**GOVERNMENT OF SERBIA**

**Ministry of Labour, Employment, Veteran and Social Affairs**

**ACTION PLAN FOR CHAPTER 19 – SOCIAL POLICY AND EMPLOYMENT**

**May 2020**

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# LIST OF ABBREVIATIONS

ALSU – Bankruptcy Supervision Agency

SBRA – Serbian Business Registers Agency

ЕCCP – European Code of Conduct on Partnership

ERP – Economic Reform Programme

ESRP – Employment and Social Reform Programme

ESSPROS – European System of Integrated Social Protection Statistics

IPO – Intellectual Property Office of the Republic of Serbia

LGU – Local Government Unit

ITE – Office for Information Technologies and eGovernment

OHMR – Office of Human and Minority Rights

SPC –Social Protection Chamber

CBGE – Coordination Body for Gender Equality

MCTI – Ministry of Construction, Traffic and Infrastructure

MPALSG – Ministry of Public Administration and Local Self-Government

MEI – Ministry of European Integrations

MYS – Ministry of Youth and Sport

MESTD – Ministry of Education, Science and Technological Development

ME – Ministry of Economy

MME – Ministry of Mining and Energy

MLEVSA – Ministry of Labour, Employment, Veteran and Social Affairs

MTTT – Ministry of Trade, Tourism and Telecommunications

MI – Ministry of the Interior

MF – Ministry of Finance

NBS – National Bank of Serbia

NES – National Employment Service

NARS – National Assembly of the Republic of Serbia

CSO – Civil Society Organisations

CPE – Commissioner for the Protection of Equality

CCIS – Chamber of Commerce and Industry of Serbia

EVREPWD – Enterprises for the vocational rehabilitation and employment of persons with disabilities

PSSPDGE – Provincial Secretariat for Social Policy, Demography and Gender Equality

APSLD – Agency for Peaceful Settlement of Labour Disputes of the Republic of Serbia

SORS – Statistical Office of the Republic of Serbia

ISP – Institute for Social Protection of the Republic of Serbia

PPS – Public Policy Secretariat of the Republic of Serbia

PDIF –Pension and Disability Insurance Fund of the Republic of Serbia

SEC – Social and Economic Council of the Republic of Serbia

DPPWD – Department for the Protection of Persons with Disabilities

SIPRU – Social Inclusion and Poverty Reduction Unit

SCTM – Standing Conference of Towns and Municipalities

CPD – Council for Persons with Disabilities

DPDIVDP – Department for Pension and Disability Insurance and Veterans Disability Protection

DLE – Department for Labour and Employment

CATUS – Confederation of Autonomous Trade Unions of Serbia

PMO – Personnel Management Office

AOSH – Administration for Occupational Safety and Health

TUC – The “Nezavisnost” (“Independence”) Trade Union Confederation

SPA – Serbian Parking Association

SAE – Serbian Association of Employers

SCI – Social Care Institutions

CROSO – Central Registry of Obligatory Social Insurance

SWC –Social Welfare Centre

CAD – Civil Aviation Directorate

TAIEX – EU Technical Assistance and Information Exchange Programme

SDC – Swiss Agency for Development and Cooperation

ILO – International Labour Organisation

AD – Academic Degree

GIZ – German international cooperation agency

# INTRODUCTION

The European Commission’s Screening Report on Chapter 19, provided to the Republic of Serbia in April 2016, assessed that the Republic of Serbia’s legislation is partially aligned with the acquis in the field of social policy and employment. Accordingly, the following opening benchmark, prerequisite to opening the negotiations in Chapter 19, was set for the Republic of Serbia:

*“Serbia needs to provide the European Commission with an Action Plan for the gradual transposition (where necessary) and for the building up of the necessary capacity to implement and enforce the acquis in each areas covered by this Chapter – Social Policy and Employment. The plan should include: a) a timetable, b) the identification of human resources allocated to each task, c) the identification of the institutions involved, their mandate and role in the accession negotiations, and d) the identification of accompanying support actions in the pre-accession context (strengthening of administrative capacity).”*

In accordance with this benchmark, a Working Group was established in July 2016 to oversee the gradual transposition of the European Union *acquis* into Serbia’s national legislation, and the capacity building required for its implementation in each area covered by Chapter 19.

## Methodological and Technical Approach

In drafting the Action Plan, efforts were made to ensure that each activity is clearly defined and that it incorporates all the elements outlining the necessary changes to the legislative framework and the required administrative capacities with the highest level of accuracy possible at this time. The same principle was applied to the activities related to the implementation of legislation. Some activities are scheduled for implementation in three to four years, mainly depending on the completion of certain analysis or assessments, hence, their precise contents cannot be defined at this time. Accordingly, in addition to regular performance reviews, monitoring activities will entail updating the Action Plan itself, and involving new relevant stakeholders and additional resources.

The Action Plan is presented in a table format, and divided by the areas covered by Chapter 19, It consists of seven sections in total, which are further divided into subsections corresponding to specific EU legal instruments. Each table covering a legal instrument contains specific activities to be undertaken by the Republic of Serbia, the list of institutions responsible for the implementation of activities envisaged under the Action Plan, a timeframe for the activity concerned, current and required human and other resources, with time limits for their enhancement, and the necessary support activities to strengthen the administrative capacities. The Action Plan is aligned with the third revision of the National Programme for the Adoption of the *Acquis* (NPAA) for the 2018-2021 period. The Negotiation Team for Chapter 19 will develop a matrix for monitoring the implementation of the Action Plan for Chapter 19 within six months of the adoption of this Action Plan. This document will be adopted by the Government of Serbia, following consultations with, and in an agreement with the European Commission, and the EU legal instruments relevant for Chapter 19 adopted in the meantime will be incorporated in the Action Plan for the purpose of monitoring its implementation.

As financial sustainability is an important aspect of the Action Plan, activity implementation costs have been calculated with highest possible accuracy, by applying a standardised methodology developed for Chapters 23 and 24 in cooperation with financial experts.

Thus, each Action Plan section contains a summary overview of the legislative changes, human and financial resources required for the alignment and implementation of the *acquis* in each specific area. Annex 1 contains a list of the new and amended legal instruments encompassed by this Action Plan.

## Labour Relations

Legislation – status

The Labour Law (RS Official Gazette No 24/05, 61/05, 54/09, 32/13 and 75/141) as a general law in the field of labour, governs the stipulation of employment contracts and other types of work contracts, working time and other rights, obligations and responsibilities of employees and other workers arising from or pertaining to employment, as well as other working conditions, except for the requirements related to occupational safety and health, which are governed by the Law on Occupational Safety and Health. Specific economic activities are regulated by special laws which also govern the employment area in these activities, which means that Labour Law provisions do not apply to these activities.

Legislative alignment in the area of labour and plans for further alignment

The Labour Law (with its latest amendments of 2014) is aligned with the *acquis* to a significant extent. However, in order to fully transpose EU directives into the national labour legislation, in addition to the timelines, the revised Action Plan also envisages strengthening existing human capacities for normative, research and analytical affairs in the Ministry, with a view to developing a concordance assessment of the Labour Law and other legislation transposing the directives in the field of labour; developing the Labour Law and other legislation, and its uniform application.

In addition, special attention will be devoted to enhancing civil servants’, inspection officers’ and judges’ knowledge, as well as informing employers and employee representatives about the new Labour Law provisions, in order to ensure uniform and consistent application and standardised practices in its application, through trainings, workshops, seminars and round tables.

The enforcement of the Law will be ensured by means of inspection oversight and legal protection in court proceedings. The capacities of the Labour Inspectorate are specified in the Inspection Oversight section of the Action Plan Table.

The Law on Simplified Employment for Seasonal Jobs was adopted in June 2018 and published in the Official Gazette of the Republic of Serbia No 50/18 of 29 June.2018. A Rulebook on the content of the seasonal worker’s employment certificate was also adopted (RS Official Gazette No 67/18). The Law and Rulebook have been in application from January 2018.

Law on Temporary Agency Work

The Law on Temporary Agency Work was adopted in December 2019 (RS Official Gazette No 86 of 6 December 2019.

Mandate and capacities

The Section for Normative, Research and Analytical Affairs in the Field of Labour under the Department for Labour and Employment is tasked with preparing and enforcing the Labour Law, the Law on Temporary Agency Work and Law on Simplified Employment for Seasonal Jobs, etc. In this Section, the job classification foresees seven positions in normative affairs. Currently, four staff members are employed (one position in normative affairs is vacant); amongst other things, they perform normative tasks[[1]](#footnote-1) concerning the transposition of the *acquis* in Serbia’s national labour legislation (about 10 % of their working time), one staff member performs tasks related to research and analysis (10 %), and one staff member performs administrative and technical tasks and other ancillary tasks (5 %).

With the recruitment of one staff member in normative affairs (by the end of 2020), the number of staff members working in normative affairs will be increased from four to five.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **STAFF MEMBERS INVOLVED IN THE TRANSPOSITION OF EU LEGISLATION BY TYPE OF WORK** | **HEADCOUNT AS AT 30 NOV 2018 AND % OF WORKING TIME** | **2019 AND %** | **2020 AND %** | **2021 AND %** |
| For the transposition of the directives in the Table under items 1.1.1, 1.2.1 – 1.2.5, 1.2.7, 1.2.8, 1.2.10-1.2.13, 1.3.2. and 2.1 – civil servants in normative affairs holding the titles of senior adviser, independent adviser and adviser | four staff members (5 %) | four staff members (20%) + one staff member, when recruited, in the Section for Normative, Research and Analysis Affairs in the Field of Labour, in normative affairs (independent adviser) (10%) | five staff members + two staff members (30 %) (independent advisers with a background in law) in the Section for Normative, Research and Analysis Affairs in the Field of Labour | seven staff members + on staff member (30 %) (independent adviser with a background in law) in the Section for Normative, Research and Analysis Affairs in the Field of Labour |
| For the transposition of the directives in the Table under items 1.2.11. and 1.3.2 | four staff members (5 %) + one staff member from the Sector for Social Dialogue, Collective Bargaining and Wages (10 %) | four + one staff members (5 %) in the Section for Normative, Research and Analysis Affairs in the Field of Labour + two staff members from the Sector for Social Dialogue, Collective Bargaining and Wages (20 %) | five staff members (10 %) in the Section for Normative, Research and Analysis Affairs in the Field of Labour + two staff members from the Sector for Social Dialogue, Collective Bargaining and Wages (20 %) | five staff members (10 %) in the Section for Normative, Research and Analysis Affairs in the Field of Labour + two staff members from the Sector for Social Dialogue, Collective Bargaining and Wages (20 %) |
| Analysis, administrative and technical affairs (independent adviser with a background in economics and junior adviser with a background in law) | two staff members (5 %) | two staff members (10%) | two staff members (15%) | two staff members (15%) |

The directives specified in the Action Plan Table under items: 1.1.1, 1.2.1–1.2.5, 1.2.7, 1.2.8, 1.2.10-1.2.13, 1.3.2. and 2.1. will be transposed into the Labour Law.

The directives specified in the Action Plan Table under items 1.2.6. and 1.2.7. are transposed into the Law on Temporary Agency Work.

In addition to the aforementioned staff of the Section for Normative, Research and Analytical Affairs in the Field of Labour, the transposition of the directives specified in the Table under items 1.2.11. and 1.3.2. will also involve the staff of the Sector for Social Dialogue (two staff members, 20% of working time).

1. Sequence of steps for the Labour Law:

1.1. Analysis of the degree of concordance between the currently applicable Labour Law and the EU directives referred to in the table, and development of a working Draft Law (timeframe: 15 months, starting from the third quarter of 2019 – to be concluded in the third quarter of 2020):

* form a working group composed of members of the representative social partners (trade unions and employer associations), competent authorities and organisations and representatives of civil society organisations nominated by the National Convention on the European Union;
* organise working group meetings, round tables, seminars, workshops and similar;
* involve experts through an EU Technical Assistance and Information Exchange Programme (TAIEX Programme) to provide additional clarifications on the transposition of certain directives, as well as to provide recommendations for the adequate alignment of national legal provisions with the EU directives;
* prepare an *ex-post* impact assessment of the current Labour Law and an *ex-ante* impact assessment of the new Labour Law;
* post an announcement concerning the preparation of the Draft Labour Law on the Ministry’s website and the eGovernment portal (within seven working days as of the start date of Draft Law development);
* develop a working draft of the Law on the basis of the analysis performed.

1.2 Enactment of the Law (timeframe: fifteen months, starting from the fourth quarter of 2020 – to be concluded in the fourth quarter of 2021):

* publish the Draft Law, deliver seminars and workshops and continue Working Group activities in order to align the positions and reach the highest possible level of consensus on the Draft Law;
* consolidate the text of the Draft Law within the Working Group with the participation of the general public (stakeholders);
* involve experts through a ТAIEX Programme to prepare tables of concordance between the Draft Law and the EU directives, and further align the national legal provisions;
* present the findings of the regulatory impact assessments performed, together with the Draft Law on the Ministry’s website (at the latest on the day of public review launch);
* organise a public review (present the Draft Law, align it with the views and proposals of public review participants, and prepare a public review report);
* organise consultations in all phases of Draft Law development and provide information on the results of the consultations (publish an announcement on the Ministry website – at the latest fifteen days of the closure of consultations);
* submit the Draft Law to the competent ministries and the Social and Economic Council of the Republic of Serbia and align the Draft Law with these authorities and organisations’ views and comments (timeframe: at least thirty days);
* prepare a translation of the Draft Law and tables of concordance with said directives, forward them to the European Commission and align the Draft Law with the European Commission's views (timeframe: nine months);
* submit the Draft Law to the Government to be considered and endorsed as a bill;
* submit the Bill to the National Assembly to be considered and passed.

1.3 Implementation of the new Law, with a view to standardising practices of employers and employees in the enforcement of its provisions (timeframe: continuously, from the first quarter of 2022):

* develop bylaws, issue opinions on the application of the Law, provide information and similar;
* organise training events, seminars and workshops;
* organise round tables;
* conduct an impact assessment of the implementation of the Law, on the basis of: inspection oversight, court disputes, cooperation with social partners and the civil sector, institutions for the peaceful settlement of disputes etc.;
* report to the competent authorities in Serbia and the EU and develop proposals for measures to further improve the situation in this area;
* become involved in the integrated information system for public policy planning, implementation, coordination and reporting, in accordance with the Law on the Planning System of the Republic of Serbia (RS Official Gazette No 30/18), once technical capacities are provided and the Ministry’s staff is trained.

2. Sequence of steps for the Law on Temporary Agency Work:

2.1 Implementation of the Law following its enactment, with a view to standardising practices by employers and employees in the enforcement of its provisions (timeframe: continuously, from 7 December 2019)

* develop bylaws, issue opinions on the application of the Law, provide information and similar;
* organise training events, seminars and workshops;
* organise round tables;
* conduct an impact assessment of the implementation of the Law, on the basis of: inspection oversight, court disputes, cooperation with social partners and the civil sector, institutions for the peaceful settlement of disputes etc.;
* report to the competent authorities in Serbia and the EU and develop proposals for measures to further improve the situation in this area;
* become involved in the unified information system for public policy planning, implementation, coordination and reporting in accordance with the Law on the Planning System of the Republic of Serbia (once technical capacities are provided and Ministry staff trained).

3. Sequence of steps for the Law on Simplified Employment for Seasonal Jobs (RS Official Gazette No 50/2018):

3.1 Implementation of the Law (from 7 January 2019 onwards, continuously)

* organise training events, seminars and workshops;
* organise round tables;
* conduct an impact assessment of the implementation of the Law, on the basis of: inspection oversight, court disputes, cooperation with social partners and the civil sector, institutions for peaceful settlement of disputes;
* report to the competent authorities in Serbia and the EU and develop proposals for measures to further improve the situation in this area.

4. Legislation governing employment in certain sectors

With the adoption of amendments to the Law on Maritime Navigation (RS Official Gazette Nos 87/11, 104/13, 18/15, 113/17 – as amended, and 83/18) and the Rulebook on the Statutory Certification of Seagoing Ships (RS Official Gazette No 72/2018), the applicable provisions of Directives 2015/1794/EC, 1999/63/EC and 2018/131/EC have been transposed to the national legislation.

Directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities (CELEX 32002L0015) has been transposed into the national legislation through the Law on Working Time of Road Transport Vehicle Crew and Tachographs (RS Official Gazette Nos 96/15 and 95/18), which is within the purview of the Ministry of Construction, Transport and Infrastructure.

The working conditions of railway workers, in particular working time, rest periods and other rules applicable to railway workers are regulated by the Directive 2005/47/EC on the Agreement between the Community of European Railways (CER) and the European Transport Workers’ Federation (ETF) on certain aspects of the working conditions of mobile workers engaged in interoperable cross-border services in the railway sector. The transposition of this Directive to the legal framework is within the mandate of the ministry competent for transport affairs. Hence, part of the specific provisions of the said Directive has been transposed in the Law on Railway Traffic Safety (RS Official Gazette No 41/18), while the remainder has been transposed in the provisions of the Labour Law (general provisions), thus ensuring the full alignment with this Directive. It should also be emphasized that the Serbian legislation was aligned with this Directive already in 2015, through the provisions of the previously applicable Law on Railway Safety and Interoperability.

## 

## Social Dialogue

To strengthen bipartite social dialogue, it is essential that the capacities of the social partners themselves be strengthened to create an environment for constructive social concertation. In that respect, strengthening the professional capacities of the Department for Labour and Employment, specifically the Sector for Social Dialogue, Collective Bargaining and Wages, and the recruitment of four additional civil servants in the Sector and one civil servant in the Social and Economic Council (SEC) Secretariat will provide the administrative prerequisites for the provision of organisational and specialist assistance and support to social partners with a view to their participation in all forms of bilateral and multilateral technical assistance, as well as participation in all training activities aimed at strengthening social dialogue at all levels.

The social partners’ capacity building programme will include workshops, training events and other forms of training activities in order to raise state-owned enterprises’ management structures’ awareness of the need for social dialogue and entry into collective agreements. The training activities will include training social partners on European collective agreements, European works councils and European social dialogue in preparation for involvement in the European social dialogue.

In the interest of strengthening social dialogue, in cooperation with social partners, the existing Labour Law provisions on collective bargaining, social partners’ representativeness requirements and the representativeness assessment procedure, the operation of the Committee for the Assessment of Trade Unions’ and Employer Associations’ Representativeness, procedures for participation in collective bargaining and entry into collective agreements, as well as the provision of assumptions for further promotion of the principle of good faith in the bargaining process will be reviewed. Further, the provisions of the Law on the Social and Economic Council will be reviewed with a view to adopting amendments thereto, in order to strengthen the role of social dialogue in the process of adopting laws and other regulations; the provisions on the registration of local social and economic councils will also be reviewed in order to encourage their establishment and sustainable and functional operation.

The Sector for Social Dialogue, Collective Bargaining and Wages within the Department for Labour and Employment conducts affairs concerning the preparation and application of the Labour Law where it concerns social dialogue, collective bargaining and wages, Law on the Peaceful Settlement of Labour Disputes, Law on the Social and Economic Council and the Law on Strike. In this Sector, the job classification foresees 5 positions requiring a law degree; however, only one staff member performs normative tasks concerning the transposition of the *acquis* to Serbia’s national labour legislation (about 10 % of working time).

The employees recruited in recent months (two staff members) are expected to assume part of the tasks concerning the transposition of the *acquis,* thus increasing the percentage of work done in that area.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **STAFF MEMBERS INVOLVED IN THE TRANSPOSITION OF EU LEGISLATION BY TYPE OF WORK** | **HEADCOUNT AS AT 1 FEBRUARY 2019 AND % OF WORKING TIME** | **2019 AND %** | **2020 AND %** | **2021 AND %** |
| Normative and other tasks performed by lawyers in the Sector (drafting laws and other legal instruments, application of laws, decision-making in first- and second-instance administrative proceedings – registration of trade unions, employer associations, collective agreements, social and economic councils; representativeness assessment; participation in collective bargaining etc.) | One staff member (90 %)  Two staff members (100%) | Three staff members (80%)  One staff member (50 %) |  |  |
| Administrative and technical affairs | Two staff members (100%) | One staff member (100 %) |  |  |
| For the directives in the Table under items 1.2.11, 1.3.1, 1.3.2, 1.3.3 and 1.3.4. | One staff member (10 %) | Three staff members (20%) |  |  |

The directives specified in the Action Plan Table under items: 1.2.11, 1.3.1, 1.3.2, 1.3.3, 1.3.4. will be transposed through the Labour Law, Law on the Establishment of European Works Councils, Law on the Participation of Employees in Decision-Making in a European Company and a European Cooperative Society and Law on the Social and Economic Council.

In addition to the abovementioned staff of the Sector for Social Dialogue, Collective Bargaining and Wages, the transposition of the directives specified in the Action Plan Table under items 1.2.11. and 1.3.2. will also involve the staff of the Section for Normative, Research and Analysis Affairs in the Field of Labour, as specified in the Labour Relations section of the Action Plan Table.

Sequence of steps for the Labour Law:

– the sequence of steps in the passage of this law is outlined in the section “Labour Relations” (staff of the Sector for Social Dialogue, Collective Bargaining and Wages participate in the activities together with the staff of the Section for Normative, Research and Analysis Affairs in the Field of Labour).

Sequence of steps for the Law on the Participation of Employees in Decision-Making in a European Company and a European Cooperative Society

* deliver staff training on the *acquis* in the form of seminars and workshops, under the TAIEX Programme and other forms of bilateral and multilateral technical support;
* develop an expert analysis for the preparation of fundamental elements for alignment with and transposition of directives in the law-making process;
* prepare a translation of the Draft Law and tables of concordance with the said directives, forward them to the European Commission and align the Draft Law with the European Commission's views;
* organise a public review to present the Draft Law and align it with the views and proposals of public review participants;
* forward the Draft Law to the competent authorities and organisations in accordance with the Government Rules of Procedure;
* submit the Draft Law to the Government of Serbia to be considered and endorsed as a bill;
* submit the Bill to the National Assembly to be considered and passed.

Sequence of steps for the Law on the Establishment of European Works Councils

* deliver staff training on the *acquis* in the form of seminars and workshops, under the TAIEX Programme and other forms of bilateral and multilateral technical support;
* develop an expert analysis for the preparation of fundamental elements for alignment with and transposition of directives in the law-making process;
* prepare a translation of the Draft Law and tables of concordance with the said directives, forward them to the European Commission and align the Draft Law with the European Commission's views;
* organise a public review to present the Draft Law and align it with the views and proposals of public review participants;
* forward the Draft Law to the competent authorities and organisations in accordance with the Government Rules of Procedure;
* submit the Draft Law to the Government to be considered and endorsed as a bill;
* submit the Bill to the National Assembly to be considered and passed.

Sequence of steps for the Law Amending the Law on the Social and Economic Council

* deliver staff training on the EU *acquis* in the form of seminars and workshops, under the TAIEX Programme and other forms of bilateral and multilateral technical support;
* develop an expert analysis for the preparation of fundamental elements for alignment with and transposition of directives in the law-making process;
* prepare a translation of the Draft Law and tables of concordance with the said directives, forward them to the European Commission and align the Draft Law with the European Commission's views;
* organise a public review to present the Draft Law and align it with the views and proposals of public review participants;
* forward the Draft Law to the competent authorities and organisations in accordance with the Government Rules of Procedure;
* submit the Draft Law to the Government to be considered and endorsed as a bill;
* submit the Bill to the National Assembly to be considered and passed.

Implementation of the Law on the Peaceful Settlement of Labour Disputes

* issue opinions on the application of the Law, provide information etc.;
* organise training events, seminars and workshops;
* organise round tables;
* conduct an impact assessment of the implementation of the Law, on the basis of: practice of the Republic Agency for Peaceful Settlement of Labour Disputes in collective and individual labour disputes, inspection oversight, court disputes and cooperation with social partners.

## Health and Safety at Work

The Health and Safety at Work Directorate and the Labour Inspectorate are authorities under the Ministry of Labour, Employment, Veteran and Social Affairs, whose mandate includes the field of occupational safety and health. The legislative and oversight affairs within the Ministry's mandate are divided as follows: the Health and Safety at Work Directorate prepares regulations in the area of occupational safety and health as part of its core activities, while the Labour Inspectorate oversees the application of the Law on Occupational Safety and Health and bylaws, i.e. the implementation of occupational safety and health measures. Pursuant to Art. 59 of the Law on Occupational Safety and Health, the Health and Safety at Work Directorate, as an administrative authority under the Ministry of Labour, Employment, Veteran and Social Affairs, conducts public administration affairs aimed at improving and developing occupational safety and health, i.e. reducing occupational injuries, occupational and work-related diseases, and prepares regulations in this field.

Although the current Law on Occupational Safety and Health (RS Official Gazette Nos 101/05, 91/15 and 113/17 – as amended) is largely aligned with the Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work – "Framework Directive", this process needs to be continued; for this reason, the passage of a new Law on Occupational Safety and Health was submitted for consideration and enactment to the National Assembly of the Republic of Serbia (NARS) in December 2019 and its enactment is expected in the forthcoming period.

The existing legal framework of the Republic of Serbia does not contain consistent provisions on the organisation of occupational safety and health affairs, monitoring employees’ health status and consultation of, information provision to and cooperation with employees.

The problems most frequently highlighted by the businesses applying the legislation include: conduct of the risk assessment procedure and adoption of the risk assessment instrument, entry into an agreement on the joint implementation of occupational safety and health measures when two employers share working premises, organisation of occupational safety and health affairs, application of the bylaw on the use of display screen work equipment and the bylaw on noise and vibration.

## Labour Inspectorate

The Labour Inspectorate, as an administrative authority under the Ministry of Labour, Employment, Veteran and Social Affairs, conducts inspection oversight affairs in the fields of labour relations and occupational safety and health by overseeing the application of the Labour Law (RS Official Gazette No 24/05, 61/05, 54/09, 32/13, 75/14, 13/17 – Constitutional Court Judgment, 113/17 and 95/18 authentic interpretation), Law on Occupational Safety and Health (RS Official Gazette No 101/05, 91/15 and 113/17 – as amended), Law on Inspection Oversight (RS Official Gazette No 36/15, 44/18– as amended, and 95/18), Law on Strike (RS Official Gazette No 29/96, RS Official Gazette No 101/05 – as amended, and 103/12 – CC), Law on the Protection of Population from Tobacco Smoke (RS Official Gazette No 36/10), Law on the Prevention of Mobbing (RS Official Gazette No 36/10), Law on Companies (RS Official Gazette No 36/11, 99/11, 83/14 – as amended, 5/15, 44/18, 95/18 and 91/19), Law on Volunteering (RS Official Gazette No 36/10), Law on Gender Equality (RS Official Gazette No 104/09), Law on Whistleblower Protection (RS Official Gazette No 128/14), Law Amending the Law on Requirements for Posting Workers Abroad on Temporary Assignments and Their Protection (RS Official Gazette No 91/15 and 50/18),, Law on the Modality of Determining the Maximum Number of Public Sector Employees (RS Official Gazette No 68/15, 81/16 – CC and 95/18) and as amended, collective agreements, internal instruments and employment contracts governing the rights, obligations and responsibilities of employees and employers. In addition to overseeing the application of laws, the Labour Inspectorate also oversees the application of other regulations governing occupational safety and health measures and norms, technical measures concerning occupational safety and health, standards and generally recognised measures where they concern occupational safety and health matters.

The following internal organisational units are established within the Labour Inspectorate:

a) at the Ministry headquarters: Section for Second-Instance Administrative Proceedings in the Field of Labour Relations and Health and Safety at Work; Department for Research, Analysis and Oversight Affairs; First Labour Inspection Department in the City of Belgrade; Second Labour Inspection Department in the City of Belgrade;

b) outside the Ministry headquarters: 12 departments and 13 sections of labour inspection (in district units, by administrative districts).

The Inspectorate’s priority task is to build a modern labour inspection system compliant with the EU standards in order to establish an efficient and effective framework for its functioning. In that respect, the Labour Inspectorate has introduced an integrated work method, which implies that one single inspector conducts appropriate, high-quality, unified and professional oversight of all key issues in the areas of occupational safety and health and labour relations during one single inspection visit, regardless of whether he/she is a lawyer or an engineer by educational background.

In the process of labour inspection integration, all labour inspectors, regardless of their educational background, were trained in conducting oversight of the application of labour legislation independently. Labour inspection reform through its integration raises labour inspection efficiency, as each labour inspector is able to conduct oversight independently, both in the field of labour relations and in the field of occupational safety and health, up to a certain level of complexity in each area subject to oversight. This considerably expands the scale of inspection oversight and the impact achieved, reduces the number of inspection visits to employers, as well as the duration of oversight, and increases operational efficiency.

From 1 January until 31 December 2018, labour inspectors performed a total of 70,122 inspections in registered and unregistered entities, of these, 939 were in unregistered and 69,183 in registered entities, of which 42,668 cases of oversight of labour relations and 26,515 cases of oversight of occupational safety and health. In the process, labour inspectors found a total of 17,026 individuals factually working (“informal work”); following the measures taken by labour inspectors, the employers entered into employment contracts with 13,869 individuals (82 % of the total number of individuals found to be working informally).

From 1 January until 31 December 2019, labour inspectors performed a total of 77,806 inspections and on-site inspections, of these, 690 were in unregistered and 66,297 in registered entities, and 10,819 on-site inspections. In the process, 41,106 inspections covered employment relations and 25,191 occupational safety and health. Labour inspectors found a total of 12,938 individuals factually working (“informal work”); following the measures taken by labour inspectors, the employers entered into employment contracts with 10,167 individuals (79% of the total number of individuals found to be working informally).

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## Employment Policy

Employment policy development and implementation is within the mandate of the Ministry of Labour, Employment, Veteran and Social Affairs. The implementing agencies of employment affairs are the National Employment Service and employment agencies.

The National Employment Strategy 2011-2020 (RS Official Gazette No 37/11) and the accompanying national employment action plans (adopted annually), the Law on Employment and Unemployment Insurance (RS Official Gazette Nos 36/09, 88/10, 38/15, 113/17 – as amended, and 113/17), the Law on Vocational Rehabilitation and Employment of Persons with Disabilities (RS Official Gazette Nos 36/09 and 32/13) and the Law on the Employment of Foreigners (RS Official Gazette Nos 128/14, 113/17 and 50/18) constitute the strategic and legal framework for employment policy development and implementation in the Republic of Serbia.

Under the Law on Ministries (RS Official Gazette Nos 44/14, 14/15, 54/15, 96/15 – as amended, and 62/17), employment affairs are within the mandate of the Ministry of Labour, Employment, Veteran and Social Affairs, i.e. its organisational unit – Department for Labour and Employment.Under the Rulebook on Internal Organisation and Job Classification in the Ministry of Labour, Employment, Veteran and Social Affairs, in the area of employment affairs, the job classification foresees 11 civil servant positions requiring an academic degree qualifications, all of which are filled. In the Unit for Normative, Administration and Administrative Oversight Affairs in the Area of Employment, the job classification foresees four civil servant positions, all of which are filled. In the Section for Active Employment Policy, the job classification foresees 7 civil servant positions, all of which are filled.

Strengthening administrative capacities and increasing the number of staff in the employment policy area are intended to contributed to the regular and timely completion of all tasks related to the improvement of the employment area, which entails the alignment of the national legislation, as well as the alignment of the national employment policy and labour market institutions with the EU *acquis*.

By the end of the fourth quarter 2019, the plan envisages an increase in the number of staff in the Active Employment Policy Section by four staff members with an academic degree, specifically:

* an occupational analyst;
* a labour market analyst;
* an officer for active labour market policy measures for hard-to-place persons;
* an officer for local employment policy development and strengthening.

These professionals are required for the design and implementation of activities and interventions aimed at further employment policy development; design and monitoring of active labour market policy measures focusing on hard-to-employ persons; monitoring the labour market, knowledge and skills in demand, new occupations; preparation of a methodology for the development of occupation descriptions and further alignment with the International Standard Classification of Occupations: ISCO 08; and strengthening local and regional employment policies, thereby also promoting employment.

According to the plan, by the end of the fourth quarter 2020, the number of staff in the Unit for Normative, Administration and Administrative Oversight Affairs will be increased by two staff members (lawyers by educational background) required for the application of legislation in the field of employment.

The Ministry oversees the activity and internal acts of the National Employment Service (NES), whose organisational structure corresponds to the country's territorial organisation, comprising the Head Office, two provincial offices, 34 branch offices, 21 territorial offices and more than 120 local offices across all administrative districts of Serbia. In accordance with the Decision on the Maximum Number of Employees on an Open-Ended Basis in Public Authorities, Public Services, Autonomous Province of Vojvodina and Local Government, the number of NES employees is limited to 1,653. As at 30 September 2019, a total of 1,612 people were employed at the NES on an open-ended basis, while an additional 202 people worked under fixed-term contracts.

On 30 September 2019, the percentage of licensed employment counsellors was calculated at 88.8%, in line with the World Bank methodology. On the same date, the standard deviation stood at 271, and the average caseload per counsellor stood at 821. Although key performance indicators set under the World Bank project were met, the implementation of activities related to building the capacity, i.e. improving the competences of employment counselling practitioners should continue through in-house and external trainings.

The labour market situation and developments, characteristics of registered unemployment, impact of the implemented active labour market policy measures and the performance of the National Employment Service (NES) are monitored regularly, creating the basis for developing the annual operational document in the employment policy field – the National Employment Action Plan (NEAP[[2]](#footnote-2)). The Government adopted the NEAP for 2019 on 27 December 2018 (RS Official Gazette No 105/18). In 2019, RSD 4,000,000,000.00 were earmarked for the implementation of active labour market policies (under the NES Financial Plan), which is an increase relative to 2018. A total of RSD 550,000,000.00 was earmarked for the vocational rehabilitation and employment of unemployed persons with disabilities. The projected reach is 135,560 unemployed clients, of which 7,400 persons with disabilities. Relative to the NEAP for 2018, some measures were modified (e.g. the public works programme and the practical skills programme for the unskilled, redundant workers, the long-term unemployed, and others), and new ones were added (e.g. an internship programme for youth with an academic degree, as well as an apprenticeship programme for persons with secondary education), all with the aim of building a competitive workforce, able to meet the demands of the contemporary labour market, and at the same time fostering an equal opportunities policy on the labour market for the hard-to-place groups (youth up to 30 years of age, redundant workers, unskilled and low-skilled persons, persons with disabilities, Roma, working-age recipients of financial social assistance, the long-term unemployed – on the unemployment record over 12 months and in particular those seeking work for longer than 18 months, youth up to 30 years of age who had/have the status of children without parental care and victims of domestic violence). Furthermore, special packages of services for unemployed clients who are prioritised for inclusion in active employment measures are being implemented on an ongoing basis, specifically: for redundant workers, youth (15–30 years) [[3]](#footnote-3); for unskilled and low-skilled workers, the long-term unemployed,[[4]](#footnote-4) and persons with disabilities. In the first nine months of 2019, 107,871 unemployed persons participated in active labour market policy measures, which is 78.88% of the planned reach.

Situation analyses and assessments are performed on an ongoing basis. In line with the procedure for the adoption of planning policy documents and as part of the process of preparing the National Employment Action Plan for 2020, in 2019 alone, *ex-post* analyses were conducted for the 2017 NEAP and 2018 NEAP, as well as an ex-ante analysis of the 2020 NEAP. These were complemented by additional analytical materials to create a solid empirical base for the preparation of the 2020 NEAP, which was adopted in December 2019 (on 26 December 2019), pursuant to the Law on Employment and Unemployment Insurance. The plan for 2020 is to develop a Report on the Implementation of the National Employment Strategy 2011–2020, an ex-ante analysis of the employment policy new strategic framework, various studies and analyses (the work experience placement model – normative solutions; Feasibility Study for the introduction of the Youth Guarantee; a performance assessment of the work experience placements programme in the public and private sector and an analysis of the difficulties encountered by the hard-to-place groups in accessing the labour market and active labour market policy measures). All these are part of the process of development of the new employment policy strategic framework for the period from 2021 to 2026, and the related three-year Action Plan that will provide a realistic, evidence-based overview of the current situation and needs, and reference effective directions and priorities of action for the interventions planned in the forthcoming period.

Efforts toward strengthening cooperation with local government units (LGUs) continued. In addition to regional meetings with LGU representatives organised in early 2019, which resulted in the submission of 112 applications for shared funding of active employment policy programmes or measures envisaged in the local employment action plans. Of these, 106 were approved by decision of the minister of labour, employment, veteran and social affairs. As at 30 September 2019, 104 local employment action plans were being implemented, in October 2019 two regional meetings were held with the LGUs (with the participation of 51 LGUs), as part of the consultations process organised in the course of preparation of the NEAP for 2020.

The National Standard Classification of Occupations (NSCO)

The Government of Serbia adopted the Decision on the Unified Codebook for the Entry and Encoding of Data in Employment Registers (RS Official Gazette No 56/18), in application from 1 January 2019, consisting of two new Codebooks – Codebook of Occupations and Codebook of Qualification Levels. In addition, a Codebook of States is also a part of this Decision, and is aligned with the International Country Codes and the updated Country Codebook of Municipalities and Codebook of Residential Settlements. The Codebook of Occupations is aligned with the International Standard Classification of Occupations 2008 (ISCO-08). With the support of the German International Cooperation Agency (GIZ), and for the purpose of disseminating information about the new codebooks for the encoding of data in employment registers, ten briefing sessions were held in several towns across Serbia in December 2018, and a Manual for the Implementation of the Unified Codebook was produced and printed. An interactive website dedicated to the application of the new codebooks was launched to additionally support the users of the new codebooks.

With a view to the future development of the NSCO (except for the applicable Codebook of Occupations), the following activities are planned in the forthcoming period, with external expert support:

* Regulate the institutional frame and competences for the establishment, maintenance and improvement of the NSCO through the Law on Employment and Unemployment Insurance;
* Assess the financial needs and possible sources of funding;
* Translate ISCO–08 standards across the entire hierarchical structure and all classification units;
* Create a Methodology for standards and descriptions of individual occupations;
* Determine the required human resources needed for drafting descriptions of occupations, as this will eventually become a permanent activity on updating the NSCO;
* Define the time limits for the preparation of the occupation descriptions;
* Prepare descriptions of individual occupations defined in the Codebook of Occupations.
* The foregoing activities started in 2019.

Currently, the capacities for monitoring the application of the Codebook of Occupations consist of two civil servants, but the plan is to employ two more civil servants by the end of the fourth quarter of 2019 to fill the positions of occupational analyst and labour market analyst.

1. The steps in preparing the NEAP for 2020 were the following:

1.1. Analysing the impact of the previously implemented NEAPs and drafting a NEAP 2020 proposal (timeframe: April – December 2019):

- preparing assessments/evaluations of the effects of the individual active employment policy measures with the assistance of external experts;

- organising 2-4 meetings of the Working Group tasked with drafting the NEAP;

- organising at least 2 regional meetings with the representatives of local government units, members of the local employment councils (LECs), the National Employment Service, with the support of the Swiss Agency for Development and Cooperation, GIZ, the Standing Conference of Towns and Municipalities;

- drafting a NEAP 2020 proposal, organising a public review and referring the draft to the Government for adoption (the document was adopted on 26 December 2019).

1.2. Implementation of the NEAP 2020

**-** Preparing and signing the Agreement on the Performance of the NES for 2020 with a view of determining expected results and performance in the implementation of active employment policy measures (until the end of January 2020);

**-** Organising at least two regional meetings with representatives of LGUs, members of the local employment councils, NES, with the support of the Swiss Agency for Development and Cooperation, GIZ, the Standing Conference of Towns and Municipalities, for the purpose of presenting the NEAP 2020, and providing information on the active employment policy measures that will be co-financed in 2020, by pooling funds from the central budget and local government budgets (the meetings were held in late January, early February 2020);

- Announcing public calls and tenders issued by the NES for the propose of realising active employment policy measures;

- Analysing requests filed with the local government units for participation in financing active employment policy measures envisaged by the LEAPs and adopting a decision on participating in the co-financing by the minister responsible for employment affairs (by the end of the second quarter of 2020);

- Monitoring the implementation of active employment policy measures through the Reports on the Implementation of the Agreement on the Performance of the NES for 2020, on a quarterly basis.

At the moment, six civil servants are engaged for most of their working hours (while performing other tasks), and the plan is to employ two more civil servants by the end of the fourth quarter of 2019 to work on implementation of active employment policy measures for hard-to-employ persons and on development and strengthening of local employment policy.

2. The sequence of steps for the development of the new National Employment Strategy for the next multiannual period and the action plan for the implementation of this strategy

The activities will be carried out in 2020 for the first time in accordance with the Law on the Planning System (RS Official Gazette No 30/18) and the accompanying decree detailing the procedure for drafting and adopting strategic and planning documents, while it will be decided at a later stage, for which period the employment strategy and the national employment plans will be adopted.

2.1. Analysing and preparing a report on realised goals and priorities outlined in the National Employment Strategy for the period 2011–2020

The findings listed in the *Employment Strategy Performance Evaluation* prepared with the assistance of the International Labour Organisation, World Bank and the European Commission for the first five years of strategy implementation shall be the baseline for the drafting of a new national strategic employment frame. In addition to the above document, the analytical basis for the development of the new strategic framework will be an analysis of the results of the implementation of the strategy for the entire validity period, reform documents and activities from policies of importance to and impact on the employment policy (e.g. youth policy, policies on small and medium-sized enterprises, and other) projected macro-economic trends, projected labour market trends, characteristics of unemployment (including registered unemployment), EU reference documents, and annual reports on the implementation of the national employment action plan, projected macro-economic trends, projections of labour market trends, characteristics of unemployment (including registered unemployment), reference EU documents, and annual reports on the implementation of the national employment action plan.

2.2. Securing support for the above activities

Implementation of the aforementioned steps will require ensuring external expert assistance, also envisaged through development assistance instruments (Multiannual planning document for international assistance – NAD – for the period 2019-2025), and the Decent Work Programme for the Republic of Serbia stipulated with the International Labour Organisation in March 2019, as well as other project support.

The drafting of these documents is expected to involve six civil servants within the Active Employment Policies Department. Additionally, new employees (four designated staff members) whose recruitment is envisaged in the fourth quarter of 2020, including the members of the Working Group for the preparation of the NEAP, comprising, in addition to representatives of the Ministry of Labour, Employment, Veteran and Social Affairs, representatives of other ministries (Ministry of Economy, Ministry of Youth and Sports, Ministry of Education, Science and Technological Development), as well as other institutions: Statistical Office of the Republic of Serbia (SORS), Public Policy Secretariat of the Republic of Serbia (PPS), Social Inclusion and Poverty Reduction Unit (SIPRU), Standing Conference of Towns and Municipalities (SCTM), and National Employment Service (NES), as well as social partners: Serbian Association of Employers and representatives of two representative trade unions and the Chamber of Commerce and Industry of Serbia, and also representatives of the local government units, and members of local employment councils, through regional meetings.

2.3 Drafting the text of the National Employment Strategy and the Action Plan for the implementation of the Strategy

* Consultations with stakeholders, including meetings of the working group tasked with the preparation of strategic and planning documents and regional meetings with the representatives of local government units and local employment councils shall be organised based on previously prepared reports, *ex-ante* and *ex-post* analyses.
* A public hearing shall be organised in the fourth quarter of 2020 to examine the National Employment Strategy Proposal, whereupon a report on the public hearing will be prepared and suggestions for the improvement of the text of the National Employment Strategy will be reviewed.
* Early in December 2020, the National Employment Strategy Proposal will be referred to the relevant authorities for their respective opinion and to the Government of Serbia for adoption.

The Ministry of Labour, Employment, Veteran and Social Affairs will supervise the fulfilment of requirements for the establishment and operation of employment agencies – in Serbia, 118 employment agencies[[5]](#footnote-5) are licensed by the Ministry of Labour, Employment, Veteran and Social Affairs based on the provisions of the Law on Employment and Unemployment Insurance.

The Ministry of Labour, Employment, Veteran and Social Affairs is responsible for resolving the issues of redundancies in the business entities subject to privatisation and enterprises for vocational rehabilitation and employment of persons with disabilities with state or socially-owned capital.

## European Social Fund

The European Social Fund (ESF) is one of the structural instruments of the European Union Cohesion Policy. The *acquis communautaire* related to the ESF theme are the subject of negotiations under Chapter 22 – Regional Policy and Coordination of Structural Instruments, and include various regulations and acts that are directly applicable in all Member States and, among other, define the rules related to the drafting, adoption and implementation of the programmes financed from EU funds, including the ESF. The programmes under the European Structural and Investment Funds will be the subject of negotiations with a view to reaching an agreement with the European Commission, and to this end, the Government of Serbia, at the proposal of the Ministry of European Integrations, adopted the Action Plan for Chapter 22 – Regional Policy and Coordination of Structural Instruments, submitted to the European Commission on 8 April 2019.[[6]](#footnote-6) The Action Plan covers the following areas: legislative framework, institutional framework, administrative capacities, programming, monitoring and evaluation, financial management and control, including auditing. For each of the areas, an overview is provided of cohesion policy requirements and the current situation in Serbia, and measures are defined for the achievement of these requirements, as well as the timeframe and the institution responsible for the implementation of each measure.

As defined in the bilateral screening for Chapter 22, the institutional framework for the implementation of the cohesion policy will be established starting from the system (structures and bodies) established and developed to manage the EU Instrument for Pre-Accession Assistance (IPA), taking into account specificities and differences (territorial organisation, existing capacities outside IPA structures, experiences of Member States, etc.).

The establishment of a system for the use of EU cohesion policy funds will be a priority in the forthcoming period, considering the strengthening of capacities for effective management require significant investments. To this end, the Ministry of European Integration established a working group which is tasked with preparing a Draft Law on the System for Management of Cohesion Policy in the Republic of Serbia, including the European Social Fund. This law will define the cohesion policy goals, introduce its key principles and establish a legal framework for the development of the required system (institutional framework) for the implementation of this policy. The enactment of the Law will be followed by the adoption of bylaws to regulate in detail the institutional frame for the implementation of the European Regional Development Fund, the European Social Fund and Cohesion Fund (i.e. the functions, roles, responsibilities, and relationships between the institutions).

In parallel with the drafting of the Law, consultations are running regarding the institutions that will be the lead implementers of the tasks and responsibilities and the chief coordinators of preparations for the implementation of the cohesion policy in Serbia, as well as regarding the number and structure of the operational programmes. With respect to the Investments in Growth and Jobs objective, in line with the Law on Ministries, the Ministry of European Integration is tasked with, among other, establishing and developing a system for the use/implementation of structural funds and the cohesion fund, and in that sense, this Ministry will have the role of coordinating body, depending on the number of operational programmes and/or the role of the steering body. Depending on the number of operational programmes, some of the line ministries could also perform the role of steering body. The relevant organisational unit in the Ministry of Finance will perform the role of certification body/accounting function, while the Governmental Audit Office of EU Funds will perform the role of governing body. [[7]](#footnote-7) The decision on the institutional frame and the number of programme documents is an integral element of the Negotiations Position for Chapter 22 adopted by Serbia secured its consent.

The building of capacities of the relevant bodies will be carried out on a permanent basis to provide the appropriate capacity for effective and efficient absorption of several times the amount of support in relation to that available from the IPA. In addition, relevant partners for participation in the preparation and implementation of cohesion policy programmes (overall programme – preparation, implementation, monitoring and evaluation) will be selected in compliance with the provisions of the European Code of Conduct on Partnership. Their capacity, as well as that of potential users, will be developed continuously, at a pace to be defined under a capacity-building programme. The Ministry of European Integration has secured an EU grant for the improvement of institutional capacities in Serbia, both at national and subnational level, for the efficient preparation, implementation, monitoring and evaluation of programmes and projects funded under the European Union’s structural funds and the cohesion fund. This is a three-year IPA project titled Development of System for Management of Cohesion Policy in the Republic of Serbia, consisting of three basic components: 1) establishing a legislative and institutional framework, 2) preparation of relevant planning and programme documents, and 3) raising the capacities of institutions and bodies designated to implement the cohesion policy, as well as partners and potential beneficiaries at national and subnational level.

The preparation of programme documents – Partnership Agreement and Operational Programme will be based on the national, regional and local priorities defined in public policy documents. The Ministry of European Integration will manage the process of preparing programme documents, which will entail establishing a coordination mechanism, securing the participation of partners from the public, civil and private sector and defining clear criteria for prioritisation. Sectoral working groups, as the basic mechanisms for the coordination of the programming and monitoring of international development assistance, and in particular the IPA, will be the starting point for coordinating the programming process. The sectoral working groups will include representatives of relevant national institutions, the Autonomous Province of Vojvodina, the Standing Conference of Towns and Municipalities (representing the interest of local government), the city of Belgrade and civil society organisations. The Ministry of Labour, Employment, Veteran and Social Affairs is the leading institution within the Department for Human Resources Development and Social Development. This sector includes the areas of employment, labour market, education, social protection and inclusion, healthcare and youth. Human and minority rights and gender equality are seen as crosscutting issues in the field of public policy in this sector. The primary role of the sectoral working group for the human resources development and social development sector is to improve the coordination and management of international development assistance to increase its effectiveness and efficiency in its use, and in particular, the compatibility of this assistance with national priorities. The main goal in establishing this sectoral working group is to ensure transparent and inclusive dialogue of all relevant stakeholders on strategies and relevant programme documents (in the stages of preparation, revision and implementation) during the process of planning, programming and monitoring international development assistance, thus ensuring the participation and coordination of relevant institutions/organisations in a given sector and supporting the introduction of a sectoral approach.

The sector targets sub-sectoral specific groups and inter-sectoral groups whose needs and interests are integrated into the priorities and measures of employment, education, social policy and health. Intersectoral groups refer to vulnerable and marginalised population categories, which include, in particular: the Roma population, persons with disabilities, women and groups with multiple vulnerabilities (for example: Roma women with disabilities), refugees and internally displaced persons. In the context of a sectoral approach, the Ministry of Labour, Employment, Veteran and Social Affairs, together with the Ministry of European Integration, coordinates the work of all relevant institutions in the planning, programming, implementation and monitoring of measures/activities in the sector concerned.

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## Social Inclusion

Social inclusion in Serbia is subject to regulation of about 25 sectoral strategies related to the development of human resources and social development. Strategic social inclusion priorities of the Government of Serbia were recognised in the Employment and Social Policy Reform Programme (ESRP), adopted in May 2016. The ESRP encompasses challenges in the following areas: labour market and employment, human capital and skills, social inclusion and social protection (including welfare and child protection, pension system and public health care and health systems); and measures required for overcoming these challenges. Particular emphasis is placed on the employment of youth, due to the extremely high youth unemployment rate.

Among the relevant cross-sectoral strategies for social inclusion policies are the following: Strategy for the Prevention of and Protection against Discrimination, Strategy for the Social Inclusion of Roma in the Republic of Serbia for the 2016-2025 Period, and the National Strategy for the Improvement of the Status of Women and the Promotion of Gender Equality. In addition, an appropriate institutional framework has been established (the Office for Human and Minority Rights, the Coordination Body for Gender Equality, the Commissioner for the Protection of Equality, and the Social Inclusion and Poverty Reduction Unit have been established), indicators of social inclusion have been introduced according to the methodology of the European Union (the so-called, Laeken indicators), regulations transposing European standards of social inclusion have been adopted, the Survey on Income and Living Conditions (SILC) is implemented on a regular basis, as well as an assessment of the impact on society in the frame of the Economic Reform Programme.

For the purpose of effectively aligning the strategic, legislative and programmatic framework for social inclusion and poverty reduction in Serbia with that in EU Member States, Serbia adopted the First National Report on Social Inclusion and Poverty Reduction in the Republic of Serbia in 2011, the Second National Report on Social Inclusion and Poverty Reduction in the Republic of Serbia was adopted in 2014, and the Third National Report on Social Inclusion and Poverty Reduction was adopted in December 2018. The reports provide an overview of the situation in Serbia relative to European social inclusion and poverty reduction indicators, monitoring trends and providing basic guidelines for addressing the issue of social exclusion and poverty in the country. The reports review the current efforts of the Government of Serbia and encourage the development of public policies necessary in the everyday struggle against poverty and social exclusion as the main obstacles to inclusive growth and development.

## Social Protection

Monitoring progress in the field of social protection is implemented periodically through the national reports on social Inclusion and poverty reduction, adopted by the Government of Serbia. These reports monitor not only the impact of social transfers on reducing poverty and inequalities, but also other EU social protection indicators defined according to the ESSPROS methodology. Starting 2008, comparable data are available on EUROSTAT’s website, for Serbia as well as for EU member states, on social protection expenditures and recipients. In addition, progress in this field is also monitored through the reports on the implementation of the Employment and Social Policy Reform Programme. The Reports on the Implementation of the Employment and Social Policy Reform Programme for 2016/2017 and for 2018 were published, translated into English and submitted to the European Commission, while the report for 2019 will be completed by the end of September 2020.

In addition, monitoring in the social protection area is continuously being improved in accordance with EU standards. Serbia is monitoring the EU social protection and social security indicators developed so far, and in late 2017, and additionally developed and proposed its country specific indicators in this field. The future course of action includes the development of a National Social Monitor (a mechanism for monitoring social protection performance). As a first step in this direction, it is important to emphasise that the data for Serbia can be found on the European Commission’s website, in the Social Protection Performance Monitor (SPPM) section. It should be noted that the information system improvements currently under way will enable an even more detailed and accurate analysis of the recipients and expenditures.

The social protection reform in Serbia launched at the beginning of the previous decade, focuses on the development of integral social protection through the development of services, the pluralism of providers, and the improvement of the quality of services and the quality of professional work. It should be borne in mind that social policy depends to a large extent on economic policy and budgetary availability. The reform is also pursued through the strengthening of responsibilities and the enhancement of the role of local authorities, as well as through increasing the significance and impact of various social actors from the public, civil and private sectors. State policy in the area of social protection is reflected in the adoption of appropriate strategies, laws and other regulations, programmes for combatting social exclusion, as well as programmes for strengthening social cohesion and encouraging individuals and families to develop independence and the ability to help themselves. The state is working on developing a system of social protection services and creating the conditions for independent and productive life of each individual, as well as for the coordinated functioning of various stakeholders in the delivery of social protection services. On the other hand, municipalities and cities bring development programmes, including the development of social protection, they establish social protection institutions (social welfare centres), they monitor and ensure their functioning, and so on. Other social actors in the community also play a role in social protection, for instance, in the implementation of appropriate social programmes, the creation of a network of organisations at local level, the strengthening of the competencies of professionals in this field through various courses, education, training programmes, etc. Civil society organisations (associations) also participate in designing social programmes and projects and in their role as providers of social protection services.

Serbia is making great efforts to move from a model that relies heavily on residential institutions to a community-based services model, so the reform of the social protection system is designed to develop a system of services through which the community will provide assistance and support to those in need. Deinstitutionalisation, as one of the objectives of this reform, enables the fulfilment of the principles of respect for the right to life in a natural environment, the principle of respect for dignity and the interests of users, and the principle of equal access to rights of general interest across the country. It relies heavily on the development of alternative services and the strengthening of social actors that can provide them, with a number of residential care institutions having to be available to those users who have the need for this type of service.

The existing Law on Social Protection (RS Official Gazette No 24/11)of 2011 is also part of the reform of the social protection system. According to this law, the right to social protection belongs to “every individual and family in need of social assistance and support to overcome social and life difficulties and create the conditions for meeting basic living needs” (Article 4). Social welfare services are activities designed to provide support and assistance to individuals and families to improve, i.e. preserve the quality of life, to eliminate or mitigate the risks of disadvantaged living conditions, as well as to create the opportunity to live independently in the society, and various types of financial support are available to secure the minimum level of subsistence and support the social inclusion of users (Article 5). In accordance with the Law on Social Protection, all citizens shall exercise all social protection rights and services under the same conditions, regardless of race, sex, age, nationality, social background, sexual orientation, religion, political, trade union or other affiliation, financial status, culture, language, disability, nature of social exclusion, or other personal characteristic, and the principle of non-discrimination of social welfare recipients is one of the basic principles of the Law on Social Protection (Article 25).

The Law defines social protection objectives – to achieve and maintain the minimum financial security and independence of individuals and families in covering subsistence needs; to secure the availability of services and access to social protection rights; to create equal opportunities for independent living; to achieve social inclusion, preserve and improve family relationships, as well as family, gender and intergenerational solidarity; to prevent abuse, neglect or exploitation, and/or eliminate their consequences. The social protection goals listed herein are attained by providing financial support to the individual, or the family in need, as well as by providing social protection services. This is intended to prevent the emergence and eliminates the consequences of social exclusion. The law introduced changes in the institutional and regulatory sphere, by introducing the Social Protection Chamber, the licensing of practitioners and service providers, the institute of public procurement of services, and also by reformulating control, technical oversight and inspection functions. Also, the Law introduced a mechanism of earmarked transfers from the central budget for financing community-based services that are under the remit of local government units: a) services financed under the law by local government units in underdeveloped municipalities; b) services in municipalities where there are residential care facilities in the process of transformation; and c) innovative social protection services and services of special interest to Serbia.

The Government of Serbia adopted theSocial Protection Development Strategyin 2005. It defined the basic goal of the social system reform, which is the development of integrated social protection in which social actors use existing resources in the most efficient way and develop new ones through accessible, quality and diverse services, in order to preserve and improve the quality of life of vulnerable and marginalised individuals and groups, through training for a productive life in the community, and prevention of dependence on social services. The strategy referred to the period from 2005 to 2009. The drafting of a new strategy is in progress (the initial version has already been completed).

The Social Welfare Centre (SWC) is the institution in which rights are exercised, measures applied, and which delivers social welfare services and performs other social welfare activities. In exercising its public authority, the SWC performs activities that are mostly determined by the Law on Social Protection, the Family Law, as well as by as amended and regulations. The founder of the SWC is the local government unit. The SWC can be established for two or more municipalities, provided that each municipality has a separate organisational unit - department. The entire territory of the Republic of Serbia is covered by a network of social welfare centres. There is a total of 140 SWCs with 173 departments.

In the previous period, a number of activities have been undertaken towards the development of community-based services, such as: day care facilities, assisted living services, home help, personal assistant services, while placement in residential institutions is a service provided in cases when other, less restrictive forms of support cannot be provided. In large residential institutions deinstitutionalisation is implemented primarily through placement in foster families. A concept of small institutional communities has been developed for children with the most complex disabilities in cases when their return to their own family is not possible. The number of children in foster care is considerably higher than the number of children in residential care, but it is smaller in the case of children with disabilities. Therefore, the state places special emphasis on the development of specialised fostering. At present, there are six centres for family placement and adoption in Serbia, and there are plans to establish two more such institutions (in AP Vojvodina). Also, efforts have been intensified to develop temporary fostering services, for children with developmental or health difficulties living in a biological or foster family, who are placed in another foster family for a short period to provide respite and preserve the capacities of the foster, or biological families for further child care and prevention of crisis situations that could endanger the functionality of the family. Services delivered by a family outreach workerhave also been introduced, to support families dealing with multiple and serious difficulties and avoid the removal of the child from the family.

Despite all efforts invested by the state in this area, there is an increasing trend in the number of children in the social care system, in the number of family protection proceedings, in the number of procedures in cases of violence, in the number of residents of elderly homes, and a pronounced pressure on residential care services for the placement of persons with mental, sensory, psychological and intellectual disabilities. There is also a need for delivery of integrated health and social services. The number of children placed in social care institutions should be further reduced, and services designed to prevent such placements should be strengthened, foster care developed further, network of services in all local governments should be expanded so that they are available in all parts of the country, equally to the urban and rural population, while the capacities of social welfare centres should be strengthened as they have been significantly weakened in recent years due to the freeze on employment in the public sector.

The deinstitutionalisation process in the field of care of adults and the elderly with intellectual, mental, sensory and physical difficulties is still moving very slowly. Institutions can hardly cope with requirements, in terms of structural standards, and only a small number of them meet such standards (primarily the standard concerning the capacity of institutions, calling for a maximum of 100 wards in the institution, and a maximum of four wards per room). The constant overcrowding in these institutions under the existing space conditions makes it almost impossible to accelerate compliance with prescribed standards. There is an evident, growing need for intensive support to adults with disabilities, both through residential care, and through alternative, less restrictive forms of care, as well as community-based services, which will enable these people to stay in their natural setting and facilitate family care for this vulnerable group.

The Ministry of Labour, Employment, Veteran and Social Affairs is responsible for technical supervision, and inspection oversight, with the aim of controlling and improving the system, the, while the institutes for social protection (provincial and national) provide supervisory support with the aim of adopting the latest, innovative concepts, and assisting in addressing concrete, professionally demanding situations in which social care institutions can find themselves.

The Law on Financial Support to Families with Children was adopted in late 2017, and amendedin June 2018. The application of the law began on 1 July 2018. This law provides for additional protection of children from particularly vulnerable groups (children with developmental disorders and children with disabilities, children without parents and children recipients of financial social assistance). This Law introduced a new right to “other benefits for the birth, care and special care of a child”. For the first time, a large share of women will be eligible for these benefits in the period after the birth of the child. Specifically, women who are not employed full-time, women who are self-employed, or are owners of an agricultural holding, or are engaged under temporary and occasional employment contracts, or service contracts, or were unemployed at the time of the child's birth, and did not exercise their right to unemployment benefits, although they worked over a period of time that has an impact on their entitlement to these benefits. In addition, women working in agriculture who are covered by insurance are also entitled to exercise this right. In this way, special protection is provided to women who are engaged under flexible forms of employment contracts, who no longer have to interrupt their activity, i.e. who can decide whether and how they will reduce it, while the state provides them with compensation based on previous contributions paid for mandatory social, pension and disability insurance. Special support is provided to parents for the birth of their first child, bearing in mind the increased costs in the first days after the birth of the child. The birth grant has been increased, and the period in which payments are disbursed has been extended for the third and fourth child. New legislative solutions have provided to downsize the required paperwork, and enabled direct payments, as well as better protection of employed pregnant women whose regular income during the period of leave is no longer conditional on the will and current financial position of the employer. It is especially noteworthy that the payments of the benefits and salary compensation during maternity leave, leave from work for child care and leave for special child care are calculated and directly transferred to the recipient’s account by the line ministry for social affairs, which takes on the role of the employer in this respect.

The Law defines the following entitlements to financial assistance of families with children:

1. salary compensation during maternity leave, leave from work for child care and leave from work for special child care;
2. other benefits on the grounds of the birth of a child, child care and special child care;
3. birth grant;
4. child allowance;
5. reimbursement of preschool education costs for children without parental care;
6. reimbursement of preschool education costs for children with developmental disorders and disabilities;
7. reimbursement of preschool education costs for children of recipients of financial social assistance;
8. subsidised preschool education costs for children from materially deprived families.

The child allowance thresholds and amounts for certain categories of beneficiaries have been raised, and more favourable conditions have been laid down for the exercise of this right by some groups of recipients (recipients of financial social assistance and attendance allowances).

With a view to further developing the social protection system, activities are under way on the adoption of the new Social Protection Development Strategy in the Republic of Serbia. The adoption of a strategy for deinstitutionalisation and development of community-based social protection services as well as the respective action plans is also in the pipeline.

The Social Protection Development Strategy in Serbia will encompass several key sub-areas: combating (eradicating) the effects of poverty, promoting the best interest of the child and family, supporting adults and the elderly, especially those with disabilities and social protection capacities, while the goals of the new strategy for de-institutionalisation and development of community-based services are creating conditions for the development of sustainable and appropriate alternative community services for the elderly, social integration of persons with disabilities through development of community support services, development of measures aimed at preventing institutionalisation, abandonment and separation of children from their families, etc.

The Draft Law Amending the Law on Social Protection has been finalised, stipulating provisions for the establishment of a Centre for Children, Youth and Family, in other words for the delivery of intensive support services to families in need, such as the Family Outreach Worker service, and as one of the possible forms of transformation of residential care institutions for children. Amendments to the Law on Social Protection aim at a more equitable distribution of budget resources, effective social inclusion measures for able-bodied beneficiaries of financial social assistance, while better targeting should also lead to improving the adequacy of financial social assistance.

Plans also envisage the completion of the process of standardisation of social services and licensing of all service providers in the public sector, which is a prerequisite for standardising the quality of service delivery across Serbia. Currently, there are over 500 licensed service providers and this number is steadily growing, given the continuity of the licensing process.

To accomplish the planned activities, expert teams should be engaged and staff capacities strengthened in terms of increasing the number of civil servants in the Ministry of Labour, Employment, Veteran and Social Affairs, the Family and Social Care Sector, the National and Provincial Institute for Social Protection and the Provincial Secretariat for Social Policy, Demography and Gender Equality.

For the purpose of strengthening the implementation of laws, it is necessary to improve the control mechanisms in the area of social protection – the social protection inspectorate, which is one of the priority goals of the Employment and Social Policy Reform Programme (ESRP). The capacity of this service should be strengthened by increasing human resources at all levels. Taking into account the number of supervised entities in the social protection system, as well as the fact that since 2013 the licensing of social protection organisations for the provision of social protection services is carried out by the inspectors of the Ministry of Labour, Employment, Veteran and Social Affairs, the personnel capacities of this service should be significantly strengthened and a new organisation of work established.

It could be said that the law restricting the maximum number of employees in the public sector has led to significantly weakened administrative capacities at all levels that need to be strengthened in the forthcoming period to ensure better quality of work and adequate response to the diverse needs of citizens in the social protection system. In addition, it is necessary to strengthen the education of the existing and new staff and provide more trainings in different areas so that the whole system is adequately prepared and capable of responding to different situations (domestic violence, migrant crisis, aging of the population, social exclusion of vulnerable groups, poverty, etc.). This also entails the need for support in terms of development of new and improved services in the community.

By adopting the European Pillar of Social Rights, the European Union has laid down 20 key principles, which also apply to the category of social inclusion and protection, and in the forthcoming period, Serbia’s policy documents in this area will be harmonised with these principles. This applies in particular to the following principles:

* Everyone in old age has the right to resources that ensure living in dignity;
* People with disabilities have the right to income support that ensures living in dignity, services that enable them to participate in the labour market and in society, and a work environment adapted to their needs;
* Everyone has the right to affordable, long-term care services of good quality, in particular home-care and community-based services;
* Access to social housing or housing assistance of good quality shall be provided for those in need;
* Vulnerable people have the right to appropriate assistance and protection against forced eviction;
* Adequate shelter and services shall be provided to the homeless in order to promote their social inclusion;
* Everyone has the right to access essential services of good quality, including water, sanitation, energy, transport, financial services and digital communications. Support for access to such services shall be available for those in need.

## Pension System

The pension system reform has been implemented in several phases starting in 2001, with the aim of achieving long-term sustainability of the system, but in such a way as to increase the coverage of the elderly population with income in retirement and maintain an adequate level of pensions, goals that are also included in the White Book. The reform measures have significantly improved the characteristics and structure of the pension system in relation to the previous period.

The package of measures adopted in 2014 as part of the fiscal consolidation process was aimed at improving the financial sustainability of the system, due to high total pension spending and the funds deficit required to ensure regular payment of pensions. The most important measures concern the tightening of the conditions for the retirement of women, discouragement of early retirement, and reduction of early retirement opportunities on account of the so-called “accelerated pensionable service”. In addition, pensions that were in excess of RSD 25,000 were reduced. These measures resulted in a decline of the share of pension spending in the GDP, a reduction in budget transfers for the timely disbursement of pension payments, increased average retirement age, greater coverage of the elderly population with pension income and increased employment rate of older workers. The positive results of the fiscal consolidation process and improved economic situation meanwhile created room for increasing pensions and additional payments to pensioners.

The retirement age for women has been gradually rising since 2015, to reach 63 in 2020 and 65 in 2032, when it will be the same for both sexes (the age limit in 2018 was 65 years for men and 62 years for women). In addition, from 2015, in the case of early retirement, the amount of pension is reduced, by applying the so-called penalties, by 0.34% for each month of early retirement (4.08% annually, up to a total of 20.4%), to discourage early retirement and promote longer stay in the labour market. With the same objective, the exercise of the entitlement based on the “reduced service years for retirement” is also limited to a certain extent.

As part of the fiscal consolidation process, under a special law, all pensions in excess of RSD 25,000 have been progressively reduced since September 2014, which included around 39% of pension beneficiaries. In addition, at the end of the same year the fiscal rules defined by the Budget System Law, stipulated that pensions would not increase as long as the share of pension spending in the GDP was above 11%.

In the meantime, due to the positive results of the fiscal consolidation programme, pensions were increased three times – by 1.25% in December 2015, 1.5% in December 2016, and 5% in December 2017. In addition, all pension beneficiaries received a bonus of RSD 5,000 each in November 2016, 2017, and 2019, and a one-off assistance in the amount of RSD 3,000 in November 2018.

At the end of September 2018, the Law was amended, stipulating, among other, the discontinuation of the reduction of pensions as of October 2018. This means that, starting with the October pension, which is payable in November, pensions were paid in full. In addition, the Law envisages the possibility of an extra sum of money to be paid as an addition to the pension, but separate from it, in case fiscal availability, provided that the total funds for this purpose are limited to 0.3% of GDP, annually. Starting from the payment of the October pension, all pension beneficiaries with monthly pensions not exceeding RSD 34,003.90 receive a "sum of money as an addition to the pension". The pension recipients, whose pensions are below RSD 26,643.75, receive an additional 5% of their regular pension on top of their pension, while other users receive a lower amount, depending on the amount of their regular pensions.

In December 2019, new amendments were adopted to the Law on Pension and Disability Insurance regulating the issue of pension benefits adjustments. The adopted solution envisages that, in the future, pensions will be adjusted once a year, starting from January 2020, in line with the wage trends exclusive of taxes and contributions and consumer price trends in the previous period. In addition, amendments to the legislation envisage the extension of the right to survivors’ pension to common-law partners of the deceased, provided that the existence of the common-law partnership has to be proven in an extra-judicial proceeding.

Here is detailed information on the impact of the measures implemented and current trends in this area:

* The share of pension spending in the GDP declined from 13% in 2014 to 10.3% in 2018 (11.4% in 2015, 10.9% in 2016 and 10.5% in 2017). This decline is a result of GDP growth after a period of stagnation, a decline in the number of pensioners due to the tightening of the conditions for retirement, and keeping the total pension spending in check. In addition, on 1 October 2018, the Statistical Office of the Republic of Serbia published the revised amounts of GPD for the period 2015-2017, which were higher than previously reported, as a result of effectively decreasing the share of pension expenditures in the GDP in that period;
* The deficit in financing the payment of pensions has been reduced. The share of state appropriations to cover all expenditures of the National Pension and Disability Insurance Fund decreased from 37.2% in 2014 to 24.2% in 2018. Expressed in percentage of GDP, these appropriations were reduced from 5.7% of GDP in 2014 to 2.9% of GDP in 2018;
* The tightening of retirement requirements contributed to the decline in the number of pensioners after 2014, largely due to a decline in the number of pensioners under 65 years of age.

Trends in the number of pensioners in the previous period:

* + December 2014 – 1,739,162
  + December 2015 – 1,735,942
  + December 2016 – 1,728,138
  + December 2017 – 1,720,435
  + December 2018 – 1,715,152
  + December 2019 – 1,708,293
* Regardless of the decline in the number of pension beneficiaries, the coverage of the elderly population is on the rise. In 2014, 85% of the population aged 65+ received pensions, and this share was increased to 88% in 2018;
* The average age of new pension beneficiaries increased from 62.7 in 2014 to 63 in 2018 (men), and from 59.5 in 2014 to 62 in 2018 (women);
* The income replacement rate in retirement in 2014 and 2015 was 63.2%, in 2016 it increased to 64.5% (as the earnings fell at a rate higher than the pensions), and in 2017 it fell to 62.2%. In 2018, the replacement rate stood at 63.2%;
* On the other hand, the average pension-to-salary ratio fell from 54.1% in 2014 to 49.9% in 2017, only to recover again to 51% in 2018 due to the adjustment of pensions in December 2017 and the termination of the pensions cuts;
* As regards the voluntary pension funds and pension plans, the funds’ net assets increased to RSD 42.1 billion at the end of the first half of 2019, i.e. 0.8% of GDP. There are 197,525 beneficiaries at the accumulation stage, with 269,426 stipulated contracts of membership in voluntary pension funds. The share of the number of users in the total number of employees amounted to 9.4%.

According to the Labour Force Survey, the employment rate of persons aged 55–64 increased from 36.7% in 2014 to 46.5% in 2018. In addition, the share of pensioners in this age group declined from 42.5% in 2014 to 32.3% in 2018. Considering the positive economic trends, further growth in employment in this age group is expected, further reduction of the “pressure” on retirement, and consequently the decline in the share of pensioners in this age group, and a decrease in the total number of pensioners. Total employment is also increasing, and the reduction in the number of pensioners owing to the continuing tightening of the retirement conditions has made it possible to improve the ratio of insured persons to pensioners as well. As noted, positive economic and fiscal developments have allowed the adjustment of pensions made at the end of 2017 to be higher than the inflation rate, and since October 2018, the disbursement of reduced pensions was discontinued, and the disbursement of pension increments started, which resulted in the real increase of pensioners’ income in 2018 and 2019. In this way, the adequacy of pensions has been partially improved.

## Persons with Disabilities

The results of the 2011 Census of Population, Households and Dwellings, published by the Statistical Office of the Republic of Serbia, covering, for the first time, the issue of disability, show that out of a total of 7,186,862 inhabitants living in Serbia, 571,780 are persons with disabilities, accounting for approximately 8 % of the total population. Persons with disabilities face different problems, and the most significant ones are the low-income status, educational structure, difficult access to services in the field of education, health care, employment, transportation and others. The identified risks point to the actions to be taken to achieve the goal of improving the position of people with disabilities. Clearly defined priorities, articulated policies and measures for their implementation secure the prerequirements and mechanisms that will contribute to improving the overall social and economic situation of people with disabilities to achieve their full and equal participation in the society in various fields.

As regards its national legislation, Serbia has taken significant steps to guarantee the equality of persons with disabilities and create a legal framework for their full participation in all areas of social life on the basis of equality:

1. The provision prohibiting discrimination on the basis of physical and intellectual disability is incorporated in the current Constitution of the Republic of Serbia (in Article 21);
2. By adopting specific regulations such as:

* the Law on Prevention of Discrimination against Persons with Disabilities (RS Official Gazette No 33/06 and 13/16) of 2006 and amendments thereto adopted in 2015;
* the Law on Vocational Rehabilitation and Employment of Persons with Disabilities (RS Official Gazette No 36/09 and 32/13) of 2009 and amendments thereto adopted in 2013;
* the Law on Guide Dog-Assisted Mobility (RS Official Gazette No 29/15);
* the Law on the Use of Sign Language (RS Official Gazette No 38/15)

1. By adopting a set of other strategic documents and regulations that address the situation of persons with disabilities and equalise opportunities (in the fields of employment, education, health care, planning and construction, transport, taxation and customs policy and other), the society has expressed its willingness to systematically approach the issue of resolution of problems in improving the position of persons with disabilities.

In addition to the adopted regulations, the position of persons with disabilities is regulated by international conventions confirmed (ratified) by the Republic of Serbia, which became part of internal law or internal regulations, and as such can be directly applied. Aware of the need to constantly strive to improve the position of persons with disabilities, the Republic of Serbia was among the first countries to adopt the Law Ratifying the Convention on the Rights of Persons with Disabilities and the Law Ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities on 29 May 2009. Among the regional, and European documents, the revised European Social Charter is especially noteworthy, specifically Article 15, which guarantees the right to independence, social integration and community involvement to persons with disabilities.

The Law on Ministries (RS Official Gazette No. 44/14, 14/15, 54/15, 96/15 – as amended, and 62/17) stipulates the mandate of the Ministry of Labour, Employment, Veteran and Social Affairs and the Department for the Protection of Persons with Disabilities, was established under the Ministry as a separate organisational unit, with the aim of promoting and protecting the rights and improving the position of persons with disabilities. The current Rulebook on internal organisation and job classification in the Ministry of Labour, Employment, Veteran and Social Affairs, envisages seven positions for civil servants with university degree to perform tasks from the remit of the Department for the Protection of Persons with Disabilities, of which six are filled. The remaining vacancy is expected to be filled by the end of 2021.

Department’s field of responsibility:

1. Strengthening partnership with all social and humanitarian organisations whose work is aimed at improving the position of persons with disabilities, with financial support to organisations focused on their activities throughout the country, in the area of prevention of discrimination, inclusion and development of services at the local level provided by associations as service providers, in order to achieve a greater degree of involvement of persons with disabilities in the social and economic life of the society;
2. Implementing and monitoring the application of the Law on Vocational Rehabilitation and Employment of Persons with Disabilities, in particular:

* Establishing new enterprises for the vocational rehabilitation and employment of persons with disabilities as well as strengthening capacities of existing ones, as a special mechanism for the employment of this group of hard-to-place unemployed people, with financial support to the enterprises for subsidising a part of the wages of persons with disabilities employed in these enterprises, and improving working conditions in these enterprises, in accordance with the rules for granting state aid to boost the employment of persons with disabilities and retain them in employment;
* Strengthening the capacity of the providers of vocational rehabilitation measures and activities by increasing the number of accredited training programmes, in order for persons with disabilities to acquire new knowledge and skills needed to perform specific tasks;
* Inspection oversight performed for the purpose of ensuring legal compliance of the business operations and conduct of enterprises for vocational rehabilitation and employment of persons with disabilities, and other providers of vocational rehabilitation measures and activities licensed to deliver training programmes;

1. Monitoring the implementation of regulations governing support to persons with disabilities, monitoring the implementation of international conventions, development and monitoring of the implementation of the Strategy for the Promotion of the Status of Persons with Disabilities in the Republic of Serbia until 2024 and the accompanying action plan.

In Serbia, there are 52 enterprises for vocational rehabilitation and employment of persons with disabilities that are accredited by the Ministry of Labour, Employment, Veteran and Social Affairs in accordance with the provisions of the Law on Vocational Rehabilitation and Employment of Persons with Disabilities. Fourteen other organisational forms fulfil the conditions, criteria and standards for the implementation of vocational rehabilitation measures and activities and have been accredited by the Ministry for the implementation of training programmes.

The Strategy for Improving the Status of Persons with Disabilities in the Republic of Serbia for the period from 2020 to 2024 was adopted at the session of the Government of Serbia held on 5 March 2020 (RS Official Gazette No 44/2020).

This strategic document aims to continuously implement activities contributing to the improvement of the position of persons with disabilities by removing the obstacles they face in different spheres of social life, to enable them to exercise universal rights on an equal footing. The Strategy defines key areas of impact on the situation of persons with disabilities, provides a concise overview of the situation, and sets out the basic directions of action the implementation of which should lead to the empowerment of persons with disabilities, in terms of ensuring accessibility, participation, equality, employment, education and training, social protection, health care and other activities that contribute to equality of opportunities for persons with disabilities. This strategic document is aligned with the European Strategy for Persons with Disabilities 2010-2020, and the Council of Europe's strategic documents in this area. When drafting the Strategy and the accompanying action plan for the improvement of the position of persons with disabilities by 2024, the provisions of the UN Convention on the Rights of Persons with Disabilities, the Observations and Recommendations of the UN Committee on the Rights of Persons with Disabilities, were taken into account, as well as the outcomes of the previous strategy, and available reports on the estimated effects of regulations, because these documents provide an excellent basis for the comprehensive regulation of this area in line with the highest European standards.

In the field of employment, the National Employment Service is implementing special programmes for persons with disabilities (PWDs), in addition, capacity-building of enterprises employing PWDs is financed under the IPA 2013 programme.

## Non-discrimination

The Republic of Serbia has ratified all of the major international human rights conventions prohibiting discrimination in respect of certain rights or certain categories of persons, as well as numerous international treaties, adopted under the auspices of the Council of Europe, such as the Framework Convention for the Protection of National Minorities and the Convention on Preventing and Combating Violence against Women and Domestic violence (CEDAW) The principle of equality and non-discrimination proclaimed by the Constitution of the Republic of Serbia and relevant international norms are further elaborated in several anti-discrimination laws. The first anti-discrimination law was adopted in April 2006 – the Law on the Prevention of Discrimination against Persons with Disabilities.

The Law Prohibiting Discrimination (RS Official Gazette No 22/09), a comprehensive anti-discrimination act, was adopted in March 2009. The law prohibits direct and indirect discrimination, violation of the principle of equal rights and obligations, non-retaliation, conspiracy to commit discrimination, hate speech, harassment and degrading treatment, and it also addresses severe forms of discrimination. The Law also recognises special affirmative measures introduced with a view to achieve of full equality, protection and progress of disadvantaged individuals or groups. The Law also regulates special cases of discrimination, such as discrimination in proceedings before public administration bodies, in the area of employment, delivery of public services, or in the use of facilities and spaces.

An important feature of this Law is the introduction of a special, expedited civil procedure for protection against discrimination.

In addition to the Commissioner for the Protection of Equality established in accordance with the Law Prohibiting Discrimination of 2009, as an independent, autonomous and specialised state body with two key roles: preventing discrimination and protecting persons from discrimination, as addressed under Chapter 23, in 2012, the Government of Serbia also established the Office for Human and Minority Rights, as a special office tasked with addressing issues relevant to human and minority rights..

In accordance with the applicable regulations, the remit of the Ministry of Labour, Employment, Veteran and Social covers, among other, anti-discrimination policy related to the protection of persons with disabilities, protection of veterans with disabilities, gender equality, family and children, population policy, exercise of rights and integration of refugees and displaced persons, returnees under readmission agreements, protection of Roma population and other socially vulnerable groups.

Given the need to harmonise the provisions of the Law Prohibiting Discrimination [[8]](#footnote-8) with the EU *acquis*, and, first and foremost, with Directive 2000/43/EC of 29 June 2000 on the implementation of the principle of equal treatment, irrespective of racial or ethnic origin and the Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, a Draft Law on Amendments to the Law Prohibiting Discrimination was prepared in 2018, which not only addresses the said directives, but also proposes to regulate the efficiency of the Commissioner for the Protection of Equality and harmonise the penalty provisions with the norms contained in the Law on Misdemeanours (RS Official Gazette No 65/13, 13/16, 98/16 – amended by Constitutional Court decision). In 2019, a public review was conducted on the Draft with public hearings held in seven cities in Serbia, after which a report was prepared and posted on the website of the Ministry of Labour, Employment, Veteran and Social Affairs to allow public access. Subsequently, in the fourth quarter of 2019, opinions on the draft text of relevant state agencies were collected and, pursuant to the procedure regulated by the Government’s Rules of Procedure, this material was submitted to the Government December of the same year for consideration.

## Equal Opportunities

By decision of the Government of Serbia[[9]](#footnote-9), the Coordination Body for Gender Equality (CBGE) was established to address all gender equality-related issues and coordinate the work of state administration bodies in this field, with the aim of promoting gender equality in the Republic of Serbia. Expert and administrative-technical support to this Body is provided by the Office of the Deputy Prime Minister and Minister of Construction, Infrastructure and Transport. The Coordination Body has so far initiated the adoption of the National Strategy for Gender Equality 2016-2020 with Action Plan for 2016-2018.

Pursuant to Article 16(1) of the Law on Ministries (RS Official Gazette No. 44/14, 14/15, 54/15, 96/15 – as amended and 62/17), state administration affairs relating to, among other, gender equality and anti-discrimination, also fall under the remit of the Ministry of Labour, Employment, Veteran and Social Affairs. To that end, a Department for anti-discrimination policy and the promotion of gender equality was established under this Ministry, at the end of May 2017. From 2018, this Department has provided, administrative, technical and professional support to the Government Council for monitoring the realisation of the Action Plan for the implementation of the Strategy for the Prevention of and Protection against Discrimination for the period 2014-2018, and was engaged in the adoption of a new policy document aimed at preventing and protecting against discrimination. This Department is also responsible for preparing a new action plan for the implementation of the Strategy for Roma Social Inclusion 2016-2025, (RS Official Gazette No. 26/16). Five positions within the Department requiring a university degree are reserved for officials responsible for gender equality issues and the implementation of anti-discrimination policies. Capacities were strengthened with the recruitment of one staff member with academic degree, following a recruitment process in April 2019, tasked with supervising and monitoring the new Law on Gender Equality. The provisions of this Law are to be harmonised with the relevant EU legislation, i.e. the Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, Directive 2010/41/ EU of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity.

**ACTION PLAN TABLE**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | | |
| 1. LABOUR LAW | | | | | | | | | |
| 1.1 WORKING TIME | | | | | | | | | |
| **1.1.1**  **Directive 2003/88/EC** of the European Parliament and Council of 4 November 2003 concerning certain aspects of the organisation of working time, *OJ L 299, 18/11/2003, p. 9.* This Directive connects Directives 2000/34/EC and 93/104/EC. | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| The **Labour Law** (RS Official Gazette No. 24/05, 61/05, 54/09, 32/13, 75/13 and 13/17) regulates working times and vacations in detail (Art. 50-76) and is partially harmonised with this directive. Further harmonisation is required for: duration of night work (Article 8 of the Directive), health assessment of night workers (Article 9.1.a), notification of competent authorities (Article 11 of the Directive), the reference period for calculating the average working time and duration of night work (Article 16 b and c of the Directive), and partially Article 22 of the Directive.  The **Labour Law does not regulate exceptions** to Article 17 of the Directive, Article 20 – working time of mobile workers and offshore work, Article 21 – working time of workers on long-haul fishing vessels, **instead leaving the regulation of these issues to special laws.**  The Law on Maritime Navigation (RS Official Gazette No. 87/11, 104/13, 13/15, 113/17 (as amended) and 83/18) regulates working time and rest time for maritime vessel crews (Art. 55 to 63). The Law on Inland Waterways Navigation and Ports (RS Official Gazette No. 73/2010, 121/2012, 18/2015, 96/2015 (as amended), 92/2016, 104/2016 (as amended), 113/2017 (as amended), 41/2018) regulates the issue of working times and vacations of crew members of inland navigation vessels (Art. 130a-130j). | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.1.1.1 | Review of the Labour Law and preparation of a working version of the draft Law (the segment related to the organisation of working time from the aspect of harmonisation of Serbia’s legislation in this field with the Directive). | Responsible institution:  MLEVSA  in cooperation with  MPALSG, MESTD, Ministry of Health, MCTI, and the Labour Inspectorate | From Q3 2019 - Q3 2020 | | MLEVSA Department for Labour and Employment  The Department for Normative and Study-Analytical Affairs in the Field of Labour:  – Normative affairs employs 4 lawyers, with an academic degree (1 senior advisor, 2 independent advisors, 1 advisor)  - Study-Analytical Affairs employs 1 economist, AD (independent advisor)  - Administrative-Technical and Other Ancillary Affairs employs 1 layer, AD (junior advisor - intern) | The Department for Normative and Study-Analytical Activities in the Field of Labour of the MLEVSA Department for Labour and Employment, plans to increase capacities, namely:   - By the end of Q2 2020 - hiring of 1 lawyer, academic degree (independent advisor) for normative affairs, based on the current Rulebook on the internal organisation and systematisation of jobs at MLEVSA,  - During Q2 2020 - hiring of 2 lawyers, AD (at least to the post of independent advisor) based on the previously amended Rulebook on the internal organisation and systematisation of jobs at MLEVSA and the staffing plan for 2020,  - Large working group for drafting the review of up to 15 members working up to 30 working days in 2019 and 2020  - 1 expert, 2 visits with 5 working days each (TAIEX) in 2019 and 2020. | Q3 2020  From Q2 2019 to Q3 2020 | RS Budget, €76,832 in total, with €40,969 in 2019, €35,863 in 2020.  2020: RSD 4.231.834  2021: RSD 0  2022: RSD 0 | Donor funds, €4,500 in total, with €2,250 in 2019 and €2,250 in 2020.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.1.1.2 | Harmonisation of the contents of the draft Law with social partners and adoption of the Law, regulating the organisation of working time in accordance with the recommendations from the review, with the aim of fully transposing the Directive concerned | Responsible institution:  MLEVSA  in cooperation with  MPALSG, MESTD, Ministry of Health, MCTI, Republic Secretariat for Legislation, and Government of Serbia | From Q4 2020 to Q4 2021 | | As under 1.1.1.1 | The Department for Normative and Study-Analytical Activities in the Field of Labour of the MLEVSA Department for Labour and Employment, plans to increase capacities, namely:  - During Q1 2021 the hiring of 1 lawyers, AD (at least to the post of independent advisor) based on the previously amended Rulebook on the internal organisation and systematisation of jobs at MLEVSA and the staffing plan for 2021  - Round tables – 5 events  - 4 round tables as part of the public debate  - Large working group up to 15 members working up to 30 days in 2020 and 2021  - The costs of deliberating upon and adopting the law  - TAIEX expert 2 visits 5 days each, in 2020 and 2021 | Q1 2021 | RS Budget, €124,196 in total, of which €28,496 in 2020, and €95,700 in 2021.  2020: RSD 3,362,528  2021: RSD 11,292,600  2022: RSD 0 | Donor funds, €4,500 in total, with €2,250 in 2020 and €2,250 in 2021.  2020: RSD 265,500  2021: RSD 265,500  2022: RSD 0 |
| 1.1.1.3 | Implementation of the Labour Law in the segment related to the organisation of working time, for the harmonisation of the practices of employers and employees regarding the application of the provisions of the Law, through:  a) trainings, seminars and workshops,  b) round tables,  c) drafting impact analyses of the implementation of the Law, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  d) reporting to relevant national and EU bodies and drafting proposed measures for further improvement of the situation in the field | Responsible institution:  MLEVSA | Q1 2022 and continuously | | As under 1.1.1.1 | As under 1.1.1.2  - Trainings, seminars and workshops, starting from Q1 2022:  a) Civil servants - up to 30 with 4 trainings each annually for 2 days  b) Training of civil servants – inspectors (up to 30 with 4 trainings each annually for 2 days)  c) Seminars for social partners (5 seminars of 1 day each, up to 30 participants per seminar)  c) Trainings for arbitrators and mediators of the APSLD (5 seminars 1 day each, up to 30 participants per seminar)  e) Round tables for judges and the expert public (five round tables, 1 day each, up to 30 participants per round table)  f) TAIEX expert - 5 working days | As under 1.1.1.2 | RS Budget, €51,885 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 6,122,430 | Donor funds, €2,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| 1.1.1.4 | Implementation of the Labour Law in the segment related to the organisation of working time, for the harmonisation of the practices of employers and employees regarding the application of the provisions of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution:  MLEVSA  Labour Inspectorate | Q1 2022 | | 240 inspectors with HE | Hiring of 120 (HE) inspectors with open-ended contracts starting from Q1 2018 to Q4 2020.  Procurement of 120 laptops and 24 new vehicles. Securing additional staff education regarding the EU acquis, through seminars and workshops, and through bilateral and multilateral forms of technical cooperation.  Training for 360 inspectors in 2022, 2 days each | From Q1 2018 to Q4 2020, successively | RS Budget, €3,683,520 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 396,767,000 |  |
| **1.1.2**  **Council Directive 2009/13/EC** of 16 February 2009 implementing the Agreement concluded by the European Community Ship Owners’ Associations (ECSA) and the European Transport Workers’ Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC, *OJ L 124, 20 May 2009, p. 30-50* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| The Law on Maritime Navigation (RS Official Gazette No. 87/11, 104/13 and 18/15) regulates the subject matter related to the implementation of the Maritime Labour Convention regarding the protection of the health of maritime workers, medical care, repatriation of maritime workers, living and working conditions on a maritime vessel, the submission of objections regarding the living and working conditions on a vessel. The Rulebook on the contents and form of the board with the work time schedule as well as the form of the records on the rest hours of maritime workers has also been adopted (RS Official Gazette No. 9/14), effecting partial harmonisation with Directive 2009/13/ЕC. The Rulebook on technical rules for statutory certification of maritime ships has been adopted (RS Official Gazette No. 72/18). Part XII Occupational health and safety and accommodation of crew in this Rulebook is partially aligned with Directive 2009/13/EC. **Directive 2009/13 has been fully transposed with the adoption of the aforementioned regulations.** | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.1.2.1 | Implementation of the aforementioned regulations | Responsible institution:  Ministry of Construction, Transport and Infrastructure | | From Q4 2019 and continuously | The Department for Water Transport and Navigation Safety has 41 staff, with none of them working on maritime ship inspection affairs | There is a need for hiring 2 civil servants with AD in the Department for Inspection Oversight | Q4 2019 | RS Budget, €66,378 in total, with €5,106 in 2019 and €20,424 per year in 2020, 2021 and 2022.  2020: RSD 2,410,032  2021: RSD 2,410,032  2022: RSD 2,410,032 |  |
| **1.1.3**  **Council Directive 2014/112/EU** of 19 December 2014 implementing the European Agreement concerning certain aspects of the organisation of working time in inland waterway transport, concluded by the European Barge Union (EBU), the European Skippers Organisation (ESO) and the European Transport Workers' Federation (ETF) Text with EEA relevance, *OJ L 367, 23/12/2014, p. 86–95* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| The Law on Inland Waterways Navigation and Ports (RS Official Gazette No. 73/2010, 121/2012, 18/2015, 96/2015 – as amended, 92/2016, 104/2016 – as amended, 113/2017 – as amended, and 41/2018) regulates subject matter related to work schedule of crew members of inland waterways vessels (working time, rest time).  The Law on Maritime Navigation (RS Official Gazette No. 87/11, 104/13, 18/15, 113/17 (as amended) and 83/18) regulates the subject matter related to the implementation of the Maritime Labour Convention regarding the protection of the health maritime workers, medical care, repatriation of maritime workers, living and working conditions on a maritime vessel, the submission of complaints regarding the living and working conditions on a vessel. The Law has been partially harmonised with Directive 2009/13/ЕC. The Rulebook on the contents and form of the board with the work schedule as well as the form of the records on the rest time of maritime workers has also been adopted (RS Official Gazette No. 9/14), effecting partial harmonisation with Directive 2009/13/ЕC. The Rulebook on technical rules for statutory certification of maritime vessels has been adopted (RS Official Gazette No. 72/18). Part XII Occupational health and safety and accommodation of crew in the aforementioned rulebook is partially aligned with Directive 2009/13/EC. The transposition of Directive 2009/13/EC has been fully carried out with the adoption of the aforementioned regulations. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.1.3.1 | Implementation of the above regulations | Responsible institution:  MCTI | | Continuous since 2019 | The Department for Inspection Oversight in the field of navigation of inland waters currently employs 5 inspectors | There is a need for hiring 2 civil servants, inspectors of navigation safety, in the Department for Inspection Oversight | Q4 2019 | Budgeted under activity 1.1.2.1 |  |
| **1.1.4**  **Council Directive 2000/79/EC** of 27 November 2000 concerning the European Agreement on the Organisation of Working Time of Mobile Workers in Civil Aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA) (Text with EEA relevance), *OJ L 302, 1/12/2000, p. 57* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| Directive 2000/79/EC has been transposed into the legal system of Serbia:  - Law on Air Traffic (RS Official Gazette No 73/10, 57/11, 93/12, 45/15, 66/15 – as amended and 83/18)  - Labour Law (RS Official Gazette No 24/05, 61/05, 54/09, 32/13, 75/14, 13/17, 113/17 and 95/18),  - Law on Occupational Safety and Health (RS Official Gazette No 101/05, 91/15 and 113/17),  - Rulebook on Requirements for Air Traffic Operations (RS Official Gazette No 9/18, 56/18 and 12/19) and  - Rulebook on work schedules for aircrew members in civil aviation (RS Official Gazette No 101/08,16/19, 93/09 and 14/10).  Article 2, para. 3 of the Labour Law prescribes that the provisions of this Law also apply to traffic sector employees, unless otherwise provided by special regulations. This means that the Labour Law shall be applicable to all matters that are not regulated by a special law (in this case the Law on Air Traffic).  Article 199 of the Law on Air Traffic contains basic provisions on working time, flight time, leave and days off of aircrew members, which are aligned with provisions of Directive 2000/79/EC, as well as with the basic regulations of the Flight and Duty Time Limitations (FTL) Chapter of Regulation 965/2012. The Law also grants authority to adopt a bylaw to regulate this matter in detail.  Pursuant to its authority under the Law on Air Traffic, the Civil Aviation Directorate adopted a Rulebook on Requirements for Air Traffic Operations transposing Regulation 965/2012. The provisions of this Regulation (flight and duty time limitations and rest requirements) are applicable to commercial air transport with aeroplanes, except for air taxi transport, air ambulance and single-pilot air transport. These activities, as well as commercial air transport with helicopters are subject to the relevant provisions of the Rulebook on the work schedule of aircrew members in civil aviation.  Provisions of Directive 2000/79/EC that were not transposed into the Law on Air Traffic and its implementing bylaws were incorporated into the Labour Law and the Law on Occupational Safety and Health. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.1.4.1 | Ensuring implementation of the Law on Air Traffic, Labour Law, Law on Occupational Safety and Health, Rulebook on Requirements for Air Traffic Operations, Rulebook on the Work Schedule of Aircrew Members in Civil Aviation, through checks and inspection oversight. | Responsible institution:  Civil Aviation Directorate (CAD) of the Republic of Serbia,  in cooperation with MCTI and MLEVSA | | Q4 of 2021 | In the CAD (Traffic Operations Department) one employee deals with matters related to working time, 240 labour inspectors with an academic degree qualifications (academic degree) | One more employee to deal with affairs related to working time, with special focus on fatigue management and fatigue risk assessment.  Two-day training in a licensed training centre for two employees. | Q4 of 2020 | RS Budget: € 0  CAD is not a public funds beneficiary.  Budgeted under activity 1.1.2.1 for the Labour Inspectorate |  |
| 1.2 WORKING CONDITIONS | | | | | | | | | |
| **1.2.1**  **Council Directive 94/33/EC** of 22 June 1994 on the protection of young people at work, *OJ L 216, 20.8.1994, p. 12.*  **Directive 2014/27/EU** of the European Parliament and of the Council of 26 February 2014 amending Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council, in order to align them to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures, *OJ L 65, 5/3/2014, p.* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| The **Labour Law** (RS Official Gazette No. 24/05, 61/05, 54/09, 32/13, 75/13 and 13/17) regulates the special protection of persons aged 15 to 18 when establishing labour relations, working times, jobs they can occupy, and other working conditions, (Art. 12, 25, 84-88) and is partially harmonised from the aspect of protecting this category of persons when concluding labour contracts in accordance with this law.  The **Rulebook on preventive measures for health and safety at work for youth** (RS Official Gazette No. 102/16) transposes the provisions of Directive 6.1, 6.2, 6.3, while Regulation 6.4. is transposed by Article 37 of the Law on Occupational Safety and Health.  **Full harmonisation with Directive 94/33/ЕC** requires:   * Amending the **Labour Law** with relevant provisions, namely: regarding definitions (Article 3 of the Directive) and regarding youth protection (Article 3, para 1, d, e, f), Article 6 **on all forms of work engagement**, i.e. on contracts outside of labour relations and other engagements established by this and as amended; * Harmonising **other regulations under the competence of other ministries,** particularly when applying the following articles:   Art. 4 and 5 of the Directive - exceptions – work experience placements, in-house training at the company, and  4b) and Article 5, paragraph 1 and paragraph 3 Exceptions - when performing cultural, artistic, sports or advertising activities - with **the previous approval of the competent body** (identify the competent body). | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.1.1 | Review of the Labour Law and preparation of the working version of the Draft Law (the part related to the protection of youth at work), from the aspect of alignment of Serbia’s national legislation this field with the Directive | Responsible institution:  MLEVSA  in cooperation with  MYS, MESTD, Ministry of Health, Ministry of Economy | | From Q3 2019 to Q3 2020 | As under 1.1.1.1 | - Staff capacities already budgeted under 1.1.1.1  - Large working group up to 15 members working up to 30 days in 2019 and 2020.  WG composition: MLEVSA (Department for Labour and Employment, Department for Financial Support to Families with Children, Department for PDI, Labour Inspectorate, Administration for OHS), MYS, Ministry of Education, Ministry of Health, Ministry of Economy,  - International expert 2 visits up to 10 working days total (TAIEX) in 2019 and 2020. | Q2 2020 | RS Budget, €30,878 in total, with €12,351 in 2019 and €18,527 in 2020.  2020: RSD 2,186,186  2021: RSD 0  2022: RSD 0 | Donor funds, €4,500 in total, with €2,250 in 2019 and €2,250 in 2020.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.2.1.2 | Harmonisation of the contents of the Draft Law with social partners and adoption of the Law, regulating the field of protection of youth at work, in accordance with recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution:  MLEVSA  in cooperation with  MYS, MESTD, the Ministry of Health, Ministry of Economy, National Secretariat for Legislation, Government of Serbia and National Assembly | | From Q4 2020 - Q4 2021. | As under 1.1.1.1 | As under 1.1.1.2  - Round tables, 5 events in 2021.  - Three public debates in 2021.  - Large working group of up to 15 members working up to 30 days: 10 working days in 2020 and 20 working days in 2021  - TAIEX expert visits 5 days each: 1 in 2020 and 2 in 2021 | As under 1.1.1.2 | RS Budget, €32,878 in total, with €10,293 in 2020 and €22,585 in 2021.  2020: RSD 1,214,574  2021: RSD 2,665,030  2022: RSD 0 | Donor funds, €6,750 in total, with €2,250 in 2020 and €4,500 in 2021.  2020: RSD 265,500  2021: RSD 531,000  2022:RSD 0 |
| 1.2.1.3 | Implementation of the Labour Law in the segment related to the protection of youth at work, for the purpose of standardising the practices of employers and employees with regard to the application of the Law, through:  a) trainings, seminars and workshops,  b) round tables,  c) drafting impact analyses of the implementation of the Law, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  d) reporting to relevant national and EU authorities and drafting proposed measures for the further improvement of the situation in the field | Responsible institution:  MLEVSA | | Q1 2022 and continuously | As under 1.1.1.1 | As under 1.1.1.2  - trainings, seminars and workshops:  Civil servants, up to 30 participants, 2 days each, 5 trainings in 2022  Inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  Inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  Seminars for social partners, up to 30 participants, 1 day each, 5 in 2022  Trainings for arbitrators and mediators of the APSLD, 5 seminars 1 day each, up to 30 participants per seminar in 2022  Round tables for judges and the expert public (one round table 1 day each, up to 30 participants per round table, 5 in 2022), and  - 1 TAIEX expert – 5 working days in 2022. | As under 1.1.1.2 | RS Budget, €13,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 1,563,500 | Donor funds, €2,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| 1.2.1.4 | Implementation of the Labour Law in the segment related to the protection of youth at work, for the purpose of standardising the practices of employers and employees with regard to the application of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution:  Labour Inspectorate | | Q1 2022 and continuously | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under 1.1.1.4. |  |
| **1.2.2**  ***31992L0085 (EUR-Lex: 05.20.20.10) Council Directive 92/85/EEC*** of 19 October 1992 on the introduction of measures to encourage improvements in the health and safety at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (ОЈ L 348, 28 November 1992, p. 1–7).  Directive 2014/27/EU of the European Parliament and of the Council of 26 February 2014 amending Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council, in order to align them to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| **The Law on Financial Support to Families with Children,** in the segment of the right to financial support to families with children, regulates the right to salary compensation during maternity leave, childcare leave, and special childcare leave from work. **The Law on Occupational Safety and Health** regulates special rights, obligations and measures regarding occupational safety and health for women working in high-risk jobs potentially harmful to pregnancy.  The **Labour Law** (RS Official Gazette No. 24/05, 61/05, 54/09, 32/13, 75/13 and 13/17) regulates special protection for employed women who are pregnant, have recently given birth or are breastfeeding (Art. 12, paras 2 and 3, Art. 89-100). The Labour Law requires further harmonisation regarding: definitions (Article 2 of the Directive) and to ensure the application of the other provisions of the Directive to other working women, in order to protect not only those working under an employment contract, but all women who work based on other types of contracts outside employment, or on other grounds (Art. 5, 7, 8, 9, 10, 11, 12). Its full harmonisation also requires transposing Articles 5, 7 and 11 and incorporating references to regulations in the field of occupational safety and health, as well as coordination with the Ministry of Public Administration and Local Self-Government concerning the exercise of rights stemming from these articles. **The Rulebook on measures for the health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding** (RS Official Gazette No. 102/16), transposes provisions 1.1, 2, 4.1, 4.2, 6.1.1., 6.1.2. and the Annexes to Directive 92/85/ЕЕC. Prior to its adoption, the draft Rulebook was submitted to the EC for comments. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.2.1 | Review of the Labour Law and drafting of the working version of the draft Law (the part related to the improvement of the health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding, from the aspect of harmonisation of Serbia’s national legislation in this field with the Directive) | Responsible institution:  MLEVSA in cooperation with the Ministry of Health | | From Q3 2019 - Q3 2020 | As under 1.1.1.1 | As under 1.1.1.2  - Large working group up to 15 members working up to 30 days in 2019 and 2020  WG composition: MLEVSA (Department for Labour and Employment, Department for Financial Support to Families with Children, Department for PDI, Labour Inspectorate, Administration for Occupational Health and Safety), Ministry of Health  - 1 expert, 2 visits with 5 working days each (TAIEX) in 2019 and 2020 | As under 1.2.1.1 | RS Budget, €30,878 in total, with €12,351 in 2019 and €18,527 in 2020  2020: RSD 2,186,186  2021: RSD 0  2022: RSD 0 | Donor funds, €4,500 in total, with €2,250 per year, in 2019 and 2020, respectively  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.2.2.2 | Harmonisation of the contents of the draft Law with social partners and adoption of the Law, related to improving health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding, in accordance with the recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution:  MLEVSA  in cooperation with  the Ministry of Health, Republic Secretariat for Legislation, Government of Serbia and the National Assembly | | Q4 2020 - Q4 2021 | As under 1.1.1.1 | As under 1.1.1.2  - Round tables, 5 events in 2021  - 3 public debates in 2021  - Large working group up to 15 members working up to 30 days in 2021  - TAIEX expert visits 5 days each, 1 visit in 2020 and 2 in 2021 | As under 1.1.1.2 | RS Budget, €32,878 in total, all in 2021.  2020: RSD 0  2021: RSD 3,879,604  2022: RSD 0 | Donor funds, €6,750 in total, with €2,250 in 2020 and €4,500 in 2021.  2020: RSD 265,500  2021: RSD 531,000  2022: RSD 0 |
| 1.2.2.3 | Implementation of the Labour Law in the segment related to the improvement of health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding, for the purpose of standardising the practices of employers and employees with regard to the application of the Law, through:  a) trainings, seminars and workshops,  b) round tables,  c) drafting regulatory impact analyses, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  d) reporting to relevant national and EU authorities and drafting proposed measures for the further improvement of the situation in the field | Responsible institution:  MLEVSA | | Q1 2022 and continuously | As under 1.1.1.1 | As under 1.1.1.2  - trainings, seminars and workshops:  Civil servants, up to 30 participants, 2 days each, 5 trainings in 2022  Inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  Inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  Seminars for social partners, up to 30 participants, 1 day each, 5 in 2022  Trainings for arbitrators and mediators of the APSLD, 5 seminars 1 day each, up to 30 participants per seminar in 2022  Round tables for judges and the expert public (one round table 1 day each, up to 30 participants per round table, 5 in 2022), and  - 1 TAIEX expert – 5 working days in 2022. | As under 1.1.1.2 | Budget of the RS, €13,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 1,563,500 | Donor funds, €2,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| 1.2.2.4 | Adoption of amendments to the Law on Financial Support to Families with Children (for the purpose of aligning this Law with the new Labour Law) | Responsible institution:  MLEVSA  PSSPDGE, and local government | | In parallel with amendments to the Labour Law | Department for Family Care and Social Protection, 5 civil servants with academic degree  Provincial Secretariat for Social Policy, Demography and Gender Equality, 2 civil servants | Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support.  - Small working group (up to 8 members), working up to 15 days in 2020  - Training of LGU officers, one officer in each LGU (around170 in RS), 1 training per year, 1 day each in 2020. | Following amendments to the Law on Financial Support to Families with Children | RS Budget, €10,442 in total, all in 2020.  2020: RSD 1,232,156  2021: RSD 0  2022: RSD 0 | Donor funds, €2,250 in total, all in 2020.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.2.2.5 | Implementation of the Law on Financial Support to Families with Children (for the purpose of aligning this Law with the new Labour Law) | Responsible institution:  MLEVSA  in cooperation with local government | | After the amendments to the Labour Law, continuously | Department for Family Care and Social Protection, 5 civil servants with AD  Provincial Secretariat for Social Policy, Demography and Gender Equality, 2 civil servants,  Local government – child protection services, performing entrusted duties related to the implementation of the Law on Financial Support to Families with Children.  The number of staff on these duties is determined by the local government. | Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support.  Training of local government officers for implementing the Law on Financial Support to Families with Children, one officer in each LGU (around 170 in RS), up to 170 participants, 1 training per year, 1 day each in 2020 | Following amendments to the Labour Law and Law on Financial Support to Families with Children | RS Budget, €1,800 in total, all in 2020.  2020: RSD 212,400  2021: RSD 0  2022: RSD 0 |  |
| **1.2.3**  **Directive 2019/1152** on transparent and predictable working conditions OJL 186/105 of 11/7/2019 | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| **The Labour Law is aligned with the Directive** – in the segment regulating the stipulation of employment contracts (Art. 30-37); and amendments to agreed working conditions, judicial and inspection protection of rights (Art. 30-33, Art. 171- 172а, 191 and 195 and Art. 268-270). Further harmonisation is required of the Labour Law with Art. 2, 3, 5 and 8 of the Directive regarding non-standard employment (Art. 197-202).  **The Law Requirements for Posting Workers Abroad on Temporary Assignments and Their Protection** (RS Official Gazette No. 91/15), applying to staff seconded by employers to temporary work abroad, is fully harmonised with Article 5 of the Directive (Art. 11, Art. 18 of the Law), whereas regarding the other provisions of this Directive, these employees are covered by the provisions of the Labour Law, fully harmonised with the Directive (regarding employees working under employment contracts). | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.3.1 | Review of the Labour Law and drafting of the working version of the Draft Law (the part related to informing employees and other hired persons on the working conditions), from the aspect of aligning Serbia’s national legislation in this field with the Directive | Responsible institution:  MLEVSA  in cooperation with  MPALSG, MESTD, Ministry of Health, MYS, MCTI, and Ministry of Economy | | From Q3 2019 – Q3 2020 | As under 1.1.1.1 | As under 1.1.1.2  - Large working group up to 15 members working up to 30 days in 2019 and 2020  WG composition: MLEVSA (Department for Labour and Employment, Department for Financial Support to Families with Children, Department for PDI, Labour Inspectorate, Administration for Occupational Health and Safety), Ministry of Health  - 1 expert, 2 visits with 5 working days each (TAIEX) in 2019 and 2020. | As under 1.1.1.1 | Budget of the RS, €30,878 in total, with €15,439 per year in 2019 and 2020, respectively  2020: RSD 1,821,802  2021: RSD 0  2022: RSD 0 | Donor funds, €4,500 in total, with €2,250 per year in 2019 and 2020, respectively  2020: RSD265,500  2021: RSD 0  2022: RSD 0 |
| 1.2.3.2 | Harmonisation of the contents of the draft Law with social partners and adoption of the Law, related to informing employees and other hired persons on the working conditions, in accordance with the recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution:  MLEVSA  in cooperation with  the Ministry of Health, National Secretariat for Legislation, Government of Serbia and National Assembly | | Q4 2020 - Q4 2021 | As under 1.1.1.1 | As under 1.1.1.2  - Round tables – 5 events in 2021  - 3 public debates in 2021  - Large working group up to 15 members working up to 30 days: 10 in 2020 and 20 in 2021  - TAIEX expert visits 5 days each, 1 in 2020 and 2 in 2021 | As under 1.1.1.2 | RS Budget, €32,878 in total, with €10,293 in 2020 and €22,585 in 2021.  2020: RSD 1,214,574  2021: RSD 2,665,030  2022: RSD 0 | Donor funds, €6,750 in total, with €2,250 in 2020 and €4,500 in 2021.  2020: RSD 265,500  2021: RSD 531,000  2022: RSD 0 |
| 1.2.3.3 | Implementation of the Labour Law in the segment related to informing employees and other hired persons on the working conditions, for the purpose of standardising practices of employers and employees with regard to the application of the Law, through:  a) trainings, seminars and workshops,  b) round tables,  c) drafting impact analyses of the implementation of the Law, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  d) reporting to relevant national and EU authorities and drafting proposed measures for the further improvement of the situation in the field | Responsible institution:    MLEVSA | | Q4 2022 and continuously | As under 1.1.1.1 | As under 1.1.1.3  As under 1.1.1.2  - trainings, seminars and workshops:  Civil servants, up to 30 participants, 2 days each, 5 trainings in 2022  Labour inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  Labour inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  Seminars for social partners, up to 30 participants, 1 day each, 5 in 2022  Trainings for arbitrators and mediators of the APSLD, 5 seminars 1 day each, up to 30 participants per seminar in 2022  Round tables for judges and the expert public (one round table 1 day each, up to 30 participants per round table, 5 in 2022), and  - 1 TAIEX expert – 5 working days in 2022. | As under 1.1.1.2 | Budget of the RS, €13,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 1,563,500 | Donor funds, €2,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| 1.2.3.4 | Implementation of the Labour Law in the segment related to informing employees and other hired persons on the working conditions, for the purpose of standardising practices of employers and employees with regard to the application of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution  :  MLEVSA  Labour Inspectorate | | Q4 2020 and continuously | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted as part of Activity 1.1.1.4. |  |
| 1.2.3.5 | Implementation of the Law on Simplified Hiring for Seasonal Work | Responsible institution:  MLEVSA | | As of Q1 2019 and continuously | As under 1.1.1.1 | As under 1.1.1.2  Two civil servants holding the title of advisor | As under 1.1.1.2 | Budgeted under activities 1.1.1.1 and 1.1.1.2. |  |
| **1.2.4**  **Council Directive 1999/70/EC** of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, *OJ L 175, 10/7/1999, p. 43* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| The **Labour Law**, under Art. 30, 33 and 37, regulates the conditions and method of stipulating a fixed-term work relationship, and the contents of the employment contract.  With a view to full harmonisation, it is necessary to **supplement the Labour Law** with a broader definition of fixed-term work (cover other non-standard employment contracts of a temporary and occasional character, as well as other limited duration contracts under as amended), define the term “comparable permanent worker” (Article 3), provisions on the principle of prohibition of discrimination (Article 4 of the Directive), and provisions on informing fixed-term employees on the possibility of transitioning from fixed-term work to open-ended employment and access to professional training (Article 6 of the Directive) | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.4.1 | Review of the Labour Law and prepare the working version of the Draft Law (the part related to fixed-term contracts), with a view to harmonising Serbia’s legislation in this field with the Directive | Responsible institution:  MLEVSA  in cooperation with  MPALSG, MESTD, Ministry of Health, MYS, MCTI, Ministry of Economy | | From Q3 2019 – Q3 2020 | As under 1.1.1.1 | As under 1.1.1.2  - Large working group up to 15 members working up to 30 days in 2019 and 2020  WG composition: MLEVSA (Department for Labour and Employment, Department for Financial Support to Families with Children, Department for PDI, Labour Inspectorate, Administration for Occupational Health and Safety), Ministry of Health  - 1 expert, 2 visits with 5 working days each (TAIEX) in 2019 and 2020. | As under 1.1.1.1 | RS Budget, €30,878 in total, with €15,439 per year in 2019 and 2020, respectively.  2020: RSD 1,821,802  2021: RSD 0  2022: RSD 0 | Donor funds, €4,500 in total, with €2,250 per year in 2019 and 2020, respectively.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.2.4.2 | Harmonisation of the contents of the draft Law with social partners and adoption of the Law, the part related to fixed-term contracts in accordance with the recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution:  MLEVSA  in cooperation with  the Ministry of Health, Republic Secretariat for Legislation, Government of Serbia and National Assembly | | Q4 2020 – Q4 2021 | As under 1.1.1.1 | As under 1.1.1.2  - Round tables – 5 events in 2021  - 3 public debates in 2021  - Large working group up to 15 members working up to 30 days: 10 days in 2020 and 20 days in 2021  - TAIEX expert visits 5 days each, 1 in 2020 and 2 in 2021 | As under 1.1.1.2 | RS Budget, €32,878 in total with €10,293 in 2020 and €22,585 in 2021.  2020: RSD 1,214,574  2021: RSD 2,665,030  2022: RSD 0 | Donor funds, a total of €6,750 with €2,250 in 2020 and €4,500 in 2021.  2020: RSD 265,500  2021: RSD 531,000  2022: RSD 0 |
| 1.2.4.3 | Implementation of the Labour Law in the segment related to fixed-term contracts, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops,  b) round tables,  c) drafting impact analyses of the implementation of the Law, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  d) reporting to relevant national and EU authorities and drafting proposed measures for the further improvement of the situation in the field | Responsible institution:  MLEVSA | | Q1 2022 and continuously | As under 1.1.1.1 | As under 1.1.1.2  Trainings, seminars and workshops:  - civil servants, up to 30 participants, 2 days each, 5 trainings in 2022;  - inspectors, up to 30 participants, 2 days each, 5 trainings in 2022;  - inspectors, up to 30 participants, 2 days each, 5 trainings in 2022;  - seminars for social partners, up to 30 participants, 1 day each, 5 in 2022;  - trainings for arbitrators and mediators of the APSLD, 5 seminars 1 day each, up to 30 participants per seminar in 2022;  - round tables for judges and the expert public (one round table 1 day each, up to 30 participants per round table, 5 in 2022), and  - 1 TAIEX expert – 5 working days in 2022. | As under 1.1.1.2 | RS Budget, €13,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 1,563,500 | Donor funds, €2,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| 1.2.4.4 | Implementation of the Labour Law in the segment related to fixed-term contracts, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution:  MLEVSA  Labour Inspectorate | | Q1 2022 and continuously | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted as part of Activity 1.1.1.4. |  |
| **1.2.5**  **Council Directive 97/81/EC** of 15 December 1997 concerning the Framework Agreement on **part-time work** concluded by UNICE, CEEP and the ETUC - Annex : Framework agreement on part-time work, *OJ L 14, 20/1/1998, p. 9* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| **The Labour Law** is harmonised with the Directive – under the provisions of Art. 33, paragraph 1, item 9), and Art. 40-41, Article 50, paragraph 2, Article 52, paragraph 2, Article 155, paragraph 1, item 5) it regulates part-time work and the rights of part-time workers stemming from the Directive.  **The full harmonisation** of the Labour Law requires the transposition of Article 5 of the Directive, items 1 and 2. Furthermore, the Labour Law should define employment relationships more broadly, so as to cover work under other types of contracts with the aim of securing rights from the Directive for this category of workers as well. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.5.1 | Review of the Labour Law and drafting of the Working version of the draft Law (the part related to part-time work from the aspect of harmonisation of Serbia’s legislation in this field with the Directive) | Responsible institution:  MLEVSA  in cooperation with  MPALSG, MESTD, Ministry of Health, MYS, MCTI, Ministry of Economy, and representative social partners (Serbian Association of Employers, UGS Nezavisnost, SSSS and KSS, etc.), CCIS and other interested NGOs | | From Q3 2019 – Q3 2020. | As under 1.1.1.1 | As under 1.1.1.2  - Large working group up to 15 members working up to 30 days in 2019 and 2020  WG composition: MLEVSA (Department for Labour and Employment, Department for Financial Support to Families with Children, Department for PDI, Labour Inspectorate, Administration for Occupational Health and Safety), Ministry of Health  - 1 expert, 2 visits with 5 working days each (TAIEX) in 2019 and 2020 | As under 1.1.1.1 | RS Budget, €30,878 in total, with €15,439 per year in 2019 and 2020, respectively.  2020: RSD 1,821,802  2021: RSD 0  2022: RSD 0 | Donor funds, €4,500 in total, with €2,250 per year in 2019 and 2020, respectively.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.2.5.2 | Adoption of the Law, in the segment related to part-time work and with the aim of fully transposing the Directive as part of the social dialogue with social partners and stakeholders | Responsible institution:  MLEVSA  in cooperation with  Ministry of Health, Republic Secretariat for Legislation, Government of Serbia and National Assembly, and representative social partners (Serbian Association of Employers, TUC Nezavisnost, CATUS and KSS, etc.), CCIS and other interested NGOs | | Q4 2020 to Q4 2021 | As under 1.1.1.1 | As under 1.1.1.2  - Round tables – 5 events in 2021  - 3 public debates in 2021  - Large working group up to 15 members working up to 30 days: 10 working days in 2020 and 20 working days in 2021  - TAIEX expert visits 5 days each, 1 in 2020 and 2 visits in 2021 | As under 1.1.1.2 | RS Budget, €32,878 in total, with €10,293 in 2020 and €22,585 in 2021.  2020: RSD 1,214,574  2021: RSD 2,665,030  2022: RSD 0 | Donor funds, €6,750 in total, with €2,250 in 2020 and €4,500 in 2021.  2020: RSD 265,500  2021: RSD 531,000  2022: RSD 0 |
| 1.2.5.3 | Implementation of the Labour Law in the segment related to part-time work, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops,  b) round tables,  c) drafting impact analyses of the implementation of the Law, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  d) reporting to relevant national and EU bodies and drafting proposed measures for the further improvement of the situation in the field | Responsible institution:  MLEVSA | | Q1 2022 and continuously | As under 1.1.1.1 | As under 1.1.1.2  Trainings, seminars and workshops:  - civil servants, up to 30 participants, 2 days each, 5 trainings in 2022  - labour inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  - labour inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  - seminars for social partners, up to 30 participants, 1 day each, 5 in 2022  - trainings for arbitrators and mediators of the APSLD, 5 seminars 1 day each, up to 30 participants per seminar in 2022  - round tables for judges and the expert public (one round table 1 day each, up to 30 participants per round table, 5 in 2022)  - 1 TAIEX expert – 5 working days in 2022. | As under 1.1.1.2 | RS Budget, €13,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 1,563,500 | Donor funds, €2,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| 1.2.5.4 | Implementation of the Labour Law in the segment related to part-time work, for the purpose of harmonising practices of employers and employees with regard to the application of Labour Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution:  MLEVSA  Labour Inspectorate | | Q1 2022 and continuously | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted as part of Activity 1.1.1.4. |  |
| **1.2.6**  **Directive 2008/104/EC** of the European Parliament and of the Council of 19 November 2008 on temporary agency work, *OJ L 327, 5/12/2008, p. 9-14* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| The Law on Temporary Agency Work was adopted in December 2019 (RS Official Gazette No 86 of 6 December 2019. The Directive has been transposed. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.6.1 | Harmonisation with the opinions of sectoral bodies and organisations, establishing a draft Law and adoption of the Law on Temporary Agency Work regulating the employment of workers with the aim of placing them at the user undertaking to work temporarily under its supervision and direction, in accordance with the recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution:  MLEVSA  in cooperation with  the Ministry of Health, Ministry of Economy, SBRA, Republic Secretariat for Legislation, Government of Serbia and National Assembly, and the opinion of the Social and Economic Council of Serbia | | Q4 2019 | As under 1.1.1.1 | As under 1.1.1.1  - Round tables – 5 events in 2019  - 3 public debates in 2019  - Large working group up to 15 members working up to 30 days in 2019  - TAIEX expert visits 5 days each, 2 in 2019 | As under 1.1.1.1 | RS Budget, €16,250 in total, all in 2019.  2020: RSD 0  2021: RSD 0  2022: RSD 0 | Donor funds, €4,500 in total, all in 2019.  2020: RSD 0  2021: RSD 0  2022: RSD 0 |
| 1.2.6.2 | Implementation of the Law on Agency Work, through the following:  a) adoption of bylaws ensuring the direct implementation of the Law,  b) trainings, seminars and workshops,  c) round tables,  d) drafting impact analyses of the implementation of the Law, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  e) reporting to relevant national and EU bodies and drafting proposed measures for the further improvement of the situation in the field | Responsible institution:  MLEVSA | | Q1 2020 and continuously | As under 1.1.1.1 | As under 1.1.1.3  Trainings, seminars and workshops:  - civil servants, up to 30 with 4 trainings per year, 2 days each, starting from Q3 2019 (2 trainings with 2 days each for 2019 and 4 trainings with 2 days each in 2020 and 2021)  - trainings of civil servants, labour inspectors, up to 30 persons with 4 trainings per year, 2 days each starting from Q3 2019 (2 trainings with 2 days each for 2019 and 4 trainings with 2 days each in 2020 and 2021)  - seminars for social partners (one seminar per quarter 1 day each, up to 30 participants per seminar in 2021 - 1 and 4 in 2021)  - trainings for arbitrators and mediators of the APSLD (one seminar per quarter 1 day each, up to 30 participants per seminar in 2021 - 1 and 4 in 2021  - round tables for judges and the expert public (one round table 1 day each, up to 30 participants per round table in 2020 - 1 and 4 in 2022)  1 TAIEX expert – 5 working days in 2021. | As under 1.1.1.2 | RS Budget, €16,250 in total, with €2,400 in 2019, €5,650 in 2020 and €8,200 in 2021.  2020: RSD 666,700  2021: RSD 967,600  2022: RSD 0 | Donor funds, €2,250 in total, all in 2021.  2020: RSD 0  2021: RSD 265,500  2022: RSD 0 |
| 1.2.6.3 | Implementation of the Labour Law in the segment related to part-time work, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight of own motion or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution:  MLEVSA  Labour Inspectorate | | Q1 2022 and continuously | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted as part of Activity 1.1.1.4. |  |
|  |  |  | |  |  |  |  |  |  |
| **1.2.7[[10]](#footnote-10)**  **Council Directive 91/383/EEC** of 25 June 1991 supplementing the measures to encourage improvements in the health and safety at work of workers with a fixed- duration employment relationship or a temporary employment relationship, *OJ L 206, 29/7/1991, p. 19* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| The Law on Agency Work has been adopted on 6 December 2019 (RS Official Gazette No 86). and the bylaws for its implementation will provide for the implementation of Article 1, item 1 of the Directive, Art. 2, 7 and 8 of the Directive. The draft Law on Agency Work is under preparation. The Administration for Occupational Safety and Health will has prepared a proposal of provisions transposing Art. 3, 4, 5 and 6 of the Directive. The Law has been in application from 1 March 2020. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.7.1 | Adoption of a new Labour Law (improving health and safety at work for fixed-term and temporary workers) | As under 1.1.1.1 | | Q4 2021 | As under 1.1.1.1 | As under 1.1.1.1 | As under 1.1.1.1 | Budgeted under 1.2.6.1. |  |
| 1.2.7.2 | Implementation of the Labour Law with the aim of improving health and safety at work for fixed-term and temporary workers | As under 1.1.1.2 | | Q1 2022 and continuously | As under 1.1.1.2 | As under 1.1.1.3 | As under 1.1.1.2 | Budgeted under 1.2.6.2. |  |
| 1.2.7.3 | Adoption of the Law on Agency Work with the aim of harmonisation with the Directive (improving health and safety at work for fixed-term and temporary workers) | Responsible institution:  MLEVSA  in cooperation with  the Ministry of Health, Ministry of Economy, SBRA, Republic Secretariat for Legislation, Government of Serbia and National Assembly | | Q4 2019[[11]](#footnote-11) | As under 1.2.6.1 | As under 1.2.6.1 | Q1 2020 | Budgeted under 1.2.6.1. |  |
| 1.2.7.4 | Implementation of the Law on Agency Work related to part-time work, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners.  e) inspection oversight over the implementation of the law | Responsible institution:  MLEVSA,  Department for Labour and Employment, Administration for Occupational Health and Safety,  Labour Inspectorate | | Q4 2019 | As under 1.1.1.2 | As under 1.2.6.2 | As under 1.1.1.1 | Budgeted under 1.2.6.2 and 1.1.1.4 |  |
| **1.2.8**  **Directive 96/71/EC** of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, *OJ L 18, 21/1/1997, p*. *1 11 and* DIRECTIVE (EU) 2018/957 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services. | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| The **Law on Requirements** for **Posting Workers Abroad on Temporary Assignments and Their Protection** is partially harmonised with Art. 1, items 1 and 3a and b, Article 2, with the full harmonisation of the Labour Law with the main directive, but this law will not apply to EU member states - see Art. 1-4 of this law.  **The Labour Law** does not regulate issues that are subject to regulation by the Main Directive (96/71), thus its harmonisation with this directive requires regulating the issues from Art. 1, items 1, 3a and b, and Art. 2, 3 of Directive 96/71.  The Law on Temporary Work Agencies envisages the application of Article 1, item 3.c (for EU and EEA members). | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.8.1 | Review of the Labour Law and Law on Requirements for Posting Workers Abroad on Temporary Assignments and Their Protection and the drafting of the working version of the draft Labour Law and draft Law Amending the Law on Requirements for Posting Workers Abroad on Temporary Assignments and Their Protection (in the segment related to the conditions of work of seconded employees under the provision of services, from the aspect of harmonisation of Serbia’s legislation in this field with the Directive) | Responsible institution:  MLEVSA  in cooperation with  Ministry of Economy, Ministry of Health, MCTI, CROSO | | Q3 2019 – Q3 2020 | As under 1.1.1.1 | As under 1.1.1.2  - Large working group up to 15 members working up to 30 days in 2019 and 2020  WG composition: MLEVSA (Department for Labour and Employment, Department for Financial Support to Families with Children, Department for PDI, Labour Inspectorate, Administration for Occupational Health and Safety), Ministry of Health  - 1 expert, 2 visits with 5 working days each (TAIEX) in 2019 and 2020, respectively | As under 1.1.1.1 | RS Budget, €30,878 in total, with €15,439 per year in 2019 and 2020, respectively.  2020: RSD 1,821,802  2021: RSD 0  2022: RSD 0 | Donor funds, €4,500 in total, with €2,250 per year in 2019 and 2020, respectively.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.2.8.2 | Adoption of the Labour Law and amendments to the Law on Requirements for Posting Workers Abroad on Temporary Assignments and Their Protection and other regulations, including bylaws, regulating the working conditions of seconded employees under the provision of services, in accordance with the recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution:  MLEVSA  in cooperation with  the Ministry of Health, Ministry of Economy, MCTI, Republic Secretariat for Legislation, Government of Serbia and the National Assembly | | Q4 2021 | As under 1.1.1.1 | As under 1.1.1.2  - Round tables – 5 events in 2021  - three public debates in 2021  - Large working group up to 15 members working up to 30 days: 10 in 2020 and 20 in 2021  - TAIEX expert visits 5 days each, 3 in 2020 and 2 in 2021 | As under 1.1.1.2 | RS Budget, €32,878 in total, all in 2021.  2020: RSD 0  2021: RSD 3,879,604  2022: RSD 0 | Donor funds, €6,750 in total, all in 2021.  2020: RSD 0  2021: RSD 796,500  2022: RSD 0 |
| 1.2.8.3 | Implementation of the Labour Law and the Law Amending the Law on Requirements for Posting Workers Abroad on Temporary Assignments and Their Protection and other regulations, including bylaws, regulating the working conditions of seconded employees under the provision of services, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops,  b) round tables,  c) drafting impact analyses of the implementation of the Law, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  d) reporting to relevant national and EU authorities and drafting proposed measures for the further improvement of the situation in the field | Responsible institution:  MLEVSA | | Q1 2022 and continuously | As under 1.1.1.1 | As under 1.1.1.2  Trainings, seminars and workshops:  - civil servants, up to 30 participants, 2 days each, 5 trainings in 2022  - labour inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  - labour inspectors, up to 30 participants, 2 days each, 5 trainings in 2022  - seminars for social partners, up to 30 participants, 1 day each, 5 in 2022  - trainings for arbitrators and mediators of the APSLD, 5 seminars 1 day each, up to 30 participants per seminar in 2022  - round tables for judges and the expert public (one round table 1 day each, up to 30 participants per round table, 5 in 2022), and  - 1 TAIEX expert – 5 working days in 2022. | As under 1.1.1.2 | RS Budget, €10,250 in total, all in 2022  2020: RSD 0  2021: RSD 0  2022: RSD 1,209,500 | Donor funds, total €2,250, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| 1.2.8.4 | Implementation of the Labour Law and the Law Amending the Law on Requirements for Posting Workers Abroad on Temporary Assignments and Their Protection and other regulations, including bylaws, regulating the working conditions of seconded employees under the provision of services, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution:  MLEVSA  Labour Inspectorate | | Q1 2022 and continuously | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted as part of Activity 1.1.1.4. | Donor funds, total €2,250, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| **1.2.9**  **Directive 2014/67/EU** of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ( ‘the IMI Regulation’), *OJ L 159, 28/5/2014, p. 11* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| This Directive will be transposed into Serbia’s national legislation through the adoption of a special law or amendments to one of the existing laws, and this will be accomplished after conducting a special analysis of concordance between Serbia’s national legislation and the requirements under the Directive. The Directive will be transposed either through amendments to the Law on Inspection Oversight, or amendments to the Law on the Organisation of Courts, or the Law on Misdemeanour Proceedings, **and as amended or bylaws, depending on the findings of the analysis**. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.9.1 | Conduct a detailed review of the harmonisation of the national legislation with the Directive  Line ministries have been provided with a list of regulations under their remit, for the purpose of undertaking activities for the harmonisation thereof with the Directive | Responsible institution:  MLEVSA, in cooperation with  Ministry of Justice, and  MPALSG | | From Q3 2019 - Q3 2020. | MLEVSA -  Department for Labour, Employment, Veteran and Social Affairs, Department for Normative and Study-Analytical Affairs in the field of Labour  As under 1.1.1.1 and  Department for International Cooperation, European Integration and Projects 1 civil servant  MPALSG-  Ministry of Justice | As under 1.1.1.1 | / | RS Budget, €2,553 in total, all in 2019.  2020: RSD 0  2021: RSD 0  2022: RSD 0 |  |
| 1.2.9.2 | Adoption of the new Labour Law (in the segment on posted workers) and amendments to the Law on Requirements for Posting Workers Abroad on Temporary Assignments and Their Protection, and other regulations governing inspection oversight, misdemeanour penalties, exchange of information and interstate cooperation in these fields | As under 1.1.1.1 | | Q4 2021 | As under 1.1.1.1 | As under 1.1.1.1 | Q1 2020 | Budgeted under 1.1.1.2. |  |
| 1.2.9.3 | Implementation of the Labour Law (in the segment on posted workers) and amendments to the Law on Requirements for Posting Workers Abroad on Temporary Assignments and Their Protection, and other regulations governing inspection oversight, misdemeanour penalties, exchange of information and interstate cooperation in this fields | As under 1.1.1.2 | | Q1 2022 and continuously | As under 1.1.1.2 | As under 1.1.1.2 | As under 1.1.1.2 | Budgeted under 1.1.1.3. |  |
| **1.2.10**  **32005R1111 Council Regulation (EC) No** 1111/2005 of 24 June 2005 amending Regulation (EEC) No 1365/75 on the creation of a European Foundation for the Improvement of Living and Working Conditions, OJ L 184, 15/7/2005, p. 1–4) | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| Since 2015, Serbia has been participating on equal footing in the European Working Conditions Survey[[12]](#footnote-12). Furthermore, Serbia participated in the third and fourth round (in 2012 and 2016, respectively) of the European Quality of Life Survey[[13]](#footnote-13) also implemented by the European Foundation for the Improvement of Living and Working Conditions. With EU accession, the Regulation will apply directly. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.10.1 | Act on appointing the representative of the Republic of Serbia to the Managing Board of the Eurofund foundation | Responsible institution:  MLEVSA in cooperation with the Government of Serbia | | Upon accession | N/A | N/A | N/A | Budgeted under 1.1.1.3 |  |
| **1.2.11**  **Directive 2008/94/EC** of the European Parliament and of the Council of 22 October 2008 on the protection of employees in the event of the insolvency of their employer (Codified version) (Text with EEA relevance), OJ L 283, 28/10/2008, p. 36–42. This Directive connects Directives 80/987/EC and 2002/74/EC / See amendments by Directive 2015/1794. | | | | | | | | | |
| **CURRENT STATUS** | | | | | | | | | |
| Articles 124 to 146 of the **Labour Law** regulate the establishment of a guarantor institution – the Solidarity Fund and the protection of the rights of employees in case of bankruptcy proceedings. The current Labour Law has, in principle, covered the majority of the principles contained in Directive 2008/94/EC.  **The Labour Law is partially harmonised with the Directive** – Further harmonisation of the Labour Law is necessary in the segment of the directive related to Chapter IV, in regards to the relations on interstate situations (Art. 9 and 10).  **Full harmonisation with the Directive** requires:   * Amending the **Labour Law** so as to incorporate the relevant provisions of Article 1 of the Directive, excluding home assistance staff, and harmonise with Article 2(2)(c) related to temporary employment agencies, as well as with Art. 9 and 10. * Implementing an analysis regarding the method for financing the Solidarity Fund – Article 5 of the Directive. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.11.1 | Drafting a review of the Labour Law and other regulations related to the Solidarity Fund (method of financing and further harmonisation with EU standards) | Responsible institution:  MLEVSA | | Q3 2020 | At the Department for Labour and Employment of  MLEVSA, Department for Social Dialogue, Collective Negotiation and Earnings 2 civil servants with academic degree performing all other work of the graduate lawyer of the Department  and as under 1.1.1.1 | - a smaller working group responsible for drafting the review, consisting of up to 8 group members and working up to 30 days in 2020  - TAIEX expert, one 5- day visit in 2020  - three round tables in 2020  and as under 1.1.1.2 | Q4 2020 | RS Budget, €20,332 in total, all in 2020.  2020: RSD 2,399,176  2021: RSD 0  2022: RSD 0 | Donor funds, total €2,250, all in 2020.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.2.11.2 | Drafting of the Labour Law in the segment related to the Solidarity Fund, in accordance with the recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution:  MLEVSA | | Q3 2021 | At the Department for Labour and Employment of  MLEVSA, Department for Social Dialogue, Collective Negotiation and Earnings 2 civil servants with AD  and as under 1.1.1.1 | - a smaller working group responsible for drafting the review, consisting of up to 8 group members and working up to 30 days in 2021  - TAIEX expert, on 5-day visit in 2021  - public reviews included in 1.1.1.2  - round tables included in 1.1.1.2  and as under 1.1.1.1 | As under 1.2.11.1 | RS Budget, €19,582 in total, all in 2021.  2020: RSD 0  2021: RSD 2,310,676  2022: RSD 0 | Donor funds, total €2,250, all in 2021.  2020: RSD 0  2021: RSD 265,500  2022: RSD 0 |
| 1.2.11.3 | Implementation of the Labour Law in the segment related to the Solidarity Fund which concerns the enforcement of the provisions of the law, through:  a) second-instance reviews of appeals against first instance decisions by the Solidarity Fund  b) trainings, seminars and workshops,  c) round tables,  d) drafting impact assessments on the implementation of the Law in the segment related to the Solidarity Fund, based on appeal cases, second instance decisions and court proceedings  e) reporting to relevant national and EU authorities and drafting proposed measures for the further improvement of the situation in the field  f) first-degree decisions on requests for the disbursement of funds by the Solidarity Fund | Responsible institution:  MLEVSA  Solidarity Fund | | From Q1 2022, and thereafter, continuously | MLEVSA as under 1.2.11.1  The Solidarity Fund has systematised 12 jobs in two departments, namely the Department of Legal Affairs and Department for Financial, Accounting and General Affairs where a total of 8 executors work on first-degree decisions upon requests for the payment of Solidarity Fund funds | MLEVSA as under 1.2.11.1  The Solidarity Fund needs an additional 2 staff with HE  - Round tables for social partners, judges and the expert public (two round tables, 1 day each, up to 30 participants per round table in 2021)  - Impact analysis of the law in the segment of the Solidarity Fund in 2021 | As under 1.2.11.1 | RS Budget, €103,520 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 12,215,360 |  |
| **01/02/2012**  **2010L0018 Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC (Text with EEA relevance)** | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| **The Constitution of the Republic of Serbia** (under Article 60, paragraph 5) prescribes special protection for women, youth and persons with disabilities in the workplace as well as special working conditions, in accordance with the law. The **Labour Law** affords employed women special protection during pregnancy and childbirth. Employees are entitled to childcare leave under this Law (Art. 12, paras 1 and 2 and Art. 89-100. of the Labour Law under Chapter - Protection of Maternity). **The Law on Financial Support to Families with Children,** affords the right to financial support to families with children, regulates the right to salary compensation during maternity leave, childcare leave and special childcare leave. **The Law on Occupational Safety and Health** regulates special rights, obligations and measures regarding occupational safety and health for women in jobs that pose a risk during pregnancy.  The Labour Law is partially harmonised with the aforesaid Directive. Its full harmonisation requires the introduction into the Law of the definitions from Article 2 (“pregnant worker”, “worker who has recently given birth”, and “worker who is breastfeeding”), transposition of Articles 5, 7 and 11, and introduction of norms referring to health and safety at work. The Rulebook on measures for the health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding (RS Official Gazette No. 102/16) has been adopted, transposing provisions 1.1, 2, 4.1, 4.2, 6.1.1., 6.1.2. and the Annexes to Directive 92/85/ЕЕC related to the field of health and safety at work.  The Directive establishes the right to parental leave of both father and mother of the child, to an equal extent. The Labour Law has to be harmonised by prescribing the right to parental leave in accordance with the Directive. The obligation of informing families on the use of parental leave is missing. The Labour Law should be harmonised with Clause 2(2) (encouraging equal take-up of leave by both parents); Clause 3(2)(notice periods to be given by the worker to the employer when exercising the right to parental leave); Clause 5, items 1, 2 and 5 (ensuring the same rights upon returning from parental leave and prevention of discrimination); Clause 6(2) (measures facilitating return to work); Clause 7, items 1 and 2 (time off from work on grounds of force majeure).  Since the right to leave in Serbia is linked to salary compensation, **changes are necessary to the Law on Financial Support to Families with Children.**  This Law will be harmonised with the Directive after the adoption of the new Labour Law (with regard to salary compensation). | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.2.12.1 | Implementation of the Labour Law in the segment related to parental leave, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution:  MLEVSA,  Labour Inspectorate | | Q1 2022 and continuously | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted as part of Activity 1.1.1.4. |  |
| 1.2.12.2 | Development of an IT system for the payment of entitlements established by the Law on Financial Support to Families with Children | Responsible institution:  MLEVSA | | In parallel with the Labour Law – Q4 2021 | Department for Family Care and Social Protection, 5 civil servants with academic degree  Information system of the Ministry of Labour, Employment, Veteran and Social Affairs, 5 civil servants with academic degree | Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support. | In parallel with the Labour Law - Q4 2021 | RS Budget, €60,000 in total, with €30,000 per year in 2021 and 2022.  2020: RSD 0  2021: RSD 3,540,000  2022: RSD 3,540,000 | Apply for donor funds and EU funds |
| 1.2.12.3 | Review of the required bylaws for the implementation of the Law on Financial Support to Families with Children | Responsible institution:  MLEVSA in cooperation with  PSSPDGE, LGUs | | Q4 2021  In parallel with the Labour Law - Q4 2021. | Department for Family Care and Social Protection, 5 civil servants with academic degree | Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support. | After the adoption of the new Labour Law  In parallel with the Labour Law - Q4 2021. | Budgeted under 1.2.2.4. |  |
| 1.2.12.4 | Drafting of at least two bylaws based on the Law on Financial Support to Families with Children | Responsible institution:  MLEVSA in cooperation with  PSSPDGE , LGUs | | In parallel with the Labour Law - Q4 2021. | Department for Family Care and Social Protection, 5 civil servants with academic degree | Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support. | In parallel with the Labour Law - Q4 2021. | Budgeted under 1.2.2.4. |  |
| 1.3 INFORMING, CONSULTING, AND PARTICIPATION OF EMPLOYEES | | | | | | | | | |
| **1.3.1**  **Directive 2009/38/EC** of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast) (Text with EEA relevance), *OJ L 122, 16/5/2009, p. 28-44.*  This Directive amends Directives 94/45/EC and 97/74/EC. See amendment by Directive 2015/1794. | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| This Directive has not yet been transposed into Serbia’s national legislation. Full harmonisation with the Directive requires the transposition of Art. 3 and Art. 6(3) of the Directive. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.3.1.1 | Drafting an expert review for the preparation of the main elements for the harmonisation and transposition of this Directive for the adoption of the Law on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees. | Responsible institution:  MLEVSA in cooperation with social partners. | | Q3 2020 | In the Department for Labour and Employment of MLEVSA, Department for Social Dialogue, Collective Negotiation and Earnings 1 civil servant AD performing all other work of the graduate lawyer | As under 1.2.11.1  - staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support  - large working group for drafting the analysis of up to 30 members working up to 30 working days in 2020  - TAIEX expert, one 5-day visit in 2020  - 4 round tables in 2020 with social partners | Q2 2020 | RS Budget, €64,032 in total, all in 2020.  2020: RSD 7,555,776  2021: RSD 0  2022: RSD 0 | Donor funds, total €2,250, all in 2020.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.3.1.2 | Adoption of a special Law on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees, including bylaws, with the aim of fully transposing the subject matter directive | Responsible institution:  MLEVSA in cooperation with social partners. | | Q4  2021 | As under 1.3.1.1 | As under 1.3.1.1  - Large working group for drafting the law of up to 30 members working up to 30 working days in 2021  - TAIEX expert 1 visits 5 days in 2021  - 3 public debates in 2021  - 5 events: Round tables in 2021 | Q4 2020 | RS Budget, €36,957 in total, all in 2021  2020: RSD 0  2021: RSD 4,360,926  2022: RSD 0 | Donor funds, total €2,250, all in 2021.  2020: RSD 0  2021: RSD 265,500  2022: RSD 0 |
| 1.3.1.3 | Implementation of a special Law on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees, through:  a) trainings, seminars and workshops for social partners  b) round tables for social partners  c) drafting and impact analysis of the implementation of the Law related to consultation and information in companies at the EU level regarding the application and compliance with these provisions and the number of labour disputes regarding these rights and the drafting and delivery of reports to social partners as the drafting of proposed measures for further improving the situation in the field | Responsible institution:  MLEVSA in cooperation with social partners. | | Q1 2022, continuously | As under 1.3.1.1 | As under 1.3.1.1  - 4 trainings up to 30 participants, 4 round tables, all in 2022 | As under 1.3.1.1 | RS Budget, €13,189 in total, all in 2022  2020: RSD 0  2021: RSD 0  2022: RSD 1,556,302 |  |
| **1.3.2**  **Directive 2002/14/EC** of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community - Joint declaration of the European Parliament, the Council and the Commission on employee representation, *OJ L 80, 23/3/2002, p. 29*  See amendment by Directive 2015/1794 | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| **The Labour Law** has been partially harmonised with this Directive.  The Law on the Social and Economic Council has established a framework for social dialogue at the national and local level, along with other forms of social partner cooperation (through collective agreements, working bodies for drafting regulations, joint participation in governing bodies, etc.).  **For full harmonisation with this Directive the Labour Law** has to contain relevant provisions in the segment of the general framework for informing and consulting employees in accordance with Directive EU 2002/14, involving definitions of who is considered as an employee representative, what is considered to be information and consultation, establish a time for consultation, consider the option of social partners at various levels being able to conclude agreements after negotiations about the method of consulting and informing, and other matters, and consider the introduction of sanctions for non-compliance with the provisions related to information and consultation. (Article 8 of the Directive). | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.3.2.1 | Drafting of an expert review of the Labour Law in the segment related to the obligation of establishing a general framework for information and consultation of employees for the drafting of the main elements for the harmonisation and transposition of this Directive and other regulations in the segment related to the establishment of a general framework for information and consultation with employees in companies and plants at the EU level. | Responsible institution:  MLEVSA in cooperation with social partners. | | Q3 2020 | As under 1.3.1.1  and as under 1.1.1.1 | As under 1.3.1.1  and as under 1.1.1.2 | Q4 2020 | Budgeted under Activity 1.3.1.1. |  |
| 1.3.2.2 | Adoption of a new Labour Law and other regulations, including bylaws, in the segment related to the obligation of establishing a general framework for information and consultation of employees in companies and plants at the EU level. | Responsible institution:  MLEVSA in cooperation with social partners. | | Q4 2021 | As under 1.3.1.1  and as under 1.1.1.1 | As under 1.3.1.1  and as under 1.1.1.2 | As under 1.3.2.1 | Budgeted under Activity 1.3.1.2. |  |
| 1.3.2.3 | The implementation of the new Labour Law and other regulations, including bylaws, in the segment related to the obligation of establishing a general framework for information and consultation of employees in companies and plants at the EU level through:  a) trainings, seminars and workshops for social partners  b) round tables for social partners  c) drafting and impact assessment of the implementation of the Law related to consultation and information in companies at the EU level regarding the application and compliance with these provisions and the number of labour disputes regarding these rights and  d) the drafting and delivering reports to social partners, and proposing measures for further improving the situation in the field | Responsible institution:  MLEVSA in cooperation with social partners. | | Q1 2022, continuous | As under 1.3.1.1 | As under 1.3.1.1 | As under 1.3.2.1 | Budgeted under Activity 1.3.1.3. |  |
| **1.3.3**  **Council Directive 2001/86/EC** of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees, *OJ L 294, 10/11/2001, p. 22* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| Directive 2001/86/EC has not been transposed into the legislation of the Republic of Serbia.  **Full harmonisation with the Directive** requires:   * Harmonise **other regulations under the competence of other ministries,** particularly when applying the following articles:   + Article 2. of the Directive - the definition of the terms “European company (SE)”, “participating companies”, “subsidiary” or “establishment”   + Article 8 of the Directive - regarding confidentiality in the context of and information or consultation procedure. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.3.3.1 | Drafting an expert review regarding the method of employee involvement in decision-making in a European company or European cooperative in order to prepare the main elements for harmonisation and transposition of this Directive into Serbia’s national legislation. | Responsible institution:  MLEVSA in cooperation with social partners. | | Q3 2020 | As under 1.3.1.1 | As under 1.3.1.1  Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support  - 1 TAIEX expert 1 visit, 5 days in 2020 | Q2 2020 | Budgeted under 1.3.1.1. | Donor funds, total €2,250, all in 2020.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.3.3.2 | The adoption of a special Law on Involvement of Employees in Decision-Making in a European Company or European Cooperative | Responsible institution:  MLEVSA in cooperation with social partners | | Q4 2021 | As under 1.3.1.1 | As under 1.3.1.1 | As under 1.3.3.1 | Budgeted under 1.3.1.2. |  |
| 1.3.3.3 | The implementation of a special Law on Involvement of Employees in Decision-Making in a European Company or European Cooperative through:  a) trainings, seminars and workshops for social partners  b) round tables for social partners  c) drafting and impact analysis of the implementation of the Law related to consultation and information in companies at the EU level regarding the application and compliance with these provisions regarding these rights and  d) drafting and delivering reports to social partners as well as proposing measures for further improving the situation in the field | Responsible institution: MLEVSA in cooperation with social partners. | | Q1 2022, continuously | As under 1.3.1.1 | As under 1.3.1.1 | As under 1.3.3.1 | Budgeted under Activity 1.3.1.3. |  |
| **1.3.4**  **Council Directive 2003/72/EC** of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees, *OJ L 207, 18/8/2003, p. 25*. | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| In the context of Directive 2001/86/ЕC and Directive 2003/72/ЕC it is also necessary to differentiate between Article 4 (agreement on establishing a representative body or alternative mechanism for the purposes of informing and consulting employees) and decisions under Article 3(6) whereby a special negotiating body relies on the rules on information and consultation of employees in force in the Member States where the SE/SCE has employees. It is also expected that Serbia, in accordance with these directives, establish a method to be used for the selection or nomination of members of a special negotiating body selected or nominated in its territories. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.3.4.1 | Drafting an expert review regarding the method of employee involvement in decision-making in European Companies or European Cooperative Societies in order to prepare the main elements for harmonisation and transposition of this Directive into Serbia’s national legislation | Responsible institution:  MLEVSA in cooperation with social partners | | As under 1.3.1.1 | As under 1.3.1.1 | As under 1.3.1.1  Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support | As under 1.3.1.1 | Budgeted under 1.3.1.1. |  |
| 1.3.4.2 | The adoption of a Law on the Involvement of Employees in Decision-Making in a European Company or European Cooperative | Responsible institution:  MLEVSA in cooperation with social partners | | Q4 2021 | As under 1.3.1.1 | As under 1.3.1.1 | As under 1.3.3.1 | Budgeted under 1.3.1.2. |  |
| 1.3.4.3 | The implementation of a special Law on the Involvement of Employees in Decision-Making in a European Company or European Cooperative through:  a) trainings, seminars and workshops for social partners  b) round tables for social partners  c) drafting an impact assessment of the implementation of the Law with respect to consultation and information in companies at the EU level, with respect to the application and compliance with these provisions regarding these rights and  d) the drafting and delivery of reports to social partners and proposing measures for further improving the situation in the field | Responsible institution:  MLEVSA in cooperation with social partners | | Q1 2022 | As under 1.3.1.1 | As under 1.3.1.1  Budgeted under Activity 1.3.1.3 from a)-c) | As under 1.3.1.1 | Budgeted under 1.3.1.3. |  |
| 1.3.4.4 | Legal regulation of the selection or nomination of members of a special negotiating body being selected or nominated. | Responsible institution:  MLEVSA | | Q2 2021 | As under 1.3.1.1 | As under 1.3.1.1 | As under 1.3.1.1 | Budgeted under Activity 1.3.1.3 |  |
| **1.3.5**  Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law, codifying Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| **Directive (EU) 2017/1132** has not been transposed into Serbia’s national legislation. Full harmonisation with the Directive requires harmonisation of regulations in the segment related to the participation of employees in cases of mergers of limited liability companies established in accordance with the regulations of the Republic of Serbia with seats in the Community, provided that at least two of them are regulated by laws of different member states (“cross-border mergers”).  The transposition of Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017, in the part related to the establishment, operation and mergers of limited companies and cross-border mergers, was completed with the enactment of Articles 514а and 514n of the Company Law (RS Official Gazette No 36/11, 99/11, 83/14 – as amended, 5/15, 44/18, 98/18 and 91/19). | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.3.5.1 | Drafting an expert review of regulations regarding the participation of employees in case of cross-border mergers of limited liability companies in order to prepare the main elements for harmonisation and transposition of this Directive into Serbia’s national legislation | Responsible institution:  MLEVSA in cooperation with social partners and other bodies | | As under 1.3.1.1 | As under 1.3.1.1 | As under 1.3.1.1  Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support | As under 1.3.1.1 | Budgeted under 1.3.1.1. |  |
| 1.3.5.2 | Amendments of regulations related to the participation of employees in case of cross-border mergers of limited companies:  a) trainings, seminars and workshops for social partners  b) round tables for social partners  d) the drafting and delivery of reports to social partners and proposing measures for further improving the situation in the field | Responsible institution:  MLEVSA in cooperation with social partners and other bodies | | Q1 2022 | As under 1.3.1.1 | As under 1.3.1.1  Budgeted under Activity 1.3.1.3 | As under 1.3.1.1 | Budgeted under Activity 1.3.1.3. |  |
| **1.3.6**  **Council Directive 98/59/EC** of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies, *OJ L 225, 12/8/1998, p. 16* | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| The **Labour Law**, under the provisions of Art. 153-160 regulates the issue of collective redundancies. The Labour Law has been partially harmonised with this Directive.  **The full harmonisation of the Labour Law** requires the harmonisation of this law regarding the scope of employees covered by the provisions on collective redundancies, reference period, and the procedure of implementing collective redundancies and cooperation with employees. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.3.6.1 | Review of the Labour Law and drafting of the working version of the draft Law (the part related to collective redundancies from the aspect of harmonisation of Serbia’s legislation in this field with the Directive) | Responsible institution:  MLEVSA  in cooperation with  the Ministry of Economy, and other relevant bodies | | From Q3 2019 - Q3 2020. | As under 1.1.1.1 | As under 1.1.1.2  - Large working group up to 15 members working up to 30 working days in 2019  WG composition: MLEVSA (Department for Labour and Employment, Labour Inspectorate), Ministry of Economy  - 1 expert, 2 visits with 5 working days each (TAIEX) budgeted in 2019 | As under 1.2.1.1 | RS Budget, €17,285 in total, with €8,642 per year in 2019 and 2020, respectively.  2020: RSD 1,019,756  2021: RSD 0  2022: RSD 0 | Donor funds, total €4,500, with €2,250 per year in 2019 and 2020, respectively.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 1.3.6.2 | Adoption of the Labour Law and other regulations, including bylaws regulating collective redundancies in accordance with the recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution:  MLEVSA  in cooperation with  the Ministry of Economy, Republic Secretariat for Legislation, Government of Serbia and the National Assembly | | Q4 2021 | As under 1.1.1.1 | As under 1.1.1.2  - Round tables, 5 events in 2021  - 3 public debates in 2021  - Large working group up to 15 members working up to 30 days in 2021  - TAIEX expert, 1 visit in 2021. | As under 1.1.1.2 | RS Budget, €32,878 in total, all in 2021.  2020: RSD 0  2021: RSD 3,879,604  2022: RSD 0 | Donor funds, total €2,250, all in 2021.  2020: RSD 0  2021: RSD 265,500  2022: RSD 0 |
| 1.3.6.3 | Implementation of the Labour Law in the segment related to collective redundancies, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops,  b) round tables,  c) drafting impact analyses of the implementation of the Law, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  d) reporting to relevant national and EU bodies and proposing measures for the further improvement of the situation in this field | Responsible institution:  MLEVSA | | Q1 2022 and continuously | As under 1.1.1.1 | As under 1.1.1.2  Trainings, seminars and workshops:  - civil servants, up to 30 participants, 5 two-day trainings in 2022  - labour inspectors, up to 30 participants, 5 two-day trainings in 2022  - labour inspectors, up to 30 participants, 5 two-day trainings in 2022  - seminars for social partners, up to 30 participants, 5 one-day trainings in 2022  - trainings for arbitrators and mediators of the APSLD, 5 seminars, 1 day each, up to 30 participants per seminar in 2022  - round tables for judges and the expert public (one round table, 1 day, up to 30 participants per round table, 5 in 2022), and  - 1 TAIEX expert, 5 working days in 2022. | As under 1.1.1.2 | RS Budget, €13,250 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 1,563,500 | Donor funds, total €2,250, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| 1.3.6.4 | Implementation of the Labour Law in the segment related to collective redundancies, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution:  MLEVSA - Labour Inspectorate | | Q1 2022 and continuously | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted as part of Activity 1.1.1.4. |  |
| **1.3.7**  **Council Directive 2001/23/EC** of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses, *OJ L 82, 22/3/2001, p. 16; Art. 5 and 6 of* ***Directive 2015/1794*** | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | |
| **The Labour Law** contains provisions on the protection of employees in the event of change of employer (Art. 147-151).  The Labour Law has been partially harmonised with this Directive.  Full harmonisation requires the Labour Law to contain the definitions of the basic terms related to the institute of changing employers (undertaking, transfer of an undertaking, transferor and transferee), and provisions regarding informing employees, protection from redundancy and compliance with the provisions of the law regarding transnational/multinational companies. | | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 1.3.7.1 | Review of the Labour Law and preparation of the working version of the draft Law (the part related to the rights of employees in the event of change of employer, from the aspect of harmonisation of Serbia’s legislation in this field with the Directive). | Responsible institution: MLEVSA  in cooperation with  the Ministry of Economy, and other relevant bodies | | Q4 2019 to Q3 2020 | As under 1.1.1.1 | As under 1.2.1.1  - Large working group up to 15 members working up to 30 working days in 2019  WG composition: MLEVSA (Department for Labour and Employment, Labour Inspectorate), Ministry of Economy  - 1 expert, 2 visits with 5 working days each (TAIEX) in 2020 | As under 1.2.1.1 | RS Budget, €30,878 in total, all in 2020.  2020: RSD 3,643,545  2021: RSD 0  2022: RSD 0 | Donor funds, €4,500 in total, all in 2020.  2020: RSD 531,000  2021: RSD 0  2022: RSD 0 |
| 1.3.7.2 | Adoption of the Labour Law and other regulations, including bylaws in the segment related to the rights of employees in the event of change of employer in accordance with the recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution: MLEVSA  in cooperation with  the Ministry of Economy, Republic Secretariat for Legislation, Government of Serbia and the National Assembly | | Q4 2021 | As under 1.1.1.1 | As under 1.1.1.2  - Round tables – 5 events in 2021  - 3 public debates in 2021  - Large working group up to 15 members working up to 30 days in 2021  - TAIEX expert, one 5-day visit in 2021. | As under 1.1.1.2 | RS Budget, €32,878 in total, all in 2021.  2020: RSD 0  2021: RSD 3,879,604  2022: RSD 0 | Donor funds, total €2,250, all in 2021.  2020: 0 РСД  2021: 265.500 РСД  2022: 0 РСД |
| 1.3.7.3 | Implementation of the Labour Law in the segment related to the rights of employees in case of changes of employers, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops,  b) round tables,  c) drafting impact analyses of the implementation of the Law, based on: inspection oversight, court disputes, cooperation with social partners and the civil sector, the agency for peaceful settlement of disputes, etc.  d) reporting to relevant national and EU bodies and proposing measures for the further improvement of the situation in the field | Responsible institution:  MLEVSA | | Q1 2022 and continuously | As under 1.1.1.1 | As under 1.1.1.3  - Trainings, seminars and workshops for civil servants - up to 30 with 4 trainings, 2 days each in 2020  - Trainings of civil servants – 20 inspectors, up to 4 trainings, 2 days each in 2022  - Seminars for social partners (one seminar per quarter, 1 day each, up to 30 participants per seminar in 2022)  - Trainings for arbitrators and mediators of the APSLD (one seminar per quarter, 1 day each, up to 30 participants per seminar in 2022)  - Round tables for judges and the expert public (one round table 1 day each, up to 30 participants per round table, one round table in 2020, and 4 in 2022)  - 1 TAIEX expert – 5 working days in 2021. | As under 1.1.1.2 | RS Budget, €8,200 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 967,600 | Donor funds, total €2,250, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 265,500 |
| 1.3.7.4 | Implementation of the Labour Law in the segment related to the rights of employees in the event of change of employer, for the purpose of harmonising practices of employers and employees with regard to the application of the provisions of the Law, through:  a) trainings, seminars and workshops for inspectors,  b) oversight based on official duties or upon client request,  c) preventive actions by the Labour Inspection,  d) cooperation with social partners. | Responsible institution:  Labour Inspectorate | | Q1 2022 | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted as part of Activity 1.1.1.4. |  |

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| **SECTION 1. SUMMARY - LABOUR LAW** | | | | | |
| **NUMBER OF REGULATIONS REQUIRED TO ENSURE HARMONISATION** | **NUMBER OF CIVIL SERVANTS CURRENTLY WORKING ON THE DEVELOPMENT AND IMPLEMENTATION OF REGULATIONS** | **CAPACITIES REQUIRED** | **HARMONISATION DEADLINE** | **IMPROVEMENT DEADLINE** | **TOTAL FUNDS REQUIRED FOR THESE ACTIVITIES** |
| 15 regulations need to be adopted (11 laws and amendments to laws, 4 rulebooks and other bylaws, 1 legal instrument on the appointment of a representative to EU bodies) | 15 (4 staff members responsible for normative affairs at the Section for Normative, Research and Analysis Affairs in the Field of Labour + 1 staff member responsible for analytical activities and 1 staff member responsible for administrative, technical and support activities) | 12 (11 with academic degree, the Section for Normative, Research and Analytical Affairs in the Field of Labour plans to increase the number of staff by 2021, by additional 4 staff members responsible for normative affairs – the transposition of EU directives) | By Q4 2021 | By Q4 2021 | €4.771.526.00 |

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| 2. SOCIAL DIALOGUE | | | | | | | | |
| **2.1**  **C2010/083/01 Treaty on the Functioning of the European Union Part three:** Union Policies and Internal Actions, Title X: Social Policy, articles 151 and 155 (*OJ C 83, 30/3/2010, p. 116*) | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The institutional framework for freedom of association, social dialogue, collective bargaining and representation exist in the Constitution, the Labour Law, the Law on the Peaceful Settlement of Labour Disputes and the Law on the SEC. The new Labour Law will improve, among other, the legislative framework for establishing the representation of social partners, while the Law on amendments to the Law on the Peaceful Settlement of Labour Disputes will improve the field of amicable resolution of individual and collective labour disputes. A needs analysis should be performed with respect to amendments to the Law on the Social and Economic Council, to improve the legislative framework in the field of social dialogue. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 2.1.1 | Drafting a review of the Labour Law and other regulations in the segment related to social dialogue, collective bargaining and the representation of unions and associations of employers. | Responsible institution:  MLEVSA in cooperation with social partners | Q3 2020 | In the Department for Labour and Employment of MLEVSA, Department for Social Dialogue, Collective Negotiation and Earnings 1 civil servant AD performing all other work of the graduate lawyer in the Department  and as under 1.1.1.1 | The Department for Social Dialogue, Collective Negotiation and Earnings in the Department for Labour and Employment requires 1 civil servant with an academic degree  Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support  - Large working group up to 15 members working up to 30 working days in 2020  - TAIEX expert 1 visits 5 days in 2020  - 5 events in 2020 - round tables  and as under 1.1.1.2 | Q3 2020 | RS Budget, €33,659 in total, all in 2020.  2020: RSD 3,971,797  2021: RSD 0  2022: RSD 0 | Donor funds, total €2,250, all in 2020.  2020: RSD 265,500  2021: RSD 0  2022: RSD 0 |
| 2.1.2 | Adoption of the Labour Law and other regulations, including bylaws in the segment related to social dialogue, collective bargaining and representation of unions and associations of employers in accordance with the recommendations from the Review, with the aim of fully transposing the Directive | Responsible institution:  MLEVSA in cooperation with social partners | Q4 2021 | As under 2.1.1  and as under 1.1.1.1 | As under 2.1.1  and as under 1.1.1.2 | As under 2.1.1 | RS Budget, €1,532 in total, all in 2021.  2020: RSD 0  2021: RSD 180,776  2022: RSD 0 | Donor funds, total €2,250, all in 2021.  2020: RSD 0  2021: RSD 265,500  2022: RSD 0 |
| 2.1.3 | Implementation of the Labour Law in the segment related to social dialogue, collective bargaining and representation, and in regards to the implementation of the provisions of the law, through:   1. trainings, seminars and workshops, 2. round tables, 3. drafting an impact assessment of the implementation of the Law in the segment related to social dialogue, collective bargaining and representation based on the number of collective labour disputes, judicial disputes, decisions by the Council for establishing representation, etc. 4. reporting on the reviews produced to the stakeholders and proposing measures for the further improvement of the situation in the field | Responsible institution:  MLEVSA | Q1 2022 and continuously | As under 2.1.1 | As under 2.1.1 | As under 2.1.1 | RS Budget, €6,127 in total, all in 2022.  2020: RSD 0  2021: RSD 0  2022: RSD 722,986 |  |
| 2.1.4 | Review of the Law on the Social and Economic Council | Responsible institution:  MLEVSA, in cooperation with the Social and Economic Council | Q1 2020 | As under 2.1.1  The Social and Economic Council has a secretary and 2 administrative officers | As under 2.1.1  Hire 1 staff member with an academic degree in SEC to raise SEC capacities.  Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support | Q4 2020 | Budgeted under 2.1.2 | Donor funds, total €2,250, all in 2020.  2020: RSD 0  2021: RSD 0  2022: RSD 0 |
| 2.1.5 | Implementation of the Law Amending the Law on the Peaceful Settlement of Labour Disputes   1. trainings, seminars and workshops, 2. round tables, 3. drafting an impact analysis of the implementation of the Law in the segment related to individual and collective labour disputes 4. reporting on the reviews produced and submission to the Social and Economic Council and other stakeholders and proposing measures for the further improvement of the situation in the field | Responsible institution:  MLEVSA in cooperation with  APSLD | Q1 2019 and continuously | APSLD has a total of 8 employees, 2 of them with academic degree working on legal affairs | Hire 1 staff member with an academic degree in APSLD | Q4 2020 | RS Budget, €81,696 in total, with €20,424 per year from 2019-2022.  2020: RSD 2,410,032  2021: RSD 2,410,032  2022: RSD 2,410,032 |  |
| **2.2**  **32003D0174 (EUR-Lex: 05.20.30) Council Decision 2003/174/EC** of 6 March 2003 establishing a Tripartite Social Summit for Growth and Employment *(OJ L 70, 14/3/2003, p. 31)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| A representative will be appointed upon accession of the Republic of Serbia to full EU membership. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 2.2.1 | Act appointing a representative of the Republic of Serbia for participation in the Tripartite Social Summit. | Responsible institution:  MLEVSA and the  Government of Serbia | Upon accession | Capacities will be determined after the accession to the EU | Capacities will be determined after the accession to the EU | N/A | Budgeted under 2.1.3 |  |
| **2.3**  **32003G0218(02)** **(EUR-Lex: 05.20.05) Council Resolution** of 6 February 2003 on corporate social responsibility (*OJ C 39, 18/2/2003, p.3-4)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| A survey was conducted on “Balancing Work and Parenthood”, based on an agreement on cooperation of 7 February 2017 between the CCIS and the Office of the Minister without Portfolio Slavica Đukić Dejanović. The results of the study were presented at the CCIS on 4 April 2018, with a new Strategy for Promoting Childbirth. The event served to announce the activity **“Family-Friendly”** aiming to award companies that have efficiently harmonised business and parenthood. A total of 24 companies have applied for the prize for the most “family-friendly” company in the period from 30 October to 19 November 2018, and according to the criteria they were sorted into one of three categories: small and medium-sized enterprises, large enterprises and public/majority state-owned enterprises. The jury is currently deliberating on the winners of the newly established award.  The **National Award for Corporate Social Responsibility** has been awarded biannually by the Chamber of Commerce and Industry of Serbia since 2010. This award stands out among others in the field by its unique methodology and integrated approach, with equal treatment of the key aspects of sustainable business. The seventh cycle of the National Award for CSR was opened for applications in early 2019. The expert jury, consisting of representatives of state institutions, business associations, non-governmental organisations and the media, will present awards under three categories: Large companies, Medium-sized companies, Small and micro-sized companies. Companies applying for the competition will be ranked based on predetermined criteria and methodology, and the verification reports and findings of the Chamber of Commerce and Industry of Serbia team regarding the degree of application of CSR principles in practice.  The Chamber of Commerce and Industry of Serbia is a partner in the **project “Improving the legislative framework for donations”,** implemented from April 2018 to April 2022. The project plans a number of events and activities with the aim of promoting a framework for donations for the greater good of the community. Among other, through meetings of the Council for Corporate Social Responsibility, members will openly discuss all current topics that contribute to improving the framework for donations. The project plans to improve corporate and individual donations, and citizens’ donations, promote philanthropy, and improve the philanthropic infrastructure. Along with the Chamber of Commerce and Industry of Serbia, project partners include: Divac Foundation, Trag Foundation, Smart Collective and the Serbian Philanthropic Forum.  A **Council for Philanthropy** was established on 23 August 2018, by decision of the Prime Minister of Serbia, Ana Brnabić. The goal of the Council is to improve the policy and the legislative framework for donations in Serbia toward further development of the philanthropic infrastructure and culture for the greater good in Serbia. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 2.3.1 | Adoption of a new Strategy for the Development and Promotion of Corporate Social Responsibility in the Republic of Serbia | Responsible institution:  MLEVSA  Ministry of Economy,  Chamber of Commerce and Industry of Serbia | Q4 2021 | As in 2.1.2 | / | Q4 2021 | Budgeted under 2.1.2 |  |

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| **SECTION 2. SUMMARY - SOCIAL DIALOGUE** | | | | | |
| **NUMBER OF REGULATIONS REQUIRED TO ENSURE HARMONISATION** | **NUMBER OF CIVIL SERVANTS CURRENTLY WORKING ON THE DEVELOPMENT AND IMPLEMENTATION OF REGULATIONS** | **CAPACITIES REQUIRED** | **HARMONISATION DEADLINE** | **IMPROVEMENT DEADLINE** | **TOTAL FUNDS REQUIRED FOR THESE ACTIVITIES** |
| Two regulations need to be adopted (two laws and two legal instruments on the appointment of representatives to EU bodies) | 14 (4 with academic degree) | 3 (with academic degree) | By Q4 2021 | By Q4 2020 | €129,764.00 |

| 3. OCCUPATIONAL HEALTH AND SAFETY | | | | | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **3.1**  **32007G0630(01) (EUR-Lex: 05.20.20.10) Council Resolution** of 25 June 2007 on a new Community strategy on health and safety at work (2007-2012) (*OJ C 145, 30.6.2007, p. 1)*  Evaluation of the European Strategy 2007–2012 on health and safety at work (SWD(2013) 202 final of 31/5/2013) | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The administration bodies within the Ministry of Labour, Employment, Veteran and Social Affairs with remit over health and safety at work are the Administration for Occupational Safety and Health and the Labour Inspectorate. Legislative and supervisory affairs under the remit of the Ministry are divided so that the Administration for Occupational Health and Safety, as part of its core duties, drafts regulations in the field of health and safety at work, while the Inspectorate supervises the implementation of the Law on Occupational Safety and Health and bylaws, and/or measures of occupational safety and health.  The Strategy for Health and Safety at Work in the Republic of Serbia for the period 2018-2022 with the Action Plan for its implementation (RS Official Gazette No 96/18) and the Law on Occupational Safety and Health (RS Official Gazette No 101/05, 91/15 and 113/17 – as amended), 32 bylaws adopted with the aim of implementing the Law, and 23 bylaws transposing individual EU directives into the legal system, represent the strategic and legal framework for establishing and implementing an occupational safety and health system in the Republic of Serbia. With the aim of further harmonisation with EU directives, amendments have been planned for regulations related to clarifying, or regulating in more detail or in a different manners provisions of regulations partially transposing relevant EU regulations, related to full harmonisation with Council Directive 89/391/EEC and with individual directives when working with screen equipment, the protection of employees from physical harmful effects (vibration), regarding the exposure of employees to physical harmful effects (noise), health and safety at work on temporary or mobile construction sites, improving health and safety for workers extracting mineral resources in deep digs, for workers in open pits or deep mines in the minerals industry, protection of employees from exposure to biological agents in the workplaces, employee health and safety regarding physical harm – electromagnetic fields, protection of employees from exposure to physical harm – artificial optical radiation, protection of youth at work in the segment of occupational safety and health and promoting improvements to occupational safety and health of pregnant workers, workers who recently gave birth or are breastfeeding.  In accordance with the Rulebook on the internal organisation and job classification at the Ministry of Labour, Employment, Veteran and Social Affairs, 6 posts have been classified for civil servants with an academic degree in the field of occupational safety and health in the Administration for Occupational Safety and Health. Of the total number of employees, 6 civil servants with an academic degree, with different profiles, have been engaged in work related to the harmonisation of regulations with the EU acquis. The reason why no increase of the existing number of civil servants engaged in implementing these duties is envisaged is that the current number of employees is deemed sufficient for the planned activities, related to amendments of existing regulations with a view to further harmonising these with EU directives in this field. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.1.1 | Implementation of the Strategy of Health and Safety at Work in the Republic of Serbia 2018-2022 with the Action Plan for its implementation | Responsible institution:  MLEVSA,  Administration for Occupational Health and Safety,  Labour Inspectorate | Continuous | MLEVSA Administration for Occupational Safety and Health (6 civil servants) and the Labour Inspectorate (1 civil servant). Department for Study-Analytical Affairs  Ministry of Economy (1 civil servant),  MCTI (1 civil servant),  MME (1 civil servant),  Ministry of Health (1 civil servant),  MESTD (1 civil servant) | No additional capacities are required | / | RS Budget, €115,509, with €61,272 in 2019, €50,847 in 2020, and €1,695 in 2021 and 2022, respectively  2020: RSD 6,000,000  2021: RSD 200,000  2022: RSD 200,000 |  |
| **3.2**  **52014DC0332 (EUR-Lex: 05.20.20.10)** Communication from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions on an EU Strategic Framework on Health and Safety at Work 2014-2020 (COM/2014/0332 final of 6/6/2014) | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Strategy for Health and Safety at Work in the Republic of Serbia for the period 2018-2022 with the Action Plan for its implementation (RS Official Gazette No 96/18) is the national Government programme establishing the development of occupational safety and health in a holistic manner. The goal of the Strategy is creating a safe and healthy work environment for the over two million employed persons in Serbia, which is based on the commitment and activities of the Ministry of Labour, Employment, Veteran and Social Affairs, other ministries, representative organisations of employees and employers, civil society and educational institutions, with the aim of ensuring safety and health at work, having in mind new and emerging risks in the workplace.  This document is partially harmonised with the Community Strategy and mainly covers the priorities outlined in the Strategy, with adjustments to the national context. The aforementioned Strategy is partially harmonised with the EU Strategic Framework on Health and Safety at Work 2014-2020. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.2.1 | Same as for 3.1.1 | As under 3.1.1 | Q4 2019 | As under 3.1.1 | As under 3.1.1 | / | Budgeted under activity 3.1.1 and 1.1.1.4 |  |
| **3.3**  **31989L0391 (EUR-Lex: 05.20.20.10)** **Council Directive 89/391/EEC** of 12 June 1989 on the introduction of measures to encourage improvements in the health and safety of workers at work (*OJ L 183, 29/6/1989, p. 1)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The current Law on Occupational Safety and Health (RS Official Gazette No 101/05, 91/15 and 113/17 – as amended) adopted in 2005, was amended in 2015. It regulates the rights, obligations and responsibilities of employers and employees, responsibilities and measures for health and safety at work. Consultations with the EC have been undertaken regarding the amendments of 2015. The law is partially harmonised with Directive 89/391/EEC, hence, further harmonisation is required regarding provisions related to the organisation of occupational safety and health responsibilities, the monitoring of the health of employees and consultation, information and cooperation with employees (Art. 2.1, 5.1, 6.1, 6.3.b, 7.1, 7.2, 7.7, part of 8.3.a, 8.5, 11.2.а and 14.2), to be defined by the new Law on Occupational Safety and Health.  The Administration for Occupational Health and Safety, with the support of the TAIEX department of the European Commission, has organised a workshop on 29 September 2017 in Belgrade regarding the transposition of Directive 89/391/EEC, on the introduction of measures to encourage improvements in the safety and health of workers into national legislation. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.3.1 | Adoption of a new Law on Occupational Safety and Health | Responsible institution:  MLEVSA,  Administration for Occupational Safety and Health and the Labour Inspectorate, MME.  Inspectors in the field of mining | Q2 2020 | MLEVSA, Administration for Occupational Health and Safety, 6 civil servants.  Labour Inspectorate 240 inspectors with HE  MME 7 inspectors for occupational safety and health in the field of mining. | No additional capacities are required | / | RS Budget, total €104,803, €94,323 in 2019 and €10,480 in 2020.  2020: RSD 1,236,679  2021: RSD 0  2022: RSD 0 |  |
| 3.3.2 | Continuous monitoring of the implementation of the Law on Occupational Safety and Health | Responsible institution:  MLEVSA  Labour Inspectorate | Q3 2020 and continuously | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under activity 1.1.1.4 and  RS Budget €555,403 in total, €277,702 in 2020 and €277,702 in 2021.  2020: RSD 32,768,800  2021: RSD 32,768,800  2022: RSD 0 |  |
| **3.4**  **31989L0654 (EUR-Lex: 05.20.20.10)** **Council Directive 89/654/EEC** of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (*OJ L 393, 30/12/1989, p. 1)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work (RS Official Gazette No 21/09 and 1/19) has been adopted and has been in use since 2009, prescribing the minimum requirements an employer must meet to ensure the application of preventive measures for safety and health at work. The Rulebook has been harmonised with Directive 89/654/ЕEC. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.4.1 | Continuous monitoring of the implementation  of the Rulebook on preventive measures for safety and health at work | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under activity 1.1.1.4 |  |
| **3.5**  **32009L0104 (EUR-Lex: 05.20.20.10) Directive** 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (Text with EEA relevance) (*OJ L 260, 3/10/2009, p. 5)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work (RS Official Gazette No 23/09, 123/12 and 102/15) has been adopted and has been in use since 2009, prescribing the minimum requirements an employer must meet to ensure the application of preventive measures for the use of work equipment. The Rulebook has been partially harmonised with Directive 2009/104/ЕC. Solutions that have not been fully harmonised: Article 4, paragraph 3. identification of procedures where it is impossible to achieve a level of safety in accordance with Annex II of the Directive; Article 5, review of work equipment, and Article 10, consultation with employees. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.5.1 | Adoption of the Rulebook amending the Rulebook on preventive measures for health and safety at work when using work equipment | As under 3.3.1 | Q4 2021 | As under 3.3.1 | No additional capacities are required | / | RS Budget, total €851, all in 2021.  2020: RSD 0  2021: RSD 100,418  2022: RSD 0 |  |
| 3.5.2 | Continuous monitoring of the implementation  of the Rulebook on preventive measures for health and safety at work when using work equipment | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under activity 1.1.1.4 |  |
| **3.6**  **31989L0656 (EUR-Lex: 05.20.20.10) Council Directive** 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (*OJ L 393, 30/12/1989, p. 18)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work when using personal protective items and equipment at work (RS Official Gazette No 92/09 and 101/18) has been adopted and has been in use since 2008, prescribing the minimum requirements an employer must meet to ensure the application of preventive measures for the use of personal protection items and equipment at work. The Rulebook has been harmonised with Directive 89/656/ЕEC. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.6.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work when using personal protective items and equipment at work | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under activity 1.1.1.4 |  |
| **3.7**  **31992L0058** **(EUR-Lex: 05.20.20.10) Council Directive** 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (*OJ L 245, 26/8/1992, p.*  *23)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on ensuring signs for occupational safety and health (RS Official Gazette No 95/10 and 108/17) has been adopted and has been in use since 2010, prescribing the minimum requirements an employer must meet to ensure signs for occupational health and/or safety. The Rulebook has been harmonised with Directive 92/58/ЕEC and Directive 2014/27/EU. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.7.1 | Continuous monitoring of the implementation of the Rulebook on ensuring occupational safety and health signs | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under activity 1.1.1.4 |  |
| **3.8**  **32003H0134 (EUR-Lex: 05.20.20.10)** Council recommendation of 18 February 2003 concerning the improvement of the protection of the health and safety at work of self-employed workers (*OJ L 53, 28/2/2003, p. 45)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Law on Occupational Safety and Health does not cover self-employed persons. The protection of occupational safety and health of these persons is prescribed under the Regulation on occupational safety and health on temporary or mobile construction sites (RS Official Gazette No 14/09, 95/10 and 98/18).  The plan is for the adoption of the new Law on Occupational Safety and Health to regulate the status of self-employed persons in the field of occupational safety and health. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS (EU AND OTHER DONOR FUNDS)** |
| 3.8.1 | Adoption of a new Law on Occupational Safety and Health that will regulate the status of self-employed persons in the field of occupational safety and health | As under 3.3.1 | Q1 2020 | As under 3.3.1 | No additional capacities are required | / | Budgeted under activity 3.3.1 |  |
| **3.9**  **32003H0670 (EUR-Lex: 05.20.40 Social Protection) Commission Recommendation** of 19 September 2003 concerning the European schedule of occupational diseases (Text with EEA relevance) (notified under document number C(2003) 3297) (*OJ L 238, 25/9/2003, p. 28)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| Article 24, paragraph 1 of the Law on Pension and Disability Insurance (RS Official Gazette No. [34/03](http://we2.cekos.com/ce/faces/index.jsp?&file=f22608&action=propis&path=02260801.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [64/04](http://we2.cekos.com/ce/faces/index.jsp?&file=f30326&action=propis&path=03032601.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-) - CC, [84/04](http://we2.cekos.com/ce/faces/index.jsp?&file=f30374&action=propis&path=03037401.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-) - as amended, [85/05](http://we2.cekos.com/ce/faces/index.jsp?&file=f38497&action=propis&path=03849701.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [101/05](http://we2.cekos.com/ce/faces/index.jsp?&file=f39910&action=propis&path=03991001.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-) - as amended, [63/06](http://we2.cekos.com/ce/faces/index.jsp?&file=f45397&action=propis&path=04539701.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-) - CC, [5/09](http://we2.cekos.com/ce/faces/index.jsp?&file=f63581&action=propis&path=06358101.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [107/09](http://we2.cekos.com/ce/faces/index.jsp?&file=f70945&action=propis&path=07094501.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [101/10](http://we2.cekos.com/ce/faces/index.jsp?&file=f78891&action=propis&path=07889101.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [93/12](http://we2.cekos.com/ce/faces/index.jsp?&file=f90231&action=propis&path=09023101.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [62/13](http://we2.cekos.com/ce/faces/index.jsp?&file=f96036&action=propis&path=09603601.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [108/13](http://we2.cekos.com/ce/faces/index.jsp?&file=f98865&action=propis&path=09886501.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [75/14](http://we2.cekos.com/ce/faces/index.jsp?&file=f103481&action=propis&path=10348101.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [142/14](http://we2.cekos.com/ce/faces/index.jsp?&file=f106544&action=propis&path=10654401.html&domen=0&mark=false&query=zakon+o+penzijskom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), 73/18 and 46/19 – CC) establishes the definition of occupational diseases.  Article 33 of the Law on Health Insurance (RS Official Gazette No. [107/05](http://we2.cekos.com/ce/faces/index.jsp?&file=f40188&action=propis&path=04018801.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [109/05](http://we2.cekos.com/ce/faces/index.jsp?&file=f40377&action=propis&path=04037701.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-) - corrigendum, [57/11](http://we2.cekos.com/ce/faces/index.jsp?&file=f83302&action=propis&path=08330201.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [110/12](http://we2.cekos.com/ce/faces/index.jsp?&file=f91142&action=propis&path=09114201.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-) - CC, [119/12](http://we2.cekos.com/ce/faces/index.jsp?&file=f91673&action=propis&path=09167301.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [99/14](http://we2.cekos.com/ce/faces/index.jsp?&file=f104420&action=propis&path=10442001.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [123/14](http://we2.cekos.com/ce/faces/index.jsp?&file=f105620&action=propis&path=10562001.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [126/14](http://we2.cekos.com/ce/faces/index.jsp?&file=f105878&action=propis&path=10587801.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-) - CC, [106/15](http://we2.cekos.com/ce/faces/index.jsp?&file=f115232&action=propis&path=11523201.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-), [10/16](http://we2.cekos.com/ce/faces/index.jsp?&file=f116345&action=propis&path=11634501.html&domen=0&mark=false&query=zakon+o+zdravstvenom&tipPretrage=1&tipPropisa=1&domen=0&mojiPropisi=false&datumOd=&datumDo=&groups=-@--@--@--@--@-) - as amended) prescribes that the right to healthcare in case of a workplace injury or occupational disease covers healthcare in the event of an injury at work or occupational disease, provided at the primary, secondary or tertiary level.  Article 96, paragraph 2 of the Law prescribes that the amount of earnings reimbursement provided from mandatory health insurance funds, and from employer funds in cases of temporary inability to work due to an occupational disease or workplace injury amounts to 100% of the base for earnings reimbursement.  The new Rulebook on the identification of occupational diseases (RS Official Gazette No 14/19), adopted and in use since March 2019, establishes occupational diseases, workplaces, and/or jobs where these diseases occur and conditions under which they are considered occupational diseases.  With the new Rulebook on the identification of occupational diseases the list of occupational diseases has been aligned with the relevant convention of the International Labour Organisation. In the forthcoming period the compliance of the current list of occupational diseases with the Recommendation of the European Commission will be verified, and if found compliant the amended list will be adopted. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.9.1 | A concordance analysis will be performed between the list of occupational diseases from the Rulebook on the identification of occupational diseases and the list of occupational diseases in the European Commission’s recommendation, and the Rulebook will be amended accordingly, if necessary | Responsible institution:  MLEVSA, in cooperation with the  Ministry of Health,  PDIF – Department for Medical Forensics | Q4 2021 | MLEVSA – within the Department for Pension and Disability Insurance and Veteran-Disability Protection, two civil servants in the Sector for Normative, Administrative-Oversight Affairs and Social Security Coordination Affairs.  PDIF - 140 employees in the Department for Medical Forensics perform duties regarding the assessment of the existence of disability, including the assessment of the existence of an occupational disease as per the Rulebook  Ministry of Health | MLEVSA – 2 employees 30 working days  Staff education on the EU acquis, through seminars and workshops, through the TAIEX programme and other forms of bilateral and multilateral technical support. | The new Rulebook was adopted in March 2019. By Q4 2021, an analysis will be performed on concordance between the new list of occupational diseases and the Commission’s Recommendation, and the Rulebook will be amended, if necessary. | RS Budget, €851 in total, all in 2021.  2020: RSD 0  2021: RSD 100,418  2022: RSD 0 |  |
| **3.10**  **31990L0269 (EUR-Lex: 05.20.20.10) Council Directive** 90/269/EEC of 29 May 1990 on the minimum safety and health requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (*OJ L 156, 21/6/1990, p. 9)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work in manual handling of loads (RS Official Gazette No 106/09) has been adopted and is in use since 2009, prescribing minimum conditions to be met by an employer to ensure the application of preventive measures in manual handling of loads where workers are at particular risk of back injuries or spinal diseases. The Rulebook has been harmonised with Directive 90/269/ЕEC. From the aspect of inspection oversight there have been no problems in the implementation of the Rulebook on preventive measures for health and safety at work in manual handling of loads (RS Official Gazette No 106/09) | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.10.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work in manual handling of loads | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.11**  **31990L0270 (EUR-Lex: 05.20.20.10) Council Directive** 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (*OJ L 156, 21/6/1990, p. 14)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work with display screen equipment (RS Official Gazette No 106/09 and 93/13) has been adopted and has been in use since 2009, prescribing the minimum requirements an employer must meet to ensure the application of preventive measures work with display screen equipment. The rulebook has been partially harmonised with Directive 90/270/ЕC, except for Article 2(b) of the Directive defining the term “workplace”. The Rulebook amending the Rulebook on preventive measures for health and safety at work with display screen equipment was adopted on 28 November 2019 (RS Official Gazette No 86/19). | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.11.1 | Adoption of the Rulebook on preventive measures for health and safety at work with display screen equipment | As under 3.3.1 | Q4 2019[[14]](#footnote-14) | As under 3.3.1 | No additional capacities are required | / | RS Budget, total €851, all in 2019.  2020: RSD 0  2021: RSD 0  2022: RSD 0 |  |
| 3.11.2 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work with display screen equipment | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| **3.12**  **31992L0029 (EUR-Lex: 05.20.20.10) Council Directive** 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels (*OJ L 113, 30/4/1992, p. 19)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Regulation on minimum requirements and conditions for providing medical care on maritime vessels (RS Official Gazette No 5/14) has been adopted and in use since January 2014. The regulation is fully harmonised with the EU Act. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.12.1  . | Continuous monitoring of the implementation of the Regulation on minimum requirements and conditions for providing medical care on maritime vessels | Responsible institution:  MCTI in cooperation with Ministry of Health | Continuous | MCTI (3 civil servants for drafting regulations)  The existing administrative capacities are adequate since we do not have a maritime fishing fleet, nor are there plans for creating a maritime fishing fleet. | No additional capacities are required | / | RS Budget, total €10,212, with €2,553 per year from 2019-2022.  2020: RSD 301,254  2021: RSD 301,254  2022: RSD 301,254 |  |
| **3.13**  **31993L0103 (EUR-Lex: 05.20.20.10)** **Council Directive** 93/103/EC of 23 November 1993 concerning the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (*OJ L 307, 13/12/1993, p. 1)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Regulation on preventive measures for health and safety at work on fishery vessels (RS Official Gazette No 70/10) adopted and in use since 2010, prescribes the minimum requirements an owner of a fishing vessel must meet in ensuring the application of preventive measures for health and safety at work on fishing vessels. The regulation has been harmonised with Directive 93/103/EC. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.13.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work on fishing vessels | Responsible institution:  MCTI | Continuous | As under 3.12.1 | No additional capacities are required | / | Budgeted under Act. 3.12.1. |  |
| **3.14**  **31992L0057 (EUR-Lex: 05.20.20.10) Council** **Directive** 92/57/EEC of 24 June 1992 on the implementation of minimum safety and health requirements at temporary or mobile construction sites (eighth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (*OJ L 245, 26/8/1992, p. 6)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Regulation on health and safety at work on temporary or mobile construction sites (RS Official Gazette No 14/09, 95/10 and 98/18) has been adopted in 2009, and in full use since 1 July 2011 so that the required number of construction site coordinators could pass the professional examination.  The Regulation has been partially harmonised with Directive 92/57/ЕEC. The provisions that were not fully harmonised are in the segment related to: the definition of the supervisory body of a project and the definition of a coordinator for drafting the design and coordinator for performing the works - (Article 2 of the Directive). | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.14.1 | Adoption of the Regulation amending the Regulation on health and safety at work at temporary or mobile construction sites | Responsible institution:  MLEVSA,  Administration for Occupational Safety and Health and  Labour Inspectorate | Q4 2020 | MLEVSA, Administration for Occupational Health and Safety, 6 civil servants with an academic degree.  Labour Inspectorate 240 inspectors with an academic degree | No additional capacities are required | / | RS Budget, total €1,915, all in 2020.  2020: RSD 225,970  2021: RSD 0  2022: RSD 0 |  |
| 3.14.2 | Continuous monitoring of the implementation of the Regulation amending the Regulation on health and safety at work on temporary or mobile construction sites | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| **3.15**  **31992L0091 (EUR-Lex: 05.20.20.10) Council Directive** 92/91/EEC of 3 November 1992 concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling (eleventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) *(OJ L 348, 28/11/1992, p. 9)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Regulation on preventive measures for health and safety at work regarding mineral extraction through drilling (RS Official Gazette No 61/10) was adopted in 2010, in force for those employers that started their business activities prior to the coming into force of this regulation since 2015, so that employers could ensure compliance. The regulation is partially harmonised with Council Directive 92/91/EEC. The solutions from the Directive that have not been fully harmonised with are: Definitions (Article 2 of the Directive) and part of the health surveillance (Article 8 of the Directive). | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.15.1 | Adoption of the Regulation amending the Regulation on preventive measures for health and safety at work regarding mineral extraction through drilling | Responsible institution:  MLEVSA,  Administration for Occupational Safety and Health and  MME , Inspectors in the field of mining | Q4 2020 | MLEVSA, Administration for Occupational Health and Safety, 6 civil servants with an academic degree.  MME (7) inspectors for occupational safety and health in the field of mining | No additional capacities are required | / | RS Budget, total €1,915, all in 2020.  2020: RSD 225,970  2021: RSD 0  2022: RSD 0 |  |
| 3.15.2 | Continuous monitoring of the implementation  of the Regulation on preventive measures for health and safety at work regarding mineral extraction through drilling | Responsible institution:  MME, Inspectors in the field of mining | Continuous | MME (7) inspectors for occupational safety and health in the field of mining | No additional capacities are required | / | Budgeted under Activity 1.1.1.4. |  |
| **3.16**  **31992L0104 (EUR-Lex: 05.20.20.10) Council Directive** 92/104/EEC of 3 December 1992 on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (*OJ L 404, 31/12/1992, p. 10)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Regulation on preventive measures for health and safety at work regarding underground and surface extraction of mineral resources (RS Official Gazette No 65/10) was adopted in 2010, in force for those employers that started their business activities prior to the coming into force of this regulation since 2019, so that employers could ensure compliance. The regulation is partially harmonised with Council Directive 92/104/EEC. The solutions from the Directive that have not been fully harmonised with are: Definitions (Article 2 of the Directive) and part of the health surveillance (Article 8 of the Directive) and dredge extraction (Article 12 of the Directive). | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.16.1 | Adoption of the Regulation amending Regulation on preventive measures for health and safety at work regarding the underground and surface extraction of mineral resources | Responsible institution:  MLEVSA  Administration for Occupational Safety and Health in cooperation with  MME, inspectors in the field of mining | Q4 2020 | MLEVSA, Administration for Occupational Health and Safety, 6 civil servants with an academic degree.  MME (7) inspectors for occupational safety and health in the field of mining. | No additional capacities are required | / | RS Budget, total €1,915, all in 2020.  2020: RSD 225,970  2021: RSD 0  2022: RSD 0 |  |
| 3.16.2 | Continuous monitoring of the implementation of the Regulation on preventive measures for health and safety at work regarding the underground and surface extraction of mineral resources | Responsible institution:  MME, inspectors in the field of mining | Continuous | MME (7) inspectors for occupational safety and health in the field of mining | No additional capacities are required | / | RS Budget, total €28,594, with €14,297 each in 2021 and 2022.  2020: RSD 0  2021: RSD 1,687,046  2022: RSD 1,687,046 |  |
| **3.17**  **32004L0037 (EUR-Lex: 05.20.20.10) Directive** 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (codified version) (Text with EEA relevance) (*OJ L 158, 30/4/2004, p.*  *50)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to carcinogens or mutagens (RS Official Gazette No 96/11 and 117/17) was adopted in 2011, and in use since 2013. The Rulebook has been harmonised with Directive 2004/37/ЕC and Directive 2014/27/EU. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.17.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to carcinogens or mutagens | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| **3.18**  **52016PC0248 (EUR-Lex: 05.20.20.10)** Proposal for a Directive of the European Parliament and of the Council amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work /\* COM/2016/0248 final - 2016/0130 (COD) \*/ | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to carcinogens or mutagens (RS Official Gazette No 96/11 and 117/17) was adopted in 2011, and in use since 2013. The Rulebook has been harmonised with Directive 2004/37/ЕC and Directive 2014/27/EU. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.18..1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to carcinogens or mutagens | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| **3.19**  **32009L0148 (EUR-Lex: 05.20.20.10)** Directive 2009/148/EC of the European Parliament and of the Council of 30 November 2009 on the protection of workers from the risks related to exposure to asbestos at work (Text with EEA relevance) (*OJ L 330, 16/12/2009, p. 28)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Regulation on preventive measures for health and safety at work regarding exposure to asbestos (RS Official Gazette No 108/15) has been adopted and in use since January 2016. The regulation is fully harmonised with the EU Act. Consultations were conducted with the EC prior to the adoption of this regulation. The adoption of the regulation in 2016 was followed by the adoption of the Instructions on workplaces performing tasks where exposure of the employees to dust originating from asbestos or substances containing asbestos is occasional and low-intensity. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.19.1 | Continuous monitoring of the implementation of the Regulation on preventive measures for health and safety at work regarding exposure to asbestos | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| **3.20**  **31998Y0507(01) (EUR-Lex: 05.20.20.10)** Council Conclusions of 7 April 1998 on the protection of workers against the risks from exposure to asbestos (*OJ C 142, 7/5/1998, p. 1)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Regulation on preventive measures for health and safety at work regarding exposure to asbestos (RS Official Gazette No 108/15) has been adopted and in use since January 2016. The regulation is fully harmonised with the EU Act. Consultations were conducted with the EC prior to the adoption of this regulation. The adoption of the regulation in 2016 was followed by the adoption of the Instructions on workplaces performing tasks where exposure of the employees to dust originating from asbestos or substances containing asbestos is occasional and low-intensity. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.20.1 | Continuous monitoring of the implementation of the Regulation on preventive measures for health and safety at work regarding exposure to asbestos | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| **3.21**  **31991L0322 (EUR-Lex: 05.20.20.10) Commission** **Directive** 91/322/EEC of 29 May 1991 on establishing indicative limit values by implementing Council Directive 80/1107/EEC on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work (*OJ L 177, 5/7/1991, p. 22)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents (RS Official Gazette No 106/09 and 117/17) was adopted in 2009, and in use since January 2013. The appendix to this rulebook contains the Mandatory limit values of exposure to chemical agents in the workplace and Mandatory biological values, covering the mandatory and indicative values at the Community level. The rulebook is fully harmonised with the EU Act. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.21.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents | Same as for 3.3.1.  Same as for 1.1.1.4. | Continuous | Same as for 3.3.1.  Same as for 1.1.1.4. | Same as for 1.1.1.4. | Same as for 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| **3.22**  **31998L0024 (EUR-Lex: 05.20.20.10) Council Directive** 98/24/EC of 7 April 1998 on the protection of the safety and health of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (*OJ L 131, 5/5/1998, p. 11)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents (RS Official Gazette No 106/09 and 117/17) was adopted in 2009, and in use since January 2013. The appendix to this rulebook contains the Mandatory limit values of exposure to chemical agents in the workplace and Mandatory biological values, covering the mandatory and indicative values at the Community level. The Rulebook is fully harmonised with the EU Act. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.22.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.23**  **32000L0039 (EUR-Lex: 05.20.20.10)** Commission Directive 2000/39/EC of 8 June 2000 establishing a first list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EC on the protection of the health and safety of workers from the risks related to chemical agents at work (Text with EEA relevance) (*OJ L 142, 16/6/2000, p. 47)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents (RS Official Gazette No 106/09 and 117/17) was adopted in 2009, and in use since January 2013. The appendix to this rulebook contains the Mandatory limit values of exposure to chemical agents in the workplace and Mandatory biological values, covering the mandatory and indicative values at the Community level. The rulebook is fully harmonised with the EU Act. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.23.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents | As under 1.1.1.4 | Continuous | As under 3.3.1  As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.24**  **32006L0015 (EUR-Lex: 05.20.20.10)** Commission Directive 2006/15/EC of 7 February 2006 establishing a second list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EC and amending Directives 91/322/EEC and 2000/39/EC *(OJ L 38, 9/2/2006, p. 36)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents (RS Official Gazette No 106/09 and 117/17) was adopted in 2009, and in use since January 2013. The appendix to this rulebook contains the Mandatory limit values of exposure to chemical agents in the workplace and Mandatory biological values, covering the mandatory and indicative values at the Community level. The rulebook is fully harmonised with the EU Act. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.24.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.25**  **32009L0161 (EUR-Lex: 05.20.20.10) Commission Directive 2009/161/EU** of 17 December 2009 establishing a third list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EC and amending Commission Directive 2000/39/EC (*OJ L 338, 19/12/2009, p. 87)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents (RS Official Gazette No 106/09 and 117/17) was adopted in 2009, and in use since January 2013. The appendix to this rulebook contains the Mandatory limit values of exposure to chemical agents in the workplace and Mandatory biological values, covering the mandatory and indicative values at the Community level. The Rulebook is fully harmonised with the EU Act. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.25.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.26**  **32000L0054 (EUR-Lex: 05.20.20.10) Directive** 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work (seventh individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) (*OJ L 262, 17/10/2000, p. 21)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to biological agents (RS Official Gazette No 96/10) has been adopted in 2010 and in use since January 2014. The Rulebook has been partially harmonised with Directive 2000/54/ЕC. Solutions that have not been fully harmonised are the employee exposure records (Article 11 of the Directive) and part of the health surveillance (Article 14 of the Directive). | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.26.1 | Adoption of the Rulebook amending the Rulebook on preventive measures for health and safety at work regarding exposure biological agents | As under 3.3.1 | Q4 2020 | As under 3.3.1 | As under 3.3.1 | / | RS Budget, total €851, all in 2020.  2020: RSD 100,418  2021: RSD 0  2022: RSD 0 |  |
| 3.26.2 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to biological agents | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.27**  **32002L0044 (EUR-Lex: 05.20.30.20) Directive** 2002/44/EC of the European Parliament and of the Council of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) - Joint Statement by the European Parliament and the Council (*OJ L 177, 6/7/2002, p. 13)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to vibration (RS Official Gazette No 93/11) has been adopted in 2011 and in use since January 2015. The Rulebook has been partially harmonised with Directive 2002/44/ЕC. Solutions that have not been fully harmonised are contained under the section risk identification and assessment (Article 4.4.i of the directive), provisions with the aim of avoiding or decreasing exposure (Article 5.2.e of the Directive) and part of Annex B 1 (3) - regarding interference.  The Rulebook amending the Rulebook on preventive measures for health and safety at work regarding exposure to vibration was adopted on 6 December 2019 and published (RS Official Gazette No 86/19) | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.27.1 | Adoption of the Rulebook amending the Rulebook on preventive measures for health and safety at work regarding exposure to vibration | As under 3.3.1 | Q4 2019[[15]](#footnote-15) | As under 3.3.1 | No additional capacities are required | / | RS Budget, total €851, all in 2019.  2020: RSD 0  2021: RSD 0  2022: RSD 0 |  |
| 3.27.2 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to vibration | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.28**  **32003L0010 (EUR-Lex: 05.20.20.10) Directive** 2003/10/EC of the European Parliament and of the Council of 6 February 2003 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (noise) (Seventeenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (*OJ L 42, 15/2/2003, p.*  *38)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to noise (RS Official Gazette No 96/11 and 78/15) was adopted in 2011, and in use since January 2016. The Rulebook has been partially harmonised with Directive 2003/10/ЕC. Articles that have not been transposed: 5.1.c; 4.5 and 14. Solutions that have not been fully harmonised: Part - Limit value of exposure and action value of exposure (Article 3.1.a, 3.1.b and 3.3 of the Directive). The Rulebook amending the Rulebook on preventive measures for health and safety at work regarding exposure to noise was adopted on 17 December 2019 and published in the SR Official Gazette No 93/19. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.28.1 | Adoption of the Rulebook amending the Rulebook on preventive measures for health and safety at work regarding exposure to noise | As under 3.3.1 | Q4 2019 | As under 3.3.1 | No additional capacities are required | / | RS Budget, total €851, all in 2019.  2020: RSD 0  2021: RSD 0  2022: RSD 0 |  |
| 3.28.2 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to noise | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.29**  **32013L0035 (EUR-Lex: 05.20.20.10) Directive** **2013/35/EU** of the European Parliament and of the Council of 26 June 2013 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (20th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) and repealing Directive 2004/40/EC (*OJ L 179, 29/6/2013, p. 1)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to electromagnetic fields (RS Official Gazette No 111/15) has been adopted in 2016 and in use since January 2018. Consultations were conducted with the EC prior to the adoption of this Rulebook. The Rulebook has been partially harmonised with Directive 2013/35/ЕC.  Articles that have not been fully transposed: 4.1, 4.4 and 9. The adoption of a new Law on Occupational Safety and Health will enable further harmonisation. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.29.1 | Adoption of the Rulebook amending the Rulebook on preventive measures for health and safety at work regarding exposure to electromagnetic fields | As under 3.3.1 | Q4 2021 | As under 3.3.1 | No additional capacities are required | / | RS Budget, total €851, all in 2021.  2020: RSD 0  2021: RSD 100,418  2022: RSD 0 |  |
| 3.29.2 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to electromagnetic fields | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.30**  **32006L0025 (EUR-Lex: 05.20.30.20) Directive** 2006/25/EC of the European Parliament and of the Council of 5 April 2006 on the minimum health and safety requirements regarding the exposure of workers to risks arising from physical agents (artificial optical radiation) (19th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (*OJ L 114, 27/4/2006, p. 38)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on preventive measures for health and safety at work regarding exposure to artificial optical radiation (RS Official Gazette No 120/12 and 29/13 - corrigendum) has been adopted in 2012 and in use since January 2017.  The Rulebook has been partially harmonised with Directive 2006/25/ЕEC. Solutions that have not been fully harmonised: part of health oversight (Article 8.3 of the Directive) and penalties (Article 9 of the Directive). The adoption of a new Law on Occupational Safety and Health will enable further harmonisation. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS (EU AND OTHER DONOR FUNDS)** |
| 3.30.1 | Adoption of the Rulebook amending the Rulebook on preventive measures for health and safety at work regarding exposure to artificial optical radiation | As under 3.3.1 | Q4 2021 | As under 3.3.1 | No additional capacities are required | / | RS Budget, total €851, all in 2021.  2020: RSD 0  2021: RSD 100,418  2022: RSD 0 |  |
| 3.30.2 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding exposure to artificial optical radiation | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.31**  **32014L0027 (EUR-Lex: 05.20.20.10) Directive 2014/27/EU** of the European Parliament and of the Council of 26 February 2014 amending Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council, in order to align them to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures (*OJ L 65, 5/3/2014, p. 1-7)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Rulebook on measures for the health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding (RS Official Gazette No 102/16) and the Rulebook on preventive measures for health and safety at work for youth (RS Official Gazette No 102/16) have been adopted in 2016. The Rulebook on measures for the health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding transposed provisions 1.1; 2; 4.1; 6.1.1 and the Appendix to Directive 92/85/EEC, while the Rulebook on preventive measures for health and safety at work for youth transposed part of 1.3, 2.1 and 3, and provisions 6.1, 6.2; 7.1; 7.2, and the Appendix of Directive 94/33/EC. Consultations were conducted with the EC prior to the adoption of these rulebooks. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.31.1 | Adoption of the Rulebook amending the Rulebook on health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding | As under 3.3.1 | Q4 2021 | As under 3.3.1 | No additional capacities are required | / | RS Budget, total €851, all in 2021.  2020: RSD 0  2021: RSD 100,418  2022: RSD 0 |  |
| 3.31.2 | Continuous monitoring of the implementation of the Rulebook on health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| 3.31.3 | Adoption of the Rulebook amending the Rulebook on preventive measures for health and safety at work for youth | As under 3.3.1 | Q4 2021 | As under 3.3.1 | No additional capacities are required | / | RS Budget, total €851, all in 2021.  2020: RSD 0  2021: RSD 100,418  2022: RSD 0 |  |
| 3.31.4 | Continuous monitoring of the implementation of the Rulebook amending the Rulebook on health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| 3.31.5 | Adoption of the Rulebook amending the Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents | As under 3.3.1 | Q4 2021 | As under 3.3.1 | No additional capacities are required | / | RS Budget, total €851, all in 2021.  2020: RSD 0  2021: RSD 100,418  2022: RSD 0 |  |
| 3.31.6 | Continuous monitoring of the implementation of the Rulebook amending the Rulebook on preventive measures for health and safety at work regarding exposure to chemical agents | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | As under 1.1.1.4 | Budgeted under Activity 1.1.1.4. |  |
| **3.32**  **31999L0092 (EUR-Lex: 05.20.20.10) Directive** 1999/92/EC of the European Parliament and of the Council of 16 December 1999 on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres (15th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (*OJ L 23, 28/1/2000, p. 57)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Regulation on preventive measures for health and safety at work regarding the risk of explosive atmospheres (RS Official Gazette No 101/12 and 12/13) was adopted in 2012, and has been in use since 2015, prescribing the minimum requirements an employer must meet to ensure the application of preventive measures for protecting the safety and health of workers arising from the risk of explosive atmospheres. The Regulation has been harmonised with Directive 1999/92/ЕC. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.32.1 | Continuous monitoring of the implementation of the Rulebook on preventive measures for health and safety at work regarding the risk of explosive atmospheres | As under 3.3.1  As under 1.1.1.4 | Continuous | As under 3.3.1  As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.33**  **32010L0032 (EUR-Lex: 05.20.30.10) Council Directive 2010/32/EU** of 10 May 2010 implementing the Framework Agreement on prevention from sharp injuries in the hospital and healthcare sector concluded by HOSPEEM and EPSU (Text with EEA relevance) (*OJ L 134, 1/6/2010, p. 66)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Regulation on preventive measures for health and safety at work when handling sharps in the healthcare sector (RS Official Gazette No 101/16) has been adopted and in use since December 2016. The Regulation has been harmonised with Directive 2010/32/ЕC. Consultations were conducted with the Commission prior to the adoption of this Regulation. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.33.1 | Continuous monitoring of the implementation of the Regulation on preventive measures for health and safety at work when handling sharps in the healthcare sector | As under 1.1.1.4 | Continuous | As under 1.1.1.4 | As under 1.1.1.4 | From Q1 2018 to Q4 2020, continuously | Budgeted under Activity 1.1.1.4. |  |
| **3.34**  **32005R1112 (EUR-Lex:05.20.20.10)** Council Regulation (EC) No 1112/2005 of 24 June 2005 amending Regulation (EC) No 2062/94 establishing a European Agency for Safety and Health at Work (*OJ L 184, 15/7/2005, p.* 5) | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Administration for Occupational Health and Safety, as part of the Ministry of Labour, Employment, Veteran and Social Affairs, has been cooperating with the European Agency for Safety and Health at Work since 2008, and has been designated to perform the duties of Commissioner for the Republic of Serbia (agreements in 2008, 2010 and 2012). Cooperation consists of the printing and distribution of promotional materials, organisation of conferences, seminars and participation in meetings in Bilbao; in the campaigns of the European Agency for Safety and Health at Work (European Good Practice Award 2016-2017); participation of representatives of the European Agency for Safety and Health at Work at conferences in Belgrade since 2008. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.34.1 | Continued cooperation with the European Agency for Safety and Health at Work continues. | Responsible institution:  MLEVSA  Administration for Occupational Safety and Health | Continuous | MLEVSA, Administration for Occupational Safety and Health (6 civil servants) | No additional capacities are required | / | Budgeted under 3.1.1 |  |
| **3.35**  **32003D0913(01) (EUR-Lex:05.20.20.10) Council Decision** of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (Text with EEA relevance) (*OJ C 218, 13/9/2003, p.*  *1)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| Upon the accession of the Republic of Serbia to the European Union it will appoint a representative to the Advisory Committee on Safety and Health at Work. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.35.1 | Act on the appointment of a representative of the Republic of Serbia to the Advisory Committee on Safety and Health at Work | Responsible institution:  MLEVSA in cooperation with the  Government of Serbia, | Upon Serbia’s accession to the EU | N/A | N/A | N/A | Budgeted under 3.1.1 |  |
| **3.36**  **32003D0913(01) (EUR-Lex:05.20.20.10) 31995D0319 (EUR-Lex: 05.20.20.00)** Commission Decision of 12 July 1995 setting up a Committee of Senior Labour Inspectors (95/319/EC) (*OJ L 188, 9/8/1995, p. 11)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Labour Inspectorate has been familiar with the common principles of labour inspections in the field of occupational safety and health and the activity of the Committee of Senior Labour Inspectors since 2003. Upon accession to the European Union, Serbia will appoint two representatives to participate in the work of the Committee of Senior Labour Inspectors. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.36.1 | Act appointing a representative of the Republic of Serbia to the Committee of Senior Labour Inspectors. | Responsible institution:  MLEVSA | Upon Serbia’s accession to the EU | As in 3.1.1 | As in 3.1.1 | / | Budgeted under 3.1.1 |  |
| **3.37**  **31995D0320 (EUR-Lex: 05.20.20.00) Commission Decision 95/320/EC** of 12 July 1995 setting up a Scientific Committee for Occupational Exposure Limits to Chemical Agents (*OJ L 188, 9/8/1995, p. 14)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| Upon accession to the European Union, Serbia will appoint a representative to the Scientific Committee for Occupational Exposure Limits to Chemical Agents. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 3.37.1 | Act on the appointment of a representative of the Republic of Serbia to the Scientific Committee for Occupational Exposure Limits to Chemical Agents | Government of Serbia, MLEVSA | Upon accession of the Republic of Serbia to the EU | As in 3.1.1 | As in 3.1.1 | / | Budgeted under 3.1.1 |  |

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| **SECTION 3. SUMMARY - OCCUPATIONAL HEALTH AND SAFETY** | | | | | |
| **NUMBER OF REGULATIONS REQUIRED TO ENSURE HARMONISATION** | **NUMBER OF CIVIL SERVANTS CURRENTLY ENGAGED IN DRAFTING AND IMPLEMENTING REGULATIONS** | **REQUIRED CAPACITIES** | **DEADLINE FOR HARMONISATION** | **DEADLINE FOR IMPROVEMENT** | **TOTAL FUNDS REQUIRED FOR IMPLEMENTING THESE ACTIVITIES** |
| 13 regulations should be adopted (one law, three regulations, nine rulebooks) and three legal instrument on the appointment of a representative to EU bodies. | 6 civil servants with an academic degree | No additional capacities are required | Q4 2021 | - | € 828,776.00 |

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| 4. EMPLOYMENT POLICY | | | | | | | | |
| **4.1**  **C2010/083/01** **Treaty on the Functioning of the European Union**; Part Three: Union policies and internal actions, Title IX: Employment, Articles 145 to 150 *(OJ C 83, 30/3/2010, p. 112)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The development and implementation of the employment policy is under the remit of the Ministry of Labour, Employment, Veteran and Social Affairs. The key conduits for implementing employment policies are the National Employment Service and employment agencies.  The National Employment Strategy 2011-2020 (RS Official Gazette No 37/11) and the relevant National Employment Action Plan (adopted annually), the Law on Employment and Unemployment Insurance (RS Official Gazette No 36/09, 88/10, 38/15, 113/17 – as amended, and 113/17), Law on Vocational Rehabilitation and Employment of Persons with Disabilities (RS Official Gazette No 36/09 and 32/13) and the Law on the Employment of Foreign Nationals (RS Official Gazette No 128/14, 113/17 and 50/18), form the strategic and legislative framework for the development and implementation of the employment policy in Serbia.  An **evaluation** ofthe first five years (2011-2015) **of** **implementation of the National Employment Strategy 2011-2020** to define future course of action in the remaining period until 2020 (Performance Assessment) was completed in 2017, in cooperation with the International Labour Organisation (ILO), the World Bank and the European Commission. According to the findings of this Performance Assessment, the first five-year period of implementation of the Strategy was characterised by the gradual strengthening of the established employment policy system and labour market institutions, as well as the adjustment of the design and implementation of active labour market policies to the needs of the national and local labour market and available resources for the implementation thereof. Particular attention was devoted not only to improving the status of vulnerable groups in the labour market by supporting their economic empowerment, but also to combating poverty and social exclusion.  The active labour market policy programmes and measures envisaged under the **National Employment Action Plan for 2019**[[16]](#footnote-16) are based on the labour market situation and trends, identified employer needs and the results of impact evaluations of previous measures. In fact, some new measures were introduced and others were modified (as stated in the textual segment under Employment Policy) to ensure a competitive workforce that can respond to the needs of today’s labour market, while simultaneously fostering an equal opportunities labour market policy for categories of hard-to-employ persons.  **The Law on Employment and Unemployment Insurance** regulates matters related to employment affairs and stakeholders, active labour market policies, the funding of active labour market policies, the monitoring and evaluation of the impact of these policies, the rights and obligations of unemployed persons and employers, unemployment insurance, employment in the country and abroad and records in the field of employment. **Amendments to the Law on Employment and Unemployment Insurance**[[17]](#footnote-17) have made it possible to also include employed persons (and not only unemployed) in upskilling programmes that are relevant for retaining employment. A new methodology was introduced for calculating unemployment benefit entitlements. To ensure better protection for citizens of Serbia working abroad, provisions have been elaborated that regulate the requirements for establishing employment agencies.  **The Law on the Vocational Rehabilitation and Employment of Persons with Disabilities** regulates employment incentives for creating conditions for the equitable inclusion of persons with disabilities in the labour market, assessment of work capacity, vocational rehabilitation, the obligation to employ persons with disabilities, conditions for establishing and operating enterprises for vocational rehabilitation and employment of persons with disabilities and other special forms of employment and work engagement of persons with disabilities and other issues of relevance for the vocational rehabilitation and employment of persons with disabilities.  **The Law on the Employment of Foreign Nationals** comprehensively regulates the field of employment of foreign nationals in Serbia, covered under Chapter 2 – Freedom of movement for workers. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 4.1.1 | Drafting of the National Employment Strategy for the period from 2020 to 2026 and the related three-year action plan for the implementation of this strategy and the implementation of regulations in the field of employment | MLEVSA  NES  Working group | Throughout 2020  Continued implementation of regulations | MLEVSA – Department for Employment - 7 civil servants with an academic degree for active labour market policy and 4 civil servants with an academic degree for normative, administrative and administrative-supervisory affairs for the field of employment.  NES – 1,814[[18]](#footnote-18) employees, 588 employees work in job matching, career guidance and counselling, adult education, vocational rehabilitation programmes, employment programmes and employment counsellors or counsellors for the employment of persons with disabilities (regardless of the grounds or type of work engagement). | Further improvements to the process of implementing and monitoring the implementation of the national strategic and legislative framework of employment policy and harmonisation with the European acquis, recommendations and guidelines requires strengthening the administrative capacities and employment another 6 civil servantswith an academic degree for active employment policies (4) and normative, administrative and administrative-supervisory affairs for the field of employment (2).  The needs of the NES for increasing the number of staff in the post of employment advisor will be determined based on the findings of the HR reform being implemented in cooperation with the World Bank. | Q4 2020 | RS Budget, €260.406, € 86.802€ per year from 2020 to 2022.  2020: RSD 10,242,636  2021: RSD 10,242,636  2022: RSD 10,242,636 | SDC, ILO, € 100,000 in total, all in 2020.  2020: RSD 11,800,000  2021: RSD 0  2022: RSD 0 |
| 4.1.2 | Monitoring and reporting on the implementation of the National Employment Action Plan for 2019 and the drafting of the National Employment Action Plan for 2020. | MLEVSA  NES  Working group | Throughout 2019 | 6 civil servants engaged (with other duties). | Need for additional hiring of 4 civil servants with an academic degree. | Q4 2020 | Budgeted under Act. 4.1.1. |  |
| 4.1.3 | Implementation of normative and supervisory affairs for the field of employment | MLEVSA  NES | Continuous | Employed 2 civil servants – graduate lawyers (alongside other duties) | The duties of full oversight over the implementation of the law by the bearers of employment affairs require strengthening administrative capacities/further employment of 2 civil servants - graduate lawyers | Q4 2020 | Budgeted under Act. 4.1.1 |  |
| 4.1.4. | Development of a Draft Law on Social Entrepreneurship | MLEVSA  Working Group | Throughout 2019 and 2020 | Employed 1 civil servant, graduate lawyer (alongside other duties) | Under Act. 4.1.1 | Q4 2020 | Budgeted under Act. 4.1.1 and the RS Budget €2,042, €1,021 per year in 2019 and 2020, respectively.  2020: RSD 120,478  2021: RSD 0  2022: RSD 0 |  |
| 4.1.5. | Beginning of consultation procedure and drafting of an analysis of and amendments to the Law on Employment and Unemployment Insurance | MLEVSA  Working Group | Throughout 2020 | Employed 1 civil servant, graduate lawyer (alongside other duties) | Under Act. 4.1.1 | Q4 2020 | Budgeted under Act. 4.1.1. and RS Budget € 2,042 in total, all in 2020.  2020: RSD 240,956  2021: RSD 0  2022: RSD 0 |  |
| 4.1.6. | Beginning of consultation procedure and drafting of an analysis of and amendments to the Law on Vocational Rehabilitation and Employment of Persons with Disabilities | MLEVSA  Working Group | Throughout 2020 | Employed 1 civil servant, graduate lawyer (alongside other duties) | Under Act. 4.1.1 | Q4 2020 | Budgeted under Act. 4.1.1. and RS Budget, €2,042 in total, all in 2020.  2020: RSD 240,956  2021: RSD 0  2022: RSD 0 |  |
| 4.1.7. | Drafting of amendments to the Law on Vocational Rehabilitation and Employment of Persons with Disabilities | MLEVSA  Working Group | Throughout 2021 | Employed 1 civil servant, graduate lawyer (alongside other duties) | Under Act. 4.1.1 | Q4 2021 | Budgeted under Act. 4.1.1. and RS Budget €2,042 in total, all in 2021.  2020: RSD 0  2021: RSD 240,956  2022: RSD 0 |  |
| **4.2**  **32000D0098 (EUR-Lex: 05.20.30) Council Decision** 2000/98/EC of 24 January 2000 establishing the Employment Committee *(OJ L 29, 4/2/2000, p. 21)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| Upon accession to the European Union, Serbia will appoint its representative to the Employment Committee. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 4.2.1 | Act appointing a representative of the Republic of Serbia for participation in the Employment Committee of the European Union | Government of Serbia, MLEVSA | Upon accession | / | / |  | Budgeted under 4.1.1 |  |
| **4.3**  **32015D1848 (EUR-Lex: 05.10.2015) Council Decision (EU) 2015/1848** of 5 October 2015 on guidelines for the employment policies of the Member States for 2015 *(OJ L 268, 15/10/2015, p. 4)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The implementation of the National Employment Action Plan for 2019 is currently under way. In drafting this document, due consideration was given to the **Guidelines for the Employment** **Policies of EU Member States** thatareadopted at annual level and form part of the Europe 2020 integrated guidelines.  The guidelines for 2018 (Council Decision (EU) 2018/1215) relate to: Boosting the demand for labour; Enhancing labour supply and improving access to employment, skills and competences; Enhancing the functioning of labour markets and the effectiveness of social dialogue; Promoting equal opportunities for all, fostering social inclusion and combatting poverty. The Employment and Social Policy Reform Programme (ESRP), structured after the Europe 2020 Strategy model, is the key mechanism for dialogue on Serbia’s social employment policy priorities in the EU accession process. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 4.3.1 | Drafting of the National Employment Strategy for the period from 2021 to 2026, and the related three-year action plan for the implementation of this strategy | MLEVSA  NES  Working group | Continuously, throughout 2020 | Department for Labour and Employment - 6 civil servants for the field of employment (alongside other duties)  NES – 1,814[[19]](#footnote-19) employees, 588 employees work in job matching, career guidance and counselling, adult education, vocational rehabilitation programmes, employment programmes and employment counsellors or counsellors for the employment of persons with disabilities (regardless of the grounds or type of work engagement). | Hire one (1) additional civil servant with an academic degree on duties related to local employment policy development and improvement.  The NES needs are conditional upon the findings of the HR reform being implemented in cooperation with the World Bank.  Raising capacities for the application of professional counselling work of employment counsellors and the certification process.  Raising the capacities of MLEVSA and NES staff in the segment of development and analysis of statistical indicators for the status of the labour market, creation of data/results-based active labour market policy measures, and monitoring and evaluating the implementation of measures. | Q4 2020 | Budgeted under Act. 4.1.1. |  |
| 4.3.2 | Monitoring and reporting on the implementation of the National Employment Action Plan for 2019 and the drafting of the National Employment Action Plan for 2020. | MLEVSA  NES  Working group | Throughout 2019 | Shown under 4.3.1 | Shown under 4.3.1 | Q1 2020 | Budgeted under Act. 4.1.1. |  |
| 4.3.3 | Participation in the implementation of the Economic and Social Reform Policy Programme | MLEVSA  NES | Continuous | For MLEVSA - shown under 4.1.1 | For MLEVSA - shown under 4.1.1 |  | Budgeted under Act. 4.1.1. |  |
| 4.3.4 | Participation in the implementation of the Economic and Social Reform Policy Programme | MLEVSA  NES  Ministry of Health  MESTD  MEI  Institute for Social Protection of the Republic of Serbia,  SIPRU,  SCTM,  MPALSG,  Ministry of Economy  MYS  PPS  CSOs under the Platform for monitoring the implementation of ERP and ESRP | Continuous | MLEVSA - 5 civil servants,  Ministry of Health - 1 civil servant,  MESTD - 1 civil servant,  MEI - 2 civil servants,  Institute for Social Protection of the Republic of Serbia - 1 civil servant,  SIPRU - 2 employees,  SCTM - 2 employees,  MPALSG - 1 civil servant,  Ministry of Economy - 1 civil servant,  MYS - 1 civil servant,  PPS - 1 civil servant. | Large working group up to 15 participants, working 2 days per quarter, each quarter, every year | / | RS Budget, total €135,056, with €33,764 per year from 2019 to 2022.  2020: RSD 3.984,152  2021: RSD 3.984,152  2022: RSD 3,984,152 |  |
| **4.4**  **52012DC0173 (EUR-Lex: 05.20.30.30)** **Communication from the Commission** to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions “Towards a job-rich recovery” /\* COM/2012/0173 final \*/ | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The basic elements of the EU legal instrumentin question are supported under the employment policy strategic framework and in documents within the purview of other institutions that are instrumental to and of impact on employment policy and the creation of a conducive environment for employment growth. Employment and self-employment, as part of the employment policy system in the stricter sense (the responsibility of MLEVSA), are supported through subsidised employment programmes designed for the hard-to-place group, as well as through self-employment subsidies. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 4.4.1 | Drafting of the National Employment Strategy for the period from 2021 to 2026 and the related three-year action plan for the implementation of this strategy | Responsible institution:  MLEVSA  NES  Working group | Continuously, throughout2020 | Shown under 4.1.1 | Shown under 4.1.1 | As under 4.1.1 | Budgeted under Act. 4.1.1. |  |
| 4.4.2 | Monitoring and reporting on the implementation of the National Employment Action Plan for 2019 and the drafting of the National Employment Action Plan for 2020 | MLEVSA  NES  Working group | Throughout 2019 | Shown under 4.1.1 | Shown under 4.1.1 | As under 4.1.1 | Budgeted under Act. 4.1.1. |  |
| 4.4.3 | Participation in the implementation of the Economic and Social Reform Policy Programme | MLEVSA  NES | Continuous | Shown under 4.1.1 | Shown under 4.1.1 | As under 4.1.1 | Budgeted under Act. 4.1.1. |  |
| **4.5**  **32013H0426(01) (EUR-Lex: 05.20.30.30) Council Recommendation** on Establishing a Youth Guarantee *(OJ C 120, 26/4/2013, p. 1–6)* 2012/0351 (NLE) | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| Since 2013, the National Employment Service has been implementing a package of youth services, covering a set of steps implemented when a person is registered as unemployed, designed for the efficient and timely integration or reintegration in the labour market, including increasing employability, promoting employment and self-employment. The ministry competent for youth affairs provides support through a network of youth offices to young people, particularly from the NEET category, for activation and participation in the labour market.  In addition to the evaluation of the package of services for youth, internship programmes and programmes for acquiring practical knowledge implemented by the NES, an Analysis of the Subsidised Employment Programme was produced in 2017 (subsidies for self-employment and subsidies for the employment of the hard-to place) with particular focus on unemployed youth, and an Assessment of public expenditures from the budget of the Republic of Serbia spent during 2013-2015 on youth policies aimed at increasing youth employability and employment. Youth employment is supported through the programme of subsidies for the employment of the hard-to-place, self-employment programme prioritising youth with quality entrepreneurial ideas, youth in a state of social need are included in public works programmes, while the acquisition of additional knowledge, skills and competences is enabled through the inclusion of youth in programmes under the further education and training system (including internship programmes). | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 4.5.1 | Drafting of the National Employment Strategy for the period from 2021 to 2026 and the related three-year action plan for the implementation of this strategy | MLEVSA  NES  Working group | Continuously, throughout2020 | 6 employed civil servants for the field of employment (alongside other duties) in the Department for Labour and Employment of MLEVSA.  NES - 1814[[20]](#footnote-20) employees, 588 employees working in job matching, career guidance and counselling, adult education, vocational rehabilitation programmes, employment programmes and employment counsellors or employment counsellors for persons with disabilities (regardless of the grounds or type of work engagement). | Hire one (1) civil servant with an academic degree on labour market analyst duties  The needs of NES for increasing the number of employees in the post of employment advisor, followed by a decrease in the standard deviation of the amount of work of employment counsellors between branches are conditional upon the findings of the HR reform being implemented in cooperation with the World Bank. | Q4 2020 | Budgeted under Act. 4.1.1. |  |
| 4.5.2 | Monitoring and reporting on the implementation of the National Employment Action Plan for 2019 and the drafting of the National Employment Action Plan for 2020. | MLEVSA  NES  Working group | Throughout 2019 | Shown under 4.5.1 | Shown under 4.5.1 | As under 4.5.1 | Budgeted under Act. 4.1.1. |  |
| 4.5.3 | Continuous monitoring of the implementation of the National Youth Strategy 2015-2025 and relevant action plans | Responsible institution:  Ministry of Youth and Sports | Continuous | 2 employees at the Department for Youth, MYS | No additional capacities are required | / | RS Budget €79,922, €19,980 per year from 2019 to 2022  2020: RSD 2,357,688  2021: RSD 2,357,688  2022: RSD 2,357,688 |  |
| **4.6**  **32014H0327(01) (EUR-Lex: 05.20.30.30) Council Recommendation** on a Quality Framework for Traineeships *(OJ C 88, 27/3/2014, p. 1–4)* 2013/0431 (NLE) | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Annual Further Education and Training Programme, which outlines the specific programmes for the acquisition of knowledge, skills and competences, is an integral part of the National Employment Action Plan. The implementation of further education and training programmes at the NES level is monitored by a network оf adult education officers, i.e. adult education providers (regardless of the grounds and type of work engagement). A work experience placement programme is implemented at annual level, which entails professional training designed to enable the trainee to independently practice their chosen profession, for which they have acquired an appropriate degree – qualifications, for the purpose of completing the traineeship and becoming eligible for taking the professional qualification test, when so prescribed by the law or bylaw as a special requirement for independent professional practice. The programme is designed for unemployed persons with no work experience in the profession, with minimum secondary education, and no employment contract is stipulated.  The National Employment Action Plan for 2019 introduced two new programmes - a traineeship programme for youth with an academic degree and a traineeship programme for unemployed persons with secondary education. Both programmes involve professional training under an employment contract, thus guaranteeing a much higher level of employment-related rights than is the case with work experience placements that are not implemented under an employment contract. Furthermore, work experience placement programmes implemented by the National Employment Service entail compliance with certain quality standards, i.e.: traineeships are performed according to a mandatory work experience placement programme, and with a mentor who complies with the requirements set in terms of their qualifications and work experience; the traineeship is paid; the duration of the traineeship is limited; upon completion of the programme the employer implementing the traineeship issues the intern a certificate of completion, and/or on having passed the professional/internship examination.  The priorities for youth employment laid down in the ESRP include defining the minimum quality standards for traineeship and internship programmes and improving the legislative framework in accordance with the EU Quality Framework. To improve the quality of traineeships and internships to facilitate the education-to-employment transition, a normative regulation of traineeships is required to enable youth to gain the experience they need through education and training programmes to increase their employability. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 4.6.1 | Drafting of a National Employment Strategy for the period from 2021 to 2026 and the related three-year action plan for the implementation of this strategy | Responsible institution:  MLEVSA in cooperation with the  NES,  Working group | Continuously throughout 2020 | Department for Labour and Employment (2 existing employees for the field of employment, alongside other duties)  NES, 5 civil servants for the methodology of adult education at the level of the NES directorate. A further number of NES staff works on adult education at the level of branch offices and services. | Hire an additional one (1) civil servant with an academic degree on occupation analyst duties.  The needs of the NES for increasing the number of staff will be determined based on the findings of the HR reform being implemented in cooperation with the World Bank. | Q4  2020 | Budgeted under Act. 4.1.1. | IPA 2013: Technical Assistance for Capacity Building in Employment Policy |
| 4.6.2 | Monitoring and reporting on the implementation of the National Employment Action Plan for 2019 and the drafting of the National Employment Action Plan for 2020. | Responsible institution: MLEVSA  NES  Working group | Throughout 2019 | Shown under 4.6.1 | Shown under 4.6.1 | Q4 2019 | Budgeted under Act. 4.1.1. |  |
| 4.6.3 | Monitoring of the implementation of the National Strategy for the Development of Education | Responsible institution:  MESTD | Continuous | MESTD - all employees, within their competences  Department for Secondary Education and Adult Education - Group for Adult Education (total 3 employed civil servants) | All employees, within their competences | Continuous | RS Budget, total €30,636, with €7,659 per year from 2019–2022.  2020: RSD 903,762  2021: RSD 903,762  2022: RSD 903,762 |  |
| 4.6.4 | Monitoring the implementation of the Law on Adult Education | Responsible institution:  MESTD | Continuous | As under 4.6.3 | As under 4.6.3 | Continuous | Budgeted under Act. 4.6.3. |  |
| 4.6.5 | Adoption of the Annual Adult Education Plan | Responsible institution:  MESTD | Annual | As under 4.6.3 | As under 4.6.3 | Continuous | Budgeted under Act. 4.6.3. |  |
| **4.7**  **32016H0220(01) (EUR-Lex: 05.20.30.00) Council Recommendation** on the integration of the long-term unemployed into the labour market 2015/0219 (NLE) *(OJ C 67, 20/2/2016, p. 1-5)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The National Employment Action Plan is adopted annually. Long-term unemployed persons have the status of hard-to-employ and are prioritised for inclusion in active labour market policy measures. In the drafting of the NEAP, starting from 2017, particular attention was devoted to the long-term unemployed, and to incorporating the Recommendations of the Council of EU (2016) on the integration of long-term unemployed persons in the labour market. The focus is both on unemployed persons seeking work for more than 12 months, and on intensifying support to persons seeking work for more than 18 months. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 4.7.1 | Drafting of a new National Employment Strategy for the period from 2021 to 2026 and the related three-year Action Plan for the implementation of this Strategy | Responsible institution:  MLEVSA in cooperation with  NES  Working Group | Continuously, throughout2020 | Department for Labour and Employment - for the field of employment (4 existing employees, alongside other duties)  NES – 1,814[[21]](#footnote-21) employees, 814 officers for job matching, career guidance and counselling, adult education, vocational rehabilitation programmes, employment programmes and employment counsellors or counsellors for the employment of persons with disabilities (regardless of the basis or type of work engagement). | Hire an additional one (1) civil servant with an academic degree on duties for active labour market policy measures for hard-to-employ persons.  The NES needs for increasing the number of employment counsellors will be determined based on the findings of the HR reform implemented in cooperation with the World Bank. | Q4  2020 | Budgeted under Act. 4.1.1. |  |
| 4.7.2 | Monitoring and reporting on the implementation of the National Employment Action Plan for 2019 and the drafting of the National Employment Action Plan for 2020. | Responsible institution:  MLEVSA in cooperation with  NES,  Working group | Throughout 2019 | Shown under 4.7.1 | Shown under 4.7.1 | As under 4.7.1 | Budgeted under Act. 4.1.1. |  |

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| **SECTION 4. SUMMARY – EMPLOYMENT POLICY** | | | | | |
| **NUMBER OF REGULATIONS REQUIRED TO ENSURE HARMONISATION** | **NUMBER OF CIVIL SERVANTS CURRENTLY ENGAGED IN DRAFTING AND IMPLEMENTING REGULATIONS** | **REQUIRED CAPACITIES** | **DEADLINE FOR HARMONISATION** | **DEADLINE FOR IMPROVEMENT** | **TOTAL FUNDS REQUIRED FOR IMPLEMENTING THESE ACTIVITIES** |
| * Preparation of the 2020 National Employment Action Plan; * Preparation of the new National Employment Strategy for the period from 2021 to 2026, and the three-year Action Plan for its implementation; * Preparation of a legal instrument on the appointment of a representative to EU bodies. | 8 | According to the plan specified under 4.1.1. | Q4 2021 | By the end of 2019  By the end of 2020  Upon accession of the Republic of Serbia to the European Union | €614,189.00 |

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| 5. EUROPEAN SOCIAL FUND | | | | | | | | |
| **5.1**  **C2010/083/01 Treaty on the Functioning of the European Union**, Part Three: Union policies and internal actions Title XI: The European Social Fund Article 162 *(OJ C 83, 30/3/2010, p. 119)* 32013R1303 | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The EU *acquis* pertaining to the European Social Fund is the subject-matter of negotiations under Chapter 22 – Regional Policy and Coordination of Structural Instruments and comprises a body of regulations that are not required to be transposed into the national law; instead, they directly apply to all EU Member States. These regulations stipulate the rules for preparing, approving and implementing programmes under the European structural and investment funds (ESI funds). These programmes will be the subject to negotiations and agreements with the European Commission; however, the responsibility for their implementation will rest on the Member State (shared management). Therefore, the Action Plan for Chapter 22 – Regional Policy and Coordination of Structural Instruments, adopted by the Government of Serbia on 4 April 2019, and submitted to the European Commission on 8 April 2019, covers the following areas: legal framework, institutional framework, administrative capacities, programming, monitoring and evaluation, financial management and control, including audit, as well as the availability of statistics (statistical data). | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 5.1.1 | Preparation of the legal framework introducing the European Union cohesion policy into Serbia’s legal system | Responsible institution:  MEI – coordination of the preparation  \* the preparation will include the involvement of institutions at the national and sub-national levels | Q4 2020 | 2 MEI employees for coordinating the preparation  (Group for Establishing and Developing the EU Cohesion Policy System) | The required number of staff for the implementation will be specified in the organisational framework strategies. | Q2 2021 | RS Budget, total €8,936, all in 2020.  2020: RSD 1,054,448  2021: RSD 0  2022: RSD 0 | GIZ project – “Support to Public Administration Reform –EU Integration Component”  IPA 2015 project –Development of System for Management of Cohesion Policy in the Republic of Serbia |
| **5.2**  **32013Р1303 (EUR-Lex: 14.50)** Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 *(OJ L 347, 20.12.2013, p. 320-469.*  **32013R1304 (EUR-Lex: 14.50)** Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006 *(OJ L 347, 20/12/2013)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Ministry of European Integration will coordinate the process with national institutions and respective partners, in line with the principles of the European Code of Conduct on Partnership. The drafting of the Operational Programme will be done in cooperation with institutions at the national, regional and local levels and will be organised in a broad consultative process, while respecting the principles of the European Code of Conduct on Partnership. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/**  **DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 5.2.1 | Preparation of the draft Partnership Agreement | Responsible institution:  MEI – coordination of the preparation  \* the preparation will include the involvement of institutions at the national and sub-national levels, in line with the European Code of Conduct for partnership | Q4 2021 | Coordination of the preparation, 10 civil servants in the MEI  (alongside their regular duties) | Unknown at this time | Q4 2020 | Unknown at this time[[22]](#footnote-22) | IPA 2015 project – Development of System for Management of Cohesion Policy in the Republic of Serbia |
| 5.2.2 | Preparation of the draft Operational Agreement defining the measures and priorities to be financed from the European Social Fund[[23]](#footnote-23) | Responsible institution:  the MEI will coordinate the process with national institutions and respective partners in line with the principles of the European Code of Conduct on Partnership. | Q4 2022 | Coordination of preparations – 15 civil servants in the MEI (alongside their regular duties)  \* preparations will entail the involvement of institutions at the national and sub-national levels | The existing capacities in the system of decentralised/indirect management of IPA funds are the basis for predicting and estimating the staffing needs for the preparation of the operational programme, while a comprehensive assessment of the required capacities will be determined in organisational development strategies. | Q4 2021 | Unknown at this time  - a detailed assessment of required capacities will be defined in the organisational development strategies | IPA 2015 project – Development of System for Management of Cohesion Policy in the Republic of Serbia |
| **5.3**  Regulation (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation (“EaSI”) and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion (Text with EEA relevance) *(OJ L 347,20/12/2013)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Agreement between the European Union and the Republic of Serbia on Serbia’s accession to the EU Programme for Employment and Social Innovation (EaSI) was signed with the Ministry of Labour, Employment, Veteran and Social Affairs on 24 August 2015. The Agreement was ratified on 7 September of the same year. The Agreement on the Accession of Serbia to the Rights, Equality and Citizenship (REC) Programme was signed on 16 August 2018. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 5.3.1 | Coordination of Serbia’s participation in the EU Employment and Social Innovation Programme (EaSI), the Rights, Equality and Citizenship Programme (REC), as well as in follow-up programmes of these two programmes | Responsible institution:  MLEVSA | Continuous | 2 civil servants – Department for International Co-operation, European Integration and Projects | No additional capacities are required | / | RS Budget, €1,600,000 in total for 2019, 2020, 2021 and 2022, €400,000 per year, annual participation fee  2020: RSD 47,200,000  2021: RSD 47,200,000  2022: RSD 47,200,000 | IPA 2014 – Support to participation in EU programmes |

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| **SECTION 5. SUMMARY - EUROPEAN SOCIAL FUND** | | | | | |
| **NUMBER OF REGULATIONS REQUIRED TO ENSURE HARMONISATION** | **NUMBER OF CIVIL SERVANTS CURRENTLY WORKING ON THE DEVELOPMENT AND IMPLEMENTATION OF REGULATIONS** | **CAPACITIES REQUIRED** | **HARMONISATION DEADLINE** | **IMPROVEMENT DEADLINE** | **TOTAL FUNDS REQUIRED FOR THESE ACTIVITIES** |
| Preparation required of two programme documents (Partnership Agreement and Operational Programme), and of the legal framework (law and bylaws) introducing the European Union cohesion policy into Serbia’s legal system | 25 | Unknown at this time | By Q4 2021 | By Q4 2021 | €1,608,936.00 |

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| 6. SOCIAL INCLUSION AND SOCIAL PROTECTION | | | | | | | | |
| **6.1**  **32008H0867 (EUR-Lex: 05.20.30) Commission Recommendation** of 3 October 2008 on the active inclusion of people excluded from the labour market (notified under the document number C(2008) 5737) *(OJ L 307, 18/11/2008, p. 11–14)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Law on Social Protection (RS Official Gazette No 24/11) stipulates that the right to social protection shall be guaranteed through the delivery of social care services and financial support.  Social care services are activities that entail the delivery of support and assistance to individuals and families with a view to improving or preserving the quality of life, eliminating or mitigating the risks for the disadvantaged, and creating opportunities for independent living in society.  Social care services аre services for children, youth and families, services for adults and elderly clients, and are provided on a temporary, occasional or ongoing basis, in line with the clients’ needs and best interest. The law envisages that the mandate for these services is divided between the national and local level, where community-based services, aimed at preventing institutionalisation and supporting the clients’ stay in their families, in most cases fall under the remit of LGUs. A mechanism of earmarked transfers has been created and implemented at the national level as a form of support for underdeveloped LGUs for establishing, developing and ensuring sustainable services under their remit,  Financial support is provided in the form of financial social assistance, attendance allowance, special cash benefit, assistance for vocational training, one-off financial assistance, in-kind assistance and others. The financial social assistance, attendance allowance, special cash benefit and the assistance for vocational training are financed from the Budget of the Republic of Serbia, whereas the disbursement of the one-off financial assistance and the in-kind assistance fall within the purview of local government units.  Plans are in place for the adoption of the new **Social Protection Development Strategy in the Republic of Serbia 2020–2025** and the Action Plan for the Implementation of the Social Protection Development Strategy in the Republic of Serbia 2020–2025. The Strategy will take into account the European Pillar of Social Rights.  Furthermore, there are also plans for the preparation of the **Strategy for Deinstitutionalisation and Development of Community-Based Services 2020–2025** and the Action Plan for its implementation.  **The Law on Financial Support to Families with Children** was passed by the National Assembly in December 2017, published in the RS Official Gazette No 113/17, and has been in force since 1 July 2018. **Amendments to the Law on Financial Support to Families with Children** were passed by the National Assembly in June 2018, published in the RS Official Gazette No 50/18, and have been in force since 1 July 2018. Following an analysis of the Law’s implementation to date, current efforts are focused on the preparation of amendments aimed at the economic empowerment of women, whose salary compensation amount is currently limited to three times the average monthly wage in Serbia, by increasing the maximum amount to five times the average monthly wage in Serbia. Moreover, the amendments should also improve the financial standing of women who were employed for a brief period of time before taking pregnancy or maternity leave.  EC Recommendation (EUR-Lex: 05.20.30) has already been implemented through the adoption of the **Decree on Social Inclusion Measures for Financial Social Assistance Recipients** (adopted by the Government of RS in 2014). | | | | | | | | |
| **ACTIVITIES** | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.1.1 | Adoption of the Social Protection Development Strategy in Serbia 2020–2025 and the Action Plan for its implementation. | Responsible institution - MLEVSA  Institutions involved in the implementation-  PSSPDGE  Institutes for social protection (national and provincial)  Social care institutions | Q3 2020 | Department for Family Care and Social Welfare (4 civil servants)  Provincial Secretariat for Social Policy, Demography and Gender Equality (1 civil servant),  Institutes for social protection (2 employees)  Social welfare institutions (4 employees) | 2 new civil servants with an academic degree in MLEVSA, Department for Family Care and Social Welfare.  Consultancy work group of 4 consultants | Q3 2020 | RS Budget, total €6,106, all in 2020.  2020: RSD 720,508  2021: RSD 0  2022: RSD 0 | IPA 2013 project – Development of Social Welfare Regulatory Mechanisms |
| 6.1.2 | Implementation of the Social Protection Development Strategy in the Republic of Serbia through:   * enhancement of the normative framework; * strengthening support to socially disadvantaged families and vulnerable population groups; * improved linking of information systems for better access to entitlements. | Responsible institution - MLEVSA  Involved institutions -  PSSPDGE  Institutes for social protection (national and provincial)  Social care institutions | After the adoption of the Strategy, until its expiry (2025) | As under 6.1.1 | 2 new civil servants with an academic degree in MLEVSA, Department for Family Care and Social Welfare  Administrative capacities of all social welfare institutions need to be strengthened by 1 additional professional employee with an academic degree (209 institutions) | After the adoption of the Strategy | RS Budget, total €51,060 with €10,212 in 2020, €20,424 in 2021 and €20,424 in 2022.  2020: RSD 1,205,016  2021: RSD 2,410,032  2022: RSD 2,410,032  Local government unit budgets, €5,335,770 in total,  2020: €1,067,154  2021: €2,134,308 and 2022: €2,134,308 | IPA 2013 project “Development of Social Welfare Regulatory Mechanisms” |
| 6.1.3 | Adoption of the Strategy for Deinstitutionalisation and Development of Community-Based Services 2020–2025 and the Action Plan for Strategy implementation | Responsible institution - MLEVSA  Involved institutions -  PSSPDGE  Institutes for social protection (national and provincial)  Social care institutions | Q3 2020 | MLEVSA - Department for Family Care and Social Welfare, 4 civil servants;  Provincial Secretariat for Social Policy, Demography and Gender Equality, 1 civil servant;  Institutes for social protection, 2 employees;  Social welfare institutions, 4 employees. | 2 new civil servants with an academic degree in MLEVSA, Department for Family Care and Social Welfare.  Consultancy work group of 4 consultants | Q4 2020 | RS Budget, total €7,808 in 2020.  2020: RSD 921,344  2021: RSD 0  2022: RSD 0 | Donor funds, total €11,250, all in 2020  2020: RSD 1,327,500  2021: RSD 0  2022: RSD 0 |
| 6.1.4 | Implementation of the Strategy for Deinstitutionalisation and Development of Community-Based Services through:   * development and expansion of the network of community-based services; * improvement of the mechanism of earmarked transfers; and * transformation of residential care institutions. | Responsible institution - MLEVSA  Institutions involved in the implementation:  PSSPDGE  Institutes for social protection (national and provincial)  Social care institutions | After the adoption of the Strategy, until its expiry in 2025 | As under 6.1.1 | 2 new civil servants with an academic degree in MLEVSA, Department for Family Care and Social Welfare | After the adoption of the Strategy | RS Budget, total €51,060 with €10,212 in 2020, €20,424 in 2021 and €20,424 in 2022.  2020: RSD 1,205,016  2021: RSD 2,410,032  2022: RSD 2,410,032 |  |
| 6.1.5 | Adoption of Amendments to the Law on Social Protection | Responsible institution - MLEVSA  Involved institutions:  Institutes for social protection (national and provincial),  Social care institutions,  Chamber of Social Protection | Q1 2020 | MLEVSA - Department for Family Care and Social Welfare (6 civil servants).  Institutes for social protection (1 employee).  Social protection institutions (2 employees).  Chamber of Social Protection (1 employee). | 2 new civil servants with an academic degree in MLEVSA, Department for Family Care and Social Welfare (included in 5.1.1)  Staff training in the EU acquis in seminars, TAIEX workshops and other forms of bilateral and multilateral technical assistance. | Q3 2020 | RS Budget, total €67,800, all in 2020.  2020: RSD 8,000,400  2021: RSD 0  2022: RSD 0 |  |
| 6.1.6 | Implementation of the Amendments to the Law on Social Protection through:  - adoption of bylaws;  - capacity strengthening of institutions and professionals  - delivery of support to families and children | Responsible institution - MLEVSA  Involved institutions:  Institutes for social protection (national and provincial),  Social care institutions,  Chamber of Social Protection | Q3 2020 and onwards continuously | MLEVSA, Department for Family Care and Social Welfare, 6 civil servants.  Institutes for social protection, 1 employee per institute, social protection institutions, 2 employees per institution, and  Chamber of Social Protection, 1 employee. | 2 new civil servants with an academic degree in MLEVSA, Department for Family Care and Social Welfare (included in 5.1.1)  Staff training in the EU acquis in seminars, TAIEX workshops and other forms of bilateral and multilateral technical assistance. | Q4 2019 | RS Budget, total €131,158 in total, €26,232 in 2020, €52,463 in 2021, and €52.463 in 2022.  2020: RSD 3,095,376  2021: RSD 6,190,634  2022: RSD 6,190,634 |  |
| **6.2**  **32004D0689 (EUR-Lex: 05.20.05) 2004/689/: Council Decision** of 4 October 2004 establishing a Social Protection Committee and repealing Decision 2000/436/EC *(OJ L 314, 13/10/2004, p. 8)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| Serbia will nominate its representatives in the Committee upon accession to the EU. The Social Inclusion and Poverty Reduction Unit (SIPRU) of the Government of Serbia actively revises and publishes social inclusion indicators (Monitoring Social Inclusion in the Republic of Serbia), thus being fully coherent with the activities of the Social Protection Committee - Social Protection Performance Monitor.  Serbia has two permanent national experts contributing to the work of the European Social Policy Network (ESPN) as experts in the field of social protection and social inclusion and they regularly prepare national reports within this body. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.2.1 | Document appointing the representative of the Republic of Serbia to the Social Protection Committee (2000/436/EC) | Responsible institution:  MLEVSA in cooperation with the Government of Serbia | After attaining full membership in the EU | Unknown at this time - will be known after acquiring the status of full member of the EU | Unknown at this time – will be known after acquiring the status of full member of the EU | Unknown at this time - will be known after acquiring the status of full member of the EU | Budgeted under 1.1.1.3 |  |
| 6.2.2 | Preparation of the Social Protection Performance Monitor | Responsible institution:  MLEVSA in cooperation with SIPRU | From Q3 2019 continuously | 1 employee in SIPRU  1 employee in MLEVSA – 1 working day per month | 1 employee in SIPRU  1 employee in MLEVSA – 1 working day per month | Continuous | RS Budget, total €1,532, with €383 per year in 2019, 2020, 2021 and 2022.  2020: RSD 45,194  2021: RSD 45,194  2022: RSD 45,194 | Swiss Confederation through the Social Inclusion and Poverty Reduction Unit of the Government of Serbia |
| **6.3**  **52012DC0055 (EUR-Lex: 05.20.40)** Commission White Paper. An Agenda for Adequate, Safe and Sustainable Pensions /\* COM/2012/055 final \*/ | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The pension system is governed by the following regulations:   * the Law on Pension and Disability Insurance; * the Law on Statutory Social Insurance Contributions; * the Budget System Law; * the Law on the Central Registry of Obligatory Social Insurance; * the Law on Voluntary Pension Funds and Pension Plans.   The competence for the laws or their implementation rests with the following institutions:   * the Ministry of Labour, Employment, Veteran and Social Affairs; * the Ministry of Finance; * the National Bank of Serbia; * the Central Registry of Obligatory Social Insurance; * the Pension and Disability Insurance Fund of the Republic of Serbia.   The reform of the pension system is being implemented in several phases, starting 2001, with a view to achieving long-term sustainability of the pension system, while increasing the proportion of the elderly population in receipt of pension income and maintaining pension adequacy, which corresponds with the objectives stipulated in the White Paper. The reform measures have considerably improved the characteristics and structure of the system. The retirement age for women has gradually increased since 2015, with the goal of reaching 63 years in 2020, and 65 years in 2032, when it will be equal for both sexes (the retirement age in 2019 was 65 years for men and 62 years and six months for women). In addition, as of 2015, the pension level is reduced in case of early retirement by the introduction of penalties – a deduction of 0.34% for every month short of the statutory retirement age (4.08% per year, up to a maximum deduction of 20.4%), in order to discourage early retirement and extend the stay in the labour market. To the same end, limitations have, to a certain extent, also been introduced to the entitlements to accelerated pensionable service.  As part of the Government’s fiscal consolidation programme, a special law imposed a progressive reduction of all pensions exceeding the amount of RSD 25,000 between November 2014 and September 2018, and this reduction applied to about 39% pensioners. Moreover, in late 2014, the fiscal rules, stipulated by the Budget System Law, provided that pension amounts would not be raised until the ratio of pension expenditures to the GDP falls below 11%.  Owing to the positive results of the fiscal consolidation programme, the pension amounts were, in the meantime, increased three times – by 1.25% in December 2015, by 1.5% in December 2016 and by 5% in December 2017. Amendments to the Law on PDI, among other, abolished the pension cuts after September 2018, so that pensions are paid without any reductions as of October (payable in November).  Furthermore, the Law provides for the possibility of payment of a special amount as a pension bonus, separate from the pension itself, subject to the availability of the fiscal space, where the total budget for this purpose is limited to 0.3% of the GDP on an annual basis. The regulations adopted by the Government in October and December 2018 stipulate the disbursement of this bonus to all beneficiaries whose pensions for October 2018 did not exceed RSD 34,003.90. The persons whose pensions amounted up to RSD 26,643.75 received bonuses equivalent to 5% of their pensions, while those with pensions in the range from RSD 26,643.76 to RSD 34,003.90 received smaller pension bonuses. The regulations envisage the payment of the bonuses until the end of 2019, with the possibility of extension in the upcoming years. In addition, in November 2016 and November 2017, all pensioners received RSD 5,000, plus another RSD 3,000 in December 2018.  Detailed effects of measures taken and current developments in this field:  The ratio of pension expenditures to GDP decreased from 13% in 2014 to 10.3% in 2018 (11.4% in 2015, 10.9% in 2016 and 10.5% in 2017). The decline of the share of pension spending in the GDP is a result of the GDP growth after a period of stagnation, of the decline in the number of pensioners owing to the tightening of pension requirements and overall efforts to keep the total pension spending under control. In addition, on 1 October 2018, the Statistical Office of the Republic of Serbia published the revised GDP amounts for 2015-2017, which were larger than the previously published ones, which also led to the decrease of the ratio of pension spending to GDP in that period;  The pension deficit has been decreased. The share of budget transfers in the total PDIF expenditures decreased from 37.2% in 2014 to 24.2% in 2018. Expressed as a percentage of the GDP, the transfers decreased from 5.7% of the GDP in 2014 to 2.9% of the GDP in 2018;  With the tightening of retirement requirements, the number of pensioners declined after 2014, mostly as a result of the decrease in the number of pensioners below the age of 65 years.  Trends in the number of pensioners:  December 2014 – 1,739,162  December 2015 – 1,735,942  December 2016 – 1,728,138  December 2017 – 1,720,435  December 2018 – 1,715,152  December 2019 – 1,708,293  Despite the decreasing number of pensioners, the coverage of the elderly population by pensions has increased. In 2017, 88.5% of the population aged 65 or over received pensions, relative to 85.4% in 2014;  The average age of new old-age pension recipients increased from 62.7 years in 2014 to 63.8 in 2017 (men), and from 59.5 in 2014 to 61.2 in 2017 (women);  The income replacement rate in retirement has been fluctuating since 2014 around the 63% mark. In 2014 and 2015 it stood at 63.2%, in 2016 it increased to 64.5% (since the decline in wages was more prominent than the decline in pensions), then dropped to 62.2% in 2017, before increasing again to 63.2% in 2018;  On the other hand, the average pension to wage ratio dropped from 54.1% in 2014 to 49.9% in 2017, only to increase again to 51% in 2018;  As regards the voluntary pension funds and pension plans, the funds’ net assets continually grew, reaching RSD 40.2 billion, i.e. 0.8% of GDP. In the same period, 192,925 clients, who stipulated 261,726 membership contracts with voluntary pension funds, were in the stage of asset accumulation. The share of clients in the total employed population is 9%.  The activities implemented with the aim of further developing the pension system are regularly presented through inputs to the Progress Report and the ESRP Implementation Report. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET**  **DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.3.1 | Reporting to the European Commission as part of the Progress Report on Serbia’s European integration process | Responsible institution:  MLEVSA | Continuous | 1 civil servant | / | / | RS Budget, total €10,212, with €2,553 each year from 2019 to 2022  2020: RSD 301,254  2021: RSD 301,254  2022: RSD 301,254 |  |
| 6.3.2 | Participation in the implementation of the Employment and Social Reform Programme | Responsible institution:  MLEVSA | Continuous | 1 civil servant | / | / | Budgeted under Act. 4.1.1. |  |
| 6.3.3 | Monitoring of the implementation of the Employment and Social Reform Programme | As under 4.3.4 | Continuous | As under 4.3.4 | As under 4.3.4 | / | Budgeted under Act. 4.3.4. |  |
| **6.4**  [**12007P026**](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:12007P026:EN:NOT) **Charter of Fundamental Rights of the European Union Title III: Equality Article 26 – Integration of persons with disabilities *(OJ C 303, 14/12/2007, p. 8)*** | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| Clearly defined priorities, an articulated policy and measures for its implementation provide the preconditions and mechanisms that contribute to the improvement of the overall social and economic status of persons with disabilities, until their full and equal participation in society is achieved in all spheres.  1. The introduction of provisions on the prohibition of discrimination on the grounds of physical and intellectual disability into the current Constitution of the Republic of Serbia (Article 21),  2. The adoption of special regulations:  - the Law on the Prevention of Discrimination against Persons with Disabilities (2006) and the amendments to this Law, adopted in 2015, specifically with a view to preventing discrimination and ensuring the exercise of equal rights by persons with disabilities who are unable to hand-sign due to the nature of their disability – physical or sensory impairment or disease, by allowing the use of stamps containing personal identity information or signature stamps in the performance of various activities and the exercise of their rights,  - the Law on Vocational Rehabilitation and Employment of Persons with Disabilities (2009) as well as amendments thereto, adopted in 2013, affirming equal opportunities for persons with disabilities to find and retain a job, the work capacity assessment and status recognition, the exercise of the rights of unemployed persons with disabilities, the obligation to employ persons with disabilities and the capacity-strengthening of enterprises for vocational rehabilitation and employment of persons with disabilities as a special form of employment of this group of hard-to-place people. The legal framework as the basis for a more competitive inclusion of persons with disabilities has been updated and aligned with the regulations governing state aid.  - The Law on Guide Dog-Assisted Mobility (2015) and the Law on the Use of Sign Language (2015), stipulating the right of persons with disabilities to use guide dogs to assist them with their mobility, most notably of blind and visually impaired people, as well as of the people using wheelchairs and other people requiring the assistance of guide dogs, as well as the right of people with hearing loss to communicate in line with their needs, i.e. the provision of an accessible environment to people whose hearing loss would prevent them from fully participating in social life without the use of sign language as a natural means of communication.  3. The adoption of a set of other policy documents and regulations addressing the situation of persons with disabilities and ensuring equal opportunities (in the fields of employment, social protection, education, health care, planning and construction, tax and customs policy and others) and the development of a new Strategy for the Improvement of the Status of Persons with Disabilities in Serbia for the period until 2024, whose adoption is expected by Q4 2019, shows the willingness of the society to take a systemic approach to solving the problems and improving the status of persons with disabilities.  The Department for Protection of Persons with Disabilities, as a special organisational unit of the Ministry, was established with the aim of promoting and protecting the rights and improving the position of persons with disabilities.  The Rulebook on Internal Organisation and Job Classification in the Ministry of Labour, Employment, Veteran and Social Affairs envisages 7 positions for civil servants with an academic degree for the activities in the purview of the Department for Protection of Persons with Disabilities; 1 of these positions is vacant and is expected to be filled by the fourth quarter of 2020.  The policy objectives pertaining to the protection and improvement of the status of persons with disabilities pursued in the areas of the Department’s remit include:  1. Strengthening partnerships with all social and humanitarian organisations whose activities are aimed at improving the status of persons with disabilities. Organisations of persons with disabilities have initiated activities towards establishing institutionalised cooperation in the civil sector, one of its results being the establishment of a network of persons with disabilities’ organisations and the National Organisation of Persons with Disabilities as the umbrella organisation. This Organisation contributes to a more concrete and more focused cooperation between the state and the civil sector. The formulation of objectives has been facilitated and all forms of cooperation and partnership between the Ministry (Department) and all organisations represented by the National Organisation of PWDs have been enhanced. A significant feature of the partnership between the Ministry and organisations of persons with disabilities is also reflected in the equal participation of the organisations’ representatives in the bodies established by the Government of Serbia (such as the Council for Persons with Disabilities, which includes representatives of both the line ministries and organisations of persons with disabilities), as well as in the Ministry’s financial support to the organisations that implement programmes aimed at the protection of the rights of persons with disabilities (the support is focused on the organisations’ activities throughout the country, in the field of the prevention of discrimination, inclusion and development of local-level services implemented by the organisations as service providers, with the aim of supporting a greater degree of social and economic inclusion of persons with disabilities). Through several levels of competitive procedures, the Ministry has provided financial support to more than five hundred organisations of persons with disabilities. The priorities in these competitive procedures are decided in a dialogue with persons with disabilities’ organisations, while adhering to the guidelines for the objectives and tasks formulated in the existing legal and policy documents adopted in this field).  2. The enforcement and monitoring of the Law on Vocational Rehabilitation and Employment of Persons with Disabilities, specifically:  - the establishment of new enterprises for vocational rehabilitation and employment of persons with disabilities and the strengthening of the capacities of existing ones, as a special form of employment of this hard-to-place group, through financial assistance by subsidising wages for persons with disabilities and improving working conditions in these enterprises, in conformity with rules regulating state aid, with a view to promote the employment and employment retention of persons with disabilities;  - capacity-strengthening of the key entities responsible for the implementation of vocational rehabilitation measures and activities by increasing the number of accredited training programmes, to enable persons with disabilities to adopt new knowledge and skills required for specific jobs;  - inspection oversight to ensure the legality of the activities and actions of enterprises for vocational rehabilitation and employment of persons with disabilities and other key entities responsible for vocational rehabilitation measures and activities who are licensed to provide training programmes (oversight is performed by one civil servant with an academic degree, in conformity with the job classification document).  In Serbia, there are 52 enterprises for vocational rehabilitation and employment of persons with disabilities accredited by the Ministry of Labour, Employment, Veteran and Social Affairs, in conformity with the provisions of the Law on Vocational Rehabilitation and Employment of Persons with Disabilities, and additional 14 differently organised entities that fulfil the requirements, criteria and standards for the implementation of vocational rehabilitation measures and activities are licensed to provide training programmes.  3. The monitoring of the implementation of the regulations in the field of support to persons with disabilities within one's competence, international conventions, the preparation and implementation of the Strategy for Improvement of the Status of Persons with Disabilities in the Republic of Serbia until 2024 and the associated action plan.  The adoption of the Strategy for the Improvement of the Status of Persons with Disabilities in the Republic of Serbia until 2024, including the related Action Plan, aims to ensure the continuous implementation of activities contributing to improve the situation of persons with disabilities by removing the barriers they face in various spheres of social life and by enabling them to enjoy all rights on an equal basis. The Strategy stipulates the key areas influencing the status of persons with disabilities, provides a brief overview of the state of affairs and sets the main courses of action towards the empowerment of persons with disabilities in terms of ensuring accessibility, participation, equality, employment, education and training, social protection, health care and other activities contributing to the equality of opportunities for persons with disabilities. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.4.1 | Constitution of the Republic of Serbia  Article 21 - Implementation | Responsible institution:  MLEVSA in cooperation with all public institutions responsible for the implementation of Article 21 of the Constitution | Continuous | As under 6.1.2 | As under 6.1.2 | Q4 2020 | Budgeted under 6.1.2 |  |
| 6.4.2 | Reporting to the European Commission as part of the Progress Report on Serbia’s European integration process | Responsible institution:  MLEVSA | Continuous | For the Department for Protection of Persons with Disabilities, the job classification envisages 7 positions for civil servants with an academic degree (1 of which is vacant), who are responsible, among other tasks, for reporting on Serbia’s progress in the European integration process. | To further enhance the efforts within the initiated processes, the capacities need to be strengthened by filling 1 vacant position with a staff member holding an academic degree. | Q4 2020 | RS Budget, total €28,594, with €7,148 per year from 2019 to 2022.  2020: RSD 843,464  2021: RSD 843,464  2022: RSD 843,464 |  |
| **6.5**  **32010D0048 (EUR-Lex: 11.10) Council Decision** of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities *(OJ L 23, 27/1/2010, p. 35–36)* | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The introduction of the provisions on the prohibition of discrimination on the grounds of physical and intellectual disability into the current Constitution of the Republic of Serbia (Article 21), the adoption of the Law on the Prevention of Discrimination against Persons with Disabilities (2006) and its amendments adopted in 2015, the Law on Vocational Rehabilitation and Employment of Persons with Disabilities (2009) and its amendments adopted in 2013, the Law on Guide Dog-Assisted Mobility (2015), the Law on the Use of Sign Language (2015), the adoption of a series of other regulations addressing the status of persons with disabilities (in the fields of social protection, education, health care, planning and construction, transportation, tax and customs policy) and the development of a new Strategy for the Improvement of the Status of Persons with Disabilities in the Republic of Serbia for the period until 2024 reflects Serbia’s willingness to take a systemic approach to improving the status of persons with disabilities.  In 2009, Serbia ratified the Convention on the Rights of Persons with Disabilities and its Protocol, and is required under Article 35 of the Convention to submit periodic reports on its implementation. Its primary goal is to promote, protect and ensure full and equal enjoyment of all human rights and fundamental freedoms for all persons with disabilities and to enhance the respect of their inherent dignity. In line with its commitments, the Government of Serbia adopted the Initial Report on the Implementation of the Convention on the Rights of Persons with Disabilities on 10 May 2012. The Report was prepared in an inclusive process, which entailed consultations with the line ministries, relevant provincial authorities, independent bodies, as well as civil society organisations, to provide a comprehensive overview of the activities implemented throughout the country.  In December 2014, the Government of Serbia adopted a Decision establishing the Council for Monitoring the Recommendations of the United Nations’ Mechanisms for Human Rights, for a five-year term in order to systemically regulate all relevant issues in the system of implementation of policies related to human and minority rights. The Council comprises a chairperson and nine members from the ranks of officials and civil servants holding positions in the ministries of justice, foreign affairs, interior affairs, labour, employment, veteran and social affairs, education, science and technological development, health care, culture and information, public administration and local governments, as well as from the European Integration Office.  The Council’s objective is to monitor the implementation of the recommendations that Serbia receives in the process of the Universal Period Review and the recommendations provided by the UN treaty bodies – the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee against Torture, the Committee on the Rights of the Child, the Committee on the Rights of Persons with Disabilities and the Committee on Enforced Disappearances. The Council proposes measures for the implementation of recommendations, provides its opinion on the progress of human rights in the reporting period and expert explanations of the status of human rights and the results achieved through the implementation of the recommendations.  In 2016, the Republic of Serbia presented its Initial Report on the implementation of the Convention on the Rights of Persons with Disabilities at the 15th session of the Committee on the Rights of Persons with Disabilities. The Committee also considered a shadow report submitted by a coalition consisting of the National Organisation of Persons with Disabilities, the Centre for Independent Living of Persons with Disabilities Serbia, the Centre for Society Orientation - Regional Centre for Europe, while the Mental Disability Rights Initiative of Serbia also presented its alternative report. Upon the consideration of the initial state report and the alternative reports, on 23 May 2016, the Committee on the Rights of Persons with Disabilities adopted its Concluding Observations and provided 37 recommendations to Serbia for the protection and improvement of the status of persons with disabilities in the next reporting period. In May 2017, the Republic of Serbia submitted its Report on the Implementation of the Priority Recommendations from the Concluding Observations to the Committee, regarding the prohibition of medical interventions without the prior consent of the person, as well as regarding the employment and vocational rehabilitation of persons with disabilities. In line with point 71 of the Concluding Observations of the Committee on the Rights of Persons with Disabilities, the Republic of Serbia is required to focus its attention in the forthcoming period primarily on the implementation of the concluding observations and the concrete recommendations. In accordance with the assumed commitments, at the initiative of the Ministry of Labour, Employment, Veteran and Social Affairs and with UNDP expert support, an assessment of the effects and impacts of the implementation of the Law on Vocational Rehabilitation and Employment of Persons with Disabilities has been undertaken and the Report on the Analysis of the Law’s Implementation Impacts Including Recommendations has been prepared in order to acknowledge the presented results as proper guidelines for improving the policy-making process and increasing the impact of the implemented measures so that their further implementation produces maximum effects and, accordingly, improve the status of persons with disabilities in the labour market. In view of the above, the focus of the assessment was on: the promotion of PWD employment in the open labour market (through the introduction of the obligation to hire PWD); the stimulation of development and preservation of enterprises for vocational rehabilitation and employment of PWD as special resources of work and social integration of PWD under general and special working conditions and further development of the manufacturing and service delivery capacities of the enterprises as vocational rehabilitation entities; PWD employability increase (by inclusion in vocational rehabilitation measures and active labour market policy measures); the introduction of the procedure for assessment of the work capacity and the possibility of contracting and retaining employment, and the provision of continuous financial support (Budget Fund for Vocational Rehabilitation and Promotion of Employment of PWD). The findings indicate that the implementation of the Law resulted in increased inclusion of persons with disabilities in active labour market policy measures, increased recruitment of PWD from the National Employment Service registry and in general, increased number of the newly established enterprises for vocational rehabilitation and employment of persons with disabilities as special forms of employment, developed training programmes and increased number of vocational rehabilitation entities, and in the development of special packages of measures for persons with disabilities as of 2015. In order to enhance the work capacity assessment procedure, in January 2016, the National Employment Service conducted an analysis of the work capacity assessment procedure across its branch offices. While performing work capacity assessments in the upcoming period, the competent institutions will be working on the improvement of the work capacity assessment procedures, including the increase of the consistency of the approaches taken by various assessment committees. It is necessary to regularly analyse the identified barriers to full implementation of the Law on Vocational Rehabilitation and Employment of Persons with Disabilities in order to provide the mechanisms for their removal. This approach is also taken in the development of the Strategy for Improvement of the Status of Persons with Disabilities in the Republic of Serbia for the period until 2024, whose adoption is expected by the end of 2019. The Strategy stipulates the key areas influencing the status of persons with disabilities, provides a brief overview of the state of affairs and sets the principal courses of action towards the empowerment of persons with disabilities in terms of ensuring the accessibility, participation, equality, employment, education and training, social protection, health care and other activities contributing to the equality of persons with disabilities’ opportunities.  The preparation of the Strategy and related Action Plan for the improvement of the status of persons with disabilities until 2024 takes into account the observations and recommendations of the UN Committee on the Rights of Persons with Disabilities regarding the elimination of barriers faced by persons with disabilities in various aspects of social life, primarily in areas contributing to equality of opportunities, such as education, social protection, accessibility, health care, employment and others. The document will be aligned with the European Disability Strategy 2010–2020 – A Renewed Commitment to a Barrier-Free Europe, the provisions of the UN Convention on the Rights of Persons with Disabilities, the effects of the implementation of the previous strategy, and the assessed impact of the applicable legislation. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.5.1 | Reporting on the implementation of the UN Convention of the Rights of Persons with Disabilities | Office for Human and Minority Rights  MLEVSA | Continuous | In the Department for Protection of Persons with Disabilities, 2 civil servants with an academic degree are responsible, among other tasks, for reporting on the implementation of the UN Convention on the Rights of Persons with Disabilities in the Office for Human and Minority Rights 1 civil servant | No additional capacities are required |  | RS Budget, total €20,240, with €5,106 each year 2019-2022.  2020: RSD 602,508  2021: RSD 602,508  2022: RSD 602,508 |  |
| **6.6**  **31998H0376 (EUR-Lex: 07.20.40.20) Council Recommendation 98/376/EC of 4 June 1998 on a parking card for people with disabilities** *(OJ* L 16, 12/6/1998, p. 25–28) | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| **The Ministry of Labour, Employment, Veteran and Social Affairs implemented the project for the introduction of standardised Disabled Parking Cards in cooperation with the Serbian Parking Association. The introduction of the standardised Disabled Parking Cards (DPC) began in 2012 and more than 13,000 DPCs are distributed every year to persons with disabilities, allowing them unlimited parking in general disabled parking spaces throughout the country.** | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/**  **DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET**  **DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.6.1 | Implementation of the Decision on the Standardised Parking Card for Persons with Disabilities | Responsible institution:  MLEVSA in cooperation with the  Serbian Parking Association | Continuous | 1 civil servant in MLEVSA with an academic degree, in addition to other responsibilities | No additional capacities are required | / | Budgeted under Act. 6.9.1. |  |
| **6.7**  **32001L0029 (EUR-Lex: 17.20) Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society *(OJ L 167, 22/6/2001, p. 10)*** | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Law on Copyrights and Related Rights (RS Official Gazette Nos 104/2009, 99/2011, 119/2012 and 29/2016 – amended by Constitutional Court decision), in Article 54 thereof, stipulates that, for the needs of persons with disabilities, copying and distributing a copyright protected work without the permission of the author, and without paying royalties, is permitted if this work does not exist in the required format, if its use is in direct connection with the concerned persons’ disability, and in the scope required by a specific type of disability, provided that it is not copied and distributed for the sake of direct or indirect financial gain. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/**  **DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET**  **DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.7.1 | Monitoring of the implementation of the Law on Copyright and Related Rights | Responsible institution:  MESTD in cooperation with the  Intellectual Property Office | Continuous | 1 employee in MESTD.  1 employee in the Intellectual Property Office | No additional capacities are required | / | RS Budget, total €10,212, with €2,553 each year 2019-2022  2020: RSD 301,254  2021: RSD 301,254  2022: RSD 301,254 |  |
| **6.8[[24]](#footnote-24)**  **Directive (ЕU) 2016/2102 of the European Parliament and of the Council** of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies. | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Law on eGovernment was adopted and published in the RS Official Gazette No 24/18 of 6 April 2018.  The Regulation on detailed requirements for the design and maintenance of websites, as a bylaw of the Law on eGovernment, was adopted and published in the SR Official Gazette o 104/18 of 28 December 2018. This Regulation has transposed Directive EU 2016/2102. The Regulation envisages web navigation with the use of a visually enhanced <Tab> key, navigation with the help of drop-down menus that cannot be accessed using the keyboard; and availability of download and upload documents in several machine readable formats (.pdf, .doc, .docx, .odt) and table formats (.xlsx, .ods); text alternatives for non-text web content (images, photographs, and similar); proportional scaling of fonts (font sizes must be relative), and parts of the website (taking into account scalability) in proportion with the size of the screen, i.e. enabling the scalability of text size to a minimum of 18 points; links adjusted in line with web accessibility standards that clearly reflect units/sections of the web content, so that the screen reader (for the blind and visually impaired) can properly “read” the textual content; subtitles and/or transcripts are downloadable as separate text documents for all non-text content, i.e. descriptions are provided of the video content; the documents themselves are accessible (forms, templates and similar); high contrast is provided between foreground and background colours (from light to black); accessibility of the form elements on the page (e.g. textual fields, check fields and similar) which can only be completed using the keyboard, and this especially applies to electronic services; a special page is available where all web accessibility elements are listed, along with a contact for queries regarding the accessibility of the website and the documents posted there; graphic and audio elements are easy to control, and the control procedure is posted on the website; the content is tailored to the use of assistive technologies such as text-to-speech (TTS) or screen reader; the CAPTCHA system – validation code is adjusted to the blind and visually impaired, so as not to compromise speech intelligibility.  For validating the code in the context of web accessibility, the authority is require to use the W3C Unicorn validator that integrates HTML and CSS validation, and the entire content of the website must be checked with the use of the validator. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET**  **DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.8.1 | Adoption of the Law on e-Government | Responsible institution:  MPALSG | Adopted in Q4 2018 |  | No additional capacities are required | / | / |  |
| **6.9**  **52010DC0636 (EUR-Lex: 05.20.50) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – European Disability Strategy 2010–2020: A Renewed Commitment to a Barrier-Free Europe /\* COM/2010/636 final \*/** | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The adoption of the new Strategy for Improvement of the Status of PWD in the Republic of Serbia for the period until 2024 was envisaged in Q4 2020. This policy document is aligned with the European Disability Strategy 2010-2020 and with the Council of Europe’s policy documents in this field. The Strategy is adopted in an inclusive process, covers all aspects of the social life of persons with disabilities and will provide an excellent foundation for comprehensive regulation of this field in compliance with the highest European standards. The Strategy stipulates the key areas influencing the status of persons with disabilities, provides a brief overview of the state of affairs and sets the principal courses of action towards the empowerment of persons with disabilities in terms of ensuring the accessibility, participation, equality, employment, education and training, social protection, health care and other activities contributing to the equality of persons with disabilities’ opportunities. In order to provide an overall overview of the activities implemented throughout the country.  The preparation of the Strategy and the related Action Plan for the Improvement of the Status of Persons with Disabilities until 2024 takes into account the observations and recommendations of the UN Committee on the Rights of Persons with Disabilities regarding the elimination of the barriers faced by persons with disabilities in various aspects of social life, especially in the areas contributing to equality of opportunities, such as education, social protection, accessibility, health care, employment and others. The document also takes into consideration the reviewed implementation results of the previous strategy and the available assessed impact of the regulation in force. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/**  **DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET**  **DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.9.1 | Adoption, monitoring of and reporting on the implementation of the Strategy for Improving the Status of Persons with Disabilities in the Republic of Serbia until 2024, and the Action Plan for Strategy implementation. | Responsible institution:  MLEVSA in cooperation with the  Council for Persons with Disabilities | Q4 2020 | For the Department for Protection of Persons with Disabilities, the job classification foresees 7 positions for civil servants with an academic degree (1 of which is vacant), who are responsible, among other tasks, for preparing and monitoring the Strategy for Improving the Status of Persons with Disabilities in the Republic of Serbia until 2024, and the Action Plan for its implementation. | To further enhance the efforts within the initiated processes, the capacities need to be strengthened by filling the vacant position with a staff member holding an academic degree. | Q4  2020 | RS Budget, total €38,295, with €12,765 per year from 2019 to 2021.  2020: RSD 1,506,270  2021: RSD 1,506,270  2022: RSD 0 |  |
| **6.10**  **32000L0078 (EUR-Lex: 05.20.05.10) Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation *(OJ L 303, 2/12/2000, p. 16)*** | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | |
| The Law on the Prevention of Discrimination against Persons with Disabilities (RS Official Gazette Nos 33/2006 and 13/2016), in Art. 21-26, prohibits discrimination on the grounds of disability in exercising employment and related rights with regard to persons with disabilities seeking employment; attendants of persons with disabilities seeking employment; employed persons with disabilities; employed attendants of persons with disabilities. The Law defines job seekers as persons who are properly registered with the authority competent for employment affairs under the law regulating the field of employment, and defines attendants of persons with disabilities as any person, whether blood-related or not, living in the same household with a person with disability and permanently assisting them with their daily needs, with no financial or other material compensation. Furthermore, the following actions are considered as discrimination in employment on the grounds of disability: refusal to hire persons with disabilities because of their disability, or attendants of persons with disabilities because of their work as attendants; stipulation of special health-related requirements for hiring persons with disabilities, except when the special health-related requirements for a specific job are in compliance with the law; prior testing of psychological and physical abilities that are not directly related to a specific job; refusal to perform technical accommodations in the workplace to enable the efficient work of a person with disability, if the costs of accommodations are not borne by the employer or are not disproportionate to the economic benefit gained by the employer by hiring a person with disability.  The following actions are not considered as discrimination in employment on the grounds of disability: the selection of an able-bodied candidate who earned the best score in a prior test of mental and physical capacities directly related to the job requirements; subsidised employment of persons with disabilities, in conformity with the law regulating the employment of persons with disabilities. The following actions are considered as discrimination on the grounds of disability in exercising employment rights: paying workers with disabilities lower wages, irrespective of their performance; setting special job requirements for persons with disabilities, when these do not directly stem from the job requirements; setting special requirements for persons with disabilities for exercising other employment-related rights to which every employee is entitled. Rewarding employees based on their performance is not considered as discrimination on the grounds of disability. The harassment, abuse and disparagement of employees with disabilities by the employer or by a line manager in the workplace, based on their disabilities, is particularly severe form of discrimination on the grounds of disability. | | | | | | | | |
| **ACTIVITIES** | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | **TIMEFRAME/DEADLINE** | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | **FINANCIAL RESOURCES** | |
| **CURRENT CAPACITIES** | **REQUIRED CAPACITIES** | **TARGET DATE** | **REGULAR BUDGET FUNDS** | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** |
| 6.10.1 | Implementation of the Law on the Prevention of Discrimination against Persons with Disabilities | Responsible institution:  MLEVSA in cooperation with the  Commissioner for the Protection of Equality | Continuous | Currently a single officer is monitoring the implementation of the law with the Commissioner for the Protection of Equality | Restructuring required for the Council for Persons with Disabilities and the hiring of one civil servant with academic degree in the Department for the Protection of Persons with Disabilities | Q4 2021 | Budgeted as part of Activity 6.9.1. |  |
| 6.10.2 | Implementation of the Law on Vocational Rehabilitation and Employment of Persons with Disabilities | Responsible institution:  MLEVSA,  Department for Protection of Persons with Disabilities in cooperation with  DLE, and  enterprises for vocational rehabilitation and employment of persons with disabilities | Continuous | In line with the internal job classification act, 4 civil servants with an academic degree are tasked with, among other, the implementation of the Law on Vocational Rehabilitation and Employment of Persons with Disabilities (the part of the legislation implemented by the Department for Protection of Persons with Disabilities) | Required hiring of one additional civil servant | Q4 2021 | RS Budget, total €32,678, with €8,170 per year from 2019 to 2022  2020: RSD 964,060  2021: RSD 964,060  2022: RSD 964,060 | IPA 2013 Project - Technical Assistance for Capacity Building in Employment Policy |

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| **SECTION 6. SUMMARY - SOCIAL INCLUSION AND SOCIAL PROTECTION** | | | | | |
| **NUMBER OF REGULATIONS REQUIRED TO ENSURE HARMONISATION** | **NUMBER OF CIVIL SERVANTS CURRENTLY WORKING ON THE DEVELOPMENT AND IMPLEMENTATION OF REGULATIONS** | **CAPACITIES REQUIRED** | **HARMONISATION DEADLINE** | **IMPROVEMENT DEADLINE** | **TOTAL FUNDS REQUIRED FOR THESE ACTIVITIES** |
| Adoption of 7 regulations is required (one law, three strategies, three related action plans, one document on the appointment of a representative to EU bodies). | 21 | 5 | By the time of Serbia’s accession to the EU | By Q4 2021 | €5,805,958.00 |

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| 7. NON-DISCRIMINATION IN THE EMPLOYMENT AND SOCIAL POLICY | | | | | | | | | | | | | | | | | | |
| **7.1**  **C2010/083/01 Treaty on European Union** Title I: Common provisions Article *(OJ C 83, 30/3/2010, p. 17)* | | | | | | | | | | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | | | | | | | | | | |
| Article 21 of the Constitution of Serbia prohibits any discrimination, whether direct or indirect, on any grounds, in particular race, sex, ethnic affiliation, social background, birth, religion, political or other opinion, property status, culture, language, age, mental or physical disability. Special measures that Serbia may introduce with a view to achieving full equality of persons or groups of persons who are in an essentially unequal position compared to other citizens do not constitute discrimination. Anyone whose human or minority rights guaranteed by the Constitution are violated or denied has the right to remedy before a tribunal, as well as to redress for the consequences of such violations. The citizens have the right to address international institutions in order to protect their freedoms and rights guaranteed by the Constitution (Article 22). | | | | | | | | | | | | | | | | | | |
| **ACTIVITIES** | | | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | | | | **FINANCIAL RESOURCES** | | | |
| **CURRENT CAPACITIES** | | **REQUIRED CAPACITIES** | | **TARGET DATE** | | **REGULAR BUDGET FUNDS** | | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** | |
| 7.1.1 | | | Implementation of the Constitution of Serbia | | Responsible institution:  MLEVSA in cooperation with all state agencies | | Immediately prior to EU accession | | / | | / | | / | | Budgeted under 6.1.2 | |  | |
| **7.2**  **C2010/083/01** **Treaty on the Functioning of the European Union** Part Two: Non-discrimination and Citizenship of the Union Article 1 *(ОЈ C 83, 30/3/2010, p. 56)* | | | | | | | | | | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | | | | | | | | | | |
| A part of the Treaty on the Functioning of the European Union addresses the issue of citizenship of both the Member States and the EU as a whole. This matter will be harmonised just before becoming a full member of the EU. | | | | | | | | | | | | | | | | | | |
| **ACTIVITIES** | | | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | | | | **FINANCIAL RESOURCES** | | | |
| **CURRENT CAPACITIES** | | **REQUIRED CAPACITIES** | | **TARGET DATE** | | **REGULAR BUDGET FUNDS** | | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** | |
| 7.2.1 | | | As under 7.1.1 | | As under 7.1.1 | | As under 7.1.1 | | As under 7.1.1 | | As under 7.1.1 | | / | | Budgeted under 7.1.1 | |  | |
| **7.3**  **C2010/083/02 Charter of Fundamental Rights** (applies to the national authorities only when they are implementing the European Union laws). Articles 12, 27 and 28 *(OJ C 83/389, 30.03.2010).* | | | | | | | | | | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | | | | | | | | | | |
| Art. 18-81 of the Constitution (Human and Minority Rights and Freedoms) prohibit discrimination on any grounds and guarantee the respect for human rights, in line with international standards. The Law Amending the Law Prohibiting Discrimination is merely a detailed elaboration of the constitutional guarantees. | | | | | | | | | | | | | | | | | | |
| **ACTIVITIES** | | | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | | | | **FINANCIAL RESOURCES** | | | |
| **CURRENT CAPACITIES** | | **REQUIRED CAPACITIES** | | **TARGET DATE** | | **REGULAR BUDGET FUNDS** | | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** | |
| 7.3.1 | | | As under 7.1.1 | | As under 7.1.1 | | As under 7.1.1 | | As under 7.1.1 | | As under 7.1.1 | | / | | Budgeted under Act. 7.1.1 | |  | |
| **7.4**  **32006L0054 (EUR-Lex: 05.20.05.20) Directive 2006/54/ЕC** of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) *(OJ L 204, 26/7/2006, p. 23–36)* | | | | | | | | | | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | | | | | | | | | | |
| The principle of equal pay for equal work or work of equal value has been implemented in the national legislation. The Labour Law stipulates that all employees must be guaranteed equal wages for equal work or work of equal value performed for an employer (Art. 104), while defining the work of equal value as the work that requires an equal level of qualifications, education, knowledge and skills, producing the same outputs with an equal level of responsibility. Furthermore, the Law Prohibiting Discrimination prohibits discrimination in the field of labour, i.e. the impairment of equal opportunities for employment or the enjoyment, under equal terms, of all labour rights, such as the right to work, free choice of employment, career development, professional development and vocational rehabilitation, equal pay for work of equal value, just and favourable conditions of work, holidays, education and trade union membership, as well as the right to protection against unemployment. The Gender Equality Law stipulates that employees, regardless of their sex, have the right to equal remuneration for equal work or work of equal value performed for an employer, in compliance with the law regulating the area of labour. The Serbian legislation has not explicitly implemented Article 4 of the Directive, while the aforesaid Article 104 of the Labour Law solely guarantees equal pay for equal work or work of equal value. In any case, Article 18 of the Labour Law prohibits direct or indirect discrimination against job seekers and employed persons. Furthermore, Article 20 prohibits discrimination in relation to working conditions and employment-related rights, including remuneration. | | | | | | | | | | | | | | | | | | |
| **ACTIVITIES** | | | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | | | | **FINANCIAL RESOURCES** | | | |
| **CURRENT CAPACITIES** | | **REQUIRED CAPACITIES** | | **TARGET DATE** | | **REGULAR BUDGET FUNDS** | | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** | |
| 7.4.1 | | | Adoption of the Gender Equality Law – where it refers to equal pay for equal work regardless of the sex | | Responsible institution:  MLEVSA | | Q4 2020 | | Department for Anti-Discrimination Policy and Gender Equality Promotion  MLEVSA | | No additional capacities are required. | | / | | RS Budget, €7,659 total, all in 2020  2020: RSD 903,762  2021: RSD 0  2022: RSD 0 | |  | |
| 7.4.2 | | | Development of the quality monitoring system for the Gender Equality Law and specialist trainings | | Responsible institution:  MLEVSA in cooperation with MPALSG, Administrative Inspectorate and other relevant institutions | | Q4 2020 | | As under 7.4.1 | | No additional capacities are required | | / | | RS Budget, total €17,020, all in 2020  2020: RSD 2,008,360  2021: RSD 0  2022: RSD 0 | |  | |
| **7.5**  **32010L0041 (EUR-Lex: 05.20.05.20) Directive 2010/41/EU** of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC *(OJ L 180, 15/7/2010, p. 1–6)* | | | | | | | | | | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | | | | | | | | | | |
| Directive 2010/41/EU is not explicitly transposed into our legislation. The Law Prohibiting Discrimination does not cover self-employment. The Gender Equality Law makes no mention of self-employment, except in Article 22, which envisages the promotion of employment and self-employment of the less represented sex. The National Employment Service is required to promote the employment and self-employment of the less represented sex by including as many persons as possible of that sex into certain active employment policy measures. In addition, the Labour Law prohibits discrimination in terms of the requirements for the selection and employment of candidates for a specific job, the conditions of work and employment-related rights, education, training and specialisation, promotion and termination of employment contract, but does not include self-employment. The Law on Employment and Unemployment Insurance includes active employment policy measures, including support for self-employment, and Article 5 states that this Law is based on non-discrimination principles. | | | | | | | | | | | | | | | | | | |
| **ACTIVITIES** | | | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | | | | **FINANCIAL RESOURCES** | | | |
| **CURRENT CAPACITIES** | | **REQUIRED CAPACITIES** | | **TARGET DATE** | | **REGULAR BUDGET FUNDS** | | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** | |
| 7.5.1 | | | Adoption of the Gender Equality Law – where it refers to self-employment of spouses | | 7.4.1 | | 7.4.1 | | 7.4.1 | | No additional capacities are required. | | / | | Budgeted under Act. 7.4.1. | |  | |
| 7.5.2 | | | Development of the quality monitoring system for the implementation of the Gender Equality Law | | 7.4.2 | | 7.4.2 | | 7.4.2 | | No additional capacities are required. | |  | | Budgeted under Act. 7.4.2. | |  | |
| **7.6**  **3.1992L0085 (EUR-Lex: 05.20.20.10) Council Directive** 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the health and safety at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) *(OJ L 348, 28.11.1992, p. 1–7)* | | | | | | | | | | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | | | | | | | | | | |
| The Rulebook on measures for health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding (RS Official Gazette No 102/16) transposes the provisions in the field of health and safety at work, specifically, provisions 1.1, 2, 4.1, 4.2, 6.1.1, 6.1.2 and the Annexes to Directive 92/85/EEC. Prior to its adoption, the Draft Rulebook was submitted to the EC for comments. | | | | | | | | | | | | | | | | | | |
| **ACTIVITIES** | | | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | | | | **FINANCIAL RESOURCES** | | | |
|  | | | | |  | |  | | **CURRENT CAPACITIES** | | **REQUIRED CAPACITIES** | | **TARGET DATE** | | **REGULAR BUDGET FUNDS** | | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** | |
| 7.6.1 | | | Oversight over the implementation of the Rulebook on measures for health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding. | | Responsible institution:  MLEVSA –Administration for Occupational Safety and Health and Labour Inspectorate | | Continuous | | Labour Inspectorate | | No additional capacities are required | | / | | Budgeted under act. 3.3.1. | |  | |
| **7.7**  **32010L0018 (EUR-Lex: 05.20.05) Directive 2010/18/EU** of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC*(OJ L 68, 18.3.2010, p. 13–20)* | | | | | | | | | | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | | | | | | | | | | |
| Directive 2010/18 has not been explicitly transposed into Serbia’s national legislation. The Labour Law, which recognises the right to childcare leave, applies to both public and private sector. The Labour Law applies to employment contracts of part-time workers, fixed-term employment contracts, and temporary agency employment contract. As provided for under the Labour Law, maternity leave lasts for three months after childbirth. Upon the expiry of maternity leave, an employed woman is entitled to childcare leave until 365 days have passed from the beginning of maternity leave. The father of a child may use paternity leave in cases when the mother abandons the child, dies, or is prevented from using this entitlement by other justified reasons (serving a sentence of imprisonment, serious illness and similar). The father is also entitled to this leave when the mother is not employed. During maternity and childcare leave, an employed woman, or the father of the child, is entitled to salary compensation, in conformity with the law. The Serbian legislation extends this right to foster parents and guardians as well. The Labour Law stipulates the entitlement of foster parents and/or guardians of children under five years of age to a childcare leave of eight months without interruption, starting from the day of the child’s placement in a foster or guardian family, at the latest until the child turns five years of age. If the child is placed in a foster or guardian family before three months of age, the foster parent or guardian of the child is entitled to childcare leave until the child is 11 months old. | | | | | | | | | | | | | | | | | | |
| **ACTIVITIES** | | | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | | | | **FINANCIAL RESOURCES** | | | |
| **CURRENT CAPACITIES** | | **REQUIRED CAPACITIES** | | **TARGET DATE** | | **REGULAR BUDGET FUNDS** | | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** | |
| 7.7.1 | | | Oversight of the implementation of the Law on Financial Support to Families with Children | | Responsible institution - MLEVSA  and  PSSPDGE | | Continuous from the Law’s entry into force | | MLEVSA, Department for Family Care and Social Welfare, 5 civil servants with an academic degree  Provincial Secretariat for Social Policy, Demography and Gender Equality, 2 civil servants with an academic degree, engaged in administrative oversight affairs. | | The administrative capacities for the implementation of the envisaged legislative changes need to be strengthened by hiring 2 civil servants with an academic degree.  Provide additional staff training in the Law on Financial Support to Families with Children, as part of seminars, TAIEX workshops and other forms of bilateral and multilateral technical assistance. | | Q2 2020 | | Budgeted under Act. 1.2.2.5 | |  | |
| **7.8**  **31979L0007 (EUR-Lex: 05.20.40.10) Council Directive 79/7/EEC** of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security *(OJ L 6, 10/01/1979, p. 24–25)* | | | | | | | | | | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | | | | | | | | | | |
| Full observance of the principle of equal treatment for men and women in relation to the access to the system, the obligation to pay contributions and the calculation of contributions, as well as the calculation of the benefits with regard to the risks covered by social security schemes, has been ensured by the following regulations:  - the risk of unemployment – Law on Employment and Unemployment Insurance;  - the risk of sickness – Law on Health Insurance;  - the risk of old age, disability and disability resulting from accidents at work and occupational diseases – Law on Pension and Disability Insurance.  The principle of equal treatment of men and women in matters of social security is incorporated in the national legislation. The Gender Equality Law (RS Official Gazette No 104/2009), in Article 4 thereof, defines gender-based discrimination as any unwarranted discrimination or unequal treatment or omission (exclusion, restriction or preferential treatment), which has the purpose or effect of hindering, impairing or nullifying the recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social, cultural, civil, familial or any other field. Further, Article 23 prohibits discrimination on the grounds of sex in the exercise and enjoyment of social protection rights, irrespective of the entities that organise and provide such protection. The Law Prohibiting Discrimination (RS Official Gazette No 22/2009) forbids discrimination, i.e. practices that are contrary to the principle of gender equality and the principle of respecting equal rights and freedoms of women and men in the political, economic, cultural and other aspects of the public, professional, private and family life (Art. 20). The Law on Social Protection (RS Official Gazette No 24/2011) prohibits discrimination against users of social protection services based on their personal characteristics, including sex (Art. 25). | | | | | | | | | | | | | | | | | | |
| **ACTIVITIES** | | | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | | | | **FINANCIAL RESOURCES** | | | |
| **CURRENT CAPACITIES** | | **REQUIRED CAPACITIES** | | **TARGET DATE** | | **REGULAR BUDGET FUNDS** | | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** | |
| 7.8.1 | | | Adoption of the Gender Equality Law – where it refers to equality in the calculation of payable contributions | | 7.4.1 | | 7.4.1 | | 7.4.1 | | No additional capacities are required. | | / | | Budgeted under Act. 7.4.1 | |  | |
| 7.8.2 | | | Development of the implementation quality oversight system for the Gender Equality Law and specialist training | | Responsible institution:  MLEVSA in cooperation with  MPALSG, Administrative Inspectorate,  Labour Inspectorate and other relevant institutions | | 7.4.2 | | 7.4.2 | | No additional capacities are required. | | / | | Budgeted under Act. 7.4.2. | |  | |
| **7.9**  **Information point on:**  **52010DC0491** **(EUR-Lex: 05.20.05.20) Communication from the Commission** to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Strategy for equality between women and men 2010–2015/\* COM/2010/0491 final \*/ | | | | | | | | | | | | | | | | | | |
| **CURRENT STATE OF PLAY** | | | | | | | | | | | | | | | | | | |
| In January 2016, the Government of Serbia adopted the National Gender Equality Strategy for the period from 2016 to 2020. The Action Plan for the Strategy was adopted at the same time, but only for the period until 2018, when an evaluation of the AP 2016-2018 was planned, before the adoption of the new plan for 2019-2020. | | | | | | | | | | | | | | | | | | |
| **ACTIVITIES** | | | | | **RESPONSIBLE AND INVOLVED INSTITUTIONS** | | **TIMEFRAME/DEADLINE** | | **ADMINISTRATIVE CAPACITY STRENGTHENING** | | | | | | **FINANCIAL RESOURCES** | | | |
| **CURRENT CAPACITIES** | | **REQUIRED CAPACITIES** | | **TARGET DATE** | | **REGULAR BUDGET FUNDS** | | **DONOR FUNDS**  **(EU AND OTHER DONOR FUNDS)** | |
| 7.9.1 | | | Implementation of the National Gender Equality Strategy 2016–2020 and the Action Plan 2019–2020 | | Responsible institution:  MCTI – Coordination Body for Gender Equality (CBGE) | | 2019-2020 | | In CBGE, 2 persons are monitoring the Gender Equality Strategy implement. | | No additional capacities are required | | / | | RS Budget, €112,022 in total, with €28,006 per year from 2019 to 2022  2020: RSD 3,304,656  2021: RSD 3,304,656  2022: RSD 3,304,656 | |  | |

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| **SECTION 7. SUMMARY - NON-DISCRIMINATION IN THE EMPLOYMENT AND SOCIAL POLICY** | | | | | |
| **NUMBER OF REGULATIONS REQUIRED TO ENSURE HARMONISATION** | **NUMBER OF CIVIL SERVANTS CURRENTLY WORKING ON THE DEVELOPMENT AND IMPLEMENTATION OF REGULATIONS** | **CAPACITIES REQUIRED** | **HARMONISATION DEADLINE** | **IMPROVEMENT DEADLINE** | **TOTAL FUNDS REQUIRED FOR THESE ACTIVITIES** |
| Adoption of two regulations is required (one law) | 16 | 5 | Q4 2021 | Q4 2021 | €136,701.00 |

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| --- | --- | --- | --- | --- | --- |
| **SUMMARY** | | | | | |
| **NUMBER OF REGULATIONS REQUIRED TO ENSURE HARMONISATION** | **NUMBER OF CIVIL SERVANTS CURRENTLY WORKING ON THE DEVELOPMENT AND IMPLEMENTATION OF REGULATIONS** | **CAPACITIES REQUIRED** | **HARMONISATION DEADLINE** | **IMPROVEMENT DEADLINE** | **TOTAL FUNDS REQUIRED FOR THESE ACTIVITIES** |
| Adoption of 47 regulations is required (16 laws and amendments to laws, 4 strategies, 13 rulebooks, 7 acts on appointment, 3 regulations and 4 action plans) | 105 | 25 | By Q4 2021 | By Q4 2021 | €13,895,850.00 |

## ANNEX 1 – REGULATIONS PLANNED TO BE ADOPTED OR AMENDED UNDER THE ACTION PLAN FOR CHAPTER 19

a) Laws and amendments to laws scheduled to be adopted by the time of Serbia's accession to the European Union

* Labour Law
* Law on Financial Support to Families with Children
* Law on Temporary Agency Work
* Law on Occupational Safety and Health
* Law on the Establishment of European Works Councils (EWC)
* Law on the Involvement of Employees in Decision-Making in a European Company and a European Cooperative Society
* Gender Equality Law
* Law Amending the Law on Health Care
* Law Amending the Law on Inland Waterways Navigation and Ports
* Law Amending the Law on Air Transport
* Law Amending the Law on Bankruptcy
* Law Amending the Law on the Social and Economic Council
* Law Amending the Law on Social Protection

b) Bylaws and other instruments scheduled to be adopted by the time of the Republic of Serbia's accession to the European Union

* Regulation amending the Regulation on health and safety at work at temporary or mobile construction sites
* Regulation amending the regulation on preventive measures for health and safety at work in mineral extraction by drilling
* Regulation amending the Regulation on preventive measures for health and safety at work in underground and surface mineral extraction
* Rulebook on the technical rules for statutory certification of seagoing vessels
* Rulebook amending the rulebook on preventive measures for safety and health at work regarding exposure to artificial optical radiation
* Rulebook amending the rulebook on preventive measures for safety and health at work regarding the use of display screen equipment
* Rulebook amending the rulebook on preventive measures for safety and health at work regarding exposure to vibration
* Rulebook amending the rulebook on preventive measures for safety and health at work regarding exposure to noise
* Rulebook amending the rulebook on preventive measures for safety and health at work regarding exposure to biological hazards
* Rulebook amending the rulebook on preventive measures for safety and health at work regarding exposure to electromagnetic fields
* Rulebook amending the Rulebook on preventive measures for safety and health at work for youth
* Rulebook amending the rulebook on preventive measures for safety and health at work regarding the use of work equipment
* Rulebook amending the Rulebook on measures for health and safety at work for employed women who are pregnant, have recently given birth or are breastfeeding
* Legal instrument on the appointment of a representative of the Republic of Serbia to Eurofound’s Governing Board
* Legal instrument on the appointment of a representative of the Republic of Serbia to the EU Employment Committee
* Legal instrument on the appointment of a representative of the Republic of Serbia to participate in the Tripartite Social Summit
* Legal instrument on the appointment of a representative of the Republic of Serbia to the Advisory Committee on Health and Safety at Work
* Legal instrument on the appointment of a representative of the Republic of Serbia to participate in the Committee of Senior Labour Inspectors
* Legal instrument on the appointment of a representative of the Republic of Serbia to the Senior Labour Inspectors’ Committee (SLIC)
* Legal instrument on the appointment of a representative of the Republic of Serbia to the EU Employment Committee
* Bylaws to the Law on the System for Management of Cohesion Policy in the Republic of Serbia
* Decision on the appointment of a representative of the Republic of Serbia to the Social Protection Committee (2000/436/EC)
* Operational agreement defining the European Social Fund measures and priorities
* Bylaws required for the enforcement of the Law Amending the Law on Social Protection

c) Strategic documents scheduled to be adopted by the time of the Republic of Serbia's accession to the European Union

* Strategy for Developing and Promoting Corporate Social Responsibility in the Republic of Serbia
* Strategy for Social Protection System Development in the Republic of Serbia 2019–2025
* Action Plan for the implementation of the Strategy for Social Protection System Development in the Republic of Serbia
* Strategy for Deinstitutionalisation and Development of Community-Based Services 2019–2025 and Action Plan for Strategy implementation
* Strategy for Improving the Status of Persons with Disabilities in the Republic of Serbia until 2024
* Action Plan 2019-2020 for the implementation of the National Gender Equality Strategy

1. Normative affairs comprise: analysis of concordance between the national legislation and EU directives, preparation and enforcement of legislation. [↑](#footnote-ref-1)
2. Annual national employment action plans are prepared by the National Employment Action Plan Working Group, consisting of representatives of the following ministries: Ministry of Economy, Ministry of Finance, Ministry of Youth and Sports, Ministry of Education, Science and Technological Development; other institutions: Statistical Office of the Republic of Serbia, Public Policy Secretariat, Social Inclusion and Poverty Reduction Unit, Standing Conference of Towns and Municipalities and National Employment Service; social partners: Serbian Association of Employers and representatives of the two representative trade unions, and the Chamber of Commerce and Industry of Serbia. This Working Group is a high-quality example of social dialogue in employment policy and a sustainable and efficient cooperation mechanism (continuity in its membership, team work, information sharing, implementation of joint promotional activities etc.). Information is shared and proposals for the national employment action plan received at the Working Group meetings, as well as in electronic form. It is worth noting that the draft national employment action plan is forwarded to line ministries for opinions before being submitted to the Government of Serbia for adoption. Moreover, the national employment action plan implementation report includes information on activities implemented by other stakeholders with a view to improving the labour market situation and implementing the NEAP. [↑](#footnote-ref-2)
3. The Youth Service Package was modeled on the Youth Guarantee, but its scope is smaller, due to lack of resources for the implementation thereof at the same level as in the EU member states. In fact, the Youth Service Package entails a set of steps that the NES is required to implement for every young client who registers on the NES unemployment register, in order to prevent the obsolescence of competencies (knowledge and skills) relevant for labour market competitiveness, and to prevent the downward spiral into long-term unemployment. The Youth Service Package encompasses: an employability assessment, development of an individual employment plan and the most adequate measures for activating and raising the employability of youth, job matching services or participation in active labour market policy measures. [↑](#footnote-ref-3)
4. The package of services includes: an employability assessment, the development of an individual employment plan with the most adequate measures for activating and raising the employability of unskilled and long-term unemployed, participation in active job-search measures and participation in further education and training programmes, public works and other. Although any length of unemployment over 12 months is considered as long-term unemployment, in some cases (practical skills programme and public works programme) only the long-term unemployed with length of unemployment exceeding 18 months are eligible. [↑](#footnote-ref-4)
5. May 2019 [↑](#footnote-ref-5)
6. Action Plan for Chapter 22 – Regional Policy and Coordination of Structural Instruments is available at: http://www.mei.gov.rs/upload/documents/pristupni\_pregovori/akcioni\_planovi/action\_plan\_22.pdf [↑](#footnote-ref-6)
7. Action Plan for Chapter 22 – Regional Policy and Coordination of Structural Instruments, section 2 – Institutional Framework, part 2.2 Assessment of the Current Situation in the Republic of Serbia. [↑](#footnote-ref-7)
8. The Law Prohibiting Discrimination is not included in the table because the alignment pertains to issues that fall under Chapter 23, not Chapter 19. This document is included in the Action Plan for Chapter 23. [↑](#footnote-ref-8)
9. Government of Serbia Decision 05 No.: 02-13613/2014-01, dated 30 October 2014 [↑](#footnote-ref-9)
10. The Law on Agency Work was adopted on 6 December 2019 (RS Official Gazette No 86) of 6 December 2019. It remains in the Table in order to provide a better overview and to avoid disrupting the established numeration which is important for the budgeting of the Action Plan. The Law is in application from 1 March 2020. [↑](#footnote-ref-10)
11. The Law was adopted in the fourth quarter of 2019. [↑](#footnote-ref-11)
12. For additional information please refer to: [↑](#footnote-ref-12)
13. <https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1634en.pdf> [↑](#footnote-ref-13)
14. The Rulebook has been adopted, it remains in the Table for easier reference and for the purpose of developing a matrix for monitoring AP implementation. [↑](#footnote-ref-14)
15. The Rulebook has been adopted. It remains in the AP for the purposes of budgeting numeration and development of a matrix for monitoring AP implementation. [↑](#footnote-ref-15)
16. Adopted on 27 December 2018. [↑](#footnote-ref-16)
17. From December 2017. [↑](#footnote-ref-17)
18. On 30 September 2019, in addition to the 1,612 persons employed under open-ended contracts, additional 202 were hired under fixed-term contracts due to the increased workload or to replace absent workers. A total of 601 persons work in posts of employment counsellors (525 open-ended and 76 fixed-term). Of these, 31 are employment counsellors for persons with disabilities (28 under open-ended and three under fixed-term contracts). [↑](#footnote-ref-18)
19. On 30 September 2019, in addition to the 1,612 persons employed under open-ended contracts, another 202 persons were hired under fixed-term contracts due to the increased workload or to replace absent workers. A total of 601 persons are engaged as employment counsellors (525 under open-ended and 76 under fixed-term contracts). Of these, 31 are employment counsellors for persons with disabilities (28 under open-end and three under fixed-term contracts). [↑](#footnote-ref-19)
20. On 30 September 2019, in addition to the 1,612 persons employed under open-ended contracts, another 202 persons were hired under fixed-term contracts due to the increased workload or to replace absent workers. A total of 601 persons are engaged as employment counsellors (525 under open-ended and 76 under fixed-term contracts). Of these, 31 are employment counsellors for persons with disabilities (28 under open-end and 3 under fixed-term contracts). [↑](#footnote-ref-20)
21. On 30 September 2019, in addition to the 1,612 persons employed with open-ended contracts, another 202 persons have been hired due to the increased workload or to replace absent workers, under fixed-term contracts. A total of 601 employment counsellors (525 open-ended and 76 fixed-term). Of these, 31 are engaged as employment counsellors for persons with disabilities. [↑](#footnote-ref-21)
22. A projection of regular budget funds required for the preparation of the Partnership Agreement and Operational Programmes cannot be provided at this time for the following reasons: the legal framework for the cohesion policy that will define the formats of these documents and the programming principles has yet to be adopted, and a detailed methodology containing guidelines for the preparation of the documents, a plan with activities, deadlines and milestones, a description of the roles and responsibilities of the stakeholders, the consultations process and partner participation has yet to be prepared. Preparatory activities, work on the preparation of both documents and related consultations will be supported through the IPA project “Development of System for Management of Cohesion Policy in the Republic of Serbia”. [↑](#footnote-ref-22)
23. The basis for preparation of the draft Operational Agreement will be all relevant strategies in the field covered by the European Social Fund [↑](#footnote-ref-23)
24. The Activity has not been removed from the AP table for the sake of clarity. Once the matrix is developed for reporting on implementation, this activity will be entered under the same number as in the Action Plan. [↑](#footnote-ref-24)