January 2026

European Social Charter (revised)

European Committee of Social Rights

Conclusions 2025

LATVIA

This text may be subject to editorial revision.

The function of the European Committee of Social Rights is to rule on the conformity of the situation in States with the European Social Charter. In respect of national reports, it adopts “conclusions”; in respect of collective complaints, it adopts "decisions".

A presentation of this treaty as well as statements of interpretation formulated by the Committee appear in the General Introduction to the Conclusions.[1]

The European Social Charter (revised) was ratified by Latvia on 26 March 2013. The time limit for submitting the 10th report on the application of this treaty to the Council of Europe was 31 December 2024 and Latvia submitted it on 27 December 2024. On 12 June 2025, a letter was addressed to the Government requesting supplementary information regarding Articles 2§1, 3§1, 3§2, 3§3, 6§2, and 6§4. The Government submitted its reply on 23 July 2025.

The present chapter on Latvia concerns 10 situations and contains:

– 1 conclusion of conformity: Article 20

– 9 conclusions of non-conformity: Articles 2§1, 3§1, 3§2, 3§3, 4§3, 5, 6§1, 6§2, 6§4

The next report from Latvia will be due on 31 December 2026;

[1]*The conclusions as well as state reports can be consulted on the Council of Europe's Internet site (www.coe.int/socialcharter).*

Article 2 - Right to just conditions of work

Paragraph 1 - Reasonable working time

The Committee takes note of the information contained in the report submitted by Latvia and in the comments by the Free Trade Union Confederation of Latvia (LBAS).

The Committee recalls that for the purposes of the present report, States were asked to reply to targeted questions for Article 2§1 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

Measures to ensure reasonable working hours

In the targeted question, the Committee asked for information on occupations, if any, where weekly working hours can exceed 60 hours or more, by law, collective agreements or other means, including information on the exact number of weekly hours that persons in these occupations can work; as well as information on any safeguards which exist in order to protect the health and safety of the worker, where workers work more than 60 hours.

The report provides information on working time and overtime. It states that regular working time may not exceed eight hours and weekly working time – 40 hours. Overtime is work in addition to regular working time and is permitted if the worker and the employer have so agreed in writing. In certain exceptional cases (urgent public need, force majeure or other unexpected event, urgent work) overtime is possible without the worker's consent. If, in these cases, overtime lasts for more than six consecutive days, the employer needs to get a permit from the State Labour Inspectorate for further overtime work. Overtime may not exceed eight hours on average within a seven-day period, and the reference period may not exceed four months.

In its comments, LBAS notes that, according to Article 140 of the Labour Law, in any case within the framework of aggregated working time it is prohibited to employ the worker for more than 24 hours in a row and 56 hours a week. In practice, there is a negative tendency for workers to have several employment contracts with different companies but to work in the same company, so that the employer does not have to pay overtime or react to the breach of the maximum weekly working time.

The Committee notes that workers performing specific functions in certain sectors and in exceptional circumstances may be allowed to exceed 16 daily working hours limit or 60 weekly working hours limit during short periods. However, certain safeguards must exist (Conclusions 2025, Statement of Interpretation on Article 2§1 on maximum working time).

Working hours of maritime workers

In the targeted question, the Committee asked for information on the weekly working hours of maritime workers.

In reply, the report states that, according to Article 291§1 of the Maritime Code of 29 May 2003, the hours of work mean time when a maritime worker is required to work on a ship. The normal working hours are eight per day, including short breaks with one day of rest in a week and rest during the holidays. Article 291§2 of the Maritime Code states that a maritime worker may be employed for more than the specified normal hours of work, however, not exceeding 14 hours in a 24-hour period and 72 hours in a seven-day period. A maritime worker's hours of rest shall not be less than 10 hours in a 24-hour period and 77 hours in a seven-day period. Hours of rest used for the performance of work duties shall be compensated to the maritime worker with adequate hours of rest. The records of a maritime worker's hours of work and hours of rest on a ship shall be kept by the master of a ship or a person authorised by the

master. The Maritime Administration of Latvia shall control the records of the hours of work and hours of rest. A shipowner has an obligation to ensure that the schedule of hours of work and hours of rest is periodically reviewed and approved and that its compliance with the requirements of the laws and regulations governing hours of work and hours of rest is monitored.

The Committee notes that, in order to be in conformity with the Charter, maritime workers may be permitted to work a maximum of 14 hours in any individual 24-hour period and 72 hours in any individual seven-day period. The maximum reference period allowed is one year. Adequate rest periods have to be provided. Records of maritime workers' working hours shall be maintained by employers to allow supervision by the competent authorities of the working time limits (Conclusions 2025, Statement of Interpretation on Article 2§1 on working time of maritime workers).

Law and practice regarding on-call periods

In the targeted question, the Committee asked for information on how inactive on-call periods are treated in terms of work or rest time on law and practice.

In reply, the report states that the time when the worker is not at the disposal of the employer and does not perform their work duties is considered rest time. There are no specific regulations regarding on-call periods.

In response to a request for additional information, the report states that Latvia has no specific national regulation as regards on-call time. However, judgments of the Court of Justice of the EU and national courts provide a clear indication on how to separate working and rest time when performing on-call work. Generally, the time when a worker is not at the employer's disposal and does not perform their work duties is considered rest time. However, as it derives from the Judgment of the Senate of 18 June 2020, on-call time can be classified as working time or rest time, depending on the level of restriction imposed on the worker. If the worker is on standby at home or another location of their choice and only needs to be reachable, only the time spent actually working counts as working time. There is no requirement to compensate inactive parts of on-call time but parties can agree do to so. Also, State or local government authority may provide for remuneration for the period which is not spent by the official at the working place or another place indicated by the authority and which is used by the official at their own discretion. In addition, the social partners have recently come up with an initiative to include the regulation of on-call work in the Labour Law and the discussions on this initiative will continue.

In its comments, LBAS provides information on the recent case-law concerning on-call time. The Administrative District Court in its judgment of 6 February 2024 analysed a labour dispute concerning accounting of working time of a border guard officer who performed his official duties on a mission on board a ship. The court stated that if a worker is at the disposal of their employer, as far as they need to be contactable, they may organise their time less restrictively and devote it to their own interests. In such case, only the time related to the actual provision of services is to be regarded as working time. The decisive factor is the obligation of the worker to be physically present at the place designated by the employer and to be available to the employer to be able to provide the relevant services immediately if necessary. Physical presence at the place designated by the employer is only one of the circumstances indicating that the official is at the employer's disposal. In the instant case, being in a confined space did not automatically mean that the applicant had to always be available to the employer. If, because of the nature of the workplace itself, it is practically impossible for the worker to leave the workplace after work, only those periods during which they are subject to objective and very substantial restrictions, such as the obligation to be immediately available to their employer, should automatically qualify as working time. A period of on-call time during which a worker can plan their personal and social activities, considering the reasonable time available to them to resume their professional activity, is not *a priori* regarded as working time.

LBAS therefore states that the case-law goes in the tendency to refusing to recognise on-call time as working time disregarding the fact that the worker must be reachable by the employer and therefore cannot enjoy their own rest time according to their needs and at their own discretion.

The Committee notes that, with regard to inactive parts of on-call period during which no work is carried out and where the worker stays at home or is otherwise away from the employer‘s premises, under no circumstances should such periods be regarded as rest periods in their entirety. However, there are two situations that need to be addressed. Firstly, the situation involves a worker who is on-call away from the employer‘s premises (at home or at another designated place by the employer) and who is under an obligation to be immediately available or available at very short notice and on a recurring basis to the employer, and where there are serious consequences in cases of the failure to respond. Such on-call periods, including where no actual work is performed (inactive on-call), must be classified as working time in their entirety and remunerated accordingly in order to be in conformity with the Charter. Secondly, the situation involves a worker who is away from the employer‘s premises (at home or at another place designated by the employer) and who has a certain degree of freedom to manage their free time and is allowed time to respond to work tasks (i.e. they do not have to report for work immediately or at a very short notice or on a recurring basis). In these circumstances, the inactive on-call periods amount neither to full-fledged working time nor to genuine rest periods. In such cases the situation may be considered as being in conformity with the Charter if the worker receives a reasonable compensation. The Committee will assess the reasonableness of the nature and level of such compensation on a case-by-case basis and will take into account circumstances such as the nature of the worker‘s duties, the degree of the restriction imposed on the worker and other relevant factors (Conclusions 2025, Statement of Interpretation on Article 2§1 on on-call periods).

The Committee considers that the situation in Latvia is not in conformity with Article 2§1 of the Charter on the ground that inactive on-call periods during which no effective work is undertaken are considered as rest periods.

Conclusion

The Committee concludes that the situation in Latvia is not in conformity with Article 2§1 of the Charter on the ground that inactive on-call periods during which no effective work is undertaken are considered as rest periods.

Article 3 - Right to safe and healthy working conditions

Paragraph 1 - Safety and health regulations

The Committee takes note of the information contained in the report submitted by Latvia and in the comments of the Free Trade Union Confederation of Latvia (LBAS).

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 3§1 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

The Committee asked for information on the content and implementation of national policies on psychosocial or new and emerging risks, including in relation to: (i) the gig or platform economy; (ii) telework; (iii) jobs requiring intense attention or high performance; (iv) jobs related to stress or traumatic situations at work; (v) jobs affected by climate change risks.

General policies concerning psychosocial or new and emerging risks

The Committee recalls that new technology, organisational constraints and psychological demands favour the development of psychosocial factors of risk, leading to work-related stress, aggression, violence and harassment. With regard to Article 3§1 of the Charter, the Committee takes account of stress, aggression, violence and harassment at work when examining whether policies are regularly evaluated or reviewed in the light of emerging risks. The States parties have a duty to carry out activities in terms of research, knowledge and communication relating to psychosocial risks (Statement of Interpretation on Article 3§1 of the Charter, Conclusions 2013 and 2017).

The report provides information on the national policy for occupational safety and health (OSH) which is included in the strategic document “Social Protection and Labour Market Policy Guidelines for 2021-2027” and the two action plans covering the strategy period: “The Development Plan of Labour Protection Sector for 2021-2023” and “The Development Plan of Labour Protection Sector for 2024-2027”. The aim of these policy documents is to implement the objectives of the EU Strategic Framework on Health and Safety at Work (2021-2027). Most of the measures are implemented by the State Labour Inspectorate, the State Employment Agency and the Institute of Occupational Safety and Environmental Health, in cooperation with the Ministry of Welfare and social partners, i.e. the Employers Confederation of Latvia and the Free Trade Union Confederation of Latvia.

The report indicates that the goal of the national strategy is to ensure a safe and healthy work environment and to improve the working life of the workers, and, as a result, it is expected to reduce the number of serious and lethal accidents at work. The report further states that the strategy also highlights the increasing prevalence of nervous system diseases and psychological and behavioural disorders associated with overload and burnout at work.

According to the report, one of the tasks prescribed in both Plans involves awareness-raising within society, especially among employers, workers and OSH specialists regarding labour law and OSH issues (across different forms of employment) and the development of a preventive culture. As a part of this task, informative materials are being developed and workshops on different OSH issues are being carried out. The following topics are covered by these activities: the prevention of diseases of the musculoskeletal system, psycho-emotional risks, the effects of climate change, digitalisation issues, technological development, protection against chemical substances, specific risks associated with various industries etc.

Moreover, the report indicates that Annual Plans of Preventive Measures on OSH are developed at the national level and include preventive activities such as the elaboration of

informative materials and guides, and the organisation of seminars and campaigns on specific OSH topics.

The Committee recalls that in the previous conclusion (Conclusions 2021) it requested that the next report provide more comprehensive information on the content and implementation of the national policy on occupational health and safety regarding the specific new risks to health and safety, such as those concerning new forms of occupations that involve an assumed or accepted exposure to risk, those that involve the intense attention of the worker or an expectation of high performance or increasing output or productivity, and those related to new or recurring stress or traumatic situations at work, and it deferred its conclusion pending receipt of this information.

The gig or platform economy

In response to a request for additional information, the report states that the two Development Plans of the Labour Protection Sector (mentioned above) contain a task which refers to the improvement of the workers' legal protection, their understanding and knowledge of labour legal relations, especially for those working in non-standard/new forms of employment. The activities within this task include the elaboration of informative materials and educational measures in order to provide knowledge and information for digital platforms as well as for employers, workers and OSH experts regarding health and safety in different forms of employment including platform work.

In addition, the report notes Latvia's ongoing efforts to transpose Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving the working conditions in platform work, including Article 12 thereof, which addresses the OSH aspects of platform work.

The Committee notes that the Directive (Article 12) places an obligation on digital labour platforms to evaluate the risks of automated monitoring systems and automated decision-making systems to the safety and health of platform workers, in particular as regards possible risks of work-related accidents, psychosocial and ergonomic risks. In this regard, digital platforms must assess whether appropriate safeguards are in place and introduce preventive and protective measures. Digital labour platforms must also ensure effective information, consultation, and participation of platform workers and provide for effective reporting channels in order to ensure the health and safety of platform workers, including from violence and harassment. The Directive also provides that digital labour platforms shall not use automated monitoring systems or automated decision-making systems in a manner that puts undue pressure on platform workers or otherwise puts at risk their safety and physical and mental health.

Telework

Concerning telework, the Committee notes the information provided in the report under Article 3§2 regarding the amendments to the Labour Protection Law concerning remote work adopted in 2019 which set out that OSH regulations also apply to remote workers. Remote workers are required to provide information enabling their employers to perform a risk assessment in the place of remote work. Moreover, the two Development Plans of the Labour Protection Sector foresee the elaboration of informative materials and educational initiatives aimed at providing knowledge and guidance for digital platforms, employers, workers and OSH experts, regarding health and safety in various forms of employment, including remote work.

The Committee refers to its statement of interpretation concerning telework (see Conclusion under Article 3§3) which provides, *inter alia*, that States Parties must take measures to ensure that employers comply with their obligations to ensure safe and healthy working conditions for their teleworkers, including providing information and training to teleworkers on, ergonomics, the prevention of psychosocial risks (e.g. isolation, stress, cyberbullying, work-life balance, including digital disconnect and electronic monitoring) and the reporting process.

Jobs requiring intense attention or high performance

The report did not provide the requested information. Therefore, the Committee concludes that the situation in Latvia is not in conformity with Article 3§1 on the ground that it has not been established that there are national policies on psychosocial or new and emerging risks in relation to jobs requiring intense attention or high performance.

Jobs related to stress or traumatic situations at work

The report notes that the two Development Plans of the Labour Protection Sector envisage the development of information materials and workshops on the topic of psycho-emotional risks. However, no specific information has been provided regarding this category of jobs.

The Committee concludes that the situation in Latvia is not in conformity with Article 3§1 on the ground that it has not been established that there are national policies on psychosocial or new emerging risks in relation to jobs related to stress or traumatic situation at work.

Jobs affected by climate change risks

The report notes that the two Development Plans of the Labour Protection Sector envisage the development of information materials and workshops on the topic of climate change. The Committee also refers to the information under Article 3§3 concerning measures related to workers exposed to environmental-related risks such as climate change and pollution.

The Committee recalls its case law under Article 3 in relation to the protection against dangerous agents and substances (including asbestos and ionizing radiation), and air pollution (see Conclusions XIV-2 (1998), Statement of interpretation on Article 3). Further, the Committee notes the United Nations General Assembly Resolution A/RES/76/300 (28 July 2022) “The human right to a clean, healthy and sustainable environment”.

The Committee notes that climate change has had an increasing impact on the safety and health of workers across all affected sectors, with a particular impact on workers from vulnerable groups such as migrant workers, women, older people, persons with disabilities, persons with pre-existing health conditions and youth. As noted by the United Nations Committee on Economic, Social and Cultural Rights, rapid environmental changes, caused by climate change, increase risks to working conditions and exacerbate existing ones (General comment No. 27 (2025) on economic, social and cultural rights and the environmental dimension of sustainable development, UN Doc E/C.12/GC/27, §51). Hazards related to climate change include, but are not limited to, excessive heat, ultraviolet radiation, extreme weather events (such as heatwaves), indoor and outdoor workplace pollution, vector-borne diseases and exposure to chemicals. These phenomena can have a serious effect on both the physical and mental health of workers. (Ensuring safety and health at work in a changing climate, Geneva: International Labour Office, 2024).

States should take measures to identify and assess climate change risks and adopt preventive and protective measures. These risks and impacts should be addressed through appropriate policies, regulations, and collective agreements. Particular attention should be paid to vulnerable workers, such as migrant workers, persons involved in informal work, young and older workers, women, persons with disabilities and persons with pre-existing health conditions. States must effectively monitor the application of standards addressing climate-related safety and health risks, including through appropriate supervisory mechanisms, and should undertake these efforts in close consultation with employers’ and workers’ organisations.

Risk assessment and prevention/protection plans should include measures aimed at mitigating the effects of climate change on the safety and physical and mental health of workers (for example, provision of personal protective equipment, appropriate clothing, sun protection, hydration, ventilation, as well as the introduction of reduced or flexible working

hours and the provision of mental health support and other support services, where appropriate).

The Committee further stresses the importance of providing guidance and training to employers and workers, as well as implementing awareness-raising activities, collection of data and carrying out of research concerning the impact of climate change.

Conclusion

The Committee takes note of the information related to general policies on psychosocial and new and emerging risks. However, the report does not provide adequate information in relation to several targeted questions. Therefore, the Committee concludes that the situation in Latvia is not in conformity with Article 3§1 of the Charter on the ground that it has not been established that there are national policies on psychosocial or new and emerging risks concerning the following types of work:

- jobs requiring intense attention or high performance;
- jobs related to stress or traumatic situations at work.

Article 3 - Right to safe and healthy working conditions

Paragraph 2 - Safety and health regulations

The Committee takes note of the information contained in the report submitted by Latvia and in the comments by the Free Trade Union Confederation of Latvia (LBAS).

The Committee recalls that, for the purposes of the present report, States were asked to reply to targeted questions for Article 3§2 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

The right to disconnect

In a targeted question, the Committee asked for information on the measures taken to ensure that employers put in place arrangements to limit or discourage work outside normal working hours, including the right to disconnect; and on how the right not to be penalised or discriminated against for refusing to undertake work outside normal working hours is ensured.

The report notes that Latvia does not have any regulations on the right to disconnect. However, the Labour Law ("*Darba likums*") contains strict rules on working time, including overtime and rest periods, subject to supervision and control by the State Labour Inspectorate. Workers may also seek recourse in court to resolve any working-time-related disputes. The report further refers to the provisions in the Labour Law on the prohibition of retaliation, the prohibition of differential treatment and the principle of equal remuneration, which may likewise be enforced in court, or before the Ombudsman's Office.

The Committee recalls that, consistent with States Parties' obligations under Article 3§2, in order to protect the physical and mental health of persons teleworking or working remotely and to ensure the right of every worker to a safe and healthy working environment, it is necessary to fully enable the right of workers to refuse to perform work outside their normal working hours (other than work considered to be overtime and fully recognised accordingly) or while on holiday or on other forms of leave (sometimes referred to as the "right to disconnect") (Statement of interpretation on Article 3§2, Conclusions 2021).

The Committee concludes that the situation in Latvia is not in conformity with Article 3§2 of the Charter on the ground that workers do not have the right to disconnect.

Personal scope of the regulations

In a targeted question, the Committee asked for information on the measures taken to ensure that self-employed workers, teleworkers and domestic workers are protected by occupational health and safety regulations; and on whether temporary workers, interim workers and workers on fixed-term contracts enjoy the same standard of protection under health and safety regulations as workers on contracts with indefinite duration.

Self-employed workers

The report notes that self-employed workers are covered by occupational health and safety regulations. Amendments to the Labour Protection Law ("*Darba aizsardzības likums*") adopted in 2019 specify that self-employed workers must comply with the general labour-protection principles to the extent that they are relevant to the nature of the work performed. This includes mitigating risks in the work environment and replacing hazardous conditions with safer or less dangerous alternatives. Where self-employed workers perform work alongside workers or at an employer's premises, the employer who has contracted their services must ensure that self-employed workers benefit from safe working conditions alongside workers.

Teleworkers

The report provides information that previously enabled the Committee to conclude that the situation in Latvia was in conformity with the Charter on this point (Conclusions 2021). Specifically, the report notes that amendments to the Labour Protection Law adopted in 2019 ensure that teleworkers are covered by occupational health and safety regulations. Notably, remote workers are required to provide information enabling employers to conduct a risk assessment of their workplace. The report also describes measures taken to increase awareness about occupational health and safety regulations among remote workers.

Domestic workers

The report notes that domestic workers are not excluded from the scope of occupational health and safety regulations. However, it provides no reference to the relevant legal provisions or any other supporting information demonstrating the application of these regulations in practice. The Committee notes from other sources that most formally employed domestic workers engage in some form of self-employment, which results in weaker labour and social protection for them, including with respect to occupational health and safety coverage (Rajevska, O., Rajevska, F., Kļave, E. (2024). *Access for domestic workers to labour and social protection – Latvia*. European Social Policy Analysis Network, Brussels: European Commission). According to the same source, a significant proportion of these workers are engaged in bogus self-employment. While also noting a persistent failure to provide relevant information in this respect (Conclusions 2017, 2021), the Committee concludes that the situation in Latvia is not in conformity with Article 3§2 of the Charter on the ground that it has not been established that domestic workers are protected by occupational health and safety regulations.

Temporary workers

The report notes that temporary workers, interim workers and workers on fixed-term contracts enjoy the same standard of protection under occupational health and safety regulations as workers on contracts with indefinite duration.

Conclusion

The Committee concludes that the situation in Latvia is not in conformity with Article 3§2 of the Charter on the grounds that:

- workers do not have the right to disconnect;
- it has not been established that domestic workers are protected by occupational health and safety regulations.

Article 3 - Right to safe and healthy working conditions

Paragraph 3 - Enforcement of safety and health regulations

The Committee takes note of the information contained in the report submitted by Latvia and in the comments by the Free Trade Union Confederation of Latvia (LBAS).

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to targeted questions for Article 3§3 of the Revised Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The Committee asked for information on measures taken to ensure the supervision of the implementation of health and safety regulations concerning vulnerable categories of workers such as: (i) domestic workers; (ii) digital platform workers; (iii) teleworkers; (iv) posted workers; (v) workers employed through subcontracting; (vi) the self-employed; (vii) workers exposed to environmental-related risks such as climate change and pollution.

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

The report indicates that the State Labour Inspectorate is responsible for the control and supervision of employment legal relationships and labour protection. It conducts an average of 10,000 company inspections annually. The report notes that the State Labour Inspectorate's control and supervision activities apply to all categories of workers, including vulnerable categories.

The report provides information on the functions and tasks of the State Labour Inspectorate, which are prescribed in Article 3 of the Law on State Labour Inspectorate. This includes those related to the supervision of workers' health and safety of (Article 3 (2) 6) to 9) of the Law on State Labour Inspectorate).

The report further indicates that, under Article 4 of the same Law, the following shall be subject to the supervision and control of the Labour Inspectorate: (i) employers; any other persons who, in actual conditions, are to be regarded as employers; merchants; and authorised persons thereof and (ii) undertakings (organisational units in which workers work); workplaces in which a worker, or any other person who, in actual conditions, is to be regarded as a worker, performs work; and any other place within the scope of an undertaking, which is accessible to a worker in the course of their work, or where a worker works with the permission or order of an employer. This measure also applies to work equipment and building materials, including those belonging to a private person, during construction works.

The report also indicates that the State Labour Inspectorate carries out an average of four preventive campaigns (thematic inspections) each year, which target specific industries and focus on the most critical issues and risks within their working environments.

Domestic workers

The report provides no information on the measures taken to ensure the supervision of the implementation of health and safety regulations for domestic workers. The Committee concludes that the situation in Latvia is not in conformity with Article 3§3 of the Charter on the ground that it has not been established that measures have been taken to ensure the supervision of the implementation of health and safety regulations concerning domestic workers.

Digital platform workers

The Committee notes that the two Development Plans of the Labour Protection Sector cover the creation of informative materials and educational initiatives aimed at providing knowledge and guidance on health and safety in various forms of employment, including platform work, for digital platforms, employers, workers and OSH experts (see information provided under

Article 3§1 of the Charter). In addition, the report states that Latvia is currently in the process of transposing Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving the working conditions in platform work. This includes Article 12 thereof, which addresses the OSH aspects of platform work (see report under Article 3§1 of the Charter).

The Committee notes the comments submitted by LBAS stating that, while the regulatory framework has been adopted, further discussions with social partners are required in order to assess the necessity for specific health and safety provisions to protect workers in the gig or platform economy.

Teleworkers

The report provides information on the 2019 amendments to the Labour Protection Law concerning remote work, which stipulate that OSH regulations apply to remote workers. These are required to provide information that enables employers to perform a risk assessment of their workplace. The report also provides information on measures taken to increase awareness of OSH regulations among remote workers, including video and seminar presentations.

The Committee notes that, under Article 3 of the Charter, teleworkers, who regularly work outside of the employer's premises by using information and communications technology, enjoy equal rights and the same level of protection in terms of health and safety as workers working at the employer's premises.

States Parties must take measures to ensure that employers comply with their obligations to ensure safe and healthy working conditions for their teleworkers, such as: (i) assessing the risks associated with the teleworker's work environment; (ii) providing or ensuring access to ergonomically appropriate equipment and protective equipment; (iii) providing information and training to teleworkers on ergonomics, safe use of equipment, physical risks (e.g. musculoskeletal disorders, eye strain) and prevention of psychosocial risks (e.g. isolation, stress, cyberbullying, work-life balance, including digital disconnect, and electronic monitoring); (iv) maintaining clear documentation and records; (v) providing appropriate support through human resources or health and safety officers/services; and (vi) ensuring that teleworkers can effectively report occupational accidents or health and safety issues encountered during teleworking. States Parties must also take measures to ensure that teleworkers comply with the guidelines and regulations on health and safety and co-operate with employers and labour inspectorate or other enforcement bodies in this sense.

The labour inspectorate or other enforcement bodies must be entitled to effectively monitor and ensure compliance with health and safety obligations by employers and teleworkers. This requires to: (i) conduct regular and systematic supervision, including remote audits; (ii) review employers' risk assessments and training documentation; (iii) verify the appropriateness and effectiveness of preventive measures taken by employers; (iv) have adequate resources, legal authority, and clearly defined powers to issue corrective instructions and impose proportionate and dissuasive sanctions in cases of non-compliance.

Posted workers

In response to a request for additional information, the report states that the Labour Law defines a posted worker as a worker who temporarily performs work in a country other than their usual place of work. It further states that the State Labour Inspectorate applies the same occupational safety and health requirements to posted workers in Latvia as to those employed locally. In accordance with the provisions of the Labour Law, posted workers must be provided with working conditions and employment terms as prescribed by Latvian legislation, including those relating to occupational safety, health and hygiene.

Workers employed through subcontracting

The report does not provide any information on the measures taken to ensure the supervision of the implementation of health and safety regulations concerning workers employed through subcontracting. The Committee concludes that the situation in Latvia is not in conformity with Article 3§3 of the Charter on the ground that it has not been established that measures have been taken to ensure the supervision of the implementation of health and safety regulations concerning workers employed through subcontracting.

Self-employed workers

The report notes that the Labour Protection Law prescribes that self-employed workers are required to ensure their own safety and health when working, as well as the safety and health of others who may be affected by their work, in line with general labour protection principles.

The report explains that following the 2019 amendments to the Labour Protection Law, self-employed workers working alongside workers must be guaranteed the same safe working conditions by the employer who has contracted their services. Self-employed workers must also comply with the relevant safety rules. Should occupational safety risks or violations be identified, the service recipient may suspend or prohibit the work.

Workers exposed to environment-related risks such as climate change and pollution

The Committee notes from other sources that the indoor work temperature limit is set at 28°C, with some exceptions applying to certain industries or sectors (Cabinet of Ministers Regulation No. 35923 of 28 April 2009 on "Occupational protection requirements in the workplace" (Appendix 1)). Temperature limits do not apply to the following workplaces: motor, river, sea, air and rail vehicles, the mining industry, fishing vessels or agricultural and forestry undertakings (Ensuring safety and health at work in a changing climate, Geneva: International Labour Office, 2024).

As noted by other sources, awareness-raising activities have included an event hosted by the Latvian national focal point of the European Agency for Safety and Health at Work (EU-OSHA). This event explored the link between global warming and occupational safety and health, and was attended by representatives of workers' and employers' organisations, representatives from the Ministry of Climate Change, and experts on the topic (OSHA, Climate change and safety and health at work: Latvia's perspectives, November 2023).

The Committee recalls that States must effectively monitor the application of standards addressing climate-related safety and health risks, including through appropriate supervisory mechanisms, and should undertake these efforts in close consultation with employers' and workers' organisations.

Risk assessment and prevention/protection plans should include measures aimed at mitigating the effects of climate change on the safety and physical and mental health of workers (for example, provision of personal protective equipment, appropriate clothing, sun protection, hydration, ventilation, as well as the introduction of reduced or flexible working hours and the provision of mental health support and other support services, where appropriate). The Committee further stresses the importance of providing guidance and training to employers and workers, as well as implementing awareness-raising activities, collection of data and carrying out of research concerning the impact of climate change.

Conclusion

The Committee concludes that the situation in Latvia is not in conformity with Article 3§3 of the Charter on the ground that it has not been established that measures have been taken to ensure the supervision of the implementation of health and safety regulations concerning the following categories of workers:

- domestic workers;
- workers employed through subcontracting.

Article 4 - Right to a fair remuneration

Paragraph 3 - Non-discrimination between women and men with respect to remuneration

The Committee takes note of the information contained in the report submitted by Latvia and in the **c**omments of the Free Trade Union Confederation.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to the targeted questions for Article 4§3 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within the Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

The notion of equal work and work of equal value

In its targeted question the Committee asked the report to indicate whether the notion of equal work and work of equal value is defined in domestic law or case law.

The Committee recalls that under Article 4§3 in order to establish whether work performed is equal or of equal value, factors such as the nature of tasks, skills, educational and training requirements must be taken into account. Pay structures shall be such as to enable the assessment of whether workers are in a comparable situation with regard to the value of work. The value of work, that is the worth of a job for the purposes of determining remuneration should be assessed on the basis of objective gender-neutral criteria, including educational, professional and training requirements, skills, effort, responsibility and working conditions, irrespective of differences in working patterns. These criteria should be defined and applied in an objective, gender-neutral manner, excluding any direct or indirect gender discrimination.

The Committee considers that the notion of equal work or work of equal value has a qualitative dimension and may not always be satisfactorily defined, thus undermining legal certainty. The concept of “work of equal value” lies at the heart of the fundamental right to equal pay for women and men, as it permits a broad scope of comparison, going beyond “equal”, “the same” or “similar” work. It also encompasses work that may be of a different nature, but is, nevertheless, of equal value.

States should therefore seek to clarify this notion in domestic law as necessary, either through legislation or case law (Conclusions XV-2, Article 4§3, Poland). No definition of work of equal value in legislation and the absence of case law would indicate that measures need to be taken to give full legislative expression and effect to the principle of equal remuneration, by setting the parameters for a broad definition of equal value.

. According to the report, Article 60 of the Labour Law stipulates that an employer is required to specify equal pay for men and women for equal work or work of equal value. The concept of equal work and work of equal value is defined in Article 1 of the Law on Remuneration of Civil Servants and Employees of State and Local Government Authorities. In practice, this means that, when performing the same work, workers perform the same tasks in terms of content. To determine whether workers are in a comparable situation and perform work of equal value, factors such as the nature of the work, the tasks actually performed, education, professional qualifications, working conditions, and the skills required to perform the work, must be taken into account. In each company, the employer can set objective criteria on the basis of which pay is determined, which do not allow for different treatment and ensure compliance with the principle of equal rights.

The report further states that this understanding of the concept of equal work and work of equal value arises from Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, which is transposed into the Labour Law. In the context of the transposition of Directive (EU) 2023/970 of the

European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms, the definition of equal work and work of equal value will also be transposed into legislation.

The Committee notes from the comments of the Free Trade Union Confederation of Latvia (LBAS) that Section 7 of the Labour Law provides that everyone has the equal right to work, to fair, safe and healthy working conditions, as well as to fair remuneration. The remuneration system is regulated only in the public sector and is not directly linked to the equal pay principle. The principles of remuneration in the public sector are regulated by the Law on Remuneration of Civil Servants and Employees of State and Local Government Authorities which defines 17 groups of monthly wages which are equal for everyone.

In addition, LBAS states that there is an unreasonably short deadline for bringing an action for unequal pay which is a challenge for enforcing equal pay for work of equal value. Section 60 (3) of Labour Law provides that, in case an employer has failed to fulfil the obligation of ensuring equal remuneration for men and women for the same kind of work or work of equal value, the worker has the right to claim the remuneration that the employer normally pays for the same work or for work of equal value and to bring the action to court within a three-month period from the day she or he has learned or should have learned of the violation.

In its judgment in the case SKC-78/2018, C32258014 of 6 April 2018, the Supreme Court pointed out that by missing the 3-month deadline specified in Section 60 of the Labour Law, a person loses the opportunity to claim a breach of the principle of equal treatment by the employer and to seek compensation.

The experience of LBAS shows that workers, due to various reasons, rarely choose to initiate litigation during the employment relationship. Claims are most often made when the worker has “nothing to lose” and the employment relationship has been terminated.

Short time-limits for bringing a claim could be considered proportional in situations when the employment relationship has not yet started (violation of Section 34 of the Labour Law – 3 months) or the employment relationship has been terminated (Section 48 of the Labour Law – 1 month). However, in situations where violations of equal treatment occur during the employment relationship, in the LBAS’s opinion, longer deadlines for bringing a claim should be provided.

The Committee notes from the *Country Report of the European Network of Legal Experts on Gender Equality and Non-discrimination* (Latvia, 2024) that neither normative acts nor national case law provide criteria for establishing the equal value of the work performed. As regards equal pay cases, there is no explicit provision requiring comparators. For example, the Supreme Court has held that in order to resolve an unequal pay case, a court must assess the actual level of a worker’s professional qualifications (for example, their education or skills to perform a job, etc.) and in doing so, it must take account of the nature of the work in question and the conditions of employment. These indicators must then be compared with those of other workers to determine whether the applicant has performed equal work or work of equal value and whether they have been paid according to their qualifications and the nature of the job in question (Decision of the Supreme Court on 27 April 2017 in case No. SKC-792/2017).

The Committee understands that Latvia has not yet fully transposed Directive (EU) 2023/970 and the definition of equal work only applies in the public sector. The report does not provide information on the domestic case law following the Supreme Court decision of 2017. In this context, the Committee considers that the concept of equal work or work of equal value is not adequately defined in legislation or case law. The situation is, therefore, not in conformity with Article 4§3 of the point.

Job classification and remuneration systems

In its targeted question the Committee asked the report to provide information on the job classification and remuneration systems that reflect the equal pay principle, including in the private sector.

The Committee considers that pay transparency is instrumental in the effective application of the principle of equal pay for work of equal value. Transparency contributes to identifying gender bias and discrimination and it facilitates the taking of corrective action by workers and employers and their organisations as well as by the relevant authorities. In this respect, job classification and evaluation systems should be promoted and where they are used, they must rely on criteria that are gender-neutral and do not result in indirect discrimination. Moreover, such systems must consider the features of the posts in question rather than the personal characteristics of the workers (UWE v. Belgium, Complaint No. 124/2016, decision on the merits of 5 December 2019). Where gender-neutral job evaluation and classification systems are used, they are effective in establishing a transparent pay system and are instrumental in ensuring that direct or indirect discrimination on the grounds of gender is excluded. They detect indirect pay discrimination related to the undervaluation of jobs typically done by women. They do so by measuring and comparing jobs the content of which is different but of equal value and so support the principle of equal pay.

The Committee considers that States Parties should take the necessary measures to ensure that analytical tools or methodologies are made available and are easily accessible to support and guide the assessment and comparison of the value of work and establish gender neutral job evaluation and classification systems.

According to the report, the job classification and remuneration systems are defined in the Law on Remuneration of Civil Servants and Employees of State and Local Government Authorities. As of July 1, 2022, the new remuneration reform came into force as did the new Catalogue of Positions. The classification of positions and the new monthly salary scales were significantly revised.

In state and local administration institutions, the determination of monthly salaries is based on the duties to be performed, responsibility, complexity of work and qualification requirements (education and professional experience). Gender is not taken into account. The amount of each individual's monthly salary may be influenced by the financial resources available to a particular institution but, in general, for work of similar value, a similar monthly salary is determined to the extent possible.

The report also states that currently, the legislative enactments do not provide a mandatory obligation to create job classification and remuneration systems that reflect the equal pay principle in the private sector. However, employers are bound by a duty to ensure equal remuneration for men and women for the same kind of work or work of equal value (set out in the Labour Law, and the definition of equal work and work of equal value which derives from Directive 2006/54/EC, which was transposed into the Labour Law, and from the European Commission Staff working document relating to Directive 2006/54/EC).

The Committee further notes from the *Country Report of the European Network of Legal Experts on Gender Equality and Non-discrimination* (Latvia, 2024) that there are no company-level job evaluation and classification systems, except for the state officials and workers employed in state and municipal institutions. The State and Municipal Institutions' Remuneration Law provides a table qualifying the posts according to grades and defining salary groups according to the grades. At the same time, the said law is not equally applicable to all workers of the public sector, and leaves out, for example, schoolteachers, the majority of whom are women. Therefore, the fact that a job classification system has been established but is not equally applicable to all for the purposes of the determination of remuneration most likely leads to indirect gender discrimination.

As regards the implementation of the transparency measures set out in the European Commission's Recommendation of 7 March 2014 on strengthening the principle of equal pay between men and women and/or Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms, the report states that Latvia has not taken any measures provided for in the Recommendation on pay transparency measures. Nor has it yet taken any measures with regard to the implementation of Directive (EU) 2023/970, although the obligation to implement it is explicitly stated in the Government's action plan.

The Committee also notes from the Observation (CEACR) - adopted in 2023, published at the 112nd ILC session (2024) concerning Equal Remuneration Convention, 1951 (No. 100) that the Government indicates that an evaluation with a view to transposing the EU Directive is ongoing. The Committee notes that, in its observation, CEACR asks the Government to provide information on the findings of the pilot project to identify pay transparency issues and on the assessment of the legal aspects of Directive (EU) 2023/970 with a view to its transposition, as well as on any recommendations made based on these findings.

The Committee considers that the measures to improve pay transparency through job classification and evaluation systems are underway. However, these measures have not yet been finalised in the private sector. Therefore, the situation is not in conformity with Article 4§3 on the ground that there are no job classification and evaluation systems in the private sector.

Measures to bring about measurable progress in reducing the gender pay gap

In its targeted question the Committee asked the report to provide information on existing measures to bring about measurable progress in reducing the gender pay gap within a reasonable time.

The Committee considers that States are under an obligation to analyse the causes of the gender pay gap with a view to designing effective policies aimed at reducing it. The Committee recalls its previous holding that the collection of data with a view to adopting adequate measures is essential to promote equal opportunities. Indeed, it has held that where it is known that a certain category of persons is, or might be, discriminated against, it is the duty of the national authorities to collect data to assess the extent of the problem *(*European Roma Rights Centre v. Greece, Complaint No. 15/2003, decision on the merits of 8 December 2004, §27). The gathering and analysis of such data (with due safeguards for privacy and to avoid abuse) is indispensable to the formulation of rational policy (European Roma Rights Centre v. Italy,Complaint No. 27/2004, decision on the merits of 7 December 2005, §23).

The Committee considers that in order to ensure and promote equal pay, the collection of high-quality pay statistics broken down by gender as well as statistics on the number and type of pay discrimination cases is crucial. The collection of such data increases pay transparency at aggregate levels and ultimately uncovers the cases of unequal pay and therefore the gender pay gap. The gender pay gap is one of the most widely accepted indicators of the differences in pay that persist for men and women doing jobs that are either equal or of equal value. In addition, to the overall pay gap (unadjusted and adjusted, the Committee will also, where appropriate, have regard to more specific data on the gender pay gap by sectors, by occupations, by age, by educational level, etc (University Women of Europe (UWE) v. Finland, Complaint No. 129/2016, decision on the merits of 5 December 2019, §206).

The Committee has held that where the States have not demonstrated a measurable progress in reducing the gender pay gap, the situation amounted to a violation of the Charter (University Women of Europe (UWE) v. Finland, Complaint No. 129/2016, decision on the merits of 5 December 2019).

The report states that in 2023, the average gross hourly earnings of Latvian women were by 16.5% lower than those of men. The lowest gender pay gap since 2011 (14.1%) was observed in 2021 (14.6%), while the highest pay gap was reached in 2020 (22.3 %).

The report further indicates that the Plan for the Promotion of Equal Rights and Opportunities for Women and Men for the Year 2024-2027 provides for a line of activities concerning pay transparency and inclusive work environment. For instance, educational measures for employers on reducing the wage gap between women and men in the company, creation of methodological material for employers on issues of inclusive work environment and prevention of discrimination, employers` training on inclusive work environment and conditions, especially aspects of equal opportunities and rights for women and men etc.

The Committee notes from Eurostat that in the unadjusted gender pay gap has been increasing since 2021 when it stood at 15.9% to 19% in 2023. The Committee thus considers that no measurable progress has been made in reducing the gender pay gap. Therefore, the situation is not in conformity with Article 4§3 of the Charter.

Conclusion

The Committee concludes that the situation in Latvia is not in conformity with Article 4§3 of the Charter on the grounds that:

- the notion of equal work or work of equal value is not adequately defined in law or case law;
- there are no job classification and evaluation systems in the private sector that would ensure pay transparency;
- no measurable progress has been made in reducing the gender pay gap.

Article 5 - Right to organise

The Committee takes note of the information contained in the report submitted by Latvia, as well as the comments submitted by the Free Trade Union Confederation of Latvia (LBAS).

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to the targeted questions for Article 5 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

Positive freedom of association of workers

In its targeted question a), the Committee asked for information on measures that have been taken to encourage or 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).

The report indicates that the right to organise and protection of the freedom of trade unions is enshrined in Article 102 of the Constitution (Everyone has the right to form and join associations, political parties and other public organisations) and that according to Article 108, employed persons have the right to a collective labour agreement, and the right to strike. The State must protect the freedom of trade unions. In addition, the right of workers to unite in organisations and to join them freely is defined in the Labour Law and the 2014 Law on Trade Unions (Articles 8 and 4 respectively).

Measures have been taken in the context of implementing of the specific support objective of the European Union cohesion policy programme for 2021-2027 (“Promote active inclusion and equal opportunities, non-discrimination and active participation, as well as improve employment, especially, for disadvantaged groups”), including: capacity building measures; carrying out evaluations, researches, expertise and analyses; support for the creation and maintenance of various cooperation mechanisms; support for involvement in the development and improvement of such regulatory framework that promotes the conclusion of collective agreements between employers and worker organisations; creation of cooperation platforms and implementation of digital solutions; information and publicity measures.

Also, to ensure the development of bilateral sectoral social dialogue in the development of better legal regulation for promoting the improvement of business environment in five priority sectors (wood industry, chemical industry and its related industries, construction, transport and logistics, telecommunications and communications), the Cabinet of Ministers adopted Regulation No. 600 on 6 September 2016. The target group of the measures taken in the framework of this regulation was the organisations that ensure the representation of the interests of employers and workers in strengthening the sectoral social dialogue, and workers in the sector. These measures include: - attraction of experts from the funding beneficiaries and cooperation partners; trainings, seminars, conferences, discussions, working groups, experience exchange visits, internship events organised by the beneficiary of funding; trainings, seminars, informative events, working groups organised by cooperation partners; etc.

According to the report, among these support measures, three sectoral collective agreements were concluded as a result of stimulating sectoral social dialogue in the construction (2019), fibreglass (2019) and hospitality (2020) sectors. Work and negotiation processes in some sectors (forest, gas management, printing and postal) on the possibilities for signing sectoral collective agreements are still ongoing (as of December 2024). The social partners have strengthened their capacity and that of their member organisations in a variety of forms of training, exchanges of experience, conferences, consultations and other activities.

In addition, on 1 February 2022, the Free Trade Union Confederation started implementing the project “Trade Union for a Fair Recovery: Strengthening the Role of Trade Unions in Mitigating the Impact of the COVID-19 Crisis” (ETUC Project No.2021/11). The project was implemented until 30 September 2023 and included a number of online activities, for instance, training programme for trade union members on digital communication skills; training programme for trade union leaders to develop strategies for attracting new members aligned with the specifics of the industry; and publicity activities of the Free Trade Union Confederation of Latvia and member organisations.

The Committee notes that according to the report, the Labour Law and the Law on Trade Unions guarantee the right of “employees” to join trade unions. The Committee also notes, on the basis of outside sources (Iveta Ķešāne, Maija Spuriņa, *Theorizing autonomy in the platform economy: A study of food delivery gig workers in Latvia*, Sociological Review, May 2025), that in 2024, there were reportedly about 13,000 active food delivery workers in Latvia (Zalamane, 2024), all registered as independent contractors (and not workers). The Committee also notes (Friedrich Ebert Stiftung report, Online Platforms and Platform Work in Latvia) that although LBAS has been advocating that work via online platforms should be recognised as an employment relationship, there are currently no trade union initiatives to introduce collective bargaining on behalf of platform workers.

In the absence of any information on specific measures taken to strengthen the positive freedom of association of platform workers in the gig economy, the Committee concludes that no measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors.

Legal criteria for determining the recognition of employers’ organisations for the purposes of social dialogue and collective bargaining

In reply to the Committee’s request for information concerning the legal criteria for determining the recognition of employers’ organisations for the purposes of social dialogue and collective bargaining (targeted question b)), the report states that under the Law of 29 April 1999 on Employer’s Organisations and their Associations, an employers' organisation is a public organisation established by at least five employers which represents and protects the economic, social and professional interests of its members, as well as other interests that conform to the objectives and functions of the employers' organisation. According to this Law, employers' organisations must represent the interests of the employers' organisation in relations with trade unions and State and local government institutions; co-operate with trade unions in the preparation and entering into collective agreements and in other employment relationship issues.

According to the provisions of this Law, the Latvian Association of Employers' Organisations negotiates on behalf of its members, enters into collective agreements and general agreements, agrees on general co-operation principles, negotiate regarding the solution of conflict situations with the Latvian Association of Sectoral and Professional Trade Unions, which represents the majority of the country's workforce. Sectoral employers' organisations and their associations perform similar functions at the territorial level.

The report also underlines that the National Tripartite Cooperation Council which consists of representatives nominated by the Cabinet of Ministers, the Employers` Confederation and the Free Trade Union Confederation on the basis of parity, is tasked to ensure and promote the cooperation of the government, employers' and workers' organisations at the national level with the aim of ensuring a coordinated solution to the problems of socioeconomic development in line with the interests of the entire society and the state, by developing and implementing strategies, programmes and regulatory provisions in the social and economic fields.

Legal criteria for determining the recognition and representativeness of trade unions in social dialogue and collective bargaining

In a targeted question, the Committee requested information on the legal criteria for determining the recognition and representativeness of trade unions in social dialogue and collective bargaining. It particularly requested information on the status and prerogatives of minority trade unions; and the existence of alternative representation structures at company level, such as elected worker representatives (targeted question c)).

The report indicates that, under the Law on Trade Unions which lays down general provisions for the establishment and activity of trade unions and their associations, a trade union acquires legal personality from the moment it is entered in the Register of Associations and Foundations and may establish independent units which also have legal personality. While representing and defending labour interests of workers, trade unions have the right to organise collective negotiations, to receive information and to consult with employers, employers' organisations and their associations, to conclude collective agreements (general agreements), to declare strikes and also to exercise other rights stipulated in laws and regulations. The representation of the trade unions in a social dialogue with employers, employers' organisations and their associations is implemented on the basis of an agreement concluded by the trade unions with employers, employers' organisations or their associations.

The report also states that the interests of the trade unions at the national level in their relations with the Cabinet shall be represented by an association of trade unions which unites the largest number of workers in the country. The interests of the trade unions in relations with the State and local government institutions at the level of the industry, profession or administrative territory shall be represented by the trade union which is part of an association that unites the largest number of workers in the country.

The report further indicates that representatives of the trade unions in the National Tripartite Cooperation Council are appointed by the association of trade unions that unites the largest number of workers in the country. Representatives of the trade unions in industry, profession or territorial tripartite co-operation institutions shall be nominated by a trade union or an association of trade unions that unites the largest number of workers in the respective industry, profession or administrative territory.

Concerning the minority trade unions, the report underlines that according to the Law on Trade Unions everyone has the right to freely, without any direct or indirect discrimination establish a trade union and, in compliance with the articles of association of a trade union, to join a trade union and also not to join a trade union. According to this Law, trade unions shall have equal rights.

With regard to alternative representation structures, the report states that according to the Labour Law, workers defend their social, economic and occupational rights and interests directly or through the mediation of their representatives. Authorised representatives of workers may be elected if an undertaking employs five or more workers. If there is one worker trade union or several such trade unions and authorised representatives of workers, they shall authorise their representatives for joint negotiations with an employer in proportion to the number of workers represented but not less than one representative each. If representatives of one worker trade union or representatives of several such trade unions and authorised representatives of workers have been appointed for negotiations with an employer, they shall express a united view.

In Conclusions 2022 (Latvia, Article 5), the Committee concluded that the situation was not in conformity with Article 5 on the ground, inter alia, that a minimum of at least 25% of the workers of an undertaking are required in order to form a trade union within an undertaking, and 50 founding members are required to form a trade union outside an undertaking. This constitutes a manifestly excessive restriction on the right to organise.

The Committee notes, from outside sources (the European Employment Service – EURES) that the legislative provisions have remained the same since 2022. The Committee therefore concludes for the same reason that the situation is not in conformity with Article 5 of the Charter.

The right of the police and armed forces to organise

In a targeted question, the Committee requested information on whether and to what extent members of the police and armed forces are guaranteed the right to organise (targeted question d)).

According to the report, the 1991 Law on Police does not prohibit police officers to establish trade unions and to join them. In addition, to satisfy their needs for culture and sport, police officers may form societies and clubs the activities of which are regulated by articles of association adopted and registered in accordance with the procedures specified in law.

The 2002 Military Service Law provides that soldiers are prohibited from joining trade unions.

At the same time, the Military Service Law prescribes that a soldier has the right to be a member of such associations and foundations of a non political nature, as well as to establish associations and foundations for soldiers and participate in other non-political activities provided that such activities do not interfere with the performance of service duties. Soldiers have the right to nominate a representative in each unit from amongst their number to protect the interests of soldiers and to solve practical issues in relationships with the unit commander (superior) and senior officials.

The Committee recalls that in its Conclusions 2022 (Latvia, Article 5), the Committee concluded that the situation was not in conformity with Article 5 on the ground, inter alia, that members of the armed forces are prohibited from joining and forming trade unions to defend their interests. The Committee notes from the report that the situation has not changed in this respect.

The Committee therefore concludes that the situation is not in conformity with Article 5 on the ground that members of the armed forces are prohibited from joining and forming trade unions to defend their interests.

Conclusion

The Committee concludes that the situation in Latvia is not in conformity with Article 5 of the Charter on the grounds that:

- no measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors.
- a minimum of at least 25% of the workers of an undertaking are required to form a trade union within an undertaking, and at least 50 founding members are required to form a trade union outside an undertaking, a requirement which constitutes an excessive restriction on the right to organise;
- members of the armed forces are prohibited from joining and forming trade unions for the protection of their interests.

Article 6 - Right to bargain collectively

Paragraph 1 - Joint consultation

The Committee takes note of the information contained in the report submitted by Latvia.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to the targeted questions for Article 6§1 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

Measures taken to promote joint consultation

In a targeted question, the Committee asked as to what measures are taken by the Government to promote joint consultation.

The report states that the National Tripartite Cooperation Council coordinates and organises the tripartite social dialogue between employers' organisations, state institutions and trade unions in order to harmonize the interests of these organisations in social and economic issues. According to the report, tripartite social dialogue is of great importance in the development, adoption and implementation of policy decisions, especially in matters of the labour market, labour legislation and social security.

The National Tripartite Cooperation Council and its 10 sub-councils consider various social issues in order to agree on the most appropriate decision for all parties involved.

The report underlines that the National Tripartite Cooperation Council is made up of representatives nominated by the government, the Employer's Confederation of Latvia and the Free Trade Union Confederation of Latvia on the basis of parity. Nine representatives have been nominated from each participating party. The head of the Government side which consists of several government ministers is the Prime Minister. The head of the employers' side is the president of the Employer's Confederation, and the head of the trade unions is the chairman of the Free Trade Union Confederation.

The Tripartite Cooperation Council and its sub-councils (such as the Budget and Tax Policy Tripartite Cooperation Sub-Council, the Labour Affairs Tripartite Cooperation Sub-Council, the Social Security Sub-Council, the Vocational Education and Employment Tripartite Cooperation Sub-Council, etc.) are organised to involve social partners of the government in the development, adoption, and implementation of policy decisions, particularly on social issues, including labour market, labour legislation, competitiveness and social security matters.

Representatives of employers and workers are involved in various working groups to develop regulatory frameworks. Several regulatory acts, including legislative changes that directly or indirectly affect business environments in different sectors, the labour market, and areas related to human capital development, are coordinated with employer representatives.

Issues of mutual interest that have been the subject of joint consultations and agreements adopted

In a targeted question, the Committee asked as to what issues of mutual interest have been the subject of joint consultation during the past five years, what agreements have been adopted as a result of such discussions and how these agreements have been implemented.

The report states that the following agreements have been reached during the discussions on tax reform and the budget for 2025:

- Raising the proportion of parental benefit payable to working parents from 50 % to 75 %, which will facilitate early participation of parents in part-time work;

- Raising the pensioner's non-taxable minimum from 500 EUR to 1000 EUR per month, which is particularly important for working pensioners;
- The planned increase of the eligible expenses (from the existing 480 EUR to 700 EUR), for the worker's catering and medical treatment expenses specified in the collective agreement paid by the employer, as well as expenses related to the worker's move to another place of residence, accommodation expenses and transport expenses;
- Abolishing the differentiated non-taxable minimum.

Joint consultation on digital transition and the green transition

In a targeted question, the Committee asked if there has been any joint consultation on matters related to (i) the digital transition, or (ii) the green transition.

According to the report, given that the green transition involves a wide range of topics and the development of various planning documents, the Employer's Confederation have been involved in tuning national positions and initial positions as well as instructions in order to define the common national position regarding the transition to climate neutrality and the raising of targets.

A similar process was also developed when working on specific amendments to regulations and directives under the Fit for 55 packages (EU's target of reducing net greenhouse gas emissions by at least 55% by 2030). Accordingly, the Employer's Confederation is actively involved in the development of the national Energy and Climate Plan by organising meetings regarding the relevant sectors and regarding the inclusion of policies and planned measures, as well as the developed scenarios for reduction of greenhouse gases. The report also states that working groups of the national Energy and Climate Plan were formed within the framework of different ministries (prior to official examination of the document). The Employer's Confederation remains actively involved in the development of the National Energy Climate Plan, such as socio-economic evaluation and environmental impact assessment.

The Committee recalls that within the meaning of Article 6§1, "joint consultation" is to be interpreted as being applicable to all kinds of consultation between both sides of industry – with or without any government representatives – on condition that both sides of industry have an equal say in the matter (Conclusions V - Statement of interpretation - Article 6-1). The Committee notes that the consultation process on the green transition described in the report exclusively refers to the involvement of the Employer's Confederation, without mentioning any involvement of trade unions. The Committee also notes that the report does not contain any information on joint consultations having been carried out on issues relevant to the digital transition.

Conclusion

The Committee concludes that the situation in Latvia is not in conformity with Article 6§1 of the Charter on the ground that it has not been established that joint consultations have been held on matters related to the digital transition and the green transition.

Article 6 - Right to bargain collectively

Paragraph 2 - Negotiation procedures

The Committee takes note of the information contained in the report submitted by Latvia and of the comments submitted by the Free Trade Union Confederation of Latvia (LBAS).

The Committee recalls, that for the purposes of the present report, States were asked to reply to targeted questions for Article 6§2 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions.

Coordination of collective bargaining

In a targeted question, the Committee asked for information on how collective bargaining was coordinated between and across different bargaining levels. Specifically, the question sought details on factors such as *erga omnes* clauses and other mechanisms for the extension of collective agreements, as well as to the favourability principle and the extent to which local or workplace agreements could derogate from legislation or collective agreements concluded at a higher level.

Regarding *erga omnes* clauses and other extension mechanisms, the report states that the Labour Law allows for the conclusion of collective agreements at enterprise, sectoral, and territorial levels. An enterprise-level collective agreement is concluded by the employer and a worker trade union or, if there isn't one, by a workers' authorised representative. A sectoral or territorial collective agreement, referred to as general agreement, is concluded by an employer, a group of employers, an organisation of employers or an association of organisations of employers with an association of trade unions which represents the largest number of workers in the State. It becomes binding on all employers and workers in the sector if the employers covered by the agreement employ more than 50% of the workforce or account for more than 50% of the sector's turnover. The agreement takes effect three months after publication in the Official Gazette, unless a later date is specified.

Regarding the favourability principle, the report states that employment contracts may only derogate from collective agreements if the provisions are more favourable to the worker. Additionally, any contractual provisions, collective agreements, or employer-issued regulations that undermine the legal status of workers contrary to the law are deemed invalid. However, derogations through a collective agreement with a trade union are permitted if the overall level of worker protection is not reduced.

Regarding derogations, they are only possible if they provide more favourable conditions for workers. However, a general agreement that increases the minimum wage in a sector by at least 50% may determine lower overtime pay than the statutory rate, though not below 50% of the hourly wage or piecework rate. If the state-mandated minimum wage changes and, as a result, the levels set in the general agreement no longer comply with the mentioned criterion, the agreement must be amended; otherwise, it ceases to be valid after one year.

The Committee notes that that the favourability principle establishes a hierarchy between different legal norms and between collective agreements at different levels. Accordingly, it is generally understood to mean that collective agreements may not weaken the protections afforded under the law and that lower-level collective bargaining may only improve the terms agreed in higher-level collective agreements. The purpose of the favourability principle is to ensure a minimum floor of rights for workers.

The Committee considers the favourability principle a key aspect of a well-functioning collective bargaining system within the meaning of Article 6§2 of the Charter, alongside other features present in the legislation and practice of States Parties, such as the use of *erga*

omnes clauses and extension mechanisms. These features are typically found in comprehensive sectoral bargaining systems with high coverage, usually associated with stronger labour protections.

At the same time, the Committee notes that some States Parties provide for the possibility of deviations from higher-level collective agreements through what may be termed opt-out, hardship, or derogation clauses. The Committee applies strict scrutiny to such clauses, based on the requirements set out in Article G of the Charter. As a matter of principle, the Committee considers that their use should be narrowly defined, voluntarily agreed, and that core rights must be always protected. In any event, derogations must not become a vehicle for systematically weakening labour protections.

Promotion of collective bargaining

In a targeted question, the Committee asked for information on the obstacles hindering collective bargaining at all levels and in all sectors of the economy (e. g. decentralisation of collective bargaining). The Committee also asked for information on the measures taken or planned to address those obstacles, their timeline, and the outcomes expected or achieved in terms of those measures.

The report states that there are no legislative or practical obstacles to collective bargaining. However, work is underway on developing an Action Plan of the National Tripartite Cooperation Council that would ensure compliance with the EU Directive on Adequate Minimum Wages by further promoting collective bargaining. This plan, expected to be adopted in 2025, will address the development of collective bargaining practices, the review and improvement of the legal framework, data collection on bargaining coverage, strengthening social partners' capacity, and governance and reporting mechanisms.

LBAS notes in its comments that employment conditions have traditionally been established by law, through tripartite social dialogue, leaving little scope for regulation by collective bargaining. LBAS considers that increasing the autonomy of the social partners would help to promote collective bargaining. This could be achieved, inter alia, by expanding the scope for derogations from labour law standards that may be incorporated into collective agreements, while maintaining the general level of protection afforded to workers; by leveraging public procurement policies; or by reserving the right to conclude collective agreements exclusively to trade unions.

The Committee notes that the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has noted recently that the total number of collective agreements in Latvia decreased slightly from 1041 in 2021 to 987 in 2023, but the number of sectoral collective agreements increased during the same period from 22 to 24. As a result, the total number of workers covered by a collective agreement increased from 156,058 in 2022 to 162,050 in 2023 (International Labour Organization. (2025). Direct Request (CEACR) – adopted 2024, published 113rd ILC session (2025). Right to Organise and Collective Bargaining Convention, 1949 (No. 98) – Latvia (Ratification: 1992). NORMLEX). According to Eurofound, the Latvian Government, in consultation with social partners, has recently pursued a policy of strengthening collective bargaining, particularly at the sectoral level, by linking collective agreements with certain economic benefits or with important economic processes (Eurofound (2024), *Working Life Country Profile: Latvia*). The Committee further notes the adoption of amendments to the Labour Code in 2023 aimed at providing more regulatory leeway for collective bargaining using derogations from the law under the “no reduction in total protections” principle and the lowering of the representativity threshold for extending collective agreements. Finally, the Committee notes that social partners have continued to engage in capacity-building activities, as also noted in Conclusions 2022.

LBAS also notes in its comments that employment conditions in the public sector are mostly regulated by law and that collective bargaining is confined to a limited range of issues defined therein. The Committee recalls that, as a matter of principle, while it may be permissible to

restrict the right of public servants to bargain collectively, they must nevertheless be able to participate in processes directly relevant to the determination of procedures applicable to them (Conclusions III (1973), Germany; *European Confederation of Police Trade Unions (CESP) v. Portugal*, Complaint No. 11/2001, decision on the merits of 21 May 2002, §58).

Self-employed workers

In a targeted question, the Committee asked for information on the measures taken or planned to guarantee the right of self-employed workers, particularly those who are economically dependent or in a similar situation to workers, to bargain collectively.

In response to a request for additional information, the report indicates that there are no legal restrictions preventing self-employed workers from establishing or joining a trade union. To illustrate this, the Government refers to the example of medical practitioners providing state-funded primary healthcare services, who were allowed to form an association comparable to a trade union and could potentially engage in collective negotiations with the Cabinet of Ministers.

The Committee recalls that rapid and fundamental changes in the world of work have led to a proliferation of contractual arrangements designed to avoid the formation of employment relationships and to shift risk onto the labour provider. As a result, an increasing number of workers who are de facto dependent on one or more labour engagers fall outside the traditional definition of a worker (*Irish Congress of Trade Unions (ICTU) v. Ireland*, Complaint No. 123/2016, decision on the merits of 12 September 2018, §37). In establishing the type of collective bargaining protected by the Charter, it is not sufficient to rely solely on distinctions between workers and the self-employed; the decisive criterion is whether an imbalance of power exists between providers and engagers of labour. Where providers of labour have no substantial influence on the content of contractual conditions, they must be given the possibility of improving that imbalance through collective bargaining (*ICTU v. Ireland*, §38).

The Committee notes that the report does not provide adequate information as regards the operation in practice of collective bargaining in respect of self-employed workers, in particular workers in the platform and gig economy. The Committee therefore concludes that the situation in Latvia is not in conformity with Article 6§2 of the Charter on the grounds that it has not been established that the right to collective bargaining in respect of self-employed workers, particularly those who are economically dependent or in a similar situation to workers, has been sufficiently promoted.

Conclusion

The Committee concludes that the situation in Latvia is not in conformity with Article 6§2 of the Charter on the ground that it has not been established that the right to collective bargaining in respect of self-employed workers, particularly those who are economically dependent or in a similar situation to workers, has been sufficiently promoted.

Article 6 - Right to bargain collectively

Paragraph 4 - Collective action

The Committee takes note of the information contained in the report submitted by Latvia and in the comments by the Free Trade Union Confederation of Latvia (LBAS).

The Committee recalls that for the purposes of the present report, States Parties were asked to reply to targeted questions for Article 6§4 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

In its previous conclusion (Conclusions 2022), the Committee held that the situation in Latvia was not in conformity with Article 6§4 of the Charter on the ground that the police are denied the right to strike. The assessment of the Committee will therefore concern the information provided by the Government in response to the targeted questions, including the previous conclusion of non-conformity as related to the targeted questions.

Prohibition of the right to strike

In its targeted questions, the Committee asked States Parties to indicate the sectors where the right to strike is prohibited as well as to provide details on relevant rules and their application in practice, including relevant case law.

According to the report, the Law on Strike prohibits judges, prosecutors, police officers, fire safety, firefighting and rescue services workers, border guards, workers of the State security institutions, prison officers and members of the National Armed Forces from striking.

The Committee recalls that under Article G of the Revised Charter, the right to strike of certain categories of public servants may be restricted, including members of the police and armed forces, judges and senior civil servants (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, §113, citing Conclusions I (1969), Statement of Interpretation on Article 6§4).

The Committee recalls that restricting strikes in specific sectors essential to the community may be deemed to serve a legitimate purpose where such strikes would pose a threat to the rights and freedoms of others or to the public interest, national security and/or public health (Matica Hrvatskih Sindikata v. Croatia, Complaint No. 116/2015, decision on the merits of 21 March 2018, §114; Conclusions I (1969), Statement of Interpretation on Article 6§4). Even in essential sectors, however, particularly when they are extensively defined, such as "*energy*", "*health*" or "*law enforcement*", a comprehensive ban on strikes is not deemed proportionate, to the extent that such comprehensive ban does not distinguish between the different functions exercised within each sector (Matica Hrvatskih Sindikata v. Croatia, Complaint No. 116/2015, decision on the merits of 21 March 2018, §114).

Simply prohibiting workers of these sectors from striking, without distinguishing between their particular functions, cannot be considered proportionate to the aim of protecting the rights and freedoms of others or for the protection of public interest, national security, public health, or morals, and thus necessary in a democratic society (Conclusions XVII-1 (2006), Czech Republic). The imposition of an absolute prohibition of strikes to categories of public servants, such as police officers, prison officers, firefighters or civil security personnel, is incompatible with Article 6§4, since such an absolute prohibition is by definition disproportionate where an identification of the essential services that should be provided would be a less restrictive alternative (Matica Hrvatskih Sindikata v. Croatia, Complaint No. 116/2015, decision on the merits of 21 March 2018, §114; see also Conclusions XVII-1 (2006), Czech Republic). While restrictions to the right to strike of certain categories of civil servants, whose duties and functions, given their nature or level of responsibility, directly affect the rights and freedoms of others, the public interest, national security or public health, may serve a legitimate purpose in the meaning of Article G (Confederation of Independent Trade Unions in Bulgaria (CITUB), Confederation of Labour "*Podkrepa*" and European Trade Union Confederation (CES) v.

Bulgaria, Complaint No. 32/2005, decision on the merits of 16 October 2006, §45), a denial of the right to strike to public servants as a whole cannot be regarded as compatible with the Charter (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, §113, citing Conclusions I (1969), Statement of Interpretation on Article 6§4). Allowing public officials only to declare symbolic strikes is not sufficient (Confederation of Independent Trade Unions in Bulgaria (CITUB), Confederation of Labour "*Podkrepa*" and European Trade Union Confederation (CES) v. Bulgaria, Complaint No. 32/2005, decision on the merits of 16 October 2006, §§44-46).

Having regard to the nature of the tasks carried out by judges and prosecutors who exercise the authority of the State and the potential disruption that any industrial action may cause to the functioning of the rule of law, the Committee considers that the imposition of an absolute prohibition on the right to strike may be justified, provided such prohibition complies with the requirements of Article G, and provided the members of the judiciary and prosecutors are have other means through which they can effectively negotiate the terms and conditions of employment, including remuneration.

Therefore, the Committee concludes that the situation is not in conformity with Article 6§4 of the Charter on the ground that the absolute prohibition on the right to strike for the prison officers, fire safety, firefighting and rescue services workers, border guards, and workers of the State security institutions, goes beyond the limits set by Article G of the Charter.

Concerning police officers, an absolute prohibition on the right to strike can be considered to be in conformity with Article 6§4 only if there are compelling reasons justifying why such an absolute prohibition on the right to strike is justified in the specific national context in question, and why the imposition of restrictions as to the mode and form of such strike action is not sufficient to achieve the legitimate aim pursued (European Confederation of Police (EuroCOP) v. Ireland, Complaint No. 83/2012, decision on the admissibility and merits of 2 December 2013, §211). Where restrictions to the right to strike of police officers are so excessive as to render the right to strike ineffective, such restrictions will be considered to have gone beyond those permitted by Article G of the Charter. (European Confederation of Police (EuroCOP) v. Ireland, Complaint No. 83/2012, decision on the admissibility and merits of 2 December 2013, §211), This includes situations where police officers may exercise the right to strike, but only provided certain tasks and activities continue to be performed during the strike period, including the prevention, detection and documentation of criminal offences; arrests; regulation and control of road traffic; protection of people and property; border control and; prevention and handling of incidents at borders.(Conclusions 2022, North Macedonia).

The Committee recalls that in its previous conclusions it found that the situation in Latvia was not in conformity with Article 6§4 on the grounds that the police were prohibited from striking (Conclusions 2022).

There has been no change to this situation. The Committee therefore concludes that the situation is not in conformity with Article 6§4 of the Charter on the ground that the absolute prohibition on the right to strike for the police goes beyond the limits set by Article G of the Charter.

In its response to the request for additional information, the report states that under Section 116 of the Constitution of Latvia the right to strike may be restricted in cases provided for by law to protect the rights of other individuals, the democratic structure of the State and public safety, welfare and morals. Under Section 15 of the Strike Law, it is prohibited for the persons who serve in the National Armed Forces to strike, while Section 15, para 1 of the Military Service Law prohibits the solders from organising or participating in strikes. The Government deems that the restriction is necessary in a democratic society for the protection of national security and public interest. It holds that allowing soldiers to engage in strikes could jeopardise the operational readiness, unity and discipline of the armed forces, thereby undermining the ability of the state to respond effectively to security threats or emergencies. Finally, the Government explains that the members of the armed forces under Military Service Law and

Administrative Procedure Law can appeal decisions made by public officials concerning their pay, service conditions, disciplinary measures or other employment related issues. Thus, the members of the armed forces may challenge the disputed decision within the chain of command, including appealing to the Minister of Defence. If all the internal remedies are exhausted and the issue remains unresolved, the member of the armed forces may bring the matter before an administrative court for judicial review. Moreover, under the Ombudsman Law the members of the armed forces have the right to apply to the Office of the Ombudsman.

The right to strike of members of the armed forces may be subject to restrictions under the conditions of Article G of the Charter, if the restriction is established by law, and is necessary in a democratic society for the protection of the rights and freedoms of others or for the protection of public interest, national security, public health or morals. This includes a requirement that the restriction is proportionate to the aim pursued. The margin of appreciation accorded to States in terms of the right to strike of the armed forces is greater than that afforded to States Parties in respect of the police (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, § 114-116).

Having regard to the special nature of the tasks carried out by members of the armed forces, the fact that they operate under a system of military discipline, and the potential that any industrial action disrupting operations could threaten national security, the Committee considers that the imposition of an absolute prohibition on the right to strike may be justified under Article G, provided the members of the armed forces are have other means through which they can effectively negotiate the terms and conditions of employment, including remuneration (European Organisation of Military Associations (EUROMIL) v. Ireland, Complaint No. 112/2014, decision on the merits of 12 September 2017, §117; Confederazione Generale Italiana del Lavoro (CGIL) v. Italy, Complaint No. 140/2016, decision on the merits of 22 January 2019, §152; European Organisation of Military Associations (EUROMIL) v. Portugal, Complaint No. 199/2021, decision on the merits of 11 September 2024, §100).

Restrictions on the right to strike and a minimum service requirement

In its targeted questions, the Committee asked States Parties to indicate the sectors where there are restrictions on the right to strike as well as to provide details on relevant rules and their application in practice, including relevant case law.

The report states that a minimum level of service must be maintained for essential public services, the interruption of which could pose a threat to the national security or safety, health or life. These services include: medical treatment and first aid services, public transport services, drinking water supplies services, electricity and gas production and supplies services, telecommunications services, air traffic control services and the services which provide air traffic control services with meteorological information, services related to the safety of movement of all forms of transport, waste and waste water collection and treatment services, radioactive substances and waste storage, utilisation and control services and civil defence services.

The Committee recalls that the introduction of a minimum service requirement in these sectors is considered to be in conformity with Article 6§4 of the Charter, read in combination with Article G of the Charter (Matica Hrvatskih Sindikata v. Croatia, Complaint No. 116/2015, decision on the merits of 21 March 2018, §114, also Conclusions XVII-1 (2006), Czech Republic).

However, the Committee recalls that employers should not have the power to unilaterally determine the minimum service required during a strike. The Committee notes from the report that the employer and the strike committee shall ensure that during a strike the minimum services requirement is maintained.

Prohibition of the strike by seeking injunctive or other relief

The Committee asked States Parties to indicate whether it is possible to prohibit a strike by obtaining an injunction or other form of relief from the courts or another competent authority (such as an administrative or arbitration) and if the answer is affirmative, to provide information on the scope and number of decisions in the past 12 months.

According to the report a strike action or a declaration of strike will be unlawful under the Law on Strike in the case:

a) the Law on Strike has been violated:

b) the strike has been declared during the term of validity of a collective agreement which has already been entered into in order to change the conditions of collective agreement, thus violating the procedures for amending a collective agreement referred to therein;

c) it is a strike of solidarity which is not related to the fact that the general agreement (regarding tariffs, labour and other social protection guarantees) has not been entered into or fulfilled;

d) the strike is initiated to express political requirements, political support or political protest; or

e) the strike pertains to the matters upon which the parties have already agreed during strike negotiations.

The report further states that the court may, upon an employer's application submitted within four days of a strike, determine whether the strike or its declaration is unlawful. If the application is submitted by the day the strike is set to begin, the strike cannot commence until the court's judgement becomes effective. If the court finds a strike action to be unlawful, it must cease immediately and, if it has not yet started, it is prohibited from starting. The court must hear the case within ten days of the application's submission and deliver a judgement within thirty days.

The Committee notes that, while political strikes (addressed at the government rather than at any particular employer) are generally not covered under Article 6§4, they are protected as a legitimate exercise of the right to strike in cases of conflicts of interests if they aim to protect the right to collective bargaining against the risks posed by legislative or policy initiatives from the government or from parliament.

Conclusion

The Committee concludes that the situation in Latvia is not in conformity with Article 6§4 of the Charter even taking into account the possibility of subjecting the right to collective action to restrictions under Article G, on the grounds that police officers, prison officers, fire safety, firefighting and rescue services workers, border guards, workers of the State security institutions are denied the right to strike.

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

The Committee takes note of the information contained in the report submitted by Latvia and the comments submitted by the Free Trade Union Confederation of Latvia.

The Committee recalls that in the context of the present monitoring cycle, States were asked to reply to the targeted questions for Article 20 of the Charter (see the appendix to the letter, whereby the Committee requested a report on the implementation of the Charter in respect of the provisions falling within Group 1).

The assessment of the Committee will therefore concern the information provided in the report in response to the targeted questions.

The Committee recalls that the right to equal pay without discrimination on the grounds of sex is also guaranteed by Article 4§3 and the issue is therefore also examined under this provision for States Parties which have accepted Article 4§3 only.

Women's participation in the labour market and measures to tackle gender segregation

In its targeted question the Committee asked the report to provide information on the measures taken to promote greater participation of women in the labour market and to reduce gender segregation (horizontal and vertical) as well as information/statistical data showing the impact of such measures and the progress achieved in terms of tackling gender segregation and improving women's participation in a wider range of jobs and occupations.

Under Article 20 States Parties should actively promote equal opportunities for women in employment, by taking targeted measures to close the gender gap in labour market participation and employment. They must take practical steps to promote equal opportunities by removing *de facto* inequalities that affect women's and men's chances. The elimination of potentially discriminatory provisions must therefore be accompanied by action to promote quality employment for women.

States must take measures that address structural barriers and promote substantive equality in the labour market. Moreover, the States should demonstrate a measurable progress in reducing the gender gap in employment.

In its assessment of national situations, the Committee examines the evolution of female employment rates as well as the gender employment gap and considers whether there has been a measurable progress in reducing this gap. The Committee notes, that according to Eurostat in 2025 the female employment rate in the EU 27 stood at 71.3%, up from 70% in 2023, compared to 81% and 80.3% for males, respectively, revealing a gender employment gap of around 10%.

As regards the measures taken to promote greater participation of women in the labour market the report refers to Support for Unemployed Persons and Persons Seeking Employment Law that stipulates that differential treatment based on sex is prohibited when implementing active employment reduction measures. The State Employment Agency (SEA) offers gender neutral support and women engage more in training and employment programmes.

According to the report one of the measures taken to enhance the greater participation of women in the labour market was the promotion of entrepreneurship. Entrepreneurship support through SEA is open to all, and women participate actively. Women participate in these entrepreneurship programs at a higher rate, with around 50 business plans approved each year. However, the Committee notes that limited data on the long -term success and sustainability of these businesses raises questions about the impact of such measures.

The Committee, taking into consideration the comments submitted by the Free Trade Union of Confederation of Latvia, notes that the vertical and horizontal gender segregation in the

labour market remains a major barrier in the labour market which stems from gender stereotypes in education and society as a whole. According to national data, women are concentrated in health and social care (85.6 %), while 91 % of men are employed in construction. Women remain underrepresented in senior and political roles, reflecting that stereotype persists.

As regards the measures taken to promote equal opportunities for women and men, the Latvian government implemented the Plan on the Promotion of Equal Rights and Opportunities for Women and Men 2021–2023 that included activities to address gender stereotypes, the gender pay gap, and workplace discrimination. It focused on educational programmes for young people, Information Communication Technologies and leadership training for girls, and fostering inclusive work environments for marginalized groups, including Roma women.

The Committee notes from Eurostat that the female employment rate stood at 75.2% in 2023 and at 77.5% in 2025, above the EU average. The gender employment gap decreased from 4% to 1.8%. The Committee notes that this represents a measurable progress.

Effective parity in decision-making positions in the public and private sectors

In its targeted question, the Committee asked the national report to provide information on measures designed to promote an effective parity in the representation of women and men in decision-making positions in both the public and private sectors; the implementation of those measures; progress achieved in terms of ensuring effective parity in the representation of women and men in decision-making positions in both the public and private sectors.

Article 20 of the Revised European Social Charter guarantees the right to equal opportunities in career advancement and representation in decision-making positions across both public and private sectors. To comply with Article 20, States Parties are expected to adopt targeted measures aimed at achieving gender parity in decision-making roles. These measures may include legislative quotas or parity laws mandating balanced representation in public bodies, electoral lists or public administration.

The Committee underlines that the effectiveness of measures taken to promote parity in decision-making positions depends on their actual impact in closing the gender gap in leadership roles. While training programmes for public administration executives and private sector stakeholders are valuable tools for raising awareness, their success depends on whether they lead to tangible changes in recruitment, promotion, and workplace policies. States must demonstrate measurable progress in achieving gender equality by providing statistical data on the proportion of women in decision-making positions.

In its assessment of national situations, the Committee examines the percentage of women in decision-making positions in parliaments and ministries and considers whether a measurable progress has been made in increasing their share. The Committee notes from EIGE that 32.5% of the members of Parliaments were women in the EU27 in 2023 and 32.8% in 2025.

According to data in the report, within the process of drafting "the Law on Gender Balance to be Ensured in Enterprise Management Institutions", there is a commitment to provide advice to employers on promoting gender balance.

The “Plan on the Promotion of Equal Rights and Opportunities for Women and Men 2024 – 2027” includes activities that will help to promote a parity in the representation of women and men in the decision-making process. For example, it is planned to develop legal framework and a monitoring mechanism to ensure balanced participation of women and men on large publicly listed company boards by transposing EU Directive 2022/2381, as well as various awareness raising activities on how to promote women’s involvement in politics and other decision-making positions.

According to the report, the Parliament is in the process of adopting amendments to the Commercial Law, the purpose of which is to determine the procedure by which board members

of companies can use the right to leave related to childcare. It is planned to determine the right of a board member to use maternity leave, paternal leave, childcare leave, as well as leave without salary retention, if an adopted child, foster child or a child in guardianship has to be taken care of. An equal maternity leave policy for managers is crucial to improving the representation of women in senior management positions.

In terms of political representation, women made up 30% of the elected deputies in the Saeima (national parliament) in 2022. In local government, 34% of deputies elected in 2017 were female, yet only 24.4% of local governments were led by a woman. The 2021 municipal elections saw 30.5% of elected municipal deputies being women, but just 7% of municipal chairman positions were held by women. Since September 15, 2023, Latvia's Prime Minister has been a woman—only the second female PM in the country's history—while, as of September 20, 2023, the Speaker of the Saeima is also a woman, making her the fifth female Speaker out of 11 in Latvia's history. In the European Parliament, women's representation has fluctuated, with 3 out of 8 Latvian MEPs being female following the 2019 elections, but only 2 out of 9 after the 2024 elections.

The Committee notes from EIGE that the percentage of women members in regional assemblies has started to rise, reaching 19 % in 2024 (an increase of 6% since 2021). Women's presence in national parliaments has considerably increased, from 29% in 2023 to 35% in 2025, above the EU average. There are currently no legislative candidate quotas in Latvia. The share of women as senior ministers has dropped from 40% in 2023 to 33.3% in 2025 but however remains above the EU average.

The Committee considers that there has been a measurable progress in achieving an effective parity in decision-making positions.

Women's representation in management boards of publicly listed companies and public institutions

In its targeted question the Committee asked the national report to provide statistical data on the proportion of women on management boards of the largest publicly listed companies and on management positions in public institutions.

The Committee considers that Article 20 of the Charter imposes positive obligations on States to tackle vertical segregation in the labour market, by means of, inter alia, promoting the advancement of women in management boards in companies. Measures designed to promote equal opportunities for women and men in the labour market must include promoting an effective parity in the representation of women and men in decision-making positions in both the public and private sectors (Conclusions 2016, Article 20, Portugal). The States must demonstrate a measurable progress achieved in this area.

In its assessment of national situations, the Committee examines the percentage of women on boards and in executive positions of the largest publicly listed companies and considers whether a measurable progress has been made in increasing their share. The Committee notes from EIGE the percentage of women on boards of large publicly listed companies amounted to 33.2% in 2023 and 35.1% in 2025 in the EU 27. As regards the percentage of female executives, it stood at 22.2% in 2023 and 23.7% in 2025.

According to EIGE in 2023, women made up 23.3 % of board members in the largest publicly listed companies and 31.3% in 2025. Latvia does not have mandatory gender quotas for these companies. In 2023, the percentage of women on the board of the central bank increased significantly to 57%. As regards executive positions, there has also been a considerable measurable progress, with the share of women at 25% in 2023 and at 28.6% in 2025.

Conclusion

The Committee concludes that the situation in Latvia is in conformity with Article 20 of the Charter.