

Annual Activities Report 2016

WORKING GROUP 5 Social & Labour Policies and Social Dialogue Activity report for 2016

As stated during the Working Group plenary meetings held in 2016, the creation of a 5th thematic



platform on Social and Labour Policies within the Eastern Partnership remains the primary objective of Working Group 5. The absence of a dedicated multilateral platform continues to impose relevant restrictions to the dialogue between civil society

organisations and national governments. As a short term option, the group intends to increase its presence within the activities of Platform 2. On this regard, the year 2016 saw a positive development with the creation of a panel on social dialogue within Platform 2. The year 2016 has also seen the institutionalisation of cooperation between Working Group 5 and the European Economic and Social Committee, consistently with the Working Group purpose to increase the number and variety of interlocutors at the European Union level. Enhancing social dialogue in the Eastern Partnership countries, where the space for governments' consultations with the social counterparts is still very limited, stands as the other major goal of Working Group 5. Possible strategies to fill the gap between the EU region and the Eastern Partnership in the area of social dialogue have been discussed during Working Group meetings throughout the year. The increased dialogue with the European Commission and the sharing of success stories from the EU countries are meant as a step in the same direction. At the national level, WG5 has been largely dealing with negotiations on labour market regulations in Ukraine and Moldova, migration and employment, delegation of social services, pensions, reaching some remarkable achievements. The results obtained by national subgroups are the object of this report.

Working Group 5 Coordinator for 2016:

Siarhei Antusevich, Belarusian Congress of Democratic Trade Unions

WORKING GROUP EVENTS IN 2016

WORKING GROUP 5 COUNCIL MEETING

Brussels, 11 May 2016

Council members for the year 2016

Siarhei Antusevich (Coordinator)

Naira Arakelyan (Armenia)

Sahib Mammadov (Azerbaijan)

Ihar Rynkevich (Belarus)

Mariam Ozashvili (Georgia)

Vladislav Caminschi (Moldova)

Vyacheslav Roi (Ukraine)

Participants to the meeting presented the achievements of WG5 national subgroups, as well as the relevant events and activities organized through the National Platforms of the EaP CSF. The Council discussed a common list of priorities for Working Group 5 national subgroups, inclusive of the advocacy strategies to be implemented.

Members of the Council of Working Group 5 met with **Ms Frederique Rychener** and **Ms Sylvie Finne** (EU Commission, DG Employment), who presented the functioning of social dialogue at the EU level, the respective roles of social partners and the mechanism of public consultation procedures. Possible strategies to comply with the EU directives in the in the area of social dialogue for the EaP countries were discussed.

The subsequent presentation by Mr Anton Leppik analysed the main disparities between social dialogue in the EU and in the EaP countries and highlighted the peculiarities of the latter, which may constitute an obstacle for the EaP countries on the way towards a full convergence with the European Union standards. Possible ways out of the impasse were matter of discussion.

ANNUAL WORKING GROUP MEETING

Brussels, 4 July 2016

During the meeting, Working Group members met with the representatives of the 3 European Economic and Social Committee (EESC) groups: **Alfredas Jonuška** from Group I, **Andrzej**

Adamczyk from Group II, and **Christian Moos** from Group III. An important part of the meeting was therefore devoted to the discussion on how to improve the cooperation between WG5 and the EESC. The meeting produced some remarkable outcomes, namely:

- The support of the European Economic and Social Committee to the lobbying activities of the WG5 aimed at the creation of a specific platform on social dialogue within the framework of the Eastern Partnership. Although the EESC cannot have a part in the final decision on the issue, it nevertheless stressed its support for any step in this direction.
- The EESC proposed that EaP CSF members participate in the reports of bilateral platforms and submit topics to be discussed by bilateral platforms panels.
- From its side, the EaP CSF stressed the importance of civil society organizations as a partner in social dialogue and advocated for a formal recognition of civil society as a partner in labour negotiations.

Meeting participants discuss the situation of social dialogue in each country. Special attention was devoted to the new Ukrainian Labour code, which was under parliamentary discussion at the time. In particular, members of the Ukrainian National Platform stressed the alarming absence of public consultations on the topic. A statement appealing to the Ukrainian government to start consultations involving social partners was drafted and supported by Working group 5 and the Steering Committee members.

The EaP CSF Secretariat conducted a short training for the WG5 members whose projects were selected for funding under the 2016 EaP CSF Re-Granting Scheme. The training focused on communication, advocacy and reporting standards for the regranting projects, as well as on financial reporting and visibility requirements.

REGRANTING PROJECTS 2016

For the year 2016, Working Group 5 submitted **4** project proposals.
2 projects were approved.

1) “Vulnerable employment in machinery in Belarus, Moldova and Ukraine”

Lead organisation: Belarusian Congress Of Democratic Trade Unions, Minsk, Belarus

Partner organisations: Confederation of Free Trade Unions of Ukraine, Kyiv
Labour Institute, Chişinau, Moldova

Centrum Analiz Społeczno-Economicznych CASE Belarus, Warsaw, Poland

Aims: The project investigates the current state of the machinery sector in the EaP countries, with the aim to explore and propose possible solutions to the high unemployment rates. Proposals for the reform of the sector and labour market conditions will be based on the successful experience of the Visegrad countries.

Outputs: To know about the project outputs, please visit the dedicated webpage on the EaP CSF website: <http://eap-csf.eu/index.php/2016/10/20/vulnerable-employment-in-machinery-in-belarus-moldova-and-ukraine-setting-a-common-policy-agenda/>

2) “Advanced reforms, Advanced Civil Society”

Lead organisation: Armavir Development Center, Armavir, Armenia

Partner organisations: Bureau of Social and Political Developments, Kiev, Ukraine
Research-Intellectual Club “Dialogue of Generations” (RICDOG), Kutaisi, Georgia

Aims: The project aims to improve accountability of social services providers, prevent inappropriate distribution of budgetary funds, and make the social services sector more transparent. The experience of Ukrainian and Georgian organisations will ideally serve as a basis to improve the social services sector in Armenia.

Outputs: To know about the project outputs, please visit the dedicated webpage on the EaP CSF website: <http://eap-csf.eu/index.php/2016/10/20/advanced-reforms-advanced-civil-society/>

WORKING GROUP 5 NATIONAL INITIATIVES

BELARUS

Thanks to the work of Igor Rynkevich, WG5 has experienced an increased importance within the Belarusian section of the EaP CSF. In particular, the new Strategic Plan of the Belarusian National Platform, adopted in April 2016 by the Conference of the BNP, mentions the development of social dialogue as one of the National Platform priorities.

Working Group events in Belarus

25 November 2015, Minsk

Roundtable: “The role of civil society in the social dialogue in Belarus: the European experience of cooperation and mediation between the parties”

13 April 2016, Minsk

Meeting of pension policy commission, under the auspices of WG5

The session was moderated by the WG5 coordinator for Belarus, V.Karyagin. During the meeting, Tatyana Zelko was elected chairman of the committee and started the preparation of the forthcoming Conference of the Belarusian National Platform.

The Conference Resolution expresses the position of the Belarusian National Platform on the government’s policy on pensions.

Other events

Representatives of the WG5 BNP actively participated in the WG5 Council meeting and the WG5 Annual meeting, where they presented the social and labour problems in Belarus and made their contributions in the general achievements of Working Group 5.

Between December 2015 and February 2016, the Pukhovichi regional organization for Consumers Protection hosted a number of awareness raising events targeting local residents and focusing on social partnership and social dialogue at the regional level in Belarus.

GEORGIA

Topics in focus and achievements

In Georgia, WG5 has focused mainly on problems related to the development of the social dialogue in the country, to the work of the Tripartite Social Partnership Commission, and the lack of a labour law enforcement mechanisms.

Working Group 5 produced a policy paper on alternative pension funds in Georgia. The model proposed, which is more flexible and closer to the EU standards, is under consideration by the government of Georgia.

Working Group events in Georgia

Regional Working Group meeting

January 2016

The working group meeting brought together 18 representatives of member organizations. The event focused on the following topics: the development of social dialogue in the country; collective labour disputes and strikes; labour law enforcement mechanism in the country; the necessary changes and amendments in Georgian legislation in order to comply with the EU Directives foreseen within the Association Agreement.

“This Affects You” campaign demonstration

Participant organizations of the “This Affects You” campaign held a demonstration in Tbilisi. The gathered citizens and representatives of the civil society and media protested against the disclosure of recordings involving private life of citizens by rallying from Tbilisi Concert Hall to the Government Palace.

Main demands included an objective investigation on the disclosure of the above footages and a meeting with government representatives. The protesters also demanded:

- Identification of the persons responsible for recording, holding, and distributing the above footages and holding them responsible according to the law. This holds for both old uninvestigated cases and recent ones.
- Tightening of regulations for the purpose of preventing illegal surveillance.

- Creation of an independent investigative agency separated from law enforcement authorities that will investigate the crimes committed by law enforcement representatives and will have the authority to carry out criminal prosecution.

MOLDOVA



Topics in focus and achievements

When planning the regional meeting in early May 2016, WG5 members agreed to focus their attention on the following topics:

a) Achieving guarantees above the subsistence minimum

Following legal procedures, large consultation were held between social partners on the amount corresponding to the minimum guaranteed salary in the private sector of the economy. For the private sector, the minimum guaranteed salary of 2,100 lei was set up from 1 May 2016, reaching the subsistence minimum for able-bodied population (calculated at 1926.0 lei in January-June 2016). At the same time, the minimum wage (including the minimum guarantee in the public sector) remained as low as 1,000 lei (almost two times lower than the living).

b) Having a single minimum wage

Following a request from Trade Unions, the Ministry of Labour, Social Protection and Family prepared a draft Government decision aimed at calculating the minimum salary depending on the average wage (in installments over four years and achieving 40% of the average wage). After mutual consultation, members of WG5 supported this initiative, which was however interrupted for insufficient budgetary funds.

c) Combating the informal economy

WG5 members have encouraged relevant proposals for combating the informal economy in Moldova. Among the strategies proposed, only punitive measures were accepted. The Contravention Code was amended and sanctions were made more severe. The changes have not achieved the expected results on the ground because of the moratorium on State control implemented in the country.



d) Implementation of EU Directives OSH

WG5 contributed to the draft versions of two-government decision that approved minimum requirements to protect workers from exposure to vibration and manual handling of heavy loads that pose a risk to workers, leading to the development of back problems. The documents were approved.



e) Amendment of the Labour Code

In early 2016, a negotiation aimed at amending the Labour Code started. After 10 sessions of meetings a draft was prepared, which was later proposed to the larger public. The Tripartite Commission approved the draft. The draft contains provisions that implement several recommendations of the committee of experts of the revised European Social Charter.

f) Social dialogue

Social dialogue was more active. The National Commission for Consultation and Collective Bargaining (Tripartite Commission) convened regularly in accordance with its activity plan. The efficiency of the Commission will be the subject of future discussions.

Joint initiatives

The Group supported the Moldova National Platform initiatives related to the missed publication of the data related to the general population census. The available data have not been published in due time and they are still unknown. As a result, officials have been placed under investigation.

During the negotiations on the Labour Code, Working Group 5 considered the proposals of member organizations of Working Group 1.

UKRAINE

Topics in focus and achievements

The main issue at stake in the first part of 2016 has been the discussion and provisional approval of the new Labour Code of Ukraine.

The Ukrainian section of Working Group 5 produced a Statement of concern supported by the Ukrainian National Platform of the EaP Civil Society Forum and the Steering Committee, highlighting the problematic nature of a number of provision contained in the new Labour Code, as well as the non-transparent nature of the consultation.

Working group events in Ukraine

National Working Group meeting

3 December 2015

National Working Group meeting

29 March 2016

Working Group meeting

13 April 2016