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## **EUROPEAN SOCIAL CHARTER**

Comments submitted by  
the Estonian Trade Union Confederation (EAKL)  
concerning the 21<sup>st</sup> National Report on the implementation of  
the European Social Charter

submitted by  
**THE GOVERNMENT OF ESTONIA**  
Articles 2, 3, 4, 5, 6, and 20

Comments registered by the Secretariat  
on 04 July 2025

**CYCLE 2024**



European Committee of Social Rights  
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From Estonian Trade Union Confederation (EAKL)

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Dear Secretariat of the European Social Charter,

We hereby present to you the observations of the Estonian Trade Union Confederation (EAKL) regarding the European Social Charter (Revised) Statutory Report of Estonia 2024. We apologize that our comments did not reach you in time, but unfortunately this time the Estonian Government has not submitted the report to us, although they have obligation under the Charter to submit their reports to the national social partners.

Estonian Trade Union Confederation, as the Government describes in its report, is the largest trade union confederation in Estonia, member of the European Trade Union Confederation (ETUC), social partner to Estonian Employer's Confederation and Government.

*Before commenting on the Government's report on the 'targeted questions' for Group 1 provisions (concerning labour rights) the EAKL would like to make the following introductory remarks on the start of the new reporting system introduced by the decision of the Council of Europe's Committee of Ministers of 27 September 2022:*

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

What is presented in the Estonian Government report leaves the reader with a slightly better impression than what we often see in practice in our labour market. We hereby present our observations in relation to Articles 5 *Right to organise* and 6 *The right to bargain collectively* of the Social Charter.

To the question to indicate what measures have been taken to strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors (e.g., the gig economy), answers the report that Collective Agreements Act is amended and the situation of social dialogue has improved, and collective bargaining action plan is in preparation.

While the social dialogue at the national level could indeed be considered relatively successful in the past few years and the government considered the (difficult) agreements of the social partners when amending laws, after the change of government in 2024 the dialogue has been practically non-existent. In 2024, a few meetings were held where the interests of employees were not considered in the discussions, as exemplified by the amendment to the Employment Contracts Act. Several stakeholders were involved in the consultations, of which EAKL was the only representative of the

employees. The rest were single employers or organisations that represent employers and the Bar Association, and it was even claimed that employers also speak on behalf of their employees. The result was that the actual wishes of the employees were not taken into consideration, and the consultation was formal.

In 2023, we signed a goodwill agreement with employers and the government to increase the minimum wage more quickly until 2027. The government backed down from this agreement in 2024.

In summary, while the report discusses good negotiation practice, in which employers and unions agree on labour market issues, the unions' proposals are not taken into consideration.

The preparation of the collective bargaining action plan took place in several tripartite meetings, unfortunately, always as the last item, after the points of the ministry and employers had been discussed, and there was practically no time left for discussing the action plan. The action plan proposed by the ministry, which we were briefly introduced to at the meeting and promised to send in writing, has not yet been sent. The presented plan has 3 points, and they do not support the promotion of collective agreements. The actions proposed by the trade unions are presented in the appendix to the action plan, which may be implemented in the future. The action plan lacks points that would in any way promote the unionization of employees. It is also clear from the employers' perspective that it is difficult to hold sector-level collective bargaining because SMEs have not joined cross-sectoral organizations in sufficient numbers.

The Minister for Economic Affairs and Industry has publicly stated that collective agreements are outdated and have no place in modern society. Furthermore, the minister has indicated that no new collective agreements will be concluded in the state sector under the new government.

We give an unpleasant example: although the state should encourage collective bargaining, there are still cases where employers refuse to recognise the trade union or to enter negotiations. State control over such cases is exercised by the Labour Inspectorate, which formally carries it out but delays the decision for as long as possible, thereby depriving the parties of the opportunity to contest the decision, as the case is time-barred by that time. Thus, there is formal support, but in practice, there is no state support to promote collective agreement negotiations.

The extension of collective agreements is limited by law only to working and rest hours and wages, which is also an obstacle to concluding collective agreements in some sectors.

The problems we see in relation to collective bargaining in public sector: collective bargaining on wages is not permitted in the public sector, which also hinders the conclusion of such agreements; there are no alternative means for concluding collective agreements for civil servants when disputes arise.

In addition, we consider it necessary to note that although the report lists the main social partners in Estonia, there is another central organisation representing employees, albeit with a smaller number of members than EAKL - Estonian Employees' Unions' Confederation (TALO), which is not mentioned in the report.

Kind regards

Kaia Vask  
President

