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EUROPEAN SOCIAL CHARTER

6th National Report on the implementation
of the European Social Charter

submitted by

THE GOVERNMENT OF LATVIA

Articles 1, 9, 10, 15, 18§1, 18§4, 20, 24 and 25

for the period 01/01/2015 - 31/12/2018

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CYCLE 2020

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



**6th Report
on the implementation of the
European Social Charter (Revised)
(Article 1, Article 9, Article 10, Article 15,
Article 18§1, and §4, Article 20, Article 24 and Article
25)**

**Riga
2019**

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ARTICLE 1: THE RIGHT TO WORK

ARTICLE 1 PARA. 1

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

to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment;”

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

The labour market situation has been improving over the last years. According to Eurostat data, the employment rate in the age group 15-64 was 68.1% in 2015, 68.8% in 2016, 70.1% in 2017 and 71.8% in 2018. Disaggregated by gender, although the employment rate of women in Latvia in the age group 15-64 years is lower than the employment rate of men, it is significantly higher than the European Union average. In 2018, the employment rate of women in this age group was 70.1%, while the employment rate of men was 73.6%, in 2017 it respectively was 68.6% and 71.9% and in 2016 – 67.6% and 70.0%.

Furthermore, the quantitative objective set by Latvia in the context of implementing the Europe 2020 strategy is to reach an employment rate of 73% in the age group of 20-64 by 2020. In 2016, the target for 2020 was exceeded - the employment rate of the corresponding age group was 73.2%, 74.8% in 2017 and 76.8% in 2018.

The Inclusive Employment Guidelines 2015-2020 were adopted by the Cabinet of Ministers in May 2015. It is a medium-term policy planning document that determines policy objectives for the promotion of an inclusive labour market for the time period up to 2020. The goal of the Inclusive Employment Guidelines 2015-2020 is to support a more inclusive labour market by giving the opportunity to the residents of Latvia to fully use their human resources potential, inter alia, by reducing social consequences of unemployment, supporting the return to the labour market and retaining persons from groups at risk of social exclusion on the labour market as long as possible, as well as by improving job quality.

The main legal document regulating the implementation of labour market policy in Latvia is the Support for Unemployed Persons and Persons Seeking Employment Law (adopted in 2020). The Law was amended on 23 November 2016 as regards the obligation of the unemployed persons and persons seeking employment to notify the State Employment Agency (hereinafter – the SEA) of obtaining the status of an employee or a self-employed person for the time of up to two months within one working day as well as a regulation that entitles the SEA to repeal the status of an unemployed person or a person seeking employment in cases when a person is involved in undeclared employment.

The Regulations of the Cabinet of Ministers No 75 of 25 January 2011 “Regulations Regarding the Procedures for Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction

and Principles for Selection of Implementers of Measures” describe organisational procedures for providing employment services to unemployed, job-seekers and other target groups. During the reporting period, several amendments were made in these Regulations:

- In 2016, a new active labour market measure “Activation programme for the long term unemployed” was introduced. The aim of the measure is to facilitate social integration of the long-term unemployed (unemployed for at least 12 months) and improve their ability to find suitable jobs, thus minimising risks of social exclusion.

- In 2017, to provide an opportunity for the unemployed, including for those who have not completed vocational education programmes but have acquired significant work experience or developed skills outside the formal education system, to obtain a State-recognised qualification certificate. The SEA covers the costs of evaluating the professional competence acquired outside the formal education system. To ensure more efficient use of financial resources for the implementation of the State language programmes and vehicle and tractor driving programmes, only the educational institutions in which at least 50 or 60% (depending on the type of a programme) of the trainees trained in the previous year have successfully passed tests, are allowed to implement these programmes.

- In 2017, the subsidised employment programme was extended to include persons who have acquired the refugee status or alternative status. It is also now possible to grant support to the employers wishing to employ unemployed persons with disabilities for the adjustment of the workplace, wage subsidy for the supervisor, sign language interpreter, ergo therapist or support person service without receiving the wage subsidy for the employed person with disability.

- To activate the unemployed, the number of job search activities to be included in the job search diary was increased and the suitable job criteria were revised to specify that an unemployed person may be offered any job, irrespective of their previous qualifications, after a six-month period of unemployment.

- From 2018, modular training can also be provided to the unemployed. Modular vocational education includes one or more modules of professional education programmes in accordance with the professional competencies, skills and knowledge specified in the basic requirements for professional qualification. In addition, a new measure was implemented “Latvian language mentor service for employed refugees and persons with alternative status”. Its aim is to improve the knowledge of the Latvian language required for work by acquiring professional vocabulary and gaining the ability to independently integrate into the work environment.

- The wage subsidy for the unemployed who participate in the measure “Practical training in workplace” was increased. For the first three months of training, the subsidy is 200 EUR, while for the last three months it is 150 EUR (previously for first two months - 160 EUR, for next two months - 120 EUR, for last two months – 90 EUR).

- Support for regional mobility was extended – now support is granted also if a person finds a job in the capital city – Riga. Changes were also made to

facilitate the implementation of the measure as regards the submission of documents by participants.

- In 2017 and 2018, amendments were made to strengthen the regulatory framework governing the operation of for-profit providers, including more rigorous vetting and monitoring of providers, as well as the banning of aggressive marketing techniques (more information provided under Article 1§4).

Over the last 10 years, the labour market has changed profoundly. Within the age structure, there is now a higher share of those aged 50 and over in the labour market and less young people entering. At the same time, labour productivity has been on an increasing trend.

The employment rate of older people (aged 50 - 64 years) in Latvia is growing and is higher than the EU average. In 2016, employment rate for this age group was 66.0%, in 2017 - 67.5%, but in 2018 - 70.6%, while in the EU (average) - 66.2%. According to the changing economic, social and demographic conditions in Latvia, the retirement age is gradually increasing, thus enabling labour market to respond to the economic and social consequences of ageing. Despite the positive developments, the main challenge is unemployment and especially long-term unemployment arising from such factors as lower mobility, in terms of both change of employment and return to the labour market, stereotypes, education level and health as well as care responsibilities. In 2015, the unemployment rate of older people (aged 50-64 years) in Latvia was 9.7%, in 2016 - 9.8%, in 2017 - 8.3% and in 2018 - 7.3%.

The conceptual report “Active ageing strategy for longer and better working lives in Latvia” was adopted by the Cabinet of Ministers on 6 September 2016. The target group covered by the measures promoting active ageing through longer and better working lives is defined as people aged 50+, especially pre-retirement age, who face significant barriers to enter the labour market. The following priorities are set in the conceptual report:

- Employment: inclusive labour market for older people;
- Education: educated and knowledgeable older workers responding to changing labour market conditions;
- Health: healthy and physically active older people, who can remain active and independent for as long as possible;
- Social protection: socially protected older workers.

The Social Enterprise Law was adopted on 12 October 2017 and came into force on 1 April 2018. The purpose of the Social Enterprise Law is to improve the quality of life and to promote the employment of groups at risk of social exclusion through social entrepreneurship. A social enterprise is a limited liability company registered in the Social Enterprise Register and engaged in an economic activity creating a positive social impact (e.g., provision of social services, formation of an inclusive civil society, promotion of education, support for science, protection and preservation of the environment, animal protection, cultural diversity). Altogether 49 companies were registered in the Social Enterprise Register during first year of the Law being in force.

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

According to the Inclusive Employment Guidelines 2015-2020, to promote employment and to reduce unemployment, a range of different measures was taken during the reporting period – within improvement of active labour market policy (hereinafter - ALMP) measures, including improvement of the regulatory framework, development of new co-operations and partnerships.

One of the three overarching policy objectives formulated in the Inclusive Employment Guidelines 2015-2020 is to make Latvia's labour market more inclusive by reducing barriers to the employment of disadvantaged jobseekers, including long-term unemployed, persons with disabilities, youth and older workers. Specific policy goals under this heading include: extending and better targeting ALMP, increased use of career counselling, promoting regional labour mobility, raising participation rates in groups with a high risk of unemployment and fostering social entrepreneurship. The specific efforts towards these goals include improved profiling of unemployed persons, closer co-operation between the SEA and the municipal social services to focus on long-term unemployed persons and recipients of social assistance, implementation of the Youth Guarantee and development of an active ageing strategy.

The SEA assists the unemployed, job seekers and people at risk of unemployment in promoting their competitiveness in the labour market according to their needs and abilities and implements and administers ALMP measures for the reduction of unemployment.

To identify the needs of the unemployed, a profiling system has been developed with the aim to shorten the period of unemployment and prevent potential risks that could delay return to the labour market by providing most appropriate measures and their intensity. As a result of profiling, an individual job search plan is prepared. Persons are involved in the most suitable measures sequenced in a way that would ensure the most effective labour market outcome based on job opportunities by demographic characteristics, self-esteem and motivation to look for a job and cooperate with the SEA.

The SEA organises informative days to provide information about the available services as well as informative support in the process of seeking employment. The unemployed receive informative materials about the SEA services, presentation materials, samples for writing resume and letter of application etc. Informative days are held in all SEA local employment offices at least once a week.

Career consultations are also part of the regular ongoing services provided by the SEA.

Now the SEA has the largest data base of CV/Vacancies covering all districts of Latvia. Since January 2019, full assistance is provided to employers. A vacancy can be registered by visiting a local office of the SEA in person, by telephone or electronically in the CV/Vacancies portal. Electronic services are also available through CV/Vacancies portal allowing to manage the company profile, create and manage vacancies, select potential employees through the matching service,

contact the SEA, apply for and manage the participation in ALMP measures and submit the required documents to the SEA.

The Ministry of Welfare has established a Training Commission which defines and approves vocational, non-formal and basic skills training programmes for the unemployed and job-seekers. Thus, training fields and educational programmes are organised in accordance with the labour market demand and national economic development forecasts and agreed with economic and social partners and experts (more information provided under Article 10§1).

One of the most important directions of activity is training of unemployed persons and persons seeking employment, their retraining and qualification improvement, which is organised by the SEA and supervised by the Ministry of Welfare (related to the improvement of skills, offering vocational and informal training programmes, including training after employer's request as well as training at the employer). These training programmes are financed from both the European Social Fund and the State budget (within ESF project "Support to Education of Unemployed Persons").

Both vocational and non-formal training courses are allocated through a voucher system. The length of the vocational course normally ranges from 160 to 320 hours for a certificate and from 480 to 1 280 hours for a formal professional qualification (a course can require 6 months in full-time education). The length of non-formal training courses is limited to 60-160 hours.

The registered unemployed are eligible for training whenever additional training is needed to place them in a job. This is assessed on an individual basis but with the help of a profiling tool. Participation in vocational training therefore includes both jobseekers with qualifications that are outdated or no longer demanded and those who have never gained a professional qualification. In addition, training is combined with regional mobility support.

Regional differences in the labour market become increasingly more distinct. Majority of jobs (even more so for job vacancies) are concentrated in Riga region (54.1% of the occupied jobs were in the Riga region in 2018), less in urban centres in regions, but very few ones in rural areas. Access to jobs for the rural population is hindered by challenges related to transportation network and housing. The requirements of the regional mobility programme have been eased to facilitate uptake. Since March 2018, the regional mobility support is available to the unemployed who start employment at least 15 km away from a declared place of residence (until then - at least 20 km). The regional mobility support for covering transportation or living costs is available in various ALMPs (Youth Guarantee, subsidised employment, training for acquiring professional qualification).

Young persons

The Youth Guarantee programme in Latvia operated in 2014-2018. The aim of the Youth Guarantee was to establish a long-term and comprehensive approach to timely activation of young people, by providing job-search support, employment and training measures or returning into an education system.

Within the Youth Guarantee, three national projects were implemented since the beginning of 2014 – the SEA project "Active labour market policy measures for unemployed young people", the State Education Development Agency's project

“Implementation of vocational education programmes for young people not in employment and training” and the Agency’s for International Programmes for Youth project “Know and Do!”.

The SEA project “Active labour market policy measures for unemployed young people” was implemented in 2014-2018. The SEA assigned special workers to work with young people in local offices. A career consultant followed a young person’s achievements and interacted if something was not working properly (for example, if a young person stopped attending lectures, seminars etc.). Each young person was entitled to at least three meetings with a career consultant in the SEA. Several measures were implemented within this project, including:

- Profiling, job-search assistance, career counselling, development of basic competencies;
- Non-formal training programmes;
- Vocational education programmes;
- First work experience for youth;
- First work experience for youth in NGOs;
- Youth workshops;
- Subsidised workplace for young unemployed;
- Measures to support young unemployed to start self-employment or entrepreneurship;

Additionally, during school summer holidays (June - August), the SEA organises the employment measures for pupils aged 15 - 20 who acquire education in general, special or vocational educational institutions. The aim of these measures is to enable young people to work during summer holidays, thus giving them an opportunity to gain knowledge of the basic principles of employment legal relationships, acquire skills and first work experience and increase further career guidance abilities. During this activity, the minimum wage (or above), a qualified work superintendent (one per 10 pupils), accident insurance and paid mandatory health examinations, if needed, are provided for the pupils. According to legislation, the pupils aged 15 – 18 are employed for not more than 7 hours a day and not more than 35 hours a week; pupils aged 18 - 20 are employed for not more than 8 hours a day and not more than 40 hours a week. The implementation of this measure gives an opportunity for the pupils to work in different professions (like a gardener, an archivist, a customer service operator, a secretary, a register of accounting display, a passenger service agent at the airport, a shop-assistant, an agricultural auxiliary worker, etc.), acquire skills and career guidance as well as general knowledge about the labour market.

Targeted programmes for long-term unemployed and persons with disabilities

The overall long-term unemployment (unemployment period longer than 1 year) is challenging, especially in remote areas where the workforce is less mobile and among disadvantaged groups. In 2015, the share of the long-term unemployed in the total number of unemployed was 29.7%, in 2016 - 41.8%, in 2017 - 37.9%,

but in 2018 - 42.5%. This figure is higher than in the pre-crisis period and is associated with significant labour market challenges.

The European Social Fund co-funded project “Support for the long-term unemployed” with an aim to facilitate the integration of the long-term unemployed into society and settlement in permanent work, suitable training programme or other measures started in 2016 (the involvement of participants started at the end of 2016, operation in full capacity since 2017) and will continue till 2022. The following support is provided to the long-term unemployed within the project:

- Individual and group consultations (incl. career consultations, psychological and psychotherapeutic support).
- In-depth health checks to assess suitability for the possible job opportunities, including laboratorial and functional examination costs and also transport costs to/from doctor.
- Assessment of professional suitability to be provided by the Social Integration State Agency within a special 10 - days programme.
- Motivation programmes – provided by outsourced service providers. Motivation programme can be supplemented by paid temporary work component (4 to 12 weeks). Service provider ensures psychological support, motivation measures, support and consultation to assist in solving social problems. Services are provided individually or in a group (max 12 persons). Service provider ensures meals and transportation of participants. After the completion of motivation programme, the mentor has to be provided (person that helps in job-search activities and provides psychologic support, one mentor for max 6 persons) for up to three months (for the unemployed with disabilities – six months).

Additional individualised mentoring support is provided since 2017, following the insights of the pilot project’s results about the cooperation between the SEA and municipal social assistance services. It showed that more intensified consultations and access to specific services can improve labour market prospects for persons who receive social assistance.

Targeted programmes for older people

To reduce the risk of becoming unemployed among older people and pursue targets set in the conceptual report “Active ageing strategy for longer and better working lives Latvian”, a European Social Fund co-funded project “To prolong preservation of capacity for labour and employment of elderly employees” started in 2017 and will continue till 2022. Measures for older workers include vocational guidance support, up-skilling, consultations ensured by psychologists and occupational physicians, guidance to employers on how to adapt the workplace, workplace adjustment costs covered, if needed, and some health services provided (work on the ground started in Autumn 2018). On average 3 000 persons benefit from participation in this measure. The results and general recommendations are available for all companies in Latvia. The programme is implemented by the SEA in cooperation with social partners – the Latvian Employers Confederation and the Latvian Free Trade Union Confederation.

The labour market situation of the pre-retirement age group shows that health issues and disability are an obstacle to labour market participation for older

people. To some extent, the Active Ageing measures address this challenge in a preventative way. One of the measures that are in the process of development is Active Ageing audits in enterprises with the aim to support workplace adjustment for healthier and longer working lives and to identify those employed persons who are in need of additional support, including in the form of education or some workplace-related health services, like physiotherapy.

Subsidised employment for the most vulnerable groups of unemployed

The SEA offers support for employment in the private sector (employment incentives) to the most disadvantaged unemployed groups. These consist of the following groups: persons with disabilities, persons who have been unemployed for at least 12 months, persons aged 55 or above, persons who have at least one dependent and persons who have obtained a refugee status or alternative status. The programmes in place in Latvia are in line with the recommendations of the Council of the European Union on establishing a Youth Guarantee and the long-term unemployed which call for well-targeted employment subsidies for these groups of the unemployed.

The measures for the most vulnerable groups are aimed at helping the unemployed understand labour market requirements and promote their inclusion in society and settling in the permanent job by employing the unemployed persons in subsidised jobs. The employer may be a private company (with the exception of medical institutions and education establishments implementing educational programmes), self-employed persons, societies or foundations (with the exception of political parties).

Employer provides a qualified work supervisor for each participating unemployed person that assists the unemployed person in acquiring the basic skills and abilities required for work (the involvement of the supervisor may be different and depends on the complexity of work to be done, unemployed person profile (more extended involvement in the case of persons with disabilities and young unemployed) and other characteristics).

The financial support for employing the unemployed persons is granted for a period up to 12 months (for the long-term unemployed, 55+ and refugees or persons with alternative status) or up to 24 months (for the unemployed with disabilities). Support includes monthly wage subsidy for an unemployed person which equals 50% of the total wage costs, but it cannot exceed the minimum monthly wage set by the Government (430 EUR in 2019). If the employer employs a person with disabilities, the monthly wage subsidy cannot exceed 1.5 minimum monthly wages and equals to the minimum monthly wage if the employer provides workplace requiring low qualification.

Additional expenses for work supervisors, working place adaptation for persons with disabilities, the involvement of different experts, such as assistants, silent language experts etc. are covered by the SEA.

Migrants and refugees

The SEA support measures, including career guidance consultations and the Latvian language courses, are available to various categories of foreign nationals, along with Latvian nationals, as provided by the Law on Support for Unemployed Persons and Persons Seeking Employment. 1 594 foreign nationals, both from

EU/EEA and Switzerland and third countries, were registered at the SEA as unemployed or job seekers at the end of 2018.

Following the adoption of the Action Plan for Relocation and Reception of Persons in Need of International Protection at the end of 2015,¹ the SEA has been implementing a project “The labour market integration of refugees and persons, who have been granted alternative status in Latvia” aiming at improving employment prospects for asylum seekers, refugees and persons with alternative status (subsidiary protection) and their social and economic inclusion. In addition to ALMP measures offered to refugees and persons with alternative status, asylum seekers are offered an introductory course “Work opportunities in Latvia” and consultations on work opportunities in the Reception centre for asylum seekers “Mucenieki”. There is also an e-leaflet “First steps to employment” including information on work, education, housing and social support available in 5 languages².

The SEA provides the opportunity to participate in three language courses in one-year period, receiving financial support in an amount of 5 EUR for a training day. Since 2016, the Latvian language courses with intermediary language for refugees, persons with alternative status and other foreigners have become available. Each language level within language courses has been divided into two sublevels, ensuring more gradual language acquisition. In 2018, the SEA launched services of the Latvian language mentor at work for refugees and alternative status, in order to facilitate the acquisition of professional vocabulary and social adaptation at work; in 2018, 7 persons were involved in such a measure, 5 persons have completed training.

In 2016 - 2018, the SEA registered 156 refugees and persons with alternative status (many of them repeatedly); 39 refugees or persons with alternative status were registered in 2018. 54 refugees or persons with alternative status found a job with the assistance of the SEA (40 of them, including 34 men and 5 women, were still working – in supermarkets, storehouses, woodworking etc. at the end of 2018). The SEA has developed cooperation with 118 employers who would like to hire refugees and persons with alternative status (data as of 31 December 2018).

Migrants can obtain information about working and living conditions and vacancies on the European Job Mobility Portal of European Employment Services (EURES) and also by contacting EURES consultants at the SEA (more information provided under Article 18§2).

Social entrepreneurship

The European Social Fund co-funded project “Support for Social Entrepreneurship” was launched by the Ministry of Welfare in 2016. The purpose of the project is to verify solutions for supporting the social enterprises. The project includes awareness raising measures about the social entrepreneurship as well as the development and enactment of a support system for social enterprises. Financial grants for social enterprises, both start-ups and already operating companies, and wage subsidies for employing vulnerable groups are provided

¹ Order of the Cabinet of Ministers No. 759 of 9 December 2015, <https://likumi.lv/ta/id/278257-ricibas-plans-personu-kuram-nepieciesama-starptautiska-aizsardziba-parvietosanai-un-uznemsanai-latvija>.

² Available on: <https://begluintegracija.nva.gov.lv/en/>

within the project. By December 2018, 31 social enterprises had received grants totalling 2.2 million EUR.

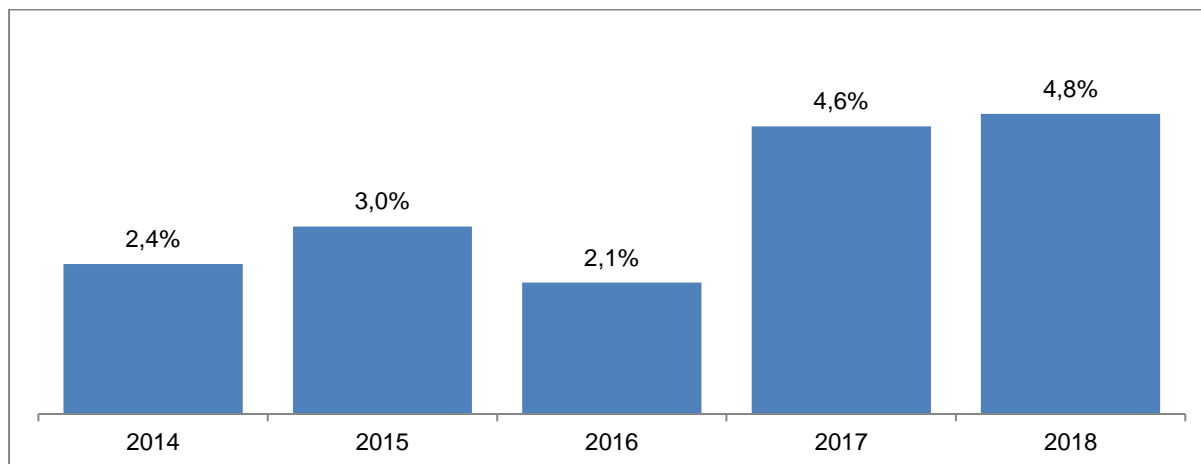
Evaluation

Based on the results of OECD Scientific Research³, the formal training organised by the SEA generate positive and statistically significant effects on individuals' chances of being in employment relatively quickly. 12 months after the start of formal training, individuals who began training (the intervention group) were almost 7.6 percentage points more likely to be in employment than those who were still "waiting" for a substantive ALMP measure or another way out of unemployment.

Effectiveness of the ALMP is shown also by the placement results after completion of ALMP measures. Overall, approximately 30% of the unemployed who are recruited previously have completed an ALMP measure (participation in short-term measures, such as informative days, is not counted). A total of 63.6 thousand unemployed found a job in 2018, 35.4% of them found a job after completing an active measure. In 2017, a total of 67.1 thousand unemployed found a job, 30.9% of them found a job after completing an active measure.

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

³ OECD (2019), Connecting People with Jobs: Latvia 2019, DOI: <https://doi.org/10.1787/6037200a-en>

Table No.1**GDP growth rate, % changes to the previous year**

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

Table No.2**Employed by economic activity (NACE Rev. 2) (%)**

	2014	2015	2016	2017	2018
(A) Agriculture, forestry and fishing	7.5	7.9	7.7	6.9	7.0
(B) Mining and quarrying	0.4	0.4	0.4	0.3	0.3
(C) Manufacturing	13.4	13.0	13.8	13.5	12.9
(D) Electricity, gas, steam and air condition supply	1.1	1.4	1.6	1.5	1.4
(E) Water supply; sewerage, waste management and remediation activities	0.6	0.8	0.9	1.0	0.9
(F) Construction	8.3	8.0	7.4	7.0	8.2
(G) Wholesale and retail trade; repair of motor vehicles and motorcycles	15.0	14.4	13.9	14.7	15.3
(H) Transportation and storage	9.6	9.5	9.3	8.9	8.9
(I) Accommodation and food service activities	3.3	3.4	3.4	3.3	3.6
(J) Information and communication	3.0	2.9	2.7	3.2	3.2
(K) Financial and insurance activities	2.0	2.3	2.6	2.4	2.1
(L) Real estate activities	2.3	2.3	2.4	2.2	2.2
(M) Professional, scientific and technical activities	4.1	4.0	3.8	4.4	4.0
(N) Administrative and support service activities	2.7	2.8	2.6	2.9	3.2
(O) Public administration and defence; compulsory social security	6.6	6.6	7.0	7.0	6.5
(P) Education	9.6	9.3	9.1	9.2	9.2
(Q) Human health and social work activities	5.9	6.2	6.0	6.2	6.1
(R) Arts, entertainment and recreation	2.5	2.5	2.8	2.7	2.8
(S-T) Other economic activities	1.7	2.0	2.5	2.6	2.0

Data source: CSB, Persons aged 15-74

Table No.3**Labour market indicators**

	2014	2015	2016	2017	2018
Employment rate ⁴	66.3	68.1	68.8	70.1	71.8
Activity rate ⁵	74.6	75.7	76.3	77.0	77.7
Youth employment rate (15-24 years)	32.5	34.5	32.8	33.0	33.1
Unemployment rate (15-64 years)	11.1	10.1	9.9	8.9	7.6
Youth unemployment rate (15-24 years)	19.6	16.3	17.3	17.0	12.2
Long-term unemployment (15-64) ⁶	43.1	46.0	41.8	37.9	42.5

Data source: EUROSTAT

Table No.4**Labour market indicators: breakdown by gender**

	2014		2015		2016		2017		2018	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Employment rate ⁷	68.4	64.3	69.9	66.4	70.0	67.6	71.9	68.4	73.6	70.1
Activity rate ⁸	77.8	71.6	78.9	72.8	78.8	74.0	79.8	74.3	80.5	75.1
Youth employment rate (15-24 years)	36.5	28.3	37.1	31.9	34.0	31.6	35.0	30.9	35.5	30.6
Unemployment rate (15-64 years)	12.4	10.1	10.3	8.8	9.3	8.6	8.8	7.9	7.1	6.6
Youth unemployment rate (15-24 years)	19.4	20.0	18.0	14.2	21.4	12.1	18.3	15.4	12.5	11.8
Long-term unemployment ⁹	44.7	41.3	49.4	41.6	45.5	37.2	40.4	34.8	46.0	38.1

Data source: EUROSTAT

Table No.5**Labour market main indicators by ethnicity and gender in 2018**

	Latvians			Another ethnicity		
	Total	Men	Women	Total	Men	Women
Activity rate, %	74.1	81.1	77.4	68.3	80.0	71.7
Employment rate, %.	74.1	75.4	72.8	68.3	70.9	65.9
Unemployment rate, %	6.4	7.0	5.9	9.7	11.4	8.1

Data source: CSB, persons aged 15-64

⁴ Persons in employment as a percentage of the total population aged 15-64.⁵ Total labour force as a percentage of the total population aged 15-64.⁶ Long-term unemployment (12 months or more) as a percentage of the total unemployment aged 20-64.⁷ Persons in employment as a percentage of the total population aged 15-64.⁸ Total labour force as a percentage of the total population aged 15-64.⁹ Long-term unemployment (12 months or more) as a percentage of the total unemployment aged 20-64.

Table No.6**Professional status of employed working in the main job, %**

	2014		2015		2016		2017		2018	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Employees	85.6	91.2	84.2	90.5	84.0	90.1	84.5	89.6	86.6	90.3
Employers	5.6	2.4	6.1	2.6	6.1	2.5	6.3	3.1	6.0	2.7
Self-employed	7.7	5.9	8.7	6.3	8.9	6.7	7.7	6.8	6.9	6.6
Family workers	1.0	0.6	1.0	0.6	1.0	0.7	1.0	0.4	0.6	0.4

Data source: CSB

Table No.7**Full-time and part-time employed, %**

	2014		2015		2016		2017		2018	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Full-time workers	94.7	90.3	95.0	89.2	93.0	88.3	94.5	88.3	9.4	89.0
Part-time workers	5.1	9.6	4.9	10.7	6.7	11.7	5.3	11.6	5.3	10.8

Data source: CSB

Table No.8**Employed persons by hours actually worked per week, %**

	2014	2015	2016	2017	2018
0 hours	5.3	6.9	7.0	7.0	6.5
1-39 hours	13.1	14.4	13.7	14.1	13.3
40 hours	72.8	71.1	71.4	71.2	72.5
More than 41	7.5	6.8	6.7	6.1	6.0
Not indicated	1.2	0.8	1.2	1.6	1.8

Data source: CSB, Persons aged 15-74

Table No.9**LMP expenditure by type of action, EUR (M)**

	2014	2015	2016
Labour market services	10.730	9.700	12.225
Training	20.882	14.511	20.389
Employment incentives	5.319	6.151	8.830
Supported employment and rehabilitation	3.906	4.458	6.139
Direct job creation	8.187	4.238	5.317
Start-up incentives	0.282	0.499	0.705
Out-of-work income maintenance and support	84.282	100.215	112.418
Early retirement	:	:	:
Total LMP (categories 1-9)	129.779	135.385	160.004
Total LMP measures (categories 2-7)	34.767	25.470	35.361
Total LMP measures and supports (categories 2-9)	119.049	125.685	147.778
Total LMP supports (categories 8-9)	84.282	100.215	112.418

Data source: European Commission - Directorate general for employment, social affairs and inclusion (DG EMPL)¹⁰

Table No.10**Expenditures on ALMP measures and number of participants***

	2015		2016		2017		2018	
	EUR	Persons	EUR	Persons	EUR	Persons	EUR	Persons
Non-formal training programmes	6 651 607	12 366	7 555 345	13 786	6 224 223	10 931	6639487	11 907
Measures to enhance competitiveness (basic competences)	457 065	84 863	415 013	76 979	422 782	68 824	355 990	53 794
Career consultation	652 892	75 874	1 176 575	104 081	1 515 745	102 522	1 746 362	91 050
Vocational training, requalification, qualification improvement	3 017 116	2 787	4 947 659	5 316	4 448 849	4 650	3 979 237	3 435
Entrepreneurship and self-employment	272 292	157	368 838	164	423 760	211	543 905	213
Regional mobility for employed people	54 865	163	49 559	161	79 615	243	80 443	252

¹⁰https://webgate.ec.europa.eu/empl/redisstat/databrowser/view/LMP_EXPSUMM/default/table?category=Imp_expend

On-the-job-training	105 873	121	240 136	178	414 536	313	601 250	426
Paid temporary public works	3 933 160	8 430	5 012 441	10 937	6 115 221	13 032	5 663 411	12 922
Subsidised employment for the most vulnerable	3 016 582	864	4 440 963	979	4 878 855	870	4 727 018	919
Activation programme for the long term unemployed		-	38 087	3 723	3 331 586	54 018	4 307 628	53 711
Motivation programme for persons with addictions	71 441	164	79 692	241	142 953	300	139 547	268
Employment measures during summer holidays for persons studying in general, special or vocational education institutions	788 649	3 804	869 585	4 239	1 060 040	4 975	1 214 447	5 160
Youth Guarantee Measures	4 480 774	29 427	6 555 466	18 159	6 976 588	16 691	4 600 220	12 464
Total:	23 502 316	219 020	31 749 359	238 943	36 034 753	277 580	34 598 945	246 521

* Expenditures does not include administrative expenditures and expenditures on regional mobility in active employment measures
Data source: SEA

Table No.11

Main characteristics of registered unemployment

	31.12.2015.	31.12.2016.	31.12.2017.	31.12.2018.
Number of registered unemployed at the end of the year	81 780	78 357	63 121	59 588
Registered unemployment level	8.7%	8.4%	6.8%	6.4%
Number of persons, who received the status of registered unemployed in the corresponding year (inflow into registered employment)	104 557	102 298	87 335	87 132
Total number of the SEA clients (also registered in previous years)	186 584	184 078	165 692	150 253
Average duration of an unemployment period (days)	199	197	194	173
Number of registered vacancies in the corresponding year	51 343	56 328	71 342	88 492
Number of persons, who found employment in the corresponding year	69 266	72 286	67 085	63 633

The share of long-term unemployed in the total number of registered unemployed	29.7%	28.7%	28.7%	25.1%
The number of ALMP measures participants (unique persons)	99 161	113 186	105 929	91 757

Data source: SEA

Table No.12

Target group unemployed persons' involvement in ALMP measures and job placement

	2016	% of the total number of job placements	2017	% of the total number of job placements	2018	% of the total number of job placements
Young unemployed persons (15-24 years)	29 821	-	25 513	-	21 976	-
... number of job placement	20 950	29%	20 160*	27%*	16 401	26%
... including number of job placement after completion of the ALMP measure	5 836	28%	6 674*	31%*	6 277	28%
Unemployed persons aged 50 and older	57 866	-	53 558	-	51 411	-
... number of job placement	17 141	24%	14 252*	19%*	16 352	26%
... including number of job placement after completion of the ALMP measure	5 217	25%	8 448*	39%*	5 713	27%
Long-term unemployed persons	n/a	-	n/a	-	n/a	-
... number of job placement	14 362	20%	18 266*	25%*	12 090	19%
... including number of job placement after completion of the ALMP measure	8 687	42%	5 320*	25%*	7 807	35%

* Indicative estimations, as data for the whole year is not available

Data source: SEA

Table No.13

Youth Guarantee programme participants involvement in the SEA measures (2014-2018)

Measure	Description	Starting date	Planned results in 2014-2018	Project results in 2014 - 2018	
				Number	% of the total planned number in 2014-2018
Job search support measures, measures to increase competition and career consultations	Development of individual job search plan, profiling (classification for sequential involvement in active employment measures), definition of a suitable work, information on job search techniques, control of job search obligations and other measures promoting active job search that motivate unemployed young people to actively look for a job and integrate into the labour market; - career consultations which help to choose future working field or direction of training, according to young people's interests, preferences and demand in the labour market; - measures to increase competition, which include individual consultations and group sessions (courses, seminars, lectures and other activities) for acquisition of job search methods and necessary basic skills for the labour market, including employment relations, labour law and labour protection, psychological support. The measure is intended for young people aged 15-29 years.	02.01.2014.	135 519 prepared individual job search plans	137 651 prepared individual job search plans	102%
		02.01.2014.	185 236 career consultations	168 677 career consultations	91%
		31.01.2014.	43 222 young unemployed	47 104 young unemployed	109%
Non-formal training programmes	Non-formal training programmes (the average length is up to 2 months) aim at improving basic social and functional skills in accordance with the labour market demand (language, IT, project management courses are among the most frequently attended). The	13.02.2014.	9 787 young unemployed	9 281 young unemployed	95%

	measure is intended for young people aged 15-29 years.				
Vocational education programmes	Vocational programmes (length from 3 up to 9 months) implemented by the SEA aimed at improving or acquiring vocational qualification in accordance with the labour market demand. After passing a final examination participants receive a certification confirming professional qualification. The measure is intended for young people aged 15-29 years.	19.02.2014.	6 267 young unemployed	5 787 young unemployed	93%
First work experience for youth	The aim of the measure is to give a possibility to gain a work experience for up to 12 months in newly created workplaces. Within the measure, the employer receives a gradually decreasing monthly wage subsidy, additional expenses also are covered for supervisors' involvement. The measure is intended for young people aged 18-29 years.	22.09.2014.	481 young unemployed	506 young unemployed	105%
First work experience for youth in NGOs	Considering the limited amount of newly created workplaces and realising that not all companies are able to provide work experience schemes to young people, additional measure is aimed at supporting the acquisition of basic working skills in non-governmental organisations. Both work experience measures are monitored and supervised to increase or limit their scale in conformity with changes in the labour market. The aim is to give a possibility to gain a work experience for up to 6 months in NGOs. Within the measure, a young person receives a monthly allowance. The measure is intended for	03.03.2014.	4 446 young unemployed	4 315 young unemployed	97%

	young people aged 18-24 years.				
Youth workshops	The aim is to help young unemployed with insufficient level of education or without any work experience to make an informed decision about future education and employment choices. Within the measure, the young person has the possibility to try out one, two or three different professions (on average two weeks in one profession) in workshops at vocational schools under guidance of a teacher. A monthly allowance is paid during the participation. The activity takes place 5 times a week for at least 6 academic hours a day, includes at least 60% of practical classes and no more than 40% of theoretical classes. The measure is intended for young people aged 15-24 years.	14.03.2014.	2 745 young unemployed	2 323 young unemployed	85%
Subsidised workplace for young unemployed	The aim of the measure is to ensure employment of young unemployed with disabilities, long-term unemployed and other vulnerable groups of young unemployed. Employer receives a monthly wage subsidy for employing a young person. Additional costs for workplace adaptation, work supervisor, ergotherapist, silent language entrepreneur is covered. The measure is intended for young people aged 18-29 years.	18.09.2014.	1 598 workplaces	1 614 workplaces	101%
Measures to support the young unemployed to start self-employment or entrepreneurship	The aim of the measure is to provide support for young unemployed who are willing and motivated to start entrepreneurship or self-employment. Initially consultations regarding business plan preparation are provided. If the SEA (with involvement of outside expertise) assesses the plan and decides that the business plan can be supported, a grant is provided. Consultations	26.11.2014.	290 young unemployed	290 young unemployed	100%

	are available for participants also during the first year of the business plan implementation. The measure is intended for young people aged 18-29 years.				
Regional mobility support	The regional mobility support for covering transportation or living costs is available in various labour market policy measures, if a training or working place is located at least 20 km far from a declared place of residence.	17.03.2014.	3 965 young unemployed	3 911 young unemployed	99%

Data source: Ministry of Welfare

Table No.14

**Youth Guarantee programme participants involvement in the State
Education Development Agency measures (2014-2018)**

Measure	Description	Starting date	Planned results in 2014-2018	Project results in 2014 - 2018	
				Number	% of the total planned number in 2014-2018
Implementation of initial vocational education programmes	Implementation of initial vocational education programmes for obtaining second or third professional qualification in one or one and a half school year.	01.09.2014	9 200 young people	8 938 young people	97%
Implementation of initial vocational education programmes	Implementation of initial vocational education programmes for obtaining second or third professional qualification in one or one and a half school year.	01.09.2014	2206 employed young people	2 387 young people	108%
Implementation of initial vocational education programmes	Young people having obtained qualification.	2015 II and IV quarter	6 500 young people	5 773 young people	89%
Implementation of initial vocational education programmes	Young people having obtained qualification.	2015 II un IV quarter	1 496 employed young people	1 679 young people	112%
Implementation of educational programmes for young people in imprisonment	Implementation of educational programmes for young people in imprisonment for acquisition of overall basic skills, professional further education and professional vocational development.	2015 II quarter	500 young people	505 young people	101%
Career support measures	Career support measures, including career counselling within initial vocational education programmes for young people in imprisonment, as well as skills and occupation demonstrations' exhibitions – competitions.	2015 II quarter	8 000 young people	8 162 young people	102%
Career support measures	Young people in imprisonment, who have received career support measures until 1 June 2015.	2015 I quarter	95 young people	95 young people	100%

Data source: Ministry of Welfare

ARTICLE 1 PARA. 2

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

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

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

Minimum wage

On 1 January 2016, amendments to Article 61 (Minimum Wage) of the Labour Law came into force. In compliance with the Law, a minimum wage shall not be less than the minimum level determined by the State (there is a decentralised wage setting system in Latvia and one minimum wage level that is binding for all employers). The new wording of Article 62, Part 2 now provides that the amount of minimum monthly wage, within the scope of normal working time, as well as the minimum hourly wage rate are determined by the Cabinet of Ministers.

The Regulations of the Cabinet of Ministers No 665 “Regulations Regarding the Minimum Monthly Wage and the Minimum Hourly Wage Rate” of 27 August 2013 provided that the minimum monthly wage shall be 320 EUR and the minimum hourly wage rate shall be 1.933 EUR starting from 1 January 2014, issued on the basis of Article 61 Part 2 of the Labour Law (wording effective until 31 December 2015).

On 5 November 2014, the new government signed the Declaration on the Intended Activities of the Cabinet of Ministers which included Paragraph 89 stipulating that the minimum monthly wage should be increased by 40 EUR in 2015. Thus, on 2 December 2014, the Regulations of the Cabinet of Ministers No 734 “Amendments to the Cabinet Regulation No 665 of 27 August 2013, Regulations Regarding the Minimum Monthly Wage and the Minimum Hourly Wage Rate” were issued, stipulating that the minimum monthly wage from 1 January 2015 shall be 360 EUR and the minimum hourly wage rate shall be 2.166 EUR.

On 24 November 2015, the Cabinet of Ministers issued the Regulations of the Cabinet of Ministers No 656 “Regulations Regarding Amount of the Minimum Monthly Wage within the Framework of Normal Working Time and Calculation of the Minimum Hourly Wage Rate”, which stipulated that the minimum monthly wage shall be 370 EUR starting from 1 January 2016. Instead of the minimum hourly wage rate, as provided previously, now the Regulations provide for the calculation of the minimum hourly wage rate according to a specific formula in accordance with Article 61, Part 2 of the Labour Law.

Minimum wage is determined in accordance with the provisions of the Regulations of the Cabinet of Ministers No 563 “Procedures for the Specification and Review of the Minimum Monthly Wage” of 18 August 2016.

On 25 October 2016, the Regulations of the Cabinet of Ministers No 683 “Amendment to the Cabinet Regulation No 656 “Regulations Regarding

Amount of the Minimum Monthly Wage within the Framework of Normal Working Time and Calculation of the Minimum Hourly Wage Rate” of 24 November 2015 were issued, stipulating that the minimum monthly wage shall be 380 EUR starting from 1 January 2017.

In the context of the Tax Reform, on 29 August 2017, the Regulations of the Cabinet of Ministers No 511 “Amendment to the Cabinet Regulation No 656 of 24 November 2015 “Regulations Regarding Amount of the Minimum Monthly Wage within the Framework of Normal Working Time and Calculation of the Minimum Hourly Wage Rate” were issued, stipulating that the minimum monthly wage shall be 430 EUR starting from 1 January 2018.

In 2019, the minimum wage remained fixed at 430 EUR per month.

As from 2017, a few changes within the minimum wage setting framework have been put in place (according to the above-mentioned Regulations of the Cabinet of Ministers No 563 “Procedures for the Specification and Review of the Minimum Monthly Wage” of 18 August 2016). Among others, it now identifies additional indicators that have to be considered when elaborating possible changes to the minimum wage (e.g. productivity changes) and encompasses the requirement to discuss the proposal with social partners at the Social Security Sub-Council meeting before submitting to the National Tripartite Cooperation Council.

In addition to the national regulation on the minimum wage, social partners may specify other wage levels (including higher minimum wages) in company or industry level collective agreements. Upon fulfilment of specific criteria, industry level collective agreements can be extended to all the sector. According to the principle of labour rights that a collective agreement may not impair the status of an employee in comparison with laws and regulations (Article 6 of the Labour Law), only a higher wage and better working conditions may be specified in collective agreements.

When comparing the proportion of the minimum monthly wage to the average monthly gross work remuneration of employees for the previous year calculated by the Central Statistical Bureau (CSB), from 2016, the amount of the minimum monthly wage decreases as a percentage of the average monthly gross work remuneration of employees for the previous year. Growth of average wages is determined by the labour market competition, demand for qualified workers and specialists as well as other economic factors.

Advocates

According to Article 4 of the Advocacy Law, the following persons may work as advocates in Latvia:

- 1) sworn advocates;
- 2) assistants to sworn advocates;
- 3) citizens of the European Union Member States who have obtained the qualification of an advocate in one of the European Union Member States. Foreign advocates, except for advocates of the European Union Member States, may practice in Latvia in accordance with the international agreements

on legal assistance binding to Latvia (such agreements have not been concluded).

The treatment of third states' nationals according to Article 14, Part 1, Clause 1 of the Advocacy Law does not constitute any act of discrimination due to the following reasons.

Article 1, Paragraph 2 of the European Social Charter Revised obliges the member states to protect effectively the right of the worker to earn his living in an occupation freely. At the same time, this right is not an absolute one.

In any assessments, concerning regulation of any legal profession, the key issue is the right of all persons to receive an effective legal assistance of a qualified lawyer, and this right is also set forth by the European Union Law and the European Convention for Protection of Human Rights and Fundamental Freedoms (Article 6).

Taking this internationally recognised and basic human right into consideration, not only the national rules in Latvia, but also in other European Union member states provide that advocate's profession should be secured for their citizens or nationals, and Article 14, Part 1, Clause 1 of the Advocacy Law is not an exception and creates the same, justifiable and proportional restriction, as the ones existing in other European Union member states.

This restriction is prescribed by law and is set in order to protect the rights and freedoms of other persons, specially the right to get an effective legal assistance of a lawyer, which means not only an educated or experienced lawyer, but also a professional, who is well aware of national law, jurisprudence and specific national circumstances as an important prerequisite for real implementation, not only formal declaring of rights and freedoms.

According to the information mentioned previously, Latvia deems that the Advocacy Law meets the requirements of the European Social Charter Revised and does not disproportionately restricts the possibility of representatives of other member states or representatives of non-European Union states to practice in Latvia and does not impose discriminating restrictions.

Moreover, the Bar Association of Latvia has not received any requests from third-country nationals to practice in Latvia under their home-country profession name.

Amendments to the Labour Law

On 1 November 2018, Articles 29 (Prohibition of Differential Treatment), 32 (Job Advertisements) and 56 (Content and Limits of Orders of an Employer) of the Labour Law were amended (the amendments came into force on 28 November 2018). According to the amendments, the following changes were made:

Articles 29 and 32 were supplemented by Part 3¹ and Part 2¹ respectively prescribing that if, in case of a dispute, an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on language, the employer has the obligation to prove that the differential treatment is based on objective circumstances not related to the language proficiency of the employee, or that the proficiency in a specific language is an

objective and substantiated precondition for performance of the respective work or employment.

Article 56 was supplemented by Part 4 providing that an employer does not have the right to ask that the employee is proficient in a specific foreign language if its use does not fall within the scope of work duties. If, when performing work duties, the use of a foreign language is not necessary, the employer does not have the right to forbid the employee from using the official language.

In 2015 - 2018, no changes were made to Article 41 (Violation of the Regulatory Enactments regulating Employment Legal Relations) and Article 204¹⁷ (Violation of the Prohibition on Discrimination) of the Latvian Administrative Violations Code.

Also, no changes were made to Article 149¹ (Violation of the Prohibition of Discrimination) of the Criminal Law.

If an employee is of the opinion that he/she has been dismissed without a justified reason, he/she is entitled, pursuant to Article 122 of the Labour Law, to bring an action in court - deeming the notice of termination issued by the employer as invalid. This right shall be retained up to one month from the date of receipt of the notice of termination. In other cases where the right of the employee to continue the legal employment relations has been violated, he/she is entitled to bring an action in court about re-instating back to work within one month from dismissal. According to Article 124 of the Labour Law, if a notice of termination by an employer has no legal basis or the procedures prescribed for termination of an employment contract have been violated, such notice in accordance with a court judgment shall be declared invalid. An employee, who has been dismissed from work on the basis of a notice of termination by an employer which has been declared invalid or also otherwise violating the rights of the employee to continue employment relationships, shall in accordance with a court judgment be reinstated in his or her previous position. (Please see the table: Civil cases: "Claims for re-instatement into employment and overview of the respective statistics on the length of reviewing the civil cases (in months) in the first instance and in the appeal instance").

Article 126 of the Labour Law, in its turn, stipulates that an employee who has been dismissed illegally and reinstated in his/her previous position shall, in accordance with a court judgment, be disbursed average earnings for the whole period of forced absence from work. Compensation for the whole period of forced absence from work shall also be disbursed in cases where a court, although there exists a basis for the reinstatement of an employee in his/her previous position, upon the request of the employee terminates employment relationships by a court judgment. An employee who has been transferred illegally to other lower paid work and afterwards reinstated in his/her previous position shall, in accordance with a court judgment, be disbursed the difference in average earnings for the period when he/she performed work at lower pay. (Please see the table: Civil cases: "Claims for collection of salaries and in relation to other employment disputes and overview of the respective statistics on the length of reviewing the civil cases (in months) in the first instance and in the appeal instance").

Employment of convicted persons

According to the Sentence Execution Code of Latvia and specifically provisions of its Article 61³, involving of convicted persons, as determined by this Code, in the performance of socially useful work (work of convicted persons in the facility management of deprivation of liberty institutions, work places created by a merchant at the deprivation of liberty institution or outside it depending on the sentence serving regime imposed on the convicted person, employment without remuneration laid down in the law) is one of the means of social rehabilitation for the convicted persons. Article 56¹ of the Sentence Execution Code sets the following forms of employment for convicted persons: remunerated and non-remunerated. In accordance with Article 56², convicted persons are employed in the following places for remuneration:

- 1) in the facility management of the deprivation of liberty institution;
- 2) at work places created by merchants in the deprivation of liberty institution;
- 3) outside the deprivation of liberty institution if permitted by the sentence serving regime imposed on the convicted person.

In accordance with Article 56³ of the Sentence Execution Code, prior to commencing work, a merchant and the convicted person, who is serving his/her sentence in a closed prison or a semi-closed prison, shall enter into, an agreement, whereas, if a convicted person is serving his/her sentence in an open prison, a merchant and the convicted person shall enter into an employment contract. An agreement or an employment contract shall provide a legal basis for the merchant or deprivation of liberty institution, as the employer of the convicted person, to make tax payments provided for in laws and regulations (including the employer's mandatory social insurance contributions), and make deductions from the income of the convicted person according to the executive documents in accordance with the procedures laid down in the Civil Procedure Law. It emerges from Article 56⁴ of the Sentence Execution Code that provisions of this Code as well as certain provisions of the Labour Law (Chapters 4, 22, 23, 30, 32 and 33, Articles 9, 29, 31, 67, 68, 75, 132, 142 and 156 as well as Article 154, Parts 1, 2, 3 and 4), apply to a convicted person who is serving the sentence in an investigatory imprisonment, a closed or semi-closed prison, or a juvenile correctional institution and who is employed on the basis of an agreement. The norms of the Labour Law shall apply to a convicted person who is serving his/her sentence in an open prison and is employed on the basis of an employment contract insofar as this Code does not provide otherwise. Working conditions provided to a convicted person shall meet the labour protection requirements laid down in the laws and regulations.

Article 56⁷, Part 1 of the Sentence Execution Code stipulates that convicted persons shall have a standard weekly working time - forty hours and an eight-hour workday in five-day working week. If due to the nature of the work it is not possible to determine a five-day working week for convicted persons, a six-day working week shall be determined, however, in such case the daily working time may not exceed seven hours and the weekly working time - forty hours. The beginning and end of work (shift) shall be determined in the daily schedule

of the deprivation of liberty institution. Convicted persons shall not be employed during public holidays and weekends.

Parts 3, 4 and 5 of the same Article stipulate that, in the types of work where, due to the circumstances of production, it is not possible to conform to the standard period of daily or weekly work to convicted persons, an aggregated working time may be determined provided that the working time in the reporting period does not exceed the standard working hours determined for the relevant employee. Unless the terms of an agreement or an employment contract provide for a longer reporting period, the reporting period of the aggregated working time shall be one month. A convicted person and his/her employer may agree in writing on a different reporting period, however, it may not exceed three months. The length of the working day, as well as the weekly rest time for convicted persons who are serving their sentence in juvenile correctional institutions shall be determined in accordance with the Labour Law.

In accordance with Article 56⁸, Parts 1, 3, 4 and 8 of the Sentence Execution Code, convicted persons employed for remuneration shall be granted a six-working day period of annual paid leave, but employed convicted minors – a 12-working day period of paid annual leave. The convicted person may request the granting of an annual paid leave for the first year of work if he/she has been continuously employed by the employer for at least six months. An employed convicted woman shall, at her request, be granted a paid annual leave before or immediately after her maternity leave, irrespective of the term of her employment with the employer. Annual leave shall be postponed or extended in the case of temporary work incapacity of the convicted person. In exceptional cases, upon mutual agreement, the convicted person may be granted a 20-working day period of an unpaid study leave, if the convicted person is involved in the acquisition of general, vocational or academic education, and the study leave is necessary for taking of a State examination or drawing up and defending of a diploma paper.

In accordance with Article 56⁹, Parts 1 and 2 of the Sentence Execution Code, a merchant or a deprivation of liberty institution employing convicted persons has all the rights and duties of an employer laid down in the Labour Law, insofar as it is not determined otherwise in this Code. They also have all the duties of an employer specified in the Law on Taxes and Duties, Law on Personal Income Tax and Law on State Social Insurance.

In accordance with Article 6, Part 2¹ of the Law on State Social Insurance, an employee - employed during the period of imprisonment - shall be covered by pension insurance, health insurance, invalidity insurance and unemployment insurance, whereas persons who have reached the age which entitles them to a state old-age pension or who have been granted a state old-age pension (including early retirement) and who are in custody are subject to pension insurance and health insurance.

In addition, Article 10, Part 1 of the Law on Support for Unemployed Persons and Jobseekers provides that a person who is serving a prison sentence in an open-type prison, shall also be entitled to the status of an unemployed person after registering with the SEA.

Employment of convicted persons without remuneration is one of the means of re-socialising as it helps the convicted persons to maintain or improve their self-care skills and take environmental responsibility while serving their sentence. In accordance with Article 56¹⁰ of the Sentence Execution Code, sentenced prisoners shall be employed without remuneration solely in the maintenance, clean-up and improvement of deprivation of liberty institutions and their surrounding territory, and for the improvement of their cultural and living conditions. Sentenced prisoners (with the exception of minors, pregnant women, women following childbirth up to one year, breastfeeding women, convicted persons who have reached the retirement age and those who have Group I or II disabilities), shall be employed without remuneration without their consent. Convicted persons shall be employed without remuneration according to a schedule outside of working hours for not more than four hours a day. A convicted person may be employed in work without remuneration for a longer period of time if the convicted person so requests. Convicted persons employed for more than four hours a day with remuneration shall not be involved in work without remuneration. The administration of the deprivation of liberty institution shall ensure compliance with the requirements of laws and regulations governing labour protection during the said work. Convicted persons participating in the Addiction Reduction Programme may be employed, without remuneration, under the terms and conditions of the Addiction Reduction Programme and in accordance with the procedures set forth in this Code.

Work types for which professional qualification is required, or work types for which other convicted persons are employed for remuneration, shall not be provided as work without remuneration. Mostly this includes cleaning of cells or living space, raking trees or snow, cleaning the communal areas of the prison, decorating for celebrations or family days, etc.

Minimum periods of service in the Armed Forces

Professional Service Soldiers

A soldier exercises the right to employment by performing military service which is supported by the professional service contract with the soldier. A person acquires the status of soldier upon entry into force of the professional service contract and undertakes commitments to serve for a time period that is not less than five years or until the attainment of the maximum age for military service specified in the Military Service Law. Exemptions:

- 1) The five-year time period shall not be applicable to professional service contracts:
 - which the Minister for Defence enters into with persons who are accepted into professional service in order to ensure the participation of the formations of the National Armed Forces in an international operation.
 - which the Commander of the National Armed Forces enters into with persons who are accepted into professional service in order to ensure fulfilment of the duties of an absent soldier or of a vacant position in the National Armed Forces.
- 2) A probationary period of up to six months may be determined for a soldier accepted into professional service, thus, if a soldier does not pass

probation, the term of the professional service contract also could be less than the above-mentioned.

A soldier may acquire education or improve qualification in State and foreign educational institutions as well as in units of the National Armed Forces, which implement adult educational programmes. Possibilities to study are as follows:

- 1) Studies at a civil educational institution:
 - A soldier may be sent to study to a civil educational institution if special education is required for the performance of the duties of his/her position. Expenses related to the training of the soldier shall be covered from the budget funds provided for such purpose. Prior to the commencement of studies at the civil educational institution, the Minister for Defence or his/her authorised commander (superior officer) shall enter into contract with the soldier where it shall be provided that, after graduation from the educational institution, the soldier must serve the time specified in the contract that is not less than five years.
 - A soldier can study at a civilian educational institution (free will) and be compensated from the budget funds. The Cabinet of Ministers stipulated the procedures and conditions for the reimbursement of training expenses (proportionally to the period not served), if a soldier retires from professional service before the end of the term.
- 2) Studies at military educational institutions and units of the National Armed Forces which Implement Adult Educational Programmes:
 - Prior to the commencement of studies at a military educational institution or a unit of the National Armed Forces, the Minister for Defence or his/her authorised commander (superior officer) shall enter into a contract providing that, after completing the study course, the soldier must serve the time specified in the contract that is not less than five years.
 - After the completion of courses for obtaining or improving qualification (if the duration of the course exceeds 30 calendar days), a soldier shall serve the time period provided for in the contract which shall be not less than four times the duration of such courses.

A professional service contract may be terminated before the end of the term at any time by agreement of the parties.

If a soldier retires from active service due to the termination of the professional service contract prior to the end of the term, he/she shall, proportionally to the period not served, compensate a part of expenses (or it shall be withheld from him/her) for his/her military and professional training or improvement of qualifications, including study expenses incurred at foreign educational institutions (courses), which have been covered by a foreign country as assistance to Latvia. There are the following exceptions to this rule: 1) a professional service contract with a soldier is terminated on the management's initiative if the soldier has been recognised as unfit for active service due to the state of health, if a unit (sub-unit) is abolished or reorganised or if the number of soldiers is reduced; 2) a soldier has retired due to other inevitable circumstances independent of his/her will, which have been recognised as justifiable by the Minister for Defence).

A retired soldier shall also return the material and technical resources issued to him/her (equipment, utilities, service inventory, etc.) and the uniform or reimburse their remaining value (possible exceptions for retired soldiers).

If a soldier is discharged from the basic training course for soldiers or the cadet candidate course, he/she need not repay the financial resources used for training.

The National Guard

Contract on the service in the National Guard shall be concluded for five years, considering the maximum age specified for the service in the National Guard.

A contract on the service in the National Guard shall be terminated:

- 1) upon initiative of the national guardsman;
- 2) upon initiative of the National Guard.

If a national guardsman commences holding the office of a State official where the restrictions laid down in law do not allow for combining of the office with the service in the National Guard, the service in the National Guard shall be suspended.

If a contract on the service in the National Guard is terminated before term (except when such contract is terminated due to the state of health), a national guardsman shall compensate for the relevant part of expenses related to his/her military training (including study expenses incurred in foreign educational institutions (courses) covered by a foreign country as assistance to Latvia) proportionally to the period not served and shall return the material and technical means (the equipment, utilities and other means) and the uniform issued to him/her, or reimburse their value. There is an exemption providing that a person shall not reimburse the expenses incurred for his/her military preparation if within one month after termination of the contract on the service in the National Guard the person enters in the contract on the professional service.

State Labour Inspectorate

In the case of violation of the employment rights an employee has a possibility to apply to court or to the SLI.

In compliance with Article 3, Part 1 of the State Labour Inspectorate Law, the function of the SLI is the implementation of the State supervision and control in the field of employment legal relationships and labour protection. To ensure the implementation of this function, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection.

Officials of the SLI have the right to issue warnings and orders to employers, to impose administrative fines on employers, as well as on other persons after the examination of administrative violations in accordance with the procedures prescribed (Article 5, Part 2, Points 6 and 9 of the State Labour Inspectorate Law).

In accordance with Article 41, Part 1 of the Latvian Administrative Violations Code, in the case of a violation of regulatory enactments regulating employment legal relations (except for the cases, which are specified in the Parts 2 and 3 of this Article) a warning shall be issued or a fine shall be imposed on the employer in the following amount – for a natural person or an official from 35 EUR up to

350 EUR and for a legal person – from 70 EUR up to 1100 EUR. In the cases of the violations provided for in Part 1 of this Article, if they have been recommitted within a year after the imposition of an administrative sanction – a fine shall be imposed on the employer in the following amount – for a natural person or an official from 350 EUR up to 700 EUR and for a legal person – from 1100 EUR up to 2900 EUR.

At the same time, Article 41, Part 3 of the Latvian Administrative Violations Code prescribes that in the case of not ensuring the defined minimum monthly wage, if the person is employed for a standard working time, or not ensuring the minimum hourly tariff rates, a fine shall be imposed on the employer – for a natural person or an official in an amount from 430 EUR up to 570 EUR and for a legal person – from 850 EUR up to 7100 EUR. Part 6 of the above-mentioned Article provides that, in the cases of the violations provided for in Part 3 of this Article, if they have been recommitted within a year after the imposition of an administrative sanction – a fine shall be imposed on the employer – for a natural person or an official in an amount from 570 EUR up to 700 EUR, and for a legal person – from 7100 EUR up to 14 000 EUR.

Pursuant to Article 204¹⁷ of the Latvian Administrative Violations Code, in the case of violation of the prohibition on discrimination specified in regulatory enactments a fine shall be imposed in the amount from 140 EUR up to 700 EUR.

The SLI also carries out several preventive measures, for example, provides consultations free of charge to employers and employees regarding the requirements of regulatory enactments with respect to employment legal relationships and labour protection, replies to questions in person and on the phone. In 2016, a single email address of the SLI was created where consultations and explanations on the labour issues could be received.

With an aim to inform society, the SLI also provides up to date information on the issues regarding labour relations and labour protection on their website. This information is provided on other social networks as well.

Besides, judgements on the labour issues can be found free of charge on the website of the Supreme Court of the Republic of Latvia. This helps the SLI and other State institutions to reach a uniform interpretation of the provisions regulating labour relations and labour protection.

According to Article 1635, Part 1 of the Civil Law, every delict, that is, every wrongful act *per se*, as a result of which harm has been caused (also moral injury), shall give the person who suffered the harm therefrom the right to claim satisfaction from the infringer, insofar as he/she may be held at fault for such act. By moral injury is understood physical or mental suffering, which are caused as a result of unlawful acts committed to the non-financial rights or non-financial benefit delicts of the person who suffered the harm. The amount of compensation for moral injury shall be determined by a court at its own discretion, considering the seriousness and the consequences of the moral injury (Article 1635, Part 2 of the Civil Law). If the unlawful acts referred to in Part 2 of this Article are expressed as criminal offences against a person's life, health, morals, inviolability of gender, freedom, honour, dignity or against the family, or minors, it is presumed that the person who suffered the harm as a

result of such acts has been done moral injury. In other cases, moral injury shall be proved by the person who suffered the harm (Article 1635, Part 3 of the Civil Law). The term act is used here within the widest meaning, including not only acts, but also the failure to act, that is, inaction.

In accordance to Article 149¹ of the Criminal Law:

“(1) For a person who commits discrimination due to racial, national, ethnic or religious belonging or for the violation of the prohibition of any other type of discrimination, if substantial harm is caused thereby, the applicable punishment is the deprivation of liberty for a period of up to one year or temporary deprivation of liberty, or community service, or a fine.

(2) For the criminal offence provided for in Part 1 of this Article, if it has been committed by a public official, or a responsible employee of an undertaking (company) or organisation, or a group of persons, or if it is committed using an automated data processing system, the applicable punishment is the deprivation of liberty for a period of up to three years or temporary deprivation of liberty, or community service, or a fine.”

No specific measures have been taken to assess the prevalence of the problem of forced labour.

In addition, on 7 December 2017, Latvia joined the International Labour Organisation’s Protocol of 2014 to the Forced Labour Convention, 1930. The Protocol provides for a number of measures to eliminate forced labour.

No specific inspections of the SLI regarding the labour exploitation were carried out in the reference period. At the same time, one of the SLI’s operational priorities is the detection of the unregistered employed persons in sectors such as agriculture and construction. The SLI prepares annual plans defining a certain number of inspections to be carried out in undertakings operating in economic sectors with higher risk of unregistered employment and performs thematic inspections in specific sectors.

No specific measures were taken to protect workers in the “gig economy” or “platform economy”. The mentioned categories of workers are being protected as other workers. However, on 30 April 2019 the Order of the Cabinet of Ministers No.209 “On Conceptual Report “On the Regulatory Framework for Services in the Field of Economic Cooperation”” were adopted. According to this Order, it is planned to ensure the implementation of the principles of economic cooperation (platform economy) in sectoral legal enactments.

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

In 2016, the Society Integration Fund launched a project “Diversity Promotion”, co-funded by the European Social Fund.¹¹ The project is aimed at promoting the employment and socioeconomic inclusion of persons subject to risks of social exclusion and discrimination, at the same time fostering the increase of the level of information and understanding in the society as a whole on the

¹¹ More information is available at:

http://www.sif.gov.lv/index.php?option=com_content&view=article&id=9975&Itemid=256&lang=en.

issues of prevention of discrimination and of inclusive society. The duration of the project is until the end of 2022. The project includes the following activities:

- Providing services of prevention of discrimination and promotion of social inclusion to people subject to risks of social exclusion and discrimination;
- Implementation of a pilot project “Gender budgeting” and providing recommendations for the integration of gender budgeting in the State and municipal institutions;
- Implementing educational activities on the issues of social inclusion and prevention of discrimination for employers and employees;
- Implementing support activities, promoting the creation of inclusive workspaces and diversity management systems;
- Providing the service of social workers and social mentors for asylum seekers and persons with refugee or alternative status;
- Implementation of activities fostering the increase of the level of information and understanding in the society as a whole on the issues of prevention of discrimination and of inclusive society.

In June 2018, in the framework of the project, the Society Integration Fund launched a campaign, with the slogan “Diversity is a Value”, aiming to promote a dialog with the society on the principle of non-discrimination and tolerance towards various population groups at risk of discrimination based on their age, gender, ethnicity or disability. The campaign is organised in thematic years, putting each of the risk groups in focus one at a time. The first thematic year of the campaign (2018) was dedicated to beneficiaries of international protection, 2019 – to representatives of various ethnic minorities. The campaign includes several activities – debates, publications, videos, mobile simulation games, artisanal workshops, surveys, etc., focusing on employers, young people and the general public.

In 2018, in the framework of the campaign, totally 89 publications, including 22 radio stories, 5 TV stories, 12 articles for national news agencies, 2 publications in national press editions and 48 articles in internet portals, were issued. The campaign organisers prepared video stories about asylum seekers and their integration experience as well as videos on good practices about employers hiring refugees. In addition, various events, discussions, activities for employers and debates on migration in Latvia for youth were organised. Activities of the campaign were also organised for everyone in the framework of cities’ festivals and the interdisciplinary exhibition “Road stories”. A simulation game offered an opportunity to step into the shoes of a person who must flee their country by allowing the player to create a profile and choose different paths of action during the journey.

To promote integrated, purposeful and efficient implementation of sectorial policies thus facilitating the implementation of equal rights and opportunities for women and men into practice, the Plan for the Promotion of Equal Rights and Opportunities for Women and Men for 2018–2020 was approved by the Cabinet of Ministers on 4 July 2018.

The plan sets out measures to ensure the implementation of the equality principles enshrined in the legislation as much as possible in practice, for example, by promoting the involvement of men in childcare and family responsibilities, identifying the main causes of the gender pay gap in certain sectors, promoting zero tolerance against violence against women. A range of measures is aimed at the promotion of comprehensive understanding of the fundamental principles of equality between women and men among experts of authorities involved in education, labour and economic policy. To raise public awareness of gender issues, work on public awareness of policy outcomes is stepped up, while simultaneously raising the profile of gender equality in daily life. The measures of the Plan, especially those affecting employment, education and gender-based violence, consider the aspect of ensuring equal opportunities and rights for women and men with disability.¹²

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

Table No.15

Minimum and average monthly wage

Year	The minimum monthly wage on average per year, EUR	The average monthly gross work remuneration of employees, EUR	The minimum monthly wage as a percentage of the average monthly gross work remuneration for the previous year
2014	320	765	44.7
2015	360	818	47.1
2016	370	859	45.2
2017	380	926	41.0
2018	430	1069	40.2

Data source: CSB

Table No.16

Complaints on discrimination in labour relations received in the SLI

Reporting period	Number of received complaints	Number of recognised violations
2015	31	6
2016	35	4
2017	37	1
2018	88	5

Data source: SLI

¹² Concluding remarks on the implementation of the Convention in the Republic of Latvia (Recommendations) http://www.lm.gov.lv/upload/invaliditate/rekomendacijas_lv_fin_060218.pdf

Table No.17**Ombudsman's information on the number of complaints received by the office regarding discrimination in the work environment**

Grounds for discrimination	2015	2016	2017	2018
Race	-	-	-	-
National, ethnic	-	2	-	-
Gender	1	-	4	3
Age	-	1	1	-
Disability	1	6	3	8
Religious affiliation	-	-	-	-
Sexual orientation	-	-	-	-
Other social group	-	-	1	1
Violation of legal equality (unfounded)	1	17	26	16
In total	3	26	35	28

Data source: Ombudsman's office

Violation was not confirmed in any of the cases on the complaints received by the Ombudsman's office in 2015. In 2016, discrimination was confirmed in 3 cases:

- In the inspection case 2016-11-27I, the Ombudsman determined that the applicant had been treated differently for several years by a public authority, with the result of unfavourable outcome, because the employee had actively pointed out to various systemic shortcomings to the employer in the institution's work (alerting). At the same time, the Ombudsman called for an assessment of a number of breaches of the principles of good administration, which were partially considered by the institution. The employee applied to court to defend his/her interests, seeking compensation of 15,000.00 EUR. The legal proceedings in this case are on-going.
- In the inspection case 2016-53-26K, the Ombudsman determined discriminatory treatment of an employee with disabilities by a local municipal authority in the form of a lower wage, unfavourable working conditions, abusive treatment, failure to provide information. The employee applied to court to defend his/her interests, seeking compensation of 5,000.00 EUR. The legal proceedings in the case are on-going.
- The Ombudsman found an unjustified requirement in job advertisements to have a knowledge of the Russian language even in low-qualified jobs, such as dishwashers. The employer stated that it had not been aware of the rule – to specify only the languages that are really required for employment – and promised to pay more attention to job advertisements in the future in order to avoid possible language discrimination.

In 2017, discrimination/violation of legal equality was confirmed in 6 cases: 4 complaints concerned unjustified differences in employment law but none of the prohibited criteria could be identified. 2 of these complaints concerned unjustified differences in treatment contained in the provision; 2 complaints concerned unjustified pay differences in the workplace without an identified prohibited criterion.

- In the inspection case 2017-23-27J, the Ombudsman determined that the national regulatory authority had unfavourable treated an employee who had reported to the prosecutor's office alleged misconduct by the head of the supervisory authority. The institution did not recognise the Ombudsman's allegations. The employee applied to court to defend his/her interests, seeking compensation of 15,000.00 EUR. The court declared the claim unfounded.
- The Ombudsman found an unjustified requirement in a job advertisement that listed the Latvian language (native) skills. The Ombudsman noted that such a requirement should be considered discriminatory with regard to persons whose mother tongue is not Latvian, but whose Latvian language proficiency is at a very good level.

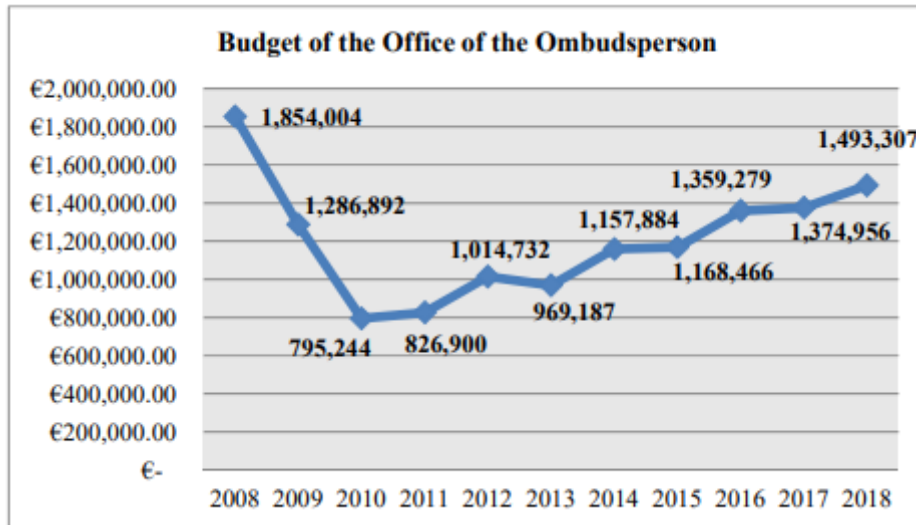
In 2018, discrimination/violation of legal equality was confirmed in 5 cases: 2 complaints concerned unjustified differences in treatment in the work environment (non-payment of bonus; different working conditions) but no prohibited criteria were identified.

- In the inspection case 2018-27-26K, the Ombudsman determined that the employer had dismissed the employee due to a raised alert about the employer's unlawful conduct. The Ombudsman found such conduct to be discriminatory. The employee, via a professional trade union, applied to court to defend his/her interests, seeking compensation of approximately 5,000.00 EUR. The legal proceedings in the case are on-going.
- In the inspection case 2018-39-26B, the Ombudsman determined gender discrimination. While on maternity leave, the employee was denied health insurance. The Ombudsman recommended changes to the employer's internal documentation in order to prevent a breach of the prohibition of discrimination on grounds of marital status and gender. The employer refused to ensure this. The applicant did not express a wish to go to court.
- In the inspection case 2018-44-24B, Ombudsman determined differential treatment of a person with a disability, who, as a result of reorganisation of his/her employer, had been offered with a position which he/she was unable to perform due to his/her physical impairments. The Ombudsman recommended that the applicant be provided with reasonable accommodation and a safe working environment. The recommendation was taken into account in promoting reconciliation.

During the reporting period, the Ombudsman did not exercise his statutory right of access to court in cases of discrimination. Most often, individuals exercised their right of access to court themselves, or through their representatives.

Table No.18

The budget of the Ombudsman's Office



Data source: Ombudsman's office

The Ombudsman does not have estimates of the amounts spent directly on researching and analysing the issue of discrimination in the work environment, and such records are not kept by the Office. On average, 3-4 employees deal with applications and research on discrimination in the work environment. However, in addition to this topic, these employees also carry out research on other issues. Where appropriate, a greater number of staff have been involved in both research as well as public awareness raising and information activities on the subject.

Public sector

Data of the Central Statistical Bureau show that, in December 2018, there were 290 685 employees in public sector, including 228 182 employees in the general government sector.

According to the data of the State Chancellery, in December 2018, the State budget institutions employed 58 698 persons. From those 11 492 persons had the status of civil servant, including 7 784 civil servants in general State civil service and 3 708 civil servants in specialised civil service. The status of civil servant positions is regulated by the Civil Service Law, and their functions are connected with the protection of the public interest of national security and the exercise of public authority.

Besides previously mentioned groups, State budget institutions also employ officials with special service ranks - 12 600 employees (under the Law on the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration). 34 606 employees were employed on the basis of the Labour Law basis.

Table No.19

Retired soldiers 2015 – 2018

Year	TERM OF SERVICE in the National Armed Forces (years)											TOTAL
	up to 1 year	1 year	2 years	3 years	4 years	5 years	from 6 to 10 years	from 11 to 15 years	from 16 to 20 years	from 21 to 25 years	26 years	
2015	86	20	6	6	11	13	30	26	29	9		236
2016	86	13	8	5	6	12	27	18	28	20		223
2017	76	24	11	8	2	15	22	21	32	36	1	248
2018	103	25	28	10	13	5	16	23	37	28	5	293
TOTAL	351	82	53	29	32	45	95	88	126	93	6	1000

Data source: Ministry of Defence

Table No.20

The reasons for retirement of soldiers from service 2015 -2018

The reason for retirement from service	2015		2016		2017		2018	
	Number of soldiers	%	Number of soldiers	%	Number of soldiers	%	Number of soldiers	%
Expiry of the term of the professional service contract if the contract is not extended	34	14%	9	4%	17	7%	19	6%
Expiry of the term of the professional service contract in connection with the attainment of the maximum age determined for active service	24	10%	33	15%	65	26%	56	19%
By agreement of the parties	131	56%	127	57%	120	48%	185	63%
A soldier does not pass probation	20	8%	22	10%	20	8%	9	3%
State of health, death	12	5%	10	4%	9	4%	6	2%
Due to violations (discipline, criminal offence, circumstances revealed)	15	6%	22	10%	17	7%	18	6%
TOTAL	236	100%	223	100%	248	100%	293	100%

Data source: Ministry of Defence

Table No.21

Proportion of the cases examined in the first instance and appeal instance in claims for employment reinstatement, in claims for collection of the employment salary and other employment disputes, as well in claims related to personal injuries while the victim was performing his/her professional duties

Instance	Case category		Metrics	Number of cases (examined in months)							
			Year	Up to 3 (inclusive)	3 to 6 (inclusive)	6 to 12 (inclusive)	12 to 18 (inclusive)	18 to 24 (inclusive)	24 to 30 (inclusive)	30 to 36 (inclusive)	36 and more (inclusive)
First instance	Claims for employment reinstatement	1	2015	42	69	41	14	7	3	4	-
			2016	35	51	24	11	5	1	1	4
			2017	46	35	22	4	-	1	1	1
			2018	24	36	21	5	-	8	-	-
	Claims for collection of the employment salary and other employment disputes	2	2015	37	102	102	59	31	21	1	50
			2016	60	106	124	26	15	10	9	65
			2017	47	102	126	21	14	2	2	14
			2018	61	95	104	40	10	10	3	9
	Claims related to personal injuries while the victim was performing his/her professional duties	17	2015	-	1	2	1	-	1	-	-
			2016	-	-	2	-	-	-	-	-
			2017	-	-	1	-	-	-	-	-
			2018	-	2	1	1	-	1	-	-
Appeal instance	Claims for employment reinstatement	1	2015	46	40	17	-	-	-	-	1
			2016	62	25	7	5	1	-	-	-
			2017	48	12	9	1	-	-	-	-
			2018	21	19	1	-	1	-	-	-
	Claims for collection of the employment salary and other employment disputes	2	2015	86	63	29	3	-	-	-	1
			2016	55	43	17	4	1	-	-	1
			2017	77	35	18	3	-	-	-	-
			2018	77	35	15	2	-	-	-	-
	Claims related to personal injuries while the victim was performing his/her professional duties	17	2015	2	-	1	-	-	-	-	-
			2016	1	1	-	-	-	-	-	-
			2017	-	-	-	-	-	-	-	-
			2018	-	-	-	-	-	-	-	-

Table No.22

Overview of the types of decisions, and their number, taken by the first instance court and the appeal instance court, in claims for collection of the employment salary and other employment disputes, as well in claims related to personal injuries while the victim was performing his/her professional duties

Instance			Case category	Year	Decision type	Number of cases (examined) 1.1	
1	First instance	1	Claims for employment reinstatement	1	2015	Claim satisfied	25
						Claim rejected	79
						Case closed	41
						Left without examination	2
						Claim satisfied partly	25
						Appended to a case	4
						Case referred to another court	3
						Claim satisfied, counter-claim rejected	1
					2016	Claim satisfied	21
						Claim rejected	51
						Case closed	36
						Left without examination	1
						Claim satisfied partly	20
						Appended to a case	1
						Case referred to another court	1
						Claim rejected, counter-claim rejected	1
					2017	Claim satisfied	11
						Claim rejected	36
						Case closed	37
						Case transferred as per jurisdiction	1
						Claim satisfied partly	24
						Appended to a case	1
					2018	Claim satisfied	11
						Claim rejected	28
						Case closed	33
						Claim satisfied partly	22

			Claims for collection of the employment salary and other employment disputes	2	2015	Claim satisfied	90
						Claim rejected	63
						Case closed	126
						Left without examination	11
						Case transferred as per jurisdiction	1
						Claim satisfied partly	103
						Appended to a case	7
						Case referred to another court	1
						Legal proceedings in the claim closed, counter-claim satisfied partly	1
					2016	Claim satisfied	97
						Claim rejected	76
						Case closed	160
						Left without examination	8
						Claim satisfied partly	64
						Appended to a case	5
						Case referred to another court	1
						Claim rejected, counter-claim satisfied	1
						Case transferred for examination as per Clause 32.1 of the Civil-Process Act	3
					2017	Claim satisfied	92
						Claim rejected	68
						Case closed	96
						Left without examination	12
						Case transferred as per jurisdiction	2
						Claim satisfied partly	51
						Appended to a case	4
						Claim satisfied partly, counter-claim rejected	1
						Claim rejected, counter-claim rejected	1
					Case transferred for examination as per Clause 32.1 of the Civil-Process Act	1	
			2018	Claim satisfied	101		
				Claim rejected	70		
				Case closed	101		
				Left without examination	5		

2	Appeal instance	2	Claims related to personal injuries while the victim was performing his/her professional duties	17		Claim satisfied partly	44					
						Appended to a case	4					
						Claim satisfied, counter-claim rejected	2					
						Claim rejected, counter-claim rejected	2					
						Case transferred for examination as per Clause 32.1 of the Civil-Process Act	3					
					2015	Claim satisfied	1					
						Claim rejected	3					
						Claim satisfied partly	1					
					2016	Case closed	2					
					2017	Case closed	1					
					2018	Claim satisfied	1					
						Case closed	4					
					2	Appeal instance	2	Claims for employment reinstatement	1	2015	Case closed	10
											Appeal proceedings finished with a decision	3
											Decision left unchanged, complaint rejected	7
											Decision revoked completely, matter referred for renewed examination	4
											Decision revoked in a part, matter referred for renewed examination	1
Decision revoked completely, matter decided as per its essence	1											
New decision, claim satisfied	16											
New decision, claim satisfied partly	7											
New decision, claim rejected	50											
Initiation of the appeal proceedings rejected	1											
Case referred to Instance I court to implement the statutory measures	4											
2016	Case closed	11										
	Appeal proceedings finished with a decision	2										
	Decision left unchanged, complaint rejected	5										
	Decision revoked completely, matter referred for renewed examination	2										
	Decision revoked completely, matter decided as per its essence	1										
New decision, claim satisfied	16											
New decision, claim satisfied partly	12											
New decision, claim rejected	45											

					Appended to a case	1
					Case referred to Instance I court to implement the statutory measures	4
					Case referred to another court	1
			2017		Case closed	5
					Appeal proceedings finished with a decision	1
					Decision left unchanged, complaint rejected	2
					Decision revoked completely, matter referred for renewed examination	3
					New decision, claim satisfied	11
					New decision, claim satisfied partly	15
					New decision, claim rejected	32
					Initiation of the appeal proceedings rejected	1
			2018		Case closed	3
					Appeal proceedings finished with a decision	1
					Decision left unchanged, complaint rejected	1
					Decision revoked completely, matter referred for renewed examination	2
					New decision, claim satisfied	8
					New decision, claim satisfied partly	7
					New decision, claim rejected	17
					Case referred to Instance I court to implement the statutory measures	3
					Case closed	13
					Appeal proceedings finished with a decision	13
					Decision left unchanged, complaint rejected	15
					Decision revoked completely, matter referred for renewed examination	9
					Decision revoked in a part, matter referred for renewed examination	1
					Decision revoked completely, matter decided as per its essence	1
					New decision, claim satisfied	24
					New decision, claim satisfied partly	32
					New decision, claim rejected	58
					Decision revoked and case referred to new examination in 1 st instance	1
					Appended to a case	1
			Claims for collection of the employment salary and other employment disputes	2	2015	

					Initiation of the appeal proceedings rejected	5
					Case referred to Instance I court to implement the statutory measures	9
				2016	Case closed	18
					Decision left unchanged, complaint rejected	10
					Decision revoked completely, matter referred for renewed examination	3
					Decision changed	1
					New decision, claim satisfied	14
					New decision, claim satisfied partly	27
					New decision, claim rejected	38
					Decision revoked and case referred to new examination in 1 st instance	1
					Initiation of the appeal proceedings rejected	5
					Case referred to Instance I court to implement the statutory measures	3
					Case transferred for examination as per Clause 32.1 of the Civil-Process Act	1
					Case closed	9
					Appeal proceedings finished with a decision	2
				Decision left unchanged, complaint rejected	15	
				Decision revoked completely, matter referred for renewed examination	10	
				Decision revoked completely, matter decided as per its essence	1	
				Decision revoked in a part, matter decided as per its essence	1	
				New decision, claim satisfied	22	
				New decision, claim satisfied partly	18	
				New decision, claim rejected	47	
				Initiation of the appeal proceedings rejected	5	
				Case referred to Instance I court to implement the statutory measures	2	
				Application submission rejected	1	
				2018	Case closed	8
					Decision left unchanged, complaint rejected	13
					Decision revoked completely, matter referred for renewed examination	12
					Decision revoked in a part, matter referred for renewed examination	3

						Decision revoked completely, matter decided as per its essence	1		
						Decision revoked in a part, matter decided as per its essence	2		
						New decision, claim satisfied	14		
						New decision, claim satisfied partly	19		
						New decision, claim rejected	43		
						Initiation of the appeal proceedings rejected	7		
						Case referred to Instance I court to implement the statutory measures	7		
			Claims related to personal injuries while the victim was performing his/her professional duties	17	2015	New decision, claim satisfied	2		
								New decision, claim rejected	1
							2016	Decision revoked completely, matter decided as per its essence	1
								New decision, claim satisfied partly	1
							2017		-
							2018		-

Data source: Ministry of Justice (Table No.21 ad 22)

ARTICLE 1 PARA. 3

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

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

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

All services provided by the SEA are free of charge, moreover, in accordance with the Support for Unemployed Persons and Persons Seeking Employment Law, private providers of work placement services also are not entitled to specify a payment for work placement services from a person seeking employment or from an employee.

The Support for Unemployed Persons and Persons Seeking Employment Law provides legal framework for public employment services. Article 2, Part 2 of the Law defines the persons who are entitled to receive the support specified in this Law for unemployed persons, persons seeking employment, and persons subject to the risk of unemployment:

- 1) a Latvian citizen or Latvian non-citizen, or a person who has a permanent residence permit in Latvia or the spouse of the above-mentioned persons who has a temporary residence permit in Latvia;
- 2) a citizen of a European Union Member State, European Economic Area state or Swiss Confederation or a family member of the above-mentioned persons who is residing lawfully in Latvia;
- 3) a person who has a temporary residence permit in relation to granting of an alternative status in Latvia, or a family member of the above-mentioned person who has a temporary residence permit in Latvia;
- 4) a person who has a permanent residence permit in relation to granting of refugee status in Latvia, or a family member of the above-mentioned person who has a permanent residence permit in Latvia;
- 5) a person who has a European Union long-term resident residence permit in relation to granting of the European Union long-term resident status in Latvia, or the spouse of the above-mentioned person who has a temporary residence permit in Latvia;
- 6) a person who has a temporary residence permit in relation to the granting of temporary protection status in Latvia;
- 7) a person who has a temporary residence permit in relation to the performance of scientific work in Latvia;
- 8) a person who has a temporary residence permit in relation to the granting of victim of trafficking of human beings' status in Latvia;
- 9) a person who is a holder of a European Union blue card, residing in Latvia during the term of validity of the card;
- 10) another person who is entitled to work for any employer in Latvia and who has obtained a temporary residence permit in accordance with the laws and regulations regarding work permits for foreigners.

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

The SEA portal of CV and Vacancies is the largest vacancy database in Latvia covering all districts of Latvia, where job seekers can register their CV and search for available vacancies by various criteria while employers can register their vacancies and search for the necessary employees. Additionally, assistance in recruiting new employees, including selection from the pool of registered unemployed, is provided by the SEA. The SEA has expanded its activities towards Latvian nationals living in other European Union countries by providing information about the labour market situation and available vacancies in Latvia, and it is important to emphasise that there is an increasing interest from those who have emigrated. All services provided by the SEA are free of charge.

More information provided under Article 1§1.

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

Table No.23

Providers of Work Placement Services and number of unemployed and jobseekers in employment

	Number of licences issued by the SEA for providing employment services at the end of the corresponding period	Number of persons, who found employment in the corresponding year with the help of employment services providers
2015	93	2 187
2016	87	2 594
2017	120	3 165
2018	191	3 537

Data source: SEA

Table No.24

Registered unemployed and SEA inspectors

	Registered unemployed	Inspectors/ Employment agents	Average number of unemployed per one inspector
December 2015	81 780	185	442
December 2016	78 357	180	435
December 2017	63 121	184	343
December 2018	59 588	166	359

Data source: SEA

ARTICLE 1 PARA. 4

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

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

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

There were changes made to the legal framework to improve the quality of training providers for the unemployed within ALMP.

In 2017 and 2018, amendments were made to the Regulations of the Cabinet of Ministers No 75 “Regulations Regarding the Procedures for Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for Selection of Implementers of Measures” of 25 January 2011. The amendments aimed at strengthening the regulatory framework governing the operation of for-profit providers, including more rigorous vetting and monitoring of providers, as well as the banning of aggressive marketing techniques. The aim is to steer training providers towards more responsible observation of the conditions of both vocational and non-formal training measures, thus avoiding unscrupulous schools in voucher-based (which is demand – sided) funding. The introduced measures contain, for instance - financial sanctions, exclusion from the list of training providers of a period up to one year, more stringent selection criteria for educational establishments related to qualification of teachers, availability of infrastructure, duration of programme accreditation and accessibility for persons with disabilities. Also, the coupon values were slightly increased in 2018.

In addition, non-formal training providers, in order to maintain their rights to offer the State language courses for the unemployed and job seekers for the upcoming year, must ensure that at least 60% of their learners (involved in a single group) pass final examination of the State language organised by the National Centre for Education. On-going work continues to provide modular learning for the unemployed. Amendments to the regulatory framework were made to provide opportunities for the unemployed to acquire modular learning which allows the unemployed to progress at their own pace and complete qualification courses progressively. The Ministry of Education and Science is still developing modular learning programmes making them as flexible as possible for both training providers as well as learners across the country.

Vocational rehabilitation for persons with disability

According to the Law on Social Services and Social Assistance, the State provides vocational rehabilitation for persons with disability or predictable disability. The Law stipulates that vocational rehabilitation is a set of activities that ensure the acquisition of a new profession, professional knowledge or skills, according to individual functional disorders and considering the person’s previous education and professional qualification.

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

and non-citizens of Latvia, aliens and stateless persons, who have been assigned a personal identity number and who have received a permanent residence permit, and their family members. Other persons, who have the right to enter and reside in Latvia, must pay full price of the service.

Procedure, by which a person is claiming and receiving vocational rehabilitation, is stipulated by the Regulations of the Cabinet of Ministers No 94 "Procedures by which a person receives State-funded Vocational Rehabilitation Services and the Service for the Determination of Vocational Suitability" of 21 February 2017. These Regulations also specify and supplement the content of the vocational suitability assessment and vocational rehabilitation service (more information provided under Article 15§4).

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

Measures have been designed particularly for vulnerable groups of the unemployed. Almost all ALMP measures provide additional adaptation of training and work places for persons with disabilities. The SEA offers various services (measures to improve competitiveness - short-term training programmes to improve job search skills; career consultation; vocational education programmes; training at the employer or at the request of an employer; informal education programmes; subsidised employment for the most vulnerable groups of the unemployed; measures to support the unemployed to start self-employment or entrepreneurship; public works programme, measures supporting regional mobility of employees and regional mobility with attending training measures). Additionally, specific measures were intended exclusively for youth within the implemented Youth Guarantee (more information provided under Article 1§1).

The SEA provides services and assistance to the registered unemployed, job seekers and to persons at risk of unemployment, including refugees. The adult educational programmes for refugees mainly focus on language training. Considering the need for accessing information related to the services provided by the State, including about vocational training and employment, in July 2016, the Training Commission (established by the Ministry of Welfare which, at least once a year, determines training programmes for the unemployed and job-seekers in Latvia) supplemented the list of non-formal educational programmes with the State language courses without an intermediary language. By the end of the language courses, the language proficiency is tested at the National Centre for Education. If the examination is passed successfully, the applicant receives the State language proficiency certificate.

Within the European Social Fund projects,¹³ the SEA provides vocational training to acquire the professional qualification of the first, second or third level

¹³ ESF project "Support to Education of Unemployed Persons" within Operational programme "Employment and labour mobility" 7.1.1. Specific support target Project "To raise the qualification of the unemployed and improve their skills according to the demand of labour market". ESF project "Youth Guarantee" within Operational programme "Employment and labour mobility" 7.2.1. Specific support target Project "Sustainable integration into the labour market of young people, in particular those not in employment, education or training, including young people at risk of social exclusion and young people from marginalised communities, including through the implementation of the Youth Guarantee".

(2 – 4 EQF), upskilling programmes and non-formal education programmes which are implemented with the voucher method. At least once a year, the Ministry of Welfare and the SEA select the training fields and educational programmes on offer in line with the labour market analysis (short-term labour market forecasts) and agreed with experts and social partners. The SEA offers training programmes that are structured to develop, where necessary, basic skills and competencies (such as language – the State language as well as foreign language courses, ICT programmes, drivers' courses). In addition, the SEA provides job search assistance and (career) guidance (including CV and Vacancy portal) and offers measures to help the unemployed develop basic skills and competencies within "Measures to Increase Competitiveness". These specific measures are aimed at promoting the competitiveness of the unemployed, job seekers and people at risk of unemployment in the labour market. They include individual consultations and group lessons (5-36 academic hours courses, seminars, lectures) ensuring psychological support, acquiring job seeking methods and the basic abilities and skills demanded in labour market, e.g. CV writing, job-finding and interview skills, communications skills, networking, negotiation, motivation, etc. This supports inclusion and serves the needs of learners facing particular challenges. Since 2017, the SEA provides financial literacy courses to all the unemployed through the SEA website.

The profiling system developed and used by the SEA takes into consideration demographic characteristics and "behavioural traits", such as self-esteem, motivation for looking for a job and willingness to collaborate with the SEA. These criteria help the SEA appropriately adjust the types and intensity of training and improve matching the unemployed and job seekers with vacancies.

Career guidance consultations are aimed at assisting the unemployed, job seekers and people at risk of unemployment in determining professional compatibility, planning career and retraining. The services provided individually or in groups include consultations on choosing education and career, vocational development, returning to the labour market and changing occupations, assessment of client's vocational aptitude, interests and preferences, abilities, skills and suitability for a given profession, consultations about effective ways of job search, provision of information about the content and requirements of different occupations, information about educational and training opportunities in Latvia and abroad.

The SEA has launched specific measures aimed at increasing labour market participation among persons with disabilities.

In addition, the Social Integration State Agency continues to work with persons with disabilities (but not only) ensuring rehabilitation, training and job support. This was developed to give people with serious health problems the necessary medical assistance and rehabilitation in combination with individual follow-up aimed at finding suitable training and jobs in the ordinary labour market. The work is based on a close, binding cooperation between the career guidance, individual tests, further training, involvement of employers and health service as well. The cooperation includes various approaches and measures relating to rehabilitation, career guidance and inclusion. One of the goals of this

cooperation is to motivate people with disabilities for participation in the labour market.

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

Table No. 25

Statistics of clients receiving career services

Year	Total number of beneficiaries	Target groups					
		** (youth aged between 15 and 24 years)	persons with disabilities	Persons released from imprisonment	Persons absence from work during maternity leave	Persons aged 50+	Long-term unemployed
2014	45 671	4 172 (9%)*	4 474 (10%)*	138 (0.3%)*	482 (1%)*	18 041 (40%)*	12 736 (28%)*
2015	37 525	2 760 (7%)*	3 421 (9%)*	115 (0.3%)*	375 (1%)*	14 622 (39%)*	8 266 (22%)*
2016	34 254	2 338 (7%)	3 322 (10%)	133 (0.4%)	443 (1%)	12 591 (37%)	4 699 (14%)
2017	35 645	2 589 (7.3%)	3 633 (10.2%)	121 (0.3%)	496 (1.4%)	12 696 (35.6%)	3 674 (10.3%)
2018	33 111	2 436 (7.4%)	3 755 (11.3%)	94 (0.3%)	421 (1.3%)	12 716 (38.4%)	3 359 (10.1%)

* % share of total number of SEA clients involved in career consultations
 ** Youth not involved in Youth Guarantee (pupils, full-time students, etc.)

Data source: SEA

ARTICLE 9: THE RIGHT TO VOCATIONAL GUIDANCE

“With a view to ensuring the effective exercise of the right to vocational guidance, the Parties undertake to provide or promote, as necessary, a service which will assist all persons, including the handicapped, to solve problems related to occupational choice and progress, with due regard to the individual’s characteristics and their relation to occupational opportunity: this assistance should be available free of charge, both to young persons, including schoolchildren, and to adults.”

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

No changes.

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

The new General Basic Education Standard was accepted in 2018, and the new General Secondary Education Standard was accepted in 2019. Both will come into force as of school year 2020/2021.

To increase career guidance accessibility, the European Social Fund (ESF) project “Career support in general and vocational education institutions” has been implemented since 2016. As a result of this project, 328 general and vocational education institutions will provide career support for students by 2020.

In the academic year 2018/2019, 77 local governments and their associations and 17 Vocational Education Competence Centres (hereinafter - VECCs) were involved in the project and 385 teachers-career consultants were employed. 149 600 pupils in 422 general and vocational education institutions received support for career development in the academic year 2018/2019 within the framework of the project.

Since 2009, larger vocational schools – those with more than 500 students outside of Riga and more than 800 students in Riga – have gradually been transformed into VECCs, which act as regional hubs to develop closer links between vocational education and employers, to improve quality, and to provide pedagogical support for other vocational schools. To ensure that VECCs boost the quality of VET, they must meet several specific criteria. VECCs must meet not only certain standards in terms of students’ results, but they must also ensure that they work with the latest technologies, provide career guidance, and create and publish educational and methodological materials for learners and educators online.

The creation of an interactive Analysis and Career Planning Tool for labour market medium and long-term forecasts interlinked with the SEA’s Employment barometer is planned within the European Social Fund project “To create a system of anticipation and management restructuring in the labour market, ensuring its connection to the Employment barometer”. Thus, medium and long-term forecasts will be linked with information available for career counsellors.

The SEA ensures free of charge consultations about education and selection of profession to all categories of inhabitants, including free of charge career

consultations to the unemployed persons, persons seeking employment and others, helping to be competent in issues related to professional suitability and retraining.

The SEA career services are intended for persons who seek employment, work or study, plan further education as well as for persons who have met with uncertainties during their professional career, doubts regarding their abilities and they need informative or career planning support.

Career information for young persons is available in the form of an e-catalogue "Description of professions", a book for independent selection of a profession "Veido savu karjeru pats" [Be Your Own Career Maker], a manual for persons seeking employment "Ceļā uz darbu – soli pa solim" [On the Way to Work – Step by Step]. Both individual and group career consultations are offered.

In 2017, an e-catalogue for employers "Suitable working environment for people with disabilities" was developed. The aim of the catalogue - employers motivation to recruit people with different disabilities (hearing, vision, movement, mental disorders). The catalogue includes best practice examples. Informative materials regarding possibilities of education, career, employment and individual development as well as methodologies for the research of professional interests and evaluation of skills and knowledge are used in consultations.

As regards vocational rehabilitation for persons with disability, the vocational suitability assessment and vocational rehabilitation services financed by the State budget are provided by the Social Integration State Agency. More information provided under Article 15.

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

Table No. 26

Expenditures on vocational guidance services and participants (SEA)

2015			2016			2017			2018		
EUR	Persons		EUR	Persons		EUR	Persons		EUR	Persons	
	men	women		men	women		men	women		men	women
652 892	75 874		1 176 575	104 081		1 515 745	102 522		1 746 362	91 050	
	34 104 (45%)	41 770 (55%)		46 713 (45%)	57 368 (55%)		45 033 (44%)	57 489 (56%)		38 764 (43%)	52 286 (57%)

Data source: SEA

Statistics concerning vocational suitability assessment and receivers of full vocational rehabilitation service provided under Article 15§3.

Table No. 27

Education Development Guidelines for 2014-2020: goals regarding career guidance

Goal	To promote development of an individual's professional and social skills based on values education for life and competitiveness in the labour market				
Policy result	Performance indicator	2015	2016	2017	2018
Direction: 2.1 Development of career education system and service availability					
Support system for career development is created and service availability is ensured	Proportion of the number of career consultants and students in general education institutions and vocational education institutions in the territory of local governments	n/i	n/i	1/700	1/700
	The total number of educational institutions that provide career education services	n/i	n/i	410	422
	Information availability in e-environment on education opportunities in Latvia (the number of education programmes of all stages and all types is in data bases) is ensured*	13 398	14 250	14 250	14 090
	Increase in the amount of information on the Internet site "World of professions" (description, interviews, photo galleries, videos). Number of enterprise types/ Number of occupational profiles	23/132	28/161	29/166	34/192
	Activities of Euroguidance, the European Commission's consultation and information exchange network, for development of professional competencies of career support specialists (the number of activities)	20	30	20	20

Data source: Ministry of Education and Science

* Data provided are from the National Database of Learning Opportunities. The decrease in the number of entries in 2018 reflects the consolidation of a small number of secondary schools and VET institutions.

Table No. 28

Career Week campaign

Indicator	2015	2016	2017*	2018
Number of municipalities involved	20	25	n/a	47
Number of activities provided	4 000	4 500	n/a	140**
Number of student participants	120 000	140 000	n/a	114 000

Data source: Ministry of Education and Science

* In 2017, the popularity of Career Week exceeded the available budget of the State Education Development Agency for national career activities. Municipalities continue activities on their own initiative.

** In 2018, the number of activities reflects those that were centrally organized with the involvement of the State Education Development Agency (SEDA). In previous years, SEDA coordinated an event calendar for activities all over the country. With the rising number of participating municipalities, maintaining this calendar was no longer feasible.

Table No. 29**Support for careers practitioners**

Indicator	2015	2016	2017	2018
Number of seminars	21	35	23	38
Number of participants	536	1048	1083	1012
Number of materials published	22	23	16	105

Data source: Ministry of Education and Science

Table No. 30**“Profesiju pasaule”
 (“World of Professions”)**

Indicator	2015	2016	2017	2018
Number of vocational profile descriptions developed	132	161	166	192
Number of visits per year	95 280	92 196	67 848	115 752

Data source: Ministry of Education and Science

Table No. 31**National Database of Learning Opportunities**

Indicator	2015	2016	2017	2018
Number of education institutions providing information	1943	1985	1918	1904
Number of learning opportunities published	13 398	14 250	14 250	14 090
Average number of unique users of the database per month	23 994	25 378	18 625	23 973
Number of visits to the database annually	359 688	382 476	282 156	369 084

Data source: Ministry of Education and Science

Table No. 32**Citizens' enquiries**

Indicator	2015	2016	2017	2018
Enquiries about learning opportunities in Latvia	346	265	118	109
Enquiries about learning opportunities abroad	39	22	21	39

Data source: Ministry of Education and Science

Table No. 33**Career counsellors in vocational education competence centres (VECC) funded by the ESF project “Career Guidance in General and Vocational Education Institutions”**

Indicator	2015/16	2016/17	2017/18	2018/19
Number of Vocational Education Competence Centres	-	1	17	17
Number of School Career Counsellors	-	2	34	35
Full-time equivalent	-	-	22.98	23.06
Number of students	-	715	16345	16723
Proportion of School career counsellors to students	-	-	1/711.27	1/725.20

Data source: Ministry of Education and Science

Table No. 34**Career counsellors in general and vocational education institutions funded by the ESF project “Career Guidance in General and Vocational Education Institutions”**

Indicator	2015/16	2016/17	2017/18	2018/19
Number of Schools	-	197	398	405
Number of School Career Counsellors	-	143	341	350
Full-time equivalent	-	-	203.82	189.72
Number of students	-	53735	126655	132888
Proportion of School career counsellors to students	-	-	1/621.41	1/700.44

Data source: Ministry of Education and Science

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

ARTICLE 10 PARA. 1

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

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

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

No changes.

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

By 2020, the share of students in vocational secondary education and general secondary education is planned to change in favour of vocational education. In recent years, the share of students choosing studies in vocational secondary education has been gradually growing from 38.2% in the academic year 2015/2016 to 38.6% in 2016/2017 and 38.9% in 2017/2018.

The key policy principles for changing the share of students in favour of vocational education include measures to make general vocational education more attractive, for example, modernisation of infrastructure, improving the quality of education programmes, career education measures, cooperation with employers to ensure apprenticeships and potential jobs, ensuring innovative approaches to vocational education, including introduction of work-based learning elements.

The aim of the current reforms is to improve the quality of vocational education, thus ensuring its conformity with the labour market needs as well as to foster efficient use of available resources by streamlining and differentiating the number and regional locations of vocational education and training (hereinafter - VET) institutions.

The reorganisation of the VET institutions has been carried out by arranging VET institution network under the Ministry of Education and Science, reducing the number of VET institutions from 60 VET institutions in 2010 to 21 VET schools and 7 colleges in 2018.

In order to modernise the infrastructure of vocational education institutions and priority education programmes and their locations in regions, the obtaining of the status of a Vocational Education Competence Centre (hereinafter - VECC) is encouraged. By the end of 2018, 23 vocational education institutions (incl. one college) had been granted VECC status, where 4 vocational secondary cultural education competence centres were established in vocational education institutions under the Ministry of Culture and one – in a municipal secondary vocation cultural education institution.

The implementation of 23 modernisation projects of vocational education institutions started in 2018, continuing the modernisation of learning equipment and improvement of the infrastructure of vocational education institutions for the implementation of vocational education programmes that was started in the previous programming period of the EU funds. Overall, it is planned to provide support to 25 vocational education institutions, in particular VECC, by 2023.

Vocational training (involves both: Vocational continuing education programmes for the unemployed and Vocational improvement/ upskilling programmes for the unemployed), is organised by the SEA in co-operation with public and private training institutions and employers, for the registered unemployed and job-seekers only. The measures were financed by the national budget, the European Social Fund and the Youth Employment Initiative (more information provided under Article 1§2).

Considering demographic characteristics, self-esteem and motivation to look for a job and cooperate with the SEA, the profiling system developed by the SEA helps:

- provide the most appropriate measures and intensity;
- better satisfy the needs of the unemployed and help them return to employment faster;
- improve matching of the unemployed and vacant jobs.

The SEA provides job search assistance and (career) guidance (CV and vacancy portal) and offers measures to help the unemployed develop basic skills and competences. Assessment and evaluation include follow-up measures to track labour market status six months after training, surveys (satisfaction, random calls), regular impact assessment. Web-based ICT tools (such as self-assessment career guidance tests; short term labour market forecasts; performance measurement system for training institutions, booking system) support the training system.

Training programmes

Vocational training and non-formal training programmes

Vocational training and non-formal training programmes are organised by the SEA in co-operation with educational institutions and employers only for the registered unemployed and job-seekers.

Since 2011, all the training programmes are implemented by applying a method of training vouchers. The Ministry of Welfare created a Training Commission which defines and approves vocational, non-formal and basic skills training programmes for the unemployed and job-seekers (more information provided under Article 1§1). All upskilling and reskilling programmes are set in accordance with the labour market demand and labour market development forecasts (evidence-based approach) and agreed also with social partners, sector experts and representatives of other organisations and ministries to ensure the voices of all key stakeholders are heard. Along with the ministries, the Training Commission brings together representatives from the SEA, local government associations, and employers' associations. The Training Commission combines the short- and long-term forecasts, so meetings of the Training Commission adopt a specific structure to facilitate co-ordination. The Ministry of Economics first presents the long-term forecasts. After that, the SEA

presents the implementation results of ongoing training measures as well as the results of the short-term forecasts and the profile of the unemployed. All members of the Training Commission then review the full list of study fields to determine which should be retained or suspended, and whether any types of training should be added.

The length of training programmes may vary:

- from 60 to 160 hours for non-formal training programmes (the value of a voucher does not exceed 360 EUR or 520 – 670 EUR for specific driving courses);
- from 160 to 320 hours for advanced vocational training / Vocational upskilling (the value of a voucher does not exceed 400 EUR);
- from 480 to 1280 hours for vocational training programmes (the value of a voucher does not exceed 600 EUR for 480 hour programmes, 800 EUR for 640 hour programmes, 1220 EUR for 960 - 1280 hour programmes).

Participation in programmes may last up to 6 months – full-day participation (8 hours) is usually applied. Simple or low-skilled occupations are excluded from the list of training programmes. An unemployed person may participate in vocational training programmes once in a two-year period and in non-formal programmes not more often than twice a year, except the State language courses where a person may be involved in the acquisition of up to three education programmes.

Participants receive financial support during training - 5 EUR stipend per training day. The following additional expenses are also covered by the SEA: training place adaptation for persons with disabilities, the involvement of care personnel for persons with disabilities, such as assistants, silent language experts etc., and other related expenses.

If an unemployed person interrupts participation with no valid reason, he/she must cover the expenses that occurred to the SEA for a training programme.

Measures to Increase Competitiveness (basic competencies)

Measures to increase competitiveness are aimed to promote the competitiveness of the unemployed, job seekers and people at risk of unemployment in the labour market. Measures to increase competitiveness include individual consultations and group lessons (5-36 academic hour courses, seminars, lectures) for psychological support, acquiring job seeking methods and the necessary abilities and skills demanded in the labour market, e.g. CV writing, job-finding and interview skills, communications skills, networking, negotiation, motivation etc.

Training of the unemployed at the employers' request

Additionally, the SEA implements the following policy measures – 1) Training at the employer and 2) Training of the unemployed at the employers' request. The role of an employer is of great importance. The selection of employees is more effective when the employer participates in the recruitment interviews. Regarding the ALMP programmes, the best results are achieved in cases when there is a request from an employer for trained workers in specific programmes. Evidence shows that in such cases the transition to employment is close to 100% as the unemployed are informed about the job, expected work conditions and salary.

Training of unemployed at the employers' request is carried out specifically in accordance with the employer's needs - employer can choose any licensed and accredited vocational or non-formal training programme or develop a new programme in collaboration with an educational institution. The SEA organises and covers the costs of the training according to the voucher values. The employer takes part in the selection of the unemployed. After the training, the employer must employ the previously unemployed person in the obtained profession for at least 6 months.

On-the-job training

Training at the employer is organised to prepare a specialist demanded by the employer. Within the measure, the acquisition of a new profession can be organised that lasts in total for up to six months. This training is organised only for the registered unemployed.

The SEA in co-operation with employers carries out the selection of unemployed persons to be involved in the practical training in conformity with the qualification requirements stated by the employer. The suitability of a person is determined by the employer.

The employer is obliged to employ a person starting with the first day of practical training and at least 3 months after the practical training is finished. The employer must pay at least a monthly minimum wage for a person. If these criteria are not met, the employer must cover the expenses of practical training to the SEA. An unemployed person may be involved in such kind of training only once in a two-year period.

The SEA covers a part of a salary paid to the unemployed (in a declining amount to reflect productivity increases): first three months of practical training – 200 EUR, second three months – 150 EUR.

The employer shall ensure:

- the renewal of work skills and professional abilities or the acquisition of a new profession by organising the necessary theoretical and practical training and by providing the necessary knowledge regarding the professional duties and the basic requirements related to the fulfilment thereof;
- a qualified supervisor, who shall help a person to strengthen the work skills, professional abilities and knowledge (the SEA covers subsidy to a qualified work manager in the amount of 50% of a monthly minimum wage);
- the ability to carry out the relevant professional obligations and basic tasks after the completion of the practical training.

The SEA covers additional expenses related to the adaptation of a workplace for a person with disabilities not exceeding 711 EUR per workplace. Expenses for health examinations (up to 30 EUR) and individual protective equipment (if needed up to 100 EUR) can also be covered by the SEA.

Youth Guarantee Initiative

More information provided under Article 1§4.

Addressing the problem of youth unemployment, especially supporting young people aged 15-29 who are not in education, employment and training (hereinafter - NEET), the Youth Guarantee programme was started in the beginning of 2014. The programme is coordinated by the Ministry of Welfare in

close co-operation with the Ministry of Education and Science. It includes three national projects:

– the SEA’s project “Active labour market policy measures for unemployed young people” targets young registered unemployed people aged 15-29 years and provides a variety of measures, starting with vocational guidance and ending with subsidised employment;

- the State Education Development Agency’s project “Implementation of VET for young people not in employment and training (NEET group)” provides integration of NEETs (15-29 years) into the education process and labour market through receiving the professional qualification in 1 – 1.5 years VET programmes;

- the Agency’s for International Programmes for Youth project “Know and Do!” raises the motivation of inactive NEETs (15-29 years) to start participation in employment or education measures.

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

Funding of 63.4 million EUR was foreseen for the three stages of the Youth Guarantee over the period 2014 - 2018, with 46% coming from the ESF (29.2 million EUR), another 46% from the EU’s Youth Employment Initiative (29.0 million EUR) and the remaining 8% from the State budget and private co-financing (5.1 million EUR).

The number of the Youth Guarantee participants in so-called “qualitative measures” from 1 January 2014 till 1 December 2018 reached 29 526 young people aged 15-29 years. Simultaneously on average 176 839 young unemployed received vocational guidance services, 137 651 young persons received support in job searching and 47 104 were involved in short training in job finding.

Migrants and refugees

The SEA’s vocational training is available to all unemployed persons, including foreigners (EU, EEA and Swiss nationals and third-country nationals), who are registered with the SEA and comply with the set criteria for involvement in the respective measures. When providing consultations and information about the ALMP measures, an interpreter or a person commanding the language shall be attracted, if needed, providing information to the customer in an understandable language. Vocational training take place in the official language according to Official Language Law.

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

Based on the results of the OECD Scientific Research “Connecting People with Jobs: Latvia 2019”¹⁴, in 2016, expenditures in Latvia on labour market policies were equivalent to 0.19% of GDP (all expenditures of the SEA, although such expenditures are not only generated by ALMP). Expenditures on passive labour market policies were equivalent to 0.45% of GDP.

Table No. 35

Foreigners, involved in the SEA organised vocational training

	2015	2016	2017	2018
Number of foreigners	53	125	107	82

Data source: SEA

ARTICLE 10 PARA. 2

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

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

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

The Amendments to the Vocational Education Law as from 2016 determine work-based learning as one of the forms for the implementation of vocational education and training (full time education, distance education, self-education and work-based learning). Following the Amendments, on 15 July 2016, the Regulations of the Cabinet of Ministers were adopted on the organisation and implementation of work-based learning. The procedure stipulates the tasks of employers and social partners in the implementation of work-based learning as well as the responsibilities of Sectoral Expert Councils in coordinating and enhancing the companies’ co-operation with education institutions to ensure the compliance of VET with the labour market needs.

The Amended Vocational Education Law stipulates the establishment of an advisory body (Convention) within the VET institutions with the aim of facilitating further development of the VET institutions and their co-operation with employers to improve strategic planning in compliance with the labour market trends. Representatives of the industry, local employers and local governments are involved in the establishment of the Convention. Currently, the Conventions are operational in all the VET institutions under the supervision of the Ministry of Education and Science.

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

In 2017, the Guidelines on the Organisation and Implementation of Work-Based Learning were developed by the Ministry of Education and Science in order to provide common principles and methodological support for the involved

¹⁴ <https://doi.org/10.1787/6037200a-en>

partners. The implementation of the ESF project “Increasing the Number of Qualified Students in Vocational Education Institutions after their Participation in Work-Based Learning and Teaching Practice in an Enterprise” was started in January 2017. The Employers’ Confederation of Latvia is responsible for the implementation of this project. According to the regulation on work-based learning, at least 25% of the entire volume of the education programme should be implemented in an enterprise. The aim of the project is to promote the introduction of work-based learning. Within the framework of the project, as of 31 December 2018, 1 518 students were involved in work-based learning in 329 enterprises. By the end of 2023, it is planned to support 3 150 students by providing work-based learning and 11 025 students by providing apprenticeship in an enterprise.

A project “Testing New Approaches to Training VET and Workplace Tutors for Work Based Learning” is implemented aiming to support the implementation of work-based learning in the Baltic countries by exchanging experience and testing new approaches (for example, tandem training) in joint preparation of supervisors in an education institution and the company. By the end of 2018, the planned 300 supervisors from schools and companies were prepared in Latvia, and a professional upskilling programme for supervisors and methodical teaching materials were also improved within the project. Work has started on the creation of competence profiles of apprenticeships supervisors and preparation of a research report on the impact of joint trainings on work-based learning quality. All training participants, as well as heads and apprentices of schools and companies, were involved in the study.

In order to improve the quality and efficiency of vocational education in line with the economic development needs in Latvia, the development of the sectoral qualification system and restructuring of vocational education content as a part of it continues. As part of the vocational education and training reform, the ESF project “Establishment of Sectoral Qualifications System and Enhancement of Efficiency and Quality of Vocational Education” has been implemented since the end of 2016 aiming to develop vocational education curriculum in line with the changing labour market requirements and ensure compliance of VET with the European Qualifications Framework and the National Qualifications Framework. The project intends to improve the sectoral qualification system and to prepare descriptions of professional qualifications in each of 15 sectors, to develop and improve 160 professional standards and professional qualification requirements, to develop and introduce 184 modular VET programmes (10 by the end of 2019) and develop content of professional qualification examinations for 210 professional qualifications as well as develop relevant teaching aids and methodological materials.

VET curriculum reforms ensure a transition from the subject-based vocational education curriculum to the learning outcomes-based curriculum as well as the implementation of modular VET programmes. Work on the development of modular VET curriculum and professional qualification examinations is ongoing. It ensures a close link between the content being developed and the requirements of the labour market. The content development teams involve at least one representative of the labour market, with work experience in an appropriate sector. Modular education programmes are gradually being introduced in initial and continuing VET. The introduction of modular

programmes is one of the components of the curriculum reform, which should significantly improve the content of professional qualifications. In 2018, training of students started in 81 VET modular programmes for 42 professional qualifications in VET schools. The most popular study programmes were in such areas as business, logistics, building and construction, IT, tourism, car mechanics, etc.

The work of Sectoral Expert Councils is ensured with the involvement of sectoral experts in the development and implementation of vocational education curriculum and evaluation of qualification examinations as well as in the implementation of reforms in vocational education.

The implementation of the ESF project “Efficient management of vocational education institutions and raising the staff competence”, that started in 2016, continues. Within the project, support is provided to teachers of vocational education institutions, apprenticeships supervisors, administration representatives and sectoral experts for the improvement of professional competence (latest novelties in sectors, practical pedagogics in the implementation of the work-based learning, development and implementation of modular vocational education programmes, improvement of general skills and competences, promotion of continuing education for adults and training in companies). 5 789 persons have participated in training within the framework of the project. Trainings for mentors of new teachers, experts of examination commissions and heads of working groups of accreditation commissions are also planned.

Currently, there is no monitoring system for VET graduates. Information on the future progress of graduates in the labour market or in continuing education is not systematically collected and compiled. At the same time, in order to analyse the information on employment of graduates of vocational education programmes, the Ministry of Education and Science annually requests the subordinated vocational education institutions to submit the information on the employment of their graduates having obtained qualification in the previous school year. Accordingly, education institutions conduct annual graduate surveys, the results of which are also reported to the Ministry of Education and Science. Surveys include information on whether a graduate is in a profession; continuing education in the sector, continuing education in another sector; working in another industry, working abroad, etc.

Data on graduates from VET schools is not available, but the aim is to establish graduate tracking in vocational education within the ESF project “Developing Education Quality Monitoring System” (project implementation until 2023). The goal of this project is to develop an education quality monitoring system based on the analysis and measurements of statistics, results of comparative education studies, students’ achievements at the national level and other indicators describing the education system, e.g., examination results, accreditation, licensing as well as teachers’ performance assessment. The development of the education quality monitoring system will be completed by the end of 2022. It is planned that the register of VET graduates will contain the information on graduates’ further employment or education: a graduate is in a profession; continuing education in the sector, continuing education in another

sector; working in another industry, working abroad, employment status, remuneration, etc.

On 27 October 2015 the Cabinet of Ministers adopted regulations for measures co-funded by the EU structural funds to facilitate the implementation of innovations in enterprises through technology training (total European Regional Development Fund funding for two open calls - 18 million EUR. The first contracts for the project implementation were signed in June 2016, when 10 industry associations received support (8 from manufacturing industry, 1 - ICT, 1 - tourism). The period of implementation of this first call is till 31 December 2022. Aim of this measure is to promote training of employees in order to facilitate innovation adoption into the operation of the businesses in respective industries. The target group includes employees from SMEs and large enterprises. Training is provided in 18 training areas, including STEM. The second call is planned to be announced in 2019 for manufacturing and ICT industries and Global business services centres.

Additionally, on 14 June 2016, the Cabinet of Ministers adopted regulations for measures to facilitate the implementation of innovations in enterprises through non-technology training and training to attract investors (total European Regional Development Fund funding for one closed call - 6.9 million EUR).

The first contracts for the project implementation were signed in December 2016, when 2 industry associations (Latvian Chamber of Commerce and Industry and ICT industry - LIKTA) and a national government authority (the Latvian Investment and Development Agency) received support. The period of implementation is till 31 December 2020. The aim of this measure is to support the ICT skills development, non-technological innovations and training to attract investors. The target group includes employees from SMEs, large enterprises and self-employed persons.

It is planned to train 22 320 non-unique persons by 2021 in both training programmes (above 50 % had been trained till 2018).

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

No additional information.

ARTICLE 10 PARA. 3

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

to provide or promote, as necessary:

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

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

In 2015 - 2018, there were no changes to Article 74, Part 1, Clause 3 (Remuneration in Cases where the Employee does not Perform Work due to a Justifiable Reason), Article 74, Part 3, Article 96, Part 1 (Occupational Training or Raising of Qualifications), Article 157 (Study Leave) of the Labour Law.

On 1 November 2018, amendments were adopted to Articles 29 (Prohibition of Differential Treatment), 32 (Job Advertisements), 56 (Content and Limits of Orders of an Employer) of the Labour Law (the amendments came into force on 28 November 2018). These amendments refer to direct or indirect discrimination based on specific language proficiency.

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

More information provided under Article 1§1, Article 1§4, Article 10§1.

As regards training voucher, the money is transferred directly to the training providers. They receive 50% of the training voucher sum before a person's participation in training and 50% when training has been successfully completed.

The amount differs depending on the type and duration of training. Basic values of vouchers are between 360 EUR for non-formal training programmes (100-150 hours of training) and 1 220 EUR for vocational training programmes (up to maximum 960 hours). Price 'coefficients' are applied for more technology-intensive training programmes (for example, an accountant programme will have a lower coefficient than an electrical technician where the sum of a voucher consisting of the voucher value (1220 EUR) with a coefficient 1.21 applied, resulting in the total sum of $1220 * 1.21 = 1476.2$ EUR). As mentioned above, the unemployed receives financial support during training: 5 EUR stipend per training day, and additional support as needed.

Both private and public training institutions can and also do participate, and offer training if they meet the set criteria; the main criteria are licensed and accredited institutions/ programmes (there are no procurements).

3. Please supply statistics or any other relevant information to show how this provision is applied in practice. The main indicators of compliance with this provision are: the existence of facilities for training and retraining of adult workers, in particular the arrangements for retraining redundant workers and workers affected by economic and technological change; the approximate number of adult workers who have participated in training or retraining measures; the activation rate – i.e. the ratio

between the annual average number of previously unemployed participants in active measures divided by the number of registered unemployed persons and participants in active measures; equal treatment of non-nationals with respect to access to continuing vocational training.

The effectiveness of the ALMP impacts the overall labour market situation (number of available vacancies), design of ALMP programmes and individual situation of the client. The Ministry of Welfare is monitoring the implementation of ALMP measures and follows the labour market trends and, if necessary, the adjustments are made. The evidence from the external experts shows that the transition to employment rate is considerably higher for the clients who participate in the ALMP measures.

Table No. 36

Number of participants in ALMP measures and expenditures

	2015	2016	2017	2018
The number of ALMP measures participants	219 020	238 943	277 580	246 521
The number of ALMP measures participants (unique persons)	99 161	113 186	105 929	91 757
Expenditures on ALMP measures (EUR)	23 502 316	31 745 359	36 034 753	34 598 945

* Expenditures does not include administrative expenditures and expenditures on regional mobility in active employment measures

Data source: SEA

According to the rate of participation in the ALMP, around 11% of the registered unemployed in Latvia and almost 6% of jobless persons who seek work participate in the ALMP.

Annually, about 6% of the unemployed participate in vocational further education programmes, 3.5% in vocational upskilling programmes, 16% in non-formal education (ICT, State and foreign languages) and 5.5% in driver courses.

Table No. 37

Persons involved in the SEA organised vocational training with voucher method in 2018

	Total number	% share of total number	Men	Women
	4 269		2 979	1 290
Target groups among all unemployed:				
Long-term unemployed	822	19,3	574	248
Young persons aged 15-24 years old	303	7,1	179	124
Unemployed with disabilities	575	13,5	354	221
Ex-prisoners	9	0,2	4	5
Persons after maternity leave	68	1,6	68	0
Older people, 50+	137	29,0	850	387
Unemployed in pre-retirement age	379	8,9	250	129
Level of education				
Higher education	944	22,1	765	179
Vocational secondary education	1453	34,0	963	490
Secondary education	1250	29,3	853	397
Basic education	601	14,1	384	217
Lower than Basic education	21	0,5	14	7
Knowledge of the State language				
Proficient Latvian language user	281	6,6	228	53
Latvian Independent language user	669	15,7	480	189
Latvian Basic language user	381	8,9	182	199
Education gained in the State language	2847	66,7	2059	788
Without State language certification	91	2,1	30	61
Age groups				
In age of 15-19	62	1,5	33	29
20-24	241	5,6	146	95
25-29	607	14,2	430	177
30-34	596	14,0	429	167
35-39	506	11,8	382	124
40-44	482	11,3	352	130
45-49	538	12,6	357	181
50-54	506	11,8	349	157
55-59	532	12,5	366	166
60 +	199	4,7	135	64
Nationality				
Latvians	2667	62,5	1916	751
Russians	1216	28,5	816	400
Byelorussians	121	2,8	80	41
Ukrainians	66	1,5	41	25
Poles	112	2,6	75	37
Lithuanians	46	1,1	31	15
Jews	1	0,0	0	1
Romani	13	0,3	7	6
Other nationalities	24	0,6	12	12
Not indicated	3	0,1	1	2
Time since previous employment				
Unemployed up to 6 months	2663	62,4	1819	844
Unemployed for 6-12 months	784	18,4	586	198
Unemployed for 1-3 years	4	11,0	327	142
Unemployed for 3 years and more	353	8,2	247	106

Data source: SEA

In order to further develop the training voucher system, a monitoring system of training providers is put in place (it is possible to receive on-line information about

evaluation of a particular programme made by participants, who fill in a special evaluation sheet, and also to see the results of a programme – the share of participants who found work within 6 months after completing the programme) and on-going work continues to introduce a more advanced solution for applying electronically to training.

The SEA monitors the rate of transition to employment within six months after the completion of participation of the programme. The previous data (July 2018) show that the transition to employment for the SEA registered unemployed including among young people after Vocational continuing education programmes was 45% and after Vocational improvement programmes was 40%.

More than 4 000 participants in 2018 were involved in vocational training that leads to either a formal professional qualification (following an examination) or a certificate for professional skills. The length of the course normally ranges from 160 to 320 hours for a certificate and from 480 to 1 280 hours for a formal professional qualification, consequently, a course can require 6 months in full-time education. In 2016, participants had most frequently enrolled in social care (about 900 participants), office administration (500), project management and welding (400 each). A programme for non-formal training involved more than three times as many participants as the programme for vocational training (about 14 000 in 2018) but the length of these courses is up to 60-160 hours. Such courses often cover languages, IT skills or driving. The most frequent non-formal courses in 2016 were in basic IT skills (2 100), advanced IT skills (1 400), and English at elementary level (1 200). Altogether 2 200 participants took courses in the Latvian language at various levels of proficiency.

Table No. 38

Involvement of unemployed in vocational training within ALMP measures

Training measures	ESF project Youth Guarantee	ESF project "Support to Education of Unemployed Persons"	Total No.	Dropout No.
2015				
Vocational training measures:	995	3477***	4472	308
Vocational training*	669	2090	2759	
Vocational upskilling**	326	1387	1713	
2016				
Vocational training measures:	1480	5 316	6796	467
Vocational training	1042	3183	4225	
Vocational upskilling	438	2133	2571	
2017				
Vocational training measures:	1568	4650	6218	471
Vocational training	1101	2893	3994	
Vocational upskilling	467	1757	2224	
2018				
Vocational training measures:	834	3 435	4 269	423
Vocational training	561	1953	2514	
Vocational upskilling	273	1482	1755	
* vocational further education programmes (leads to a formal professional qualification (following an examination) for the acquisition of the professional qualification of the first, second or third level (2 – 4 EQF) of professional qualification);				
** vocational in-service training programmes (leads to a certificate for professional skills)				
*** involvement of unemployed calculated also from previous ESF project "Training of Unemployed and Jobseekers in Latvia-2" within the ESI funds programming period 2007 – 2013				

Data source: SEA

Table No. 39

Financing vocational training measures within ESF project "Support to Education of Unemployed Persons"

Year	Women	Men	Total	Financing (EUR)
2015	1 734	1 053	2 787	2 742 240
2016	3 416	1 900	5 316	5 115 961
2017	3 153	1 497	4 650	4 448 849
2018	2 416	1 019	3 435	3 979 236

Data source: SEA

Table No. 40

Involvement of unemployed and job-seekers in training measures

Training measures	ESF project Youth Guarantee	ESF project "Support to Education of Unemployed Persons"	Total No.
2015			
Non-formal education:	905	12 366*	13271
ICT and foreign language courses	475	6689	7164
Latvian language courses	207	2986	3193
Vehicle courses	102	1412	1514
Truck driver courses	121	1279	1400
<i>No. of dropout</i>	474		
2016			
Non-formal education:	2363	13786	16149
ICT and foreign language courses	1375	8805	10180
Latvian language courses	396	2206	2602
Latvian language courses (without intermediate language)	2	9	11
Vehicle courses	142	1574	1716
Truck driver courses	448	1192	1640
<i>No. of dropout</i>	609		
2017			
Non-formal education:	2841	10931	13772
ICT and foreign language courses	1498	6405	7903
Latvian language courses	323	1817	2140
Latvian language courses (without intermediate language)	10	30	40
Vehicle courses	487	1369	1856
Truck driver courses	523	1310	1833
<i>No. of dropout</i>	686		
2018			
Non-formal education:	2312	11907	14577
ICT and foreign language courses	1334	7499	8833
Latvian language courses	221	2103**	2682**
Vehicle courses	391	1419	1810
Truck driver courses	366	886	1252
<i>No. of dropout</i>	890		
*involvement of unemployed calculated also from previous ESF project "Training of Unemployed and Jobseekers in Latvia-2" within the ESI funds programming period 2007 – 2013;			
** involvement of unemployed and job-seekers calculated ensured also from State budget			

Data source: SEA

Table No. 41**Financing non-formal measures within ESF project
“Support to Education of Unemployed Persons”**

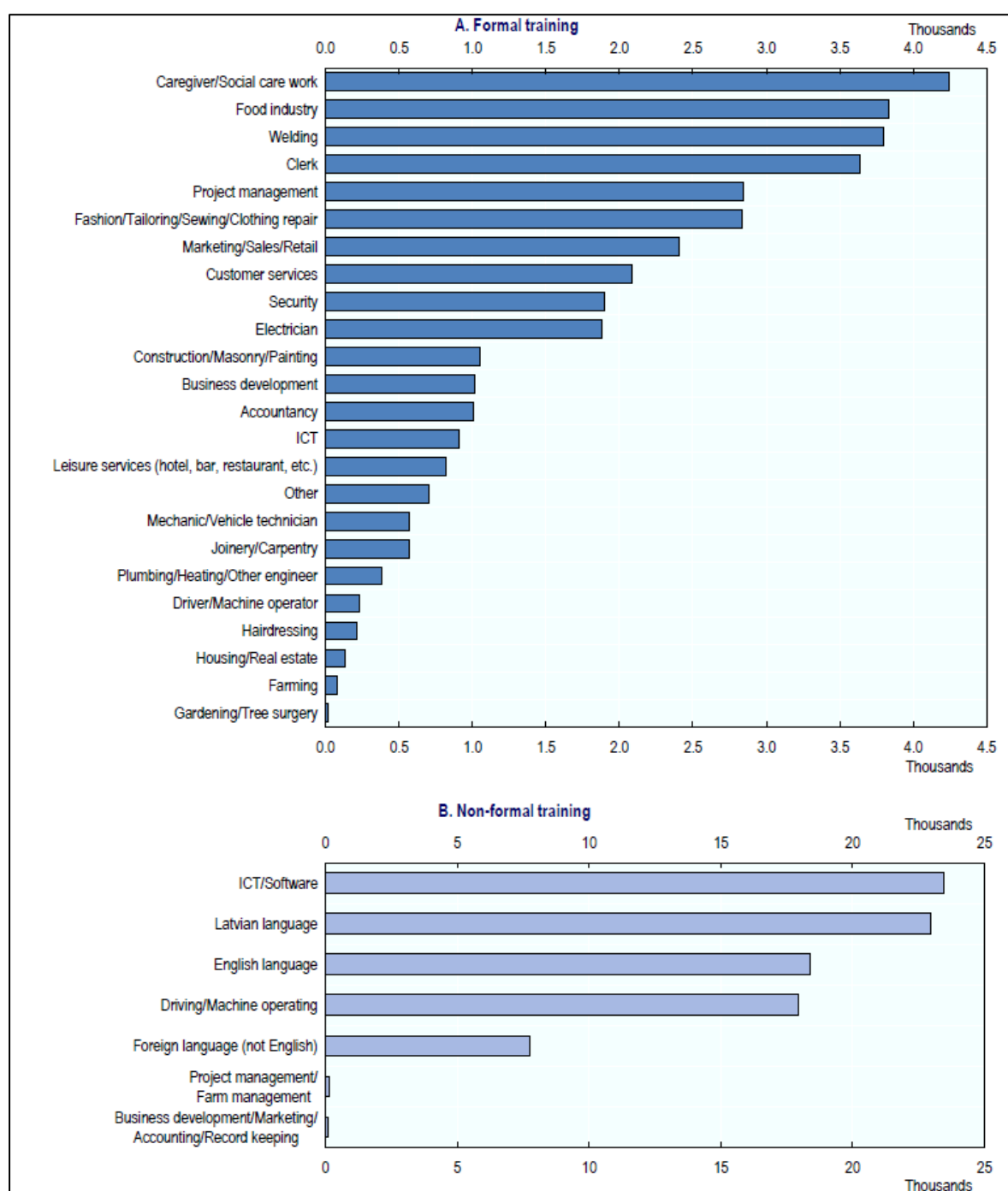
Year	Women	Men	Total	Financing (EUR)
2015	7 033	5 333	12 366	5 705 732
2016	8 038	5 748	13 786	7 552 540
2017	6 163	4 768	10 931	6 224 392
2018	7 110	4 797	11 907	6 445 105

Data source: SEA

The average cost of vocational further education programmes in 2018 was 1 219 EUR, including tuition fees of 877 EUR and scholarship of 249 EUR. The average cost of vocational in-service training programmes in 2018 was 554 EUR, incl. tuition fee 438 EUR and scholarship 115 EUR.

Table No. 42

**Main types of formal and non-formal training
Number of participations, January 2012 to October 2017**



Data source: SEA

Table No. 43

Adult participation in learning (% of the population aged 25 to 64)

2014	2015	2016	2017	2018
5,6	5,7	7,3	7,5	6,7

Data source: EUROSTAT

Table No. 44

The number of persons participating in vocational training, re-qualification and upskilling by age and gender

Age group	2015			2016			2017			2018		
	Total	Women	Men	Total	Women	Men	Total	Women	Men	Total	Women	Men
15-19	93	59	34	92	46	46	83	55	28	62	33	29
20-24	514	288	226	486	294	192	454	272	182	241	146	95
25-29	661	460	201	984	628	356	1048	738	310	607	430	177
30-34	399	278	121	882	633	249	781	592	189	596	429	167
35-39	369	235	134	787	531	256	666	475	191	506	382	124
40-44	377	234	143	852	549	303	697	452	245	482	352	130
45-49	361	190	171	794	465	329	718	494	224	538	357	181
50-54	421	257	164	860	538	322	764	477	287	506	349	157
55-59	416	230	186	855	527	328	750	484	266	532	366	166
>60	73	43	30	204	125	79	257	166	91	199	135	64
Total	3684	2274	1410	6 796	4 336	2 460	6 218	4 205	2 013	4 269	2 979	1 290

Data source: SEA

Table No. 45

Students in vocational education programmes (by age)

Age group	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018
15-19	23 738	22 136	20 655	19 548	20 313	20 833
20-24	6 462	7 091	6 185	5 003	4 867	4 208
25-29	842	1 002	1 487	1 864	1 960	1 735
30 and more	1 044	1 205	1 528	1 523	1 810	1 752
Total	32 026	31 005	29 855	27 938	28 950	28 528

Data source: Ministry of Education and Science

Table No. 46

The number of unemployed participating in informal training by age and gender

Age group	2015			2016			2017			2018		
	Total	Women	Men	Total	Women	Men	Total	Women	Men	Total	Women	Men
15-19	110	64	46	101	45	56	107	51	56	75	35	40
20-24	707	369	338	857	435	422	907	446	461	751	351	400
25-29	1 008	475	533	1 655	986	669	1 917	976	941	1 666	878	788
30-34	1 631	893	738	2 031	1 136	895	1 639	850	789	1 667	936	731
35-39	1 561	865	696	1 863	1 043	820	1 466	824	642	1 556	894	662
40-44	1 774	1 013	761	2 045	1 155	890	1 564	848	716	1 617	972	645
45-49	1 792	1 040	752	2 012	1 170	842	1 616	887	729	1 824	1076	748
50-54	2 027	1186	841	2 299	1 384	915	1 742	1 006	736	1 863	1137	726
55-59	2 079	1 248	831	2 450	1 516	934	1 955	1 165	790	2 101	1324	777
60 and >	582	350	232	836	519	317	852	539	313	1 096	717	379
Total	13 271	7503	5 768	16 149	9 389	6 760	13 765	7 592	6 173	14 216	8 320	5 896

Data source: SEA

ARTICLE 10 PARA. 4

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

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

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

Information provided under Article 1§1.

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

The vocational training and other ALMP programmes in place are in line with the recommendation of the Council of the European Union on the integration of the long-term unemployed into the labour market which call for well-targeted measures and employment subsidies for this target group.

Programmes for the long-term unemployed are organised in the same framework as for the other registered unemployed and target groups (more information provided under Article 1§2, Article 10§1 and Article 10§3):

- non-formal programmes implemented using vouchers (Latvian and foreign languages and IT skills training programmes from 100 to 150 hours);
- vocational training programmes (from 480 to 960 hours) and upskilling vocational programmes (from 160 to 320 hours) using vouchers;
- truck and vehicle driver courses;
- training for basic skills and competencies (short courses, lectures, seminars from 16 to 32 hours);
- up to six months of on-the-job training;
- training at employer’s request (vocational training programmes from 480 to 1 280 hours).

The OECD experts observe that,¹⁵⁾ understanding how training specifically affects the long-term unemployed would be a useful complement to ALMP related analysis, but assessing trainings’ relative effects on the long-term unemployed is difficult for two key reasons. Firstly, and most fundamentally, unemployed individuals’ transition to employment is the most important outcome variable on which the analysis focusses. It is not possible to simply separate out those individuals who reached more than 12 months in unemployment: the time spent in unemployment is something that training is explicitly seeking to change. One possibility would be to look at individuals that spent a certain amount of time in unemployment before participating in training. That is, the analysis could focus on those individuals who could be classified as long(er)-term unemployed before training began. This, however, leads to the second challenge associated with assessing the long-term unemployed: sample size. Relatively few individuals have to wait more than 12 months into

¹⁵ <https://doi.org/10.1787/6037200a-en>

their unemployment spell to begin participation in a substantive ALMP measure, especially for non-formal training.

Generally, results of the OECD review prove that the formal training programmes provided by the SEA generate positive and statistically significant effects on individuals' chances of being in employment relatively quickly. 12 months after the start of formal training, individuals who began training (the intervention group) were almost 7.6 percentage points more likely to be in employment than those who were still "waiting" for a substantive ALMP measure or another way out of unemployment. The OECD experts also observed that the effects remained positive for several years: 36 months after the start of the training, individuals who began training were still 6.7 percentage points more likely to be employed than individuals who were still waiting. Besides low-skilled individuals (those with up to lower secondary education) benefited more from formal trainings, especially in terms of earnings, than high-skilled individuals. At 18 months after the start of formal training, low-skilled individuals that found work experienced a 4.6% increase in their monthly earnings while high-skilled individuals experienced virtually no increase.

Activities offered to the long-term unemployed have been intensified over time and additional activities were introduced in 2016. In collaboration with municipalities, employers and associations, within the ESF project „To facilitate inclusion of disadvantaged unemployed people in the labour market”, an activation programme for the long-term unemployed has been introduced. The aim of the programme is to improve the effectiveness and targeting of ALMP programmes, reaching out for those at the margins of the labour market.

The following support is provided within the measure:

- Individual and group consultations (incl. career consultations, psychological and psychotherapeutic support).
- In-depth health checks to assess suitability for the possible job opportunities, covering laboratory and functional costs and also transport costs to/from the doctor.
- Assessment of professional suitability for persons with disability or health problems to be provided by the Social Integration State Agency within special 10 days programme.
- Motivational programmes – provided by outsourced service providers. The service provider has to ensure psychological support, motivation measures, support and consultation to help solve social problems. The service provider has to provide the service individually or in a group (maximum 12 persons). The service provider has to ensure meals and transportation of participants during the motivation course. After completion of motivation programme, a mentor has to be provided (person that helps in job-search activities and provides psychologic support, one mentor for maximum 6 persons) for up to three months (for the unemployed with disabilities – seven months).

The total number of persons receiving support was 53 711 in 2018, 54 318 in 2017 and 3 964 in 2016.

More information provided under Article 1§1.

3. Please supply statistics or any other relevant information to show how this provision is applied in practice. The main indicators of compliance with this provision are: types of training and retraining measures available; the number of persons in this type of training and the impact of the measures on reducing long-term unemployment; equal treatment of non-nationals with respect to access to training and retraining for long-term unemployed persons.

In 2018, the rate of long-term unemployment was 3.1% as a share of the labour force and 25.1% among the registered unemployed (unemployed for at least 12 months). The share of the long-term unemployed is higher among men than women (58% compared to 42%). 1% of the registered long-term unemployed are young persons (15-24 years old).

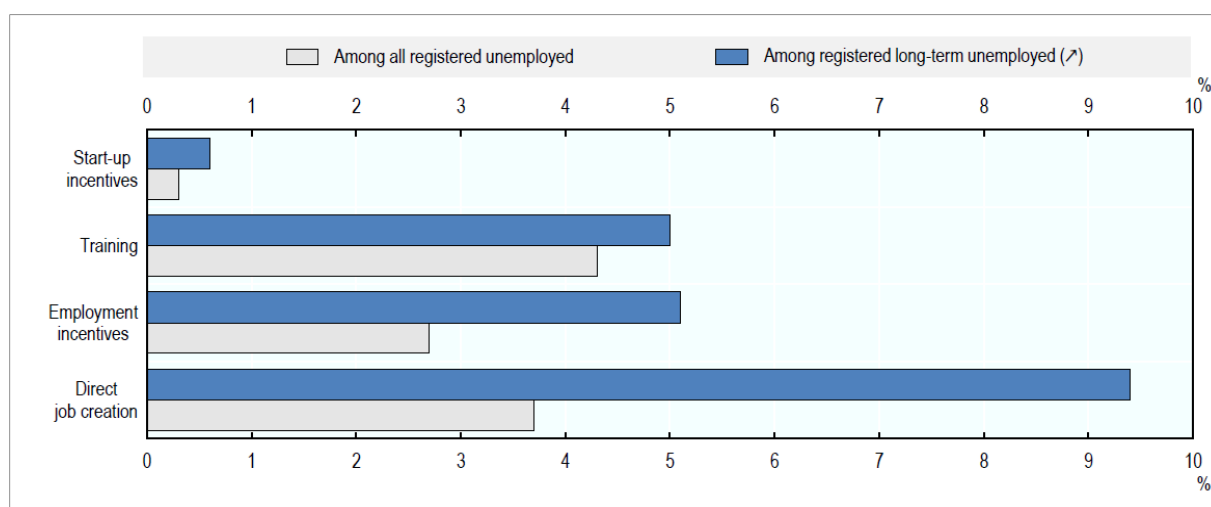
The participation of the long-term unemployed in the ALMP activities has increased during the reporting period. In 2015, of the total unique number of the unemployed who started active employment measures 46.1% were long-term unemployed, in 2016 - 44.5%, in 2017 - 45.4%, in 2018 - 46.7%. In 2015, in total 28 859 long-term unemployed participated in ALMP, in 2016 - 30 993, in 2017 - 47 201, in 2018 – 42 864 (one person may have participated in more than one measure). Participation in ALMP has a positive impact on the employment outcomes of the target group. Thus, 64.6% or 7 807 of all the long-term unemployed who found a job in 2018 (12 090 long-term unemployed) found a job after completing an ALMP measure. In 2017, 63.8% (8 207), in 2016 60.5% (8 687) and in 2015 59.1% (8 417 long-term unemployed).

The registered long-term unemployed in Latvia are more likely than other registered unemployed to be included in ALMP measures.

More information provided under Article 1§1.

Table No. 47

Participation of registered unemployed in ALMP in Latvia by unemployment duration in 2016



Data Source: EUROSTAT

Table No. 48

Target groups among all unemployed involved in SEA organised vocational training with voucher method in 2018

	Total number	% share of total number	Women	Men
Long-term unemployed	822	19,3	574	248
Young persons aged 15-24 years old	303	7,1	179	124
Unemployed with disabilities	575	13,5	354	221
Ex-prisoners	9	0,2	4	5
Persons after maternity leave	68	1,6	68	0
Older people, 50+	137	29,0	850	387
Unemployed in pre-retirement age	379	8,9	250	129
Total	4 269		2 979	1 290

Data source: SEA

ARTICLE 10 PARA. 5

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

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

- a. reducing or abolishing any fees or charges;***
- b. granting financial assistance in appropriate cases;***
- c. including in the normal working hours time spent on supplementary training taken by the worker, at the request of his employer, during employment;***
- d. ensuring, through adequate supervision, in consultation with the employers’ and workers’ organisations, the efficiency of apprenticeship and other training arrangements for young workers, and the adequate protection of young workers generally.”***

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

In 2015 - 2018, there were no changes to Article 74, Part 1, Clause 3 (Remuneration in Cases where the Employee does not Perform Work due to a Justifiable Reason), Article 74, Part 3 and Article 96, Part 1 (Occupational Training or Raising of Qualifications), Article 157 (Study Leave) as well as Article 137, Part 2 (Accounts of Working Time) of the Labour Law.

More information provided under Article 1§1, Article 10§1, §2 and §3as well as under responses to queries raised by the ESCR concerning Article 10§5.

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

Information provided under Article 1§1, Article 10§1, §2 and §3.

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

Information provided under Article 1§1, Article 10§1, §2 and §3.

According to the SEA statistics, the ethnical composition of the registered unemployed people is the following: out of 59 thousand registered unemployed 57.9% are Latvians, 30.4% Russians and 11.6% other nationalities. 61.5% of the registered unemployed had completed education in the State language, 5.2% have the highest proficiency level of the State language, 14.4% intermediary level, 10.9% basic level and 8.0% do not have a certification in the State language proficiency (data as of 31 December 2018).

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

ARTICLE 15 PARA. 1

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

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

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

Pursuant to Article 89 of the Constitution of the Republic of Latvia, the State shall recognise and protect fundamental human rights in accordance with the Constitution, laws and international agreements binding upon Latvia.

The prohibition of discrimination is defined in several legal acts - Labour Law, Law on Non-Discrimination of Natural Persons – Performers of Economic Activities, Law on the Protections of the Children’s Rights, Law on Social Security, Criminal Law, Education Law.

On 1 March 2010, Latvia ratified the UN Convention on the Rights of Persons with Disabilities (hereafter – the Convention). In line with the Convention, Latvia has set a clear path for the development of disability policy - a shift from a medical model that emphasises human disability and dependence on other people, to a human rights approach that focuses on the rights and independent living and active participation of persons with disabilities. Disability policy and its implementation is a horizontal policy. That means that each line ministry (incl. health, education, transport, etc.) and other institutions are responsible for ensuring equal principles and rights for persons with disabilities. During preparation of the policy planning documents and legal acts, the line ministries are responsible for the mainstreaming of the principle of equal opportunities for persons with disabilities thereby ensuring the implementation of the rights of persons with disabilities.

The Ministry of Welfare has developed guidelines for the implementation of the United Nations Convention on the Rights of Persons with Disabilities for 2014 - 2020. The guidelines set out four strands of action with specific objectives and tasks: 1) education, 2) work and employment, 3) social protection and 4) public awareness-raising. The implementation of these actions and specific tasks is ensured according to short term planning documents - implementation plans. In the reference period, two implementation plans were adopted - for 2015-2017 and 2018-2020. Line ministries are responsible for the implementation of measures included in the plan aimed at strengthening inclusive education, inclusive labour market and improvements in other areas.

Developing and implementing the principle of inclusive education is a competence of the education sector – the Ministry of Education and Science.

On 22 May 2014, the Parliament approved the medium-term policy planning document “Education Development Guidelines 2014-2020”, where the action line 1.4. - implementation of the principle of inclusive education and reduction of the risk of social exclusion - defines tasks for the promotion and strengthening of inclusive education in Latvia. In the context of inclusive education, children with special needs are defined broadly. This means that children may have special needs regarding education without a disability status. An educational institution has the obligation to provide adequate pedagogical and non-pedagogical support for those children with special needs who attend mainstream schools both in special programmes and in mainstream education programmes.

On 21 August 2018, the Regulations of the Cabinet of Ministers No 543 “Requirements for Admission of Students with Special Needs in Mainstream Education Programmes Implemented by General Education Institutions” were adopted. The regulations determine specific support measures for children with special needs according to the type of functional impairment of each child.

The Regulations were updated regarding the types of general education institutions. From 1 September 2020, the type “special pre-school education institution” will no longer exist. Thus, special pre-school education programmes will be implemented in special education institutions or general pre-school education institutions.

The Regulations also determine special education programmes that can be implemented by special education institutions stating that many special education programmes may be implemented only in an integrated way by general education institutions.

In 2018, new Regulations were adopted on the enrolment of students with special needs in general education programmes implemented by general education institutions – either in a general education class or a class for students with special needs.

On 15 September 2015, with the Regulations of the Cabinet of Ministers No 561 the conceptual report “On the Social Integration State Agency” was approved, which identified persons with mental impairments who cannot be included in the general education system as one of the priority target groups. On 9 February 2017, amendments to the Law on Social Services and Social Assistance came into effect, expanding the target group eligible for vocational rehabilitation service within the Social Integration State Agency, namely, in addition to persons with mental disabilities, persons with mental impairments, but without a disability status, can receive vocational rehabilitation in the Social Integration State Agency.

In order to ensure the implementation of the principle of inclusive education, in 2016 the Ministry of Education and Science set up an interinstitutional working group aiming to develop the model for services available for students with special needs and its costs. The working group agreed:

- to expand and clarify the set of support measures that an education institution should provide to a student with special needs in accordance with the needs of the student if the student is enrolled in an education institution;

- to determine that support measures shall be implemented also for students who do not have a corresponding opinion of the State or Municipal Pedagogical Medical Commission, but whose special needs have been identified by support specialists of an education institution;
- to acknowledge that appropriate support measures and individual curriculum acquisition plans are needed for pre-school students;
- to allow the possibility for an education institution to arrange the provision of medical rehabilitation services for students with special needs not financed from the education budget.

Considering this, the work has begun on improving the regulatory framework to ensure that students with special needs receive support measures designed to help them overcome health or functional disability limitations in the learning process.

Latvia's Inclusive Employment Strategy for 2015-2020 places a significant emphasis on developing and improving active labour market policy measures to help unemployed people access quality jobs, with a particular focus on disadvantaged groups. More information provided under Article 1§2.

In 2016, a programme was set up for the motivation and rehabilitation of the long-term unemployed as well as the unemployed with disabilities and the unemployed with addiction problems (the European Social Fund project "To facilitate inclusion of disadvantaged unemployed people in the labour market"). More information provided under Articles 1§2 and 10§4.

The State Employment Agency offers support for employment in the private sector (employment incentives) to the most disadvantaged unemployed groups, including persons with disabilities, persons who have been unemployed for at least 12 months, persons aged 55 or above, persons who have at least one dependent and persons who have obtained a refugee status of an alternative status. The programmes are in line with the Council of the European Union recommendations on establishing a Youth Guarantee and integration of the long-term unemployed which call for tailor-made measures for these groups of the unemployed. More information provided under Article 1§1.

In 2015 - 2018, there were no substantial changes to Article 7 (Principle of Equal Rights) of the Labour Law.

No changes were made to Article 4 Part 1, Paragraphs 3 and 8 and Article 22 of the Labour Protection Law.

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

To facilitate early, timely diagnosis of special educational needs, annual meetings of the State Pedagogical Medical Commissions are organised. More than 700-800 students per year are examined by a psychologist, special educator, speech therapist and physician to determine their abilities, level of development and recommend appropriate support measures for training process. At the same time methodological assistance is provided to specialists of municipal pedagogical medical commissions in assessing the abilities and

development level of students and in proposing appropriate support measures, organising seminars and consultations, as well as providing methodological support.

A challenge that educational institutions may face, when including students with special needs in general education classes and groups, is preparedness of teachers and the management of an educational institution to work with such children. However, there is a provision for teachers to improve their skills for working with students with special needs as well as to address this issue by reviewing higher education programmes for teacher training. The National Centre for Education is organising workshops and educational support teams for teachers working with students with special needs. Further NCE provides educational institutions with methodological and informative material for work with children with special needs.

At the same time, there are also challenges related to appropriate teaching materials for students with mental and hearing impairments and with severe visual impairment. This challenge is addressed in the framework of the European structural funds project “Competence Approach to Learning Process” implemented by the National Centre for Education to develop and provide appropriate teaching materials. The implementation of the principle of inclusive education will continue to be ensured in accordance with the Education Development Guidelines 2014-2020, including in the direction of action 1.4. “Implementing Inclusive Education and Reducing the Risk of Social Exclusion” and action 3.2. “Managing Effective Education Financial Resources”. These actions include development and implementation of a new financing model for special education institutions, considering the provision of personalised educational services; promotion of early, timely diagnostics of special education needs in all levels and types of education; identifying and implementing personalised support services, including development of individual support plans, etc.

In 2017, with the support of the European structural funds, the Ministry of Education and Science started the implementation of a project “Support to reduce early school leaving”¹⁶ with an aim to reduce early school leaving for children and young people, including those with special needs and disabilities. Within the project it is planned to provide support to students in 611 mainstream and vocational education institutions, covering at least 80% of municipalities, by 31 December 2022. The direct target group is students from grades 5 to 12 of mainstream education institutions, as well as those from 1st to 4th year of vocational education and mainstream education institutions implementing vocational education programmes. The project ensures support for the practical implementation of interprofessional co-operation as defined in regulations. Co-operation teams are created in municipalities that provide unified, result-oriented support to students from different municipal institutions, who are at risk of early school leaving, including students with disabilities and students with special needs. The planned support measures focus on early diagnosis and solution of the problem, to address the worst-case scenario, which would

¹⁶ Project Nr.8.3.4.0/16/I/001 Support to reduce early school leaving

require much more resources and could be less effective. For each student involved in the project, an educator or psychologist creates an individual support plan at the beginning of the semester, which assesses the risks of dropping out and provides the necessary measures to mitigate these risks. At the end 2018, 78 municipalities and 32 State vocational education institutions as well as 273 students with disabilities were involved in the project. The project promotes the establishment of a sustainable cooperation system between the municipality, school, educators and parents to identify children and young people at risk of early school leaving and provide them with personalised support – consultation and financial support. Educators are given the opportunity to professionally develop and strengthen their skills for working with young people. The beneficiaries of the project are the students themselves, parents, educators and society as a whole.

Education and employment are closely interrelated and complementary fields. Alongside the non-formal and vocational training measures implemented by the State Employment Agency and other active employment measures, vocational rehabilitation in the form of training is also offered by the Social Integration State Agency. The work of the Social Integration State Agency is directly aimed at vocational rehabilitation and integration into the labour market of persons with disabilities, persons with mental impairments and persons with predictable disability. The Social Integration State Agency offers education at vocational secondary school or college with first level higher education. In 2015-2018, about 20% of graduates of Jurmala Vocational Secondary School and 55% of college graduates entered the labour market.

Starting 2017, the Social Integration State Agency provides support to persons with mental impairments and persons with I and II disability group, within the framework of the European Social Fund project “Integration of persons with disabilities or mental impairments into employment and society”¹⁷ enabling them to acquire professional skills. Five new vocational rehabilitation programmes are developed and implemented for persons with severe disabilities. These programmes respond to the demands of the labour market and employers. To facilitate the integration of persons with mental impairments into the labour market, within the project, skills certification system is developed, including the development and implementation of 35 skills training programmes appropriate to the needs of the labour market. After completing the vocational rehabilitation programme, persons with disabilities can receive a certificate of professional qualification, while persons with mental impairments will receive a certificate of proficiency after a skills training programme. In 2017, 12 individuals were involved in continuing vocational training programmes, in 2018 – 22. At the end of 2018, 712 persons were identified and informed about opportunities to get involved in the project. In 2018, within the project, an information event for employers was organised inviting also social professionals, non-governmental organisations and persons with disabilities. About 80 people attended the event.

¹⁷ The project is due until the end of 2020, but the Social Integration State Agency plans to extend the project duration.

Programmes for persons with disabilities are also organised in the same framework as for other registered unemployed and target groups (more information provided under Articles 1§2, 10§1 and 10§3):

- non-formal programmes implemented using vouchers (Latvian and foreign languages, IT skills training programmes from 100 to 150 hours);
- vocational training programmes (from 480 to 960 hours) and upskilling vocational programmes (from 160 to 320 hours) using vouchers;
- truck and vehicle driver courses;
- training for basic skills and competencies (short courses, lectures, seminars from 16 to 32 hours);
- up to six months of on-the-job training;
- training at employer's request (vocational training programmes from 480 to 1 280 hours).

Participants receive financial support during training – a 5 EUR per day stipend. The following additional expenses are also covered by the State Employment Agency: training place adaptation for persons with disabilities, the involvement of care personnel for persons with disabilities, such as assistants or silent language experts, and other related expenses.

Since 2017, within vocational and non-formal training, the State Employment Agency's partners (educational institutions) must meet more stringent criteria in terms of, for example, teacher qualifications and access for disabled people. If training providers fail to meet these criteria, they risk having their status as a State Employment Agency's partner suspended for up to a year.

Since 2017, a new activity has been introduced in all regions of Latvia - "Open Day for Persons with Disabilities". It is aimed at reducing stereotypes about employability of persons with disabilities, facilitating the integration of persons with disabilities into society, labour market and work process within a company. It also gives employers the opportunity to find the employees they need. Similarly, traditional annual events, such as the Vacancy Fair and Career Days, address participants in all regions about the labour market opportunities for people with disabilities.

The Ministry of Welfare has also organised informative seminars for State and local government institutions, non-governmental organisations and employers on promoting equality in the field of employment and ensuring accessible workplace and equal opportunities for persons with disabilities.

More information provided under Article 1§1.

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

From all persons with disabilities, around 4-5% are children with disabilities. From all children with disabilities around 27% or 2 200 are with severe disability, that is, children who need special care.

In 2015 – 2018, the number of children with disabilities in institutional care (both State and municipal) decreased.

Table No. 49

Children with disabilities in institutional care

	2015	2016	2017	2018
State funded social care centres for children	275	248	225	199
Municipal or other social care centres for children	66	58	86	56
Municipal or other social care centres for adults	9	9	1	1
Total	350	315	312	256

Data source: Ministry of Welfare

In school year 2014/2015, there were 4 153 students with special needs who were included in general education institutions, studying in general education programmes or special education programmes. In school year 2015/2016, there were 4 587 such students, in 2016/2017 – 5 090, in 2017/2018 – 5 264. Inclusion in general education institutions has an increasing trend. If, in 2011, 34.76 % of the total number of students with special needs were included in general education institutions, then in 2018 – 42.14%.

Table No. 50

**Assistant services in education institutions for persons with special needs
(for mobility support and self-care)**

Year	Number of students receiving assistance
2015	273
2016	270
2017	252
2018	240

Data source: Ministry of Education and Science

Table No. 51**Students with special needs in general education institutions**

	Students with special needs integrated in general education institutions		Students in special education institutions	Students in classes with special education programme	Integrated students with special needs as % of total number of students with special needs
	acquiring general education programmes	acquiring special education programmes			
2017/2018	444	4820	5735	1493	42,14%
2016/2017	440	4650	5855	1492	40,93%
2015/2016	376	4211	5830	1429	38,72%

Data source: Ministry of Education and Science

Table No. 52**Students with special needs in vocational education institutions**

Academic year	Students with special needs
2015/2016	810
2016/2017	855
2017/2018	855

Data source: Ministry of Education and Science

Table No. 53

Year	Persons with disabilities						Proportion (%) of persons with disabilities from total population		
	Total	By gender		By age			By age		
		Women	Men	0-17	18-64	>65	0-17	18-64	>65
2015	176 189	91 165	85 024	8 365	109 811	58 013	5	62	33
2016	182 792	95 082	87 710	8 362	111 953	62 477	5	61	34
2017	187 830	98 284	89 546	8 292	112 894	66 644	4	60	36
2018	191 815	100 880	90 935	8 262	113 234	70 376	4	59	37

Data source: Ministry of Welfare, Welfare Information System (WIS)

In 2018, in total 3 839 persons with disabilities, registered in the State Employment Agency found a job, of whom 1 840 (47.9%) found a job after the completion of an active labour market policy measure. In 2018, 19 919 persons with disabilities participated in active labour market policy measures organised by the State Employment Agency.

More information provided under Articles 1§1, 9, 10§1, 10§3 and 4.

Table No. 54

Number of persons starting vocational rehabilitation programme in Social Integration State Agency

	2015	2016	2017	2018
Number of persons who have started vocational rehabilitation programme	234	252	306	201
vocational secondary education programmes:				
Jurmala vocational secondary school	74	65	53	70
Courses	91	123	167	91
I level higher education programme	69	64	86	40

Data source: Ministry of Welfare

ARTICLE 15 PARA. 2

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

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

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

In 2015 - 2018, there were no substantial changes to Article 7 (Principle of Equal Rights) and Article 109 (Prohibitions and Restrictions on a Notice of Termination by an Employer) of the Labour Law. No changes were made to Article 32 Part 1 (Job Advertisements) and Articles 34 (Prohibition of Differential Treatment when Establishing Employment Legal Relationships), 48 (Violation of the Prohibition of Differential Treatment when Giving Notice of Termination of an Employment Contract during the Probation Period), 60 (Equal Work Remuneration), 95 (Violations of the Prohibition of Differential Treatment in Determining Working Conditions, Occupational Training or Raising of Qualifications or Promotions) of the Labour Law.

At the same time, on 1 November 2018, amendments were made to Articles 29 (Prohibition of Differential Treatment), 32 (Job Advertisements) and 56 (Content and Limits of Orders of an Employer) of the Labour Law. The amendments came into force on 28 November 2018. These amendments refer to direct or indirect discrimination based on specific language proficiency. Also, in 2015 - 2018, no changes were made to the Regulations of the Cabinet of Ministers No 359 "Labour Protection Requirements in Workplaces" of 28 April 2009, Regulations of the Cabinet of Ministers No 92 "Labour Protection Requirements in Performing Construction Work" of 25 February 2003 and Regulations of the Cabinet of Ministers No 150 "Labour Protection Requirements for Extraction of Minerals" of 21 February 2006 determine the requirement to arrange workplace according to the needs of a person with disability if it is necessary.

The determination of disability in Latvia is regulated by the Disability Law (in force since 2011) and the Regulations of the Cabinet of Ministers No 805 "Regulations Regarding the Criteria, Time Periods and Procedures Determining Predictable Disability, Disability, and the Loss of Ability to Work" of 23 December 2014 (in force since 2015). According to the Disability Law, disability is a long-term or non-transitional very severe, severe or moderate level limited functioning which affects a person's mental or physical abilities, ability to work, self-care and integration into society. For a person up to the age of 18 disability is determined without being divided into groups. For the persons from 18 years of age up to attaining the age necessary for the granting of the State old age pension the limited functioning and its level shall be evaluated and the loss of ability to work shall be determined as a per cent and:

- a) Group I disability, if the loss of ability to work is in the amount of 80-100% - very severe disability;
- b) Group II disability, if the loss of ability to work is in the amount of 60-79% - severe disability;
- c) Group III disability, if the loss of ability to work is in the amount of 25-59% - moderately expressed disability.

After attaining the age necessary for the granting of the State old age pension, when performing a person's disability expert-examination for the first time, the limited functioning and its level shall be evaluated and Group I, II or III as well as corresponding assistance measures shall be determined. Since 2015, International Classification of Functioning, Disability and Health categories are used to determine disability, which means that during disability determination process functional capacity is assessed together with medical indications/diagnoses. The introduction of these criteria has led to the application of more comprehensible and internationally recognised criteria for determining disability.

The above-mentioned Disability Guidelines, the implementation plans for the Disability Guidelines and Inclusive Employment Guidelines include several measures aimed to promote the inclusion of persons with disabilities into labour market.

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

Everyone has the right to work, to fair, secure, safe and healthy working conditions and to fair payment. All these rights shall be granted without any direct or indirect discrimination based on race, colour, sex, age, disability, religion, political or other beliefs, national or social origin, property or family situation, sexual orientation or other factors.

Since 2013, the State also finances the assistant service in municipality¹⁸ for persons with Group I visual disability and persons with Group I or II disability if the State Medical Commission for the Assessment of Health Condition and Working Ability has determined the necessity to receive such a service. In this case, the persons with disabilities are entitled to receive the service from the local government where he/she has the declared place of residence (40 hours per week). Approximately 40% of service receivers are in pre-retirement or retirement age, about 7% of service receivers use the assistant service to get to work.

More information provided under Articles 1, 3, 4 and 9.

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

The number and proportion of persons with disabilities in the total population continues to increase each year. In 2015, the proportion of persons with disabilities in the total population was 8.9%, but at the end of 2018 - 10%.¹⁹

In most cases disability has been caused by a general illness. Of the specific functional impairments (vision, hearing, movement, mental), the majority of adult persons with disabilities have movement impairments and mental impairments.

¹⁸ Regulations of Cabinet of Ministers No 942 "Procedure for Granting and Financing Assistant Services in Municipality" of 18 December, 2012.

¹⁹ Resident population at the beginning of the year (CSB data), against persons with disabilities at the end of the previous year (the State Medical Commission for the Assessment of Health Condition and Working Ability).

Table No. 55**Persons with disabilities by disability group, functional impairment, gender at the end of 2016, 2017 and 2018**

Year		2016				2017				2018			
	Functional impairment ²⁰	Disability group			Child	Disability group			Child	Disability group:			Child
		I	II	III		I	II	III		I	II	III	
Women	Vision	1773	1688	1648	251	1819	1762	1723	245	1884	1870	1802	247
	hearing	192	175	364	231	168	174	416	231	162	169	478	234
	Movement	6377	8359	10817	585	6278	8914	11536	588	6519	9695	12479	614
	mental	2869	5752	920	772	3059	6013	1006	759	3191	6279	1073	771
	Other	9521	34214	26406	2065	9614	34425	27765	2077	10014	34941	29594	2030
Men	Vison	1220	1323	2339	294	1262	1336	2405	297	1297	1392	2450	296
	Hearing	122	237	427	230	105	228	473	240	98	235	510	242
	Movement	4375	8164	8372	638	4349	8593	8793	660	4518	9082	9468	670
	mental	1868	6010	1027	1647	1996	6221	1129	1664	2093	6459	1146	1711
	Other	7712	31238	25151	2427	7666	31291	25695	2401	7926	31775	26708	2362

Data source: Ministry of Welfare, Welfare Information System (WIS)

The number of persons with disabilities of working age slightly increased from 24% in 2014 to 25% in 2018 (of the total number of persons with disabilities). It should be noted that the employment rate of persons with disabilities also increases. The highest employment rate among the persons with disabilities was among persons with Group III disability – moderate disability.

Table No. 56**Employed persons with disability**

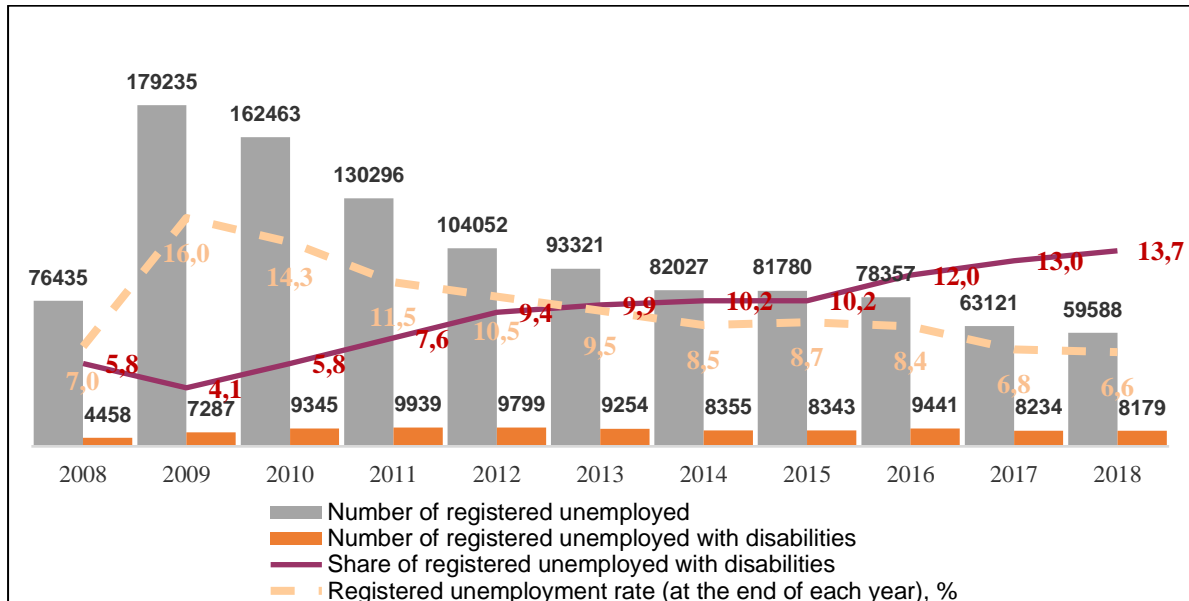
Gender	Year	Employees of the disability group						Total
		I disability group		II disability group		III disability group		
		Total	Incl. age 18-63	total	Incl. age 18-63	Total	Incl. age 18-63	
Women	2014	396	335	7 508	6 514	12 031	11 129	19 935
	2015	448	371	7 795	6 660	13 124	12 022	21 367
	2016	449	356	8 131	6 760	14 159	12 802	22 739
	2017	484	382	8 404	6 889	15 352	13 739	24 240
	2018	473	373	8 494	6 753	16 714	14 546	25 681
Men	2014	589	492	7 272	6 301	11 622	10 683	19 483
	2015	578	467	7 739	6 577	12 157	11 071	20 474
	2016	661	539	7 935	6 704	12 852	11 582	21 448
	2017	613	495	8 415	6 997	13 725	12 262	22 753
	2018	652	522	8 645	7 039	14 509	12 734	23 806

Data source: Ministry of Welfare, Welfare Information System (WIS)

²⁰ Person may have several functional impairment or disability groups

Table No. 57

Unemployed with disabilities registered with the State Employment Agency

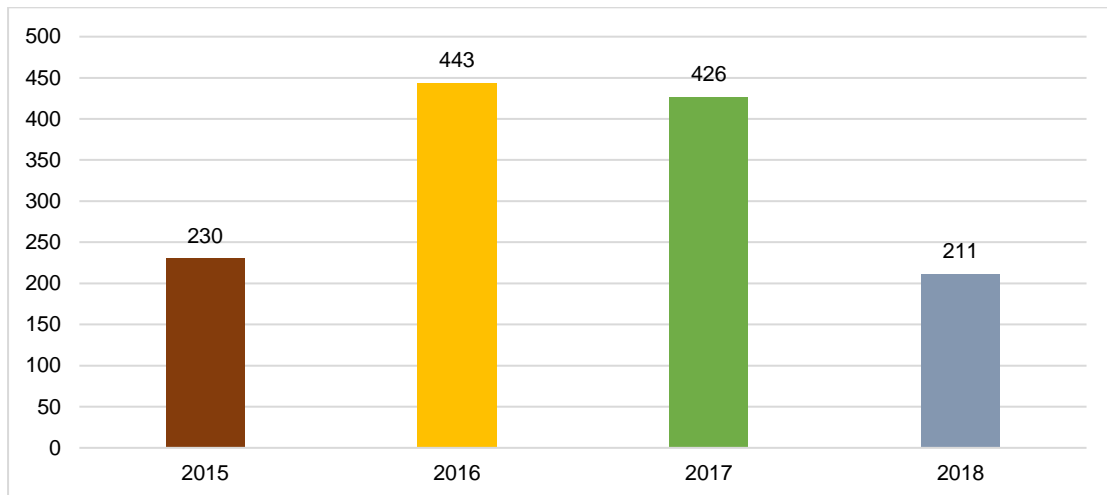


Data source: Ministry of Welfare

(Information provided also under Article 1§1, §3, §4 and Article 9.)

Table No. 58

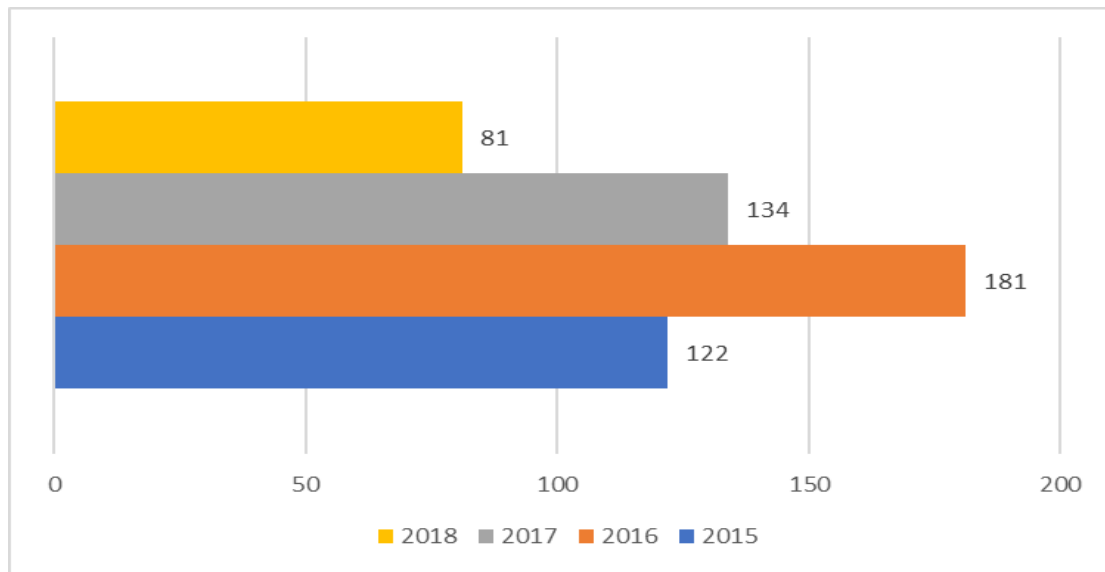
Persons who have started participating in subsidised employment measures



Data source: SEA

Table No. 59

Adapted workplaces for persons with disabilities



Data source: SEA

The provisions of the Labour Law apply to all persons with whom an employment contract has been concluded within the framework of the employment legal relationships.

ARTICLE 15 PARA. 3

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

to promote their full social integration and participation in the life of the community in particular through measures, including technical aids, aiming to overcome barriers to communication and mobility and enabling access to transport, housing, cultural activities and leisure.”

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

The main support measures to reduce consequences of a disability are specified in Article 12 of the Disability Law.

In 2015-2018, some changes in the legal framework were made to promote the inclusion of persons with disabilities in society by improving the range of technical aids. Currently, the procedure for receiving technical aids is determined by the Regulations of the Cabinet of Ministers No 1474 “Regulations on Technical Aid” of 15 December 2009 and the Regulations of the Cabinet of Ministers No 1472 “Procedures by which the Latvian Association of the Blind and the Latvian Association of the Deaf Provides Social Rehabilitation Services and Technical Aids - Tiflotechnique and Signaling Technique” of 15 December 2009. In 2016, the Regulations No 1474 were amended by expanding the range of available technical aids (Annex 2). The

amendments also strengthen the individuals' right to purchase technical aids within the compensation mechanism. Amendments to the Regulations No 1472 entered into force in 2015 expanding the list of typewriter and handwriting equipment (Annex).

To make the assistant service in municipalities more efficient, in 2015 amendments to the Regulations of Cabinet of Ministers No 942 "Procedure for Granting and Financing Assistant Services in Municipality" of 18 December 2012 were adopted in 2015. Since 2016, a greater proportion of the assistant service has been paid from the State budget to help persons with disabilities get to workplace, educational institution or place where they receive social rehabilitation services (up to 20 hours per week for education or employment, previously up to 10 hours per week for education and up to 15 hours per week for employment). Thus, the purpose of the assistant service provided by the Disability Law was achieved – to increase State support for persons with very severe and severe disabilities to engage in activities outside their home which they cannot carry out independently due to their disability, especially in the spheres of education and employment. In recent years, the number of recipients of the assistant services has increased.

In 2015, amendments to the Regulations of the Cabinet of Ministers No 1208 "Regulations Regarding the Amount of the Service of a Psychologist to a Person up to 18 Years of Age for whom Disability has been Determined for the First Time and who Lives in a Family, as well as to his or her Legal Representative, and the Procedures for Receipt of the Service" of 28 December 2010 were adopted to improve support by providing ten 45-minute psychologist consultations (previously two 45-minute psychologist consultation) from the State budget for this target group.

The Ministry of Welfare has developed Guidelines for the development of social services for 2014-2020. The aim of these guidelines is to develop the provisions of social services tailored to the individual needs of persons with disabilities to promote independent and dignified life.

In 2015, Latvia started the implementation of deinstitutionalisation (hereafter – DI) process. DI Action plan was developed and approved by the Cabinet of Ministers with Order No. 63 of 15 July 2015. DI process is supported by the European structural funds. The implementation of corresponding European Social Funds projects (assessment of individual needs and development of support plans, development of regional DI plans, provision of community-based social services, training of specialists, information and educational activities) takes place according to the Regulations of the Cabinet of Ministers No 313 of 16 June 2015 on the Operational Programme "Growth and Employment", specific support objective 9.2.2. "Increase availability of quality social services alternative to institutional care at home and close to family environment for persons with disabilities and children", measure 9.2.2.1. "Implementing measures for Deinstitutionalisation". The implementation of corresponding European Regional Development Fund projects (creation and development of community-based social service infrastructure) takes place according to the Regulations of the Cabinet of Ministers No 871 of 20 December 2016 on Operational Programme "Growth and Employment", specific support objective 9.3.1 "Development of Service Infrastructure for Child Care in the Family

Environment and Independent Living and Integration of Persons with Disabilities“, measure 9.3.1.1 “Development of Service Infrastructure for Implementation of Deinstitutionalisation Plans”. The European Regional Development Fund investments in the infrastructure necessary for the community-based services at the level of planning regions are supported if they are approved by the Social Services Development Council of the Ministry of Welfare and correspond to the investment plans for the municipality development programmes of the Ministry of Environmental Protection and Regional Development.

All construction projects must comply with the Regulations of the Cabinet of Ministers No 340 of 30 June 2015 regarding the Latvian Construction Standard LBN 211-15 “Residential buildings”, the Regulations of the Cabinet of Ministers No 331 of 30 June 2015 regarding the Latvian Construction Standard LBN 208-15 “Public Construction”, the Regulations of the Cabinet of Ministers No 500 of 18 August 2014 “General construction regulations”, the Regulations of the Cabinet of Ministers No 240 of 30 April 2013. “General rules on spatial planning, use and building”, which lay down the requirements regarding the accessibility for persons with disabilities, on an equal basis with others, to buildings, other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces. Access to the environment and information in respect for the rights of persons with disabilities have also been identified as one of the conditions for obtaining funding from European Regional Development Fund and the Cohesion Fund in Latvia.

In 2018, the Ministry of Welfare developed Guidelines on accessibility in public buildings and premises and public outdoor spaces. The Guidelines were developed in co-operation with the Latvian umbrella body for disability organisations SUSTENTO and in consultation with non-governmental organisations representing the interests of persons with disabilities (“See Me”, the Latvian Union for the Deaf, the Alliance of Persons with Disabilities and their Friends “Apeirons”) and governmental organisations (the Ministry of Economy, the Road Transport Directorate, the Ministry of Transport, the Latvian State Roads and the State Construction Control Bureau.²¹

The Disability Law (Article 12, Part 1, Clause 7) and the Regulations of the Cabinet of Ministers No 371 „Provisions concerning fare reliefs” of 27 June 2017 stipulates that the State budget finances the transportation of persons with Groups I or II disabilities, children with disabilities and persons accompanying persons with Groups I disability or children with disabilities within the territory of Latvia and in all types of public transportation, except for air transport, taxis and carriage of passengers by inland waters.

Bus and coach passengers’ rights are stipulated in Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004.

Passengers, including those with a disability or reduced mobility, travelling by bus and coach enjoy the same rights wherever they travel in the European Union. These rights, including the right to information or compensation in the

²¹ http://sf.lm.gov.lv/f/files/vienlidzigas_iespejas_2014-2020/pieejamiba_12042018_LM_vadlinijas.pdf

case of delay or cancellation, complement similar rights for sea and inland waterway, air and rail passengers. The regulation sets down rules for bus and coach transport regarding regular services for passengers travelling within the European Union for distances of 250 km or more. Some of its provisions apply to all services, including those of a shorter distance.

Technical aids (assistive technology)

According to the Law on Social Services and Social Assistance State, persons with permanent or persistent disorders of vital body functions or anatomical defect have the right to assistive technology when an opinion of a general practitioner or other medical staff is received. Provision of technical aids is financed by the State budget. Persons eligible to receive State funded assistive technology are as follows:

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

Citizens and non-citizens of the Republic of Latvia, aliens and stateless persons, who have been assigned personal identity number and who have received a permanent residence permit and their family members have the right to receive technical aids, financed from State budget. Other persons, who have the right to enter and reside in the Republic of Latvia must pay full price of service.

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

In accordance with the Law on Social Services and Social Assistance, the provision of technical aids is ensured by the State limited liability company "National Rehabilitation Centre "Vaivari"". Tiflotechnology and surdotechnology is ensured by the Latvian Society of the Blind, the Latvian Association of the Deaf. If necessary, the Latvian Society of the Blind, the Latvian Association of the Deaf and the State limited liability company "National Rehabilitation Centre "Vaivari"" may select other service providers in accordance with the procedures specified in the regulatory enactments regulating public procurement.

As regards fulfilment of these tasks, the Latvian Society of the Blind, the Latvian Association of the Deaf and the State limited liability company "National Rehabilitation Centre "Vaivari"" are under the functional supervision of the Ministry of Welfare, ensuring rational use and control of the funds granted from the State budget, using not more than 10 % of these funds for administrative costs related to the provision of these services. The organisations referred to are entitled to issue administrative statements for the fulfilment of these duties.

Assistive technology is mostly distributed to persons from socially vulnerable groups; therefore, it is fully funded by the State. Individuals pay only a fee of 1.50 EUR if assistive technology is provided to a child or a fee of 7.00 EUR if

assistive technology is provided to an adult. Persons with low incomes, persons living in long-term social care and social rehabilitation institutions, persons who have declared their place of residence in a medical treatment institution and persons serving a sentence in a place of imprisonment are released from the single-payment (fee).

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

Vocational rehabilitation for persons with disability

According to the Law on Social Services and Social Assistance, the State provides vocational rehabilitation for persons with disabilities or predictable disabilities. The Law stipulates that vocational rehabilitation is a set of activities that ensure the acquisition of a new profession, professional knowledge or skills, according to the functional disorders of a person and considering his/her previous education and professional qualification.

Vocational rehabilitation services are financed from the State budget and are free of charge for persons with disabilities or predictable disabilities who are citizens or non-citizens of Latvia, aliens and stateless persons, who have been assigned personal identity number and who have received a permanent residence permit and their family members. Other persons, who have the right to enter and reside in Latvia, must pay full price of the service.

The procedure for claiming and receiving vocational rehabilitation is stipulated by the Regulations of the Cabinet of Ministers No 94 "Procedures by which a person receives State-funded vocational rehabilitation services and the Service for the Determination of Vocational Suitability" of 21 February 2017. These Regulations also specify and supplement the content of the vocational suitability assessment and vocational rehabilitation service. Since 2017, the vocational suitability assessment service includes up to 10 days of personal suitability assessment, as a result of which the specialists of the Social Integration State Agency (psychologist, medical practitioners, if necessary with the involvement of other specialists) evaluate a person's state of health and functional impairment which limits his/her ability to work, psychological state; determination, motivation and ability to acquire new skills and knowledge, previous knowledge, skills and abilities; the ability to study and work in the particularly professional field, based on the results of theoretical and practical tests in the professional field recommended for the individual; social skills, self-care and hygiene skills. The vocational rehabilitation service includes: (i) skills acquisition programme; (ii). motivation enhancement programme; (iii) acquisition of vocational education through accredited programmes in Jurmala Vocational Secondary School or College; (iv) individual social rehabilitation to restore working capacity; (v) training in the development of personal care skills; (vi) providing support for apprenticeships and employment after vocational training; (vii) individual workplace counselling and workplace adjustment advice – within 6 months after professional qualification; (viii) the acquisition of a driver's category B licence (if there are no medical contraindications).

Persons receive the vocational rehabilitation course according to the results of the determination of vocational suitability. Determination of vocational suitability or vocational rehabilitation may be received repeatedly after a specified period of time. In cases when functional disorders and their severity have changed, the person concerned has the right to receive the determination of vocational suitability repeatedly. If person cannot start receiving a vocational rehabilitation service due to his/her state of health, he/she has the right to postpone the start of vocational rehabilitation.

Since 2017, persons who have acquired vocational education within the framework of vocational rehabilitation service have the right to start the acquisition of a State financed higher-level vocational education programme within 2 years.

The Social Integration State Agency has regional support points that help in identifying and motivating persons with disabilities and predicted disabilities.

Service of group house (apartment) for persons with mental impairments

Persons with mental impairments who have objective difficulties to live independently, have the right to receive group house (apartment) services. A group house (apartment) is a house or a separate apartment where a person with mental impairments is ensured with a housing, individual support for resolving social challenges and, if necessary, social care.

Persons living in a group house according to the individual social rehabilitation plan, have the opportunity to adjust their self-care skills and social skills, to strengthen cooperation skills related to the settlement of social and employment issues. The expenses for the group house (apartment) services are covered from local municipality budget. Persons living in a group house (apartment) pay to the service provider for the use of residential space, kitchen and shared spaces. When the group house (apartment) service is provided to persons with mental impairments who return from long-term social care and social rehabilitation institutions, the co-financing from State budget is provided.

The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled (the 'Marrakesh Treaty') was signed on behalf of the European Union on 30 April 2014 and entered into force on 1 January 2019. Its aim is to improve the availability and cross-border exchange of certain works and other protected subject matter in accessible formats for persons who are blind, visually impaired or otherwise print-disabled. The Marrakesh Treaty requires contracting parties to provide for exceptions or limitations to copyright and related rights for the making and dissemination of copies, in accessible formats, of certain works and other protected subject matter, and for the cross-border exchange of those copies.

To implement the obligations that the European Union has to meet under the Marrakesh Treaty in a harmonised manner, in 2017 the European Union adopted:

- Directive (EU) 2017/1564 of the European Parliament and of the Council of 13 September 2017 on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled and

amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society (Marrakesh Directive);

- Regulation (EU) 2017/1563 of the European Parliament and of the Council of 13 September 2017 on the cross-border exchange between the Union and third countries of accessible format copies of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled.

To transpose the Marrakesh Directive, Latvia amended the Latvian Copyright Law (in force since 13 December 2018). The changes foresee:

- to amend the existing exception for uses for the benefit of people with a disability, by widening the scope to persons with functional limitations;
- to add a new Article 22¹ on use of a particular work for the needs of persons who are blind or with other reading difficulties.

Section 23 of the Library Law (amendments are in force since 5 January 2006) determines: (2) If the users of a State or local government library are persons with disabilities (movement, visual and other impairments), they have the right to receive library services at home. In the process of accreditation of libraries in Latvia, it is assessed whether this provision of the Law is observed.

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

Support for persons with disabilities

Support for persons with disabilities is a complex set of measures and includes both financial benefits (social security, transport and special care allowances) and services (community-based services (DI process), municipal assistant, sign language interpreter, technical aids, free public transport, tax relief, etc.). All the information about the State support is available on the website of the Ministry of Welfare²².

Forms of financial aid to increase the autonomy of persons with disabilities	
Material support	Services
Disability pension (depends on the disability group and the contributions paid by person).	Assistant service in the municipality and educational institutions.
State social security benefit (if a person does not have the necessary period of insurance (at least 3 years) for the granting of a state disability pension). Personas with Group I disability – 83,24 EUR per month (since childhood – 138,74 EUR per month) , Personas with Group II disability - 76,84 EUR per month (since childhood – 128,06 EUR	Home care.

²² <http://www.lm.gov.lv/text/918>

per month); Personas with Group III disability – 64,03 EUR per month (since childhood – 106,72 EUR per month).	
Allowance to the family state benefit for a child with disabilities – 106,72 EUR per month.	ten 45-minute psychologist consultations for children with newly diagnosed disability and their legal representatives.
Special care allowance (for persons with severe functional impairments) - 243,43 EUR per month Special care allowance for children with special needs and for persons with Group I disability since childhood - 313,43 EUR per month (since 1 July 2019).	Sign language interpreter in educational institutions and in communication with natural and legal persons.
Allowance to compensate transport expenses for persons with mobility disabilities - 79,68 EUR every six months period.	Technical aids.
Benefit for assistance services for persons with Group I visual disability – 17,07 EUR a week.	Social and professional rehabilitation
	Fare reductions in public transport
	Tax relief
	Support for electricity billing
	DI services
	Support measures provided by State Employment Agency and Social Integration State Agency
	Support services provided by municipalities according to local binding regulations and other services.

In 2015 - 2018, special attention was paid to persons with mental disabilities to promote their successful integration into society through access to a variety of support and community-based services and promoting the ability to make independent choices at their own discretion. In 2016-2017, individual needs assessments and preparation of individual support plans for the DI project target groups were carried out. At the end of 2018, 285 adult persons with mental disabilities and 650 children with disabilities who lived in families had received community-based services (till 31 October 2019, respectively 415 adults and 968 children).

As regards the implementation of DI process, all of the regional DI plans have been approved by the Social Services Development Council. The planning phase of the DI projects is thus completed, and the establishment of infrastructure for the provision of community-based social services started in

2019 to significantly increase the provision of such as a social rehabilitation centre, day care centre, respite service, group house or specialised workshops. In 2018, a campaign “A human being, not a diagnosis” was implemented to change public attitude about persons with mental impairments, about their needs and opportunities to integrate into society. Measures to change public attitude and to raise awareness are planned to continue in the coming years.

Persons with a mental disability need a support person to carry out their daily life activities. In 2017, the Ministry of Welfare contracted the association “Resource Centre for People with Mental Disabilities “ZELDA” to develop the support person's service description, organisation and financing and to implement a pilot project of the personal service. In December 2017, “Zelda” developed an unapproved version of the service organisation and funding arrangements (methodology), including unverified version of support person's service. The implementation of the pilot project started on 1 December 2017, providing 5 regional workshops to introduce participants to the content of the service as well as providing training for 22 support persons. By the end of December 2018, 229 contracts for personal support services were signed (on 1 September 2019 - 330 contracts). After the implementation of the pilot project (the pilot project ended on 30 November 2019) the evaluation of the results is being carried out, including the assessment of the socio-economic impact of the support person's service. Evaluation of the results will provide evidence-based analysis and proposals for the legal framework necessary for the introduction of this service. After that, the Social Services Development Council will assess the possibilities of integrating the support person's service into the existing system of social services thus implementing the requirements of Article 12 of the Convention on the Rights of Persons with Disabilities, which requires the Member States to ensure the availability of support necessary to enable persons with disabilities to exercise their legal capacity.

The assistant service in the municipalities also has an important role in strengthening the mobility of persons with disabilities and promoting their inclusion in the labour market, education and rehabilitation.

Consultations

In order to promote the rights of persons with disabilities and develop co-operation between institutions and involved non-governmental organisations in decision-making related to the integration of persons with disabilities, the Ministry of Welfare in 1997 created the National Council of Disability Affairs. The Council is composed of five sectoral ministers, the Chair of the Latvian Association of Local Governments, the Ombudsman, the Chair of the Public Utilities Commission, the Director of the Social Integration Fund, the Chair of the Latvian Free Trade Union Federation as well as representatives of several non-governmental organisations representing persons with disabilities. The Council meets 4 times a year. These are open meetings to discuss and address current issues and challenges in all relevant areas, like inclusive education, accessibility of environment, digital issues, health care, preventive measures, etc.

Any policy planning document or draft legislative act is always placed on the website of the Ministry of Welfare for public discussion and comments. The received comments and proposals are considered. The Ministry of Welfare also

organises regular meetings with the non-governmental organisations to inform them about topical issues in the disability policy and changes that have taken place or are planned in the future.

Technical aids

The mobility of persons with disabilities and their ability to integrate into various social processes often depend on the availability of technical aids. The number of persons receiving technical aids has increased in recent years: in 2016 technical aids (National rehabilitation centre Vaivari, Latvian Association of the Deaf and Latvian Association of the Blind) were provided to a total of 16 687 persons, in 2018 - 9 406 persons. The State budget funding for technical aids increased from 4 290 115 EUR in 2016 to 7 252 968 EUR in 2019.

Accessibility, mobility and transport

The Law on Public Transport Services defines that the public transport services and information about public transport services are available to each member of the society.

Progress towards accessibility varies across public transport. For example, significant progress has been achieved in respect of regional buses. In 2018, 54% of regional buses were adapted to transportation of persons with disabilities. If it is not ensured, the operator has to provide transportation of a person with functional impairments with an appropriately adapted vehicle that persons may request 72 hours prior to the trip.

At the end of 2018, the total number of buses used to operate regional routes was 1175, of which 523 buses were adapted. Although the number of adapted vehicles is increasing every year, the existing public transport service contracts do not provide for more adaptive vehicles than is required by law. In addition, it should be noted that these contracts have been concluded up to the end of 2020 and service providers are not willing to invest in the vehicles they will not use in the future. In regional buses, the provision of audio information is available in approximately 72% of buses, while visual information - 2.5%.

Until 2019, the railway passenger infrastructure was upgraded in 28 railway stations and stopping points in accordance with the European Commission Regulation (EU) No 1300/2014, by building new platforms, installing passenger information and video surveillance systems, and developing pedestrian crossings and safety barriers. By 2023, it is planned to buy 32 new electric trains for passenger transportation by JSC "Pasažieru vilciens", which will be specially adapted for persons with disabilities. Access to the rolling stock for persons with disabilities (by mobile lifts and wheelchairs) is available in nine railway stations and stopping points, and the assistance for persons with disabilities and persons with reduced mobility is provided, if such request has been received at least 48 hours before the scheduled journey. The accessibility of railway transport for persons with reduced mobility will increase after the new trains will be available.

The State JSC "Riga International Airport" ensures compliance with the provisions of Regulation (EC) No 1107/2006 of the European Parliament and of the Council on the rights of disabled persons and persons with reduced mobility to travel by air which includes requirements applicable to the

accessibility of air transport. It specifies what assistance is provided by an airport and carrier, and provides that such assistance is free of charge.

Airport Service Quality Standards–GH 1371 S are implemented by “Riga International Airport” management jointly with the Airport users, organisations of persons with disabilities and persons with reduced mobility, and they are published on the Airport’s website²³.

For passengers with reduced mobility, the Assistance Team ensures assistance from the moment of arrival at the Airport until the passengers have taken their seat in the aircraft. Upon arrival, assistance is provided to get to the arrivals hall and luggage reclaim area, as well as to transport in the Airport’s territory. The Assistance Team provides a wheelchair when needed; it also includes servicing of the passenger’s own wheelchair, specialised aids as well as special assistance to visually impaired or blind people to accompany them to their seat in the aircraft.

The Airport in its territory provides call points for passengers with reduced mobility arriving at the Airport and departing from it.

The realisation of a new terminal construction plan at the Airport is designed in accordance with environmental accessibility requirements to guaranty the comfort and accessibility to services for passengers with reduced mobility. The railings of the new terminal stairs are marked with braille signs indicating the presence on a specific floor. Boarding chairs are also provided to ensure appropriate passenger boarding on a plane. The information on the Airport’s website is designed to be accessible to any person with different kinds of impairments.

The Airport continues to provide the passengers with reduced mobility with the necessary information in specially adapted formats, booklets and on the Airport’s website. The information is provided in Latvian, English and Russian languages.

The Airport performs repeated training once a year for the personnel assisting passengers with reduced mobility and once every two years – for the staff working in direct contact with all passengers.

The Airport uses the following service quality supervision instruments: Questionnaire of passengers with reduced mobility regarding service quality, level and adequacy of equipment to ascertain the service quality.

Accessibility of buildings and structures is not measured by a common methodology, so it is not possible to determine the share of accessible buildings at this time. The Cabinet of Ministers has approved an action plan “Creation of accessible environment in Latvia 2019-2021”. This action plan aims to assess the availability and accessibility of public and municipal buildings and services from 2020.

For ensuring the accessibility of the environment and information in events dedicated to Latvia's hundred years anniversary, the Ministry of Welfare developed guidelines for the organisers to ensure the accessibility of environment and information. The guidelines included practical recommendations on planning activities so that all citizens could participate

²³ www.riga-airport.com

equally in the events dedicated to Latvia's hundred years, including persons with disabilities not only as spectators but also active participants.²⁴

In 2018, the Ministry of Welfare organised a conference “Inclusive design 2018: think, plan and make for everyone”²⁵. The conference brought together experts from the Baltic and Nordic countries - policy makers, researchers, designers, architects, planners, users and practitioners - all who are interested in the achievements and usability in the field of inclusive design aimed at the accessibility of the built environment and ICT for everyone.

A video film “Can I?” was prepared and shown on the Latvian Television in 2018. The film is a documentary about people of different ages with disabilities and their opportunities to live a full life. The name of the film reveals in a concentrated way its nature and purpose, namely, to show or clarify the possibilities of film characters to participate fully in society and to take advantage of the opportunities that all people have. The film is based on the stories of real persons about their experiences, desires and opinions²⁶.

The State institution “Culture Information Systems Centre” has developed the state-of-the-art machine translation system Hugo.lv featuring also Latvian text-to-speech and speech-to-text solution freely available for general public. This functionality is available also as a web service with the possibility to use it in websites and other software products. The Developer of Hugo.lv (company “Tilde”) also provides a mobile application for iOS and Android featuring voice input as an alternative for keyboard.

Since 2015, local governments have created a network of the Unified Customer Service Centres. These centres have been established at the municipal, regional and national levels, and they have implemented specific measures to ensure the accessibility of environment and information for persons with visual, hearing, mobility and mental disabilities (construction of ramps, ensuring that the building door width meets the needs of wheelchair users and persons with children (using strollers), marking of the first and last steps of the building, changing the floor level, painting of glass walls, surfaces and other hazardous areas in bright colour, well-visible, easily legible, able, illuminated markings, visual information, pictograms, indications and/or audio signals, and other arrangements, including parking places for persons with disabilities). By March 2019, 84 Unified Customer Service Centres have been set up, with a total of 110 service points ensuring access to public and municipal services for all customers, also for persons with disabilities.

²⁴http://sf.lm.gov.lv/f/files/vienlidzigas_iespejas_2014-2020/Vadlnijas_LV100_paskumu_organizatoriem_21042017.pdf (available only in Latvian)

²⁵ <http://www.lm.gov.lv/eng/branch-information/social-inclusion/conference>, video from conference: <https://www.youtube.com/watch?v=9Wd3PDJZuAE>

²⁶ <https://vimeo.com/261467943>

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

Table No. 60

Number of persons up to 18 who have received a psychologist's service in the case when disability is determined for the first time

2015	2016	2017	2018
2	5	5	4

Data source: Ministry of Welfare annual reports

Table No. 61

Provision of technical aids and number of receivers of technical aids

	2015	2016	2017	2018
Persons	16 687	17 244	18 582	19 406
Technical aids issued	18 567	19 377	21 337	22 858

Data source: Ministry of Welfare

Table No. 62

Provision of technical aids and number of receivers of technical aids by type of technical aids

		2015	2016	2017	2018
Prostheses	pieces	991	1 026	1 067	1 093
	persons	929	954	992	1 024
Orthoses	pieces	2 396	2 790	2 972	3 331
	persons	1 788	2 100	2 203	2 330
Orthopaedic shoes (pairs)	pairs	1 983	2 255	2 269	1 990
	persons	1 983	2 255	2 269	1 990
Personal mobility technical aids	pieces	2 758	3 034	2 142	3 278
	persons	2 593	2 907	2 022	3 168
Personal care technical aids	pieces	2 456	1 937	3 024	3 115
	persons	1 831	1 534	2 428	2 507
Technical aids for alternative communication	pieces	23	91	35	25
	persons	23	91	35	25
Breathing aids	pieces	0	1	209	312
	persons	0	1	209	312
Tilotechnology	pieces	3 181	3 566	3 755	3 396
	persons	3 181	3 566	3 747	3 391
Surdotechnology	pieces	4 780	4 677	5 866	6 318
	persons	4 359	3 836	4 690	4 659

Data source: Ministry of Welfare

Table No. 63**Vocational suitability assessment and full vocational rehabilitation service**

	2015	2016	2017	2018
Persons, identified by the Social Integration State Agency's regional support points	1 618	1 709	2 262	1891
Receivers of vocational suitability assessment (persons)	362	260	407	389
Receivers of vocational rehabilitation service (persons)	342	308	309	281
Vocational rehabilitation receivers, entering employment within 1 year of completing a course (%)	33	7	32.9	32.4

Data source: Ministry of Welfare

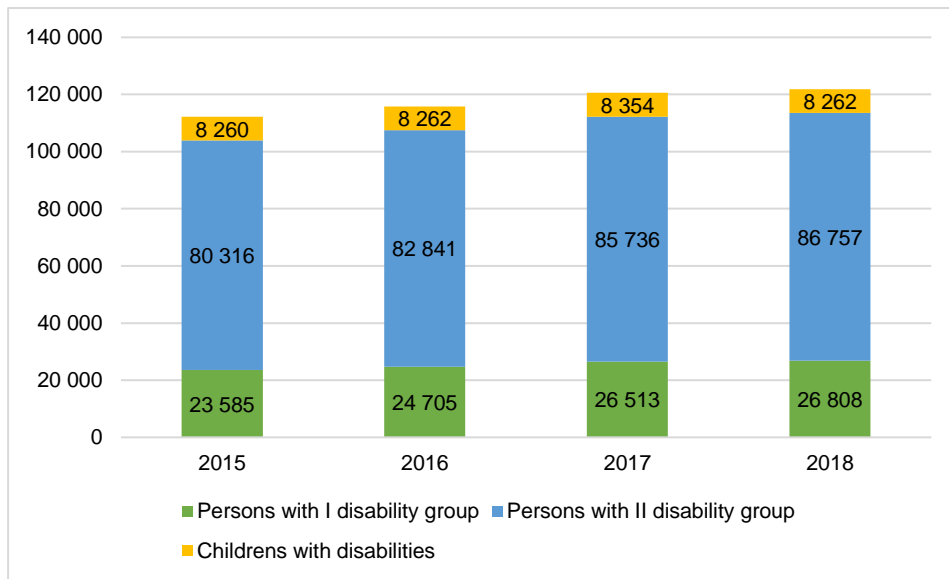
Table No. 64**Assistant service**

	2015	2016	2017	2018
The State Medical Commission for the Assessment of Health Condition and Working Ability issued Opinions on the necessity of the assistant service	22 238	25 982	29 141	32 776
Persons who have received assistant service in municipality	9 213	9 668	9 886	10 396
Number of assistants providing assistant services	9 279	9 828	10 041	10 582

Data source: Ministry of Welfare, State social policy monitoring information system

Table No. 65

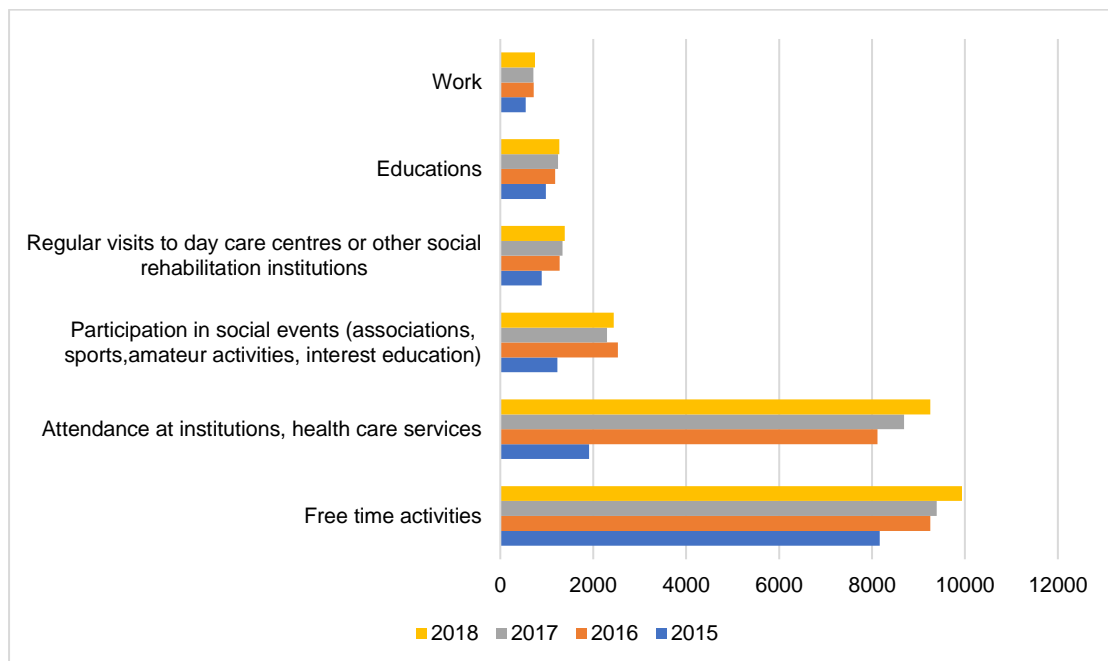
Persons with Groups I and II disabilities and children with disabilities who receive assistant service in municipality



Data source: Ministry of Welfare, State social policy monitoring information system

Table No. 66

Use of assistant service in local government by purpose²⁷



Data source: Ministry of Welfare, State social policy monitoring information system

²⁷ Unique contracted individuals who have used the service for the purpose are selected. One person may use the service for multiple purposes.

Table No. 67**Sign language interpreter service**

	2015	2016	2017	2018
Number of sign language interpreters providing the service:	79	72	67	69
For communication	45	40	38	42
In education process	34	32	29	27
Number of persons who receive service	1238	1283	1266	1281
For communication	1164	1218	1230	1241
In education process	74	65	36	40

Data source: Ministry of Welfare, State social policy monitoring information system

Table No. 68

Passengers (persons with Group I or II disabilities, children with disabilities and persons accompanying persons with Group I disability or children with disabilities) transported in regional intercity as well as regional and local routes (number of journeys)

Mode of transport and transport type	2016	2017	2018
The regional intercity buses	1 460 465	1 438 051	1 386 185
Regional rail routes of inter – urban significance	682 141	672 714	721 412
Regional local buses	1 946 289	1 903 364	1 871 209
City transports	11 080 681	11 152 504	10 871 490
Total	15 169 576	15 166 633	14 850 296

Data source: Ministry of Transport

The Ministry of Culture has collected data regarding access to premises for people with disabilities in libraries in Latvia. In 2014, 30% of the 1749 libraries in Latvia were accessible to people with disabilities, in 2015 – 32% from 1705, in 2016 – 34% from 1679, in 2017 – 36% from 1651 and in 2018 – 38% from 1602.

Please see Table No. 69 below.

Table No. 69

	2014 Number of BIB	Access for handic apped perso ns	Access s %	2015 Number of BIB	Access for handi cappe d perso ns	Access s %	2016 Number of BIB	Access for handi cappe d perso ns	Access s %	2017 Number of BIB	Access for handi cappe d perso ns	Access s %	2018 Number of BIB	Access for handi cappe d perso ns	Access s %
In total	1749	517	30	1705	544	32	1679	568	34	1641	587	36	1602	602	38
Latvian National Library	1	1	100	1	1	100	1	1	100	1	0	0	1	1	100
Higher Education and College Libraries (incl. University of Latvia Academic Library)	51	23	45	48	23	48	48	23	48	46	22	48	48	24	50
Special libraries	36	13	36	32	13	41	31	13	42	29	12	41	28	11	39
PUBLIC: Municipality (incl. Servicing stations)	803	309	38	798	332	42	791	348	44	788	359	46	785	366	47
PUBLIC: Eyesight-impaired	8	1	13	8	3	38	8	3	38	8	3	38	8	4	50
Libraries of educational institutions	850	170	20	818	172	21	800	180	23	769	191	25	732	196	27

Data source: Ministry of Culture

Table No. 70

Premises accessible to movement-impaired	2014	2015	2016	2017	2018
Higher Education and College Libraries	23	23	23	22	24
Higher Education	18	17	16	15	17
College	5	6	7	7	7
Libraries of educational institutions	170	172	180	191	196
Vocational education	16	16	15	18	19
Day school	149	150	159	167	173
Night (shift) schools	5	6	6	6	4
Special library	13	13	13	12	11
PUBLIC: Municipality (incl. Servicing stations)	309	332	348	359	366
PUBLIC: Local municipality	305	328	346	358	366
PUBLIC: Servicing station	4	4	2	1	-
PUBLIC: Eyesight-impaired	1	3	3	3	4

Data source: Ministry of Culture

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

ARTICLE 18 PARA. 1

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

to apply existing regulations in a spirit of liberality;”

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

In 2015 – 2018, several amendments to the Regulations of Cabinet of Ministers No 564 “Regulations Regarding Residence Permits” were adopted:

1. Subparagraphs 4.1.15 and 4.7 stipulate that a foreigner is entitled to request a residence permit due to employment in a profession included by the Cabinet of Ministers in the list of professions in which significant labour shortages are expected; or if he/she has a valid temporary residence permit issued in another European Union Member State as to an intra-corporate transferee, and the foreigner requests a temporary residence permit in the Republic of Latvia as an intra-corporate transferee.

2. Paragraph 49¹ stipulates that, if, in accordance with Article 23, Part 1, Clause 8 of the Immigration Law, a foreigner wishes to reside in the Republic of Latvia as a representative of the agency of a foreign merchant, he/she shall submit a business plan certifying that the business strategy of the foreign merchant for operating in the Republic of Latvia will promote the development of production or service sector; a document issued by a foreign competent authority attesting to the fact that the foreign merchant has been registered abroad at least for five years prior to submitting the application for a residence permit, has employed more than 50 employees in the past year, the net turnover thereof exceeds 10 million EUR and he/she has no tax debts.

3. Subparagraph 16.2.14 stipulates that an inviter, in drawing up a sponsorship for a foreigner whom it is intended to employ in the Republic of Latvia, shall submit an application in which the following information is indicated: if a foreigner wishes to receive the European Union Blue Card and will be employed in a profession that is included in the first or second basic group of the national statistical classification "Classification of Occupations", but has not acquired higher education in a study programme the duration of which in the profession or field specified in the employment contract or job offer is at least three years, however, he/she has professional experience in the relevant profession or field of at least five years - certification of professional experience in the profession or field where he/she will be employed in the Republic of Latvia, indicating the name, registration number, legal address of the employer, the period of the employment legal relationship with the relevant employer, the position or speciality, and the main professional duties of the foreigner. If the foreigner has been involved in employment legal relationships with several employers, information regarding each employer shall be provided.

4. Subparagraph 16.3.15 stipulates that a copy of the qualification recognition certificate or equivalent document need not be submitted when approving the sponsorship for a foreigner who requests the European Union

Blue Card, if he/she is not going to be employed in a regulated profession and the employer submits documents in accordance with subparagraphs 16.2.14 and 16.5.2 of this Regulation.

5. Paragraph 48¹ stipulates that, if a foreigner, in accordance with Article 23, Part 1, Clause 33 of the Immigration Law, wishes to reside in the Republic of Latvia, he/she shall submit a free form application with a descriptive information regarding the innovative product which he/she plans to create or develop and information regarding the planned commercial activities in the next three years. The Office of Citizenship and Migration Affairs is entitled to request an opinion on the compliance of the innovative product indicated in the application of the foreigner with the definition included in the Law on Aid for the Activities of Start-up Companies from the administering authority of the support programme specified in the Law on Aid for the Activities of Start-up Companies. The document submitted by the foreigner shall be appended to the request. Starting from March 2017, Latvia offers a special temporary residence permit for non-EU citizens who are willing to develop innovative business ideas in Latvia – a Startup visa.

The Startup visa service was initiated by the Ministry of Economics as one of the major factors for the development of startup eco-system. The aim is to encourage more talented individuals to do business in Latvia. The requirements to obtain a Startup visa are stipulated in the Immigration Law. The main criterion is to have an innovative business idea which is described in a free-form and submitted to the relevant authority. The application process takes 1 month and the duration of a Startup visa is up to 3 years with the requirement to obtain seed capital financing during the first year. The submission process is easy and a simple step by step guide for the application process is available online for foreigners.

In 2015 – 2018, some amendments to the Regulations of the Cabinet of Ministers No 55 “Regulations Regarding Employment of Foreigners” were made:

1. Subparagraph 2.3 establishes that the right of a foreigner to employment shall be certified by the following entries in a visa or residence permit "The right to work 20 h per week" - if the foreigner has been issued a temporary residence permit in accordance with Article 23, Part 1, Clause 10 of the Immigration Law or in relation to student exchange in conformity with Article 23, Part 1, Clause 19 of the Immigration Law.

2. New Part 3¹ stipulates that, if, in accordance with regulations laying down professions in which significant labour shortages are expected, it is planned to employ a foreigner in such profession, the vacancy shall be vacant for at least 10 working days after registration thereof with a branch.

3. Paragraph 11 establishes that it is permitted to employ a foreigner only in the profession for which the right to employment has been granted. If the employer or profession changes, the foreigner has a duty to acquire new right to employment, except the cases referred to in Paragraph 5 of this Regulation. If an entry "Business" is made in the residence permit of the foreigner, he/she must acquire new right to employment only in case if the anticipated employment is not related to the performance of commercial activity. If other conditions which formed the basis for granting the right to employment (for

example, working hours, place of work, remuneration) change, the employer shall, within 3 working days from the moment of change of conditions, inform the Office of Citizenship and Migration Affairs thereof.

4. A foreigner, to whom a refugee status has been granted in accordance with the procedure stipulated in the Asylum Law, and his/her family members shall have the right to request a permanent residence permit in accordance with the procedure prescribed by the Immigration Law as well as be employed without limitations.

A foreigner, to whom an alternative status and temporary protection has been granted in accordance with the procedure of the Asylum Law, shall have the right to request a temporary residence permit for a certain period of time in accordance with the procedure prescribed by the Immigration Law, acquiring also the right to employment without limitations. Besides, also a person, to whom a temporary residence permit has been granted as a family member of the person acquiring an alternative status, shall have the right to employment.

On 12 September 2017, new Regulations of the Cabinet of Ministers No 557 "Regulations Regarding the State Fee for the Examination of the Documents Necessary for Requesting a Visa, Residence Permit or the Status of a Long-term Resident of the European Union in the Republic of Latvia and the Services Related Thereto" were adopted, repealing the Regulations of the Cabinet of Ministers No 1034 of 1 October 2013. These new Regulations define the rates of the State fee for the examination of the documents when requesting the status of a long-term resident of the European Union in the Republic of Latvia, a long-stay visa or a residence permit and the related services. The Regulations also list the categories of persons who are exempted from paying the State fee or pay a reduced fee.

The Regulations of the Cabinet of Ministers No 225 "Regulations regarding the Amount of Necessary Financial Means for a Foreigner and Procedures for the Determination of the Existence of Financial Means", adopted on 25 April 2017, came into force and repealed the previous Regulations adopted in 2010. The new Regulations, in accordance with the actual socio-economic situation, review the amount of financial means necessary for a foreigner in order to enter and stay in the Republic of Latvia or other Member States of the Schengen Agreement, return to home country or exit to a third country, where he/she has the right to enter, and the procedure, according to which the existence of such financial means is established.

On 15 February 2018, the Cabinet of Ministers supported the Conceptual Report regarding the immigration policy, which included a task to elaborate a new draft law on immigration to ease the employment of third-country nationals.

If a foreigner enters Latvia with a purpose of employment, his/her spouse and minor children shall be entitled to enter together with him/her, acquiring also the right to employment.

Provisions for family reunion of employed foreigners are regulated by the Immigration Law and the previously mentioned Regulations of the Cabinet of Ministers No 564 "Regulations Regarding Residence Permits" that transpose the requirements of the Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification.

In 2015 - 2018, there were no substantial changes to the corresponding articles of the Labour Law.

On 1 November 2018, amendments were made to Articles 29 (Prohibition of Differential Treatment), 32 (Job Advertisements), 56 (Content and Limits of Orders of an Employer) of the Labour Law (the amendments came into force on 28 November 2018). These amendments refer to the prohibition of direct or indirect discrimination based on specific language proficiency.

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

The legal acts being in force are directly applied, without providing special measures (except training of employees of State Administration) for the implementation thereof.

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

Table No. 71

The amount of financial means necessary for a foreigner, when staying in Latvia for the purpose of employment 2015 - 2018

Year	Amount of financial means
1 January 2014	684 EUR
1 April 2014	716 EUR
1 April 2015	765 EUR
1 April 2016	818 EUR
1 April 2017	859 EUR
1 April 2018	926 EUR

Data source: Ministry of the Interior

Table No. 72

First time temporary residence permits issued to third-country nationals in relation to employment

Year	Number of employees	Number of family members
2015	1 437	329
2016	1 518	409
2017	1 879	562
2018	3 293	614

Data source: Ministry of the Interior

In 2015, the largest number of first-time temporary residence permits in relation to employment were issued to the citizens of Ukraine, Russia, Belarus, India and China;

In 2016 - to the citizens of Ukraine, Russia, Belarus, China and the United States of America;

In 2017 - to the citizens of Ukraine, Russia, Belarus, China and India;

In 2018 - to the citizens of Ukraine, Belarus, Russia, Uzbekistan and Georgia.

ARTICLE 18 PARA. 4

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

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

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

As the nationals exercise their right to leave the country to engage in gainful occupation, there are no plans for any reform. There are measures aimed at encouraging remigration. In 2015, a Remigration plan was approved. On 1 January 2019, the Law on Diaspora entered into force. The purpose of the Law is to strengthen the Latvian identity and sense of belonging to Latvia of the diaspora, to promote the preservation of the Latvian language and culture among the diaspora members as well as to support and promote the diaspora’s civic and political participation. The Law is also aimed at promoting more favorable provisions for remigration. According to the Law, Latvian citizens, ethnic Latvians and others, who have a connection to Latvia, as well as their family members are considered as diaspora members. The Law provides for policy and measures to support the diaspora and remigrants, including in the area of employment, as well as the responsibilities of various State institutions (the Ministry of Foreign Affairs has been designated as a coordinating body of the diaspora policy).

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

The EURES consultants provide information on the labour market situation, living conditions and employment opportunities in Latvia and the EU countries. The results of an on-line survey of visitors of the EURES portal²⁸, conducted in 2017 - 2018, reveal that majority (51%) of the respondents, when asked, if they were looking for a job, replied that they looked for a job abroad, 26% looked for a job in Latvia, but 20% - in other countries.

Table No. 73

EURES consultations per year

	2015	2016	2017	2018
Total number of EURES consultations	12 110	10 352	10 945	7 417
Number of EURES consultations on work abroad	1 140	1 108	790	568

Data source: SEA

Similarly, the SEA’s specialists, including EURES consultants, provide consultations and information to the members of the diaspora on the SEA’s

²⁸ <http://www.nva.gov.lv/eures/>

services and support, the labour market situation, living conditions and employment opportunities. The number of views of the SEA's CV and Vacancy Portal from abroad (above all, from the UK, Germany and Sweden) has been increasing during the last years (the total number of views has increased by 11.2% (491 498 unique visitors) in the first half of 2019, as compared to the same period in 2018). The SEA has launched cooperation with the embassies of Latvia in Sweden, Ireland and the United Kingdom as well as with the representatives of the diaspora's organisations in order to provide information on employment and career opportunities in Latvia and to attract highly skilled professionals.

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

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

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

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

Work life balance

On 1 January 2015, amendments to the Labour Law came into force providing for additional paid leave for employees (both women and men) with children – no less than one working day for employees with one or two children under the age of 14 (in addition to the previously adopted condition that additional paid leave of three days is granted to those employees who care for at least 3 children under the age of 16 or a disabled child under the age of 18).

During the reporting period, the regulatory framework aimed at reconciling work and family life was improved. On 1 October 2014, changes to the parental benefit system came into force. The new regulation on parental benefits is more favourable for employed parents, i.e., allowing a partial parental benefit (30%) to be paid to the income-earning person during parental leave. It allows for flexibility in combining work with childcare.

In 2015 - 2018, there were no changes to Articles 91, 106, 107 of the Constitution of the Republic of Latvia.

No substantial changes were made to Articles 7 (Principle of Equal Rights), 108 (Preferences for Continuing Employment Relations in Case of Reduction in the Number of Employees) as well as Article 109, Parts 1 and 3 (Prohibitions and Restrictions on a Notice of Termination by an Employer) and Article 134, Parts 2 and 3 (Part-time Work) of the Labour Law.

Also, no changes were made to Article 32, Part 1 (Job Advertisements), Article 33, Part 2, Clauses 1 and 2 (Job Interviews), Article 149, Part 6 (Annual Paid Leave) and Articles 9 (Prohibition to Cause Adverse Consequences), 34 (Prohibition of Differential Treatment when Establishing Employment Legal Relationships), 48 (Violation of the Prohibition of Differential Treatment when Giving Notice of Termination of an Employment Contract during the Probation Period), 60 (Equal Work Remuneration), 95 (Violations of the Prohibition of Differential Treatment in Determining Working Conditions, Occupational Training or Raising of Qualifications or Promotions), 123 (Renewal of a Missed

Time Period for an Action), 124 (Invalidation of a Notice of Termination by an Employer and Reinstatement of an Employee), 125 (Burden of Proof), 126 (Compensation for Forced Absence from Work or for Performance of Work of Lower Pay), 127 (Execution of a Court Judgment regarding Reinstatement of an Employee), 147 (Temporary Absence) of the Labour Law.

At the same time, on 1 November 2018, amendments were made to the Articles 29 (Prohibition of Differential Treatment), 32 (Job Advertisements), 56 (Content and Limits of Orders of an Employer), 122 (Time Periods for Bringing an Action) of the Labour Law (the amendments came into force on 28 November 2018). Amendments to Articles 29, 32 and 56 refer to the prohibition of direct or indirect discrimination based on specific language proficiency.

Article 122 was supplemented with Part 2, prescribing that an employee, when giving a notice of termination of an employment contract in conformity with the provisions of Article 100, Part 5 of the Labour Law, may bring an action in court regarding the recovery of a severance pay within one month from the day of dismissal if the employer contests the important reason provided by an employee and has not disbursed to him/her the severance pay in the amount specified in Article 112 of the Labour Law.

In 2015 - 2018, no changes were made to Articles 41 (Violation of the Regulatory Enactments regulating Employment Legal Relations to Labour) and 204¹⁷ (Violation of the Prohibition on Discrimination) of the Latvian Administrative Violations Code.

Also, no changes were made to Article 149¹ (Violation of the Prohibition of Discrimination) of the Criminal Law.

Regarding pay transparency, on 1 November 2018, amendments were made to Article 32, Part 3 (Job Advertisements) of the Labour Law expressing that Part in a new wording. The amended Clause 2, Part 3 now prescribes that a job advertisement shall include the total gross monthly or yearly salary of the relevant position or the envisaged amplitude of the hourly wage rate.

Concerning vocational guidance, training, retraining and rehabilitation more information provided under Articles 9 and 10.

Please see also information provided under responses to queries raised by the ESCR concerning Article 20.

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

More information concerning the Plan for the Promotion of Equal Rights and Opportunities for Women and Men for 2018–2020, approved by the Cabinet of Ministers on 4 July 2018, provided under Article 1§2.

Education

“Education Development Guidelines for 2014 - 2020” foresee the design of competence-based curriculum at all levels of education, starting at the age of 1.5 years in pre-school, to grade 12 in the secondary school, and with the inclusion of new competences, such as human security. Accordingly, new educational standards were developed at all levels of general education. As

regards implementation of the general curriculum in the grades 1, 4 and 7, these will enter into force on 1 September 2020, as for the grades 2, 5 and 8, these will enter into force on 2 September 2021, and implementation of general curriculum in the grades 3, 6 and 9 will enter into force on 1 September 2022.

The State curriculum framework in pre-school and basic education includes the issues of justice, health and safety in the context of values, critical thinking, knowledge and understanding of human rights, including the prevention and combating human trafficking, socio-emotional development, equal opportunities irrespective of gender, favourable mutual communication and cooperation, conflict resolution, human body, its functioning, health preservation and promotion, skills and healthy lifestyle habits.

The curriculum is based on an algorithm – human rights and freedoms, recognising risks related to personal and public health and safety in respective situations, and making decisions in favour of safe and active behaviour. Health – related competences, safety – related competences and physical competences are mainly developed by pupils in the study fields of health and physical activity, natural sciences, social and civic sciences, and technology. For example, in the social and civic study field, it is envisaged that, within the programme, a pupil shall understand the value of human life and dignity; shall be able to show respect and personal responsibility for the safety and well-being of one's own and others. The curriculum also addresses such topics as prostitution and human trafficking. At the same time, various teaching aids are being developed for the implementation of the improved curriculum content.

To ensure the development of STEM (Science, Technology, Engineering, Mathematics) and to strengthen students' interests, including the interests and competence of girls in STEM areas, various infrastructure modernisation measures have been taken. It is planned that the proportion of colleges with fully upgraded STEM study programme environment of the first level professional higher education will reach 61%.

For the purposeful use of resources of higher education institutions, by means of promoting the territorial spatial concentration of the STEM study and scientific work and the modernisation of the material and technical base, higher education institutions are determined, which shall concentrate resources for the implementation of STEM programmes, including regional higher education institutions.

Simultaneously, the offer of curriculum for interest education in general education institutions is expanded. For example, in 338 general education institutions, support is provided for the introduction of new forms of learning in order to develop an individual approach to both learning content and out-of-school activities, in the following areas: STEM, including technical creativity and the environment, language training, cultural education and creative industries, multidisciplinary fields and sports.

Career counselling

The career development support system has been established, which is implemented in municipal education institutions and Vocational Education Competence Centres.

Classes led by career counsellors or other specialists emphasise equal opportunities in the labour market. Learners learn to recognise the signs of gender segregation and acquire information on equal opportunities in the labour market. Career counsellors are required to coordinate career guidance measures at schools and ensure access to information for career guidance and group/individual counselling for learners as well as collaborate with partners in career development issues.

Sample plans for career guidance measures in general education, special education and vocational education have been developed, as well as methodological materials. These materials help to break stereotypes about occupations and the labour market in general, to develop young people's way of thinking and attitudes towards gender roles. They also contain role-plays where pupils get into the roles of the representatives of different social groups, conduct self-studies, identify the resources required for life and careers, and learn to take career decisions which are not restricted by gender. While carrying out surveys with pupils, it was found that school youngsters had noticed signs of gender inequality and segregation in society, such as different pay for women and men, stereotypes about professions, and job advertisements which set limits to gender equality in real life.

Child care

To address the waiting queues for places in public pre-school educational institutions, from 1 September 2013 to 1 June 2016, the Government stepped in and provided financial support for parents who need child care support for their children aged 1.5 - 4 years and who do not benefit from public childcare. After 1 June 2016, the local governments took over that responsibility of ensuring co-financing for children attending private kindergartens (children who do not have a place in a public kindergarten). From the child's 5 years of age, municipalities have a legal obligation to provide compulsory pre-school education to children and the local governments have been able to ensure places in pre-school education for children of the respective age group without the need to seek assistance from the private sector.

From 1 August 2015 to 31 July 2018, the Ministry of Welfare implemented a project "Vouchers for the provision of flexible child-minders service to workers with nonstandard work schedules" with the support of the European Union employment and social innovation programme (EaSI PROGRESS).

The objective of the project was to support flexible childcare services when parents work non-standard hours and develop a long-term model to subsidise this service, thus promoting employment of parents and reconciliation of work and family life. The project aimed to find an optimum approach for the provision of childcare services for employees with non-standard hours as well as an optimum financial mechanism with the involvement of private and public sector. The project also aimed to establish a long-term functional model to subsidise and develop flexible childcare services.

The following activities were implemented under the project: provision of experimental childcare services for children of 150 employees within the selected companies for the period of 10 months; 7 regional seminars in Jelgava, Riga and Valmiera to ensure project communication, selection of companies

and harmonisation of project activities; consultations provided by the Co-corporate Sustainability and Responsibility Institute for companies on human resources, work processes and optimisation issues; public relations and social advertisement campaigns about the project, company-level best practice and reconciliation of work and family life; introduction of the project results within the initiatives on Sustainability Index and Family Friendly Merchant; international conference in Riga with presentation of the project results; an exchange visit and a seminar in Denmark.

The project was implemented as a pilot project, where service recipients (experimental group) was compared to the control group (participated in the project but did not receive the service). The experiment was implemented in three phases. The first phase took place for 4 months, where the services were fully paid by the project, without co-financing from the employers. The second phase took place for 2 months, where the service was paid at 80%, co-financing was provided by the employer and/or the service recipient. During the third phase, with the duration of 4 months, the private co-financing amounted to 40%.

The project was implemented within the administrative territories of Jelgava, Riga and Valmiera cities.

Violation of rights

In the case of violation of the employment rights, an employee has a right to apply to court or to the SLI. More information regarding the functions and activities of the State Labour Inspectorate provided under Article 1§2.

In accordance with the Article 41, Part 1 of the Latvian Administrative Violations Code, in the case of a violation of regulatory enactments regulating employment legal relations, except for the cases, which are specified in Article 41, Parts 2 and 3 – a warning shall be issued or a fine shall be imposed on the employer – for a natural person or an official in an amount from 35 EUR up to 350 EUR and for a legal person – from 70 EUR up to 1100 EUR. In the cases of the violations provided for in Article 41, Part 1, if they have been recommitted within a year after the imposition of an administrative sanction – a fine shall be imposed on the employer – for a natural person or an official in an amount from 350 EUR up to 700 EUR, and for a legal person – from 1100 EUR up to 2900 EUR.

Pursuant to Article 204¹⁷ of the Latvian Administrative Violations Code, in the case of violation of the prohibition of discrimination specified in regulatory enactments, a fine shall be imposed in an amount from 140 EUR up to 700 EUR.

According to Article 1635, Part 1 of the Civil Law, every delict, that is, every wrongful act²⁹ *per se*, as a result of which harm has been caused (also moral injury), shall give the person who suffered the harm therefrom the right to claim satisfaction from the infringer, insofar as he/she may be held at fault for such act. By moral injury is understood physical or mental suffering, which are caused as a result of unlawful acts committed to the non-financial rights or non-financial benefit delicts of the person who suffered the harm. The amount of compensation for moral injury shall be determined by a court at its own

²⁹ The term act is used here within the widest meaning, including not only acts, but also the failure to act, that is, inaction.

discretion, considering the seriousness and the consequences of the moral injury (Article 1635, Part 2 of the Civil Law). If the unlawful acts referred to in Part 2 of this Article are expressed as criminal offences against a person's life, health, morals, inviolability of gender, freedom, honour, dignity or against the family, or minors, it is presumed that the person who suffered the harm as a result of such acts has been done moral injury. In other cases, moral injury shall be proved by the person who suffered the harm (Article 1635, Part 3 of the Civil Law).

There are no ceilings for compensation in cases of pay discrimination on the grounds of sex. Also, pay comparisons outside the company directly concerned are not possible.

According to Article 149¹ of the Criminal Law:

“(1) For a person who commits discrimination due to racial, national, ethnic or religious belonging or for the violation of the prohibition of any other type of discrimination, if substantial harm is caused thereby, the applicable punishment is the deprivation of liberty for a period of up to one year or temporary deprivation of liberty, or community service, or a fine.

(2) For the criminal offence provided for in Part 1 of this Article, if it has been committed by a public official, or a responsible employee of an undertaking (company) or organisation, or a group of persons, or if it is committed using an automated data processing system, the applicable punishment is the deprivation of liberty for a period of up to three years or temporary deprivation of liberty, or community service, or a fine.”

More information provided under responses to queries raised by the ESCR concerning Article 20.

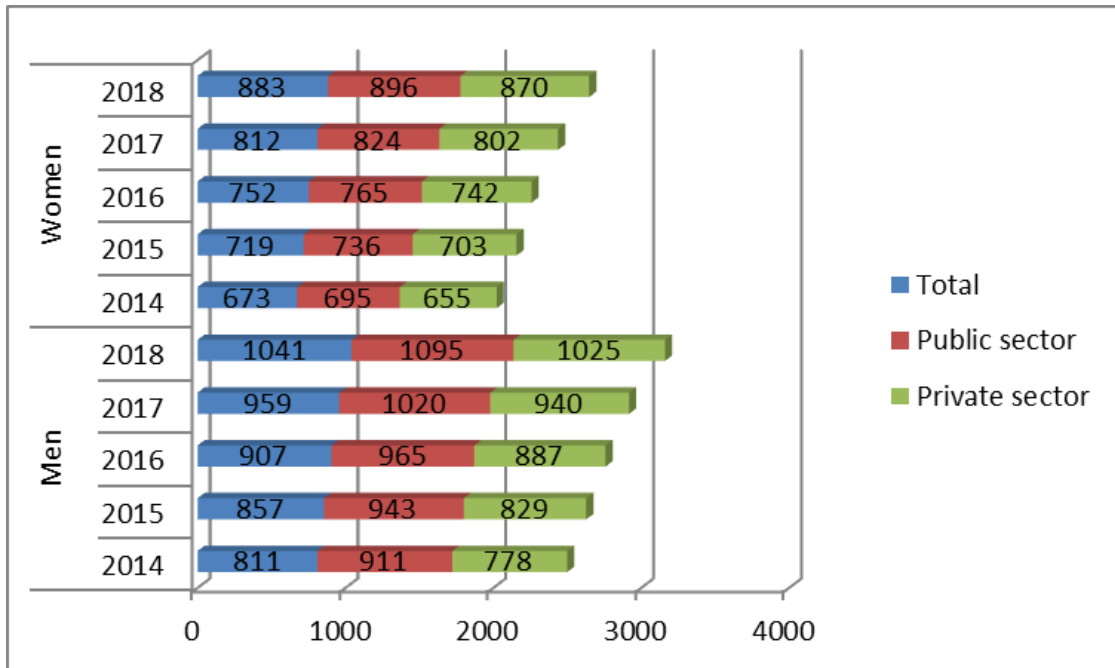
3. Please provide pertinent figures, statistics or any other relevant information, in particular on employment and unemployment rates by sex and percentage differences in earnings.

According to the Eurostat data, gender pay gap (in unadjusted form) was 17.0% in 2015 and 2016, but in 2017 it decreased to 15.7%.

The quantitative objective set by Latvia in the context of implementing the Europe 2020 strategy is to reach an employment rate of 73% in the age group of 20-64 by 2020. In 2016, the target for 2020 was already exceeded - the employment rate for the corresponding age group was 73.2%, in 2017 – 74.8% and 76.8% in 2018.

Table No.74

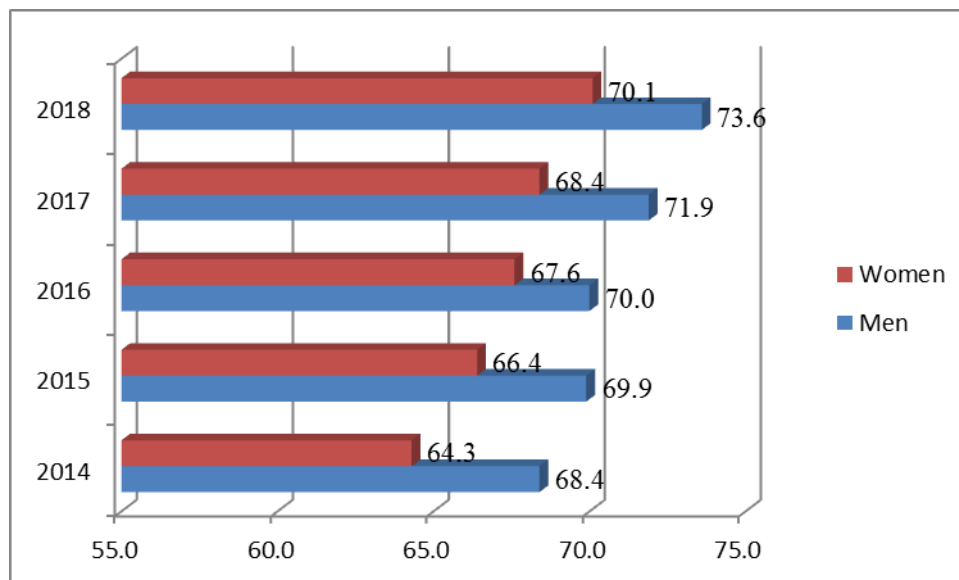
Monthly gross salaries by sex and kind of activity (in 1st quarter, in EUR)



Data source: Central Statistical Bureau

Table No.75

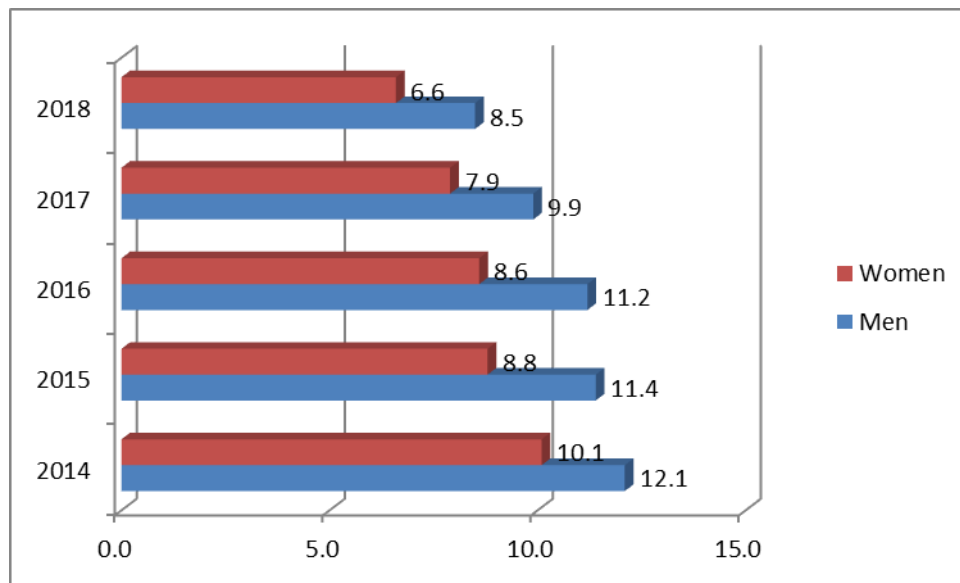
Employment rate 15-64, %



Data source: Central Statistical Bureau

Table No.76

Unemployment rate 15-64, %



Data source: Central Statistical Bureau

Table No.77

Monthly gross salaries by sex and kind of activity (in 1st quarter, in EUR)

	2014		2015		2016		2017		2018	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
PAVISAM	811	673	857	719	907	752	959	812	1 042	883
(A) Agriculture, Forestry and Fishing	731	654	751	698	824	721	878	786	985	841
(B) Mining and quarrying	843	679	862	754	953	752	1 053	845	1 037	1 034
(C) Manufacturing	735	583	788	625	837	666	888	723	984	800
(D) Electricity, gas, steam and air conditioning supply	979	898	1 029	950	1 074	984	1 124	1 023	1 220	1 095
(E) Water supply, sewerage, waste management and remediation activities	706	667	752	694	823	736	869	771	945	835
(F) Construction	702	717	744	760	798	791	812	825	890	896
(G) Wholesale and retail trade; repair of motor vehicles and motorcycles	779	563	840	610	884	646	960	701	1 033	757
(H) Transportation and storage	790	747	811	798	852	815	883	893	936	953
(I) Accommodation and food service activities	546	449	595	500	663	532	646	572	760	634
(J) Information and communication	1 366	1 077	1 451	1 128	1 523	1 120	1 662	1 211	1 776	1 290
(K) Financial and insurance activities	2 451	1 410	2 340	1 456	2 378	1 503	2 542	1 591	2 780	1 704

Data source: Central Statistical Bureau

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

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

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

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

To this end the Parties undertake to ensure that a worker who considers that his employment has been terminated without a valid reason shall have the right to appeal to an impartial body.”

1. Please describe the general legal framework, including decisions by courts and other judicial bodies, if possible. Please specify the nature of, reasons for and extent of any reforms.

In 2015 - 2018, there were no amendments to Articles 9 (Prohibition to Cause Adverse Consequences), 46 (Specification of a Probation Period), 47 (Consequences of a Probation Period), 101 (Notice of Termination by an Employer), 102 (Basis for a Notice of Termination by an Employer), 106 (Information and Consultations, when Carrying out Collective Redundancy), 107 (Commencing Collective Redundancy), 113 (Termination of an Employment Contract Entered into for a Specified Period), 123 (Renewal of a Missed Time Period for an Action), 124 (Invalidation of a Notice of Termination by an Employer and Reinstatement of an Employee), 125 (Burden of Proof), 126 (Compensation for Forced Absence from Work or for Performance of Work of Lower Pay), 127 (Execution of a Court Judgment regarding Reinstatement of an Employee), Article 29, Parts 1, 8, 9 (Prohibition of Differential Treatment), Article 104, Part 1 (Reduction in the Number of Employees), Article 105, Parts 1, 2 (Collective Redundancy), Article 110, Parts 2, 3, 4 of the Labour Law.

No substantial changes were made to Article 109 of the Labour Law (Prohibitions and Restrictions on a Notice of Termination by an Employer).

On 27 July 2017, amendments were made to Article 105, Part 3 (Collective Redundancy) by excluding the Point 1 (the amendments came into force on 16 August 2017).

On 1 November 2018, amendments were made to Articles 29 (Prohibition of Differential Treatment), 32 (Job Advertisements), 56 (Content and Limits of Orders of an Employer), 110 (Notice of Termination of an Employment Contract to Members of an Employee Trade Union), 122 (Time Periods for Bringing an Action) of the Labour Law (the amendments came into force on 28 November 2018). According to the amendments the following changes were made to the mentioned Articles:

Article 29 was supplemented by Part 3¹ prescribing that, if in case of a dispute an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on language, the employer has the obligation

to prove that the differential treatment is based on objective circumstances not related to the language proficiency of the employee, or also that the proficiency in a specific language is an objective and substantiated precondition for performance of the relevant work or the relevant employment.

Article 32 was supplemented by Part 2¹ determining that, if in case of a dispute an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on language, the employer has the obligation to prove that the differential treatment is based on objective circumstances not related to the language proficiency of the employee, or also that the proficiency in a specific language is an objective and substantiated precondition for performance of the relevant work or the relevant employment.

Article 56 was supplemented by Part 4 providing that an employer does not have the right to ask that the employee is proficient in a specific foreign language if its use does not fall within the scope of work duties. If, when performing work duties, the use of a foreign language is not necessary, the employer does not have the right to forbid the employee from using the official language.

New wording of Article 110, Part 1 provides that an employer is prohibited from giving a notice of termination of an employment contract to an employee – member of a trade union – without prior consent of the relevant trade union, if the employee has been a member of the trade union for more than six months, except for the cases set out in Article 47, Part 1 and Article 101, Part 1, Clauses 4, 8, and 10 of the Labour Law. If it is intended to give a notice of termination of an employment contract in the case referred to in Article 101, Part 1, Clauses 7 and 11 of the Labour Law, the employer shall inform the trade union in advance and shall consult it.

Article 122 was supplemented by Part 2 prescribing that an employee, when giving a notice of termination of an employment contract in conformity with the provisions of Article 100, Part 5 of the Labour Law, may bring an action in court regarding the recovery of a severance pay within one month from the day of dismissal, if the employer contests the important reason provided by an employee and has not disbursed to him/her the severance pay in the amount specified in Article 112 of the Labour Law.

As regards compensation for termination of employment, Article 112 of the Labour Law (Severance Pay) prescribes that, (1) if a collective agreement or the employment contract does not specify a larger severance pay, when giving a notice of termination of an employment contract in the cases set out in Article 101, Part 1, Clause 6, 7, 8, 9, 10 or 11 of the Labour Law, an employer has the obligation to disburse a severance pay to an employee in the following amounts:

- 1) one-month average earnings if the employee has been employed by the relevant employer for less than five years;
- 2) two months average earnings, if the employee has been employed by the relevant employer for five to 10 years;
- 3) three months average earnings, if the employee has been employed by the relevant employer for 10 to 20 years;
- 4) four months average earnings, if the employee has been employed by the relevant employer for more than 20 years.

(2) If the employee gives a notice of termination of an employment contract in conformity with the provisions of Article 100, Part 5 of this Law and the employer agrees that the reason provided by the employee is important, the employer has the obligation to disburse a severance pay to an employee in the amount specified in Part 1 of this Article.

Information on Article 1635 of the Civil Law, concerning moral injury is provided under Article 20.

Besides, Article 29 Part 8 of the Labour Law (Prohibition of Differential Treatment) provides that, if the prohibition against differential treatment or the prohibition against causing adverse consequences is violated, an employee in addition to other rights specified in the Labour Law, has the right to request compensation for losses and compensation for moral harm. In case of dispute, a court at its own discretion shall determine the compensation for moral harm.

Article 126 of the Labour Law (Compensation for Forced Absence from Work or for Performance of Work of Lower Pay) stipulates that:

(1) An employee who has been dismissed illegally and reinstated in his/her previous work shall in accordance with a court judgment be disbursed average earnings for the whole period of forced absence from work. Compensation for the whole period of forced absence from work shall also be disbursed in cases where a court, although there exists a basis for the reinstatement of an employee in his/her previous work, upon the request of the employee terminates employment legal relationships by a court judgment.

(2) An employee who has been transferred illegally to other lower paid work and afterwards reinstated in his/her previous work shall in accordance with a court judgment be disbursed the difference in average earnings for the period when he/she performed work at lower pay.”

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

2.1. In case of violation of provisions of the Labour Law, a person has the right to complain to the State Labour Inspectorate or to bring an action to court. More information provided under Article 1§2.

For claims related to legal work relations, claimants are released from paying court expenses to the state revenue, but the employer has to prove to court that the work termination notice is legally grounded and follows the procedure of termination set in the Labour Law (Article 43, Part 1, Clause 1 of the Civil Procedure Law).

2.2. No specific measures were taken to ensure dismissal protection for workers (labour providers), such as “false self-employed workers”, in the “gig economy” or “platform economy”. The mentioned categories of workers are protected as all the workers. In addition, on 30 April 2019, the Order of the Cabinet of Ministers No.209 “On Conceptual Report “On the Regulatory Framework for Services in Collaborative Economy”” was adopted. The Order prescribes to ensure the implementation of the principles of collaborative economy (platform economy) in sectoral legal enactments.

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

Table No.78

Statistical information regarding illegal or improper termination of employment

Reporting period	Received complaints in the State Labour Inspectorate	<i>including those complaints which confirmed or partially confirmed violation</i>	<i>including those complaints which did not confirm violation</i>	<i>including those complaints on which clarification was received or the complaints could not be examined due to circumstances that are not dependent of the inspector</i>
2015	1127	646	321	160
2016	1412	762	409	241
2017	1493	722	448	323
2018	1805	964	563	278

Data source: SLI

More statistical data provided under Article 1§2 as regards compensation and reinstatement in case of unlawful dismissals.

Please see also information provided under responses to queries raised by the ESCR concerning Article 24.

ARTICLE 25: THE RIGHT OF WORKERS TO THE PROTECTION OF THEIR CLAIMS IN THE EVENT OF THE INSOLVENCY OF THEIR EMPLOYER

“With a view to ensuring the effective exercise of the right of workers to the protection of their claims in the event of the insolvency of their employer, the Parties undertake to provide that workers’ claims arising from contracts of employment or employment relationships be guaranteed by a guarantee institution or by any other effective form of protection.”

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

In the reference period, the legal framework on the right of workers to the protection of their claims in the event of the insolvency of their employer was improved by amending the law “On protection of employees in case of insolvency of employer” in 2017. Article 7, Part 1 now prescribes that resources of the employees’ claims guarantee fund shall be used for:

- 1) the satisfaction of the claims of employees in case of insolvency of an employer;
- 2) the payment of the administrator fee for the submission of the claims of employees;
- 3) covering the deposit of insolvency proceeding of a legal person, if a court fully or partially exempts an employee from the payment of the deposit of insolvency proceeding pursuant to cases stated in the Insolvency law.

The amendments came into force on 1 January 2019 together with corresponding amendments in the Insolvency Law.

The administrator is obliged to file an application with the Insolvency Control Service for payment of employees' claims (law “On protection of employees in case of insolvency of employer, Article 10), which shall be limited in time only by the final deadline, meaning that the administrator can file an application while the insolvency proceedings are in progress, and may not submit an application to a court for termination of the insolvency proceedings before receiving information from the Insolvency Control Service about satisfaction of the employees' claims.

According to Article 363¹³, Part 2 of the Civil Procedure Law, a court shall declare insolvency proceedings of a legal person, if on the day of examination of an application it finds an element of insolvency proceedings indicated in the application, notwithstanding the amount of debtor assets. An insolvency proceeding is also declared if the debtor has no assets to dispose of during the insolvency proceedings. In the event of the debtor having no assets, the costs of the insolvency proceedings are covered by the deposit which the insolvency petitioner pays into the special account before the insolvency application is submitted. According to Article 62, Part 1 of the Insolvency law, pre-condition for the submission of an application for insolvency proceedings of a legal person is the payment of a deposit in the amount of two minimum monthly wages into an account specially created by the Insolvency Control Service.

According to Article 57, Part 1, Clause 4 and Article 60, Part 2 of the Insolvency Law, an application for insolvency proceedings of a legal person can be submitted

by an employee who has or who has had employment legal relationship with the debtor, debtor has not paid an employee the work remuneration in full, compensation for damages in connection with an accident at work or an occupational disease or has not made the mandatory social insurance payments within two months after the day specified for payment. According to Article 363², Part 1¹ of the Civil Procedure Law, an application for insolvency proceedings can be submitted jointly by several employees.

Article 34, Part 1, Clause 3 of the Civil Procedure Law states that a State fee of 355 EUR is payable for an application in a case regarding insolvency proceedings of a legal person submitted by a creditor. However, Article 43, Part 1, Clause 1² of the Civil Procedure Law states that submitters of an application shall be exempted from the payment of court expenses in cases of insolvency proceedings of a legal person, if enforcement of a court decision on the recovery of remuneration is deemed impossible in accordance with this law. Article 43, Part 4 of the Civil Procedure Law states that a court or a judge, upon consideration of the material situation of a natural person, shall exempt him/her partly or fully from the payment of court expenses in the State income, as well as postpone the adjudged payment of court expenses, or divide the payment thereof into separate payments.

An employee whose only remedy is the submission of an application for insolvency proceedings, may be fully or partially exempted from paying the deposit. Article 62, Part 7¹ of the Insolvency Law states that a court may fully or partly exempt an employee from payment of the insolvency proceedings deposit, if he/she submits an application for insolvency proceedings after that when, by applying enforcement measures, it was not possible to fulfil a court adjudication regarding recovery of debt from the debtor, and the employee, taking into account his/her financial situation, is not able to pay the insolvency proceedings deposit.

A court may release the insolvency deposit and court expenses (including State fees) if the employee has submitted an application for insolvency proceeding after the date when, upon application of the means of enforcement, the fulfilment of the court statement on debt recovery from the employer was not possible.

At the same time, according to Article 363¹¹, Part 5 of the Civil Procedure Law, a judge may give a ruling to fully or partly exempt an employee from the payment of insolvency proceedings deposit. For example, on 6 December 2018, upon the assessment of applied request for the exemption from the payment of court expenses and insolvency proceedings deposit, Zemgale Regional Court decided (case No C-5369-18/38) to exempt creditors (employees who have or have had employment relationship with the debtor) from the payment of court expenses and insolvency proceedings deposit regarding the submission of an application for insolvency proceedings of a legal person, pursuant to Article 43, Part 4 of Civil Procedure Law.

The rights to exemption from the payment of deposit are also stated in the judgement of the Constitutional Court of 20 April 2012 (case No 2011-16-01) "On the conformity of rules of Article 62, Part 1 of Insolvency Law and Article 363², Part 2 of Civil Procedure Law, in so far as they do not preclude the rights of a court to exempt from the payment of deposit, with Article 92 of the Constitution of the Republic of Latvia". The judgement states that employees whose only remedy is

the submission of an application for insolvency proceedings are exempted from paying the deposit.

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

N/A

3. Please supply any relevant statistics or other information where possible on the amount of such claims, whether there is a ceiling on payments, the time taken between presentation of claims and payment of the amounts due and the overall percentage of employees' claims that are honoured by a guarantee institution and/or because those concerned are privileged creditors.

Details on the average duration of the period from a creditor's claim is filled until satisfaction of the employee's claim:

In 2015 – 150 calendar days (92 calendar days: salary + compensation for other type of absence; 28 calendar days – compensation for the unused leave; 30 calendar days – severance pay), minimum salary is 360.00 EUR.

In 2016 – 150 calendar days (92 calendar days: salary + compensation for other type of absence; 28 calendar days – compensation for the unused leave; 30 calendar days – severance pay), minimum salary is 370.00 EUR.

In 2017 – 150 calendar days (92 calendar days: salary + compensation for other type of absence; 28 calendar days – compensation for the unused leave; 30 calendar days – severance pay), minimum salary is 380.00 EUR.

In 2018 – 150 calendar days (92 calendar days: salary + compensation for other type of absence; 28 calendar days – compensation for the unused leave; 30 calendar days – severance pay), minimum salary is 430.00 EUR.

Details on the average duration of the period (on average 57 days) to cover employee claims (from 1 January 2015 to 31 December 2018):

Total amount of claims covered – 4,829,560.79 EUR.

Number of employee claims satisfied – 5338.

The average compensation for a single employee – approximately 904.75 EUR.

The payment ceilings depend on the national minimum wage at the date of the insolvency of the employer and the coefficient applied. The average daily earnings for a calendar month are calculated using the following formula:

$CDR = MIN \times 12 / 365$ (from 2015 – 2017)

$CDR = 1.5 \times MIN \times 12 / 365$ (from 2018 onwards),

where CDR means remuneration for a calendar day;

1.5 – coefficient applicable to the national minimum monthly wage at the date when the employer's insolvency occurs;

MIN – the amount of the national minimum monthly wage on the date of the date when the employer's insolvency occurs;

12 – number of calendar months per year;

365 – number of calendar days per year.

In 2015, payout ceiling was set at 2,194.22 EUR (including the employer's share in the mandatory contributions of the state social insurance at 418.82 EUR).

In 2016, payout ceiling was set at 2,255.02 EUR (including the employer's share in the mandatory contributions of the state social insurance at 430.42 EUR).

In 2017, payout ceiling was set at 2,316.01 EUR (including the employer's share in the mandatory contributions of the state social insurance at 442.06 EUR).

In 2018, payout ceiling was set at 3,946.99 EUR (including the employer's share in the mandatory contributions of the state social insurance at 766.24 EUR).

Responses to Queries raised by the European Committee of Social Rights in its Conclusions 2016 (Latvia)

Article 1 - Right to work

Paragraph 2 - Freely undertaken work (non-discrimination, prohibition of forced labour, other aspects)

1. Prohibition of discrimination in employment

Query: The Committee notes that the United Nations Human Rights Committee, in its concluding observations, expressed concern regarding the discriminatory effects of the language proficiency requirement on the employment of minority groups (CCPR/C/LVA/CO/3, 11 April 2014, paragraph 7, in Observation (CEACR) – adopted 2014, published 104th ILC session (2015), Discrimination (Employment and Occupation) Convention, 1958 (No.111) – Latvia). The Committee asks the next report to indicate how it is ensured that language requirements do not, in practice, deprive ethnic minority groups of equality of opportunity and treatment in employment and occupation, and information on any measures taken in this respect.

Response: Article 2 of the Official Language Law of 9 December 1999 provides general principles for the use of the official language in the public (Part 1) and private (Part 2) sectors, and also the cases to which the Official Language Law is not applied (Part 3). Article 2, Part 2 of the Official Language Law stipulates that the use of official language by persons is regulated if their activities affect the lawful interests of the public, and to the extent that the necessary restriction which has been set in the lawful interests of the public is proportional to the rights and interests of private institutions, organisations and undertakings.

The application of Article 6, Part 2 of the Official Language Law ensures the compliance not only with the principle of proportionality laid down in Article 2, Part 2 of the Official Language Law, but also with other general principles of law, including the principle of democratic structure, principle of equality, principle of reasonable application of the norms of law, principle of not allowing arbitrariness, and principle of confidence in legality of actions. It should be noted that, in addition to the condition of complying with the general principles of law, Articles 2 and 6 of the Official Language Law include a reservation stating that the official language should be used if the lawful interests of the public are affected.

The scope of the lawful interests of the public is not an abstract legal term. It is a conditional factor which substantiates the obligation to use the official language in certain areas of life and professional activity, i.e. in any situation when the actions of an employee can affect or affect the public security, health, morality, health care, protection of consumer rights and employment rights, safety in the work place, and public administrative supervision.

Besides, the Organisation for Security and Co-operation in Europe participated in the development and adoption of the Official Language Law, and upon referring to the national and European Union law it states that “[the EU] Member States do not impose linguistic conditions for employment, which are not also applicable to their own nationals. Further, the condition of a competent

knowledge of the official languages of a Member State must be justified by the nature of the post to be filled.”³⁰ It must be emphasized that the recommendations and suggestions of the Organisation for Security and Co-operation in Europe are respected in applying the Official Language Law.

According to Article 6 of the Official Language Law:

- employees of State and local government institutions, courts and institutions constituting the judicial system, State and local government undertakings, as well as employees of companies in which the greatest share of capital is owned by the State or a local government, shall be fluent in and use the State language to the extent necessary for performance of their professional duties and duties of office;
- employees of private institutions, organisations and undertakings (companies), and self-employed persons, shall use the State language if their activities affect the lawful interests of the public (public security, health, morality, health care, protection of consumer rights and employment rights, safety in the work place, supervision of public administration);
- employees of private institutions, organisations and undertakings (companies), and self-employed persons who perform specific public functions on the basis of laws or other regulatory enactments (hereinafter – private sector), shall be fluent in and use the State language to the extent necessary for performance of the relevant functions;
- foreign experts and members of foreign boards of undertakings (companies) who work in Latvia shall be fluent in and use the State language to the extent that is necessary for the performance of their professional duties and duties of office, or shall themselves ensure translation into the State language.

Consequently, the Regulations of the Cabinet of Ministers No 733 “Regulations Regarding the Amount of the Knowledge of the Official Language and the Procedures for Examination of the Knowledge of the Official Language for the Performance of Professional Duties and Duties of Office, Receipt of the Permanent Residence Permit and Obtaining of the Status of a Long-term Resident of the European Union and the State Fee for Examination of the Fluency in the Official Language” of 7 July 2009³¹ (hereinafter – Regulations No 733) specify the amount of knowledge (level and degree) required for each profession or occupation, which is necessary for the performance of professional duties.

Amendments to the Regulations No 733, adopted on 4 June 2019, provide for the following incentives and improvements:

- the professions and occupations listed in the Regulations No 733 were harmonised with the titles and codes of professions included in the Classification of Professions;
- to ensure that the list of professions is transparent, easy perceptible for the users and consistent with the Classification of Professions ranking of professions (small groups – 3-digit code and individual professions - 6-digit code), Annex 1 (1 – professions or positions in the government/State sector institutions) and Annex 2 (private sector professions) of the Regulations No 733 were consolidated in one table;

³⁰ OSCE High Commissioner on National Minorities. Implementation of the Latvian State Language Law. Netherlands, 2006. – Page 72.

³¹ Regulations No 733 is available online in English: <https://likumi.lv/ta/en/en/id/194735>

- the Regulations No 733 define an exemption from the State language proficiency test for the persons who have not reached 15 years of age and want to apply for a permanent residence permit or the status of a resident of the European Union;
- the Regulations No 733 also provide for a transitional period until 1 July 2020 to acquire, if necessary, the required level of the State language proficiency, taking into account that Annex 2 of the Regulations No 733 so far included professions and occupations with a lower level of the State language skills required to fulfil duties than those required for identical professions and occupations in Annex 1 (approximately 11 professions and occupations, including security (5414 04), economist (3152 14), computer technician (4224 01) etc.).

According to Point 15 of the Regulations No 733, the extent of knowledge of the State language shall be divided into three levels of the language fluency and each level of fluency has two degrees: the lowest – degree 1 and the highest – degree 2. The breakdown by levels specified in the Regulations No 733 is based on the Common European Framework of Reference for Languages: Learning, Teaching, and Assessment.

Basic level (A):

A1 – professions and positions related to unskilled manual work with elementary work safety. The person is able to communicate in phrases and short sentences on simple everyday subjects, minimally uses the professional vocabulary, reads and understands short and simple texts, is able to write personal data, comprehends and understands slowly enunciated small texts of rudimentary structure on familiar topics. Examples of the professions and occupations: cattleman, cleaner, building worker, yard keeper, housemaid.

A2 – professions and positions involved in the work process with respect to instructions and technologies. The person is able to communicate in simple sentences on everyday subjects and professional subjects familiar to him/her, reads and understands simple texts on everyday life and work, is able to fill in standard documents, is able to write short texts of personal nature, comprehends and understands naturally paced enunciated small texts related to the work and everyday life of the person. Examples of the professions and occupations: operator, arborist, plumber, welder, florist, sewer, photographer.

Medium level (B):

B1 – professions and posts related to the provision of services to citizens. The person is able to maintain a simple dialogue on everyday subjects and professional subjects familiar to him/her, is able to phrase his/her opinion, reads and understands texts of simple content and different subjects, is able to write standard documents (for example, submissions, authorisations, deeds), as well as simple texts regarding everyday life topics or topics related to the work of the person, comprehends and understands naturally paced spoken texts of simple structure on professional or everyday life topics. Examples of the professions and occupations: painter, dancer, modeler, postman, interior designer, cashier, hairdresser.

B2 – professions and positions related to the provision of public order, the implementation and monitoring of technological processes, accounting. The person is able to communicate on everyday subjects and professional issues, to clearly phrase and justify his/her opinion, reads and understands texts of different content, is able to write the documents necessary for work (for

example, statements, summaries, minutes, reports, deeds), as well as expanded texts regarding everyday life and professional topics, comprehends and understands naturally paced spoken texts on different topics. Examples of the professions and occupations: technologist, administrator, technician, salary bookkeeper, engineer, metallurgist, specialist.

Highest level (C):

C1 – the heads of institutions, organisations, companies and their structural units, highly qualified specialists, medical and social care workers, university professors and pedagogues. The person is able to communicate freely, to express and justify his/her opinion on different topics to sufficient extent, reads and understands texts of different content and complexity, is able to write different official documents (for example, recommendations, characterisations, official letters), as well as other texts, comprehends and understands naturally and fluently paced spoken texts of different structure on different topics without difficulties. Examples of the professions and occupations: member of the municipal government, deputy director/manager, director/manager, research worker, physicist, engineer, doctor, economist, pilot, member of the board.

C2 – the heads of State administration institutions and their structural units, civil servants, employees whose work is related to document processing and record keeping, humanitarian specialists, whose work is related to the Latvian language and literature, as well as to the professions of interpreters and translators. The person is able to communicate freely, to have an extensive discussion on different topics (also less known and complicated topics and problems), is able to form a conversation according to the situation, to vary the linguistic means of expression, completely comprehends texts of different content, complexity and style, understands implication and shades of meaning; is able to write documents of different types, as well as other texts, comprehends and completely understands texts of different structure and subjects spoken at any pace. Examples of the professions and occupations: members of Parliament, Minister, State Secretary, Ambassador, attorney at law, psychologist, sworn advocate.

According to the report “The Language Situation in Latvia: 2010–2015 (self-assessment of Latvian language proficiency):

- 92% of ethnic minorities in Latvia have acquired Latvian (‘average’, ‘basic’, ‘well’ and ‘very well’, including 43% - ‘well’ and ‘very well’);
- 98% of Latvia’s young people (ethnic minorities) aged 15–34 indicate that they speak Latvian (‘average’, ‘basic’, ‘well’ and ‘very well’, including 88% of Latvia’s young people (ethnic minorities) indicated that they speak Latvian well or very well).

Since the mid-1990s, the State has systematically provided support for the development of the State language skills for different professional groups, including ethnic minority school teachers. Since 1996, more than 66,000 persons – representatives of different professional and social groups (teachers, parents, police, medical workers, service workers, municipal workers, etc.) have acquired the State language free of charge in the Latvian Language Agency, subordinated to the Ministry of Education and Science. Annually at least 1500 teachers are educated in training courses, masterclasses as well as creative camps. Minority schools are provided with modern LAT 2 teaching materials (from 1st until 9th grade), which the Latvian Language Agency has developed (financed from the national budget).

In 2016-2017, the Latvian Language Agency implemented the Asylum, Migration and Integration Fund project “Initial learning of language for asylum seekers”. The aim of the project was to provide asylum seekers with opportunities for learning the Latvian language (120 hours), which would allow them access to public services and promote participation in society. In the frame of the project, 565 persons received the Latvian Language training.

In 2016-2018, the Latvian Language Agency implemented the Asylum, Migration and Integration Fund project “Exploration of the Latvian language to facilitate the integration of third-country nationals into the labour market”. The aim of the project was to provide the Latvian language training (120 hours) for third-country nationals for the purposes of acquisition of education in Latvia and employment. In the frame of the project, 587 persons received the Latvian Language training.

In 2018, the Latvian Language Agency launched the European Social Fund project entitled “Competency-based approach in education curricula”, which offers complex support for teachers at all levels of education, including by providing ethnic minority teachers with a capacity to develop the Latvian language skills for professional purposes. One of the target groups of the project is teachers working in education institutions implementing ethnic minority education programmes in pre-school and basic education. Since 1999, teachers have to have the highest level of the State language proficiency (C level). In order to ensure the improvement of the Latvian language skills for the performance of professional duties, the project organises courses (120 hours) for pre-school education teachers and teachers at all levels of education (where it is necessary). In total, 3500 teachers will be educated in these courses by the end of the project in 2021. The EU Structural Funds financing of approximately 3.3 million EUR will be invested to enable teachers to improve their Latvian language skills for professional usage.

In order to broaden reintegration into the labour market in Latvia, the Latvian Language Agency provides freely available materials of methodology and teaching (OER) for teaching Latvian as a second or foreign language according to Common European Framework of Reference of Languages (CEFR), teaching e-courses, various interactive exercises, which develop certain language skills as well as video materials about the Latvian language and culture. The sub-portal of the Latvian Language Agency homepage www.valoda.lv “Māci un mācies latviešu valodu!” (“Teach and learn Latvian!”) includes more than 600 various units; the number of users is increasing: in 2014 the site was visited more than 110 000 times (824 000 page views), in 2015 – 161 500 times (1 million page views), in 2016 – 174 204 times (1 105 794 page views), in 2017 – 227 879 times (1 387 482 page views) and in 2018 – 238 000 times (1 449 103 views).

Also, municipalities, in line with their budget possibilities and priorities, provide the State language courses to their residents. For example, Riga Education and Information Methodist Centre offered the State language courses for the ethnic minorities in September-October 2018³².

The Ministry of Welfare has created a Training Commission which defines and approves vocational, non-formal and basic skills training programmes for the

³² [https://riimc.lv/media/RIIMC_SEPTEMBRIS_OKTOBRIS_PIEAUGU%20a0IE_1\(1\).pdf](https://riimc.lv/media/RIIMC_SEPTEMBRIS_OKTOBRIS_PIEAUGU%20a0IE_1(1).pdf)

unemployed and job-seekers. All upskilling and reskilling programmes are set in accordance with the labour market demand and labour market development forecasts and agreed with social partners and representatives of organisations, participating in the design and implementation of active labour market policy. Non-ethnic Latvians have equal access to the services of the State Employment Agency, including individual consultations and profiling with a view to assessing skills, like other residents of Latvia.

The State Employment Agency also provides job search assistance and career guidance to help the unemployed develop basic skills and competencies and choose the appropriate training area and programme. Financial support during training is available – a stipend; regional mobility support to cover transportation and renting costs; costs to adapt training for persons with disabilities, if necessary. Participation in training is free of charge.

Along with other non-formal training courses (ICT, truck and vehicle driver training, foreign languages), there are the State language courses available for the State Employment Agency's registered clients: 1) Basic level or Level A; 2) Medium level or Level B; 3) the highest level or Level C (150 hours each). Participation in one State language programme may last up to 2 months – full-day participation (8 hours) is applied. An unemployed person may participate in non-formal programmes not more often than twice a year, except the State language courses where a person may be involved in the acquisition of no more than three education programmes (in order to acquire the State language in full extent).

The Latvian language training is prioritised for those individuals whose inability to speak the State language prevents them from integrating into the labour market. After passing the Latvian language examination successfully, the person receives a Latvian language proficiency certificate to prove to the employer and educational institutions his/her ability to communicate in Latvian. If a person fails to master one level of the language courses, he/she loses the opportunity to apply for the next level. A person also has a second chance to apply for the same level language courses once a year.

Moreover, one of the aims of the National Identity, Civil Society and Integration Policy Implementation Plan (2019-2020) is to strengthen the Latvian language literacy in the society.

There are various Latvian language learning programmes and courses for adults and children aimed at improving access to the Latvian language learning for Latvian residents, as well as for remigrants and their family members, and third-country nationals and persons who need international protection. Access to the Latvian language learning is ensured for those Latvian citizens and their family members who return to Latvia after a longer period of residence abroad and who do not speak Latvian.

The public interest to learn the Latvian language through the offered language courses is very high, and particularly popular are free language courses.

Query: The Committee asks the next report to provide information on any concrete positive measures/actions taken or envisaged to promote equality in employment and to combat all forms of discrimination in employment.

Response: Information regarding changes in legal enactments and their implementation and control provided under Article 1§2.

The Plan for the Promotion of Equal Rights and Opportunities for Women and Men for 2018–2020 (hereinafter – Plan) was developed to implement an efficient and well-considered national policy for the promotion of equal rights and opportunities for women and men.

It is based on the gender equality policy objectives set out in the Concept Paper on the Promotion of Gender Equality³³: (1) to ensure respect for human rights of every individual and the highest level of welfare for everyone irrespective of the person's gender, and (2) to promote the most efficient social and economic development of the nation.

The policy action directions that were commenced in the previous gender equality policy documents are continued, in accordance with the Plan, by specifically focusing on ensuring equality for women and men in the labour market and education throughout the life, and also reducing gender-based violence and raising the awareness of specialists and public about gender equality.

The objective of the Plan is to promote integrated, purposeful and efficient implementation of sectorial policies thus facilitating the implementation of equal rights and opportunities for women and men in practice. The following five action directions have been defined to achieve the objective: (1) promotion of economic independence and equal opportunities for women and men in the labour market; (2) promotion of equal educational opportunities for boys and girls, men and women; (3) reduction of the prevalence of gender-based violence; (4) strengthening the capacity of authorities in gender equality issues, and (5) educating the public in gender equality issues.

In order to increase the understanding of the public and involved authorities of each of the selected sectorial policies and their connection with gender equality principles, each year focusses on one particular area of action. The measures for the promotion of economic independence and equal opportunities for women and men in the labour market (1st action direction) were mainly implemented in 2018; the measures for the promotion of equal education opportunities for boys and girls, men and women (2nd action direction) were mainly implemented in 2019, whereas the measures for the reduction of the prevalence of gender-based violence (3rd action direction) will be mainly implemented in 2020. The measures for strengthening the capacity of authorities in gender equality issues (4th action direction) and increasing the public understanding of gender equality issues (5th action direction) are implemented during the entire activity period of the Plan (2018–2020).

The measures that have been defined in the Plan and are aimed at implementing the equality principles established in laws and regulations in practice include, for example, promoting the involvement of men in child care and fulfilment of family obligations, identifying the most significant causes of gender pay gaps in certain sectors, promoting zero tolerance to violence against women. A range of measures is aimed at promoting a comprehensive

³³ The Ministry of Welfare of the Republic of Latvia (2017): Concept Paper on the Promotion of Gender Equality [Konceptcija dzimumu līdztiesības veicināšanai]. - Page 2

understanding of the fundamental principles of equality between women and men among experts working in the areas of education, labour and economic policy. Several measures have also been determined through the implementation of which the link between the aforementioned sectors and issues of gender equality is planned to be studied in depth. In order to increase the public understanding of gender equality issues, additional efforts are made to raise the public awareness of policy results, concurrently raising the importance of gender equality in everyday life. The measures of the Plan, especially those affecting employment, education and gender-based violence, shall consider the aspect of ensuring equal opportunities and rights for women and men with disabilities.

The Plan was developed on the basis of the conclusions drawn as a result of the implementation of the previous gender equality policy documents. The legal framework was analysed by focusing on the scope of gender discrimination and prohibition of differential treatment in the national legal acts. The situation analysis was also carried out by concluding in which fields the tendencies indicating the risks of inequalities between women and men are observed. The factors which affect or could affect the ensuring of equal rights and opportunities for women and men in everyday life were also studied. In order to provide a comprehensive study of the current situation, the Ministry of Welfare evaluated whether and to what extent the policy objectives and measures laid down in the policy planning documents of different sectors are aimed at reducing inequalities between women and men and the risks contributing to such unequal situation.

For instance, the 1st action direction of the Plan focusses on the promotion of economic independence and equal opportunities for women and men in the labour market, and it contains the measure “Promotion of compliance with ensuring equal opportunities and prohibition of discrimination and differential treatment, including gender-based”. The measure foresees the implementation of informative and educational activities for employers and older employees on the advantages of longer and better working life. Corresponding activities on the trends of ageing and possible solutions for the promotion of a longer and better working life were implemented in 2018 by the State Employment Agency.

The measure “Ensuring motivational and support measures for persons at risk of social exclusion and discrimination due to gender”, is implemented by the Society Integration Foundation. The measure includes motivation activities and expert support, for example, career consultation, social work, education, law consultation, self-confidence coaching, etc., to increase self-assessment, develop social skills and capabilities, especially the skills which help integrate in the society and commence job searching involve in education (training) and employment. The measure will be finalised by 2022.

Public awareness measures on various risks of discrimination (including gender-based), promoting tolerance and social cohesion, are implemented within the European Social Fund co-financed project “Promotion of Diversity (Prevention of Discrimination)”. The project activity “Implementation of anti-discrimination and social inclusion services” aims to encourage the integration of people at risk of social exclusion and discrimination into society, employment, education or training. The target group includes persons at risk of discrimination

on the grounds of gender (persons on parental leave, victims of violence, persons caring for a family member and single parents), age (persons aged 50+), disability (unemployed persons with disability, persons with disability having low levels of education) and ethnicity (Roma and other ethnic minorities).

The target group profiling (feasibility study) was carried out in 2016-2017 to identify the needs of the target group and, afterwards, plan the most effective motivation programmes and support services. The findings are available on the website of the Society Integration Foundation³⁴.

Based on the results of profiling (feasibility studies), the implementation of incentives and support services has started.

The incentives and support services include a complex support programme for each target group, in line with its specific needs and expectations. Targeted and effective support services are provided to individuals at risk of social exclusion and discrimination, either individually or in groups, i.e. the necessary specialist advice, support groups, educational activities, self-help groups, motivation counselling, etc., to foster their quality of life, ensure successful integration into society, involvement in employment, education or training. As of 2018, the incentives and support services are provided throughout Latvia. The services are scheduled to be provided by the end of 2022. In 2018, 309 women at risk of social exclusion or discrimination received services.

2. Prohibition of forced labour

Work of prisoners

Query: With reference to its Statement of Interpretation on Article 1§2 concerning prison work (Conclusions XX-1/2012), the Committee asks for up-to-date information in the next report on the social protection of prisoners during their imprisonment.

Response: According to the Regulations of the Cabinet of Ministers No 786 "Regulations on the breakdown of the state social insurance contribution rate by types of state social insurance", adopted on 19 December 2017, the rate of the social insurance compulsory contributions, if the person is employed while serving his/her custodial sentence, is 29.57% (mandatory contribution rate – 35.9% of gross earnings). The employer pays 20.40% and the employee - 9.17%. 24.50% go to pension insurance; 1.84% - to unemployment insurance; 2.23% - to disability insurance; 1.00% - to health insurance.

The rate of the social insurance compulsory contributions for employees, who have reached the statutory retirement age or to whom the state old-age pension has been granted (including early retirement), if the employee works during a custodial sentence, is 25.50% (17.59% for the employer and 7.91% for the employee). 24.50% go to pension insurance and 1.00% - to health insurance.

Domestic work

³⁴http://www.sif.gov.lv/images/files/nodevumi/ESF_Da%C5%BE%C4%81d%C4%ABbas/Motivacijas_pa_augstinasana/Kopsavilkums_EN.pdf

Query: The Committee notes that the report does not answer the questions it put on domestic work in its Statement of Interpretation on Article 1§2 in the General Introduction to Conclusions XX-1/2012. Consequently, the Committee repeats its request for relevant information in the next report on the matters raised in this Statement of Interpretation, in which it drew attention to the existence of forced labour in the domestic environment and in family businesses, particularly information on the laws enacted to combat this type of forced labour or on the steps taken to apply such provisions and monitor their application.

Response: As regards forced labour in the domestic environment and in family businesses, the State Labour Inspectorate is entitled to carry out inspections, if it receives any information on violations.

The mentioned violations are considered as other violations of employment legal relationships. Depending of the type of violation, administrative, criminal or civil liability may be enforced.

In addition, in case of possible abuse of parental rights, according to Article 185, Part 2 of the Civil Law, a child may turn for help to an Orphan's and Custody Court to protect himself/herself, if the parents have specified unjustified restrictions or have caused other differences of opinion in their relations. The Orphan's and Custody Court is the primary agency on the local level responsible for the protection of children's rights.

3. Other aspects of the right to earn one's living in an occupation freely entered upon

Requirements to accept the offer of a job or training

Query: The Committee notes from the report that the Law on Support for Unemployed Persons and Persons Seeking Employment determines the basis for the loss of unemployed status. Reasons include refusal to accept a suitable job offer twice and unjustified failure to fulfil the duties of an unemployed person. The Cabinet of Ministers determines the criteria for suitable jobs and the duties of unemployed persons.

The Committee points out that whenever the relevant authorities decide on the permanent withdrawal or temporary suspension of unemployment benefit because the recipient has rejected a job offer, this decision must be open to review by the courts in accordance with the rules and procedures established under the legislation of the state which took the decision. It asks for the next report to state whether Latvian legislation provides for a judicial remedy in such cases (Statement of Interpretation on Article 1§2, Conclusions XX-1/2012).

Response: According to the general provision of the Regulations of the Cabinet of Ministers No 876 "By-law of the State Employment Agency", an administrative act may be disputed through a complaint submitted to the Director of the State Employment Agency. The decision of the Director may be appealed to a court.

Thus, persons who lose their unemployed status, for example, because of refusal to accept a suitable job offer twice, are fully granted a decision review.

Privacy at work

Query: The Committee examined the situation in this area in Conclusions XX-1/2012. With reference to its Statement of Interpretation on Article 1§2 concerning workers' right to privacy (Conclusions XX-1/2012), it asks for up-to-date information in the next report on measures taken to ensure that employers give due consideration to workers' private lives in the organisation of work and that all interferences are prohibited and where necessary sanctioned.

Response: There are no changes in legal enactments regarding the issue of privacy at work.

Article 10 - Right to vocational training

Paragraph 3 – Vocational training and retraining of adult workers

Employed persons

Query: The Committee notes from Eurydice (Overview, Latvia, 2016) that several targets for lifelong learning, including adult education, are defined by the Guidelines for Education Development 2015-2020, passed by the Cabinet of Ministers in 2014, such as

- to ensure accessibility of adult education to all people in Latvia regardless of their age, sex, previous education, ethnicity, social background;
- to create qualitative education offer for adults providing sustainable competences necessary for work, civic participation and personal growth.

The Committee asks the next report to provide information on the implementation of these guidelines.

Response: Information provided under Article 9, Table: Educational Development Guidelines for 2014-2020: goals regarding career guidance.

Article 10 - Right to vocational training

Paragraph 4 – Long term unemployed persons

Query: The Committee recalls that equal treatment with respect to access to training and retraining for long-term unemployed persons must be guaranteed to non-nationals on the basis of the conditions mentioned under Article 10§1 (Conclusions 2003, Italy). It asks whether this requirement is fulfilled in Latvia.

Response: ALMP measures, as well as any other services ensured by the State Employment Agency (including passive support), are provided to those unemployed who have received the status of an unemployed person or a person seeking employment and is assigned to:

- 1) a Latvian citizen or Latvian non-citizen, or a person who has a permanent residence permit in Latvia or a spouse of the above-mentioned persons who has a temporary residence permit in Latvia;

2) a citizen of a European Union Member State, European Economic Area state or Swiss Confederation or a family member of the above-mentioned persons who resides lawfully in the Republic of Latvia.

Article 10 - Right to vocational training

Paragraph 5 – Full use of facilities available

Fees and financial assistance

Query: The Committee recalls that under Article 10§5 of the Charter equality of treatment as regards access to financial assistance for studies shall be provided to nationals of other State Parties lawfully resident in any capacity, or having authority to reside by reason of their ties with persons lawfully residing, in the territory of the Party concerned. Students and trainees, who, without having the above-mentioned ties, entered the territory with the sole purpose of attending training are not concerned by this provision of the Charter. Article 10§5 does not require the State Parties to grant financial aid to any foreign national who is not already resident in the State Party concerned, on an equal footing with its nationals. However, it requires that those foreign nationals who already have a resident status in the State Party concerned, receive equal treatment with nationals in the matters of both access to vocational education (Article 10§1) and financial aid for education (Article 10§5).

Those State Parties who impose a permanent residence requirements or a prior residence requirements of any length on foreign nationals in order for them to apply for financial aid vocational education and training are in breach of the Charter.

The Committee asks the next report to provide information regarding fees and financial assistance for training, including for higher education.

Response: According to the Regulations of the Cabinet of Ministers on the scholarships, adopted on 24 August 2004, scholarships are available to:

- students in higher education programmes, enrolled within the selection procedure and studying in State financed study places;
- students in vocational education programmes, enrolled according to number of the State financed study places;
- students in vocational education programmes, enrolled according to number of the municipality financed study places.

Vocational education

It is possible for students in vocational education programmes to receive a monthly scholarship.

A vocational education institution can grant an increased scholarship, if a person is an orphan or without parental care.

A vocational education institution can grant one-time scholarship, if a student applies for it due to additional expenses not covered by the state social security system; or an increased scholarship for good and outstanding education achievements and social activity in the education institution.

Higher education

Scholarships within the selection procedure are available to students who have successfully passed all the necessary tests receiving the required amount of credit points.

A higher education institution can grant a scholarship for the acquisition of a study programme to students in bachelor, master and doctoral study programmes and a one-time scholarship once per semester.

If two or more students qualify for the same scholarship, it is first granted to a student with disabilities, an orphan or a child (up to 24 years old) without parental care, a student from a family with the “needy” status, a student from a family with three or more children, a student with one or more children.

There are also options for students in vocational education programmes and higher education programmes to receive scholarships within the European Union funded projects.

Query: The Committee also asks whether foreign nationals, lawfully resident, have equal access to financial aid for studies.

Response:

Vocational education

The Vocational Education Law and the Regulations of the Cabinet of Ministers on the scholarships do not define different approach for granting scholarships to lawfully resident foreign nationals studying in vocational education programmes. The same criteria apply to all students, also considering that studies in vocational education programmes are provided in the Latvian language.

Higher education

According to the Law on Higher Education Institutions, each citizen of Latvia and non-citizen of Latvia as well as foreigners have the right to study in a higher education institution and college. In order to study in a higher education institution and college, a previous education attested by documents and compliant with the requirements of a study programme, recognised in Latvia, is being required.

A citizen of Latvia, a non-citizen of Latvia, a citizen of the European Union, a citizen of the European Economic Area or a citizen of the Swiss Confederation and a permanent resident of the European Union, who has a valid residence permit, have equal rights to study in a higher education institution or college.

Foreigners not mentioned above may be admitted to higher education institutions and colleges as full-time students in accordance with the Education Law and the Law on Higher Education Institutions on the basis of the general provisions. If other procedures are not prescribed in international agreements, foreigners may be admitted to higher education institutions and colleges, observing the following provisions:

- secondary education documents of foreigners need to be in conformity with the standards of Latvia and secondary education documents of foreigners are checked through the procedures;
- knowledge of foreigners needs to correspond to the admission regulations of the relevant higher education institution or college;

- foreigners are required to have a sufficient knowledge of the languages in which studies are provided;
- foreigners are required to pay the study fees to a higher education institution or college in accordance with the agreement, which the higher education institution or college has entered into with them, however, it may not be smaller than the study costs.

Foreigners who have not been issued a permanent residence permit may acquire a part of a study programme in higher education institutions and colleges in Latvia in accordance with international exchange agreements (between higher education institutions) or within the framework of international co-operation programmes of higher education institutions and colleges and in accordance with the admission regulations. If the studies of foreigners in Latvia take place within the framework of international exchange programmes and an equivalent number of students from Latvia study abroad, the studies of foreigners in Latvia shall be financed from the resources of the State budget of the Republic of Latvia assigned to a higher education institution or college.

A foreigner may apply for the State scholarship in accordance with the Regulations of the Cabinet of Ministers “Procedures for Granting Scholarships to Foreigners” adopted on 24 January 2012, if an international agreement has been entered into, within the scope of which granting of scholarships to the inhabitants of the relevant country for studies in institutions of higher education and colleges of Latvia is provided, or if the foreigner is an inhabitant of such country that grants its own national scholarships to Latvian students.

Efficiency of training

Query: The Committee asks what measures are taken to evaluate vocational training programmes for young workers, including the apprenticeships. In particular, it wishes to be informed of the participation of employers’ and workers’ organisations in the supervision process.

Response: Support to the improvement of employees’ qualifications is provided to ensure that employees have an opportunity to improve their professional competence by improving qualification, continuing education or non-formal education programmes.

In 2017, the implementation of the European Social Fund project “Improving the Professional Competence of Employees” started. The purpose of the project is to improve professional competence of the employees (incl. self-employed) aged above 25 to eliminate in a timely manner any non-compliances in labour force qualification with labour demand, promote competitiveness and increase productivity of workers. Vocational continuous education programmes and vocational professional development programmes are implemented as well as professional competence acquired outside the formal education system is evaluated within the scope of the project.

The Adult Education Management Council, which consists of representatives from ministries and other organisations involved in adult education as well as representatives from social partner organisations, approve a list of education programmes. It is done in cooperation with social partners and sectoral experts. More than 300 different education programmes are offered in each round of studies in cooperation with about 60 education institutions. The most demanded

studies are in ICT, transport and logistics as well as food and beverage services.

Article 15 - Right of persons with disabilities to independence, social integration and participation in the life of the community

Paragraph 1 – Vocational training for persons with disabilities

Query: The report states that in 2014 there were 161 722 persons with disabilities in Latvia, including 7 957 aged under 18. The Committee wishes to know what percentage of them live in institutions.

Response: The percentage of persons with disabilities living in long term care institutions at the end of respective year was as follows: 2015 – 3.5 %, 2016 – 4.0%, 2017 – 4.1%, 2018 – 3.6%.

The percentage of children with disabilities (under 18) living in long term care institutions at the end of respective year was as follows: 2015 – 4.2 %, 2016 – 3.7%, 2017 – 3.7%, 2018 – 3.1%.

Anti-discrimination legislation

Query: According to the 2011 report of the Academic Network of European Disability Experts (ANED), the law ratifying the UNCRPD of 28 January 2010 established the ombudsman as the independent mechanism responsible for promoting, protecting and monitoring the implementation of the Convention. He deals with complaints of discrimination against persons with disabilities and is authorised to represent victims in the administrative courts. The Committee asks the next report to provide further information on this point. The Committee also wishes to receive information on the right of individuals to seek remedies before the courts in cases of discrimination on the ground of disability in education and training (including examples of relevant case-law and follow-up).

Response:

The number of complaints received by the Ombudsman regarding inclusive education during the reporting period:				
Year	2015	2016	2017	2018
Number of complaints	3	8	10	5

Data source: Ombudsman’s office

In 2015, 1 complaint was unfounded, 2 complaints were submitted in relation to education quality.

In 2016, the Ombudsman determined violations in all 8 cases:

- special education programme available only in boarding school far from the child's place of residence;
- the school opted to direct the child towards home-schooling;
- insufficient funding for implementation of the special programme;
- inadequate support measures due to lack of funding (3 complaints);

- the school closest to the child's residence refused to admit the child to Grade 1 because the required special education programme had not been licensed;
- the school recommended that an admitted child chose another school because the child needed a different educational programme.

In 2017, 10 complaints were submitted, and violations were found in 5 cases:

- the child was refused to be integrated into a pre-school establishment (3 cases);
- the school did not license the curriculum required for a child already admitted, recommended choosing another school (2 cases);

In 2018, there were 5 complaints, and violations were found in 3 cases.

The Ombudsman concluded that majority of complaints had been about the lack of inclusive education in the nearest school, and even in the entire administrative area of the child's place of residence.

During the reporting period, the Ombudsman had not exercised his statutory right to defend the rights and interests of a private individual in an administrative court (such right is ensured if necessary in the public interest). In some cases, the problem was resolved with the involvement of the Ombudsman, but for the most part, parents are reluctant to go to court.

With regard to inclusive higher education, during the reporting period, the Ombudsman monitored the accessibility of university buildings. Higher education institutions in 10 cities of Latvia were surveyed, totalling in 164 objects surveyed, including 81 university buildings, 42 libraries and 40 dormitories.

Each category of buildings – university building, library and dormitories – had its own criteria for assessing accessibility of their environment. The accessibility of the environment for persons with reduced mobility, vision and hearing was assessed. Monitoring found that higher education institutions pay more attention to the needs of people with reduced mobility/movement impairments, and less to the needs of people with visual and hearing disabilities, even though the environment would be easier to adapt for these groups. Similarly, there was relatively more environmental adaptation in university buildings where lectures and seminars are held, less in libraries, and only a few dormitories were adapted to the needs of people with disabilities.

Education

Query: Under the 1999 General Education Law, special education is part of general education. Children receive support and rehabilitation depending on their special needs. Children with special needs are entitled to special education. The structure of special education is very similar to that of mainstream education. Children with special needs can attend mainstream schools, special schools (including special boarding schools), or special classes or special groups in mainstream education institutions. The Committee asks whether general teacher training incorporates special needs integration as an integral component.

Response: Information provided under Article 15§1.

Article 15 - Right of persons with disabilities to independence, social integration and participation in the life of the community

Paragraph 2 - Employment of persons with disabilities

Anti-discrimination legislation

Query: The Committee takes note of the various Cabinet of Ministers regulations laying down the requirements for workplace adaptations for persons with disabilities and of the legal remedies available to victims of discrimination. The Committee requests information on how the reasonable accommodation principle is implemented in practice (including statistics showing the number of requests for reasonable accommodation measures, the number of requests granted and the costs refunded and examples of case-law) and asks whether the reasonable accommodation requirement has prompted an increase in employment of persons with disabilities on the open labour market. It also asks for information on the judicial and non-judicial remedies provided for in the event of discrimination on the ground of disability and on relevant case-law.

Response: Information provided also under Article 15§2.

In cases of discrimination, also concerning the employment of persons with disabilities, there is a right to apply to court or to the State Labour Inspectorate. More information on the functions and activities of the State Labour Inspectorate is provided under Article 1§2.

Information regarding remedies in cases of discrimination is provided under Article 20.

In addition, the Labour Law states in Article 29 (Prohibition of Differential Treatment), Parts 3, 8 and 9:

“(3) If in case of a dispute an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on gender, the employer has the obligation to prove that the differential treatment is based on objective circumstances not related to the gender of the employee, or also that belonging to a particular gender is an objective and substantiated precondition for performance of the relevant work or the relevant employment.

(8) If the prohibition against differential treatment and the prohibition against causing adverse consequences is violated, an employee, in addition to other rights specified in this Law, has the right to request compensation for losses and compensation for moral harm. In case of dispute, a court at its own discretion shall determine the compensation for moral harm.

(9) The provisions of this Article, as well as Article 32, Part 1 and Articles 34, 48, 60, and 95 of this Law, insofar as they are not in conflict with the essence of the relevant right, shall also apply to the prohibition of differential treatment based on race, skin colour, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation of an employee or other circumstances.”

Article 15 - Right of persons with disabilities to independence, social integration and participation in the life of the community

Paragraph 3 – Integration and participation of persons with disabilities in the life of the community

Measures to overcome obstacles

Technical aids

Query: The Committee asks whether mechanisms are in place to assess the barriers to communication and mobility faced by individual persons with disabilities and to identify the technical aids and support measures that may be required to enable them to overcome these barriers.

Response: Information provided under Article 15§3.

Mobility and transport

Query: The Committee takes note of the number of persons with disabilities who used public transport (bus and train) in 2013 and 2014.

The Committee asks how the accessibility of public air transport is guaranteed.

Response: Information provided under Article 15§3.

Article 18 - Right to engage in a gainful occupation in the territory of other States Parties

Paragraph 1 – Applying existing regulations in a spirit of liberality

Work permits

Query: The Committee asks the next report to provide comprehensive and updated information on the types of work permits available for employment and self-employment and the conditions for obtaining an initial permit and its extension.

Response: Latvia grants the right to employment within a procedure of granting of visa or residence permit. A person can be employed on the ground of short-term visa, long-term visa or residence permit – depending on the period of employment. Employment can be granted for a work with a specific employer (a person is not entitled to be engaged in work relations with other employer than that who has invited him/her) or it could be granted without restrictions (for example, foreign students in master's or doctoral programmes can be employed without any restrictions).

A general rule for obtaining a right to employment is a necessity to publish a vacancy that shall be available to citizens and permanent residents of Latvia as well to citizens of other EU countries. If a vacancy is not filled within 10 days, the employer has a right to invite a third-country citizen with visa or residence permit. For that an employer shall submit documents for approval of invitation, proving qualification or sufficient experience of the third-country national. An employer shall guarantee a salary in the amount of at least average salary in

Latvia in the previous year (in 2019 – 1004 EUR bruto). After the approval of an invitation, that takes five working days, the third-country national is eligible for submitting documents for visa or residence permit.

Visa/residence permit will be issued if a person has submitted all relevant documents and if he/she does not pose a threat to state security and public safety.

To renew permit, a vacancy shall not be published anymore. An employer shall not have any tax debts and it shall be proved that the salary was paid according to that indicated in the work agreement.

If a third-country national is going to be self-employed person, he/she has to register his/her activity and submit a business plan as well as to prove that he/she has the necessary financial means for fulfilling the activities foreseen in the business plan. When an application for renewal will be examined, It will be checked if taxes in the amount of at least 9960 EUR per year have been paid to the State budget.

Relevant statistics

Query: The report indicates that regarding award of temporary residence permits in relation to employment from 1 May 2013 till 31 December 2014, from a total of 5,722, work permits, 3,408 were granted to nationals of non-EEA states which are parties to the Charter. Approximate percentage of refusals is less than 1% of the total number of applications for residence permits. The report does not provide the number of the renewal and refusal of work permits. The Committee therefore asks the next report to provide information in this respect. The Committee also requests the next report to specify the reasons for refusal of work-related applications introduced by nationals of non-EEA states which are parties to the Charter. In the meantime, in light of the global low rate of refusals indicated above, it considers that the situation of Latvia complies with Article 18§1 of the Charter.

Response: Information on the number of the renewal and refusal of work permits is not available.

The main reasons of refusal of work-related applications submitted by nationals of non-EEA states which are parties to the Charter are related to their insufficient experience or qualification.

Article 18 - Right to engage in a gainful occupation in the territory of other States Parties

Paragraph 4 – Right of nationals to leave the country

Query: The Committee recalls that under Article 18§4, States should undertake not to restrict the right of their nationals to leave the country to engage in a gainful employment in other Parties to the Charter. The only permitted restrictions are those provided for in Article G of the Charter, i.e. those which "are prescribed by law, pursue a legitimate purpose and are necessary in a democratic society for the protection of the rights and freedoms of others or for the protection of public interest, national security, public health or morals".

The Committee asks what is the legal framework that guarantees the right of nationals to leave the country. It also asks what restrictions apply in this regard.

Response: Article 98 of the Constitution of the Republic of Latvia prescribes that everyone has the right to freely depart from Latvia. Everyone having a Latvian passport shall be protected by the State when abroad and has the right to freely return to Latvia.

The only restrictions can occur in relation to the involvement in criminal investigation procedure. The Criminal Procedure Law, Article 241 (Grounds for the Application of a Procedural Compulsory Measure), Part 2 stipulates that a security measure shall be applied as a procedural security measure to a suspect or an accused if there are grounds to believe that the relevant person will continue criminal activities, or hinder pre-trial criminal proceedings or court or avoid such proceedings and court.

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

Equal rights

Query: The report indicates that as an exception, differential treatment based on gender is permitted only in cases where a particular gender is an objective and substantiated precondition, which is adequate for the legal purpose reached as a result, for the performance of the relevant work or for the relevant employment. The Committee recalls that according to Appendix to Article 20 §4, exceptionally and subject to strict interpretation, certain jobs and occupational activities may be limited to persons of one sex, if this is due to the nature of such jobs and activities or the context and conditions in which they are carried out. Such a limitation can only be in conformity in respect of jobs /activities where gender constitutes a genuine occupational requirement. The Committee asks examples of such occupations/jobs which are reserved exclusively to persons of one gender.

Response: In Latvia, there are no occupations/jobs which are reserved exclusively to persons of one gender. Besides, according to Article 91 of the Constitution of the Republic of Latvia, all human beings in Latvia shall be equal before the law and the courts. Moreover, Article 106 of the Constitution prescribes that everyone has the right to freely choose their employment and workplace according to their abilities and qualifications. Forced labour is prohibited. Participation in the relief of disasters and their effects, and work pursuant to a court order shall not be deemed forced labour.

More information provided under Article 20.

Query: The Committee recalls also that prohibiting women from performing night work or underground mining while authorising men to do so is contrary to the principle of equal treatment (Conclusions 2012 Bosnia Herzegovina, Article 20). It asks whether women are prohibited from working at night or in underground mining.

Response: The Labour Law does not explicitly prohibit women from working at night or in underground mining.

However, according to Article 138, Part 6 (Night Work) of the Labour Law it is prohibited to employ at night persons who are under 18 years of age, pregnant women and women during the period following childbirth up to one year, but if a woman is breastfeeding then during the whole period of breastfeeding if there is a doctor's opinion that the performance of the relevant work causes a threat to the safety and health of the woman or her child. An employee who has a child less than three years of age may be employed at night only with his/her consent (Article 138, Part 7 of the Labour Law). Also, Article 37, Part 7 (Prohibitions, Restrictions and Liability of Employment) of the Labour Law prescribes that an employer, after receipt of a doctor's opinion, is prohibited from employing pregnant women and women during the period following childbirth up to one year, but if the woman is breastfeeding – during the whole period of breastfeeding if it is considered that the performance of the relevant work poses a threat to the safety and health of the woman or her child. In any case, it is prohibited to employ a pregnant woman two weeks prior to the expected birth and a woman two weeks after childbirth. The time of the expected birth and the fact of birth shall be certified by a doctor's opinion.

Pursuant to the Regulations of the Cabinet of Ministers No 660 "Procedures for the Performance of Internal Supervision of the Work Environment" of 2 October 2007:

"27. The employer shall, in addition to the evaluation of the work environment risk referred to in Chapter III of this Regulation, ensure the evaluation of the work environment risk for the work performed by pregnant women and women in the period following childbirth up to one year but, if a woman is breastfeeding, during the whole period of breastfeeding.

28. In evaluating the work environment risks referred to in Point 27 of this Regulation, a person who performs evaluation shall determine whether the work environment risk factors referred to in Annex 2 to this Regulation exist at the workplace and whether relevant work is performed, as well as shall determine the nature, degree and duration of the effects of the work environment risk factors in order to:

28.1. evaluate any risk to the safety and health of pregnant women and women who are breastfeeding, as well as any probable consequences in respect of their pregnancy or breastfeeding; and

28.2. determine the labour protection measures required for the prevention of the risk referred to in Sub-point 28.1 of this Regulation.

29. If the employer, on the basis of a work environment risk evaluation, determines that the work to be performed is referred to in Annex 2 to this Regulation or, also, that it is affected by the work environment factors referred to in Annex 2 to this Regulation, which may pose a threat to the safety or health of pregnant women, breastfeeding women or their children, the employer has a duty to take necessary labour protection measures in order to ensure their safety and health but, if this is not possible, to transfer the pregnant woman or the breastfeeding woman to another job.

30. If the employer, on the basis of a work environment risk evaluation, determines that the work to be performed conforms to Annex 3 to this Regulation, the employer is prohibited from employing:

30.1. pregnant women – in jobs, which are affected by the work environment factors referred to in Annex 3, Paragraph 1 of this Regulation; and

30.2. breastfeeding women – in jobs, which are affected by the work environment factors referred to in Annex 3, Paragraph 2 of this Regulation.

31. If the employer determines that, in addition to the work environment factors or the jobs referred to in Annexes 2 and 3 to this Regulation, there are other work environment factors or jobs that may cause a risk to the safety or health of pregnant women, breastfeeding women or their children, the employer has a duty to take the labour protection measures required for the prevention of such risks.”

Annexes 1 and 2 of the above-mentioned Regulations No 660 determine that work in underground (shafts) is one of the jobs, which may cause risk to safety and health of pregnant women and breastfeeding women and the exposure to which of pregnant women and breastfeeding women is prohibited.

Query: The Committee notes from the Country Report on Gender Equality 2015 of the European Equality Law Network that access to the courts is limited due to high litigation costs (in comparison to the average income of people in Latvia), the difficulty to collect evidence (information on remuneration is usually confidential and there is no effective control mechanism on payment systems in private businesses) and fear of victimisation (European Equality Law Network, Country Report on Gender Equality, Latvia 2015). The Committee recalls that anyone who suffers discrimination on grounds of sex must be entitled to adequate compensation, i.e. compensation must be both proportionate to the loss suffered by the victim and sufficiently dissuasive for the employers (Conclusions 2012 (Article 1.2) Albania). The Committee asks the next report to provide information on the amounts of compensation granted by courts in cases of gender discrimination in employment.

Response: Pursuant to Article 29, Part 8 of the Labour Law, if the prohibition on differential treatment has been violated, as well as the prohibition to cause unfavourable consequences, the employee shall, in addition to other rights determined by the Labour Law, be entitled to claim compensation for the losses and the moral damage incurred. In the event of a dispute, the amount of compensation for moral damages shall be at the discretion of the court.

In 2015, two claims were submitted, both were rejected.

In 2016, ten claims were submitted, of which seven were rejected, whereas in three claims the following amounts of compensation were granted: 4 200.00 EUR, 1 763.17 EUR and 21 314.18 EUR (the amount collected in several parts – 4 501.97 EUR, 15 599.31 EUR and 1 212.90 EUR). The requested compensation for moral damages was rejected.

Query: The Committee asks information on the measures taken to raise awareness of the relevant legislation, to enhance the capacity of the competent authorities, including judges, labour inspectors and other public officials, to identify and address cases of unequal pay, and also to examine whether the

applicable substantive and procedural provisions, in practice, allow claims to be brought successfully. It asks that the next report provide information on the number, nature and outcome of complaints of equal remuneration addressed by the judicial and administrative bodies.

Response: 1) *The State Labour Inspectorate*

From 1 June 2016 till 1 June 2019, the State Labour Inspectorate did not receive any applications and did not find violations related to non-compliance with the principle of equal pay for men and women. However, the State Labour Inspectorate found violations and imposed administrative penalties for non-compliance with the principle of equal rights in determining remuneration and granting employees additional social guarantees (health insurance policies):

1) on 19 January 2016, a decision was made on imposing an administrative sanction – expressing a warning to a company for the violation of the principle of equal rights to work and working conditions and to fair work remuneration laid down in Article 7 of the Labour Law for not granting a health insurance policy to one of the company's employees who was on a long term sick leave;

2) on 27 July 2016, an order was issued to an employer imposing an obligation to prevent violations of Article 7, Part 1 of the Labour Law and to ensure that its employee has the opportunity to receive equal social guarantees as other employees;

3) on 12 December 2017, a decision was made on imposing an administrative fine of 500 EUR on a company for various violations of the legal acts regulating employment legal relationships, including implementation of differential treatment in determining remuneration;

4) on 27 April 2018, a decision was made on imposing an administrative fine of 70 EUR on a company for the fact that a health insurance policy was not granted to an employee who was on parental leave. Thereby the company violated the principle of equal rights defined in Article 7, Parts 1 and 2, Article 29, Part 9 and Article 60, Part 1 of the Labour Law regarding fair remuneration compared to other employees;

5) on 28 November 2018, a decision was made on imposing an administrative fine of 70 EUR on a company for the fact that the health insurance policies were not granted to the company's employees who were on parental leave. Thereby the company violated the provisions of Article 7, Parts 1 and 2, Article 29, Part 9, Article 60, Part 1 of the Labour Law;

6) on 4 December 2018, a decision was made on imposing an administrative fine of 1100 EUR on a company for the fact that the health insurance policies were not granted to the company's employees who were on parental leave. Thereby the company violated the provisions of Article 7, Parts 1 and 2 of the Labour Law.

2) *The Ombudsman*

During the reference period, the complaints that would concern precisely the violation of the principle of equal pay for women and men were not addressed to the Ombudsman.

The Ombudsman received 20 applications from individuals regarding the right to adequate remuneration and possible violation of the principle of equal rights in determining the remuneration, granting bonuses, cash prizes, etc.

More information on the initiated and examined inspection cases concerning the above-mentioned claims:

Within the framework of the inspection case No.2017-28-15B the Ombudsman examined the possible violation of Article 107 of the Constitution of the Republic of Latvia concerning overtime pay. The Ombudsman found that the right to fair remuneration guaranteed by Article 107 of the Constitution of the Republic of Latvia for officials with special service ranks has been violated and the Ombudsman proposed amendments to Article 14, Part 7¹ of the Law on Remuneration of Officials and Employees of State and Local Government Authorities, providing for fair compensation for overtime work.

When examining the inspection case No.2018-10-26K concerning the payment of the assessment bonuses to the employees of a State institution, the Ombudsman acknowledged that the payment of the assessment bonus is not an obligation of the employer but a right. In turn, if this right is exercised, the principle of equality must be ensured for all employees, i.e., there must be a definite correlation between the assessment received and the specific bonus paid that should be applied equally to all of the employees.

The Ombudsman pointed out that he could agree with the opinion that the assessment bonus does not fall within the sums due to the employee if the employment legal relationships are terminated before the assessment.

In turn, if an employee/official has been assessed, the institution is obliged to ensure that the assessment bonus is received on an equal basis with other employees, regardless of whether the employee continues to work in a particular institution. Thus, the Ombudsman recommended that the institution concerned pay the assessment bonus to the applicant and its other employees who have undergone an assessment but have not been paid the assessment bonus.

When reviewing the inspection case No.2016-53-26K concerning violation of the principle of equal rights and ensuring fair working conditions in a municipality, the Ombudsman concluded that the municipality concerned did not provide equal rights to fair working conditions for its employee - the applicant. The Ombudsman concluded that the municipality, without an objective and rational justification, had set a lower salary for the employee who has a higher qualification than a much less qualified employee for the same work and gave recommendations on resolving the situation.

At the same time, the Ombudsman examined the inspection case No.2018-39-26B on discrimination based on family status and gender. The applicant works for a company, which grants health insurance policies to its employees. Given that the applicant was on parental leave, she was refused a health insurance policy on the basis of staff policy. In this case, the Ombudsman found a violation of the prohibition of direct discrimination on the basis of family status in Paragraph 3 of the company's Health Insurance Policy insofar as it stipulates that the health insurance policy is not granted to employees who are on parental leave. The Ombudsman recommended that the employer makes changes to Paragraph 3 of the Health Insurance Policy in order to prevent the violation of

the prohibition of discrimination on the basis of family status and gender and to provide the applicant with a health insurance policy.

In order to raise public awareness of the aspects of this right, in 2017, the Ombudsman's Office translated the Handbook "How to Build a Case on Equal Pay" of the European Network of Equality Bodies (Equinet). The guide introduces professionals – lawyers, judges, trade unions – with practical information on how to deal with equal pay issues. The guide is available electronically on the Ombudsman's website.³⁵

3) Case law

As regards the case law, from 2016 to 1st half of 2019, the Court Information System (TIS) in civil cases lists statistics by their nature rather than by the types of claims they contain (labour disputes are an exception because labour disputes concerning the legal settlement of employment legal relationships are listed in a separate category). Other types of claims related to labour disputes (including the violations of the principles of equal pay and differential treatment on the grounds of gender) are not registered in the Court Information System and therefore such information cannot be obtained.

The following categories of civil cases are related to labour disputes and are included in the data study:

- Category 1 of civil cases: Claims for reinstatement (in this category of cases one of the claims relates to reinstatement);
- Category 2 of civil cases: Claims for recovery of remuneration and other labour disputes (cases in this category arise from labour disputes, but none of the claims is related to reinstatement);
- Category 17 of civil cases: Claims arising out of private delicts while the victim is performing a job (cases of compensation for financial losses).

4) Training of labour inspectors and judges in the field of labour disputes

The officials of the State Labour Inspectorate are provided with training on issues related to discrimination and unequal treatment in the field of employment legal relationships.

For example, in February 2016, the State Labour Inspectorate in cooperation with the Ombudsman's Office organised a seminar for labour inspectors on the observance of the principle of equal rights and prevention of discrimination in the field of employment. Every year, the State Labour Inspectorate organises training for new inspectors who start work at the institution, during which the new employees are trained on the issues related to discrimination and the concept of differential treatment, characteristics and proof in employment legal relationships.

The following trainings in the field of labour disputes had been attended by judges in 2015 - 2018:

- *Current case-law in issues of labour rights (25 November 2015),*

³⁵ http://www.tiesibsargs.lv/uploads/content/publikacijas/equinet_rokasgramata_1499949046.pdf

- attended by 43 judges;
- *Current topics of the labour rights, courts' case-law* (11 November 2015), attended by 13 judges;
- *In-depth two-day seminar "Current Issues in Labour Law"* (20 – 21 October 2016), attended by 43 judges. Topics covered - current case law in labour disputes; problematic issues in labour disputes; discrimination in employment legal relationships - discrimination on the grounds gender, disability and age; the current case-law of the European Court of Justice in labour disputes;
- *Interdisciplinary seminar "Current Issues of Labour Law"* (17 May 2017), attended by 14 judges. Topics covered - current case-law, including the case-law of the European Court of Justice on labour law;
- *In-depth two-day seminar "Current Issues in Labour Law"* (19 – 20 October 2017), attended by 42 judges. Topics covered - current case-law in labour disputes, including invalidation of a notice of termination by an employer, notice of termination by an employer for a person with disabilities, panel discussion - problem issues arising from labour disputes in relation to employee participation in trade unions (in several trade unions), as well as in situations where employment legal relationships' control is exercised by the State Labour Inspectorate, discrimination in employment legal relationships - discrimination on the grounds of gender and against persons with disabilities; the current case-law of the European Court of Justice in labour disputes;
- *In-depth two-day seminar "Current Issues in Labour Law"* (17 – 18 April 2018), attended by 39 judges. Topics covered - current case-law in labour disputes, including invalidation of a notice of termination by an employer, notice of termination by an employer for a person with disabilities, temporary work agencies, reasoning in judgments, damage done to an employee, employment legal relationships with a member of the board, public institutions in labour disputes; panel discussion - problem issues arising from labour disputes in relation to employee participation in trade unions, in situations where employment legal relationships' control is exercised by the State Labour Inspectorate; discrimination in employment legal relationships - discrimination on the grounds of gender and against persons with disabilities; the current case-law of the European Court of Justice in labour disputes.

Judges also have an opportunity to attend international seminars regularly. For example, the following seminars were attended in the field of labour law:

- International seminar "*European Labour Law*" (3 – 4 April 2017, Lisbon, Portugal), attended by 2 judges. Seminar was organised by the European Judicial Training Network;
- International seminar "*Cross-border Labour Cases at European Level*" (24 – 25 September 2018, Lisbon, Portugal), attended by 2 judges. Seminar was organised by the European Judicial Training Network;
- International seminar "*Access to Justice for Persons with Disabilities - Civil and Labour Context*" (07 – 09 November 2018, Trier, Germany), attended by one judge. Seminar was organised by the Academy of European Law.

The training of judges is not the only tool for creating a common understanding of the law and improving the quality of judgments. The judges are also addressed through conferences, general meetings and circulars that are prepared for solving specific issues.

Compilations of case-law are also prepared for the unification of court practice. One of the basic functions of the Supreme Court, as defined in Article 28⁶ Parts 4 and 5 of the Law on Judicial Power, is the formation of a uniform court practice, and that is why the Supreme Court has the Judicial and Scientific Analytical Division. Compilations of case-law are discussed in the Supreme Court departments, working together with the authors of the study, drawing conclusions and recommendations for solving the relevant legal issue.

The Supreme Court has a publicly available summary³⁶ of its jurisprudence on labour cases, which includes findings from the Department of Civil Cases in its rulings from 1 July 2012 to 31 December 2017.

Query: The Committee recalls that it examines the right to equal pay under Article 20 and Article 4§3 of the Charter, and does so therefore every two years (under thematic group 1 “Employment, training and equal opportunities”, and thematic group 3 “Labour rights”). Articles 20 and 4§3 of the Charter require the possibility to make pay comparisons across companies (Conclusions 2010, France). At the very least, legislation should require pay comparisons across companies in one or more of the following situations:

- cases in which statutory rules apply to the working and pay conditions in more than one company;
- cases in which several companies are covered by a collective works agreement or regulations governing the terms and conditions of employment
- cases in which the terms and conditions of employment are laid down centrally for more than one company within a holding (company) or conglomerate. (Statement of Interpretation on Article 20 (Conclusions 2012).

The Committee recalls that in equal pay litigation cases the legislation should allow pay comparisons across companies only where the differences in pay can be attributed to a single source. For example, the Committee has considered that the situation complied with this principle when in equal pay cases comparison can be made with a typical worker (someone in a comparable job) in another company, provided the differences in pay can be attributed to a single source (Conclusions 2012, Netherlands, Article 20) or when pay comparison is possible for employees working in a unit composed of persons who are in legally different situations if the remuneration is fixed by a collective agreement applicable to all entities of the unit (Conclusions 2014, France, Article 4§3).

In the light of the above mentioned, the Committee asks whether in equal pay litigation cases it is possible to make pay comparisons outside the company directly concerned. It reserves its position on this point.

³⁶http://at.gov.lv/files/uploads/files/6_Judikatura/Tiesu_prakses_apkopojumi/2018/apkopojums_darba%20lietas_19_01_2018.docx

Response: In Latvia pay comparisons outside the company directly concerned are not possible.

The summary of the Supreme Court case-law within labour-related cases (case-law from July 2012 to 2017) regarding equal pay (Article 60 of the Labour Law) contains the following statement – in a dispute concerning the existence / non-existence of a difference in treatment of an employee in respect of pay, the court must assess the employee's professional qualifications (*e. g.*, such as education, skills required to perform the job, etc.), in order to be able to ascertain its true level, the nature of the work, and the circumstances in which it was carried out, and in order to compare it with others, including those same aspects of other experienced staff (whether the claimant did or did not perform work of the same or equal value; whether the remuneration awarded to him/her is commensurate with his/her qualifications and the nature of the work performed) (Judgement of the Supreme Court of 27 April 2017 in case No. SKC-792/2017 (C33462214), Clause 10.3).

In 2015 - 2018, information on three claims was received from the Judicial Information System, all claims were rejected.

Equal opportunities

Query: The report describes the measures taken to reconcile work and family responsibilities. Since 1 September 2013, the government started a pilot project to provide financial support for parents who need child care support for their children aged 1.5 – 4 years of age.

The report states that the Ministry of Welfare and the Ministry of Economy, in cooperation with the social partners, initiated the project “Gender equality in economic decision making: tool to improve economic competitiveness and equality value”, which aims to improve the balance of men and women in decision making positions and will include an in-depth research on gender equality in the private sector and related awareness-raising activities.

The Committee takes note from ILO-CEACR of the adoption of the Gender Equality Action Plan 2012–14, which includes measures to address occupational gender segregation and to promote access to childcare services. The Government indicates that in the framework of the Action Plan, the Gender Equality Council approved recommendations in July 2013 on balancing the number of men and women in all levels of education, including pre-school, general, vocational and higher education (Direct Request (CEACR) – adopted 2014, published 104th ILC session (2015), Discrimination (Employment and Occupation) Convention, 1958 (No. 111) – Latvia).

The Committee asks the next report to provide information on any measures taken to address vertical and horizontal occupational sex segregation in employment and occupation, and to increase women’s participation in a wider range of jobs and occupations, including decision-making positions. It asks in particular information on the implementation and concrete results achieved through these measures in order to combat gender discrimination and reduce the gender pay gap, including the outcome of the research on gender equality in the private sector undertaken in the context of the project initiated in December 2013.

Response: Additional information provided under Article 20.

In order to reduce gender segregation in employment and to promote the possibilities for reconciliation of work and family life, the following activities were implemented in 2013 - 2016:

The State Employment Agency offers services for promotion of entrepreneurship and improvement of professional competences:

- measures increasing the competitiveness of unemployed persons, persons seeking employment, and persons subject to the risk of unemployment (individual consultations and group lessons on seeking employment, psychological support, and acquisition of the basic skills necessary for integration into the labour market);
- implementation of further vocational training (educational programmes for unemployed persons using the coupon method);
- measures for the unemployed persons aimed at commencing commercial activity or self-employment (consultative and financial aid).

The Inclusive Employment Guidelines 2015-2020 are a medium-term policy planning document aimed at promoting the formation of an inclusive labour market and using the potential of the available human resources to full extent, reducing the social consequences of unemployment as well as supporting labour market reintegration and participation in the labour market among persons at risk of social exclusion. Ensuring equal opportunities, promotion of employment of women, fight against gender segregation in the working environment are some of the most important aspects considered in the Guidelines.

In December 2013, the Society Integration Fund in co-operation with the Ministry of Welfare, the Ministry of Economics, the Employers' Confederation of Latvia, the association "Līdere", the resource centre for women "Marta" commenced the implementation of the project "Gender Equality = Tool and Value" supported by the European Union Programme for Employment and Social Solidarity "PROGRESS 2007-2013". The objective of the project was to promote balanced representation of women and men in economic decision-making in Latvia and entrepreneurship among women.

Different activities were implemented within the scope of the project:

- a public information campaign "#Līdzvērtīgas iespējas" was implemented in 2014 with the objective to promote balanced representation of women and men in economic decision-making in Latvia and to reduce the myths existing in the society regarding gender roles and their impact on the level of remuneration, possibilities of career growth, and the choice of future profession of students (photo exhibition, environmental advertising, communication on the Internet and social media, events for young persons, radio and TV broadcasts, discussions, presentation materials, publications in magazines, contemporary art exhibition);
- a study was conducted on the situation of women and men in the large undertakings. The objective of the study was to find out the factors which hinder and promote participation of women in decision-making institutions of large undertakings. The data necessary for the study were obtained within the scope of three different research activities, using both quantitative and qualitative data collection and analysis methods,

analysis of documents, analysis of statistical data, expert interviews with representatives of large undertakings, organisations representing entrepreneurs both in Latvia and abroad, discussions of focus groups with representatives of undertakings and organisations representing entrepreneurs, as well as survey of personnel managers and employees of large undertakings of Latvia. It was discovered that, in the preceding 6 years, there were on average 20% of women and 80% of men in boards of directors in large undertakings and on average 15% of women and 85% of men in councils. Comparing the findings of this study and those of the European Commission (report, 2014), it may be concluded that the proportion of women in large undertakings in Latvia is smaller, but significantly higher in the category of small/medium undertakings. The proportion of female chairpersons of the board of directors has rapidly increased in the post-crisis period from 8% in 2010 up to 16% in 2013, however, it is still low. A typical profile of the board of directors of large undertakings in Latvia is 1 woman (20%) and 4 men (80%), and one of the men is the chairperson of the board of directors. A small proportion – on average 11% – of undertakings had boards of directors with the gender proportion 40%/60%), however, this proportion had the tendency to increase (from 8% in 2008 to 12% in 2013). At the same time, there were 46% of women and 54% of men among unit heads of undertakings;

- recommendations for undertakings were drawn up;
- a public survey regarding gender equality issues was conducted, surveying in total 1002 residents of Latvia and 100 students of business management and economy;

gender equality issues were brought forward in the “Sustainability Index” of undertakings in Latvia, thus promoting the level of understanding regarding the significance of gender equality in the management of undertakings, its added economic and financial values. The main criteria for the evaluation of the most gender equivalent undertakings are as follows: purposeful actions in practice, which promote balanced gender representation in management structures of the undertaking and implementation of equal remuneration policy for employees. In 2013 and 2014, special prizes in the categories of the Most Gender Equivalent Undertaking and the Most Successful Female Head of an Undertaking were awarded. In order to help undertakings understand issues related to equal rights, experts developed both individual recommendations for each undertaking and special guidelines. The aspects of gender equality and diversity were evaluated also within Sustainability Index 2015 when special prizes were awarded in the categories of Champion of Diversity 2015, Enterprise Most Open to Diversity 2015, and Most Gender Equivalent Undertaking 2015.

The “Sustainability Index” is a strategic management tool developed on the basis of global methodology to help Latvian enterprises assess their performance in terms of sustainability and corporate responsibility. As a result, participating companies are ranked by 4 categories (Platinum, Gold, Silver and Bronze) showing approximate level of their sustainability index score. A special focus was paid to the gender equality issues integrating these aspects in the index evaluation methodology. To raise understanding of gender equality, its

value and benefits among companies, all participants received special recommendations and guidelines. The special (individual) recommendations covered concrete assignments and were based on the assessment of each enterprise, but the guidelines included general principles concerning the implementation of the principle of gender equality in a company³⁷.

On 15 October 2014, experts Marianne Abib-Pech and Serge C.H. Borg gave a guest lecture “Gender and Diversity in Business” in “Turība” University within a closing conference of the project “Benefit for Business – Equality” in which experts from 12 European Union Member States participated. In the conference, Latvian and foreign entrepreneurs and experts shared experience and recommendations for future development of undertakings, giving an insight into the opportunities of obtaining added economic and social values for business upon introducing initiatives oriented towards active involvement of representatives of both genders.

In December 2014 - November 2015, the Society Integration Fund implemented a project “Different People, Different Experience, One Latvia II” to promote public awareness regarding the necessity of preventing discrimination and ensuring equal opportunities in private and public sectors. Within the scope of the project, educational activities for State and local government employees regarding diversity issues as well as training for heads of undertakings in the field of personnel management and diversity policies were implemented. Additionally, video materials were published in social networks regarding the necessity to combat discrimination. Also, an evaluation of the situation of Roma in Latvia was carried out, in which the access of Roma – particularly Roma women – to education, employment, health care and housing was analysed.

Within the scope of the European Union Employment and Social Innovation Programme (EaSI PROGRESS) 2014-2020, the Ministry of Welfare in cooperation with Jelgava City Council, Riga City Council, Valmiera City Council, and the Corporate Sustainability and Responsibility Institute initiated the implementation of a project “Flexible Provision of the Child Supervision Service to Employees Working Irregular Hours”. The purpose of the project was to develop flexible child care services for children of such parents who work irregular hours, creating a long-term model of subsidies for such services and thus promoting employment of parents and reconciliation of work and family life.

Preventive measures to address the occupational segregation were included in the Plan for the Promotion of Equal Rights and Opportunities for Women and Men for 2018–2020 – within the 2nd action direction: Promoting equal education opportunities for boys and girls, men and women and a measure with the goal of the integration of the principle of equal rights and opportunities for women and men in the education and career counselling materials. Within the measure, guidelines for the development of informative materials were prepared for the website “Profesiju pasaule” [The World of Professions] containing updated instructions for the promotion of equal opportunities for women and men, so that the information included in the website would not cause and promote stereotypes in selection of professions. In addition, an

³⁷ http://www.sif.gov.lv/images/files/SIF/progress-lidzt/Vadlinijas_uznemumiem_31052014-Final.pdf

informative material for students of grades 7–12 was developed on gender stereotypes in selection of a profession, accompanied with methodological materials developed for specialists providing assistance in career guidance and development at the secondary and vocational education institutions. These activities were implemented by the State Education Development Agency in 2018.

Article 24 - Right to protection in case of dismissal

Obligation to provide valid reasons for termination of employment

Query: As regards dismissal on economic grounds, the Committee recalls that economic reasons for dismissal must be based on the operational requirements of the undertaking, establishment or service. The assessment relies on the domestic courts' interpretation of the law. The courts must have the competence to review a case on the economic facts underlying the reasons of dismissal and not just on issues of law (Conclusions 2012, Turkey). Article 24 of the Charter requires a balance to be struck between an employer's right to direct/run his/her enterprise as he/she sees fit and the need to protect the rights of the employees.

According to the report a reduction in the number of employees is a notice of termination of an employment contract for reasons not related to the conduct of an employee or his/her abilities but is adequately substantiated on the basis of the implementation of urgent economic, organisational, technological or similar measures in the undertaking (Part 1, Article 104 Labour Law). The Committee takes note of the collective redundancy procedure as provided in the Labour Law and asks the Government to provide this information under Article 29 of the Charter. As regards Article 24, the Committee asks whether the courts have the competence to review a case on the facts and asks the next report to provide examples of the domestic case law regarding termination of employment for economic reasons.

Response: An employee has a right to apply to court if he/she considers that his/her dismissal was unlawful.

The reason why the employer requests termination of the employment contract, and whether there is a valid reason for this, is a key aspect in proper resolution of the dispute in question (Article 101, Part 1 (9) of the Labour Law). Articles 105 to 107 of the Labour Law do not restrict the freedom of the employer to organise its conduct and its activities in the manner it deems most appropriate for its needs, where objectively the redundancies cannot be avoided or the number of redundancies cannot be reduced. Failure to carry out consultations may not in itself be sufficient grounds for invalidation of the employer's notice and/or reinstatement of the employee (Judgement of the Supreme Court of 26 April 2013 in case No. SKC-1106/2013 (C33329011), Clause 10.5).

Query: The Committee recalls that according to the Appendix to the Charter, for the purposes of Article 24 the term 'termination of employment' means termination of employment at the initiative of the employer. Therefore, situations where a mandatory retirement age is set by statute, as a consequence of which

the employment relationship automatically ceases by operation of law, do not fall within the scope of this provision, but dismissal of the employee at the initiative of the employer on the ground that the former has reached the normal pensionable age (when he/she is entitled to a pension) will not be in conformity with the Charter unless properly justified with reference to one of the valid grounds expressly established by this provision of the Charter. The Committee asks whether and how the legislation complies with this approach.

Response: The Labour Law does not provide for the right of an employer to terminate an employment contract with an employee on the ground that this employee has reached the retirement age. According to the Labour Law, differential treatment based on the age of an employee is prohibited when establishing employment legal relationships as well as during the period of existence of employment legal relationships, in particular when promoting an employee, determining working conditions, remuneration, training or raising of qualifications as well as when giving notice of termination of an employment contract.

As regards civil servants, Article 41 (Termination of State Civil Service Relations), Part 2 of the State Civil Service Law prescribes that, if a civil servant has reached the age of retirement determined by the State, a head of an institution or a minister is entitled to take a substantiated decision to maintain a civil servant in the position for a definite period of time, but not longer than for two years. The relevant period of time may be extended. According to the Point 21 of the Transitional Provisions of the State Civil Service Law, the period of two years laid down in Article 41, Part 2 shall run from 1 January 2019.

At the same time, in Latvia, there are some categories of professions, in which a person can be or shall be retired or dismissed from his/her service or position, attaining a certain age determined for that service/position, for example, soldiers, officials of state security institutions, judges, prosecutors, officials with special service ranks working in institutions of the Ministry of the Interior and the Prisons Administration.

Remedies and sanctions

Query: The Committee recalls that (Statement of Interpretation on Article 24, Conclusions 2008) in proceedings relating to dismissal, the burden of proof should be subject of an appropriate adjustment between employee and employer. The Committee asks to specify whether the law provides for such an adjustment.

Response: According to Article 125 (Burden of Proof) of the Labour Law, an employer has the obligation to prove that a notice of termination of an employment contract has a legal basis and complies with the specified procedure for the termination of an employment contract. In other cases, when an employee has brought an action before a court for the reinstatement in work, the employer has the obligation to prove that, when dismissing the employee, he/she has not violated the right of the employee to continue employment legal relationships.

Query: The Committee understands that unlawfully dismissed employees may claim moral damages if the dismissal is linked to differential treatment (discrimination). The Committee asks whether moral damages may also be claimed in unlawful dismissal cases, other than on discrimination ground and if so, whether the legislation sets a ceiling to the amounts that can be awarded.

Response: Information on Article 1635 of the Civil Law, concerning moral injury is provided under Article 20.

There are no ceilings for compensation in case of pay discrimination on grounds of sex.

Compensation for moral damages shall be provided under Article 29, Part 8 of the Labour Law if the prohibition on differential treatment or the prohibition to cause unfavourable consequences has been violated. In the event of a dispute, the amount of compensation for moral damages shall be at the discretion of the court.