

LABOR RELATIONS LAW

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PART I

GENERAL PROVISIONS

Article 1

This Law regulates the implementation of rights, obligations and responsibilities of the employee and employer pertaining to employment.

Under this Law, employment signifies a conformed relation between the employee and employer, for the purpose of performing particular tasks and acquiring the rights and obligations of that relationship.

An employer, under paragraph 2 of this article, designates: enterprises and other legal entities performing business activities, establishments and other legal entities rendering public services, government agencies, organs of the local self-government and other domestic and foreign physical persons and legal entities which employ workers.

Article 2

Employment is regulated by this Law, other laws and collective agreements.

Article 3

The worker commences employment voluntarily, in the manner and under conditions determined by law and a collective agreement.

Employment may terminate solely in procedures and under conditions determined by law.

Article 4

The worker is obliged to fulfill obligations derived from employment.

The worker assumes personal responsibility for violations of working obligations and

caused damages in compliance with the provisions of law and the collective agreement.

Article 5

Employment rights, ratified by Constitution, law and collective agreements, cannot be deprived nor restrained by enactments and actions undertaken by the employer.

Article 6

According to the provisions of this Law and the collective agreement, the managing body or legal representative of the employer, acquires employment rights and obligations with the employer, during the appointment and performance of representative duties.

PART II

COMMENCING EMPLOYMENT

1. Conditions for Commencing Employment

Article 7

Persons who meet the general conditions determined by this Law and other laws, as well as the specific conditions determined by law, collective agreement and the act of the employer, may commence employment.

Persons over 15 years of age, may commence employment. Persons over 18 years of age may perform underground work in mines, if they are in a good state of health for performing an extremely hard and health destroying work and other work determined with a law and with the act of employer.

Disabled persons, qualified to perform particular work, shall be considered to be in a good state of health and capable of performing that type of work.

Foreign citizens and persons without citizenship may commence employment under stipulations determined by this Law or other laws.

Article 8

The general requirement for commencing employment is good health, which is determined through a medical examination and verified by a medical certificate.

The state authority organ in charge of health shall designate the content and procedure of

the medical examination for determining the state of health and the content, the issuing procedure and validity of the medical certificate.

Article 8-a

The employer shall not put in unequal legal position the person that seek employment because of the race, color, sex, age, health and invalidity, religion, political and other believe, membership in unions, national and social background, family status, wealth and other personal matters.

Men and women must be equal in employment possibilities, employment treatment, insurance, working conditions, promotions, working time and cancellation of employment agreements.

2. The Procedure for Commencing Employment

Article 9

An employer can satisfy the need for employees trough: issuing a public notification in the daily newspaper on his cost; announcement trough the office in charge of employment intercession without payment; intercession of the office in charge for employment by providing a list of persons for employment from the evidence of unemployed; the employer itself without announcement with a notified contract for employment; and trough the intercession Agency in charge for employment with payment made by the employer, according to this or other law.

Article 9-a

Public institution, public enterprise, other legal entity that perform public work, State body, municipality body and body of the City of Skopje while employment shall practice the Rule of proper and just participation of citizens from all ethnic communities, respecting the criteria for expertise and competence.

Public office, public enterprise and other legal entity that performs public service, State body and municipality body, shall announce the need for employee through a public announcement in at least two daily newspapers, from which at least one is in Macedonian language and the other one is in the language spoken by at least 20% from the citizens that speaks official language different from the Macedonian.

As an exemption, in urgent cases and for work that cannot be delayed and at most up to 30 days, employment can be made without a public announcement with intercession of the office in charge for employment.

Article 9-b

A Decision regarding employment needs is brought by the employer or an organ or employee appointed by the employer.

The employer is obliged to say the following data in the application for the need of an employee that shall be submitted to the office in charge of employment intercession and in the public announcement: the working place; the test for capability of performing that job if it is a condition; time period of the public announcement and the term in which the employer shall choose, all according to a law.

Article 9-c

The employer, the body or employee appointed by the employer, makes the choice of the candidates.

Article 10

Disabled persons may commence employment in compliance with the procedures and conditions determined by this Law, unless otherwise resolved by another law.

Article 11 (DELETED)

Article 12 (DELETED)

Article 13

Except for trainees, a testing of the working capabilities, as indicated in the collective agreement, may be conducted for a position before the final selection, should this be specified as an employment requirement.

Article 14

Employment may commence with the conclusion of an agreement of employment between the employer and employee.

The agreement of employment is composed in written form, following the final selection and is verified by the office in charge of employment intercession.

The agreement of employment is kept on the working premises of the employer.

The employer gives a verified copy of the agreement of employment to the employee.

Article 15

The employee cannot commence employment prior to the conclusion and verification of the agreement of employment.

Should the employee, unjustly fail to commence employment on the date stipulated in the employment agreement, shall be considered unemployed.

Article 16

The agreement of employment contains provisions, particularly pertaining to: the grounds for commencing employment; the term of employment (part time or full time); the duties of the employee and the place of work; the commencing date; the testing procedure of working skills, should this be a prerequisite for commencing employment; the working hours; vacations and leave; professional training; the base pay amount, the pay period and compensations; reassignment; protection at work; termination of employment and other employment rights and obligations in compliance with this Law and the collective agreement.

Article 17

The Employment Bureau is obliged to keep files for concluded and verified employment agreements and to provide with information requested by the regional Labor Inspection, Pension and Disabled Insurance Fund and Health Insurance Fund, which is determined according to the headquarter of the employer.

3. Employment Booklet

Article 18

Employees commencing employment are provided with an employment booklet.

The employment booklet is a public document, which is maintained according to the registry number of the civilians and contains general information about the employee,

professional skills, details of employment and other information and serves as a document through which the right of employment is attained with the employer.

Article 19

The office in charge of employment intercession according to the place of residence of the employee issues the employment booklet.

Employment booklets are issued upon written request to persons over 15 years of age, excluding full time pupils and students.

The applicant bears the issuing expenses of the employment booklet.

Article 20

Upon commencing employment, the employment booklet is handed over to the employer and is kept in the business premises during the course of employment.

After the termination of employment, the employer is obliged to enter the date of completion in the employment booklet and to return it to the employee within three days following the termination.

Article 21

The official appointed by the State authorities in charge of labor, provides instructions for issuing, content, completion, replacement, issuing of duplicates and the form of the employment booklet as well as the procedure of maintaining the employment booklet register.

4. Full Time and Part Time Employment

Article 22

Employment may commence for a period of time that has not been previously determined (full time employment).

Article 23

Employment may commence for a period of time that has previously been determined (part time employment), for part time work, which in continuum or on intervals, last up

to 3 years.

It shall not be taken as an interval from paragraph 1 of this Article, if the work break is less than 30 days.

Part time employment for replacement of an absent worker shall last during the period of absence.

Part time employment shall convert into full time employment if the employee continues with work at least 5 days after expiration of the period of 3 years.

Part time employees are entitled to the same rights and obligations as full time employees.

Article 24

Employees who are engaged in part time seasonal work and who have rendered over 40 hours in the working week during the period of employment, shall receive overtime and those hours shall be computed in the years of service.

4-a. Working at Home

Article 24-a

For 'working at home' is considered work performed at home or in other premises by choice, outside of the working premises of employer, based on an agreement for performing work at home.

With the agreement for performing work at home the employer and employee shall agree the employee to work from home.

The employer is obliged to submit a copy of the agreement to the authorised state labor inspector within 8 days from its conclusion.

Article 24-b

Terms, rights and obligations for work at home shall be regulated by the agreement.

The agreement for work at home, from paragraph 1 of this Article, beside the provisions from Article 16 of this Law, shall also regulate: type of work, organisation of work, working conditions, supervision, salary, allowance for using working equipment that belongs to the employee, allowances for other working costs and other rights and obligations.

Article 24-c

The State labour inspector may put a prohibition to the employer for allowing work at home if performing the work at home may damage the health of employees, other people or environment.

The law or other regulation may put a prohibition for particular jobs to be performed at home.

5. Trainees

Article 25

Employers may hire unemployed persons, who have completed at least four years of secondary education, as full time or part time trainees, for the purpose of vocational training and independent work in the profession.

Article 26

The maximum duration of the training period is one year, unless otherwise determined by law.

The collective agreement determines the duration of the training period, the vocational training process, supervision and appraisal of trainees, the salary amount and the trainees' rights to other allowances.

6. Reassignment of Employees

Article 27

Employees are engaged in work at the position for which they have been hired.

Employees may be reassigned to any position that corresponds to their qualifications, in instances determined by the collective agreement.

The decision of reassignment is brought by the employer or by his appointed employee.

Article 28

As a rule, employees perform their working duties on the working premises of the

employer, or at home, if permissive by the disposition of the duties.

Article 29

Employees may be reassigned from one position to another if the distance of the place of work does not exceed 50 kilometers and if transportation is provided either with public transport or with the employers vehicles.

If the activities are such that they require work outside the working premises of the employer (construction, installation, traffic and communications, geo-research, etc.) and the distance from the place of work exceeds 50 kilometers, employees can be reassigned to different places of work if they are provided with appropriate accommodation and meals or with transportation to and from work in compliance with the employment agreement.

PART III

EMPLOYEES RIGHTS AND THEIR STATUS

1. Working Hours

Article 30

Working hours amount to 40 hours per working week (full working hours).

Employers may introduce working hours shorter than 40 hours per week in the cases and under conditions stipulated by this Law (reduced working hours).

Article 31

Employers may introduce working hours shorter than 40 hours per week in cases when work is organized in shifts, but not less than 32 hours for employees working in shifts.

The rights of the employees under paragraph 1 of this Article are equivalent to the rights of employees working 40 hours per week.

Article 32

The working hours of employees exposed to exceptionally difficult, strenuous and detrimental jobs, with harmful effects on the employees health, i.e. their working

capabilities, which can not be fully eliminated through protective measures, shall be reduced in proportion to the harmful effects to their health or working capability, but not less than 30 hours per working week, in compliance with the collective agreement.

The working hours under paragraph 1 of this Article are considered as full working hours.

The following jobs are considered exceptionally difficult, strenuous and detrimental to human health: exceptionally difficult physical labor; work under increased atmospheric pressure or intense noise; work in water or under high humidity; work exposed to ionizing radiation; work with patients contaminated with contagious diseases or with infected materials; surgical work in operating rooms; psychiatry work; work with patients undergoing strenuous obstacles in mental development; work in forensic medicine and pathological anatomy; work with harmful chemicals; work of aviation personnel; ballet dancers; wind instrument musicians; folk dancers and opera singers.

Official approval of reduced working hours under paragraph 3 of this article is issued by the state authorities in charge of labor related issues, based on an opinion previously provided by an organization specialized in labor medicine and labor inspection.

Employees assigned to duties under paragraph 3 of this article, cannot work longer than the reduced working hours that have been determined.

Article 33

Employers may assign shorter working hours than those considered as full time, for the completion of everyday duties in smaller scope or if the disposition of the work requires it.

Employees, who have commenced employment as stipulated under paragraph 1 of this article, are entitled to employment rights and obligations, which are fulfilled in volume depending on the length of the duties and the working results, in compliance with the collective agreement.

Article 34

Employees assigned to positions with reduced working hours may commence employment with more than one employer and consequently achieve full working hours.

Employee from paragraph 1 of this Article is obliged to agree with the employer, within the contract, on working hours, taking of annual holiday and other day offs, salary payment and payment of taxes and other allowances.

Article 35

By exception, working hours may exceed 40 hours per working week, but may not surpass 10 hours per week in the following instances:

- 1) during earthquakes, floods, fires, epidemics, epizootics and other major forces or disasters which have already occurred or present a direct threat;
- 2) for helping other employers who have suffered a misfortune or are directly threatened by one;
- 3) when essential to complete an initiated working process, whose intermission, considering the disposition of the technology and organization of work, would cause considerable material damage or would present a threat to people's life or health;
- 4) to prevent squandering of raw materials or substances, or to eliminate the defects of the instruments of labor;
- 5) to replace the unexpected absence of an employee in a continual working process;
- 6) to begin or complete urgent medical (human or veterinary) intervention or other pressing health measures and
- 7) to complete urgent and pressing activities in the working process.

In cases under paragraph 1 of this article, employees are obliged to work and the filing of a complaint shall not detain the effectuation of the decision.

Working hours exceeding 40 hours in the working week can last only as long as it is necessary to eliminate risks or to prevent damaging effects.

The employer or employee appointed by the employer brings the decision for longer working hours.

Article 36

Working hours between 10:00 p.m. and 6:00 a.m. the following day, and in agriculture between 10:00 p.m. and 4:00 a.m. the following day are considered as night work.

Nightly working hours represent a specific working condition, when determining the rights of the employees.

Article 37

Working hours may be rearranged if required by the disposition of the job, i.e., tasks and duties, organization of the work, better utilization of labor, more rational use of working hours and completion of certain jobs and tasks within set terms.

In cases under paragraph 1 of this article, working hours are rearranged in such a way that the total working hours of employees on the average are not to exceed 40 hours in the working week in the course of the year.

Article 38

The schedule of the working hours, within the framework of the annual working hours, is determined by the employer's decision, in compliance with the collective agreement.

Article 39

The schedule and duration of the working hours related to professions in the field of transport and communications, retail trade, health, social and child welfare, pre-school guidance, education and other non-economic public services, public utilities, catering, tourism, small scale industries and in other fields, are determined by law or a regulation issued by the organ of the state authorities in the appropriate field.

2. Vacations and Leaves

Article 40

Employees are entitled to a 30-minute recess during the daily working hours.

Recesses during working hours are organized in a way to ensure continuity of work, should the disposition of the work be such that it does not permit intermissions or should it involve work with clients.

The recess under paragraph 1 of this article is computed into the daily working hours.

The recess under paragraph 1 of this article cannot be set at the beginning or at the end of the working hours.

Article 41

Employees are entitled to leave between two consequent working days of at least 12 hours continual work.

During seasonal work, employees are entitled to leave under paragraph 1 of this article, in duration of at least 10 hours, whilst employees under 18 years of age in duration of at least 12 hours.

Article 42

Employees are entitled to weekly leave of at least 24 hours continually, however, should they be required to work during weekly leave, the leave hours are to be compensated during the next working week.

Article 43

Employees are entitled to annual leave during the course of one calendar year of a minimum of 18 and a maximum of 26 working days.

Employees who have not accumulated one year of work in the calendar year, in which they have commenced employment, are entitled to annual leave of two working days for each month of employment, but not exceeding 18 working days.

The duration of annual leave for employees working under specific working conditions is determined by branch collective agreements, and it may not exceed 36 working days.

Employer determines the duration of annual leave taking into consideration the following: the length of working experience, the complexity of the working duties, the working conditions and the employees state of health.

Article 44

As a rule, annual leave is taken during the course of the calendar year.

Annual leave may be taken in two portions.

Should employees take annual leave in portions, the first portion must be taken continually, lasting at least 12 working days in the course of the calendar year, and the second portion also in continuity, latest by June 30 of the following year.

Annual leave, i.e., the first portion of annual leave that has been interrupted or has not been taken in the calendar year due to sickness or maternity leave, may be taken by employees latest until June 30 the following year, under condition that employees have worked at least six months in the year prior to the year in which they have returned to work.

Article 45

Employers or organs appointed by employers determine the schedule for taking annual leave, in compliance with the collective agreement.

Employees must be notified at least 30 days prior to taking annual leave, of the schedule and duration of annual leave as stipulated in the collective agreement.

Employees may take one-day annual leave as desired, with the obligation that they notify employers within the period stipulated in the collective agreement.

When determining the duration of annual leave, Saturdays are not considered as working days.

Periods during military service or completion of military service shall not be considered as suspension of work for the purpose of attaining the right to annual leave.

The commencement of new employment, within eight days from the termination date of the previous employment, shall not be considered as suspension of work for the purpose of attaining the right to annual leave.

Article 46

Employees cannot renounce the right to pay daily, weekly and annual leave, nor can they be denied this right.

Article 47

Approved sick leave, while on annual leave, is not computed in the annual leave.

Employees are required to notify employers within 24 hours when taking sick leave.

Article 48

Employees are permitted leave from work with compensated pay and other employment rights, in cases and under conditions determined in the collective agreement, in compliance with this Law.

Approval of leave under paragraph 1 of this article is given by the employer or authorized employees.

Article 49

Blood donors are permitted two subsequent days of leave for each blood donation, which are to be considered as working days.

Article 50

Employees are permitted seven days leave from work during the calendar year with compensated pay, in instances and under conditions determined by the collective agreement, particularly in cases of marriage, death of a close family member, for professional or other kinds of examinations for the requirements of the employer.

Should employees be assigned to professional training, the leave under paragraph 1 of this article may exceed seven working days.

Article 51

Employees are permitted leave without compensation of pay in instances and under conditions determined by the collective agreement, but not exceeding three months during the calendar year.

During leave without pay, employment rights and obligations are set at rest.

Article 52

Employees, who have suspended work with employers due to military service or completion of military service, are permitted within 30 days after completion of service, to return to the working position that corresponds to the qualifications of the particular profession.

Article 53

Employees assigned to work abroad in the field of international, technical or educational, cultural and scientific cooperation, in diplomatic or consular missions, on vocational training or scholarships, by approval of the employer, are permitted within 30 days from termination of employment abroad, to return to work for the employer at positions that correspond to the qualifications of the particular profession.

Employment rights and obligations shall be set at rest by the request of employees, whose spouses are assigned to work abroad in the field of international, technical or

educational, cultural and scientific cooperation, in diplomatic or consular missions, and shall be permitted within 30 days from the termination date of the spouse's employment abroad, to return to work for the employer at the position that corresponds to the qualifications of the particular profession.

During absences from work, indicated under paragraphs 1 and 2 of this Article, employment rights and obligations are set at rest, excluding the rights and obligations that are otherwise determined by law.

Article 54

Employees who are elected or appointed to state or public functions determined by law, which require temporary cessation of work with employers, are permitted within 30 days upon termination of the performed function to return to the position corresponding to the employees' qualifications.

3. Protection of Employees at Work

Article 55

Employers are required to provide the necessary conditions for protection at work in compliance with this Law, other laws and the collective agreement.

Employees acquire protection at work in compliance with the prescribed measures and standards of work protection in accordance with this Law and the collective agreement.

Employees are required to observe the measures for protection at work and to perform the duties carefully in order to protect their lives and health and those of other employees and civilians.

Article 56

Employers are required to notify employees of all the dangers at work and of the rights and obligations regarding protection at work and working conditions.

If the stipulated measures for protection at work have not been implemented, employees are permitted to refuse work, should their lives or health be under direct threat.

In cases under paragraph 3 of this article, employers are required to undertake immediate measures to eliminate direct threats to the lives and health of the employees.

Article 57

Considering the current scientific methods and achievements, employers are required to organize the working process in a manner that will ensure safety at work and protection of the civilians health, that is, to create working conditions and undertake the prescribed measures and regulations and other generally approved measures for protection at work, which ensure mental and physical health and personal safety of the employees and civilians.

4. Special Protection of Women, Juveniles and Disabled Employees

Article 58

Female employees are entitled to nine months continual leave from work during pregnancy, birth and maternity, and one year leave for birth of more than one child (twins, triplets, etc.).

Based on the findings of authorized medical institutions, female employees may begin maternity leave 45 days before delivery and compulsorily 28 days before delivery.

Female employees who have adopted a child are entitled leave until the child is nine months old and one year leave for the adoption of more children (two or more).

Female employees, who have adopted children between the age of nine months and five years, are entitled to three months leave from work.

During maternity leave under paragraphs 1 and 3 of this article, female employees are entitled to compensation of pay in compliance with the health care regulations.

Article 58-a

The female employee that uses a maternity leave may start with work even before the expiration of the term for the maternity leave.

The female employee from paragraph 1 of this Article, beside the right on salary has a right on allowance of salary for a maternity leave in the amount of 50% from the determined amount of allowance for maternity leave according to the provisions of health insurance.

Article 59

The child's father is entitled to the rights under article 58 of this Law in cases of the mother's death, abandonment or if she has been prevented to employ the above rights for justified reasons.

Child adopters are provided equal rights to those of the parents under articles 58 and 59 of this Law.

Article 60

In cases of death at birth or death of a child before the expiration of maternity leave, female employees are permitted to extend maternity leave for the period of time, which on the basis of the physicians findings, would be required for recovery from birth and the psychological state caused by child loss, for a minimum of 45 days, during which they are provided with all maternity leave rights.

During leave listed under paragraph 1 of this article and Article 58, paragraph 2 of this Law, female employees are entitled to salary compensation in compliance with the health care regulations.

Article 61

Female employees shall not work longer than the full working hours and in night shifts during pregnancy or with children under two years of age.

With the exception of the provision under paragraph 1 of this Article, female employees with children over one year of age are permitted to work in night shifts, only at their request.

Self supporting parents, whose children are under the age of seven or disabled, are permitted to work longer than the full working hours or in night shifts, solely on the basis of their written consent.

Article 62

One of the parents of handicapped children are permitted to work half of the full working hours in cases when either both parents are employed or if the parent is self supporting, based on the findings of an competent medical board and if the child is not placed in a social or medical institution.

Reduced working hours under paragraph 1 of this article are considered as full working hours, and the right to salary compensation is acquired in compliance with the social security regulations.

Article 63

Male and female employees under 18 years of age are not permitted to work that involves strenuous physical labor, underground, or underwater work or other jobs, which may be harmful or threatening to their health and lives, determined in the collective agreement.

Article 64

Employees under 18 years of age acquire annual leave according to the general rules and standards by which the length of annual leave is determined for other employees and increased by seven additional working days.

Article 65

Female employees working in industries and building construction cannot be assigned to night shifts unless a minimum seven-hour break has been provided between 10:00 p.m. and 5:00 a.m. the following day.

The prohibition under paragraph 1 of this article does not pertain to female employees granted special authorities and responsibilities or those engaged in health, social or other protection of the employees.

With the exception of the provision under paragraph 1 of this article, female employees may be assigned to night shifts when they are required continue interrupted work due to major force or when needed to prevent damages to raw materials or other substances.

Female employees may be assigned to night shifts when compelled by particularly critical economic, social and similar circumstances and under condition that employers are granted approval for initiating such endeavors.

The State authorities in charge of labor, issue the approval under paragraph 4 of this Article.

Article 66

Employees under 18 years of age cannot be assigned to work longer than the full working hours.

Shorter working hours may be determined in the collective agreement for employees under paragraph 1 of this article.

Article 67

Employees under 18 years of age employed in the fields of industry, building construction or transport, cannot be assigned to night shifts between 10:00 p.m. and 6:00 a.m. the following day.

With exceptions, when compelled by public interest, owing to exceptionally difficult circumstances, employees under 18 years of age, may be assigned to night shifts under the same conditions provided to other employees engaged in night shifts and with the approval of the organ of the state authorities in charge of labor related issues.

Article 68

Disabled employees are entitled to reduced working hours, reassignment of employment to other appropriate positions, retraining and improvement of skills, as well as the right to proper financial compensation pertaining to the utilization of those rights, in compliance with the pension and disability insurance regulations.

Employees whose working skills have been altered and those engaged in occupations where there is the threat of injury are entitled to reassignment to other appropriate positions.

In cases under paragraphs 1 and 2 of this article, employers are obliged to engage employees in positions corresponding to their qualifications, under the conditions and in the manner stipulated in the collective agreement.

5. Salaries and Benefits

Article 69

Employees are entitled to payment of salaries.

The salaries of the employees are provided from the employers resources, in proportion to the work rendered and their participation in the earnings, according to the conditions and criteria stipulated in the collective agreement.

Article 70

The salaries of employees rendering full working hours can not be less than the lowest salary which is determined for particular levels of work complexity, according to law or the respective collective agreement.

Article 70-a

Employer is obliged to pay the same salary for the same working duties and responsibilities, without sex discrimination.

Provisions from working contracts and collective agreements contrary to paragraph 1 of this Article shall be considered as rebuttable.

Article 71

Salaries are computed and paid at least once monthly.

Salaries for the current month are paid in money.

Employer together with the payment of salaries pays contributions and taxes on salaries.

Employer is obliged to keep records for calculated and paid salaries, allowances, and to issue to the employee a certificate for the paid salary and the paid allowances.

Article 72

Employees are entitled to salary compensation during leave from work, under conditions and in the amount determined by law and the collective agreement, particularly: during annual leave; holiday leave; during pregnancy, delivery and maternal care; child care; retraining and improvement of skills; vocational training arranged by the employer; military drills; defense and protection training; responses to invitations issued by organs without the employees knowledge and other cases stipulated by law and the respective collective agreement.

Salary compensations are the responsibility of employers or of the respective administration.

Article 73

Employees are entitled to compensation of salary during work interruptions caused by factors beyond the employees responsibilities such as deficiency of energy, raw materials or reproduction materials, or malfunction repairs, not exceeding 30 days, in cases when lost working hours can not be offset during free days or weekends.

The compensation amount under paragraph 1 of this article is determined in the respective collective agreement.

Article 73-a

Employee has a right on allowance on salary while is removed from work or from the employer's premises, in the amount determined with collective agreement but not less than 75% from the basic salary.

Article 74

Employees are entitled increased salary for work during holidays, night shifts and work exceeding 40 hours in the working week, at the amount determined in the collective agreement.

Article 75

Employers are obliged to keeping records of salaries, compensations and salary allowances and to issue a document to the employees for the payment of the salaries, compensations and allowances.

Evidence of salaries, compensations and allowances are kept in the working premises of the employer.

PART IV

SYNDICATES AND EMPLOYERS

Article 76

Employees are permitted to form syndicates for the purpose of fulfilling their economic and social rights resulting from employment and determined by law and the collective agreement.

Employees are free to join a syndicate.

Employees and employers are permitted, without prior approval, to form organizations and to join these organizations free of choice, under the conditions stipulated in the statute.

The organizations listed under paragraph 3 of this article, indicate all organizations of employees and employers whose main objective is improvement and protection of the employees and employers interests.

Article 77

The organizations of employees and employers enact their statute, regulations and program, elect their delegates and set the method of administration and management of their activities.

Article 78

The organizations of employees and employers cannot be discharged nor can their activities be suspended by way of administrative procedures if they are established and function according to law and other regulations.

The activities of the syndicates and their delegates cannot be restrained through acts of the employers if they are in compliance with the law and the collective agreement.

Article 79

According to law, employees are permitted to go on strike for the purpose of attaining their economic and social rights resulting from employment.

Article 80

According to this Law, syndicate delegates are individuals that have been freely elected by the syndicate, members of the syndicate or employees, in compliance with the statute and have been entered in the register of the syndical organizations.

Article 81

Syndical organizations are entered in separate registers maintained by the organ of the government administration in charge of labor related issues.

Article 82

Employers are obliged to facilitate the activities of the syndicate regarding the protection of employment rights of the employees.

In cases of formation of more than one syndicate with the employers, the obligations under paragraph 1 of this article imply solely to the predominant syndicate.

Article 83

Delegates of syndic organizations are granted special protection and are not liable to be called on nor can they be placed in unfavorable positions involving employment termination, due to syndicate membership or participation in syndicate activities which protect the employees rights and interests, should they be in compliance with the law and the collective agreement.

Syndicate delegates are granted special protection during their mandate.

PART V

COLLECTIVE AGREEMENTS

Article 84

Collective agreements regulate employment rights, obligations and responsibilities of the employees and employers, in compliance with the law and other regulations, as well as the extent and means of fulfilling the rights, obligations and other stipulations pertaining to the interests of the employees and employers and the procedures for the settlement of mutual disputes.

Article 85

Collective agreements are concluded in writing for a limited or unlimited term.

Article 86

Collective agreements cannot contain provisions that determine inferior rights or less

favorable working requirements than the rights and requirements defined by law. Should collective agreements contain such provisions, the appropriate provisions determined by law shall be implemented.

Decisions and acts, which determine the employees' rights, cannot oppose the collective agreement unless they are more beneficial to the employees.

In cases when employers perform several activities, the provisions of the collective agreement pertaining to the activity occupying most of the employees shall be implemented.

Article 87

Collective agreements are concluded on the level of the Republic, as branch agreements or with employers.

Article 88

On the level of the Republic of Macedonia, the leading syndic organization of the employees concludes a general collective agreement pertaining to employees and employers of the economy of the Republic.

On the level of the Republic of Macedonia, the Government of the Republic of Macedonia and the leading syndic organization conclude a general collective agreement pertaining to public services, public enterprises, government agencies, organs of the local self-government and other legal entities rendering non-commercial activities.

The general collective agreement from paragraphs 1 and 2 of this article shall be applied immediately and this agreement is obligatory for the organization of employees and the organization of employer that has made it and for all the employees and employer in whose name the agreement is made.

Article 89

The empowered syndic organization and the empowered organization of the employers, which are determined by the statute of the syndic organization and that of the employer's organization, conclude a branch collective agreement.

The branch collective agreement shall be applied immediately and this agreement is obligatory for the organization of employees and the organization of employer that has made it, but not for the employee and employers that are not members of those organizations that has made the agreement.

Article 90

Managing boards or other respective management bodies, which are determined by law, i.e., with the statute of the employers, i.e., between employers and syndicates, conclude collective agreements on the level of employer.

A collective agreement, on a level of employer, which is implementing immediately and is obligatory for the parties that has made it, can provide more employees' rights than the one determined with the branch collective agreement, but not less than those determined with the law.

Article 91

Collective agreements are considered as concluded after the underwriting of authorized delegates of the participants in the collective negotiations.

Article 92

General and branch collective agreements, their amendments and annexes are registered in the organ of the government administration in charge of labor related issues and are published in the Official Gazette of the Republic of Macedonia.

Collective agreements on the level of employers are comprised in the form designated in the agreement.

Article 93

Should the organ of the government administration in charge of labor related issues decide during the registration of general and branch agreements, that particular provisions of the collective agreement are not in compliance with the law or the general collective agreement, the signatories of the agreement shall be notified and the term for reconciliation shall be set.

Should the signatories of the collective agreement fail to eliminate the unresolved provisions within the set term, the official of the government administration organ will undertake legal action with the authorized court to examine the legitimacy.

Article 94

Should disputes arise during the conclusion, amendment or annexation of a collective

agreement, they shall be resolved as designated in the collective agreement.

In cases of disputes related to collective agreements, special arbitration committees shall resolve the questions at issue.

Collective agreements define the structure, the functioning process and the legal impact of the decision of the arbitration committee.

Article 95

Collective agreements cease to be valid after the designated date of expiration.

The validity of collective agreements may be extended by way of settlement of the participants, which is to be concluded 30 days latest before the expiration of the collective agreement and registered with the empowered organ designated in article 92 of this Law.

The validity of collective agreements, concluded for an unlimited period, may cease through settlement of the participants as designated in the agreement.

Article 96

Participants in collective negotiations may control the application of collective agreements in ways determined by the collective agreement.

Article 97

When determining salaries, participants in the collective negotiations are obliged to consider the defined salary policy and the basic accumulative amounts in the macro-economic policy of the appropriate year.

The Government of the Republic of Macedonia is obliged to notify participants in the collective negotiations, should the evaluations of the accumulative amounts alter, as designated in paragraph 1 of this article.

The Government of the Republic of Macedonia shall propose the passing of a law, should the participants in the collective negotiations fail to observe the defined salary policy.

The Government of the Republic of Macedonia may form a committee in charge of salaries and comprised of delegates of the syndic organizations, employers and Government members, which is to indicate to the participants in the collective negotiations the salary determining factors in accordance with the accumulative amounts in the macro-economic policy of the appropriate year.

PART VI
LIABILITIES

Article 98

Employees, who are responsible for causing damages to employers at work or pertaining to work, are obliged to compensate the damages.

Should several employees cause the damage, each employee shall be responsible for their portion of the damage.

In cases when the portion of the damage cannot be determined for each employee, all employees shall be equally responsible for the damage and shall compensate the damage in equal portions.

In cases when several employees cause damages committed as a premeditated criminal act, they shall be charged collectively.

Article 99

The managing board or the organ appointed by the board shall bring charges that are to delineate and compensate the damages.

In cases when damages cannot be estimated observing the price list of the employer, an expert committee, which is appointed by the employer or by the organ, shall determine the existence of damages, their occurrence, the extent of the damages and their cause.

Article 100

Employers or their appointed organs bring decisions for compensation of damages.

Employees may file a complaint against the decision for compensation of damages to the organ, which is designated in the collective agreement, within eight days from the issuing date of the decision.

Article 101

Employers shall bring charges to the authorized court against employees, should they fail

to compensate damages within three months from the final decision determined by the employers.

Article 102

Employers may release employees from compensation payments of damages either partially or in full, due to justified reasons and under the conditions, instances and standards determined in the employers collective agreement.

Article 103

Employers are responsible for damages induced by employees on individuals or legal entities either at work or pertaining to work.

Employers are permitted to demand compensation payments from employees that have induced damages intentionally or through extreme carelessness.

Article 104

Should employees suffer damages at work or pertaining to work, employers are obliged to compensate the damages in accordance with the general principles for damage liability.

Should employers and employees fail to reach an agreement for the compensation of damages within 15 days from the final decision, employees are entitled to demand compensation for the damages from the authorized court.

PART VII

TERMINATION OF EMPLOYMENT

Article 105

Employment shall terminate in the following instances:

- 1) through agreement;
- 2) following the expiration term of employment;

- 3) when enforced by law;
- 4) through notice and
- 5) due to economic, technological, structural or similar transformations.

1. Termination of Employment Through Agreement

Article 106

Employment may terminate following a written agreement of termination between employers and employees.

The agreement stipulated under paragraph 1 of this article is concluded between employees and the managing bodies, i.e., employers.

2. Termination of Temporary Employment

Article 107

Employment established on a temporary basis shall terminate after the expiration term of the employment.

3. Termination of Employment Enforced by Law

Article 108

Employment shall terminate through law enforcement in the following instances:

- 1) when it is determined, according to the procedure prescribed by law, that employees are no longer capable of work - on the date of issuing the effective decision that will determine the loss of working abilities;
- 2) when according to the provisions of law, i.e., on the basis of the effective decisions issued by the court or another organ, employees are prohibited to perform certain tasks and duties and can not be appointed to other positions - on the date of issuing the effective decision;
- 3) when the employees are absent from work over six months due to a confined prison

sentence - on the enforcement date of the sentence;

4) when employees are absent from work due to pronounced measures of safety, guidance or protection, lasting over six months, - on the date the measure is implemented.

5) when employees accrue 40 years of service or 65 years of age and a minimum of 15 years of service with insurance and when employers decide to terminate employment, in compliance with the stipulations determined by law and the collective agreement, and

6) when proceedings have begun regarding the discontinuation of legal entities, under conditions and in the manner determined by law.

The managing bodies or the employers bring the decision of employment termination.

4. Termination of Employment Through Notice

Article 109

Employment shall terminate through notice received from employers or given by employees, under the conditions determined by law and the collective agreement.

Article 110

Employment shall terminate through notice given by employees in the form of a written statement requesting termination of employment.

The notice term, stipulated under paragraph 1 of this article, is set for a minimum of 30 days from the date of submitting the notice request, unless otherwise resolved with the employer.

Article 111

Employment shall terminate through notice received from employers, when employees are incapable of fulfilling the working duties determined by law, the collective agreement and the employment contract, or for violating the working discipline and order.

Article 112

Employment cannot terminate through notice received from employers without

justifiable grounds concerning the employee's behavior or should the reasons not be related to the functioning needs of the employers.

Article 113

The following instances shall not be considered justifiable grounds for termination of employment through notice received from the employer:

- 1) membership in a syndicates or participation in syndic activities in compliance with the law and the collective agreement;
- 2) filing complaints or participating in proceedings against employers concerning violations of law or other regulations, or applying to government organs.
- 3) during maternity leave;
- 4) during approved sick leave;
- 5) during approved leave from work and annual leave;
- 6) during military service or military training;
- 7) during advanced training for the requirements of employers and
- 8) during other instances of discontinuance of employment determined by law.

Article 114

Employment may terminate through notice received from employers should employees be provided with working prerequisites and appropriate instructions, guidelines or written notification from employers stating their disapproval of the working performance, and should employees fail to improve their work after 30 days from the expiration date of the provided instructions, guidelines and notifications.

Article 115

Employment shall terminate through notice received from employers due to transgression of the working discipline or nonfeasance of the responsibilities determined by law, the collective agreement and the employment contract particularly for:

- 1) disobeying the rules of order and discipline prescribed by employers;

- 2) nonfeasance or dishonest and delayed performance of the working duties;
- 3) disregarding regulations pertaining to the fulfillment of the working duties;
- 4) disregarding the scheduled working hours;
- 5) failing to request leave or to notify employers promptly when taking leave;
- 6) failing to notify employers within 48 hours of absence from work due to illness or justified reasons;
- 7) deficient handling of the instruments of labor or disobeying technical working instructions;
- 8) failing to notify employers immediately of damages, defects or losses caused in the process of work;
- 9) deficient handling or not maintaining the means and equipment for protection at work and
- 10) illegal and unauthorized use of means belonging to the employer.

Law and the collective agreement may determine other transgressions of the order, discipline and responsibilities at work.

Article 116

Employers may alternate notices with fines, that are not to exceed 15% of the employees monthly salary, from one to six months, depending on the employees position, the circumstances under which the working responsibilities are violated, the employees previous position and behavior, and the extent of the damage and consequences.

Article 117

The Decision for termination for the employment must be given in writing with an explanation of the reasons for the Notice.

Article 118

The employer of employee announced by the employer brings decision for termination of employment.

Article 119
(DELETED)

Article 120
(DELETED)

Article 121

The period of notice cannot be shorter than 30 days or longer than three months, depending on the length of the years of service and the reasons for notice, in compliance with the collective agreement.

Employees are entitled to rights and obligations resulting from employment during the period of notice.

Article 121-a

The termination of the employee can be without a Notice period when braking of working order and discipline or when unfulfilling the working obligations determined with this or other law, collective agreement and working agreement, and especially if the employee:

- 1) does not appear at work 3 consequent days or 5 inconsequent days during one year without a justified reason;
- 2) abuse the sick leave;
- 3) does not respect regulations for protection from diseases, protection at work, fire, explosion, poisons and other dangerous materials and does not apply the provisions for protection of environment;
- 4) uses alcohol or narcotics
- 5) steal something or if with intent or with total ignorance makes damage to the employer;
- 6) abuses or oversteps his/her authority and
- 7) reveal a working, official or state secret.

The law or collective agreement can determine additional cases of destroying the working order and discipline as well as working obligations.

Article 121-b

As an exception of Article 121-a from this Law, the employee can be removed from work, until a decision for Notice is brought, on bases of a written request of an authorized person if:

- 1) life and safety of employees or other persons are endangered, or a big material damage can happen;
- 2) the presence at work of that employee can cause damages on the employer's work;
- 3) his/her presence obstructs the determination of the responsibility for damaging working obligations;
- 4) against him/her a criminal procedure has been raised for a criminal act performed at work or connected with the work.

Article 121-c

The objection against the termination of work or against the removal from the working place, in sense of Articles 121-a and 121-b, does not stop the decision for notice or the written order from its execution.

Article 122

During the period of notice, employers are obliged to permit employees to take leave, for 4 hours per working week, for the purpose of seeking new employment.

During the leave stipulated under paragraph 1 of this article, employees are entitled to compensation of salary in compliance with the collective agreement.

Article 123

Employees may file complaints to the managing organs, i.e., employers, against notices terminating employment.

Complaints are filed within eight days from the date of receiving the notice.

Complaint shall prolong the execution of decision for termination of employment until a final decision is reached.

Complaints are resolved within 15 days from the date of submission.

Employees may initiate court proceedings should the resolution following their complaint be unsatisfactory.

Article 124

Should the court decide, following the employees appeal, that employment has been terminated illegally, the decision terminating employment shall be revoked and employers shall be compelled to return employees to positions corresponding to their skills and insure the remaining rights and obligations resulting from employment.

5. Termination of Employment Through Notice, Due To Economic, Technological, Structural or Similar Transformations

Article 125

Employment may terminate through notice due to economic, technological, structural or similar transformations, in cases when employers plan to introduce major changes in production, programming, reorganization, structure and technology, requiring reductions in the number of employees.

In case of termination of the employment from paragraph 1 of this article, the employer has a right to determine who will be terminated, if there are less than 20 employees for termination or 20% at most from the total number of employees.

Article 126

Prior to introducing the changes listed under paragraph 125 of this Law, employers are obliged to inform employees and syndicates of the types of changes and the consequences following the discharge of employees, the number and structure of discharged employees, the measures that will be taken to prevent and alleviate the repercussions succeeding such changes and the guaranteed rights of the employees.

Article 127

Employers are obliged to notify employees of employment termination due to economic, technological, structural or similar transformations, within one month, prior to the termination, in case of an individual termination or termination of few employees, and

three months in case of termination of more than 150 employees or 5% from the total number of employees in the enterprise.

Employers are obliged to notify the office in charge of employment intercession of employees whose employment has terminated for the purpose of providing new employment.

Article 127-a

The employer may request the Bureau for employment for help and service of mediation seeking the employment, as enshrined with a law, before bringing the decision for termination of employment caused by the changes determined in Article 125 of this Law, and that is since informing the employer and the Union until bringing the decision for termination of employment of more than 50 employees.

In purpose of performing the service from paragraph 1 of this Article, and if requested by the employer, the Bureau for employment is obliged to form a special Commission represented by: Bureau for employment, Employer, Union within the employer and the Municipality Body.

Article 128 (DELETED)

Article 129

The structure of employees, whose employment shall terminate because of economic, technological, structural or similar transformations, is determined on bases of standards defined in the collective agreement on a level of employer, or branch collective agreement, if the employer has signed that kind of agreement.

Article 130

When employment terminates because of economic, technological, structural or similar transformations, than the employer is obliged to provide the employee with one of the following rights:

- 1) employment with other employer, without previous advertisement of the position, through acceptance and conclusion of employment contracts corresponding to the employees vocational training and skills;
- 2) vocational training, retraining or improvement of skills for employment with other employer;

3) single severance payment at the level of the employees monthly salary for three years and for each additional three years of service for the employer that gives the termination, not exceeding 8 monthly salaries as earned in the month prior to the date of termination of employment, payable on the date of termination.

The taxpayer may pay the single severance payment to the employee from paragraph 1 of this Article in greater amount than one determined in item 3) of this Article.

The length of service with the same employer, in connection with paragraph 1 item 3) of this Article, shall be considered and the length of service with other employer to whom the present employer, through a statutory change, has become a legal successor.

The provision from paragraph 1 item 1) of this Article shall not apply for employments in Stock Companies, Sole Proprietors, State bodies, Public Enterprises, Public Institutions, Municipalities and the City of Skopje, Funds, Agencies, and other legal persons established by Law.

The contract for work contrary from paragraph 1 item 1) and paragraph 4 of this Article shall be considered as rebuttable.

Article 131

Utilized severance pay rights are to be recorded in the employment booklets by employers.

Employees, who have utilized severance pay rights, are obliged to enlist in the office in charge of employment intercession.

Article 132

Employees who have acquired the right to severance pay are entitled to pecuniary compensations and all other rights resulting from unemployment.

Article 133

Employees, whose employment has terminated, are given priority of employment with employers, should they seek employees with corresponding skills within a period of two years.

PART VIII

PROTECTION OF THE RIGHTS OF EMPLOYEES

Article 134

During the fulfillment of particular employment rights, employees are entitled to request protection from employers, before the authorized court, the syndicate, the inspectorate and other organs in compliance with the law.

Article 135

Employees are entitled to lodge claims for the fulfillment of their employment rights and to file appeals against decisions concerning their rights, liabilities and obligations.

Employees shall submit claims and appeals to the organ determined in the collective agreement, within 15 days from the issuing date of the decision violating their rights or from the perceived date of the violation of rights.

The lodging of claims or objections, stipulated under paragraph 1 of this article, restrains the enforcement of decisions until the employer's final decision, except in cases determined by law.

Article 136

The authorized court is obliged to bring a decision within 15 days from the submission date of the claims or appeals.

Article 137

The administrative organ, prior to bringing the decision pertaining to the claim or appeal submitted by employees, is obliged to seek the opinion of the employees syndicate, and to further examine and explicate the opinion of the syndicate should it be provided.

Syndicates may participate in the proceedings before the administrative organ, that are to resolve the claim or appeal submitted by employees, and at the employees request or approval, act on their behalf for the purpose of fulfilling their rights.

Article 138

Employees, who are discontent with the final decision brought by the administrative organ, or should the mentioned organ fail to bring a decision within 15 days from the submission date of the claim or appeal, may request protection of their rights before the authorized court within the subsequent 15 days period.

Employees cannot seek protection of their rights before the authorized court prior to requesting protection of their rights before the administrative organ of the employer, excluding the right to pecuniary claims.

In the procedure for protection of employees' rights in case of termination of the employment because of economic, technological, structural or similar transformations, the authorized Court shall only evaluate if the employment was terminated by the conditions determined with the law, collective agreement and the working agreement and shall not evaluate the need and justification of termination of the employment because of the circumstances.

Employers are obliged, without delay, to enforce the court decision for protection of the employees rights effected during the proceedings or latest within eight days from the date of submission, unless the court appoints another term.

PART IX

SUPERVISION AND INSPECTION IN THE FIELD OF EMPLOYMENT

Article 139

The organ of the government administration in charge of labor inspection, supervises the implementation of laws and other regulations pertaining to labor relations and employment as well as collective agreements, other acts and employment contracts, that regulate the employers' and employees' rights, liabilities and obligations of the employment.

Labor inspectors conduct matters concerning the supervision of labor.

Article 140

Employees are entitled to appeal to labor inspectors for the purpose of fulfilling their employment rights.

Labor inspectors are obliged to act on behalf of the employees appeals, to notify them of the determined conditions and give advise of how to protect their rights.

Article 141

When the labor inspector discovers violation of law, other regulation, collective agreement, employment contract, or other act, whose implementation he is authorised to supervise in sense of employment, allocation, working hours, holidays and vacancies, working ID, salary and allowances and termination of employment, he shall bring an Order to the employer to bring or rebut an act in order to eliminate the determined irregularities and deficiencies.

The employer is obliged to inform the labor inspector for the overtaken activity based on the Order.

Article 142

Should labor inspectors determine that the rights of the employees have been violated with the final decision of the administrative organ, and that employees have not initiated a labor dispute before the authorized court, the labor inspectors shall bring a decision deferring the enforcement of the final decision until the verdict becomes effective.

The employee from paragraph 1 of this Article may submit the request to the authorised body within 60 days from the day of starting the labor dispute before the authorised Court.

Article 143

Labor inspectors shall prohibit work on the employers working premises by way of decision in the following instances:

- 1) should they come across individuals who have not commenced employment in compliance with the law and the collective agreement and
- 2) for non-payment of contributions - if employees do not receive health, pension and disability insurance on the basis of employment.

The prohibition of work, stipulated under paragraph 1 of this article shall last until the total removal of the determined irregularities and deficiencies.

If the employer repeats the same irregularities and deficiencies from paragraph 1 of this article, than the prohibition for work shall last 60 days from the day of submission of the Decision.

Article 144

Complaints may be lodged to the official of the government administration organ in charge of labor related issues against the decision of the labor inspector under Articles

142 and 143 of this Law, within a period of eight days from the receipt of the decision.

The appeal shall not postpone the execution of the Decision.

PART X

PENALTY CLAUSES

Article 145

Employers shall be fined for violations with penalties in the amount between 50.000 to 250.000 denars in the following instances:

- 1) for hiring employees that do not fulfill the general and specific working requirements (article 7);
- 2) if agreements of employment have not been concluded between employers and employees; if agreements are not composed in writing after the final selection and if they have not been verified by the office in charge of employment intercession and has not been submitted to the employee; if agreements of employment are not kept on the working premises of employers (article 14);
- 3) if employees commence employment prior to concluding and verifying agreements of employment (article 15 paragraph 1);
- 4) if employees are ordered to work longer than the working hours determined by law (articles 30, 32 paragraph 5 and 35 paragraph 1);
- 5) for failing to observe the regulations pertaining to the schedule and duration of the working hours in the fields and professions under this Law (article 39);
- 6) for failing to provide: recess during the daily working hours, leave between two consequent working days, weekend leave and annual leave in compliance with this Law (articles 40, 41, 42 and 43);
- 7) for depriving employees the right to return to work after discontinuation, due to military service or completion of military service, when employees and their spouses have been assigned to work abroad or when employees are elected or appointed to state or public functions (articles 52 53 and 54);
- 8) for failing to protect employees at work and protecting the health of civilians in compliance with the provisions of this Law and other regulations (articles 55, 6 and 57);
- 9) for failing to provide special protection of male and female employees under 18 years of age (articles 58 and 67);

10) for failing to reassign disabled employees are reduced working to other appropriate positions (article 68);

11) for failing to pay salaries and salary compensations to employees in compliance with the provisions of this Law and the collective agreement (articles 69-74);

12) for not facilitating the activities of the syndicate (article 82) and

13) for bringing a decision that will terminate employment through notice contrary to the provisions of this Law (articles 109-133).

Responsible employees, appointed by employers, shall be fined for violations stipulated under paragraph 1 of this article with penalties in the amount between 10.000 to 50.000 denars.

Article 145-a

The person working for the employer that has statute of a responsible person shall be punished for a criminal act with imprisonment from 1 to 5 years if does not calculate and pay the allowances from salaries.

Article 146

Employers shall be fined with penalties in the amount between 30.000 and 200.000 denars for the following violations:

- 1) if the need for employees is satisfied differently from this law (article 9);
- 2) does not announce a public announcement in the daily newspapers (article 9-a);
- 3) if the application for the need of employees does not consist the working place, required conditions, capability test, the term of the public announcement, the term for choosing (article 9-b)
- 4) if employment booklets are not kept on the employers working premises during the course of employment, if the date of employment termination is not entered in the employment booklet, and if employment booklets are not returned to employees within three days following termination (article 20);
- 5) if the part time employment is not in accordance with the Law (Article 23), and if the work at home is not in accordance with Articles 24-a and 24-b;
- 6) if employees are assigned to positions contrary to the provisions of this Law (articles 27-29);

- 7) if approved sick leave is computed as part of annual leave (article 47 paragraph 1);
- 8) if the employees salaries, compensations and salary allowances are not kept on record and if evidence of salaries, compensations and allowances are not kept on the employers working premises (article 75);
- 9) for not enforcing the court decision within the set period for the protection of the employment rights of the employees effected during the proceedings (article 138 paragraph 3) and
- 10) for failing to enforce decisions or not eliminating the determined deficiencies (article 141, article 142 and 143).

Responsible employees, appointed by employers, shall be fined for violations stipulated under paragraph 1 of this article with penalties in the amount between 10.000 and 50.000 denars.

PART XI

TRANSITIONAL AND CONCLUDING PROVISIONS

Article 147

Collective agreements are concluded or coordinated within a period of three months from the date this Law comes into force.

Article 148

The Labor Relations Law (Official Gazette of the SRM No. 20/90, 27/90, 10/91 and Official Gazette of the Republic of Macedonia No. 18/92 and 12/93) and the Law on Basic Rights of Employment (Official Gazette of the SFRJ No. 60/89 and 42/90) shall no longer be valid on the date this Law enters into force.

Article 149

This Law shall enter into force on the eighth day from the date of publication in the Official Gazette of the Republic of Macedonia.