



European Social Partners' capacity building seminar focused on
Albania, Montenegro, North Macedonia and Serbia

Recent developments in social dialogue

Presentation by Christiane Westphal, European Commission, DG EMPL, International Issues unit, Policy officer

Belgrade, 24 Oktober 2019



Content

- The Pillar principle on social dialogue
- Social dialogue on the agenda of the new Commission
- Social dialogue in the cooperation EU – Western Balkans
- Outlook



Pillar principle on Social Dialogue

8. Social dialogue and involvement of workers

The social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices. They shall be encouraged to negotiate and conclude collective agreements in matters relevant to them, while respecting their autonomy and the right to collective action. Where appropriate, agreements concluded between the social partners shall be implemented at the level of the Union and its Member States.

Workers or their representatives have the right to be informed and consulted in good time on matters relevant to them, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies.

Support for increased capacity of social partners to promote social dialogue shall be encouraged.



European Commission President-elect Ursula von der Leyen





Political Guidelines of the European Commission President-elect Ursula von der Leyen (July 2019)

- “It is high time that we reconcile the social with the market in today's modern economy. This is why I will put forward an action plan to fully implement the European Pillar of Social Rights”.
- The plan should show the Commission’s strong commitment to pushing for social progress and upward convergence in the EU, in full respect of Member States’ competences.



Political Guidelines of the European Commission President-elect Ursula von der Leyen (July 2019)

- The European Commission will present a number of concrete EU- level initiatives that would strengthen the EU's social dimension such as:
 - A legal initiative on fair minimum wages (within the first 100 days)
 - Looking at ways to improve the labour conditions of platform workers
 - Design of a European unemployment benefit reinsurance scheme
 - Creating a European Child Guarantee
- In addition the mission letter of Commissioner-designate for Jobs (Nicolas Schmit) states:
 - Establish and support the new (2019) European Labour Authority
 - **Promote social dialogue**
 - Strengthen social protection notably through the European Semester to monitor progress and identify areas for improvement
 - Reinforce the Youth Guarantee
 - Make most of the potential of the future European Social Fund Plus



Social dialogue in the cooperation EU – Western Balkans

- **New: EU-Western Balkans Ministerial meeting on employment and social affairs**
- Economic governance through Economic Reform Programmes
- Annual country reports
- Negotiations chapter 19



EU – Western Balkans Ministerial meeting on employment and social affairs

Council press statement, Luxembourg, 12 June 2019:

...

We recall that social dialogue plays a central role in the design and implementation of economic, employment and social policies and encourage our Western Balkan partners to pursue an inclusive approach with Social Partners. Engagement with a broad spectrum of civil society will ensure that reform processes to the benefit of all citizens are advanced in an inclusive manner.

...



Roll out of the European Social Pillar in EU enlargement countries

- Since 2019
- Through the Economic Reform Programmes (ERP):
 - Preparing for more effective social and economic governance and reforms and align labour markets and social welfare with those of EU
 - Complements the transposition of the EU social acquis (e.g. EU laws, social dialogue)



Economic Reform Programmes: Commission assessments 2019

Albania

Social dialogue remains very weak both in the public and private sector. The mandate of the National Labour Council (NLC) was renewed in March 2018, but clear representativeness criteria are still under discussion in the tripartite working group established by the responsible Ministry. The Secretariat of the National Labour Council is not yet fully staffed. Consultations in the NLC take place without adequate preparation and remain limitedly meaningful. The establishment of regional tripartite councils is still expected. Bipartite social dialogue is underdeveloped. Finally, the amicable labour disputes resolution system needs further consolidation.



Economic Reform Programmes: Commission assessments 2019

Montenegro

Social dialogue remains weak in Montenegro. The tripartite Social Council is in place, but the practice of meaningful dialogue, addressing conflicts and systematic consultation are not yet well developed. New laws on the Social Council and representativeness of trade unions were adopted recently, but the consultation on the preparation of measures (including the Economic Reform Programmes) is still often limited.



Economic Reform Programmes: Commission assessments 2019

North Macedonia

There is encouraging progress in social dialogue. Regular meetings of the Economic and Social Council (ESC) contributed to a significant increase in the number of recommendations and opinions to the government. Social partners are involved in the drafting of the new law on labour relations which will include provisions on freedom of association, collective bargaining and strike. The law will further regulate branch collective agreements and facilitate setting up a trade union. The development of Local Economic and Social Councils is expected to be reinforced in 2019. There are plans to increase the number of compulsory consultations of the ESC, but a clear timeframe and the use of output indicators to measure the policy impact is recommended.



Economic Reform Programmes: Commission assessments 2019

Serbia

Social dialogue is weak, in particular for the private sector. Since the cancellation of all collective agreements in 2015 after the Labour Code revision in 2014, new collective agreements have been mostly concluded in the public sector including in public companies. Very few agreements at branch level exist in the private sector, due to non-conducive rules for extending agreements. Tripartite social dialogue, in particular within the Economic and Social Council of Serbia, has become more regular in 2018, but Social Partners consider their impact on political decisions as rather limited. The revision of the law on strike has been further postponed.



Annual country reports 2019

Recommendations on social dialogue in the 2019 reports:

Albania

- Establish clear representativeness criteria for membership in the National Labour Council and adopt them by law

Montenegro

- Reinforce cooperation with social partners and other non-state actors operating in the sector

North Macedonia

- Reinforce collective bargaining between employers and workers

Serbia

- Significantly strengthen the bipartite and tripartite social dialogue at all levels



Outlook

- EU-Western Balkans Ministerial meeting on employment and social affairs 2020
- Economic Reform Programmes 2020
- Country reports
- Negotiations
- Second phase of the project "Employment and Social Affairs Platform" (www.esap.online)
- Cooperation with the ILO
- Other EU support
- Other support needs



More information at:

https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights_en

https://ec.europa.eu/commission/interim_en#political-guidelines

<https://ec.europa.eu/commission/interim/commissioners-designate>

<https://www.consilium.europa.eu/en/press/press-releases/2019/06/12/eu-western-balkans-meeting-on-employment-and-social-affairs-luxembourg-12-june-2019/>

https://ec.europa.eu/info/publications/2019-economic-reform-programmes-albania-montenegro-north-macedonia-serbia-turkey-bosnia-and-herzegovina-and-kosovo-commissions-overview-and-country-assessments_en

https://ec.europa.eu/neighbourhood-enlargement/countries/package_en

www.esap.online



Thank you!

Contact:

Christiane.Westphal@ec.europa.eu