

FOL

OCTOBER
2017

SOCIAL DIALOGUE: ROLE AND MANDATE OF THE SOCIAL ECONOMIC COUNCIL

FOL MOVEMENT

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This paper has been prepared within the framework of the “Fol Hapur” platform supported by the Swiss Cooperation Office and is implemented by Helvetas Swiss Cooperation and MDA. The content of this paper is entirely the sole responsibility of the FOL Movement, and may in no way be considered as reflecting the position of the Swiss Cooperation Office or the Swiss Department of Foreign Affairs.

Introduction

This policy paper is divided into several parts analyzing the following: the legislation and inherently the mandate of the Social Economic Council in Kosovo (SEC), SEC's work and achievements since its establishment, a comparative analysis of SEC with other countries, and concrete recommendations to enhancing SEC's impact.

Social Dialogue is a key part of this paper. Social Dialogue is a very important process for the proper functioning of the state and for a democratic governance system. In Kosovo, the term Social Dialogue is not well-known to the general public, and also in policymaking. International Labor Organization considers Social Dialogue as fundamental in democracy, and in particular considers the participation of the State in this process as very important¹. Social Dialogue works in the principle that government representatives, employers, and employees exchange information that would consequently help shape the optimal social and economic policies.

The role of Social Economic Council in Kosovo is to push forward the social dialogue. As a mechanism that brings together representatives of employers, employees, and the Government, it is clear that the SEC has a duty to ensure an all-inclusive dialogue, raising awareness of social dialogue and encouraging the entire society to be part of it, including youth specifically.

Although the work of SEC stretches across a broad spectrum of social and economic policies, SEC initiatives that received the most attention and had a direct impact on the lives of citizens are: (a) Negotiating the General Collective Agreement; and (b) the Minimum Wage Proposal. SEC addresses proposals on such initiatives to the Government of the Republic of Kosovo and occasionally to the Assembly. Successful social dialogue has the effect of compiling economic and social policies that enhance the well-being of citizens, however in Kosovo one may not say that the latter had a major impact. This paper elaborates the shortcomings found in the development of a successful social dialogue. More concretely, the paper aims to analyze the institution of SEC and to give recommendations on how this institution, based on practices in other countries, may play a more impactful role in policymaking in the country.

¹ International Labour Organization. Retrieved from: <http://www.ilo.org/ifpdial/areas-of-work/social-dialogue/lang--en/index.htm>)%20%20a

Social Dialogue and Forms of Dialogue

International Labor Organization defines Social Dialogue as a process that involves negotiations, consultations or simply exchange of information between representatives of the government, employers and employees on issues of common concern relating to the economy and social policies.

Negotiation is the most common form of social dialogue. Parties may be involved in negotiations in the enterprise, in regional or national negotiations, while consultation means parties' engagement to share their views in a more detailed dialogue. At the end of the consultation, parties may conclude formal agreements. Usually these agreements are of recommending and informative character, while information sharing is one of the most important elements for effective social dialogue. It does not constitute a real discussion, but an exchange of information between organizations and parties in the dialogue process².

Social Dialogue is usually not the same in all countries. There is no one model of Social Dialogue that can be replicated from one state to another. Therefore, in order for the social dialogue to be successful, it must be adopted in legal frameworks, traditions and national practices. Social dialogue in the world takes place in several different forms. It may be a tripartite process, with the government as an official party to the dialogue, or as a bilateral relationship only between representatives of employees and employers with or without indirect government involvement. Thus, dialogue can be conducted at the national, regional or local level.

Legislation in force in Kosovo

Until 2011, social dialogue in Kosovo is conducted on an ad-hoc basis, without any structured way of dialogue. Initially in 2001, the agreement establishing the Tripartite Consultative Council was signed. Therefore, for the purpose of initiating consultations between employers' and employees' organizations, governmental institutions in Kosovo, and strengthening of dialogue between social partners, the Administrative Instruction no. 2001/17, on the structure and function of the Tripartite Consultative Council has been issued³.

Following the re-appointment of the Tripartite Consultative Council at the Social Economic Council in 2009, the Government of Kosovo issued the decision no. 09/57 of 13/03/2009 regulating the organization of work, scope and function of SEC. The Law no. 04/L-008 on Social Economic Council, repealing provisions of the Administrative Instruction no. 2001/17 and Decision 09/57 of the Government of Kosovo has been finally adopted in 2011. Since that year the organization, scope, forms of work and functioning of SEC are regulated by the Law on SEC as well as with the 2012 SEC Rules of Procedure.

According to the **Law on Social Economic Council**, SEC is a national-level body, which leads consultations and makes the proposals to the authority bodies on issues of work relationship, social welfare and other issues related to economic policies in the Republic of Kosovo⁴. Also, the law defines the composition of the ESC, requirements and criteria for representation employers' and employees' organizations in SEC. While the functions of SEC are: counseling and guidance of Kosovo institutions, promote consultations between the parties, signing collective agreements, proposing minimum wage, etc.

Rules of Procedure of the Social Economic Council regulate the competencies, rights, functions and responsibilities of SEC members, as well as clarify decision-making in SEC⁵. It should be noted that,

² International Labour Organization. "Social dialogue, finding a common choice" retrieved from: <http://www.ilo.org/public/english/dialogue/download/brochure.pdf>

³SEC Web Page. Background. Retrieved from: <http://kes-rks.org/Al/rreth-nesh/4/brief-history/>

⁴Official Gazette of Kosovo. Law no. 04/L-008 on the Social Economic Council. Article 5. 10 August 2011 Retrieved from: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2747>

⁵American Chamber of Commerce in Kosovo. Parliamentary Research on the Economic and Social Council. June 2015. Retrieved from: <http://www.amchamksv.org/wp-content/uploads/2016/11/HP-Këshillin-Ekonomik-Social.pdf>

although a public document, the SEC Rules of Procedure, at the time of drafting this report, was not accessible. The document is not available on the Council's web site or in the Official Gazette of the Republic of Kosovo. We sent an e-mail to the Council asking to consult the Rules of Procedure, and we asked for clarification as to why the Rules of Procedure was not published, but we did not receive a response from the SEC.

The Law on the Social Economic Council, although approved six years ago by the Kosovo Assembly, is not yet fully implemented. Failure of ministers to attend the meetings, failure to report on public meetings, failure to publish work reports, and problems with the Council's budget management constitute a part of problems in implementing the law. As such, the law has shortcomings in implementation and only in 2016 there have been concrete steps to amend this law.

In the meeting of the Government of Kosovo and European representatives on social policies on employment and education, with regards to the social welfare, the European Commission stressed the need for Kosovo to implement the Law on Social Economic Council as an important step in ensuring substantial and quality social dialogue⁶.

The 2016 European Union Progress Report on Kosovo also required the amending of the Law on Social Economic Council. According to this report, the law needs to be amended in order to strengthen the Council's capacity and to improve the quality of social dialogue. At the meeting of the Social Economic Council on 12 December 2016, the first Draft Amending the Law on SEC was proposed⁷. Whereas the legislative program of the Government of Kosovo for 2017, with the proposal of the Ministry of Labor and Social Welfare, included the draft law amending and supplementing the Law no. 04/L-008 on the Social Economic Council⁸. It remains to be seen whether there will be substantial changes in this draft law, which would result on better work of the Council, as well as correct implementation of the provisions of the Law.

Comparison of legislation in Kosovo and countries in the region in the field of Social Dialogue

Most of the countries in the region have regulated the field of social dialogue through legal acts. According to a release by the Kosovo Business Alliance, the Kosovo Social Economic Council model was rated the best among the six Western Balkan countries⁹.

Here below we will compare models of the Social Economic Councils of some states¹⁰.

⁶Republic of Kosovo. Ministry of European Integration. Retrieved from: <http://www.mei-ks.net/sq/lajmet/qeveria-e-kosoves-dhe-ke-diskutaun-sot-ne-prishtine-politikat-sociale-dhe-te-punesimit-te-arsimit-kerkimit-shoqerise-informative-dhe-medias>

⁷Ministry of Labor and Social Welfare website. Retrieved from: <http://mpms.rks-gov.net/Lajmet/Publikimiilajmeve/tabid/116/articleType/ArticleView/articleId/3921/language/sq-AL/Mbahet-takimi-i-rregullt-i-Keshillit-EkonomikoSocial.aspx>

⁸Government Legislative Program 2017. Retrieved from: http://www.kryeministri-ks.net/repository/docs/PROGRAMI_LEGJISLATIV_PER_2017_.pdf

⁹Ekonomia Online. "Kosovo Social Economic Council model in the region". <http://www.ekonomiaonline.com/ekonomi/biznes/keshilli-ekonomiko-social-kosoves-model-ne-region/>

¹⁰American Chamber of Commerce in Kosovo. Parliamentary Research on the Social Economic Council. June 2015. Retrieved from: <http://www.amchamksv.org/wp-content/uploads/2016/11/HP-Keshillin-Ekonomik-Social.pdf>

	Kosovo	Montenegro	Slovenia	Serbia
Composition	5 representatives of employers' organizations	11 representatives of employers' organizations	8 representatives of employers' organizations	6 representatives of employers' organizations
	5 representatives of employee' organizations	11 representatives of employee' organizations	8 representatives of employee' organizations	6 representatives of employee' organizations
	5 representatives of the Government	11 representatives of the Government	8 representatives of the Government	6 representatives of the Government
Sources of Funding	- State Budget - Voluntary Contributions of Employers' and Employees' Organizations - local and international donations	- State Budget	- State Budget	- State Budget - local and international donations
Decision making	2/3 of the Council members		By consensus	By consensus
Meetings	Council holds regular meetings at least once a month	Council works in regular sessions, depending on arrangement by its members	At least once a month, or more often at the request of the members	At least once a month
Reporting	The law does not require the Council to report on its activities or financial activities	The Council sends a financial report to the Government once a year. This report is also sent to social partners	The law does not require the Council to report on its activities or financial activities	Secretariat prepares a report of activities as well as the financial report. This report is sent to stakeholders

Table 1: Comparison of SEC in different countries¹¹

Social Economic Council in Kosovo

As noted above, initially in Kosovo the social dialogue has functioned through a Tripartite Consultative Council. Kosovo's Economic and Social Council was established in 2009, and it took the lead in pushing forward the social dialogue. However, the law enabling SEC to have the necessary competencies in conducting social dialogue, and also to push forward the policies that serve

¹¹American Chamber of Commerce in Kosovo. Parliamentary Research on the Social Economic Council. June 2015. Retrieved from: <http://www.amchamksv.org/wp-content/uploads/2016/11/HP-Këshillin-Ekonomik-Social.pdf>

enhancing welfare, came in 2011. This law defines the core functions of the Council. Main functions of the Council include¹²:

- 1) the establishment, development and progress of social dialogue;
- 2) legal initiatives for issuance or supplementing and amending the legal and sub-legal acts in the field of labor and employment, social protection and economic policies in general;
- 3) promotion of ideas for solving social issues and problems in Kosovo;
- 4) policies promoting employment, reducing unemployment, competitiveness, labor productivity, prices, wages
- 5) the proposal of minimum wage in the Republic of Kosovo, as well as the drafting, discussion and signing of the general collective agreement.

Initially, the document will address the composition of the Council, its budget, holding of meetings, and decision-making. It will then go through the above points in order to assess what the Council has achieved during its years of functioning.

Composition of the Council

As seen while comparing the legislation of some states, in all these states the council has tripartite composition. Of all these states, the Social Economic Council of Kosovo has the lowest number of members with a total of 15 members. Larger number of members would result in more effective dialogue as well as more worthy representation of employees and employers, and it would allow more employees' and employers' representative organizations to be part of the Council.

The small number of representative organizations in the Council is also problematic. Currently only one employees' representative organization (Union of Independent Trade Unions of Kosovo), and two employers' representative organizations (Kosovo Business Alliance and Kosovo Chamber of Commerce) are Council members. On the part of the Government, it is the Minister of Labor and Social Welfare, the Minister of Trade and Industry, the Minister of Economic Development, the Minister of Education, Science and Technology and the Minister of Health¹³.

Such a small number of representative organizations in the Council is due to the specific requirement for Council representation determined by the Council. These requirements are simpler in the countries in comparison. For example, in Slovenia, 7 organizations represent employees in the Council, and 5 different organizations represent employers. Therefore, with the amendment of the Law on SEC, these criteria will need to be amended in order to ensure broad representation of employers' and employees' organizations in the Council¹⁴.

Budget of the Council

According to the law, the Council's funding consists of three sources:

- From the State Budget
- voluntary contributions of employers' and employees' organizations
- local and international donations

¹² Official Gazette of the Republic of Kosovo. Law No. 04/L-008 on the Social Economic Council. Retrieved from: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2747>. Retrieved from: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2747>

¹³ Social Economic Council. July 2015. Retrieved from: http://kes-rks.org/uploads/files/2015/July/27/Broshuri_informuese_per_Kishillin_Ekonomik_Social_-_per_webfaqe1437992588.pdf

According to the Council's work report of 2014, there have been shortcomings in the implementation of the budget. Non-transparency of the SEC budget is an extremely sensitive issue affecting the work of both the members as well as the secretariat and the professional committees of SEC. Despite numerous oral and written requests of the SEC Chairperson, there is no transparency of the SEC budget managed by the MLSW, where SEC has no access or information on how it is managed.

SEC representatives have stated that this situation has created unnecessary obligations to SEC Chairpersons, members of the secretariat and members of the professional committees of SEC who have been working although they have decisions for their election, also specifying the amount of compensation. An unpleasant situation has been created now, there are calls that these obligations will be sought through legal channels¹⁵.

The reason for budget non-transparency is the fact that the law does not oblige neither the SEC nor MLSW to prepare a financial report, whereby SEC budget spending could be monitored.

Decision Making

The Council takes decisions by 2/3 of the votes of permanent members. This way of decision-making implies that in Council voting, 2/3 of the votes may be reached even without the consent of one social partner. In this case, if the two social partners agree to a decision, they would vote it without the support of the other social partner¹⁶. Therefore, the best option would be to make decision-making by consensus, as in the countries of the region. Voting by consensus would be more difficult to achieve, but it would ensure more consultation, and finally consensual decisions would be acceptable to all social partners.

Meetings of the Council and Reporting

The Council will have to hold regular meetings at least once a month¹⁷.

The Council publishes very little information on public meetings, and it has been reported that some of the SEC members are absent from the meetings¹⁸. This may also be due to the fact that the SEC does not have a preliminary meetings calendar, thus some of the members fail to participate because of missing timely information. As an alternative, SEC may publish the meetings calendar at the beginning of the year so that all members are informed in advance of the meetings of the Council.

Another important issue is the participation of NGOs at the SEC meetings. According to Article 17.2 of the Law on Social Economic Council, various NGOs may be invited at the Council meetings to discuss important issues. However, there was no report of meetings with participation of NGOs. The Council would have to invite NGOs to meet in order to contribute to the resolution of social problems.

Also work reports of the Council are scarce. On the SEC web site, which should serve as the first point of public information on SEC work, this part is not active and does not contain any information. Lack of information undermines the transparency of this Council, and consequently confidence in it.

Challenges and achievements of SEC

In order to better understand whether the SEC has succeeded in meeting its obligations set by law, these obligations were analyzed in the following 4 points.

¹⁵Social Economic Council. Work Report of the Social Economic Council of Kosovo for the period May 2013- May 2014. Retrieved from: <http://www.bspk.org/PDF/KES2014.pdf>

¹⁶American Chamber of Commerce in Kosovo. Parliamentary Research on the Social Economic Council. June 2015. Retrieved from: <http://www.amchamksv.org/wp-content/uploads/2016/11/HP-Këshillin-Ekonomik-Social.pdf>

¹⁷Official Gazette of the Republic of Kosovo. Law No. 04/L-008 on the Social Economic Council. Retrieved from: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2747>

¹⁸Social Economic Council. Work Report of the Social Economic Council of Kosovo for the period May 2013- May 2014. Retrieved from: <http://www.bspk.org/PDF/KES2014.pdf>

Point 1: Establishment, development, and progress of social dialogue

Based on the above, we may conclude that within the legal and regulatory framework, the country's social dialogue has gone through several important stages and has marked an improvement. Thus, since the beginning of the social dialogue within the Tripartite Council, until the drafting and entry into force of the Law on SEC, the way of dialogue has been structured to some extent. However, proper development and advancement continues to flounder.

In this regard, the faced challenges range from the representation of social partners in SEC, where the representation requirements are quite narrow and leave no room for the participation of many stakeholders in order for the dialogue to be more inclusive. Speaking of inclusiveness, it should be noted that at present there is a lack of proper gender representation in SEC, especially by the participants, where all five members are men¹⁹. Similarly, there is a lack of youth involvement, if not as members, at least as meeting observer and participants.

Furthermore, in order for SEC to have the proper impact on policy-making, it is important for ministers to attend its meetings. However, as noted above, ministers often do not take part in SEC meetings, thus the issues raised in the meetings cannot be followed by them to the Government.

Outreach to stakeholders over the work of SEC plays an important role in the development and advancement of Social Dialogue. Unfortunately, external stakeholders are rarely informed about SEC discussions or meetings. The information is only released after the meetings by press releases prepared by the Secretariat. The latter also does not play many supporting roles in terms of research, but rather serves as technical/administrative support.

Thus ultimately, despite the existence of a somewhat good legal framework, what needs to be done is improving its implementation.

Point 2: Legislative amendments and policy initiatives to improve the areas of labor and employment

The scope of SEC also includes the development of policies for employment growth and at the same time the reduction of unemployment. Although CES cannot act as a single body to reduce unemployment in the country, especially since it is not a decision-making body, we may not say that the latter has given concrete recommendations or has pushed this point forward.

If one analyzes the level of employment and unemployment based on the data of the Kosovo Agency of Statistics (unemployment rate continues to be very high, especially among youth), it is clear that the situation in this aspect in our country is not at all favorable. SEC is among the mechanisms that must be engaged in this respect, whose achievements we are unable to talk about. This is due to the lack of information on the work of the SEC. Therefore, even if SEC had initiatives so far - whether legislative or policy - we as a public (or external party) were not made aware of this.

In this regard, it is difficult to assess the impact of the Council on improving work and employment. In fact, perhaps the only information that we may obtain in this regard is from working groups amending the Labor Law in which SEC was a member. Therefore, it again points to the point that SEC should work on the preservation and publication of its work so that performance measurement is done more easily and directly.

Point 3: Minimum Wage Proposal

According to the Law on Social Economic Council, and also based on the Labor Law, SEC is the responsible body for proposing to the Government the amount of the minimum wage at the end of each calendar year. However, the minimum wage in Kosovo for the last time was set in 2011 with the

¹⁹ Krasniqi, Nida. *Analizë e Shkurtër mbi Dialogun Social në Kosovë. Peer Educators Network*. October, 2017. Retrieved from: http://www.ngo-pen.org/wp-content/uploads/2017/07/Updated_Dialogu-social-ne-Kosove_RGB-copy.pdf

decision of the Government of Kosovo, although there is no information on how this decision has been reached, whether it was a proposal of the Council, whether discussions were organized, and what factors were taken into account for setting the minimum wage. This decision determines that the minimum wage will be 130 Euros for persons under the age of 35 and 170 Euro for persons between 35 and 65 years of age.

Of course, failing to change the minimum wage makes the Social Economic Council the prime responsible body which is responsible for proposing the minimum wage. It was reported that the minimum wage was discussed at one of the meetings of the Social Economic Council and the parties agreed that the minimum wage for 2013 would be 220 Euros, but there is no information if this proposal was sent to the Government of Kosovo²⁰.

Only in 2016 it was reported that the Social Economic Council proposed to the Government of Kosovo the increase of the minimum wage to 210 Euros and the removal of the age category as a discriminatory criterion²¹. Again, reasons are unknown as why the Government of Kosovo did not accept this proposal of SEC, considering that the minimum wage in 2017 is the same as in 2011.

As a reason for not accepting the increase of the minimum wage by the Government according to the proposal of the SEC is that the Council has only an advisory and recommendation function. However, it is still the responsibility of the Council to insist that its proposals are taken into account if they are grounded.

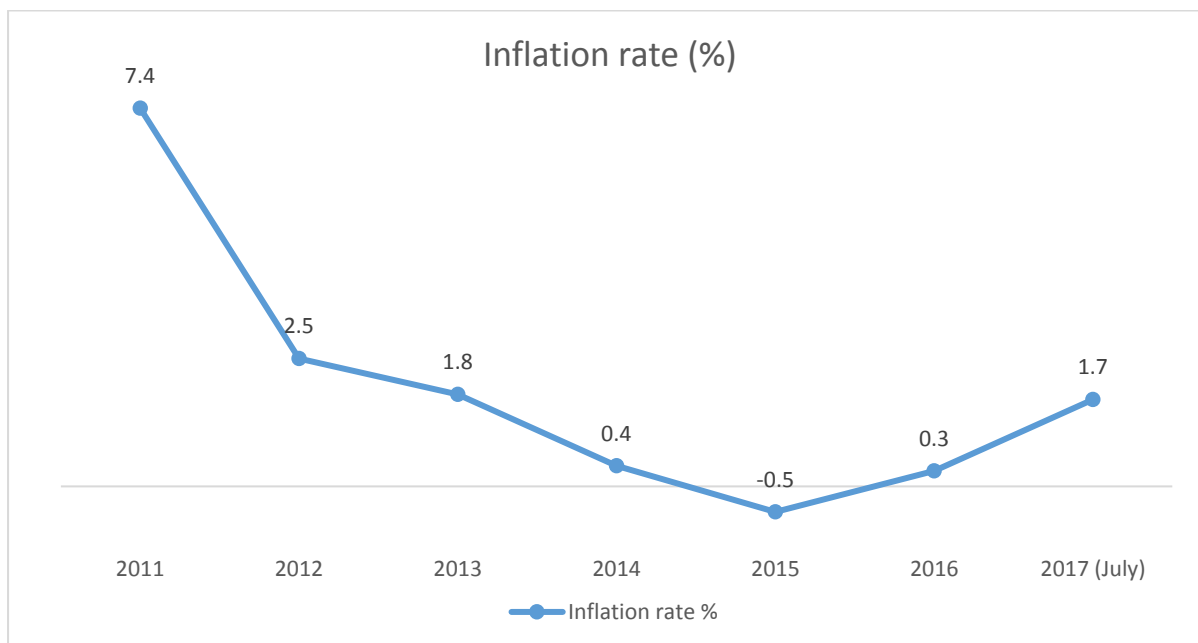
In terms of minimum wage proposals, for the purpose of this paper we have decided to analyze the Kosovo Agency of Statistics data on the Harmonized Index of Consumer Prices to see if there have been changes in consumer prices and consequently assessing the need to change the minimum wage from this aspect²².

Data will be presented as of 2011, the last year the minimum wage in Kosovo has been set. In 2011, the overall consumer price index was 7.4% higher than in 2010. This means that the inflation rate in 2011 was 7.4%.

²⁰Social Economic Council. December 2012. Retrieved from: <http://www.bspk.org/pdf/kes2012.pdf>

²¹ Telegrafi. "Paga minimale, 210 euro". March, 2016. Retrieved from: <http://telegrafi.com/paga-minimale-210-euro/>

²² The Consumer Price Index (CPI), i.e. the Harmonized Consumer Price Index (HICP), is a relative indicator that represents the changes dynamics or the fluctuation of retail prices for the most representative consumer items and consumables consumed by households over a given period of time included in groups and subgroups classified according to the international nomenclature COICOP (Classification of Individual Consumption according to Purpose).



The inflation rate in Kosovo increased in the following years: in 2012 it was 2.5%, 2013 1.8%, 2014 0.4%, 2015 (-0.5%), 2016 0.3%²³. In July 2017, the inflation rate was 1.7%, compared with July 2016. The data shows that the inflation rate from 2012 has increased considerably, excluding 2015 where the inflation rate has dropped by 0.5%²⁴. Therefore, if the minimum wage is analyzed only in terms of the Consumer Price Index, an increase of the latter should be followed by the increase of the minimum wage. This, however, has not happened since 2011.

Point 4: General Collective Agreement

One of the main achievements of the Social Economic Council is undoubtedly the signing of the General Collective Agreement by the three members of the Social Economic Council in 2014. Signatories to this agreement were: Representatives from Employers' Organizations (Kosovo Chamber of Commerce and Kosovo Business Alliance), Representatives of Employees' Organizations (Union of Independent Trade Unions of Kosovo) and the Government of the Republic of Kosovo (Ministry of Labor and Social Welfare). Signing of this agreement, besides the great importance of determining the rights and responsibilities of employees and employers, is considered a great achievement because of consensus reached between parties, who in principle have different interests, for the signing of the agreement. Representatives of employers engage in business rights, which are often in conflict with the interests of employees. Therefore, reaching such consensus was certainly not easy.

However, although it has been 3 years since the signing of the General Collective Agreement, it is not being implemented. The American Chamber of Commerce in Kosovo has repeatedly called for non-implementation of this Agreement. According to this Chamber, this Agreement should not be implemented because some of the provisions of this Agreement are in contradiction with the provisions of the Labor Law. The AmCham refers to Article 71 of the Agreement stating that the signatory parties are obliged to implement the provisions of the agreement, while Article 90 of the Labor Law provides that the provisions of the Collective Contract shall be applicable to those employers and employees who commit themselves to the implementation of obligations deriving from

²³Earlier HICP series were published based on May 2002 = 100 baseline, and as of January 2015, year 2015 = 100 was taken as the baseline of the inflation rate.

²⁴Kosovo Agency of Statistics. Agricultural Household Survey 2004. June, 2017. Retrieved from: <http://ask.rks-gov.net/media/3311/i%C3%A7k-ih%C3%A7k-2002-2016-shqip.pdf>

such an agreement. Thus, according to the law, employers and employees are left the discretion to decide whether to apply the provisions of the Agreement²⁵.

The Kosovo Chamber of Commerce, which was a signatory of the Agreement, as an employers' representative, has requested that the agreement be suspended, with the justification that their members were not consulted prior to the signing of the agreement²⁶.

Given the situation created and the non-implementation of the Agreement by the signatory parties, the Minister of Labor and Social Welfare, Arban Abrashi, suspended the General Collective Agreement. According to him, the suspension was made due to some articles that were in violation with the Labor Law and because the suspension was requested by one of the signatories, in this case by the Kosovo Chamber of Commerce.

Although the Agreement has been in force for more than a year, no case has been observed when it has been implemented. And this adds to the doubt that this agreement has been signed without sufficient discussion and consultation by the Social Economic Council partners. Now we have to wait and see what will happen to the General Collective Agreement, will it return to the implementation, or it will be pending the amendments of the Labor Law and the Law on the Social Economic Council. Since these laws have not been sent to the Government and/or have not been processed by the Assembly for approval, they should be returned to the point zero for amendments, i.e. prepare new drafts, hold public consultations, etc., and then send to Government which should proceed them to the Assembly. Given the sensitivity of these two laws, it is expected that the initiation of their amendment will be delayed to some extent.

Recommendations

After analyzing the work of the Social Economic Council, identifying shortcomings and comparing with the countries of the region, this report provides the following recommendations:

- 1) Change the requirements for representation of organizations in the Council, as only a minimum number of organizations may meet the current requirements. Changing the requirements would strengthen competition among organizations to be members of SEC.
- 2) Increase the number of Council members so that employees and employers are represented by more organizations in the Council. This would be positive because there would be greater sectoral representation in the Council
- 3) The Ministry of Labor and Social Welfare to report in writing on Council's budget management
- 4) Decision-making should be by consensus. This because voting with 2/3 may exclude the consent of one social partner. Another acceptable alternative is to keep decision-making by 2/3, providing 2/3 of the vote includes at least one vote from all social partners.
- 5) Schedule the calendar of Council meetings in order to avoid non-attendance due to lack of information
- 6) Inform the public about the work of the Council, as currently there is little information on the work of SEC.

²⁵ Insajderi. "Oda amerikane marrëveshje kolektive nuk mbështetet në ligjet aktuale të punës". April 2016. Retrieved from: <http://www.insajderi.com/oda-amerikane-marreveshje-kolektive-nuk-mbeshtetet-ne-ligjet-aktuale-te-punes/>

²⁶ Partneret Social. "Një mendim ligjor i pavarur për Marrëveshjen kolektive". April 2016. Retrieved from: <http://www.partneretsocial.org/Al/article/246/mending-law-different-to-consolidation-collective/>