectively substantiated with a legal purpose the achievement of which the selected means are appropriate (Part 6, Article 29). Harassment of a person within the meaning of this Law is the subjection of a person to such actions which are unwanted from the point of view of the person, which are associated with his/her belonging to a specific gender, including actions of a sexual nature if the purpose or result of such actions is the violation of the person's dignity and the creation of an intimidating, hostile, humiliating, degrading or offensive environment (Part 7, Article 29). If the prohibition against differential treatment and the prohibition against causing adverse consequences is violated, an employee in addition to other rights specified in this Law, has the right to request compensation for losses and compensation for moral harm. In case of dispute, a court at its own discretion shall determine the compensation for moral harm (Part 8, Article 29). The provisions of this Article, as well as Article 32, Part one and Articles 34, 48, 60 and 95 of this Law, insofar as they are not in conflict with the essence of the relevant right, shall also apply to the prohibition of differential treatment based on race, skin colour, age, disability, religious, political or other conviction, national or social origin, property or marital status, sexual orientation or other circumstances of an employee (Part 9, Article 29).

A job advertisement (a notification by an employer of vacant work places) may not apply only to men or only to women, except in cases where belonging to a particular gender is an objective and substantiated precondition for the performance of relevant work or for a relevant employment (Part 1, Article 32, Labour Law). If, when establishing employment legal relationships, an employer has violated the prohibition of differential treatment, an applicant has the right to bring an action to a court within three months from the date of receipt of refusal of the employer to establish employment legal relationships with the applicant (Part 1, Article 34, Labour Law). If employment legal

relationships have not been established due to the violation of the prohibition of differential treatment, the applicant does not have the right to request the establishment of such relations on a compulsory basis (Part 2, Article 34, Labour Law). If an employer when giving a notice of termination of an employment contract during the probation period has violated the prohibition of differential treatment, an employee has the right to bring an action to a court within one month from the date of receipt of a notice of termination from the employer (Article 48). An employer has a duty to specify equal work remuneration for men and women for the same kind of work or work of equal value (Part 1, Article 60, Labour Law). If an employer has violated the provisions of Part one of this Article, the employee has the right to request the remuneration that the employer normally pays for the same work or for work of equal value (Part 2, Article 60, Labour Law). An employee may bring the action referred to in Part two of this Article to court within a three-month period from the day he/she has learned or should have learned of the violation of the provisions of Part one of this Article (Part 3, Article 60). If an employer in determining working conditions, occupational training or the raising of qualifications has violated the prohibition of differential treatment; the relevant employee has the right to request the termination of such differential treatment (Part 1, Article 95, Labour Law). If an employer in determining working conditions, occupational training or the raising of qualifications or promotion of an employee, has violated the prohibition of differential treatment, the relevant employee has the right to bring an action to a court within a three-month period from the day he/she has learned or he/she should have learnt of the violation of the prohibition of differential treatment (Part 2, Article 95, Labour Law).

In addition Clauses 1 and 2 of Part 2 of Article 33 (Job Interviews) of the Labour Law prescribes that a job interview may not include such questions by the employer as do not apply to performance of the intended work or are not related to the suitability of the employee for such work, as well as questions which are directly or indirectly discriminatory, in particular questions concerning: 1) pregnancy; 2) family or marital status.

Also Part 6 of Article 149 of the Labour Law provides that after annual paid leave, an employee has the right to such improvements to working conditions and employment provisions to which he/she would have been entitled if he/she had not be on leave. This provision applies also to the leave referred to in Articles 151 (Supplementary Leave), 153 (Leave without Retention of Work Remuneration), 154 (Prenatal and Maternity Leave), 155 (Leave to Father of a Child, Adopters and Other Persons), 156 (Parental Leave) and 157 (Study Leave) of this Law, as well as to employees during sick leave or during the non-performance of work due to other justified causes.

In pursuant to Part 1 of Article 9 (Prohibition to Cause Adverse Consequences) of the Labour Law it is prohibited to apply sanctions to an employee or to otherwise directly or indirectly cause adverse consequences for him/her because the employee, within the scope of employment legal relationships, exercises his/her rights in a permissible manner, as well as when if he/she informs competent institutions or officials regarding suspicions with respect to the committing of criminal offences or administrative violations

in the workplace. If in the case of a dispute, an employee indicates conditions, which could be a basis for the adverse consequences caused by the employer, the employer has a duty to prove that the employee has not been punished or adverse consequences have been directly or indirectly caused for him/her because the employee, within the scope of employment legal relationships, exercises his/her rights in a permissible manner (Part 2, Article 9, Labour Law).

In the case of a reduction in the number of employees, preference to continue employment relations shall be for those employees who have higher performance results and higher qualifications.

If performance results and qualifications do not substantially differ, preference to remain in employment shall be for those employees:

- 1) who have worked for the relevant employer for a longer time;
- 2) who, while working for the relevant employer, have suffered an accident or have fallen ill with an occupational disease;
- 3) who are raising a child up to 14 years of age or a disabled child up to 18 years of age;
- 4) who have two or more dependants;
- 5) whose family members do not have a regular income;
- 6) who are disabled persons or are suffering from radiation sickness;
- 7) who have participated in the rectification of the consequences of the accident at the Chernobyl Atomic Power Plant;
- 8) for whom less than five years remain until reaching the age of retirement;
- 9) who, without discontinuing work, are acquiring an occupation (profession, trade) in an educational institution; and
- 10) who have been granted the status of politically repressed person (Part 1 and 2, Article 108 Labour Law).

According to Part 1 of Article 109 (Prohibitions and Restrictions on a Notice of Termination by an Employer) of the Labour Law an employer is prohibited from giving a notice of termination of an employment contract to a pregnant woman, as well as to a woman following the period after birth up to one year, but if a woman is breastfeeding – during the whole period of breastfeeding, but not longer than until the child reaches two years of age, except in cases set out in Article 101, Part one, Clauses 1, 2, 3, 4, 5 and 10 of this Law. Also Part 3 of Article 109 of the Labour Law determines that an employer does not have the right to give a notice of termination of an employment contract during a period of temporary incapacity of an employee, except the case specified in Article 101, Part one, Clause 11 (the employee does not perform work due to temporary incapacity for more than six months, if the incapacity is uninterrupted, or for one year within three years, if the incapacity repeats with interruptions, excluding a prenatal and maternity leave in such period, as well

as a period of incapacity, if the reason of incapacity is an accident at work the cause of which is related to exposure to the environment factors or an occupational disease) of this Law, as well as during a period when an employee is on leave or is not performing the work due to other justifiable reasons. The referred to restrictions shall not apply to the case specified in Article 101, Part one, Clause 10 of this Law (the employer – legal person or partnership – is being liquidated).

As regards protection of employees when terminating employment legal relationships, Article 122 (Time Periods for Bringing an Action) of the Labour Law specifies that an employee may bring an action to court for the invalidation of a notice of termination by an employer within one month from the date of receipt of the notice of termination. In other cases, when the right of an employee to continue employment legal relationships has been violated, he/she may bring an action to court for reinstatement within one month from the date of dismissal. If an employer as a result of justified cause has missed the time period for bringing an action specified in Article 122 of this Law, a court may renew such time period on the basis of an application by the employee (Part 1, Article 123 Labour Law). An application regarding renewal of a missed time period shall state the causes as a result of which the time period was missed, and the application shall be accompanied by appropriate evidence. Concurrently with the submission of such application, an employee has a duty to bring to court also the action specified in Article 122 of this Law (Part 2, Article 123 Labour Law). An application for the renewal of a missed time period for an action shall be submitted not later than within a two-week period from the day when the basis for the missed time period for an action has ended. Such application may not be submitted if more than one year has elapsed from the expiry of the missed time period for an action (Part 3, Article 123 Labour Law). If a notice of termination by an employer has no legal basis or the procedures prescribed for termination of an employment contract have been violated, such notice in accordance with a court judgment shall be declared invalid (Part 1, Article 124, Labour Law). An employee, who has been dismissed from work on the basis of a notice of termination by an employer which notice has been declared invalid or also as otherwise violating the rights of the employee to continue employment legal relationships, shall in accordance with a court judgment be reinstated in his/her previous work (Part 2, Article 124, Labour Law). The employer has a duty to prove that a notice of termination of an employment contract has a legal basis and complies with the specified procedure for termination of an employment contract. In other cases when an employee has brought an action to court for the reinstatement in work, the employer has a duty to prove that, when dismissing the employee, he/she has not violated the right of the employee to continue employment legal relationships (Article 125, Labour Law). An employee who has been dismissed illegally and reinstated in his/her previous work shall in accordance with a court judgment be paid average earnings for the whole period of forced absence from work. Compensation for the whole period of forced absence from work shall also be paid in cases where a court, although there exists a basis for the reinstatement of an employee in his/her previous work, upon the request of the employee

terminates employment legal relationships by a court judgment (Part 1, Article 126, Labour Law). An employee who has been transferred illegally to other lower paid work and afterwards reinstated in his/her previous work shall in accordance with a court judgment be paid the difference in average earnings for the period when he/she performed work at lower pay (Part 2, Article 126, Labour Law). A court upon the request of an employee may determine that a court judgment, which provides for the reinstatement of an employee in work and for recovery of average earnings for the whole period of forced absence from work, shall be executed without delay (Part 1, Article 127, Labour Law). If an employer has delayed the execution of a judgment referred to in Part one of this Article, the employee shall be paid average earnings for the whole period of delay from the date of proclamation of the judgment until the day of its execution (Part 2, Article 127 Labour Law).

In case of violation of provisions of Labour Law, a person has the right to turn to the State Labour Inspectorate or to bring an action to court.

In addition, according to Article 2.¹ of the Support for Unemployed Persons and Persons Seeking Employment Law when implementing active employment measures and preventative measures for unemployment reduction, differential treatment due to the sex, race and ethnic origin of a person is prohibited (Part 1, Article 2.¹ Support for Unemployed Persons and Persons Seeking Employment Law). Differential treatment of a person shall be permitted, if the ensuring of active employment measures and preventative measures for unemployment reduction by persons only or mainly belonging to one sex, a specific race or ethnic origin is objectively justified with a legal purpose, for the achievement of which the selected means are commensurate (Part 2, Article 2.¹ Support for Unemployed Persons and Persons Seeking Employment Law). If in case of a dispute a person indicates circumstances which could be the grounds for the direct or indirect discrimination thereof due to sex, race or ethnic origin, the person implementing active employment measures and preventative measures for unemployment reduction has a duty to prove that the prohibition of differential treatment has not been violated (Part 3, Article 2.¹ Support for Unemployed Persons and Persons Seeking Employment Law). Direct discrimination is the treatment towards a person which has been was or would be less favourable than towards another person in a comparable situation, due to the sex, race or ethnic origin thereof. Indirect discrimination is an evidently neutral provision, criterion or practice which creates or could create an unfavourable outcome for a person due to the sex, race or ethnic origin thereof, except where such provision, criterion or practice is objectively justified with a legal purpose, for the achievement of which the selected means are commensurate (Part 4, Article 2.¹ Support for Unemployed Persons and Persons Seeking Employment Law). Discrimination shall also be considered to be the harassment or intention to discriminate against a person (Part 5, Article 2.¹ Support for Unemployed Persons and Persons Seeking Employment Law). Harassment is the subjection of a person due to the sex, race or ethnic origin thereof to a conduct which is unwanted in the opinion of this person (including a conduct of a sexual nature), with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, degrading, humiliating or offensive environment (Part 6, Article 2.¹ Support for Unemployed Persons and Persons Seeking

Employment Law). Discrimination due to sex shall also be considered to be the less favourable attitude towards a woman during pregnancy or in the period following the birth up to one year, but if a woman is breastfeeding, throughout the period of breastfeeding (Part 7, Article 2.¹ Support for Unemployed Persons and Persons Seeking Employment Law). A person implementing active employment measures and preventative measures for unemployment reduction is prohibited from directly or indirectly causing unfavourable consequences to a person, if he/she is defending the rights thereof with the aim of preventing differential treatment in accordance with the procedures specified in this Section (Part 8, Article 2.¹ Support for Unemployed Persons and Persons Seeking Employment Law).

Besides that the principle of equality and equal treatment is also laid down in the Law on Prohibition of Discrimination towards Physical Entities Who Are Engaged in Economic Activity of 29 November, 2012 (came into force on 2 January 2013), Law On Social Security of 7 September, 1995 (came into force on 5 October 1995; principle of prohibition of different treatment defined and clearly explained included since January 2006), Ombudsmen Law of April 6, 2006 (came into force on 1 January, 2007) and Education Law of 29 October, 1998 (came into force on 1 June, 1999).

Moreover there do not exist obstacles in Latvia that discriminate or restrict participation in business or receiving finance by gender. Existing aid programs are oriented to support starting entrepreneurship and development where the target audience is legal person. Main focus in providing support is on viability and sustainability of submitted projects in order to ensure maximum impact on Latvian economy and economic activity.

Work and family life reconciliation

Reconciliation of work and family life is an essential prerequisite for women to ensure their economic independence. Reconciliation of work and family responsibilities has long been a part of the equality policy in Latvia. A central goal has been adequate care leave, benefits as well as good quality day care for children.

Provisions of the Labour Law provides several facilities for working parents to reconcile their work and family life. According to Part 2 of Article 134 of the Labour Law an employer shall determine part-time work if requested by a pregnant woman, a woman for a period following childbirth up to one year, but if the woman is breastfeeding then for the whole period of breastfeeding, as well as by an employee who has a child less than 14 years of age or a disabled child under 18 years of age. The same provisions, which apply to an employee who is employed for regular working time, shall apply to an employee who is employed part-time (Part 3, Article 134 of the Labour Law).

Part 3 of Article 147 of the Labour Law provides that an employee who cares for a child aged up to 18 years has the right to temporary absence in case of the child's sickness or accident, as well as for the purpose of participating in the child's health examination when it is not possible to undergo this examination outside working hours. In addition Labour Law provides that employers shall ensure an opportunity for a pregnant woman to leave the workplace in order to undergo health examination in the prenatal period if it is

not possible to undergo such examination outside of working time (Part 1, Article 147 Labour Law). An employee has the right to temporary absence if his/her immediate presence at work is not possible due to *force majeure*, an unexpected event or other exceptional circumstances (Part 2, Article 147 Labour Law). An employee shall notify the employer of temporary absence in due time. Temporary absence shall not serve as the basis for the right of an employer to give notice of termination of an employment contract (Part 4, Article 147 Labour Law).

Since September 1st, 2013 the Latvian government started a pilot project to provide financial support for parents who need child care support for their children aged 1.5 - 4 years and who do not benefit from public childcare (from 5 years of age on municipalities have a legal obligation to provide primary education to children).

Article 112 of the Constitution of the Republic of Latvia states that anyone is entitled to education. The state ensures that anyone may acquire primary and secondary education without charge. Primary education is compulsory. Pursuant to Article 3.1, Paragraph one of the Education Law, a prohibition of differential treatment has been stipulated, thus guaranteeing the persons referred to in Article 3 of the Education Law the right to acquire education regardless of the material and social status, race, nationality, ethnic origin, gender, religious and political affiliation, state of health, occupation and place of residence. Paragraph four of the same Article states that it is prohibited to cause directly or indirectly unfavourable consequences for a person, if he/she maintains his/her rights with a view to prevent differential treatment. Whereas, pursuant to Paragraph four of the above Article, an instance of differential treatment is permitted if it is objectively substantiated with a legal purpose, the means selected for the achievement of which are proportionate. As the aforementioned provisions of the Education Law are binding in the implementation of education at all its levels and in all types of education in accordance with Article 5 and 6 of the Education Law, as well as in the application of the norms of the General Education Law, the Vocational Education Law and the Law on Institutions of Higher Education.

Article 55 of the Education Law states the rights of a student to use the premises, laboratories, equipment, devices, cultural, sports and medical objects and inventory, schoolbooks, other literature required for the educational process, teaching resources and electronic teaching resources of an education institution, as well as receive library, information and career development support services during the education process in accordance with the procedures laid down in the internal procedure regulations.

Concerning vocational guidance, training, retraining and rehabilitation please see the information provided on the Article 9 and Article 10 in this Report.

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

The Ministry of Welfare also regularly informs society about topicalities via

press releases, the web page¹⁸, as well as by participating in discussions with employers and representatives of trade unions about the best ways to ensure equal wages for both women and men. Also, mass media reflects on employment opportunities for women and men and gender pay gap and challenges in its reduction.

In December 2013, the Society Integration Foundation in cooperation with the Ministry of Welfare and the Ministry of Economy started a project "Gender equality in economic decision making: tool to promote economic competitiveness and equality value"¹⁹ which is financed by the PROGRESS programme 2007-2013. The aim of the project is to promote balanced representation of women and men in economic decision-making in Latvia. An in-depth research on gender equality aspects in the biggest Latvian entrepreneurs has been conducted by launching a survey and organising experience exchanges for students of business management and professors. This project gave an opportunity to raise knowledge on the gender dimension in business management and increase interest and understanding of gender equality issues.

3. Please provide pertinent figures, statistics or any other relevant information, in particular on employment and unemployment rates by sex and percentage differences in earnings.

According to the data gender pay gap in 2007-2013 stays constant between 13% and 14,5% (Eurostat).

Employment rate (15-64) has increased since 2010 for both genders - for man from 58.5 till 66.3 in 2014 and for woman from 59.0 till 64.3 in 2014 (Eurostat).

At the end of July 2015 56.7% (45 704) of the total number of registered unemployed persons were women and 43.3% (34 967) men. The proportion of unemployed men is higher in the winter months, which can be explained by involvement in seasonal works.

Though indicators of the employment rate of women in Latvia are only slightly lower than the employment rate of men, there are sectors where noticeable dominance of one gender exists. The most visible preponderance of male employees exists in construction, as well as transport, storage, information and communication services, and agriculture, forestry, fishery, industrial and energy sectors while significantly more women than men are employed in education, and trade, accommodation and food services, as well as health and social care.

¹⁸ Gender equality. Available on: <http://www.lm.gov.lv/text/726> (accessed on July 16, 2014)

¹⁹ The Society Integration Foundation. About the project: Gender Equality – Tool And Value. http://www.sif.lv/index.php?option=com_content&view=article&id=9175%3APar-projektu-Dzimumu-lidztiesiba-instruments-un-vertiba&catid=2%3Afonds&lang=en&Itemid=244 (accessed on July 16, 2014).

Table no.62**Employment rate for the group aged 20 - 64 years by 2020**

	2008	2009	2010	2011	2012	2013	2014	2020
Employment rate, %	75,4	66,6	64,3	66,3	68,1	69,7	70,7	73,0

Data source: Central Statistical Bureau of Latvia

Table no.63**Unemployment rate for the group aged 25 - 74**

Unemployment rate (25-74), %	2010	2011	2012	2013	2014
Total	17,4	14,6	13,6	10,7	10,0
Female	14,2	12,2	12,5	9,9	9,0

Data source: EUROSTAT

ARTICLE 24: RIGHT OF WORKERS TO PROTECTION IN CASES OF TERMINATION OF EMPLOYMENT

“With a view to ensuring the effective exercise of the right of workers to protection in cases of termination of employment, the Parties undertake to recognise:

a. the right of all workers not to have their employment terminated without valid reasons for such termination connected with their capacity or conduct or based on the operational requirements of the undertaking, establishment or service;

b. the right of workers whose employment is terminated without a valid reason to adequate compensation or other appropriate relief.

To this end the Parties undertake to ensure that a worker who considers that his employment has been terminated without a valid reason shall have the right to appeal to an impartial body.”

1. Please describe the general legal framework, including decisions by courts and other judicial bodies, if possible. Please specify the nature of, reasons for and extent of any reforms.

According to Part 1 of Article 101 (Notice of Termination by an Employer) of the Labour Law an employer has the right to give a written notice of termination of an employment contract only on the basis of circumstances related to the conduct of the employee, his/her abilities, or of economic, organisational, technological measures or measures of a similar nature in the undertaking in the following cases:

- 1) the employee has without justified cause significantly violated the employment contract or the specified working procedures;
- 2) the employee, when performing work, has acted illegally and therefore has lost the trust of the employer;
- 3) the employee, when performing work, has acted contrary to moral principles and such action is incompatible with the continuation of employment legal relationships;
- 4) the employee, when performing work, is under the influence of alcohol, narcotic or toxic substances;
- 5) the employee has grossly violated labour protection regulations and has jeopardised the safety and health of other persons;
- 6) the employee lacks adequate occupational competence for performance of the contracted work;
- 7) the employee is unable to perform the contracted work due to his/her state of health and such state is certified with a doctor’s opinion;
- 8) an employee who previously performed the relevant work has been reinstated at work;
- 9) the number of employees is being reduced;
- 10) the employer – legal person or partnership – is being liquidated; or
- 11) the employee does not perform work due to temporary incapacity for more than six months, if the incapacity is uninterrupted, or for one year within three years, if the incapacity repeats with interruptions, excluding a prenatal and maternity leave in such period, as well as a period of incapacity, if the reason

of incapacity is an accident at work the cause of which is related to exposure to the environment factors or an occupational disease.

If an employer intends to give a notice of termination of an employment contract on the basis of the provisions of Part one, Clause 1, 2, 3, 4 or 5 of this Article, the employer has a duty to request from the employee an explanation in writing. When deciding on the possible termination of the employment contract, the employer has a duty to evaluate the seriousness of the violation committed, the circumstances in which it has been committed, as well as the personal characteristics of the employee and his/her previous work (Part 2, Article 101 Labour Law).

An employer may give a notice of termination of an employment contract on the basis of the provisions of Part one, Clause 1, 2, 3, 4 or 5 of this Article not later than within one month from the date of detecting a violation, excluding the period of temporary incapacity of the employee or the period when he/she has been on leave or has not performed work due to other special reasons, but not later than within a 12-month period from the date the violation was committed (Part 3, Article 101 Labour Law).

It is permitted to give a notice of termination of an employment contract due to the reasons referred to in Part one, Clause 6, 7, 8 or 9 of this Article if the employer can not employ the employee with his/her consent in other work in the same or another undertaking (Part 4, Article 101 Labour Law).

On an exceptional basis, an employer has the right within one month to bring an action for termination of employment legal relationships to court in cases not referred to in Part one of this Article if he/she has good cause. Any condition which does not allow the continuation of employment legal relationships on the basis of considerations of morality and fairness shall be regarded as such cause. The issue whether there is good cause shall be settled by court at its discretion (Part 5, Article 101 Labour Law).

Prior to giving a notice of termination of an employment contract, an employer has a duty to ascertain whether the employee is a member of an employee trade union (Part 6, Article 101 Labour Law).

When giving a notice of termination of an employment contract, an employer has a duty to notify the employee in writing regarding the circumstances that are the basis for the notice of termination of the employment contract (Article 102 Labour Law).

A reduction in the number of employees is a notice of termination of an employment contract for reasons not related to the conduct of an employee or his/her abilities, but is adequately substantiated on the basis of the performance of urgent economic, organisational, technological or similar measures in the undertaking (Part 1, Article 104 Labour Law).

Collective redundancy is a reduction in the number of employees where the number of employees to be made redundant within a 30-day period is:

- 1) at least five employees if the employer normally employs more than 20 but less than 50 employees in the undertaking;
- 2) at least 10 employees if the employer normally employs more than 50 but less than 100 employees in the undertaking;
- 3) at least 10 per cent of the number of employees if the employer normally employs at least 100 but less than 300 employees in the undertaking; or

4) at least 30 employees if the employer normally employs 300 and more employees in the undertaking (Part 1, Article 105 Labour Law). In calculating the number of employees to be made redundant, such employment legal relation termination cases shall also be taken into account as which the employer has not given notice of termination of the employment contract, but the employment legal relations have been terminated on other grounds, which are not related with the conduct or abilities of the employee and which have been facilitated by the employer (Part 2, Article 105 Labour Law). The provisions of this Law regarding collective redundancy shall not apply to:

- 1) crews of sea-going ships; and
- 2) employees employed in State administrative institutions (Part 3, Article 105 Labour Law).

An employer who intends to carry out collective redundancy shall in good time commence consultations with employee representatives in order to agree on the number of employees subject to the collective redundancy, the process of the collective redundancy and the social guarantees for the employees to be made redundant. During consultations the employer and the employee representatives shall examine all the possibilities of avoiding the collective redundancy of the employees employed in the undertaking or of reducing the number of employees to be made redundant and how to alleviate the effects of such redundancy by taking social measures that create the possibility to further employ or retrain the employees made redundant (Part 1, Article 106 Labour Law). In order to ensure that the employee representatives have an opportunity to submit proposals, the employer shall in good time inform the employee representatives regarding the collective redundancy and notify in writing regarding the reasons of the collective redundancy, the number of employees to be made redundant including the occupation and qualifications of such employees, the number of employees normally employed by the undertaking, the time period within which it is intended to carry out the collective redundancy and the procedures for calculation of severance pay if they differ from the procedures specified in Article 112 of this Law (Part 2, Article 106 Labour Law). The duties set out in Parts one and two of this Article shall be performed irrespective of whether a decision on collective redundancy is taken by an employer or a dominant undertaking of the employer as a dependent company. An objection that the failure to fulfil the duty of information, consultation and notification is related to the fact that the dominant undertaking has not provided the necessary information is not permitted (Part 3, Article 106 Labour Law). An employer who intends to carry out collective redundancy shall, not later than 30 days in advance, notify in writing thereof the State Employment Agency and the local government in the territory of which the undertaking is located. The notification shall include the given name, surname (name) of the employer, location and type of activity of the undertaking, reasons for the intended collective redundancy, number of employees to be made redundant stating the occupation and qualifications of each employee, number of employees normally employed by the undertaking and the time period within which it is intended to carry out the collective redundancy, as well as provide information regarding the consultations with employee representatives referred to in this Article. The employer shall send a duplicate of the notification to the employee representatives. The State Employment Agency and the local government may also request other

information from the employer pertaining to the intended collective redundancy (Part 4, Article 106 Labour Law).

An employer may commence collective redundancy not earlier than 30 days after the submission of a notification to the State Employment Agency, unless the employer and the employee representatives have agreed on a later date for commencing the collective redundancy (Part 1, Article 107 Labour Law). In exceptional cases the State Employment Agency may extend the time limit referred to in Part one of this Article to 60 days. The State Employment Agency shall notify in writing the employer and employee representatives regarding extension of the time period and the reasons for it two weeks before expiry of the time period referred to in Part one of this Article (Part 2, Article 107 Labour Law).

An employer is prohibited from giving a notice of termination of an employment contract to a pregnant woman, as well as to a woman following the period after birth up to one year, but if a woman is breastfeeding – during the whole period of breastfeeding, but not longer than until the child reaches two years of age, except in cases set out in Article 101, Part one, Clauses 1, 2, 3, 4, 5 and 10 of this Law (Part 1, Article 109 Labour Law). An employer is prohibited from giving a notice of termination of an employment contract to an employee who is declared to be a disabled person, except in cases set out in Article 101, Part one, Clauses 1, 2, 3, 4, 5, 6, 7 and 10, and Article 47, Part one of this Law (Part 2, Article 109 Labour Law). An employer does not have the right to give a notice of termination of an employment contract during a period of temporary incapacity of an employee, except the case specified in Article 101, Part one, Clause 11 of this Law, as well as during a period when an employee is on leave or is not performing the work due to other justifiable reasons. The referred to restrictions shall not apply to the case specified in Article 101, Part one, Clause 10 of this Law (Part 3, Article 109 Labour Law). An employer is prohibited to give a notice of termination of an employment contract in the case specified in Article 101, Part one, Clause 11 until recovery of capacity or determination of disability, if the reason of incapacity is an accident at work or occupational disease (Part 4, Article 109 Labour Law).

An employer is prohibited from giving a notice of termination of an employment contract to an employee – member of a trade union – without prior consent of the relevant trade union except in cases set out in Article 47 (probation period), Part one and Article 101, Part one, Clauses 4, 8 and 10 of this Law (Part 1, Article 110 Labour Law). The employee trade union has a duty to inform the employer of its decision in good time, but not later than within seven working days from the receipt of a request from the employer. If the employee trade union does not inform the employer of its decision it shall be deemed that the employee trade union consents to the employer notice of termination (Part 2, Article 110 Labour Law). An employer may give a notice of termination of an employment contract not later than within one month from the date of receipt of the consent of the employee trade union (Part 3, Article 110 Labour Law). If the employee trade union does not agree with the notice of termination of an employment contract, the employer may, within one month from the date of receipt of the reply, bring an action to court for termination of the employment contract (Part 4, Article 110 Labour Law).

In addition Part 1 of Article 47 (Consequences of a Probation Period) of the Labour Law during the probation period, the employer and the employee have

the right to give a notice of termination of the employment contract in writing three-days prior to termination. An employer, when giving the notice of termination of an employment contract during a probation period, does not have a duty to indicate the cause for such notice. When entering into an employment contract, a probation period may be specified in order to assess whether an employee is suitable for performance of the work entrusted to him/her. If an employment contract does not specify a probation period, it shall be regarded as entered into without a probation period. A probation period shall not be determined for persons under 18 years of age (Part 1, Article 46 Labour Law). The term of a probation period may not exceed three months. The said term shall not include a period of temporary incapacity and other periods of time when the employee did not perform work for justified cause (Part 2, Article 46 Labour Law).

Part 1 of Article 113 (Termination of an Employment Contract Entered into for a Specified Period) of the Labour Law employment legal relationships pursuant to a contract entered into for a specified period shall terminate on the day when the term for the employment contract expires. If an employment contract entered into for a specified period of time does not include a final date, the employer has a duty to notify the employee in writing of the expected termination of employment legal relationships not later than two weeks in advance (Part 2, Article 113 Labour Law).

Besides according to Part 1 of Article 29 (Prohibition of Differential Treatment) of the Labour Law differential treatment based on the gender of an employee is prohibited when establishing employment legal relationships, as well as during the period of existence of employment legal relationships, in particular when promoting an employee, determining working conditions, work remuneration or occupational training or raising of qualifications, as well as when giving notice of termination of an employment contract. The provisions of this Article, as well as Article 32, Part one and Articles 34, 48, 60 and 95 of this Law, insofar as they are not in conflict with the essence of the relevant right, shall also apply to the prohibition of differential treatment based on race, skin colour, age, disability, religious, political or other conviction, national or social origin, property or marital status, sexual orientation or other circumstances of an employee (Part 9, Article 29).

In addition Part 1 of Article 9 (Prohibition to Cause Adverse Consequences) of the Labour Law prescribes that it is prohibited to apply sanctions to an employee or to otherwise directly or indirectly cause adverse consequences for him/her because the employee, within the scope of employment legal relationships, exercises his/her rights in a permissible manner, as well as when if he/she informs competent institutions or officials regarding suspicions with respect to the committing of criminal offences or administrative violations in the workplace. If in the case of a dispute, an employee indicates conditions, which could be a basis for the adverse consequences caused by the employer, the employer has a duty to prove that the employee has not been punished or adverse consequences have been directly or indirectly caused for him/her because the employee, within the scope of employment legal

relationships, exercises his/her rights in a permissible manner (Part 2, Article 9 Labour Law).

According to Article 122 (Time Periods for Bringing an Action) of the Labour Law an employee may bring an action to court for the invalidation of a notice of termination by an employer within one month from the date of receipt of the notice of termination. In other cases, when the right of an employee to continue employment legal relationships has been violated, he/she may bring an action to court for reinstatement within one month from the date of dismissal.

If an employer as a result of justified cause has missed the time period for bringing an action specified in Article 122 of this Law, a court may renew such time period on the basis of an application by the employee (Part 1, Article 123 Labour Law). An application regarding renewal of a missed time period shall state the causes as a result of which the time period was missed, and the application shall be accompanied by appropriate evidence. Concurrently with the submission of such application, an employee has a duty to bring to court also the action specified in Article 122 of this Law (Part 2, Article 123 Labour Law). An application for the renewal of a missed time period for an action shall be submitted not later than within a two-week period from the day when the basis for the missed time period for an action has ended. Such application may not be submitted if more than one year has elapsed from the expiry of the missed time period for an action (Part 3, Article 123 Labour Law).

If a notice of termination by an employer has no legal basis or the procedures prescribed for termination of an employment contract have been violated, such notice in accordance with a court judgment shall be declared invalid (Part 1, Article 124 Labour Law). An employee, who has been dismissed from work on the basis of a notice of termination by an employer which notice has been declared invalid or also as otherwise violating the rights of the employee to continue employment legal relationships, shall in accordance with a court judgment be reinstated in his/her previous work (Part 2, Article 124 Labour Law).

The employer has a duty to prove that a notice of termination of an employment contract has a legal basis and complies with the specified procedure for termination of an employment contract. In other cases when an employee has brought an action to court for the reinstatement in work, the employer has a duty to prove that, when dismissing the employee, he/she has not violated the right of the employee to continue employment legal relationships (Article 125, Labour Law).

An employee who has been dismissed illegally and reinstated in his/her previous work shall in accordance with a court judgment be paid average earnings for the whole period of forced absence from work. Compensation for the whole period of forced absence from work shall also be paid in cases where a court, although there exists a basis for the reinstatement of an employee in his/her previous work, upon the request of the employee terminates employment legal relationships by a court judgment (Part 1, Article 126, Labour Law). An employee who has been transferred illegally to other lower paid work and afterwards reinstated in his/her previous work shall in accordance with a court judgment be paid the difference in average earnings

for the period when he/she performed work at lower pay (Part 2, Article 123 Labour Law).

A court upon the request of an employee may determine that a court judgment, which provides for the reinstatement of an employee in work and for recovery of average earnings for the whole period of forced absence from work, shall be executed without delay (Part 1, Article 127 Labour Law). If an employer has delayed the execution of a judgment referred to in Part one of this Article, the employee shall be paid average earnings for the whole period of delay from the date of proclamation of the judgment until the day of its execution (Part 2, Article 127 Labour Law).

In addition Part 8 of Article 29 of the Labour Law prescribes that if the prohibition against differential treatment and the prohibition against causing adverse consequences is violated, an employee in addition to other rights specified in this Law, has the right to request compensation for losses and compensation for moral harm. In case of dispute, a court at its own discretion shall determine the compensation for moral harm.

In case of violation of provisions of Labour Law, a person has the right to complain to the State Labour Inspectorate or to bring an action to court.

For claims related to legal work relations, claimants are released from paying court expenses to the state revenue, and the employer has to prove to court that the work termination notice is legally grounded and follows the procedure of termination set in the Labour Law (Article 43, Part 1, Clause 1 of the Civil Procedure Law).

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

N/A

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

Table no.64

Statistical information regarding illegal or improper termination of employment

Reporting period	Received complaints in the State Labour Inspectorate	<i>including those complaints which confirmed or partially confirmed violation</i>	<i>including those complaints which did not confirm violation</i>	<i>including those complaints on which clarification was received or the complaints could not be examined due to circumstances that are not dependent of the inspector</i>
2013	1080	477	509	94
2014	954	491	299	164

Data source: State Labour Inspectorate

Statistical information regarding civil cases related to actions concerning reinstatement, which were adjudicated in the first and appeal instances of Latvia in 2013 and 2014.

Table no.65

Actions concerning reinstatement in first instance courts in 2013

Number of backlog cases at the beginning of the reporting period	Number of cases received	Number of cases completed	Case adjudicated with the judgement	Including an action satisfied	Case						Number of backlog cases at the end of the reporting period
					Terminated	including a reconciliation	including an action revoked	Dismissed	Sent according to jurisdiction	Joined cases	
1	2	3	4	5	6	6.1	6.2	7	8	9	10
88	175	176	129	21	43	17	21	1	1	1	87

Data source: Judicial Information System (TIS)

Table no.66

Actions concerning reinstatement in first instance courts in 2014

Number of backlog cases at the beginning of the reporting period	Number of cases received	Number of cases completed	Case adjudicated with the judgement	Including an action satisfied	Case						Number of backlog cases at the end of the reporting period
					Terminated	including a reconciliation	including an action revoked	Dismissed	Sent according to jurisdiction	Joined cases	
1	2	3	4	5	6	6.1	6.2	7	8	9	10
87	163	174	116	26	46	23	18	2	3	6	76

Data source: Judicial Information System (TIS)

Table no.67

**Actions concerning reinstatement in appeal instances of regional courts
in 2013**

Number of backlog cases at the beginning of the reporting period	Number of cases received	Number of cases completed and number of ancillary	Treatment of first instance judgement			Case							Ancillary complaints adjudicated (without indicating the result of adjudication)	Number of backlog cases at the end of the reporting period
			Analogous judgement rendered	Adverse judgement rendered	New, partially amended judgement rendered	Set aside, case sent for adjudication anew	Terminated	including a reconciliation	including an action revoked	Sent according to jurisdiction	Dismissed	Initiation of case refused		
1	2	3	4	5	6	7	8	8.1	8.2	9	10	11	12	13
39	101	110	49	20	13	0	14	6	4	0	0	2	12	30

Data source: Judicial Information System (TIS)

Table no.68

**Actions concerning reinstatement in appeal instances of regional courts
in 2014**

Number of backlog cases at the beginning of the reporting period	Number of cases received	Number of cases completed and number of ancillary	Treatment of first instance judgement			Case							Ancillary complaints adjudicated (without indicating the result of adjudication)	Number of backlog cases at the end of the reporting period
			Analogous judgement rendered	Adverse judgement rendered	New, partially amended judgement rendered	Set aside, case sent for adjudication anew	Terminated	including a reconciliation	including an action revoked	Sent according to jurisdiction	Dismissed	Initiation of case refused		
1	2	3	4	5	6	7	8	8.1	8.2	9	10	11	12	13
30	100	101	45	18	12	1	10	6	0	0	0	4	11	29

Data source: Judicial Information System (TIS)

Statistical information on length of civil cases related to actions concerning reinstatement and claims for salary recovery and other work disputes (case consideration in months).

Table no.69

Categories of civil cases	Length of case consideration in months								Number of finalised cases
	Up to 3 months (inclusive)	3 - 6 months (inclusive)	6 - 12 months (inclusive)	12 - 18 months (inclusive)	18 - 24 months (inclusive)	24 - 30 months (inclusive)	30 - 36 months (inclusive)	36 and more months (inclusive)	
Reinstatement claims	22	33	19	1	1	0	0	1	77
Claims for salary recovery and other work disputes	33	44	46	19	5	5	2	77	231

Review period: from 01.07.2013 to 31.12.2013

Table no.70

Categories of civil cases	Length of case consideration in months								Number of finalised cases
	Up to 3 months (inclusive)	3 - 6 months (inclusive)	6 - 12 months (inclusive)	12 - 18 months (inclusive)	18 - 24 months (inclusive)	24 - 30 months (inclusive)	30 - 36 months (inclusive)	36 and more months (inclusive)	
Reinstatement claims	60	56	39	6	5	2	0	6	174
Claims for salary recovery and other work disputes	90	86	107	55	20	6	4	78	446

Review period: from 01.01.2014 to 31.12.2014

ARTICLE 25: THE RIGHT OF WORKERS TO THE PROTECTION OF THEIR CLAIMS IN THE EVENT OF THE INSOLVENCY OF THEIR EMPLOYER

“With a view to ensuring the effective exercise of the right of workers to the protection of their claims in the event of the insolvency of their employer, the Parties undertake to provide that workers’ claims arising from contracts of employment or employment relationships be guaranteed by a guarantee institution or by any other effective form of protection.”

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

Workers protection in case of employer’s insolvency is regulated in Law “On Protection of Employees in Case of Insolvency of Employer” which came into force on 1st of January 2003.

Claims of employees in case of insolvency of the employer are covered from the resources of the employee claim guarantee fund.

Resources of the employee claims guarantee fund shall consist of:

- 1) a share of the State entrepreneurial risk fee;
- 2) gifts and donations and
- 3) amounts recovered by administrators.

Every employer who may be declared insolvent in accordance with law shall pay the State entrepreneurial risk fee every year.

The Cabinet of Ministers shall determine the amount of the State entrepreneurial risk fee and the share of such fee to be transferred to the resources of the employee claims guarantee fund each year. The income and expenditures of the employee claims guarantee fund shall be included in the annual State budget as a separate basic budget sub-programme.

Resources of the employee claims guarantee fund shall be used only for satisfying employee claims in case of insolvency of an employer. The resources of the employee claims guarantee fund shall be kept in the State Treasury.

The holder and manager of the resources of the employee claims guarantee fund shall be the Insolvency Administration established by the Cabinet of Ministers, whose agency shall organize the keeping of records of the financial resources and payments thereof to satisfy employee claims.

The Insolvency Administration shall perform the following tasks in accordance with this Law:

- 1) accept and examine applications of administrators of insolvent employers regarding the satisfaction of employee claims, and approve the amounts to be paid from the resources of the employee claims guarantee fund;
- 2) satisfy the claims of employees;
- 3) check whether the allocated resources are being utilized in accordance with the procedures prescribed by law;
- 4) ensure the reimbursement of unutilized resources of the employee claims guarantee fund and

5) exercise creditor rights against the insolvent employer in the amount of resources paid for the satisfaction of employee claims in accordance with the procedures prescribed by law.

From the resources of the employee claim guarantee fund shall be satisfied the claims of persons:

- 1) who have been or are in an employment legal relationship with an employer, who has been declared insolvent, if the referred to claims have been included in creditor's meeting approved recognized unsecured creditor claims list and
- 2) who perform or normally perform work in Latvia and who have been or are in an employment legal relationship with an employer who operates in the territory of at least two Member States of the European Union and against whom insolvency proceedings have been commenced in another state in accordance with Council regulation No. 1346/2000 if the referred to claims have been recognized as justified in accordance with the regulatory enactments of the European Union, which are applicable in the concrete cross-border insolvency proceedings.

An employee has the right to satisfaction of his/her claim from the resources of the employee claims guarantee fund regardless of whether the employer has made all the payments prescribed by law.

In case of death of an employee, his/her spouse and dependents have the right to satisfaction of the claim of the employee.

The claims of employees resulting from an employment legal relationship shall be satisfied from the resources of the employee claims guarantee fund regarding the following payments:

- 1) work remuneration;
- 2) reimbursement for annual paid leave;
- 3) reimbursement for other types of paid leave;
- 4) severance pay in connection with the termination of an employment legal relationship;
- 5) reimbursement for injury in connection with an accident at work or an occupational disease.

Claims in respect of such State social insurance mandatory contributions and personal income tax payments, which are associated with the payments referred to in this Section, shall be satisfied from the resources of the employee claims guarantee fund.

The claims of the employee are covered in the limited amount provided by Law "On Protection of Employees in Case of Insolvency of Employer". In the uncovered part employee can submit creditors claim in general order provided by Insolvency Law.

In addition since the 1st of March, 2015 the court may exempt the employees, for whom the submission of the application for insolvency proceeding is the only law enforcement measure, from payment of a deposit and the State fee.

The legal framework was implemented due to the fact that was joining European Union, therefore it was curtail to implement Council Directive 80/987/EEC of 20

October 1980 on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer.

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

N/A

3. Please supply any relevant statistics or other information where possible on the amount of such claims, whether there is a ceiling on payments, the time taken between presentation of claims and payment of the amounts due and the overall percentage of employees' claims that are honoured by a guarantee institution and/or because those concerned are privileged creditors.

1. Maximal payments:

Year 2013 – 150 calendar days (92 calendar days: wage + compensation for other types of absences; 28 calendar days – compensation for vocation; 30 calendar days – severance pay) altogether 1403,31 EUR.

Year 2014 – 150 calendar days (92 calendar days: wage + compensation for other types of absences; 28 calendar days – compensation for vocation; 30 calendar days – severance pay) altogether 1578,15 EUR.

2. Average time when claims of employees are covered – average 86 days.

3. Amount of covered claims (1st of May 2013 – 31st December 2014) 3348569 EUR.

4. Satisfied employees - 4578.

5. Average compensation for single employee - approximately 731.00 EUR.

Responses to Queries raised by the European Committee of Social Rights in its Conclusions XX-1 (2012) (Latvia)

Article 1 - Right to work

Paragraph 2 - Freely undertaken work (non-discrimination, prohibition of forced labour, other aspects)

Prohibition of discrimination in employment

Query: The Committee noted from that as of 2006 the general ban on discrimination and victimisation in labour legislation applied to the civil service. The Committee asked whether these changes affected access to public service employment for non-Latvian nationals.

The changes made to legislation in 2006 do not affect the requirement that non-nationals may not be employed in the civil service. The Committee seeks further clarification that the posts reserved for nationals in the civil service are intrinsically linked to the exercise of public authority or security.

Response: The Labour Law includes provisions on the prohibition of discrimination in employment that also apply to public administration and civil servants in Latvia. Paragraph 4 of the Section 2 of the State Civil Service Law (hereinafter referred to as the "Civil Service Law") stipulates that the provisions of the laws and regulations governing legal employment relations that prescribe the principle of equal rights, prohibition of differential treatment principle, prohibition to cause adverse consequences, working hours and rest time, remuneration, financial liability of employees and terms shall apply to the legal relations of the State civil service insofar as such are not prescribed by the Civil Service Law.

Regarding the age discrimination, which is one of the issues covered by Article 1 "The right to work" of the Revised European Social Charter on the prohibition of discrimination in employment, the Civil Service Law is more strict than the Labour Law. Section 108 (Preferences for Continuing Employment Relations in Case of Reduction in the Number of Employees) of the Labour Law prescribes the following: "(2) If performance results and qualifications do not substantially differ, preference to remain in employment shall be for those employees 8) for whom less than five years remain until reaching the age of retirement". Whereas Section 7 of the Civil Service Law provides that "a person may be a candidate for a civil service position who: 4) has not reached the age of retirement determined by law" and Section 41 sets forth that "State civil service relations shall be terminated: f) when reaching the age of retirement determined by the State, except in cases where there is a reasoned order of the head of the institution for the relevant civil servant to remain in his/her position or a minister's order for the head of an institution to remain in his/her position".

The draft Public Service Law (which shall replace the Civil Service Law in the future) provides more favourable conditions for persons at the retirement age,

and prescribes that a person, who has reached the retirement age as defined by the law, may apply for a civil servant position, which is vacant for a specified period.

Mandatory requirements for candidates for a civil service position *inter alia* include the citizenship of the Republic of Latvia and fluency in the Latvian language (Section 7, Civil Service Law).

20,2 % of employees in central government budget institutions are civil service positions (data of the Ministry of Finance and the Central Statistical Bureau, 2014), however, in general government sector (including ministries, central public institutions and other government institutions, local government institutions and institutions of local government structures, operators controlled and financed by the state and local government structures, and state social insurance structures) civil service forms about 7 % of the total number of employees (Concept Paper of Human Resource Development in Public Administration, p. 8, 2013).

Currently, there are several groups of public employees in direct public administration whose legal framework of employment or service relations is regulated by different legislative acts, i.e. there are parallel, specifically regulated employment, public service and civil service relations.

Direct public administration employs:

1) civil servants in general State civil service, as well as civil servants of specialized civil service in the Ministry of Foreign Affairs, the State Revenue Service, the State Forensic Science Bureau;

2) officials with special service ranks (public service):

The Prison Administration and in the system of the Ministry of the Interior – Security Police, Information Centre of the Ministry of the Interior, State Police, State Border Guard, State Firefighting and Rescue Service and subordinated colleges;

3) employees, whose employment legal relations are regulated by the Labour Law, and whose employment relations are based on mutual agreement on commencement, amendment and termination of employment legal relations.

Employees do not have specific requirements regarding citizenship. There are no centrally stored data that would provide information on employees' citizenship and nationality; therefore it is not possible to provide statistical data. In practice, both non-nationals of the Republic of Latvia and third country nationals are currently employed in the public administration institutions.

The State has the right to set different requirements in the public employment sector compared to the private sector. The persons employed in the public sector perform public functions, exercise public power and ensure a mechanism for existence of public authorities. Work in the public service differs from work in the private sector in both legal aspects of establishing legal relations and objective of the work that is closely related to the discharge of national tasks. Persons fulfilling public service are in special relations with

the State, the rights of these persons are limited, and they have specific duties.

Under the State Civil Service Law, a civil servant has to be a citizen of the Republic of Latvia. According to the State Civil Service Law a civil servant is a person who in a direct administration institution forms the policy or development strategy of a sector, co-ordinates the activity of a sector, distributes or controls financial resources, formulates regulatory enactments or controls the observance thereof, prepares or issues administrative documents, and prepares or takes other decisions related to the rights of individuals.

Civil servants perform functions of national importance, exercise powers conferred by public law and bear responsibility for safeguarding the general interests of the State. If persons perform such functions, then the criterion of citizenship is required, based on mutual relationship between rights, obligations and responsibilities towards the State. Citizenship is a confirmation of a person's belonging to a unified value system and affirmation of person's loyalty to this value system.

In Latvia, a status of a civil servant has been granted to a very small group of positions (11 689 – data of the Ministry of Finance of 2014), indicating that this restriction is being narrowly interpreted and applied.

Query: The Committee further notes from a European Commission against Racism and Intolerance report on Latvia 2012 that there are a substantial number of occupations in the private sector which require a certain proficiency in the Latvian language, the number of occupations on this list is expanding. Persons not possessing the proficiency required may be fined. The Committee seeks confirmation this language requirement is only imposed in cases of genuine occupational requirements and is proportional to the objective, as otherwise this would amount to indirect discrimination against non-citizens.

Response: Article 1, Paragraph 2 of the European Social Charter prohibits discrimination in employment. To be emphasized that in Latvia, contrarily to statements included in the European Commission against Racism and Intolerance report on Latvia 2012, there is no discrimination in employment neither on grounds of a person's social or national origin, nor on those of his/her ethnicity nor nationality. Hence any assertions that the duty to meet certain official language proficiency requirements may amount to indirect discrimination against non-citizens in Latvia or their victimization, are nothing but unfounded defamations.

To be explained that Article 2, Paragraph 2 of the State Language Law unambiguously defines: "The use of language in private institutions, organizations, enterprises (companies) and with respect to self-employed persons shall be regulated if their activities affect legitimate public interests (public security, health, morals, health care, protection of consumer and labour rights, safety in the workplace and public administrative supervision) (hereinafter: legitimate public interests), and to the extent that the necessary

restriction, which has been set in the legitimate public interests, is proportional to the rights and interests of private institutions, organizations and enterprises (companies)".

Article 6, Paragraph 2 of the State Language Law stipulates that "Employees of private institutions, organizations and enterprises (companies), and self-employed persons, shall use the State language if their activities affect legitimate public interests (public security, health, morals, health care, protection of consumer and labour rights, safety in the work place, public administrative supervision)"; Paragraph 3 stipulates that "Employees of private institutions, organizations and enterprises (companies), and self-employed persons who perform, based on laws or other regulatory enactments, specific public functions, must know and use the State language to the extent necessary for performance of the relevant functions"; Paragraph 4 stipulates that "Foreign specialists and foreign members of administrative boards of foreign enterprises (companies), who work in Latvia, must use and know the State language to the extent necessary for the performance of their professional duties and employment duties, or shall themselves ensure translation into the State language".

Regulations of Cabinet of Ministers No. 733 "Regulation on the Proficiency Degree in the State Language and the Procedure of Language Proficiency Tests for Performance of Professional and Positional Duties, Acquisition of the European Union Residence Permit, and the State Fee for Language Proficiency Testing", Annex 2 "Classification of Professions and Positions according to the Minimum Level and Grade of Fluency in the Official Language Required for Employees of Private Institutions, Organizations and Enterprises (Companies), if they perform specific public functions or their activities affect legitimate public interests" determines certain language knowledge requirements for particular professions and positions. As these requirements have been recognized proportionate and necessary in a democratic society, every anxiety about the expanding of the number of occupations in the before mentioned Annex 2 may cause discrimination in employment in Latvia is simply ill-founded. By monitoring linguistic situation in Latvia on a regular basis in conformity with the Basic Guidelines of State Language Policy, the list of professions and positions included in Annex 2 is being revised upon necessity including new professions and positions if their activities affect any legitimate public interest.

Coercion in connection with domestic work

Query: The report refers to legislation against human trafficking with the aim of exploitation, which includes labour exploitation. The Committee refers to its interpretative statement and question in the General Introduction on this issue.

Response: Latvia has not ratified the International Labour Convention No. 189 of 2011 Domestic Workers Convention. In Latvia every person, including domestic worker, who have concluded the work agreement can enjoy the same legal benefits, have the same legal rights, duties and legal protection in case of infringement of the laws and regulations regulating employment legal relations. The mentioned also means that homes of private persons who

employ domestic workers according to the signed employment contract are subject to inspection visits. The administrative, criminal or civil liability is provided for the violation of employment legal relations depending on nature of the violation made.

A foreigner who wishes to be employed in Latvia may be granted the right to employment:

- 1) without restrictions;
- 2) with restrictions, permitting employment with a specific employer (specific employers) in a specific specialty (profession) or part-time work.

In such case it is permitted to employ a foreigner only in the profession or position, for the performance of which the right to employment has been granted. If the conditions which formed the basis for granting the abovementioned right change (for example, the employer, profession, position, working hours, place of the performance of work), the foreigner has a duty to receive new right to employment.

A foreigner has the right to request a temporary residence permit for a period of employment, but not longer than five years. In such case if a foreigner has not been longer employed then temporary residence permit can be annulled, because the circumstances, on the basis of which a foreigner has received a temporary residence permit, no longer exist or they have changed.

On the other hand in accordance with Immigration law a temporary residence permit shall be annulled if a foreigner has been employed during the last year, but he/she did not have the right to employment.

Additionally it can be pointed out that in accordance with Immigration law a foreigner, who, whilst staying illegally in the Republic of Latvia, has been illegally employed in particularly exploitative working conditions, as well as a minor foreigner, who, whilst staying illegally in the Republic of Latvia, has been illegally employed, has the right to request a temporary residence permit, if the foreigner has turned to the court with an application regarding recovery of the unpaid work remuneration from the employer. A temporary residence permit may be requested repeatedly, if the court proceeding for the collection of the unpaid work remuneration has not been completed or the unpaid work remuneration has not been received from the employer. The first and repeat temporary residence permit shall be issued for one year.

Immigration law also states that particularly exploitative working conditions are such working conditions and employment requirements, which cause very incommensurate differences between the working conditions and employment requirements of legally employed workers and the working conditions and employment requirements of such foreigner who is staying illegally in the Republic of Latvia, as well as differences due to gender discrimination or another type of discrimination, or differences that affect the protection of health and safety of the foreigner at work, as well as violates his/her dignity.

For detailed information please see also the information provided in this Report on Article 1§2 (existence of forced labour in the domestic environment).

Privacy at work

Query: The report refers to the Personal Data Protection Law and states, that person who believe that their privacy has been infringed may take the matter before the courts. The Committee refers to its interpretative statement and question in the General Introduction on this issue.

Response: Article 96 of the Constitution of the Republic of Latvia first of all prescribes that everyone has the right to inviolability of his/her private life, home and correspondence. According to that Article 51 Part 1 of the Labour Law specifies that an employer has a duty to ensure such work organisation and working conditions as allow an employee to perform the work specified.

In laws and regulations regulating employment legal relations strictly separates working time from rest period, determining the maximum of working hours and minimum of rest period. Besides according to Part 1 of Article 137 of the Labour Law employer has a duty to keep accurate accounts for each employee of total hours worked, as well as separately overtime hours, hours worked at night, on the week's days of rest and public holidays. Employees have the right, in person or through employee representatives, to verify the accounts of working time kept by the employer (Part 3, Article 137 Labour Law). Every violation of the laws and regulations regulating employment legal relations is punished.

In addition the Labour Law provides possibility to be employed part time or to use temporary absence if it is necessary to employee.