



03/06/2020

RAP/RCha/CRO/11 (2020)

## **EUROPEAN SOCIAL CHARTER**

11<sup>th</sup> National Report  
on the implementation of  
the European Social Charter  
submitted by

### **THE REPUBLIC OF CROATIA**

Articles 1, 9 and 1 of the Additional Protocol  
for the period 01/01/2015 - 31/12/2018

Report registered by the Secretariat on

26 May 2020

**CYCLE 2020**



Ministry of Labour and Pension System

**13th report of the Republic of Croatia on the Application of the European Social  
Charter for the period from  
1 January 2015 to 31 December 2018 (Articles 1, 9 and 1 of the Additional Protocol)**

May 2020

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

*The report submitted by the Republic of Croatia pursuant to Article 21 of the European Social Charter on the measures taken with an aim of application of the accepted provisions of the European Social Charter whose ratification or approval document was deposited on 26 February 2003, includes the period from 1 January 2015 to 31 December 2018 and refers to Articles 1 and 9 of the European Social Charter and Article 1 of the Additional Protocol.*

*In accordance with Article 23 of the European Social Charter, the copies of this report have been sent to the following:*

- *The Union of Autonomous Trade Unions of Croatia (UATUC)*
- *The Independent Trade Unions of Croatia*
- *The Association of Croatian Trade Unions*
- *Croatian Employers' Association.*

*Table of Contents*

<i>Laws of the Republic of Croatia</i> .....	5
<b>Article 1 – The right to work</b> .....	7
Paragraph 1 .....	7
Paragraph 2 .....	21
Paragraph 3 .....	33
Paragraph 4 .....	34
<b>Article 9 - The right to vocational rehabilitation</b> .....	35
Additional protocol .....	42
<b>Article 1 of the Additional Protocol</b> – The right to equal opportunities and conditions in terms of employment and profession without gender discrimination .....	42

## ***Laws of the Republic of Croatia***

The right to work in the Republic of Croatia is regulated by the Constitution of the Republic of Croatia (Official Gazette, no. 56/90, 135/97, 8/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10 and 5/14) and legal and regulatory acts. Article 55 of the Constitution of the Republic of Croatia stipulates that everyone is entitled to work and to freedom of work as well as that any everyone shall be free to choose their vocation and occupation. Furthermore, the Constitution stipulates that everyone shall have access to each position and post under equal conditions.

The following regulations have been changed since the last report:

### ***Acts***

1. Labour Act (Official Gazette, no. 93/14, 127/17 and 98/19),
2. Social Welfare Act (Official Gazette, no. 157/13, 152/14, 99/15, 52/16, 16/17, 130/17 and 98/19),
3. Act on Vocational Rehabilitation and Employment of Disabled Persons (Official Gazette, no. 157/13, 152/14 and 39/18.),
4. Act on Gender Equality (Official Gazette, no. 82/08 and 69/17),
5. Criminal Code (Official Gazette, no. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18 and 126/19)
6. Maternity and Parental Benefits Act (Official Gazette, no. 85/08, 110/08, 34/11, 54/13, 152/14 and 59/17)
7. Pension Insurance Act (Official Gazette, no. 157/13, 151/14, 33/15, 93/15, 120/16, 18/18, 62/18, 115/18 and 102/19)
8. Act on Placement Services and Rights During the Unemployment (Official Gazette, no. 16/17) - in force from 2 March 2017 to 31 December 2018
9. Labour Market Act (Official Gazette, no. 118/18) - in force from 1 January 2019
10. Aliens Act (Official Gazette, no. 79/07, 36/09, 130/11, 69/17, 46/18 and 53/20)
11. Act on International and Temporary Protection (Official Gazette, no. 70/15 and 127/17)
12. Civil Obligations Act (Official Gazette, no. 35/05, 41/08, 125/11, 78/15 and 29/18)
13. Contributions Act (Official Gazette, no. 84/08, 152/08, 94/09, 18/11, 22/12, 144/12, 148/13, 41/14, 143/14, 115/16 and 106/18)

### ***Ordinances***

1. Ordinance on Vocational Rehabilitation and Centres for Vocational Rehabilitation of Disabled Persons (Official Gazette, no. 75/18)
2. Ordinance on the Elements and Criteria for the Selection of Candidates for Enrolment into 1st Grade of Secondary School (Official Gazette, no. 49/15, 109/16 and 47/17)
3. Ordinance on the Content and Method of Keeping the Record of the Employed Disabled Persons (Official Gazette, no. 75/18)
4. Ordinance on the Court-Appointed Expert Witnesses (Official Gazette, no. 38/14, 123/15, 29/16 - Amendment and 61/19)

***Other***

1. Decision on the annual allowance quota for the employment of foreigners (Official Gazette, no. 151/14, 39/16, 118/16, 74/17, 122/17, 53/18 and 71/18)
2. Guidelines for development and implementation of the active employment policy in the Republic of Croatia 2018-2020
3. The National Roma Inclusion Strategy from 2013 to 2020
4. The National Plan for Combating Discrimination from 2017 to 2022
5. The National Plan for Combating Trafficking in Human Beings for the Period from 2017 to 2020
6. Strategy for the Lifelong Career Guidance in the Republic of Croatia from 2016 to 2020
7. National Strategy for the Equalisation of Opportunities for Persons with Disabilities from 2017 to 2020

## PROVISIONS OF THE EUROPEAN SOCIAL CHARTER OF 1961 AND THE ADDITIONAL PROTOCOL OF 1988

### Article 1 - The right to work

**Paragraph 1 – acknowledge that achievement and maintenance of the highest and most stable level of employment as one of the major goals and responsibilities, and attempt to reach the full employment**

*The Guidelines for Development and Implementation of the Active Employment Policy in the Republic of Croatia from 2018 to 2020* define the basis for the implementation of the active labour market policy measures.

Croatian Employment Service (hereinafter: CES) implements the employment incentive measures in accordance with the *Terms and Methods of Utilisation of Funds for the Implementation of the Employment Incentive Measures* funded by the state budget and EU projects that CES prepares under their competence. The implementation of such measures aims at promotion of the employment, activation, and training of the unemployed and the retention of jobs.

The package of measures of 2017 has been extended based on the *Guidelines for Development and Implementation of the Active Employment Policy in the Republic of Croatia from 2018 to 2020*. In 2018, the measures were focused more on the young and long-term unemployed persons and encouraging training courses and on-the-job training for the purpose of reducing the gap between the offer and demand on the labour market and providing the employers with good-quality workforce by increasing the level of qualification of the unemployed persons.

The active labour market policy measures included: employment support (including the employment support for gaining the first work experience/internship), advancement support, self-employment support, training of the unemployed, on the job-training, vocational training without commencing employment (including training for gaining of the appropriate work experience (30+)), public works, support for retention of jobs and permanent seasonal workers.

1. **Employment support** – the state aid that is granted for the employment incentive and available to profitable entrepreneurs,
  - 1.1. **Employment support for gaining the first work experience/internship**
2. **Advancement support** – is intended for the employers that require additional training for the employees due to changes in production processes, transition to new technologies or lack of qualified workforce,
3. **Self-employment support** – is granted to the unemployed persons for cofinancing their cost of opening and running a business,
4. **Training of the unemployed** – aiming at the increase of the employment level of the unemployed persons and harmonisation of their qualifications with the needs of the local labour market,
5. **On-the-job-training** – the goal is to train the unemployed persons with the employer so that they acquire the practical knowledge and skills required for performance of tasks of a specific job,
6. **Vocational training without commencing employment** – intended for young persons with the purpose of gaining experience and/or formal conditions for taking a professional qualification test or mastership examination,



## 6.1. Training for gaining of the appropriate work experience

7. **Public works** – intended for the engagement of the unemployed persons in provision of community services that cannot compete with the existing economy with the purpose of motivating them for further inclusion on the labour market,
8. **Support for retention of jobs** – granted to workers employed with the employers who found themselves in a temporary challenging situation that resulted in a temporary decrease in business activities,
9. **Permanent seasonal worker** – this measure is intended for the provision of support to seasonal workers who have no income during one part of the year and no continuity in pension insurance.

The above specified measures aim at the specific target groups of the unemployed persons and employed persons who are at risk of losing their jobs:

- Young persons up to 29 years of age
- Long-term unemployed persons
- Persons above 50 years of age
- Disabled persons
- Special groups of the unemployed such as: single parents, young persons who got out of the foster care, victims of domestic violence, Croatian war veterans, parents of four or more minor children, parents of special needs children, asylum seekers, recovered addicts and other groups of the unemployed persons who are at risk of being socially excluded or permanently unemployed
- Members of the Roma national minority
- Employers who are facing challenges in retaining jobs.

In the period from 2015 to 2018, a total of 154,144 persons was included in the active labour market policy measures, out of which there were 87,864 women, i.e. 57% of the total number of people included in these measures during the specified period. A total of HRK 4,641,553,184.37 were spent for the active labour market policy measures, but since women make 57% of all beneficiaries, a conclusion can be drawn that 57% of the total amount was spent for the inclusion of women in the labour market by means of the active labour market policy measures.

Year	Beneficiaries of the labour market policy measures (LMP)			Funds
	Total	Women	% of women	
2015	41,595	24,509	58.92	1,187,866,521.93
2016	37,707	22,476	59.61	1,116,209,159.88
2017	37,907	20,840	54.98	1,099,286,185.08
2018	36,935	20,039	54.25	1,238,191,317.48
<b>TOTAL</b>	<b>154,144</b>	<b>87,864</b>	<b>57.00</b>	<b>4,641,553,184.37</b>

Source: CES (Croatian Employment Service)

## Public Works Programme

Special attention is paid to persons who are unemployed for a long period of time and who have difficulties in accessing the labour market through special activation programmes. Public works are one of such programmes by which a person is able to acquire simple work skills in a sheltered environment and the goal of such public works is to prepare a person for participation in the open labour market.

The target groups for the inclusion in the public works are long-term unemployed persons, persons without formal qualifications, beneficiaries of the general minimum income and elderly persons.

CES carries out public work in collaboration with partners, local government units and organisations taking care of specific target groups. The public works enable work and gaining of work skills in a non-profit environment, and during the public works all the participants get the minimum wage as remuneration for their work.

In the period from 2015 to 2018, a total of 34,816 unemployed persons were engaged in the public works, 18,496 or 53.13% of which were women. A total of HRK 732,127,107.45 was paid for the public works, but since the share of women in the public works was 53.13%, a conclusion can be drawn that the same percentage of funds was paid for the activation of women by means of the public works programme.

Public works	Beneficiaries			Funds
	Total	Women	% of women	
2015	9,961	5,499	55.21	198,299,942.00
2016	8,773	5,755	65.60	169,395,567.05
2017	10,662	4,630	43.43	239,166,698.79
2018	5,420	2,612	48.19	125,264,899.61
<b>TOTAL</b>	<b>34,816</b>	<b>18,496</b>	<b>53.12</b>	<b>732,127,107.45</b>

Source: CES

## Inclusion of Roma people

CES also implements the active labour market policy measures defined in the *National Roma Inclusion Strategy from 2013 to 2020*. In 2015 a total of HRK 10,816,203.94 were spent for the active labour market policy measures for the Roma minority, while HRK 9,265,362.64 were spend in 2016. The total amount of funds spent in 2017 amounted to HRK 8,938,507.51, and HRK 10,332,890.71 in 2018.

Intervention	2015		2016		2017		2018	
	total	women	total	women	total	women	total	women
Public works	694	276	628	241	719	278	630	288
Training of the unemployed	0	0	0	0	110	22	164	33
Self-employment support	4	1	8	2	8	3	18	8
Employment support	21	5	16	3	35	2	67	12
On-the job training	1	1	3	1	16	9	5	3
Permanent seasonal worker	0	0	0	0	3	3	5	4
Advancement support	0	0	0	0	0	0	1	0
<b>Total</b>	<b>720</b>	<b>283</b>	<b>655</b>	<b>247</b>	<b>891</b>	<b>317</b>	<b>890</b>	<b>348</b>

Source: CES

### The Self-Employment Programme

CES also provides a continuous support to the unemployed persons who opt for self-employment and starting their own business. Any unemployed person who has an entrepreneurial idea is provided support in the form of counselling, workshops and consultations related to writing a business plan and testing of a this idea, thus preventing giving up the entrepreneurial venture. Anyone who finishes all the preparation stages and still wants to start their own business, CES finances the starting of business in the form of a self-employment support, with women entrepreneurship being a special focal point. In the period from 2015 to 2018, 15.177 businesses (companies or craft enterprises) were opened, 6,470 out these entrepreneurial ventures were started by women. A total of HRK 595,200,669.37 of self-employment support was paid out and since women make 42.63% of all self-employment support beneficiaries, a conclusion can be drawn that the same share of funds was paid for strengthening women's entrepreneurship.

Self-employment	Beneficiaries			Funds
	Total	Women	% of women	
2015	2,776	1,252	45.10	69,051,542.00
2016	2,333	1,071	45.91	55,713,493.94
2017	3,583	1,601	44.68	125,285,385.17
2018	6,485	2,546	39.26	345,150,248.26
<b>TOTAL</b>	<b>15,177</b>	<b>6,470</b>	<b>42.63</b>	<b>595,200,669.37</b>

Source: CES

### Training Programme for the Unemployed

**The training of the unemployed** enables constant employability of persons, which means that once when a person loses his/her job, the acquiring of new skills provides him/her

with the opportunities for finding a new one. CES implements the training of the unemployed so that the unemployed persons could acquire new skills required on the labour market.

The training includes three models - training in adult education institution, on-the-job training and supports for advancement of newly employed persons who lack skills required for their jobs.

The target groups are all unemployed persons who lack skills required on the labour market and who are willing to accept changes in their careers and different jobs as a result of the training.

Training	Beneficiaries			Funds
	Total	Women	% of women	
2015	1,434	727	50.69	16,303,608.81
2016	3,497	1,199	34.29	36,927,930.36
2017	4,433	2,897	65.35	53,231,539.17
2018	5,180	2,648	51.12	90,159,469.53
<b>TOTAL</b>	<b>14,544</b>	<b>7,471</b>	<b>51.37</b>	<b>196,622,547.87</b>

Source: CES (Croatian Employment Service)

## Employment of Young Persons

In the period from 2015 to 2018, a special attention was paid to employing of the youth and implementation of the *Youth Guarantee* in accordance with the European Council Recommendation on establishing a *Youth Guarantee* adopted on 22 April 2013. The purpose of the *Youth Guarantee* is fast integration of the young people under 30 on the labour market. It means that they receive a good-quality support and assistance when joining the labour market or continuing their education, within a period of four months of becoming unemployed or leaving formal education.

According to the CES data, in 2015, 109,606 young persons from the CES records were employed, out of which 56,807 (51.8%) were employed within a period of four months of becoming unemployed. In 2016, 102,861 young persons from the CES records were employed, out of which 56,806 (55.2%) were employed within a period of four months of becoming unemployed. In 2017, 89,387 young persons were employed, which makes 45.4% of the total number of the employed persons in that year. A total of 53,607 young persons were either employed or included in the process of education within a period of four months of becoming unemployed. According to the 2018 data, 76,090 young persons were employed, which makes almost 44% of the total number of the employed persons in that year. A total of 54,273 young persons were either employed or included in the process of education within a period of four months of becoming unemployed.

The active labour market policy measures covered a total of 84,875 young persons. The analysis of the structure of beneficiaries of the active labour market policy measures shows that the youth were the most numerous beneficiaries in the period from 2015 to 2018.

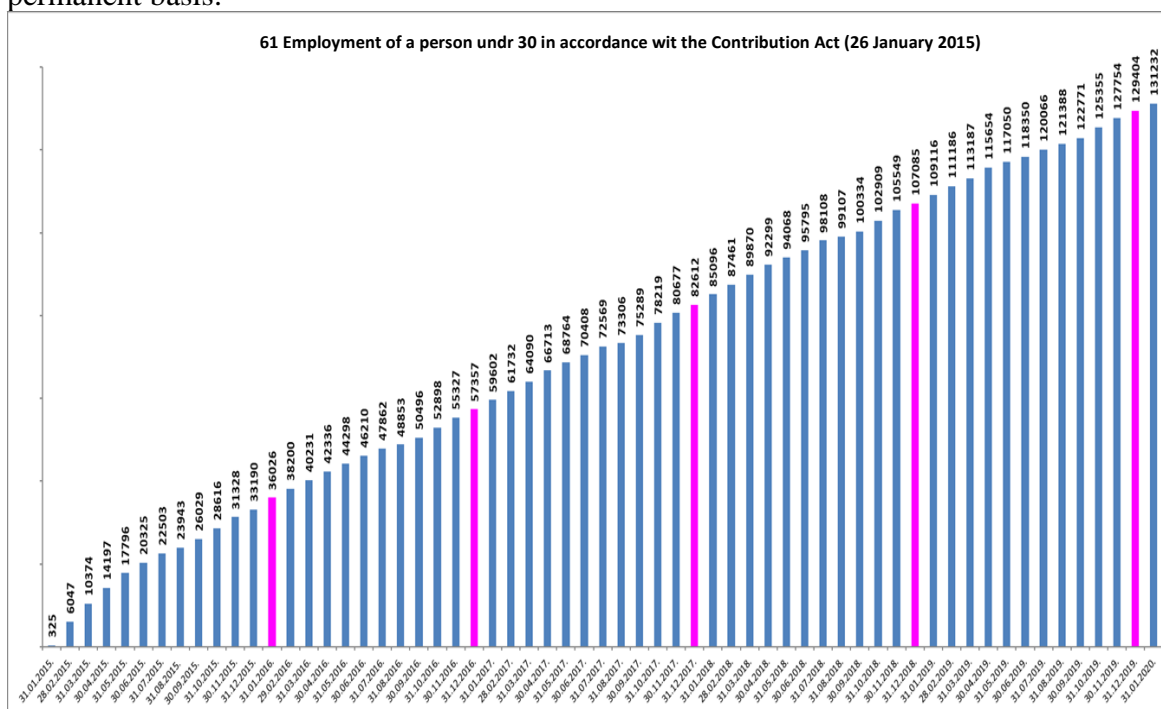
Year	Beneficiaries of the active labour market policy (LMP) measures		
	Total	Youth	%
2015	41,595	25,050	60.2
2016	37,707	22,290	59.1
2017	37,907	19,279	50.9

2018	36,935	18,256	49.4
<b>TOTAL</b>	<b>154,144</b>	<b>84,875</b>	<b>55.0</b>

Source: CES

Besides the active employment measures, it is important to point out positive results of the fiscal relief for the employment of young persons in accordance with the Contributions Act. In case signing a permanent employment contract with young persons under the age of 30, the employer is exempted from the salary contribution (gross II) for 5 years.

In 2015, this the employers used this relief for 33 thousands of young persons, and in 2018 this number increased to 107 thousands, which shows a positive trend in employment on the permanent basis.



Source: HZMO (Croatian Pension Insurance Institute)

## Employment of Women

In June 2017, the Ministry of Labour and Pension System announced a call for proposals for the programme “Zaželi – program zapošljavanja žena” (Wish For – Women’s Employment Programme) (hereinafter: Wish For). It is planned that the Wish For Programme provides funding for about seven thousand women in Croatia who would work as assistance to about 30 000 elderly and disadvantaged persons in their homes. The target groups of the Wish For Programme are unemployed women with maximum secondary school education who are registered in the CES register of the unemployed, with the emphasis on women over 50 years of age, women with disabilities, women victims of trafficking in human beings, women victims of domestic violence, women who are asylum seekers, young women who got out of the foster care (residential child care communities), foster families and relevant institutions etc., recovered addicts, ex-convicts who got out of prison within 6 months of the date of application for the programme, women who are members of a minority and homeless women. Furthermore,

the women are provided with additional training, for shortage occupations in their local communities. After the finalisation of work within the scope of the project, the training would increase their employability and ability to compete on the labour market.

So far, grants have been awarded to 294 projects of the total value of more than a billion Kuna. These project will employ almost six thousands unemployed women on the activities of providing support to more than 28 thousands elderly and/or disadvantaged persons.

The employed women will use their work and activities to improve the quality of life of the end users by delivering them groceries, helping them prepare meals, keeping their homes clean, helping them get dressed, with their hygiene, social integration and run errands (delivery of medicine, payment of bills, delivery of accessories etc.), providing support through talks and spending time together, including them in the society, escorting them participate in various social events and activities.

When selecting the projects for funding within the Programme, the emphasis has been put on the remote areas (rural areas and islands), as well as the areas where the unemployment rate and the long-term unemployment rate are higher than the Croatian average.

The call for proposals for the Wish For Programme is also opened for the units of local and regional government and non-profit organisations. The mandatory partners on a project are CES regional and branch offices that assist the end users in finding the potential women to be employed and Centres for Social Welfare that provide the assistance in selection of the end users. The other parties that may participate in the Programme as partners include NGOs, local and regional government units, legal entities of religious groups as well as various institutions. They are to implement the project activities during maximum 30 months. The eligible activities include the employment of women from the target groups with the purpose of providing support to elderly and disadvantaged persons in the local communities during a period of maximum 24 months, education and training of women from the target groups and provision of the material conditions required offer support to the elderly and disadvantaged persons (procurement of toilette articles and supplies for cleaning of houses of the end users that the employed women will take care of as well as procurement of bicycles for the women).

### **Employment of Persons with Disabilities**

The Act on Vocational Rehabilitation and Employment of Disabled Persons (Official Gazette, no. 157/13, 152/14 and 39/18) enables a positive discrimination when employing disabled persons by means of several different modalities. The disabled persons can find employment on the open labour market or under the special terms and conditions (in the workshops that offer integration and protection) with the employers who are obliged to ensure the reasonable adjustment of workplaces. When employing, the public sector employers are obliged to give priority to disabled persons under the same conditions. The Act also stipulates the obligation of quota employment of persons with disabilities. The quota system has been applied since 1 January 2015 and it obliges all employers (in both the public and the private sector) who employ at least 20 workers on the appropriate job, in the appropriate work conditions, to employ a specific number of disabled persons (3% of the total number of employees). Besides the employment of disabled persons, this quota obligation may be complied with in several alternative ways (e.g. engaging disable persons as apprentices, rehabilitation or vocational training, providing scholarships as support to the regular education of the disabled persons, executing business collaboration agreements with workshops that offer integration and protection, etc.). The employers who neither meet the quota directly nor in the alternative way, are subject to a pecuniary compensation (amounting to 30% of the minimum wage in the Republic of Croatia, monthly for every person with disability that they should have employed). The funds paid for this pecuniary compensation will be strictly used for the

payment of incentives for the employment of persons with disabilities and for the development of the vocational rehabilitation system.

The new regulations introduce a new model of the vocational rehabilitation that is in accordance with the recommendations of the Council of Europe, UN Convention on the Rights of Persons with Disabilities and recommendations of the European Platform for Rehabilitation. The model is equally available and suitable for application for all groups of persons with disabilities, as well as for other disadvantaged groups on the labour market.

The vocational rehabilitation centres in Zagreb, Rijeka, Osijek and Split that were founded in 2015 play a key role in the implementation of the vocational rehabilitation. The task of the centres is to train the disabled persons for work consistently and in accordance with the requirements of the labour market, but also to provide the professional assistance to employers that are employing the disabled persons.

Some of the services provided by the centres include: rehabilitation assessment of the work capacity, knowledge, work habits and professional interests, development of perspectives, analysis of a particular a job and work environment, professional support and monitoring of a particular job and work environment, etc. The common goal of all professional rehabilitation services is to train the disabled persons for work and enable their integration on the labour market.

The Office of the Ombudswoman for Persons with Disabilities detected the areas where it is necessary to improve both the legal framework and the practice. The amendments of the Act on Vocational Rehabilitation and Employment of Disabled Persons that came into force on 5 May 2018 adopted the proposals of the Ombudswoman for Persons with Disabilities aiming at the improvement of the status of the persons with disabilities on the labour market. These proposals came as a result of the perennial monitoring of this area and include: a more precise definition of a reasonable adjustment and the obligation of providing a reasonable adjustment, already at the moment of testing/interviewing for a job. Its implementation in the past years showed certain shortcomings and loopholes in the Act that additionally aggravated the process of inclusion of the persons with disabilities in the labour market and vocational rehabilitation procedure. The legislative changes aim at facilitating and accelerating the inclusion of the disabled persons in the professional rehabilitation procedures and making these services available to a higher number of users compared to the current situation. This is a key prerequisite for the entry of the persons with disabilities into the world of work and their keeping of the jobs. A higher and more stable level of employment of the persons with disabilities implies a legislative harmonisation of regulations governing different segments as well as a strategic, joint actions and planning of all systems that are dealing with the labour and professional rehabilitation such as the healthcare system, the education system, the pension system and the social care system. The above-mentioned changes represent a positive step forward in accomplishing a high employment level of the persons with disabilities.

According to the data the employment of persons with disabilities has had a steady growth trend in the past couple of years. The highest growth was recorded upon the amendment of the Act on Vocational Rehabilitation and Employment of Disabled Persons. Below is the table that shows the data related to the employment of persons with disabilities from the CES register during the reference period.

Year	No. of the employed by 31 Dec.	Employment trend index	No. of unemployed on 31 Dec.	Unemployment trend index
2015	2,613	139.2	7,303	107.7
2016	2,853	109.18	7,204	98.64
2017	3,366	117.98	6,497	90.19
2018	3,231	95.99	5,843	89.93

For example, a total of 174,420 persons from the CES register were employed in 2018, 3,231 of who were disabled persons. CES points out that looking at the fluctuation of the employment and unemployment of persons with disabilities in the past ten years, a continuous growth in number of the employed disabled persons can be observed by 2018. In 2018, this number slightly dropped, but the increase was observed in the share of the employed disabled persons in the total number of the persons employed through placement of CES. The registered unemployment of persons with disabilities in the past three years decreased, which is in accordance with the general unemployment trend in the Republic of Croatia.

**The data on the employed disabled persons are kept in the Register of the Employed Disabled Persons of the Croatian Pension Insurance Institute:**

Year	No. of disabled persons on 31 Dec.
2015	11,822
2016	10,257
2017	10,512
2018	10,836

Furthermore, the educational establishments in cross-sectoral collaboration with CES perform vocational guidance of children and youth. The vocational guidance of pupils includes providing them with career information and counselling, i.e. a set of professional procedures aiming at assisting student in selection of their future profession or course of education. It is performed in collaboration with their school and parents/cares and includes assessment of their capacities, skills, professional interests and motivation, as well as informing the students on the possibilities of education and employment in a particular sector and region.

Special attention is paid to the professional guidance and inclusion of persons with special needs and vulnerable groups (children and youth living and growing up in adverse social and economic circumstances, children and youth who are asylum seekers or persons under the subsidiary protection, and children and youth who are members of national minorities).

**Indicators of impact of the employment policy during the reference period**

The economic growth indicator and expenditures for the both active and passive employment policy falling within the competence of CES – paid funds and share of GDP, the period from 2015 to 2018



Year	GDP, the actual annual growth rate (%)	GDP (current prices)*	Total expenditure for the active (AEP) and passive (PEP) employment policy	Share of expenditure in GDP %	Out of which:			
					Active employment policy - CES measures	Share of expenditure for AEP in GDP, %	Passive employment policy	Share of expenditure for PEP in GDP, %
2015	2.4	339,616,000,000	2,267,985,786	0.67	623,603,761	0.18	1,644,382,025	0.48
2016	3.5	351,349,000,000	2,047,369,054	0.58	490,772,794	0.14	1,556,596,260	0.44
2017	2.9	365,643,000,000	1,945,024,540	0.53	606,457,985	0.17	1,338,566,555	0.37
2018	2.6	381,799,000,000	2,064,587,734	0.54	867,742,108	0.23	1,196,845,626	0.31

\*Source: Bulletin of the Croatian National Bank (Croatian Bureau of Statistics, Ministry of Finance, Croatian National Bank), CES

### Unemployed according to the duration of the period of their job search

The unemployment period in months	Total, in thousands				Total, in %			
	2015	2016	2017	2018	2015	2016	2017	2018
<b>Total</b>	<b>306</b>	<b>240</b>	<b>205</b>	<b>152</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<1	((11))	((12))	((10))	((7))	((3.7))	((5.0))	((5.1))	((4.6))
1-5	57	64	68	52	18.5	26.7	33.2	34.0
6-11	(42)	(36)	(36)	(25)	(13.7)	(15.2)	(17.6)	(16.7)
12-23	65	(40)	(30)	(27)	21.3	(16.7)	(14.7)	(17.7)
24 and >	131	78	54	(32)	42.8	32.3	26.2	(20.7)

(O) imprecise estimate

( ) less precise estimate

Source: Croatian Bureau of Statistics (Workforce Survey – Active Population in the Republic of Croatia in 2018, the year average)

### Employment rate

	2015	2016	2017	2018
TOTAL (20-64)	60.6	61.4	63.6	65.2
WOMEN	55.9	56.6	58.3	60.1
MEN	65.4	66.2	68.9	70.3

Source: Eurostat

<b>Employment rate according to the age and sex</b>					
<b>AGE</b>	<b>SEX</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>15 – 24</b>	total	42.3	31.3	(27.49)	23.7
	women	(43.7)	(31.3)	((27.7))	((29.4))
	men	(41.4)	(31.2)	(27.1)	((19.6))
<b>25 – 49</b>	total	14.9	11.9	10.6	8.1
	women	16.3	13.2	11.4	(8.8)
	men	13.6	10.7	(9.9)	(7.5)
<b>50 – 64</b>	total	11.7	10.0	(7.4)	(4.7)
	women	(11.4)	(9.6)	((8.4))	((5.2))
	men	(11.9)	(10.2)	((6.7))	((4.4))
<b>65 i više</b>	total	-	-	-	-
	women	-	-	-	-
	men	-	-	-	-
<b>55 – 64</b>	total	(11.6)	89.7	(7.5)	((4.4))
	women	((10.6))	((7.5))	((7.9))	((4.2))
	men	(12.2)	((11.3))	((7.2))	((4.5))
<b>15 – 64</b>	total	16.4	13.3	11.3	8.6
	women	17.1	13.9	12.0	9.5
	men	15.8	12.7	10.7	7.8
<b>20 – 64</b>	total	15.5	12.5	10.8	8.2
	women	16.3	13.2	11.6	9.0
	men	14.9	11.9	10.0	7.4
<b>25 – 29</b>	total	(20.5)	(19.0)	(17.4)	((12.9))
	women	((23.0))	((21.0))	((19.4))	((15.5))
	men	(18.3)	((17.1))	((15.5))	((10.8))
<b>15 - 29</b>	total	29.8	24.6	21.8	17.6
	women	31.2	(25.5)	(22.8)	(21.3)
	men	28.6	23.9	(21.0)	(14.8)
<b>TOTAL</b>	<b>total</b>	16.2	13.1	11.2	8.4
	<b>women</b>	16.9	13.8	11.9	9.3
	<b>men</b>	15.6	12.6	10.6	7.6

(()) imprecise estimate

( ) less precise estimate

Source: Croatian Bureau of Statistics (Workforce Survey – Active Population in the Republic of Croatia in 2018, the year average)

**Beneficiaries of the active labour market policy measures according to the types of interventions in 2015, 2016, 2017 and 2018**

Type of measure		2015	2016	2017	2018
		New in 2015	New in 2016	New in 2017	New in 2018
<b>Education</b>		20,666	18,965	14,772	12,058
<b>Of which</b>	- Education of the unemployed	1,552	3,809	4,433	5,180
	- Training aid	517	97	138	375
	- On-the-job training	-	-	254	492
	- Vocational training without commencing employment	18,597	15,059	9,947	5,885
	- Training for gaining the appropriate work experience (30+)	-	-	-	126
<b>Employment support</b>		<b>6,603</b>	<b>5,716</b>	<b>6,030</b>	<b>9,169</b>
<b>Of which</b>	- Employment support for gaining the first work experience/internship	-	-	-	2,048
	- Other employment support	-	-	-	7,121
<b>Public works</b>		<b>9,961</b>	<b>8,773</b>	<b>10,662</b>	<b>5,420</b>
<b>Self-employment support</b>		<b>2,776</b>	<b>2,333</b>	<b>3,583</b>	<b>6,485</b>
<b>Income maintenance</b>		<b>1,589</b>	<b>1,920</b>	<b>2,860</b>	<b>3,803</b>
<b>Of which</b>	- Support for job maintenance	1,589	1,920	29	0
	- Permanent seasonal worker	-	-	2,831	3,803
<b>TOTAL</b>		<b>41,595</b>	<b>37,707</b>	<b>37,907</b>	<b>36,935</b>
<b>Share in the average number of the unemployed persons (%)</b>		<b>14.5</b>	<b>15.6</b>	<b>19.5</b>	<b>24.1</b>

Source: CES Yearbook (Attachment 5)

**Unemployed according to the duration of the period of their job search**

	Total, in thousands				Total, in %			
	2015	2016	2017	2018	2015	2016	2017	2018
Total	306	240	205	152	100.0	100.0	100.0	100.0
Less than a month	((11))	((12))	((10))	((7))	((3.7))	((5.0))	((5.1))	((4.6))
1-5 months	57	64	68	52	18.5	26.7	33.2	34.0
6-11 months	(42)	(36)	(36)	(25)	(13.7)	(15.2)	(17.6)	(16.7)
12-23 months	65	(40)	(30)	(27)	21.3	(16.7)	(14.7)	(17.7)
24 months and more	131	78	54	(32)	42.8	32.3	26.2	(20.7)

Source: Workforce survey

**Share of the social security expenditures and social expenditures in GDP (according to ESSPROS methodology)**

	2015	2016 *	2017
Social security total expenditure	21.8%	21.3%	20.9 <sup>2)</sup> %
Total social expenditures according to functions	21.4%	20.9%	20.5%
Illness/healthcare	7.1%	7.0%	6.9 <sup>2)</sup> %
Disability	2.5%	2.3%	2.2%
Age	7.1%	7.1%	7.1%
Survivors	2.0%	1.9%	1.8%
Family/children	1.9%	1.8%	1.8%
Unemployment	0.6%	0.5%	0.4%
Housing	0.0%	0.0%	0.0%
Social exclusion not classified elsewhere	0.3%	0.3%	0.3%

\* Revised data

\*\* Temporary data

\*\*\* The unemployment function comprises the following benefits: a cash benefit during the period of unemployment, a one-off cash benefit during the period of unemployment, a cash benefit and compensation of cost during the period of the vocational training without commencing employment, a cash benefit and compensation of cost during the education and training, cash benefit for the beneficiaries of the extended pension insurance based on the employment contract signed for a specific period for permanent seasonal works, the insurance of the workers' claims in case of the employer's bankruptcy and vocational training.

**Share of a specific function in the total social benefits (according to the ESSPROS methodology)**

	2015 %	2016 % *	2017 % **
Social benefits total expenditure	100.0	100.0	100.0
Illness/healthcare	33.0	33.5	33.7
Disability	11.8	10.9	10.7
Age	33.3	34.2	34.6
Survivors	9.3	9.1	8.9
Family/children	8.7	8.6	8.6
Unemployment ***	2.6	2.4	2.1
Lodging	0.1	0.1	0.1
Social exclusion not classified elsewhere	1.2	1.4	1.3

\* Revised data

\*\* Temporary data

\*\*\* The unemployment function comprises the following benefits: cash benefit during the period of unemployment, one-off cash benefit during the period of unemployment, cash benefit and compensation of cost during the period of the vocational training without commencing employment, cash benefit and compensation of cost during the education and training, cash

benefit for the beneficiaries of the extended pension insurance based on the employment contract signed for a specific period for permanent seasonal works, insurance of the workers' claims in case of the employer's bankruptcy, vocational training.

### **Additional questions of the European Committee of Social Rights:**

#### **1. Enabling access to the active labour market policy measures to a larger number of beneficiaries**

In 2018, the Ministry of Labour and Pension System and CES implemented a comprehensive campaign for the promotion of the active labour policy measures. The social partners have also been engaged in the promotion of these measures.

Besides, a special campaign was launched called “*Zaposli se u Hrvatskoj*” (Find a Job in Croatia) with the purpose of enabling better access to information for both the employers and the unemployed. The special website *zaposlise.hzz.hr* includes a description of all active labour market policy measures and experience of current beneficiaries in order to bring the measures closer to the potential beneficiaries.

In the past couple of years the Ministry of Labour and Pension System, Ministry of Tourism, Croatian Employment Service, Croatian Tourist Board, Croatian Chamber of Economy, Croatian Chamber of Trades and Crafts, Croatian Employers' Association and Association of Employers in Croatian Hospitality have organised a joint project called “*Dani poslova u turizmu*” (Days of Jobs in Tourism). The goal of the project is to bring together employers and the currently unemployed persons with the purpose of filling of vacancies for the upcoming summer season.

The intensive promotion of measures and opportunities are used to bring closer to the labour market the persons who are currently neither active nor registered by the CES.

#### **2. The system of monitoring and evaluation of the active labour market policy measures**

The External Evaluation of Active Labour Market Policy Measures in the period from 2010 to 2013, published in 2016, showed that the measures need to be simplified and adjusted to needs of all beneficiaries. The unemployed and the employers were additionally confused by the fact that 41 measures were subdivided into different packages. Furthermore, the evaluation showed that the active labour market policy measures were “rather effective”, but require additional steps e.g.: the appropriate focus on the long-term unemployed and those with a low level of employability, provide financial sustainability of the measures, discontinue measures that are not used, simplify the criteria for utilisation of the measures as well as the overall administrative procedure for the beneficiaries.

Based on these findings, in 2016 a redefinition of the existing active labour policy measures started in order to make them compliant with the proposals for the improvement specified in the External Evaluation. In March 2017, the Ministry of Labour and Pension System and the Croatian Employment Service presented a new package of 9 active labour market policy measures titled “*Od mjere do karijere*” (From the Measure to Career). Various subsidies as well as training and education programmes enable employment of new workers, additional training, retaining jobs or inclusion in the public works programmes. Furthermore, a special website was created for promotion of the measures and improvement of the awareness ([www.mjere.hr](http://www.mjere.hr)), which includes comprehensive information for the unemployed and employers about the terms and methods of use of the measures.

In order to enable continuous and systematic monitoring of the implementation of the active labour market policy measures, the analysis of their effectiveness and proposals for their improvement, the Minister of Labour and Pension System established a Work Group for Monitoring of the Implementation of the Active labour market policy measures in August 2017.

## **Paragraph 2 – effectively safeguard the right of workers to earn for their living by pursuing a freely chosen occupation**

The substantial regulations that protect the right of workers and prohibit discrimination on the labour market are the Labour Act (Official Gazette, no. 93/127 and 98/19) and Anti-Discrimination Act (Official Gazette, no. 85/08 and 112/12) and Act on Gender Equality (Official Gazette, no. 82/08 and 69/17).

**The Labour Act** consistently stipulates the provisions regarding the prohibition of direct and indirect discrimination in the segment of labour and labour conditions, including the selection criteria and conditions for the recruitment, promotion, vocational training, and professional guidance and retraining. The employer is obliged to protect the dignity of the worker during the performance of task against the actions of their superior, co-workers and persons that the worker contacts with on a regular basis, in case of unwanted behaviour and the behaviour that is contrary to the special acts. The employer is obliged to protect the privacy of the worker and collect and process the worker's personal data and share them with third parties only if such actions are stipulated by the relevant legislation or in order to exercise the rights and obligations arising from the employment or in relation to the employment. All employers who employ at least twenty workers are required to adopt the ordinance that regulates the issue and procedure of the protection of the worker's dignity, including the requirement to appoint a person who is, besides the employer, authorised to receive and manage complaints related to the protection of the workers' dignity.

Furthermore, the **Anti-Discrimination Act** creates prerequisites for equal opportunities and regulates the protection against discrimination on the grounds of race or ethnicity, skin colour, sex, language, religious conviction, political or other affiliation, national or social background, financial situation, trade union membership, education, social status, marital or family status, age, health condition, disability, genetic heritage, gender identity, expression or sexual orientation. With regard to the field of labour and employment, it is especially emphasized that discrimination, in terms of this Act, will be considered a failure to enable persons with disabilities, in accordance with their specific needs, to use publicly available resources, to participate in public and social life, to access their workplace and to enjoy the appropriate working conditions by adapting the infrastructure and space, using the appropriate equipment and in any other way that does not pose a disproportionate burden to the party that is obliged to enable the foregoing.

The Anti-Discrimination Act has an exceptional scope and reach. Therefore, the employer provided for a certain number of exceptions to the prohibition of discrimination in Article 9. The Anti-Discrimination Act mostly reproduces the exceptions specified in the EU anti-discrimination directives. The utilisation of a prohibited distinguishing criterion as a genuine work characteristic is probably the most frequent exception to the prohibition of different conduct pursuant to a legally prohibited distinguishing criterion in the practice. The meaning of this exception is to allow the employers to give preference to members of a particular social group when hiring, if the belonging to this particular group is required for performance of that specific job. A typical example of this would be hiring of a person of particular sex for the job of a model either for men's or women's clothing. The exceptions related to the preservation health and public safety and to prevent criminal acts and misdemeanours have been taken from the EU anti-discrimination directive, more precisely the

Council Directive 2000/78/EC on establishing a general framework for equal treatment in employment and occupation. All exceptions referred to in Article 9 of the Anti-Discrimination Act shall be construed extremely strict by respecting the principle of proportionality.

The Anti-Discrimination Act does not set special rules by itself regarding the compensation of damage incurred victims of discrimination, but refers to the regulations from the area of obligatory relations. Of all the applicable regulations, the Civil Obligations Act plays the key role in terms of the compensation of damage caused by discrimination. Since the Anti-Discrimination Act prohibits discrimination in a very large number of segments, the harmful effects caused by the discriminatory conduct may have a large number of forms. In practice, the adverse effects are most often related to the employment relationships such as the denial of access to employment, termination or employment or denial of any other benefit related to a particular employment relationship. In the majority of possible cases there will be no proprietary damage, but possible a damage caused by a loss of benefit or damage caused by the infringement of the personality rights. In such cases, a pecuniary compensation of a lost profit is most often set. In accordance with Article 1046 of the Civil Obligations Act the damage shall imply a loss of a person's assets (pure economic loss), halting of assets increase (loss of profit) and violation of privacy rights (non-proprietary damage). Taking into consideration the forms of damage and the circumstances of each individual case, the courts enjoy a wide discretion to assess the preferable amount of the damage compensation.

According to the available data, there is no extensive case law on the matter of discrimination. In her 2013 report, the Ombudswoman mentioned a finally disposed trial in which the complainant was granted compensation of damage caused by discrimination when hiring on the grounds of their age. The complainant was informed in writing that he was too old for the job. The office of the Ombudswoman acted as intervener on the side of the complainant in the court proceeding in accordance with the competences set forth in the Anti-Discrimination Act. The complainant was granted compensation of damage based on the violation of the personality right and the incurred non-proprietary damage.

**The Act on Vocational Rehabilitation and Employment of Disabled Persons** (Official Gazette, no. 157/13) that came into force on 1 January 2014, established a system of vocational rehabilitation and created better conditions for the employment of disabled persons, which affected their possibility to enter the labour market more easily. Pursuant to the amendments to the Act on Vocational Rehabilitation and Employment of Disabled Persons (Official Gazette, no. 39/18), the employers are obliged to reasonable accommodation provided for the persons with disabilities when carrying out tests and/or interviews within the selection procedure and to reasonable accommodation of the workplace, conditions and organisation of work.

The complaints of the parties related to the infringement of the right to work mostly referred to: illegal implementation of the hiring or selection/vacancy announcement procedure, denial of the right to prioritisation of access to employment under the same conditions, the need to a reasonable accommodation i.e. denial of the reasonable accommodation when hiring and of the workplace and other forms of discrimination on the grounds of disability when hiring and on the work place. In accordance with the above-mentioned acts, the Ombudswoman informed the competent labour inspections and state attorney about the violation of certain provisions and violation of the rights of the disable persons in order to deal with the case. If any other authority was authorised for monitoring or was very important for the segment of anti-discrimination and elimination of the illegal practice or prevention of recurring illegal actions, the Ombudswoman informed and warned such authorities and provided recommendations for the future actions (e.g. national institutes).

The Republic of Croatia uses the competences of the Ombudswoman for Persons with Disabilities to combat all forms of discrimination on the grounds of disability, to examine the

cases of violation of the rights of persons with disability, to inform the public about the violation of such rights and issue releases and takes actions with an aim of their prevention. A special attention is paid to a systematic raising of the awareness by means of various steps and actions with the purpose of combating discrimination and improvement of the employment opportunities for the persons with disabilities (e.g. organisation of vocational workshops with employers and their associations).

According to the available information and experience, the persons with disabilities rarely decide to seek the protection against discrimination in a court proceeding. The reasons for this are various, from the expensive and long court proceedings, unattainable legal aid and other. Therefore, the Ombudswoman for Persons with Disabilities rarely receives invitations to participate in court proceedings as an intervener. The Ombudswoman for Persons with Disabilities accepts such calls to act as an intervener in order to use her expert knowledge and provide assistance and to strengthen the position of the person who is a possible victim of discrimination.

She therefore plays a key role in mediation proceedings in the segment of labour and is highly engaged in finding solution to concrete cases.

**Act on Gender Equality** (Official Gazette, no. 82/08 and 69/17) explicitly stipulates that there shall be no discrimination in the field of employment and occupation in the public or private sector, including public bodies, in relation to conditions for access to employment, to self-employment or to occupation, including selection criteria and recruitment conditions, whatever the branch of activity and at all levels of the professional hierarchy, promotion, access to all types and to all levels of education, professional guidance, vocational training, advanced vocational training and retraining, employment and working conditions, all occupational benefits and benefits resulting from occupation, including equal pay for equal work and work of equal value, membership of, and involvement in, organisations of workers or employers, or any professional organisation, including the benefits provided for by such organisations, balance between a professional and private life, pregnancy, giving birth, parenting and any form of custody.

The 2017 amendments to the Act on Gender Equality Act additionally extended the prohibition of putting into the unfavourable position persons who report cases of discrimination, refuse an order for discriminatory conduct or witness discrimination.

### **Work of Foreigners**

The employment status of foreigners, including refugees and migrants in the Republic of Croatia is regulated by the Aliens Act (Official Gazette, no. 130/11, 74/13, 69/17 and 46/18) and Act on International and Temporary Protection (Official Gazette, no. 70/15, 127/17). The provision of the Article 73 of the Aliens Act stipulates that an alien may work in the Republic of Croatia further to an issued stay and work permit or a work registration certificate, unless provided otherwise in this Act. The stay and work permit may be issued based on the annual quota and outside the annual quota. The Government of the Republic of Croatia shall set the annual quota for the employment of aliens. The annual quota for the employment of aliens shall set out the activities and occupations in which the employment is permitted, and the number of work permits for each of the activities and occupations as well as the quota for seasonal employment. However, in accordance with the Act on International and Temporary Protection the asylum seekers and the seekers of subsidiary protection have the right work in the Republic of Croatia, without a residence permit or certificate of registration of work, and they also may exercise the right to adult training related to employment, vocational training and acquiring practical work experience, under the same conditions as Croatian citizens.



In accordance with Article 48 of the Attorneys Act, the person who is a Croatian citizen or citizen of an EU member country or a country that is a signatory of the Agreement on the European Economic Area shall have the right to be entered in the register of attorneys. Article 5 of this act sets out that the attorney from another country who in his/her home country – EU member country, acquired the right to practice the legal profession, may pursue legal profession and act as an attorney in the Republic of Croatia in accordance with the terms and conditions stipulated by the Act.

In accordance with the provisions of the Notaries Act, a person who is a citizen of the Republic of Croatia or other EU member country may be appointed as a notary public.

The Notaries Act stipulates a list of public competences of the notaries public. Since the awarded public competencies are very important for the performance the notarial tasks, certain criteria were identified in order to ensure a high quality of these competencies.

In accordance with Article 2 of the Ordinance on the Court-Appointed Expert Witnesses, a court-appointed expert witness may be a citizen of the Republic of Croatia, a citizen of an EU member country or a country that is a signatory of the Agreement on the European Economic Area.

In relation to the implementation of Article 1, paragraph 2 of the European Social Charter, we emphasise that CES, within their *Active labour market policy measures*, recognised **asylum seeker**, aliens under the subsidiary or temporary protection and members of their families as target groups that the measures are intended for. The *on-the-job training* measure proved to be especially successful. Furthermore, the advisors responsible for work with persons under the international protection have been appointed in every branch and regional office of CES. They keep the register of the unemployed persons, provide placement services, counselling and consultations, ensure the required translation services, recognise skills and detect obstacles that prevent employment and integration of persons from the above-mentioned target group into the labour market.

With regard to the issue related to measures taken to combat discrimination we emphasise that the Government of the Republic of Croatia adopted the *National Plan for Combating Discrimination form 2017 to 2022*<sup>1</sup> and the pertinent action plan<sup>2</sup> covering nine fields of activity, including labour and employment. The measures specified by the National Plan concerning the field of labour and employment focus on increasing the number of the employed and working unemployed persons who are in a disadvantaged position by putting a special emphasis on the social inclusion of such person into community services and development of the programmes of activities that facilitate employment of long-term unemployed persons and their social inclusion.

Additionally, measures have been implemented aiming at the promotion of equal opportunities in the segment of labour and employment, primarily by educating the employers and workers' representatives on the Anti-Discrimination Act, Act on Gender Equality and groups of persons at risk of discrimination.

With regard to the integration policy measures, the Working Group for the operational implementation of tasks of the Standing Committee for the Implementation of the Integration of Foreigners into Croatian Society (hereinafter: Working Group) developed the *Action Plan Action Plan for the Integration of Persons Granted International Protection for the period from*

---

<sup>1</sup><https://pravamanjina.gov.hr/UserDocsImages/dokumenti/Akcijski%20plan%20za%20provedbu%20Nacionalnog%20plana%20za%20borbu%20protiv%20diskriminacije%20za%20razdoblje%20od%202017.%20do%202019.%20godine.pdf>

<sup>2</sup><https://pravamanjina.gov.hr/UserDocsImages/dokumenti/Akcijski%20plan%20za%20provedbu%20Nacionalnog%20plana%20za%20borbu%20protiv%20diskriminacije%20za%20razdoblje%20od%202017.%20do%202019.%20godine.pdf>

2017 to 2019<sup>3</sup>, and the segment of employment is one of the seven strategic fields that was covered by the implementing measures.

Additionally, with regard to exploitation of vulnerability and forced labour, the Criminal Code (Official Gazette, no. 125/11, 144/12, 56/15, 61/15, 101/17 and 118/18) in its Article 106 stipulates that the use of force or threat, of deception, of fraud, of abduction, of abuse of authority or of a situation of hardship or dependence, or of the giving or receiving of payments or other benefits to achieve the consent of a person having control over another person or by any other means recruiting, transport, transfer, harbouring or receiving a person, or exchanging or transferring control over a person for the purpose of exploiting his or her labour by means of forced labour or services, slavery or a relationship similar thereto, or for the purpose of exploitation for prostitution of the person or of other forms of sexual exploitation, including pornography, or of contracting an illicit or forced marriage, or of taking parts of the person's body or of using the person in armed conflicts or of committing an unlawful act, shall be punished by imprisonment from one to ten years. The above specified criminal offence of trafficking in human beings is provided for in Article 106, paragraph 1 of the Criminal Code. The paragraphs 1 and 2 of the Criminal Code are quoted here in full:

(1) Whoever, by the use of force or threat, of deception, of fraud, of abduction, of abuse of authority or of a situation of hardship or dependence, or of the giving or receiving of payments or other benefits to achieve the consent of a person having control over another person or by any other means recruits, transports, transfers, harbours or receives a person, or

exchanges or transfers control over a person for the purpose of exploiting his or her labour by means of forced labour or services, slavery or a relationship similar thereto, or for the purpose of exploitation for prostitution of the person or of other forms of sexual exploitation, including pornography, or of contracting an illicit or forced marriage, or of taking parts of the person's body or of using the person in armed conflicts or of committing an unlawful act, shall be punished by imprisonment from one to ten years.

(2) The same punishment as referred to in paragraph 1 of this Article shall be inflicted on whoever recruits, transports, transfers, harbours or receives a child, or exchanges or transfers control over a child for the purpose of exploiting his or her labour by means of forced labour or services, slavery or a relationship similar thereto, or for the purpose of exploitation for prostitution of the child or of other forms of sexual exploitation, including pornography, or of contracting an illicit or forced marriage, or of illegal adoption, or of taking parts of a child's body, or of using the child in armed conflicts.

Furthermore, more severe punishments, up to fifteen years of imprisonment are provided for in this Code if the offences involve children or several persons – Article 106, paragraph 3:

(3) If the criminal offence referred to in paragraph 1 of this Article was committed against a child or the criminal offence referred to in paragraphs 1 or 2 of this Article was committed by a public official in the performance of his or her duties, or the said offence was committed against a large number of persons or the life of one or more persons was

---

<sup>3</sup><https://pravamanjina.gov.hr/UserDocsImages/dokumenti/AKCIJSKI%20PLAN%20ZA%20INTEGRACIJU%202017-2019.pdf>

consciously endangered, the perpetrator shall be punished by imprisonment from three to fifteen years.

The Criminal Code stipulates sanctioning of persons who use the services provided by the victims of trafficking in persons by imprisonment up to three years – Article 106, paragraph 4:

(4) The same punishment as referred to in paragraph 1 of this Article shall be inflicted on whoever, knowing that a person is a victim of trafficking in persons, uses the services of that person which are the result of one of the forms of exploitation set forth in paragraphs 1 and 2 of this Article.

Additionally, Article 90 of the Criminal Code lists the crimes against humanity and punishments inflicted for the crimes against humanity and for committing such crimes.

The Republic of Croatia ratified the below listed international documents related to the trafficking in human beings, and the provisions of these documents are included in the regulatory framework of the Republic of Croatia:

- The United Nations Convention (hereinafter: UN Convention) against Transnational Organized Crime
- The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women Children
- The Protocol against the Smuggling of Migrants by Land, Sea and Air
- The United Nations Convention on the Rights of the Child
- The Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
- The Council of Europe Convention on Action against Trafficking in Human Beings

In order to make the anti-trafficking system more efficient, strategic and operational documents have been adopted regulating the identification and protection of victims of trafficking in human beings, as well as a comprehensive system of assistance and support:

- The National Plan for Combating Trafficking in Human Beings for the Period from 2017 to 2020
- The Protocol on the Integration/Reintegration of Victims of Trafficking in Human Beings,
- The Protocol on the Identification, Assistance and Protection of Victims of Trafficking,
- The Protocol in the Process of a Voluntary and Safe Return of the Victims of Trafficking in Human Beings.

With regard to the forced labour issue, the labour inspectors have participated in Joint Action Days against human trafficking for labour exploitation since 2016 (Joint Action Day – JAD THB 2016, JAD THB 2017 and JAD THB 2018), organised with the support of EUROPOL, and within which the labour inspectors carried out inspections in collaboration with the police officers of the Ministry of the Interior. The labour inspectors and police officers of other EU members who carried out inspections in their relevant areas also participated in the Joint Action Days. EUROPOL was informed about the results of the joint inspections of the labour inspectors and police officers.

With regard to the discrimination on the labour market on the grounds of ethnicity, the Government of the Republic of Croatia adopted the *National Roma Inclusion Strategy from*

2013 to 2020<sup>4</sup> in 2012. The National Roma Inclusion Strategy recognises the employment and economic inclusion as one of the priority matters, but also states that it is “at the same time one of the primary challenges”. The goal of the National Roma Inclusion Strategy in this segment is “to bridge the gap between the Roma minority and the majority population on the labour market”.

The project “Collection and Monitoring of the Base Line Data for an Effective National Roma Inclusion Strategy” co-funded by the IPA 2012 fund was finalised in 2018. The project was partially founded on the findings of the external evaluation of the Strategy. The Office for Human Rights and Rights of National Minorities carried out an external evaluation of the National Strategy and the Action Plan for the period from 2013 to 2015. The results of this external evaluation showed continuity in the implementation of policies and measures aiming at the improvement of the position of the Roma minority with the obvious progress in the following segments: education, employment, economic inclusion, social welfare, inclusion in the social and cultural life.

The evaluation also showed certain drawbacks, especially the fragmented implementation of the action plans adopted at the regional and local level that had not had a substantial effect on the position of Roma in the local and regional administration units covered by these documents.

The findings also showed that, despite the attention that the Strategy and the pertinent Action Plan pay to the issues of monitoring and evaluation, a comprehensive system of collection of data on the implementation of the planned measures and accomplishment of the strategic goals actually does not exist.

In its recommendations, the evaluation report points out the need for definition of the reference (base line) data that will serve as a basis for drawing of conclusions in relation to the accomplished level of goals defined by the implementing and strategic document, as well as building of monitoring and evaluation capacities through training of relevant stakeholders with a special emphasis on building of capacities of Roma minority members (i.e. the council and representatives of the Roma national minorities and members of the Roma civil society) as a logical prerequisite of an effective public policy that aims at the improvement of the status of the Roma minority in the Republic of Croatia.

Therefore, the Office for Human Rights and Rights of National Minorities prepared implementation of the required research and analytic, presentation and education activities, as well the activities concerning the development, establishment and testing of a web-interface for monitoring of the implementation of the Strategy and the pertinent Action Plan in order to meet the prerequisites for the integration of Roma on the local, regional and national level.

The pre-research was carried out in May and June 2017. The methods used in the pre-research included filling out of templates, which also included interviews with key stakeholders in the Roma communities (3 persons per community) and observations (observation of visible features of the locations, such as the transport connectivity, environmental issues, etc.) Additionally, interviews with 67 key stakeholders in Roma communities were conducted.

In the pre-research a total of 134 locations with a population of more than 30 members of the Roma national minority were identified and mapped in the 15 counties of the Republic of Croatia. The mapping showed that there are 24,524 4 members of the Roma national minority living in 4,599 households. The objectives of the research were as follows: define baseline values for measuring the effects of the Strategy and the Action Plan at the national, regional and local levels, and define the needs of Roma communities, as well as the obstacles to inclusion of the Roma national minority at the local/regional and national levels.

---

<sup>4</sup> The Government of the Republic of Croatia, the National Roma Inclusion Strategy from 2013 to 2020, Zagreb, November 2012 <https://pravamanjina.gov.hr/UserDocsImages/arhiva/Nacionalna%20strategija%20za%20ukljucivanje%20Roma%20za%20razdoblje%20od%202013.%20-%202020.pdf> (27 May 2018).

The following methods were used in the research: surveys conducted among the Roma population on a representative sample in all communities where the Roma people live, 1,550 Roma households; interviews with representative of the relevant institutions at the level of the local and regional government (141 persons were interviewed); focus groups with representatives of the regional government units and other relevant institutions (police, centres for social welfare, Croatian Institute for Public Health, etc.) (73 persons). The research was carried out in October and November 2017.

At the end of the project “Collection and Monitoring of the Base Line Data for an Effective National Roma Inclusion Strategy” the publications of the research results and a web-interface manual were broadly distributed and published on several websites<sup>5</sup>. The publication *Roma Inclusion in the Croatian Society: Base Line Data Study* was distributed to 371 addresses in the Republic of Croatia (councils and representatives of the Roma minority, local government units, regional governments units, government authorities, civil society organisations, members of the academic community) and 63 addresses outside the Republic of Croatia (EU candidate countries, EU agencies, EC, Council of Europe). With two positive scientific reviews, the publication was included in the Croatian scientific bibliography. The manual for monitoring of the National Roma Inclusion Strategy was distributed to 272 addresses in the Republic of Croatia (councils and representatives of the Roma minority, local government units, regional governments units, government authorities, civil society organisations, members of the academic community) and 12 addresses outside the Republic of Croatia (EU candidate countries, some EU member countries, some EU agencies, EC and Council of Europe).

The implementation of this project was a crucial step forward in the segment of collection and monitoring of data as a basis for further improvement of the relevant policies based on the facts. The baseline data collected within the project will serve as a foundation for an effective system of monitoring the implementation of the Strategy and the Action Plan. The research findings will serve as a basis for the expert analyses that would contribute to the further development of the relevant policies based on the evidence, both sectoral and future instruments intended for the improvement of the position of the Roma minority members in the Republic of Croatia, in particular in the new programme period.

In this context, the data will be exceptionally relevant at the local level as well. They will provide a clear picture of the current achievements and major upcoming challenges, but they will also serve as a scientific base for allocation of the appropriate resources, developed with broad participation and support of all stakeholders.

The project drew significant media attention as a best practice model, and the interest for a broader presentation has already been expressed by the European Union Agency for Fundamental Rights (FRA) that presented the project in its 2018 yearbook and the Council of Europe. In May 2019, the Office for Human Rights and Rights of National Minorities organised a visit of CAHROM in relation to mapping and collection of data with the purpose of monitoring the effectiveness of national policies. At the 39th session of the Human Rights Council –specifically, the side event “Pending Tasks in Roma People Inclusion”, sponsored by Spain and Ireland alongside Croatia (25 September 2018), the permanent representative of the Republic of Croatia to the UN, as one of the panellists, presented Croatia’s experiences with Roma participation in public and political life. In addition, she presented the key national documents dealing with the promotion and protection of persons belonging to the

---

<sup>5</sup> The results of the research are available at:

<https://pravamanjina.gov.hr/UserDocsImages/dokumenti/Uklju%C4%8Divanje%20Roma%20u%20hrvatsko%20dru%C5%A1tvo%20-%20istra%C5%BEivanje%20baznih%20podataka.pdf>

Roma national minority, including the “Roma Inclusion in Croatian Society: a Baseline Data Study”

The researchers were regularly invited to present the methodology, implementation and the results of the research of the baseline data at the scientific and professional meetings.

Additionally, the Gender Equality Office implemented a Twinning project titled “Support to the Gender Equality” within which it organised an education course for 45 judges of misdemeanour courts in partnership with the National Institute for Health and Welfare from Helsinki and Ludwig Boltzman Institute from Vienna. The purpose of the education was to increase the knowledge and competences of judges with regard to the labour law from the gender equality perspective.

Specific court cases were discussed and connections were drawn to the practice of the European Court of Human Rights. A manual for judges was also published as a part of the project and its first edition was published by the Gender Equality Office within the project. The Gender Equality Office published also the second expanded and updated edition that is available at the website. A campaign titled “Inequality Must Not Remain a Trade Secret” was also implemented within the project. As a part of the campaign 1,500 posters were printed with messages about the harmful effects of discrimination on the labour market and a radio jingle was recorded that was broadcast by a large number of radio stations.

Significant measure were also taken in the segment of direct support to families with children, and these measures affected the increase of the overall quality of living and standard of the Croatian citizens.

## **Inspections**

With regard to the inspection of the implementation of the provisions of the Anti-Discrimination Act, the inspectors instituted infringement proceedings during the reporting period since their inspections resulted in reasonable grounds for suspicion of 5 infringements of Article 9 of the Anti-Discrimination act, punishable in accordance with Article 25, paragraph 1, 2, 3 and 4 of that Act; 2 infringements in 2016 and 3 infringements in 2018.

Furthermore, in relation to the supervision of the implementation of the provisions of Article 9 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, the labour inspectors:

– **in 2015**, adopted 7 decisions pursuant to provisions of Article 9 of the Act on Vocational Rehabilitation and Employment of Disabled Persons in which they decided on the requests of the applicants. In 2 decisions, they confirmed the violation of the right of the disabled person related to prioritisation of access to employment who submitted the request for supervision and in 5 decisions the request for supervision due to possible violation of the right related to prioritisation of access to employment submitted by a person with disability was rejected. Based on the facts established by the above-mentioned supervision, the labour inspectors filed 2 indictments under reasonable grounds that the offences were committed referred to in Article 9, paragraph 1 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, punishable in accordance with Article 41, paragraph 1, item 1 of the Act and 1 indictment under reasonable grounds that offences were committed referred to in Article 12 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, punishable in accordance with Article 41, paragraph 1 item i 5 of the Act. In the cases when the request for supervision with the purpose of enabling a person with disability to exercise the right related to prioritisation of access to employment was submitted in an untimely manner, upon expiry of a 15-day period from the delivery of notification referred to in Article 9, paragraph 12 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, i.e. before the selected candidate was employed in accordance with the provision of Article 41, paragraph 2 of the

General Administrative Procedure Act (Official Gazette of the Republic of Croatia, no. 47/09) the labour inspectors reject the request of the applicant, since in such cases there are no legal presumptions to start a proceeding. However, we have not been able to provide the number of such decisions, since that section of the eRegister includes all decisions on the rejection of requests for supervision because of the lack of legal presumptions for institution of a proceeding, without stating special regulations, for it was not the question of the value of such requests, but they were rejected pursuant to the General Administrative Procedure Act due to their procedural defects.

– **in 2016**, adopted 12 decisions pursuant to provisions of Article 9 of the Act on Vocational Rehabilitation and Employment of Disabled Persons in which they decided on the requests of the applicants. In 2 decisions, they confirmed the violation of the right of the disabled person related to prioritisation of access to employment who submitted the request for supervision and in 10 decisions the request for supervision due to possible violation of the right related to prioritisation of access to employment submitted by a person with disability was rejected. Based on the facts established by the above-mentioned supervision, the labour inspectors filed to the competent misdemeanour courts one indictment under reasonable grounds that the offences were committed referred to in Article 9, paragraph 1 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, punishable in accordance with Article 41, paragraph 1, item 1 of the Act.

– **in 2017**, adopted 9 decisions pursuant to provisions of Article 9 of the Act on Vocational Rehabilitation and Employment of Disabled Persons in which they decided on the requests of the applicants. In 1 decisions, they confirmed the violation of the right of the disabled person related to prioritisation of access to employment who submitted the request for supervision and in 8 decisions the request for supervision due to possible violation of the right related to prioritisation of access to employment submitted by a person with disability was rejected. However, the decision by which the request of the person referred to in Article 9 of the Act on Vocational Rehabilitation and Employment of Disabled Persons was annulled by the Appeals Commission of 117, paragraph 3 of the General Administrative Procedure Act and submitted the case to the competent Ministry of Science and Education, since the case concerned the employment in an educational institution.

Additionally, in the repeated procedure, implemented pursuant to the decision of the administrative court, the Appeals Commission of the Labour Inspectorate rejected the appeal of the person referred to in Article 9 of the Act on Vocational Rehabilitation and Employment of Disabled Persons. This person appealed against the second-instance administrative act and instituted an administrative proceeding before the competent administrative court. Based on the facts established by the supervision in accordance with the requests of the persons referred to in Article 9 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, the labour inspectors:, the labour inspectors filed to the competent misdemeanour courts one indictment under reasonable grounds that the offences were committed referred to in Article 9, paragraph 1 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, punishable in accordance with Article 41, paragraph 1, item 1 of the Act and 3 indictment under reasonable grounds that offences were committed referred to in Article 9, paragraph 12 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, punishable in accordance with Article 41, paragraph 1, item 2 of the Act.

– **in 2018**, adopted 18 decisions pursuant to provisions of Article 9 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, in which they decided on the request of applicants and rejected the request of the disabled persons who filed the requests for supervision due to possible violation of the right related to prioritisation of access to employment. Based on the facts established by the above-mentioned supervision, the labour inspectors filed three indictments under reasonable grounds that the offences were committed

referred to in Article 9, paragraph 12 of the Act on Vocational Rehabilitation and Employment of Disabled Persons, punishable in accordance with Article 41, paragraph 1, item 2 of the Act.

### **Rights of Parents**

The Act on the Amendments of the Maternity and Parental Benefits Act (Official Gazette, no. 85/08, 110/08, 34/11, 54/13, 152/14 and 59/17) was prepared and brought into force on 1 July 2017. It increased the material rights of the beneficiaries of entitlements in order to increase the standard of the employed and self-employed parents and parents with low income or unemployed parents. Among other things, the legislative changes increased the maximum allowance paid to the employed parents during the parental leave (the second sixth months after the childbirth) from HRK 2,660.80 to HRK 3,991.20. The purpose of this increase in the material rights of the beneficiaries of the parental leave allowances is to encourage the utilisation of the parental leave by both parents. The more appropriate parental leave allowance is very important with reference to the inclusion of women on the labour market and more active role of fathers in the upbringing of children. Despite the above-mentioned increase, the allowance paid during the parental leave is still not appropriate for the category of the employed and self-employed parents with higher income because it is not consistent with their salaries, which is why after the expiry of the maternal leave (the first six months after the childbirth) and after the commencement of the parental leave they lose a part of their income.

In the upcoming period, the measures will continue, aiming at encouraging the use of the parental leave by the employed parents in order to avoid a significant drop in standard of living during the parental leave, especially taking into consideration that the insufficient allowances are one of the causes of the low response when it comes to the use of the parental leave by mothers and fathers. In accordance with the 2019 National Reform Programme, the Act on the Amendments to the Maternity and Parental Benefits Act was adopted for the purpose of introducing further changes to the limit of the allowances and increasing the current limit. The Act comes in to force on 1 April 2020 and provides for legal presumptions for a further increase of the maximum allowance that is paid during the parental leave to the employed and self-employed parents.

The Republic of Croatia continues to introduce changes in the system of the maternal and parental leaves that would additionally induce the use of the parental leaves, taking into consideration the family situation, enabling of a stable position of mothers on the labour market and the need for a stronger participation of fathers in the early upbringing of children i.e. making it easier for parents to harmonise their professional and private lives. Therefore, the Ministry for Demography, Family, Youth and Social Policy established a Committee for monitoring of the implementation of the Maternity and Parental Benefits Act. The Committee is responsible for continuous monitoring of the implementation of the Act and offering proposals with the purpose of improving the system of the maternity and parental benefits. Besides the representatives of the competent authorities the Committee also comprises the representatives of the employers' associations, trade union associations and Croatian Chamber of Economy.

### **Additional questions of the European Committee of Social Rights:**

#### **1. The loss of the unemployment benefit on the grounds of rejection of the offered job**

The reasons for termination of the right to the unemployment benefit are set forth by the applicable employment regulations.



Article 48, paragraph 2 of the Act on Placement and Rights During the Unemployment that was in force until 2 March 2017, stipulated that the right to a benefit will be terminated to an unemployed person if such person fails to accept the employment offered within the acquired level of qualification and professional experience until drafting of the professional job-search plan referred to in Article 24 of this Act, and thereafter does not accept the offered employment from the set professional job-search plan and agreement on the inclusion on the labour market or if such person, by his/her actions, causes rejection of employment by the employer, except if the employment is rejected due to the fact that the employer fails to meet their obligations to the employees on a regular basis:

- 1) in the place of domicile or residence in accordance with Article 12 of the Act,
- 2) outside the place of domicile or residence within a distance of up to 50 km, provided that the employer covers the commuting expenses or organises the transport to and from work,
- 3) outside the place of domicile or residence regardless of the distance, provided that appropriate accommodation is made available.

By way of derogation from the provision of paragraph 2, item 3 of this Article shall not apply to a pregnant woman, either parent with a child of up to 8 years of age, either parent of a child with serious developmental disorders under a special regulation if the other parent is employed, either parent with three or more underage children if the other parent is employed, a self-supporting parent of a child of up to 15 years of age, unless he or she declares in writing that he or she accepts the job.

By way of derogation from the provision of paragraph 2 of this Article, the right to a benefit shall be terminated for an unemployed person who is kept in the CES registry as an unemployed person longer than 12 months if the person refuses an offered job that corresponds to their assessed mental fitness.

The Article 49, paragraph 2 of the Act on Placement and Rights During the Unemployment that was in force until 31 December 2018, stipulated the same (with minor differences in terminology: instead of “fails to accept the employment offered within the acquired level of academic qualification and professional experience” the formulation read “fails to accept the employment offered within the acquired level of qualification and professional experience”, and instead of “fails to accept the employment offered within their assessed mental fitness and physical abilities” the formulation read “fails to accept the employment offered within their assessed personal and professional abilities”).

Pursuant to the *Labour Market Act* (effective from 1 January 2019) the persons who fail to accept the employment in accordance with the job search plan or whose conduct caused the employer's refusal of the candidate, shall be removed from the CES register of the unemployed persons because they no longer meet the requirements according to which a person has the status of an unemployed person and it shall be considered that such person does not search for job actively since s/he does not cooperate with CES in the job search and accept the offered employments and has decided to look for a job on their own pace. However, all persons can still use the CES services if they are registered in the jobseeker register. In that case, an employment counsellor shall act as a mediator on the labour market, but the candidate will decide on his/her own if s/he would accept the offered employment or not. This will also ensure the availability of the public employment service to those who are not registered as unemployed, but as jobseekers.

## **2. The list of occupations for which no work permits are issued to foreigners is too long**

The employment of foreigners in the Republic of Croatia is defined by the Aliens Act and the Decision of the Government of the Republic of Croatia on the Annual Quota for the Employment of Aliens.

The economic growth affected the unemployment decrease and the increased need for the employment of foreign workers, which led to the increase in the quota for the employment of aliens. This refers to occupations for which there is high demand, not only in the Republic of Croatia, but in the European Union as well.

The additional reason for the increase of the annual quota is related to the freedom of movement of the workers. The 2013 accession of Croatia to the EU enabled easier movement of workers, which is especially visible in the occupations for which there is demand on the labour markets within the European Union. One part of the labour force from Croatia found employment in EU countries, which created the need for the employment of workers from third countries in the Republic of Croatia.

### *Overview of the annual allowance quota for the employment of foreigners*

<b>Year</b>	<b>Quota</b>	<b>Use</b>	<b>Use (%)</b>
<b>2015</b>	230	143	62%
<b>2016</b>	2,315	1,635	71%
<b>2017</b>	7,279	5,960	82%
<b>2018</b>	29,769	23,263	78%

The number of occupations for which work permits are issued increased in accordance with the need for the employment of foreign workers. In 2015, the quota included 23 occupations, while the quota included over 100 occupations in 2018.

### **Paragraph 3 – establish or maintain free employment services for all workers**

#### **Additional questions of the European Committee of Social Rights:**

##### **1. The employment counsellors and their workload considering the number of registered unemployed persons**

The job placement is the essential function of CES and it focuses on development of new services based on the recognised needs of the beneficiaries. The goal of the job placement activities is to increase the employability of the unemployed persons and assist the unemployed persons to navigate through the labour market as well as to combat social exclusion.

In reaching this goal, the individual counselling, individual consultations, provision of information, drafting a professional job search plan and agreement on the inclusion of the labour market play an important role, together with the motivational counselling and drafting the activation programme.

To enable performance of all the above-specified activities, the Croatian Employment Service had 501 employment counsellors at the end of 2015. In 2015, the downward trend in the number of the registered unemployed persons continued with the average number of 285,906 unemployed. The average number of the unemployed persons per employment counsellor was 571.

The downward trend continued in 2016 with the average number of unemployed dropping to 241,860, which was a 15.4% decrease compared to the previous year.

In 2016, the CES had 512 employment counsellors, which means that there were 472 unemployed persons per employment counsellor.

In 2017, the average number of the unemployed decreased to 193,967, which was a 19.8% decrease compared to 2016. The number of unemployed men decreased by 23.0% and the number of unemployed women decreased by 17.2%. In 2017, there were 495 employment counsellors, i.e. there were 392 unemployed persons per counsellor.

In 2018, the average number of the unemployed decreased to 153,542, which was a 20.8% decrease compared to 2017. The number of unemployed men decreased by 21.4% and the number of unemployed women decreased by 20.1%. In 2018, there were 416 employment counsellors, i.e. there were 369 unemployed persons per counsellor.

year	No. of employment counsellors	No. of registered unemployed persons	No. of the unemployed per counsellor
2015	501	285,906	571
2016	512	241,860	472
2017	495	193,967	392
2018	416	154,542	369

In 2015, the employment counsellors assisted in employment of 232,499 unemployed persons from the registered of the unemployed. During the year, 109,056 applications were received by means of which 202,468 workers were requested.

In 2016, the CES established a new system of work with the employers that includes precisely defined activities and their owners, objective and measurable performance indicators.

In 2016, 122,299 applications were received by means of which 232,254 workers were requested, and 218,834 persons from the CES registers were employed.

In 2017, 131,425 applications were received by means of which 250,216 workers were requested, and 196,820 persons from the CES registers were employed.

In 2018, CES received 253,116 applications for vacancies, i.e. 1.5% more than in 2017. There were 174,420 persons from the CES register who were employed in 2018.

## **2. Placement through the private employment agencies**

Besides the Croatian Employment Service, the services of job placement, vocational guidance, training and education with an aim of increasing the employability of the labour force may be provided by legal persons as employment agencies and natural persons as self-employed employment agents. Before the registration in the appropriate register, such persons (agents) are obliged to register in the records of the ministry responsible for labour affairs. Any legal and natural person who provides job placement services is obliged to keep records of jobseekers and employers who are looking for employees. These agents are obliged to submit their registered data to the ministry responsible for labour affairs.

According to the records of the Ministry of Labour and Pension System, 44 active employment agents submitted data on the registered jobseekers in 2015. In the same year, there were 4,428 workers who were employed through the private employment agents: 3,151 workers (91.9 %) in the Republic of Croatia and 277 workers (8.1 %) abroad.

In 2016, 40 active private employment agents submitted data on the placement of 3,330 workers: 2,957 workers (88.8 %) in the Republic of Croatia and 373 workers (11.2 %) abroad.

In 2017, there were 4,428 workers who were employed through the 39 private employment agents: 1,573 workers (78.5 %) in the Republic of Croatia and 431 workers (21.5 %) abroad.

In 2018, there were 60 active private employment agents. There were 2,483 workers who were employed through the mediation of those agents: 1,875 workers (75.5 %) in the Republic of Croatia and 608 workers (24.5 %) abroad.

#### **Paragraph 4 – provision and promotion of the appropriate vocational guidance, training and rehabilitation**

##### **Additional questions of the European Committee of Social Rights:**

##### **1. The equal treatment of the citizens of the signatory countries (who reside or work in Croatia) and their access to the vocational guidance services**

The vocational guidance services are provided in the regional and branch offices of CES primarily to the unemployed persons who are registered in the records of the unemployed persons and pupils of the elementary and secondary schools, especially those with reduced options for selection of educational programmes, i.e. those with difficulties in accessing the labour market due to various development disabilities or health problems. The unemployed persons who are not registered in the CES records, other jobseekers and indecisive pupils who require additional information in order to decide on their future education or employment are provided with such information in the Lifelong Career Guidance Centres (CISOK).

The vocational guidance procedure in CES and CISOK is implemented in accordance with the *Quality Standards for the Vocational Guidance and Selection at the Croatian Employment Service*.

The vocational rehabilitation system has been strengthened by the legislative changes in 2018 by which the founding rights of all centres were transferred to the Republic of Croatia. Additionally, the centres were enabled to use the funds collected on the grounds of failure to comply with the obligation of quota employment of the persons with disabilities for the development of the vocational guidance system. These changes evened the vocational rehabilitation centres (there are four such centres in Croatia) in terms of financing and they are now independent of the local funding sources. They created a presumption for strengthening of the centres' capacities and removal of difficulties (provision of the adequate space, sufficient number of qualified professionals, attendance of the required education and training courses, procurement of the specialised diagnostic and rehabilitation equipment, establishing of mobile teams for better access to services etc.) and prerequisites for the system's further development.

It is necessary to develop further the interdepartmental collaboration between all systems that dealing with the vocational rehabilitation in order to secure their harmonisation. Furthermore, support should be provided to the holders of the vocational rehabilitation model that is implemented in accordance with legislation related to the vocational rehabilitation and employment of persons with disabilities.

#### **Article 9 – the right to vocational guidance**

In 2015, the Republic of Croatia adopted the *Strategy for the Lifelong Career Guidance and Development, for the period from 2016 to 2020* as the first step in a systematic solving of the issue related to the lifelong vocational guidance and career management, and the

implementation of the lifelong vocational guidance in the educational, employment and social inclusion systems.

CES is one of the owners of the measures specified in the Strategy and the place where the assessment of competencies of the unemployed persons is carried out. In case of bigger barriers for the recruitment, the assessment may also include implementation of the additional professional procedures. The access to the vocational guidance services in CES is based on the “funnel system”, i.e. It is assumed that the largest number of beneficiaries requires the additional information in order to make a decision about the career (the information is obtained either through the group and individual information sessions, individual search for the information, Moj izbor (My Choice) computer program, etc.). A small number of beneficiaries joins the group counselling sessions - the workshops aiming at strengthening of skills required of active job search, and the minimum number of beneficiaries go through the entire medical and psychological assessment.

	2015	2016	2017	2018
<b>Individual information sessions</b>	651	526	589	701
<b>Individual counselling</b>	13,592	17,884	18,258	18,023
<b>Group information sessions</b>	633 persons in 77 group information sessions	3,173 persons in 425 group information sessions	6,504 persons in 912 group information sessions	4,972 persons in 711 group information sessions
<b>Group counselling</b>	23,454 persons in 4,005 workshops	21,555 persons in 3,883 workshops	20,209 persons in 3,547 workshops	21,955 persons in 3,322 workshops

\* The table shows the number of provided services, except when it is specified differently

Persons with disabilities make a significant part of the population of the unemployed persons registered with CES. They often do not have an equal start when entering the open labour markets because of the inappropriate education structure, lack of work experience and long-term unemployment, which additionally reduces their employability and motivation.

Please note that the Republic of Croatia implements a positive policy towards the persons with disabilities on the national level by respecting the contemporary international standards as a framework for further growth of rights of the persons with disabilities, by removing obstacles from their everyday lives. In 2017, the Government of the Republic of Croatia adopted the *National Strategy for the Equalisation of Opportunities for Persons with Disabilities for the period from 2017 to 2020* with an aim of promotion and further strengthening of rights of persons and children with disabilities. In accordance with the measures and activities defined by the Strategy, the Croatian Employment Service, in collaboration with other stakeholders, implements measures and activities in the segment of vocational rehabilitation and employment of disabled persons, and acts as the owner and co-owner of 14 Strategy measures.

When it comes to the employment of persons with disabilities, we must also point out that a positive trend has been observed in the past ten years. The upward trend was contributed to by the adopted legal changes in the segment of vocational rehabilitation and employment of persons with disabilities, as well as the regular activities implemented within CES, such as

individual counselling, individual consultations, vocational guidance services, introducing people to the vocational rehabilitation services and raising of the awareness of the employers and informing them about the opportunities for the disabled persons.

The new regulations introduced a new model of the vocational rehabilitation that is in accordance with the recommendations of the Council of Europe, UN Convention on the Rights of Persons with Disabilities and recommendations of the European Platform for Rehabilitation. The model is equally available and suitable for application for all groups of persons with disabilities, as well as for other disadvantaged groups on the labour market.

The vocational rehabilitation centres in Zagreb, Rijeka, Osijek and Split that were founded in 2015 play a key role in the implementation of the vocational rehabilitation. The task of the centres is to train the disabled persons for work consistently and in accordance with the requirements of the labour market, but also to provide the professional assistance to employers that are employing the disabled persons.

The uniformity in provision of vocational rehabilitation services is achieved by the adoption of the *Standards of the Vocational Rehabilitation Services*. It is a binding professional document that defines types of vocational rehabilitation services and the method of their implementation. Some of the services provided by the centres include: rehabilitation assessment of the work capacity, knowledge, work habits and professional interests, development of perspectives, analysis of a particular a job and work environment, professional support and monitoring of a particular job and work environment, etc.

In accordance with the Act on Vocational Rehabilitation and Employment of Disabled Persons and the Ordinance on Vocational Rehabilitation and Centres for Vocational Rehabilitation of Disable Persons, CES as one of the receivers of the vocational rehabilitation services initiates and finances their provision. The first phase of the vocational rehabilitation process includes the rehabilitation assessment. After the assessment, the disabled persons may join on-the-job training programmes, social inclusion and educational programmes in accordance with their individual plans and obtained findings and opinions. The vocational rehabilitation services are implemented by the vocational rehabilitation centres in accordance with the *Standards of the Vocational Rehabilitation Services*. There are four regional vocational rehabilitation centres in the Republic of Croatia - in Zagreb, Split, Osijek and Rijeka.

A Vocational Rehabilitation Committee decides on the right to vocational rehabilitation in all CES offices. It adopts decisions on recognition/non-recognition of the right to vocational rehabilitation, and the applicant has the right to appeal to the CES Central Office. In 2018, CES received 11 requests for exercising the right to vocational rehabilitation and issued 11 decisions on exercising the right to vocational rehabilitation. Additionally, the vocational rehabilitation programme was continued in the Work Centre and Virtual Workshop and by means of the individual educational programmes for 21 beneficiaries who received decisions on exercising the right to vocational rehabilitation in the previous year. In 2017, CES received 104 requests for exercising the right to vocational rehabilitation and issued 101 decisions on exercising the right to vocational rehabilitation. In 2016, 44 requests was received, and the same number of decision issued, and in 2015, 79 was issued based on the same number of requests.

Furthermore, CES continuously works with the disabled persons in order to prepare them for employment and make their integration on the labour market as successful as possible. In 2018, besides the usual consultations and advice provided by the employment counsellors, 1,089 disabled persons were additionally included in the vocational guidance services (individual information and counselling sessions and group information sessions) by the employment counsellors specialised in vocational rehabilitation and career development. The

medical and psychological assessment of working and general capacities was completed for 93 disabled persons, while 443 disabled persons were included in the group vocational counselling – workshops for the improvement of job seeking competencies. The workshops were adjusted to the needs of the persons with different types of disabilities (e.g. a deaf interpreter at the workshops for persons with hearing impairment). In 2017, 1,022 disabled persons were included in the vocational counselling services, while 126 disabled persons were included in the medical and psychological assessment. There were 607 disabled persons included in the group vocational counselling – workshops. In 2016, 749 disabled persons were included in the vocational counselling services, 730 disabled persons were included in the workshops and 149 disabled persons were underwent the medical and psychological assessment. In 2015, 681 disabled persons were included in the individual and group information sessions and individual counselling. There were 456 disabled persons who were included in the workshops, 262 disabled persons underwent medical and psychological assessment for the purpose appraisal of their working and general capacities.

In 2018, 3,231 disabled persons from the CES register were employed. It was a slight decrease (by 4%) compared to 2017, when 3,366 disabled persons were employed. The share of persons with disabilities in the total number of all employed from the CES register amounts to 1.9% (the share of men with disabilities amounts to 2.5% and the share of women with disabilities amounts to 1.4%), which is an increase compared to the previous year when the share of persons with disabilities amounted to 1.7%. In 2016, there were 2,853 employed persons with disabilities, while this number amounted to 2,613 in 2015. On 31 December 2018, the CES register comprised 5,843 persons with disabilities, which was 3.9% of the unemployed persons registered in the CES records. In 2017, there were 6,497 persons with disabilities register, in 2016, this number was 7,204 and in 2015, this number was 7,303.

	<b>No. of the employed by 31 Dec.</b>	<b>Employment trend index</b>	<b>No. of unemployed on 31 Dec.</b>	<b>Unemployment trend index</b>
<b>2015</b>	2,613	139.2	7,303	107.7
<b>2016</b>	2,853	109.18	7,204	98.64
<b>2017</b>	3,366	117.98	6,497	90.19
<b>2018</b>	3,231	95.99	5,843	89.93

The active labour market policy measures are implemented in the way that they take into consideration special requirements of the beneficiaries, especially those in disadvantaged position on the labour market.

The employment supports are used to co-finance the employers' cost of work of the employed persons up to the 50% of the annual cost of the gross II salary. This subsidy for the employment of persons with disabilities amounts to 75%. In 2018, the active labour market policy measures covered 1,648 persons with disabilities, 1,013 of whom were men with disabilities (61.47%) and 635 (38.53%) were women with disabilities. From 1 January 2018, 981 new persons with disabilities were included in the measures, i.e. 597 men and 384 women. Compared to 2017, the number of disabled persons included in the active labour market policy measures increased by 15% (in 2017, there were 1,433 persons with disabilities included in the measures).

<b>Included in the active labour market policy measures</b>	
<b>2015</b>	1,668
<b>2016</b>	1,480
<b>2017</b>	1,433
<b>2018</b>	1,648

Every regional and branch office of the Croatian Employment Service employs specialised counsellors for persons with disabilities who are trained for work in this area and their competencies are continuously improved through vocational training programmes, so that they could appropriately identify a person with disability and meet the needs of both such persons and the employer.

In order to raise the awareness of the employers about the employment of persons with disabilities, CES representative organise or participate in various activities that include panel discussions, conferences and seminars for employers and presentations of active labour market policy measures on both the national and regional level.

The Croatia's accession to the European Union opened possibilities for drawing down the EU structural and investment funds (2014 – 2020). The Croatian Employment Service is the owner of the project titled "Support for the Employment of Groups Characterised by Low Employability". In 2018 the project was used for continuation of subsidising of employers who are granted 50% of the worker's gross annual salary (up to 75% for disabled persons). The goal of the project is to promote employment of the unemployed persons, especially those who are long-term unemployed and the persons whose skills do not meet the labour market requirements.

Additionally, in 2018, the selection, contracting and implementation of the projects within the open call for applications titles "Support to the Social Inclusion and Employment of Marginalised Groups". The purpose of this was to support the projects that would increase the general employment opportunities and reduce the risk of social exclusion and poverty of marginalised groups.

CES intensively collaborates with all relevant stakeholders in the field of vocational rehabilitation of the persons with disabilities, and especially with the Institute for Expertise, Vocational Rehabilitation and Employment of Persons with Disabilities and many NGOs taking care of the persons with disabilities. The common goal of all services focused on the persons with disabilities is to improve their integration, increase their employability and make their career selection and their transition to the labour market easier.

The Croatian Employment Service also carries out the vocational guidance activities for pupils of elementary and secondary schools as a part of interventions for prevention of (long-term) unemployment. The regional and branch offices of the Croatian Employment Service primarily organise the vocational guidance for pupils whose options for the selection of educational programmes are narrowed down, i.e. who are probable to have difficulties in accessing the labour market, while the vocational guidance of indecisive and other pupils is carried out by CISOKs, in the cities where they are established. The vocational guidance for all pupils in the cities where CISOKs have not yet been established, is carried out by the regional and branch offices of CES.



	2015	2016	2017	2018
<b>Individual information sessions</b>	2,590	2,411	2,464	2,241
<b>Individual counselling</b>	8,940	8,824	5,861	8,202
<b>Group information sessions</b>	4,105 pupils in 207 group information sessions	4,433 pupils in 445 group information sessions	4,602 pupils in 136 group information sessions	4,421 pupils in 139 group information sessions
<b>Group counselling</b>	1,976 pupils in 504 workshops	1,779 pupils in 429 workshops	1,071 pupils in 276 workshops	974 pupils in 226 workshops

\* The table shows the number of provided services, except when it is specified differently

In accordance with the *Ordinance on the Elements and Criteria for the Selection of Candidates for Enrolment into 1st Grade of Secondary School* of the Ministry of Science and Education, the vocational guidance procedure for the pupils of the final grade of elementary school who suffer disabilities or severe health problems results in a written opinion provided by the vocational guidance team of experts and recommendations of the educational programmes that are most suitable according to the psychological and physical abilities of the pupil, his/her interests, motivation and other elements important for the selection of occupation i.e. Educational programme. Pursuant to this opinion the pupil acquires benefits when enrolling into the 1st grade of the recommended programmes.

	2015/2016	2016/2017	2017/2018	2018/2019
<b>No. of issued expert opinions</b>	4,939	4,958	4,831	4,904

The Lifelong Career Guidance Centres (<http://www.cisok.hr/>) represent a unique form of providing lifelong vocational guidance that meets the requirements of individuals, especially non-traditional CES beneficiaries. The Centres have been developed through the project “CES Services for Beneficiaries: Improvement of the Lifelong Vocational Guidance and ICT Support” within the IV component of the Instrument for Pre-accession Assistance (IPA) "Human Potential Development" and they are open for all citizens of the Republic of Croatia who require information and advice related to their further career development, education or employment. In 2013, CISOKs were opened in Šibenik, Zadar, Koprivnica, Slavonski Brod, Varaždin, Osijek, Zagreb (I and II) and Vukovar. At the end of 2014, CISOKs were opened in Dubrovnik and Split, and in 2017, in Bjelovar and Karlovac. The centres are currently active at 13 locations in 12 Croatian cities. The fact that CISOKs are not on the same locations as CES offices contributes to the motivation of beneficiaries to use their services and makes their services available to a wider population.

The CISOK beneficiaries are pupils of the elementary and secondary schools, students, unemployed persons and employed persons who are considering change of job or career, employers, parents, school staff, vocational guidance counsellors, persons from the NEET group and any other individual interested in career development. By providing free services to end users, the centres try to raise the interest for drafting and implementation of the lifelong career plan of all interested of all who are interested in career development.

	2015	2016	2017	2018
Elementary and secondary school pupils	32,003	31,085	23,914	27,506
Unemployed beneficiaries (unemployed persons, jobseekers and other)	27,426	20,817	17,461	18,581
Students	1,405	1,283	1,095	1,238
<b>Total</b>	<b>60,834</b>	<b>53,185</b>	<b>42,470</b>	<b>47,325</b>

The partnership approach is integrated in all activities of the Centres, it includes services within reach of the beneficiaries, service provision, exchange of knowledge and improvement of the system of the lifelong vocational guidance.

Starting from the beginning of 2016, the Centres have accordingly signed collaboration agreements with partners at the local and regional level (elementary and secondary schools, faculties and universities, volunteer centres, NGOs, development agencies) related to the process of identification and activation of NEET beneficiaries. In the period from the beginning of 2016 to the end of 2018, the Centres signed 339 Collaboration Agreements with various partners.

The services at CISOKs are provided in two ways, by personal visits and through the CISOK website for obtaining the information personally and independently.

	2015	2016	2017	2018
No. of CISOK services provided in personal visits	60,834	53,185	42,470	47,325
No. of visits to CISOK website	—*	74,729	244,202	261,958

\*Subsequently established monitoring of web services

Depending on the beneficiaries' need assessment and the required counsellors' support, CISOKs provide individualised services, self-help services and self-help services with a partial support of the counsellors. The individualised CISOK services are provided by means of the individual counselling about the methods of looking for and creating business opportunities and improvement of job search. They include management, expert appraisal and personalised support provided by the counsellors when using the available tools. The partial assistance includes individual information sessions, counsellor's support when using the available tools and group activities such as lectures, presentations, seminars, group information sessions and workshops. The self-help service include the private use of the information material (brochures, leaflets), "Moj izbor" (My Choice) computer programme, CISOK website for career development, "Statistika on-line" (Statistics Online), interactive surveys, LMI systems and other resources of CISOKs.

In accordance with the set goals, the model of the Lifelong Career Guidance Centre has been recognised in the EU countries as one of the good practice examples.

	2015	2016	2017	2018
Inactive NEET beneficiaries	—*	200	274	135
Active NEET beneficiaries	—*	2,519	2,461	4,209
<b>NEET total</b>	<b>2,739</b>	<b>2,719</b>	<b>2,735</b>	<b>4,344</b>
<b>Total</b>	<b>60,834</b>	<b>53,185</b>	<b>42,470</b>	<b>47,325</b>
Youth up to 30 years of age	35,557 (58.4%)	32,293 (60.7%)	25,020 (58.9%)	26,900 (56.8%)

\* Subsequently established monitoring of the active and inactive NEET beneficiaries

CES makes efforts in developing digital services in order to make the required information as available as possible to wider groups of beneficiaries. In 2015, within the project “New CES Approach to Provision of Services for the Beneficiaries the web portal e-Usmjeravanje (<http://e-usmjeravanje.hzz.hr/>) was developed in order to collect the information required for the selection of the educational programmes, seeking of jobs, better planning of the business future, setting and accomplishing career goals at one place and make such information easily available.

The portal comprises information about more than 250 occupations. The information about these occupations include the list of jobs, required education and competencies, employment opportunities and other relevant data. The portal also offers content that serves as support in career planning, such as tips for writing a resume and behaving during an important job interview. The content is supported by short videos in order to bring it close to all groups of beneficiaries, especially young people who are seeking jobs. One of the main features of the portal are new self-assessment questionnaires that help beneficiaries assess their own interests and competencies and chose the right career path. Additionally, the beneficiaries can assess their skills and competencies that are desirable on the labour market, such as communication skill, teamwork, etc.

As a part of the Curriculum Reform in the Republic of Croatia special attention is paid to vocational guidance, career management, continuous career development and lifelong learning, primarily in the curriculum for the cross-curricular topic titled Entrepreneurship for the Elementary and Secondary Schools in the Republic of Croatia (available at the link: [https://narodne-novine.nn.hr/clanci/sluzbeni/2019\\_01\\_7\\_157.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2019_01_7_157.html)).

Since there is a certain number of young persons who due to some specific circumstances in their live abandoned their education, the Ministry of Science and Education in collaboration with the Ministry of Justice enabled those who are in the penal system or are treated for addition to complete their education through the adult education programmes or to acquire specific competencies through the vocational training programmes.

### **Status of Foreigners**

In accordance with the Labour Market Act (Official Gazette, no. 118/185) citizens of the EU member countries, European Economic Area and Swiss Confederation and members of their families are equal to the Croatian citizens in their rights and obligations stipulated by this Act. Furthermore, the Act stipulates that an asylum seeker and an alien under subsidiary, that is, temporary protection of the Republic of Croatia, can register with the CES as well as his/her family members, who are in their rights and obligations as defined in this Act equal to the Croatian citizens.

This means that the citizens of the EU/EEA member countries and Switzerland, as well as asylum seekers and aliens under the subsidiary and temporary protection may register with the CES and use the CES services.

With regard to the allowance – a foreigner whose employment in the Republic of Croatia was terminated without any fault on his/her part or without his/her consent, who is unemployed and has a fixed-term residence permit, may register with the CES in order to exercise the right to unemployment allowance. Upon the expiry of the allowance period, such person shall be removed from the CES register.

### **Article 20 – paragraph 1 of the Additional Protocol of 1988, the right to equal opportunities and conditions in terms of employment and occupation without gender discrimination**

CES strives to ensure the right to equal opportunities and treatment to all persons included in the vocational guidance procedure regardless of their sex, starting from using the gender-inclusive language.

Within the CES' project titled "New CES Approach to Provision of Services for the Beneficiaries" a new version of the computer system "Moj Izbor" (My Choice) and the manual "Moj izbor" (My Choice) were prepared that contain descriptions of more than 250 occupations. All the occupation names and descriptions include both masculine and feminine versions, which is how CES contributes to the promotion of gender equality, especially with pupils who are the most frequent users of this programme. A portal titled e-Usmjeravanje has also been created within this project. The goal of this web portal is to offer the e-vocational guidance to pupils, students, the unemployed and employed persons. One of the main features of the portal are new self-assessment questionnaires that help beneficiaries assess their own interests and competencies and chose the right career path. Additionally, the beneficiaries can assess their skills and competencies that are desirable on the labour market, such as communication skill, teamwork, etc. All questionnaires use gender-inclusive language and terminology.

CES publishes five regional brochures titled "Where to Go after the Elementary School?" for five Croatian regions every year. Their purpose is to provide information about the opportunities for secondary school education in the Republic of Croatia. The brochures include relevant information about the secondary school education in the Republic of Croatia, descriptions of occupations/professions, information on the terms of enrolment into secondary schools, scholarships as well as the list of all secondary schools and educational programmes, dormitories and information on the most sought-after occupations. The language used in those brochures is gender inclusive, and all the names of the educational programmes comprise both masculine and feminine forms, which is a way of promotion of the gender equality among the student population.

A gender-sensitive approach is applied in regular vocational guidance activities in the CES in making a decision on choosing an occupation as well as in presenting gender-non-traditional occupations at Vocational Guidance Days, Job Fairs and other similar events. Additionally, the questions in the survey, which is conducted every year in order to determine the structure and professional intentions of pupils in the final grades of primary and secondary school are gender-inclusive, and in order to create a more representative sample, the survey is distributed to students according to their different characteristics (sex, school achievement, difficulties in making a decision on the choice of further education/occupation, etc.).

The Ministry for Demography, Family, Youth and Social Policy has continuously monitored and participated in the process of drafting the new Directive of the European Parliament and the Council on work-life balance of parents and carers, which aims to ensure

implementation of the principle of equality between women and men taking into consideration their opportunities in the labour market and how to treat them in the workplace by adapting and modernising the EU legal framework, which will make it easier for parents and carers to reconcile their business and private obligations. The new Directive that came into force will be transposed into the Croatian legislation by adopting the new regulation in the segment of maternity and parental benefits.

In that case, the normative intervention will include the prescribing of newly proposed institutes that are not regulated by the Croatian legislation, such as paternity leave, but also a number of other rights in this segment that are covered by the Directive proposal.

The Act on Gender Equality of 2008 prohibits discrimination in the matters for employment and work. The Act on Amendments to the Act on Gender Equality (came into force in July 2017) was adopted and it enables a wider protection of all persons who reported discrimination, witnessed discrimination or refused to obey an order for discriminatory conduct or who in any other way witnessed in a procedure of protection against discrimination or who in any other way participated in any procedure instituted on the grounds of gender discrimination.

The Labour Act stipulates equal pay for work of equal value. The provision of the Article 91 “Equal Pay for Women and Men” obliges the employer to pay equal salary to female and to male worker for equal work and for work of equal value. Two persons of different genders are considered to perform equal work and work of equal value if:

- 1) they perform the same work in the same or similar conditions or they could substitute one another in doing that work
- 2) the work one of them performs is of a similar nature to that performed by another, and the differences between the work performed by them and conditions under which it is performed have no significance in relation to the overall nature of the work or they appear so rarely that they have no significance in relation to the overall nature of the work
- 3) the work one of them performs is of equal value as that performed by another, if one takes into account the criteria such as qualifications, skills, whether the work is of manual nature or not, and the responsibilities and conditions under which the work is performed.

The subject of comparison is not only the salary and salary supplements, but also any other receipt provided by the employer to the female employee, i.e. the mail employee, regardless of the name under which they are provided.

We emphasise that the National Plan for Combating Discrimination from 2017 to 2022 provides for a measure of monitoring the representation of citizens by their ethnicity, gender, age, disability and other characteristics in the government bodies and their participation among employees in administrative authorities and services. Accordingly, the Human Rights Directorate of the Ministry of Administration collects and processes data on the number and structure of employed civil servants and state officials in government authorities, professional services and offices of the Government of the Republic of Croatia and other state authorities. Among other things, data are collected on government officials and employees who have the status of members of national minorities, persons with disabilities and Croatian veterans of war.

The table shows the data of the Croatian Bureau of Statistics (adjusted and unadjusted) on the gender pay gap for all years of the reference period.

## Gender pay gap - unadjusted

2015	11.3
2016	13.2
2017	12.7

Source: RAD-IG (The Annual Report on the Employed and Paid Salary)

### Data of the State Inspectorate of the Republic of Croatia

The labour inspectors initiated infringement proceedings in the period from 2015 to 2018 because their inspections confirmed the reasonable grounds that the following offences were committed related to the gender equality issue:

breach of the regulations	2015	2016	2017	2018	total
Article 14, paragraph 3 of the Labour Act (LA), punishable in accordance with Article 229, item 3 and paragraph 2 of the LA (the written employment contract)	818 (committed against 575 men and 416 women)	729 (committed against 493 men and 426 women)	788 (committed against 611 men and 441 women)	774 (committed against 599 men and 350 women)	3,109 (committed against 2,278 men and 1,633 women)
Article 25, paragraph 1 of the LA, punishable in accordance with 228, item 3 and paragraph 2 of the Labour Act (data that may not be requested)	-	1	1	2	4
Article 30, paragraph 1 of the Labour Act, punishable in accordance with 229, item 8 and paragraph 2 of the LA (prohibition of unequal treatment of pregnant women)	-	1	-	-	1
Article 34, paragraph 1 of the Labour Act, punishable in accordance with Article 229, item 9 and paragraph 2 of the LA (prohibition of dismissal from work of pregnant and parturient women)	3	7	3	8	21
Article 30, paragraph 2 of the LA, punishable in accordance with 228, item 5 and paragraph 2 of the LA (prohibition to request any data on the pregnancy)	1	-	-	-	1
Article 36, paragraph 1 and 2 of the LA, punishable in accordance with Article 228, item 6 and paragraph 2 of the Labour Act (the right to return to previous jobs)	2	-	-	1	3
Article 41, paragraph 1 of the LA, punishable in accordance with Article 228, item 8 and paragraph 2 of the Labour Act (the right to employment in other jobs)	2	3	1	0	6
Article 120 of the LA, punishable in accordance with Article 229, item 35 and paragraph 2 of the Labour Act (notice of termination or dismissal without explanation)	72	70	88	100	330

The data are kept according to the number and sex of the workers against whom specific infringements were committed related to the illegitimate overtime, preventing the workers from use of their daily and weekly rest and non-payment of the minimum wage:

year	overtime		daily rest		weekly rest		non-payment of the minimum wage	
	men	women	men	women	men	women	men	women
2015	170	201	122	148	71	144	9,119	3,825
2016	337	268	206	220	169	161	3,281	1,858
2017	231	181	170	225	82	83	4,877	1,803
2018	813	123	144	159	66	116	3,906	1,379
<b>total</b>	<b>1,551</b>	<b>773</b>	<b>642</b>	<b>752</b>	<b>388</b>	<b>504</b>	<b>21,183</b>	<b>8,865</b>