

Judicial Efficiency in Handling Labor Disputes in Kosovo

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1. Executive Summary

This report presents an analysis of the efficiency of judicial handling of labor disputes in Kosovo, based on the monitoring of 57 cases recorded during the period 2021-2025. Analysis focused on cases in which a decision of the Labor Inspectorate previously existed, enabling the assessment not only of the duration of judicial proceedings, but also of the relationship between administrative decision-making and judicial control.

The purpose of the report is to identify the main challenges that characterize the handling of labor disputes, with a particular focus on the length of proceedings, the nature of the cases most frequently brought before the courts and the results of judicial review of decisions of the Labor Inspectorate. Through the analysis of statistical data and the content of decisions, the report aims to contribute to the understanding of the factors that influence the efficiency of legal protection in the field of labor relations.

The findings of the report show that labor disputes continue to be characterized by relatively long procedures. In cases where it has been possible to measure the period from the filing of the claim to the first instance judgment, the average duration has been 2.64 years. When analyzing the entire period from the first decision of the Labor Inspectorate to the last decision recorded in the procedure, the average duration reaches 3.61 years. These data show that the final resolution of a labor dispute often takes several years, creating a constant feeling of legal uncertainty and economic damage for the parties involved.

Analysis of the longest-running cases has shown that in some cases the proceedings have lasted more than four years, while the longest case recorded exceeded six and a half years until the first instance judgment is issued. These cases illustrate the impact that procedural delays can have on the practical effectiveness of legal protection, particularly in disputes relating to important economic and social rights of employees.

The report also highlights that a significant proportion of disputes are related to the issue of the competences of the Labor Inspectorate. In more than half of the monitored cases, the courts have dealt with claims related to the exceeding of competences by this institution, particularly in cases related to return to work, compensation of wages, annulment of employer decisions or other issues requiring judicial decision-making. This finding suggests that a significant proportion of disputes do not stem only from disagreements between employees and employers, but also from practical uncertainties regarding the limits of administrative competences.

Another important finding is related to the outcome of the judicial review of the monitored cases. In 82.5% of cases, the courts approved the claims, while only 17.5% were rejected. This shows that in most cases the courts have found shortcomings in the administrative decision-making that was the subject of judicial review. Such a high level of approval suggests the need to improve the legal quality of administrative decisions and harmonize the practice of the Labor Inspectorate with the standards established in judicial practice.

In terms of thematic aspects, in addition to issues related to the competences of the Labor Inspectorate, the monitored cases have often dealt with claims for compensation of wages, overtime and annual leave, as well as disputes related to the termination of employment, dismissal, disciplinary measures and return to work. These categories show that labor disputes continue to focus mainly on the realization of fundamental rights arising from the employment relationship.

Based on the monitoring findings, the report concludes that improving the efficiency of handling labor disputes requires a two-pronged approach. On the one hand, it is necessary to reduce the duration of judicial proceedings and ensure faster handling of this category of cases. On the other hand, it is required to improve the quality of administrative decision-making, clarify the boundaries of institutional competencies and strengthen cooperation between the Labor Inspectorate and the judicial system. Only through such an approach can more effective and faster protection of rights in labor relations be ensured.



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2. Introduction

Labor disputes directly affect the legal security of employees and employers. For employees, delays in handling cases can mean prolonged loss of income, professional insecurity and difficulties in effectively exercising rights. For employers, lengthy procedures create uncertainty about the validity of internal decisions, financial responsibilities and institutional or business planning.

In Kosovo, labor disputes related to decisions of the Labor Inspectorate often develop at two important parallel levels: first, in the administrative procedure before the Labor Inspectorate and, subsequently, in the administrative judicial procedure before the competent courts. Therefore, the real duration of a dispute is not measured only from the day the claim is filed with the court, but should be viewed in a broader context, including the moment when the Labor Inspectorate has taken the initial decision.

This report aims to conduct a retrospective analysis of decisions issued by the Department for Administrative Matters within the Basic Court of Pristina and the Department for Administrative Matters within the Commercial Court, as well as their course in other judicial instances over the last five years, respectively up to ten decisions for each calendar year, in cases of which there is a preliminary decision from the Labor Inspectorate.

The goal is to produce an analytical and statistical report, which will serve as a basis for understanding the type of decisions of the Labor Inspectorate, the violations alleged by employers or employees, as well as how and how quickly the judicial system handles cases from labor disputes.

The analysis will serve to:

- Identifying the most frequent cases of labor disputes that appear before the courts;
- Measuring and analyzing the average duration of procedures from the decision by the Labor Inspectorate, the filing of the claim, and until the issuance of the final judgment;
- Possible comparison of the legal coherence of the decisions of the Labor Inspectorate, other data on subjects who appear as plaintiffs or defendants in labor disputes, etc.

This report will serve as a research and advocacy tool, to support the drafting of recommendations for improving inter-institutional coordination between the Labor Inspectorate and the judicial system, as well as to contribute to overall efforts to strengthen the rule of law and access to justice for workers.

3. Methodology

The methodology of this report is based on the retrospective analysis of decisions issued by the Department for Administrative Matters of the Basic Court in Pristina and by the Commercial Court of Kosovo, as well as on the analysis of decisions of the highest judicial instances when they were available.

The sample analyzed consists of 57 labor dispute cases, randomly selected from the decisions published on the official website of the Kosovo Judicial Council (KJC) during the period 2021-2025. The analysis included only cases in which a Labor Inspectorate decision had previously existed, to assess the relationship between administrative procedure and judicial review of these decisions.

For each case, data were recorded regarding the competent court, the nature of the dispute, the outcome of the procedure, its duration and the main legal issues addressed in the decisions. Through the analysis of these elements, the aim was to identify the main trends in judicial practice regarding the handling of labor disputes and the decisions of the Labor Inspectorate.

Because not all decisions contain complete data for each procedural stage, the calculation of time indicators was only done in cases where the relevant dates were identifiable. For this reason, the number of cases included in the calculation of specific indicators may differ from the total number of cases monitored.

The main indicators used in the analysis include: the distribution of cases by courts and years of monitoring, the outcome of the first instance procedure, the transfer of cases to second instance, the duration of the procedures, and the most frequent legal issues identified in judicial practice.

The findings of the report do not aim to present all labor disputes handled by the courts during the monitoring period, but rather to provide an overview of the main trends and characteristics of judicial practice based on the sample analyzed.

4. Legal Framework

The protection of rights arising from the employment relationship in the Republic of Kosovo is regulated through an interconnected system of constitutional norms, substantive and procedural laws, as well as administrative and judicial mechanisms. Labor disputes may initially be handled in administrative procedures at the Labor Inspectorate, while in cases where the parties disagree with administrative decisions or when the dispute requires judicial decision-making, the matter may be referred to judicial proceedings before the competent courts.

The right to work and the protection of employees' rights are guaranteed by the Constitution of the Republic of Kosovo ¹, which recognizes the right to work and exercise a profession, as well as the right to effective legal protection. At the legal level, employment relations are mainly regulated by the Labor Law ², which determines the rights and obligations of employees and employers, employment conditions, termination of employment, holidays, compensation and other issues related to employment relations.

In addition to the Labor Law, the provisions of the Law on Dispute Procedure, the Law on Courts, the Law on Labor Inspectorate, as well as other relevant legislation regulating the functioning of public administration and the judicial protection of subjective rights, are also applied in the handling of labor disputes.

The Labor Inspectorate constitutes the main administrative mechanism for supervising the implementation of labor legislation. Within its competences, labor inspectors are authorized to conduct inspections, ascertain violations of labor legislation, order the implementation of corrective measures and impose administrative measures according to the competences defined by law.

The decisions of the Labor Inspectorate can be challenged through administrative legal remedies, while after the completion of the administrative procedure, the parties have the right to seek judicial protection before the competent courts. In practice, a considerable number of disputes monitored in this report are related precisely to the assessment of the legality of the decisions of the Labor Inspectorate and the limits of the competences of this institution.

The jurisdiction for the review of administrative disputes related to decisions of the Labor Inspectorate is determined depending on the legal status of the plaintiff. Cases initiated by natural persons are handled by the Department for Administrative Matters of the Basic Court in Pristina, while administrative disputes initiated by commercial companies against final administrative decisions fall under the jurisdiction of the Commercial Court of Kosovo. Through these procedures, judicial control of the legality of decisions issued by the Labor Inspectorate is carried out.

¹ Official Gazette of the Republic of Kosovo, Constitution of the Republic of Kosovo, Article 49: The right to work is guaranteed. Every person is free to choose their profession and place of work.

² Official Gazette of the Republic of Kosovo, Law No. 03/L-212 on Labor.

Courts are authorized to review the legality of administrative decisions, assess whether administrative bodies have acted within their legal powers, and ensure judicial protection of the rights and legal interests of the parties.

In addition to reviewing the legality of administrative decisions, courts also play an important role in interpreting the boundaries between administrative and judicial powers, particularly in cases related to reinstatement, wage compensation, disciplinary measures, and other issues arising from individual employment relationships.

Given the importance of labor disputes for the realization of citizens' economic and social rights, the Law on Dispute Procedure provides for expedited handling of this category of cases.

Article 475 of the Law on Dispute Procedure³ establishes that the court is obliged to act urgently in proceedings arising from employment relationships. This law also provides for shorter procedural deadlines for the actions of the court and the parties, for labor disputes to be resolved within a reasonable time. The purpose of this priority treatment is related to the nature of these disputes, which often directly affect the income, economic security and professional status of employees. For this reason, procedural legislation aims to ensure effective and timely legal protection for the parties involved in employment relationships.

However, as will be presented in the following chapters of this report, the monitored data show that despite the existence of legal provisions requiring priority treatment of labor disputes, the length of procedures in practice continues to pose a challenge to the effective realization of rights arising from the employment relationship.

Finally, it should be noted that during the period covered by this report, cases initiated by natural persons were handled by the Department for Administrative Matters of the Basic Court in Prishtina, while disputes initiated by commercial companies against final administrative decisions fell under the jurisdiction of the Commercial Court of Kosovo. Judicial control of the legality of decisions issued by the Labor Inspectorate was carried out through those procedures.

Meanwhile, with the entry into force of Law No. 08/L-291 on the Administrative Court⁴ on 6 February 2026 and the operationalization of the Administrative Court on 5 May 2026, the powers to review administrative and labor disputes have been transferred to this specialized court. However, because the cases analyzed in this report belong to the period 2021-2025, they have been handled by the courts that were competent at the time of the proceedings.

3 Official Gazette of the Republic of Kosovo, Law on Dispute Procedure, Article 475: "In disputes arising from employment relationships, especially when setting deadlines and convening court hearings, the court shall always take into account the need for urgent resolution of disputes arising from employment relationships."

4 Official Gazette of the Republic of Kosovo, Law No. 08/L-291 on the Administrative Court.

5. Statistical Overview and Results of Monitored Cases

This chapter presents basic statistical data on the monitored cases, including their distribution by court and the results achieved at first instance. The analysis of these data enables the identification of key trends in the judicial treatment of labour disputes, as well as providing an initial overview of the characteristics of the cases that have been the subject of monitoring during the period covered by the report.

As explained in the methodology section of the report, the cases included in this analysis were randomly selected from the official KJC website of published decisions for the period 2021 - 2025, if they relate to labor disputes in which a decision of the Labor Inspectorate previously existed. The random selection was made for the sample to provide the most objective overview of judicial practice and to enable the identification of the main trends in the treatment of these disputes.

The sample analysis shows that the monitored cases include a wide range of issues arising from the employment relationship and from the judicial review of the decisions of the Labor Inspectorate. Among them, cases related to *the competencies of the Labor Inspectorate, compensation of wages and other financial benefits, termination of employment, return to work, disciplinary measures, as well as issues related to safety and health at work predominate.*

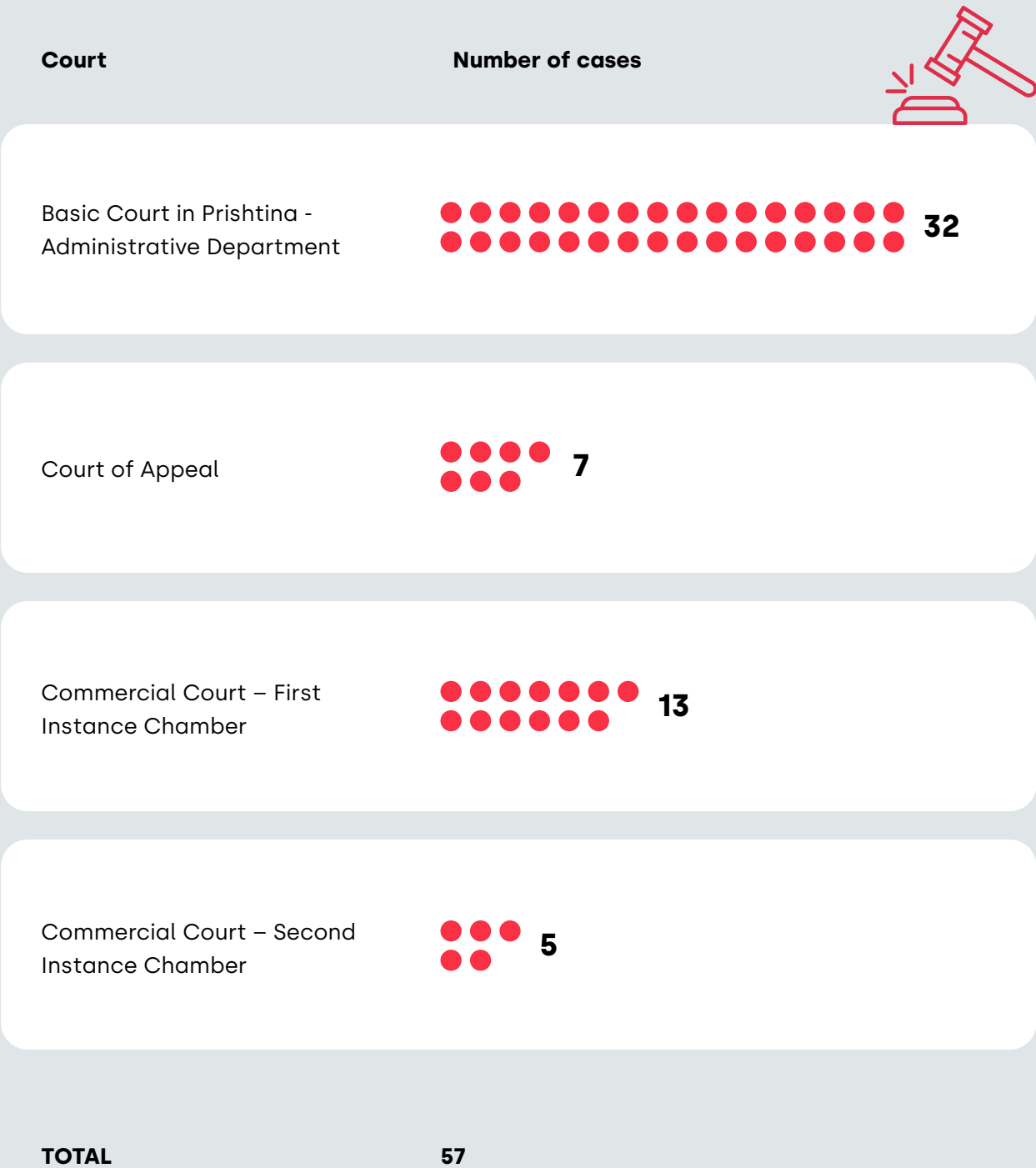


Table 1. Courts from which labor dispute cases were monitored.

As shown in Table 1, a total of 57 labor dispute cases were analyzed within the framework of the monitoring. Most of the monitored cases pertain to the Basic Court in Pristina - Department for Administrative Matters and the First Instance Chamber of the Commercial Court, while a smaller number of cases also involved an appeal procedure in the Court of Appeal or the Second Instance Chamber of the Commercial Court.

Of all the cases monitored, only 12 had a recorded decision in second instance, of which 7 decisions were made by the Court of Appeal, while 5 by the Second Instance Chamber of the Commercial Court. This shows that most of the cases included in the analysis represent the practice established by the courts of first instance.

Also, during the monitoring, no Supreme Court decision was identified regarding the cases included in the sample. Consequently, the findings of this report are based mainly on the practice of the first instance courts and, to a more limited extent, on the practice of the appellate instances.

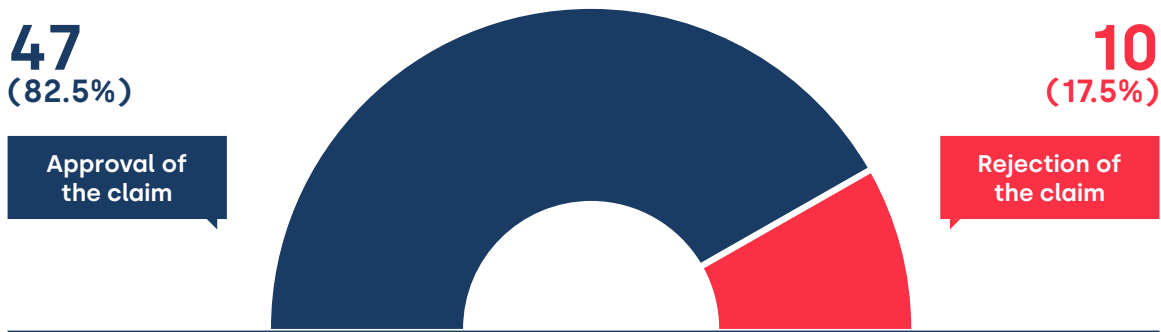


Table 2. Number of cases approved and rejected in first instance, by the Commercial Court and the Basic Court in Pristina.

Of the 57 cases monitored, in 47 cases (82.5%) the courts approved the claims, while in 10 cases (17.5%) the claims were rejected. This shows that in most of the monitored cases, the courts found deficiencies in the administrative decision-making that were the subject of judicial review.

The extremely high rate of approval of claims (82.5%) suggests that in most cases the courts have found legal deficiencies in the administrative decision-making of the Labor Inspectorate. This may be an indicator of the need to increase the legal quality of administrative decisions and harmonize the Inspectorate's practice with judicial jurisprudence.

6. Duration of Procedures for Handling Labor Disputes

One of the main objectives of this report is to measure and analyze the duration of procedures in labor disputes, including the period from the administrative decision-making of the Labor Inspectorate to the completion of judicial proceedings.

For this purpose, several time indicators have been calculated that enable the identification of the phases where the greatest procedural delays occur.

To assess the duration of the procedures, the following table analyzes two main phases of labor disputes: the period from the filing of the claim to the first instance judgment and the period from the first decision of Labor Inspectorate to the final decision recorded in the court proceedings.

Considering the fact that out of the 57 cases included in the analysis, not all decisions recorded all procedural dates necessary for calculating the duration of the procedure, where in some cases data regarding the date of the Labor Inspectorate decision, the date of filing the Claim or the dates of the decisions of the highest judicial instances were missing, this presented a challenge for the complete time measurement of all cases that were the subject of the analysis. For this reason, the calculation of each time indicator was made only in cases where the relevant dates were identifiable and verifiable from the published documentation. As a result, the number of cases included in the calculation of specific indicators is not the same as the total number of cases monitored.⁵

⁵ The number of measurable cases varies between indicators because not all judgments recorded all procedural dates necessary for calculating duration. For this reason, for each indicator, only the number of cases for which the necessary data for measurement were available was considered.

Procedural phase	Number of cases	Average duration
From filing the claims to the first instance decision	43	2.64 years
From the first decision of the Labor Inspectorate to the last decision recorded in the court proceedings	53	3.61 years

Table 3. Duration of handling labor disputes expressed in years, depending on indicators.

The analysis of the duration of proceedings shows that the greatest delays in the handling of labor disputes occur at the first instance judicial stage. In the 43 cases where it was possible to measure this period, the average time from the filing of the claim to the issuance of the first instance judgment was 964 days, or about 2.64 years. This means that the parties to the dispute must wait on average more than two and a half years to receive an initial judicial decision regarding their claims.

This result is particularly significant given that the Law on Dispute Procedure provides for urgent treatment of labor disputes. Consequently, the average duration recorded suggests that the legal standard of priority treatment is not being fully reflected in judicial practice.

When the entire procedural period is analyzed, starting from the first decision of the Labor Inspectorate to the last decision recorded in the case, the average duration reaches 3.61 years. This indicator provides a more complete picture of the time needed to resolve a labor dispute, as it includes not only the judicial procedure, but also the administrative phase that precedes it.

The data show that the length of procedures is not only related to a few isolated cases that have taken an unusually long time but represents a general characteristic of the monitored cases. Consequently, the delays recorded directly affect the effectiveness of legal protection, especially in cases related to the realization of economic and social rights of employees.

Overall, the monitoring findings show that labor disputes continue to be characterized by relatively lengthy procedures, both in the pre-trial (administrative) and judicial phases. Given the nature of these disputes and their direct impact on the income, economic security and professional status of the parties, the observed duration raises concerns regarding the effectiveness of existing mechanisms for ensuring legal protection within a reasonable time.

7. Cases with the Most Significant Delays

In addition to the average duration of procedures, the analysis also identified the cases with the most significant delays in judicial review.

The following table presents the five monitored cases in which the period from filing the claim to issuing the first-instance judgment was the longest. These cases provide a concrete picture of situations where judicial proceedings have significantly exceeded the average duration evidenced in this report and illustrate the challenges associated with ensuring a decision within a reasonable time frame.

CASE NUMBER	COURT	DATE OF THE CLAIM	JUDGMENT DATE	DURATION
A.no.528/2021	Basic Court in Prishtina	10.11.2015	04.07.2022	6.65 years
KA.nr.904/22	Commercial Court	05.01.2021	28.05.2025	4.39 years
KA.nr.510/22	Commercial Court	26.02.2020	12.07.2024	4.38 years
KA.nr.239/22	Commercial Court	23.08.2019	08.11.2023	4.21 years
KA.nr.392/22	Commercial Court	30.03.2020	03.06.2024	4.18 years

Table 4. Cases with the longest duration from filing of the claim to the first instance decision.

In four of the five cases presented in this table, the courts dealt with situations in which the Labour Inspectorate had decided on issues that, according to case law, are considered to be within the competence of the courts, such as re -employment, continuation of employment, financial compensation or other individual issues arising from the employment relationship. Only one of the cases concerned occupational safety and health, namely the employer's liability following an accident at work.

The data shows that in the longest recorded cases, the time from filing the claim to the first instance judgment ranged from 4.18 to 6.65 years. The longest case was recorded in the Basic Court in Pristina, where the procedure lasted more than six and a half years until the first instance judgment was issued. Meanwhile, four of the five longest cases were recorded in the Commercial Court.

These cases show that, beyond the average duration of 2.64 years from filing a claim to the first-instance decision, there are also cases where parties have waited more than four or six years to obtain an initial judicial decision. In the context of labor disputes, such delays can have significant consequences for employees and employers, especially when the dispute relates to the termination of the employment relationship, compensation of wages, reinstatement or the realization of other rights that directly affect the economic security of the parties.

Consequently, these cases present concrete examples of the impact that the length of procedures can have on the practical effectiveness of legal protection and underline the importance of more efficient handling of labor disputes by judicial institutions.

8. The Most Frequent Causes Identified in the Initiation of Labor Disputes

In addition to analyzing the duration of procedures, the monitoring also focused on identifying the legal issues that arise most frequently in labor disputes, namely the reasons on which these disputes were initiated.

The analysis of the content of the decisions has enabled the categorization of cases according to the main topics that have been the subject of judicial review. The following table presents the frequency of these issues in the monitored sample and provides an overview of the issues that have most often generated disputes between the parties or have been the subject of judicial review.

The analysis of the monitored cases shows that the most frequent issue identified in labor disputes is related to the exceeding of competences by the Labor Inspectorate, which occurs in more than half of the monitored cases (52.6%). This result shows, therefore, that a significant part of the disputes does not stem only from disputes between employees and employers, but also from the way the Labor Inspectorate exercises administrative competences. In these cases, the courts have assessed that the Inspectorate has exceeded its supervisory and administrative role by deciding on issues that fall within the competence of the courts, such as return to work, compensation of wages or assessment of the legality of the employer's decisions.

Another significantly represented category are disputes related to compensation for wages, overtime and unused annual leave, which appear in almost half of the monitored cases (47.4%). This shows that disputes regarding the realization of financial rights from the employment relationship continue to constitute a significant part of the workload of administrative courts.

Similarly, termination or dismissal from employment occurs in approximately one-quarter of monitored cases (24.6%), reflecting the importance of disputes related to job security and the legality of decisions to terminate employment. Other categories, such as reinstatement, disciplinary measures, suspension or reassignment to other positions, occur less frequently, but continue to be part of the issues subject to judicial review.

Overall, the data show that the monitored disputes are dominated by issues related to the limits of the competences of the Labour Inspectorate and the realization of fundamental rights arising from the employment relationship. In this regard, judicial practice shows that the competence of the Labour Inspectorate ends with the supervision of the implementation of the law and the taking of administrative measures, while the competence of the courts begins where the merits of individual rights and obligations arising from the employment relationship are required.

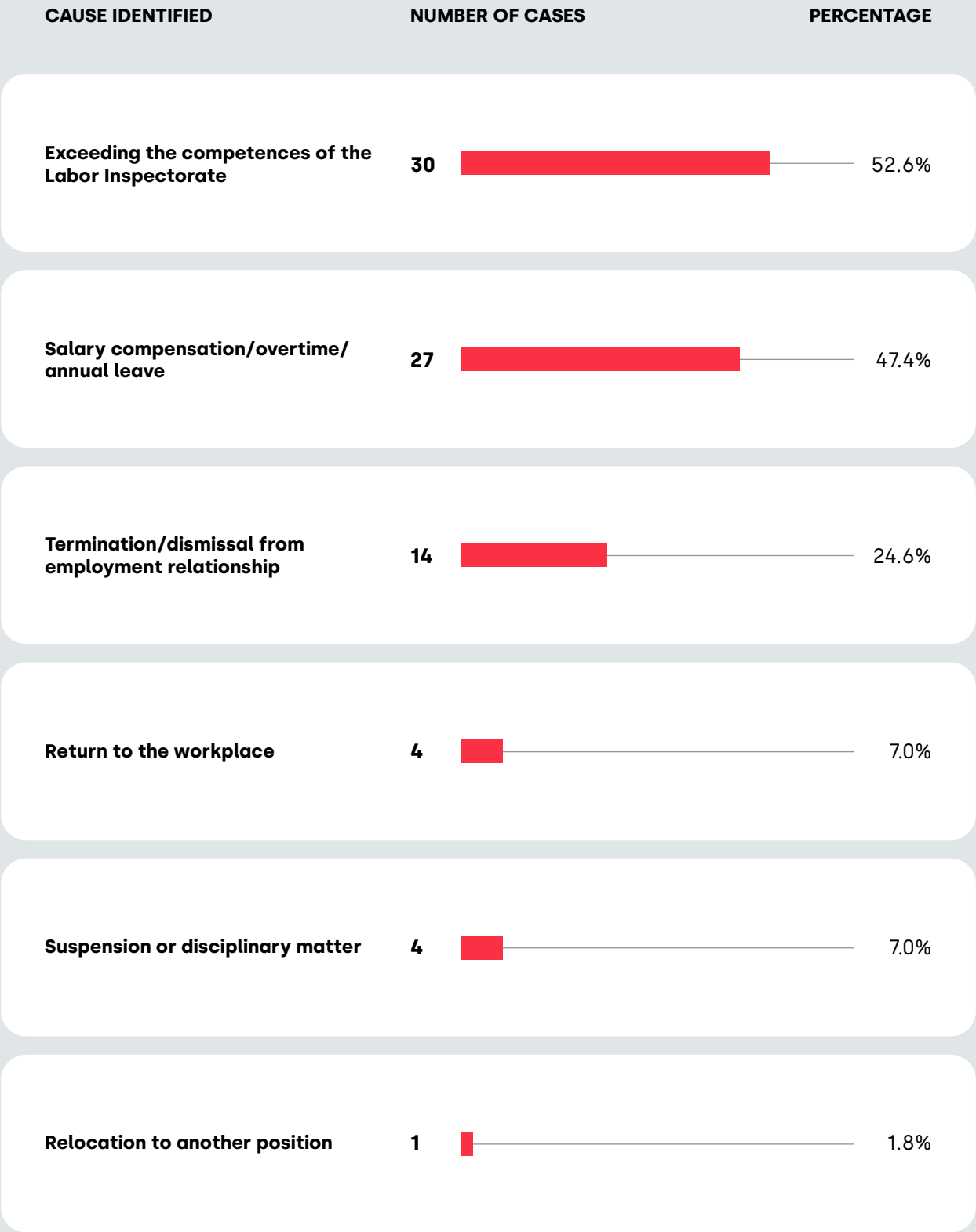


Table 5. The most frequent reasons for which labor disputes are initiated.

9. Judicial Practice Relating to the Labor Inspectorate Competences

One of the most important findings identified during the monitoring is related to the way in which the courts have interpreted the competences of the Labor Inspectorate in relation to the competences of the judicial bodies. The analysis of the monitored cases shows that a significant part of the disputes does not stem only from disagreements between employees and employers, but also from the way in which the Labor Inspectorate exercises administrative competences.

The analysis of the judicial practice of the monitored cases shows that a significant part of the disputes have arisen due to the different interpretation of the boundaries between the competences of the Labor Inspectorate and the competences of the courts. According to the legislation in force, the Labor Inspectorate exercises supervisory and administrative function, controlling the implementation of labor legislation, ascertaining violations and ordering their elimination through administrative measures. However, the meritorious resolution of individual disputes from the employment relationship, such as the legality of the termination of the employment relationship, return to the workplace, compensation of wages or the realization of other individual rights of employees, belongs to the courts.

In this regard, in 30 out of 57 monitored cases (52.6%), the courts have dealt with claims related to the Labor Inspectorate exceeding its competences. The high percentage of these cases suggests that the issue of competence is not an isolated problem, but a recurring issue in the administrative practice of handling labor disputes.

The analysis of the decisions shows that disputes most often arose in cases where the Labor Inspectorate decided on issues related to the return of employees to the workplace, compensation of wages and other financial benefits, annulment of employer decisions, disciplinary measures, as well as other issues arising from individual labor relations. In these cases, the courts have held that the Labor Inspectorate cannot replace the role of the court with the merits of the resolution of disputes between the parties.

From the analysis of the monitored practice, it is noted that the courts have consistently interpreted the role of the Labor Inspectorate as a supervisory and administrative body, whose competence consists in supervising the implementation of labor legislation, identifying violations and ordering administrative measures within the limits set by law. On the other hand, deciding on the existence or not of a subjective right from the employment relationship, assessing the validity of dismissal, the obligation to pay compensation or reinstatement to the workplace are considered matters that fall within the jurisdiction of the court.

In this regard, the evidenced practice shows that a significant part of the judicial proceedings are not initiated due to a dispute about the facts of the case, but due to a disagreement regarding the jurisdiction and competence to decide on the specific issue. This has resulted in the annulment of a considerable number of administrative decisions and the return of the cases for reconsideration or the redirection of the parties to judicial proceedings.

Another important aspect that emerges from the analysis is the impact that these jurisdictional disputes have on the overall efficiency of the system. When a case is initially handled by a body that is later deemed incompetent by the court, the procedure is not only prolonged, but the parties are forced to go through several administrative and judicial stages before reaching a final solution. This creates additional financial and time costs for both parties and the public institutions.

From a legal certainty perspective, the monitoring findings suggest the need for greater clarification of the boundaries between the competences of the Labour Inspectorate and the competences of the courts. A unified interpretation and a more harmonized institutional practice could reduce the number of disputes that end up in lengthy court proceedings solely due to competence issues.

Consequently, the case law monitored in this report shows that one of the main challenges in dealing with labor disputes in Kosovo remains the precise definition of the limits of action of the Labor Inspectorate. Harmonizing administrative practice with the standards developed by the courts represents an important prerequisite for increasing institutional efficiency, reducing the number of unnecessary disputes, and strengthening the legal protection of rights arising from the employment relationship.

10. The Impact of the Duration of Procedures on the Exercise of Rights from the Employment Relationship

The duration of the proceedings is one of the most important factors affecting the effectiveness of legal protection in labor disputes. The right to access justice is not limited only to the possibility of addressing a competent body but also implies the right to have the party's request examined and decided within a reasonable time. In this sense, the speed of the procedure constitutes an essential element of the effective protection of rights.

Unlike many other categories of administrative or civil disputes, labor disputes are directly related to the realization of economic and social rights of individuals, including the right to work, the right to a salary, professional security and the economic stability of their families. For this reason, procedural legislation in the Republic of Kosovo treats labor disputes as cases requiring expedited procedure and urgent action by the courts.

However, the findings of this report show that there is a significant gap between the legal standard and judicial practice. The monitored data show that an employee or employer can wait an average of 2.64 years to receive a first-instance judgment, while if the entire period from the first decision of the Labor Inspectorate to the last decision recorded in the procedure is calculated, the average duration reaches 3.61 years. In some monitored cases, the procedures have exceeded four years, while the longest case lasted more than six and a half years until the first-instance judgment was issued.

These data suggest that, despite the priority treatment that the law grants to labor disputes, procedures in practice continue to last for considerable periods of time. Such a length of time can directly affect the effectiveness of legal protection and the ability of the system to provide solutions at the time when it is most needed by the parties.

For employees, such delays can mean loss of income, financial hardship and ongoing uncertainty regarding their professional status. In cases involving dismissal, non-return to work or non-realization of financial rights, the passage of several years before a court decision is reached can create consequences that are difficult to fully compensate for, even in cases where their claims are accepted at the end of the procedure.

The length of proceedings can also have an impact on the availability and quality of evidence. Over time, it may become more difficult to obtain relevant documentation, identify witnesses or verify the factual circumstances that existed at the time the dispute arose. Consequently, the length of proceedings not only affects the economic interests of the parties but can also affect the quality of the decision-making process.

On the other hand, lengthy procedures also create legal uncertainty for employers. During the time a dispute remains unresolved, employers face uncertainty regarding the validity of their decisions, potential financial obligations, and the legal consequences that may arise from the final court decision. In cases where the dispute relates to the return of an employee to the workplace or to financial compensation accumulated over the years, the economic consequences can be considerable even for the employer itself.

Another important aspect that emerges from the analysis is related to the impact that the length of proceedings has on citizens' trust in institutions. The longer a judicial procedure lasts, the greater the risk that parties will perceive the system as inefficient or unable to provide effective protection of their rights. This is particularly important in employment relations, where parties often seek quick solutions to issues that directly affect their daily lives.

Consequently, the efficiency in dealing with labour disputes should not only be assessed by the legal quality of the decisions issued, but also by the system's ability to provide legal protection within a reasonable time. The longer the procedure lasts, the greater the risk that the right recognized by the final decision will lose a significant part of its practical effect. For this reason, reducing the duration of proceedings is not only a matter of judicial efficiency, but also an important prerequisite for the effective guarantee of rights arising from the employment relationship.

11. Conclusions

Findings from the report show that challenges in handling labor disputes are not only related to the length of judicial proceedings, but also to issues affecting institutional competencies and the quality of administrative decision-making.

As noted above, the analysis of the monitored cases shows that a significant proportion of disputes arose because of disagreements regarding the boundary between the competences of the Labour Inspectorate and the competences of the courts. In more than half of the monitored cases, the courts have dealt with claims related to the exceeding of competence by the Labour Inspectorate, which implies that this is not an isolated problem, but a recurring issue in practice.

In such cases, the administrative procedure has failed to provide a final resolution to the dispute but has instead produced decisions that have subsequently become subject to judicial review. This not only creates an additional burden on the responsible institutions but also prolongs the procedures and increases the costs for the parties involved.

From an access to justice perspective, the average duration of 2.64 years from filing a claim to the issuance of a first-instance judgment poses a serious challenge to the effective realization of rights arising from the employment relationship. Unlike many other categories of administrative disputes, employment disputes are directly related to the income, professional status and economic security of the parties. For this reason, prolonged delays can reduce the practical effectiveness of legal protection, even when a solution favorable to one of the parties is ultimately achieved.

The analysis also suggests the need to strengthen the quality of administrative decision-making, particularly in terms of reasoning of decisions and clear definition of institutional competence. Greater clarity regarding the boundaries between supervisory administrative measures and matters requiring judicial decision-making could contribute to reducing the number of disputes ending up before the courts.

Finally, limitations related to the availability and quality of data were also identified during the analysis. The lack of complete procedural dates in several decisions makes it difficult to continuously monitor judicial efficiency and limits the possibility of more detailed statistical analyses. This underlines the need for greater standardization in the recording of procedural data in judicial decisions.

12. Recommendations

Based on the findings of this report, FOL makes the following recommendations regarding increasing the efficiency of labor dispute handling procedures at the administrative and judicial levels.

For the Labor Inspectorate

- Draft internal guidelines and practical standards regarding the limitations of the competence of the Labor Inspectorate, especially in cases related to return to work, wage compensation and other issues requiring judicial decision-making.
- Strengthen the quality of legal reasoning of administrative decisions and ensure a more unified interpretation of legal powers.
- Organize periodic training for labor inspectors regarding judicial practice in labor disputes and the boundaries between administrative and judicial powers.

For the courts

- Prioritize the handling of labor disputes, considering the direct impact that these cases have on the economic and social rights of the parties.
- Take measures to reduce the duration of procedures, especially in the phase from filing the claim to the first instance judgment, where the greatest delays have been identified.
- Standardize the recording of procedural data in decisions, including key dates of administrative and judicial proceedings.

For the Kosovo Judicial Council

- Publish specific statistical indicators for labor disputes, including the average duration of treatment, the number of cases returned for retrial, and outcomes by dispute category.
- Consider the possibility of establishing time standards for handling labor disputes, considering their urgent nature and their impact on the rights of the parties.

For inter-institutional cooperation

- Establish a periodic cooperation mechanism between the Labor Inspectorate, courts and institutions responsible for labor policies, with the aim of identifying recurring problems and harmonizing institutional practice.
- Regularly analyze case law regarding the competencies of the Labor Inspectorate, to prevent cases that end in unnecessary legal disputes.

