

Workers' rights in Macedonia – do they exist only on paper?

In the past 20 years Macedonia has been going through a very complicated transition process which brought many changes in the whole economic and political system. This process also significantly affected the workers' rights in the country. In fact, when the number of unemployed grew to almost a quarter of the population, it became easy for the employers to manipulate the weak position of the workers. The work force became easily replaceable, ultimately leading to degradation of the workers' dignity. The core question in this context is how the worsening of the workers' rights developed over the years and what can be done for their improvement.

Since the 1990s, a number of changes to the Labour law in Macedonia have been made that have drastically reduced workers' rights. This trend remained constant despite the changes of the ruling parties throughout the years. One of the indicators for the worsening of workers' rights is the fixed-term contract. In the 1990s the fixed-term contracts were signed for a maximum period of one year. In the following years, this period was increased several times, so finally in 2008 it reached the period of 5 years. Another example is the change of the labour law regarding retirement. In this line, if in 1993 female workers retired at the age of 55 and male workers at the age of 60, now women have to work until they are 62 and men until 64. Also, the possibility to retire on the basis of years in the service has been revoked. Other changes in the labour law that go in favour of the employer and not the worker have been made in the articles concerning the right of the workers to strike and their right to paid vacation.

Besides the fact that workers' rights are being reduced with every new amendment, there are

also numerous examples of breaching the existing workers' rights on daily basis. For example, workers are fired without a prior notice; they are forced to sign a termination letter without a date the same day they are employed, so that the employer can fire them at any time. One example that provoked discussion on this specific matter was the case when a reporter from ALSAT television and the president of the media workers trade union, Tamara Chausidis, was fired with a pre-signed termination letter due to her activities in one of the trade unions. Further example of breaching workers' rights is that they are often not reported as employed to the institutions so that the employer can avoid paying pension and health contributions which are obligatory in Macedonia.

Despite that the legislation is limiting workers' rights, even the institutions whose job is to protect the workers' rights as first and foremost the State Inspectorate of Labour and the trade unions have not taken more proactive role. The State Inspectorate of Labour functions as an institution within the Ministry of Labour and Social Policy. The Inspectorate acts on the territory of the whole country with its network of almost 100 inspectors. Besides the regular controls that the State Inspectorate makes, it also acts upon oral and written complaints of the workers and citizens. This method of acting upon complaints has not proved to be very effective because of the fear of the workers that they might make their employer angry and lose their job if they complain against him/her. In a country with such a high unemployment like Macedonia, workers choose to hold on to their jobs no matter what injustices they have to tolerate.

On the other hand, the trade unions have experienced many political pressures. Although all of them declare that their primary goal is the protection of the workers' rights, the public and the experts' opinion is that they have been protecting the employers and even the interests of some of the political parties over the interests of the workers. Dojcin Cvetanovski, the president of the

trade union for the employees in education, for an article in the Voice of America said that it is true that some of the trade unions' leaders have been subjected to political influences.

One good example comes however from the civil society - the Movement for Social Justice - Lenka, which gives free legal advice to workers whose rights have been breached. Recently Lenka has published a book which contains positive examples from the judicial practice concerning labour disputes. This is certainly a step forward for the workers' rights, since this kind of support will give workers the courage needed to stand up for their rights.

This overview of the workers' rights and their protection in Macedonia raises the following important question: why does the 1st of May, a day which is celebrated in most of the countries in the world with protests for improvement of the workers' rights (even if they are just symbolical), in Macedonia is celebrated with picnics and leisure activities as if the Macedonian workers have nothing to worry about? This is most likely a result of the passive political culture which is inherited from the previous system. Also a large number of the workers do not know their rights, or they do not know how to react in the case of their violation. So the old Yugoslavian tradition of celebrating 1st of May remains, despite the fact that the circumstances have drastically changed. Having in mind the gravity of the situation, profound social reforms as improving the workers' rights can take place with strong grass root activities as civil activism. It is high time that Macedonian citizens replace their picnic activities with more decisive action.

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