

# EMPLOYEES' AWARENESS ON THEIR RIGHTS AND REGISTRATION IN UNIONS

SYRI I VIZIONIT  
MAY, 2016

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## **EXECUTIVE SUMMARY**

In the framework of “Active Citizenship” project, financially supported by the Olof Palme International Centre and SIDA, the nongovernmental organisation Syri i Vizionit has carried out a research in the Municipality of Pejë in relation to employees’ awareness on their rights at work, or as employees in the public or private sector, as well as their registration in unions.

The aim of this research was to identify employees’ knowledge about their rights at their workplace as per the Law on Labour, and the knowledge they have regarding the existence and implementation of this Law by their employers in both sectors – private and public, different sectors which are regulated by the Law on Labour, work schedule, health insurance, the right to annual leave, contracts and other relevant issues regulated by the Law on Labour No. 03/L-212.

The research also brought out employees’ knowledge regarding the work and mission of labour unions, the role of these unions in defending the rights of employees, working conditions at the workplace, as well as the trust that employees have in these unions to become their members.

A total number of 215 respondents, who are employed in private and public sector, of both genders –males and females between the age of 18 and 65, as also stipulated by the Law on Labour, have been involved in this research.

Based on the research results, over 80% of respondents in the private sector and 90% in the public sector are aware of existence of the Law on Labour. Regardless of a big number of responses which claim they are aware of the Law on Labour, their consequent responses nevertheless demonstrate that they do not know its content, or they do not seek their rights based on this law; therefore, the responses in this case should be understood as knowledge they have for existence of such a Law, but not necessarily they know its content or the rights it guarantees to them.

As far as equal treatment in their workplace is concerned, respondents from both sectors, or over 61% of them, highlight that they have equal and non-discriminatory treatment, while the other part says there are discrimination cases and there is no distinction in this regard in the public sector from the private one.

Regarding the question related to employees’ registration in unions, among the respondents employed in the private sector it is notable that they are not much aware of the mission of unions as 75% of them have not registered in unions, while 18% of them are registered, and the remaining part, around 7%, did not want to respond. On the other hand, in the public sector the employees have more knowledge and trust in unions and 74% of the interviewed people state they are registered in unions, while 25% are not registered, whereas the remaining part, around 1%, did not want to respond.

As far as Government's support in respect of employees' rights at their workplace is concerned, 55% of respondents in the public sector state that Government respects their rights to a certain degree, 14% state that Government protects their rights in the most frequent cases, while the remaining part, or 24%, state that Government respects very little or not at all their rights as employees.

Meanwhile, in the private sector, 36% of respondents state that Government supports respect of their rights at their workplace, whereas 35% say that Government does not protect their rights at all. A very little number of them said there are cases when the Government supports employees' rights, while 3% of the respondents did not want to respond at all.

As a conclusion, the research implies that there is more need in the private sector to raise employees' awareness on the role and importance of unions, not excluding the need for information of employees in the public sector, although at a small degree. At the same time, Government and relevant institutions should take serious steps to ensure implementation of the Law on Labour, in the private sector in particular, to make sure that employees in this sector enjoy rights at their workplaces as stipulated by law.

## METHODOLOGY

To carry out this research, SiV has initially analysed the Law on Labour No. 03/L-212, other bylaws deriving from this Law on Labour, as well as other laws and bylaws dealing with the establishment, role and responsibilities of labour unions.

After analysing the bylaws in these two sectors it was decided about the research methodology, determination of the number of respondents and geographic area that the research will cover. A total number of 215 respondents were involved in the research, a roughly similar number from the private sector and that much from the public sector, namely 110 employed people in the private sector and 105 in the public sector. The research also followed a gender quota of respondents, with a roughly equal percentage, as 109 of the respondents were women (out of which 53 were employed in the public sector and 56 in the private sector) and 107 men (out of which 52 in the public sector and 54 in the private sector). The research interviewed respondents between the ages of 18-65 old.

After setting these samples, the questionnaire was drafted, which contains 20 questions with different forms of answering, some responses with the types of yes or no questions, some with options to select the response, while in another part they were given the opportunity to provide additional information in their response. The research was anonymous and citizens were not asked their personal data, or their workplace, except the question if they were employed in the private or public sector. Not to influence on the results, questionnaires were disseminated and the interviewing was done by Syri i Vizionit volunteers, young people who are not permanently engaged in the Organisation. Prior to administration of the questionnaire, volunteers identified public institutions of research in the municipality of Pejë such as the municipal administration, health, education, courts and prosecution, Post and Telecommunications of Kosovo, Kosovo Tax Administration, etc. Whereas, big, medium and small enterprises, physical safety companies, construction companies, banks and so on were selected in the private sector.

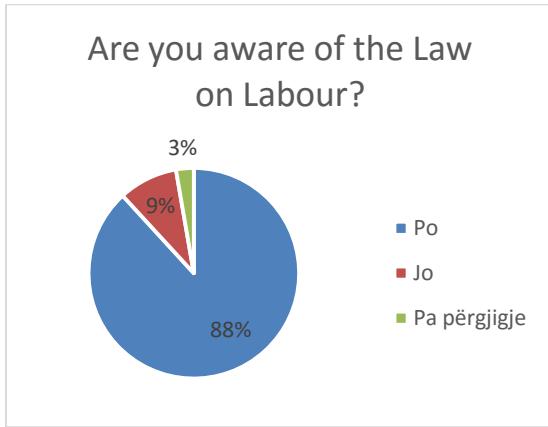
The research was carried out in the municipality of Pejë, however, respondents working in the public and private sector in the rural areas/villages were also involved and not only in towns.

## FINDINGS

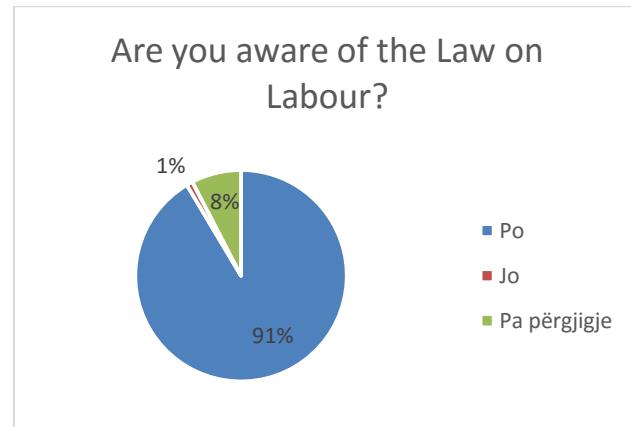
The first question addressed was related to knowledge of the Law on Labour. To the question: Are you aware of Law on Labour, 88% of the respondents from the private sector in absolute majority responded positively, only 9% are not aware of the Law, while 3% did not have any response. See Fig. 1.

On the other hand, from the public sector, 91% of the respondents said they were aware of the Law on Labour and 8% did not respond at all. See Fig.2.

Private sector Fig.1



Public sector Fig.2



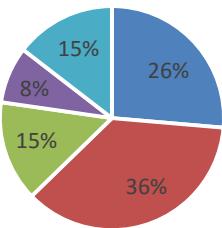
Regardless of a big number of responses which claim they are aware of the Law on Labour, their consequent responses nevertheless demonstrate that they do not know its content, or they do not seek their rights based on this law; therefore, the responses in this case should be understood as knowledge they have for existence of such a Law, but not necessarily they know its content or the rights it guarantees to them.

To the following question: If you are aware of the Law, how did you learn about it? 36% stated that their employer gave them the copy of Law to read over, 26% stated they found the Law on Internet, 15% stated they heard it exists, 8% gave different explanations or said they were informed in other forms, and 15% had no response. See Fig.3.

As far as the public sector is concerned, they responded to this question with 36% of those that found it on Internet, 45% stated that their employer gave them a copy of the Law, 11% stated they only heard it exists, 4% gave explanations and e 4% had no response. See Fig.4.

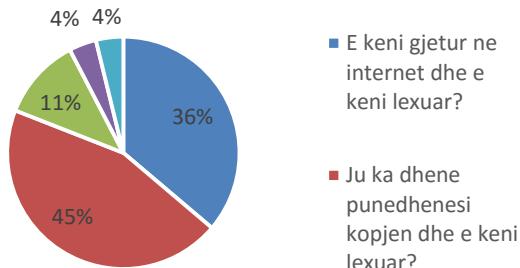
Private sector Fig.3

If you are aware of the Law,  
how did you learn about it:



Public sector Fig.4

If you are aware of the Law,  
how did you learn about it:

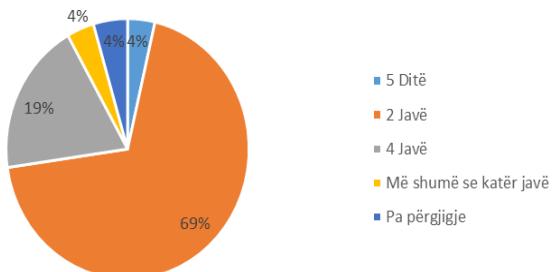


To the question: Are you entitled to annual leave? If so, how many annual leave days do you take? Employees of the private sector have stated that 69% of them take two-week leave, 19% of the respondents stated they use the four-week leave, while only 4% take more than four-week annual leave, same 4% other ones who take only 5-days as annual leave and 4% had no response. See Fig.5.

Whereas, in the public sector to the same question: If they are entitled to annual leave and how many annual leave days do they take? They state that 14% use the two-week leave, 66% take the four-week leave a year, 15 % more than four weeks, 4% of public sector respondents did not respond to this question and 1% only take five-day leave. See Fig. 6.

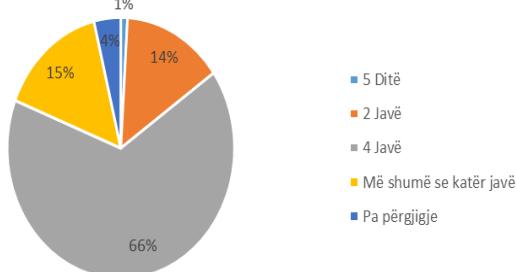
Private sector Fig.5

A ju njihet e drejta për pushim vjetor? Nese po,  
sa dite pushim vjetor marrni?



Public sector Fig.6

A ju njihet e drejta për pushim vjetor? Nese po,  
sa dite pushim vjetor marrni?

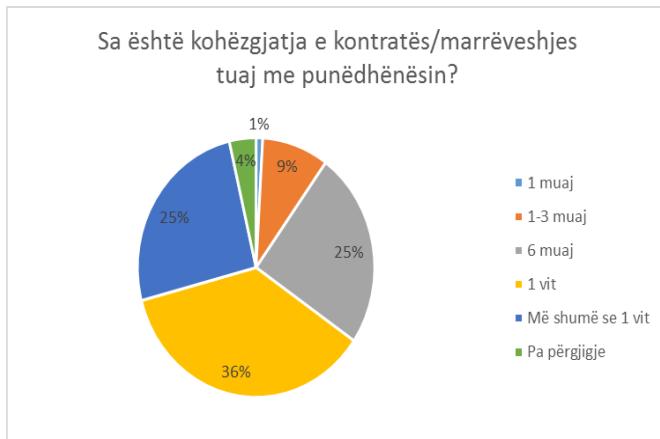


To the other question: What is the timeframe of your contract/agreement with the employer? Employees interviewed in the private sector stated one-month contract with 1%, 9% one to three months, 25% of the employees in the private sector have six-month contracts, 36% are on one-

year contracts, 25% have contract for more than a year and 4% of the respondents did not respond to this question. See Fig.7.

The question on work contracts in the public sector gives us completely different results compared to the private sector, and they are as in the following: 3% of the respondents state they have six-month contract, 9% are on one-year contracts, while the vast majority of respondents on the public sector have contracts or work agreements which are longer than a year, 1% did not respond regarding their work contract, 0% goes for one-month contracts and 0% also for those with one to three months contracts. See Fig.8.

Private sector Fig.7



Public sector Fig. 8

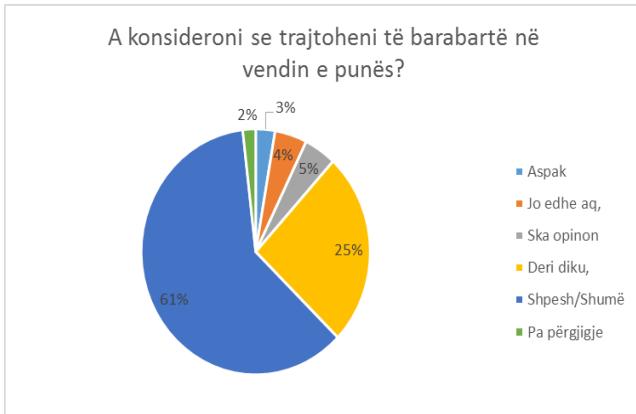


To the following question: Do you consider that you are equally treated at the workplace?

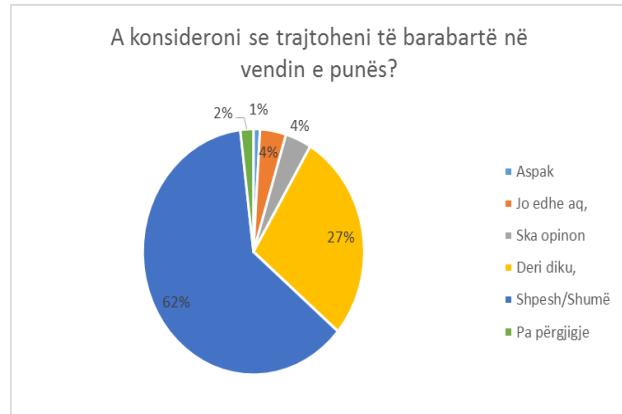
Private sector states that 3% as not equal at all, 4% conclude that they are not all that equal, 5% have no opinion, 25% consider they are equal to a certain degree, the greatest part of the respondents consider they are very often treated as equal and only 2% did not respond to this question. See Fig. 9.

Whereas, to the same question: Do you consider that you are equally treated at the workplace? Public sector respondents consider they do not feel equal at all, 4% not all that equal, 4% of the other part of respondents do not have an opinion regarding this question, 27% consider they are treated equal to a certain degree, while the greatest part, 62%, consider they are treated equally. See Fig.10.

Private sector Fig. 9



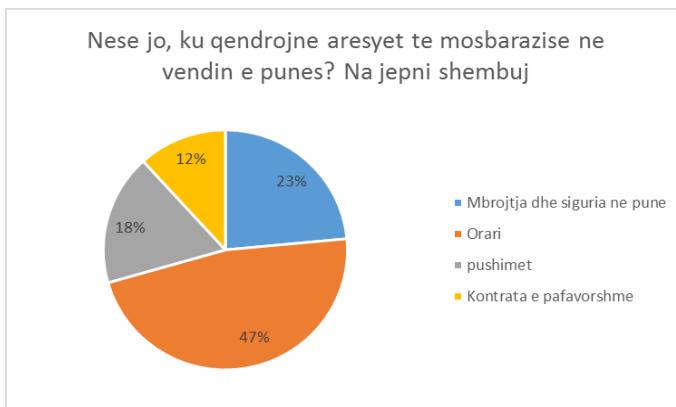
Public sector Fig. 10



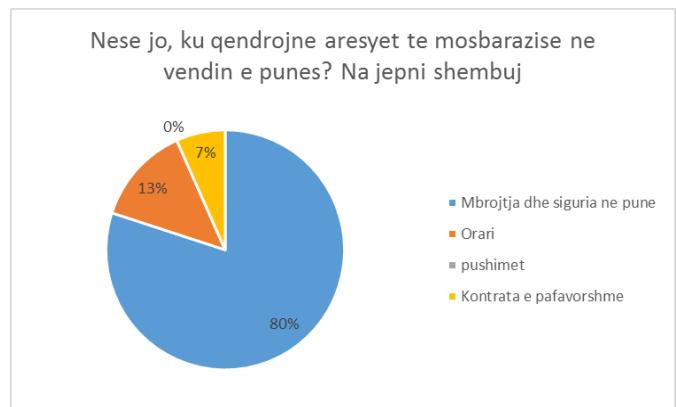
To the question: What are the reasons behind equality at the workplace? It turns out that at 23% there is no protection and safety at work, according to respondents in the private sector the greatest part of 47% is comprised by inequality at the work schedule, 18% consider inequality in leaves and 12% believe that contracts are not valid. See Fig.11.

To the question: What are the reasons behind equality at the workplace? At the public sector it turns out differently compared to the private sector and it results with 80% of respondents stating inequality in protection and safety at work, 13% state the work schedule as a reason behind inequality at the workplace, and 7% believe that contracts are not valid See Fig. 12.

Private sector Fig.11



Public sector Fig.12



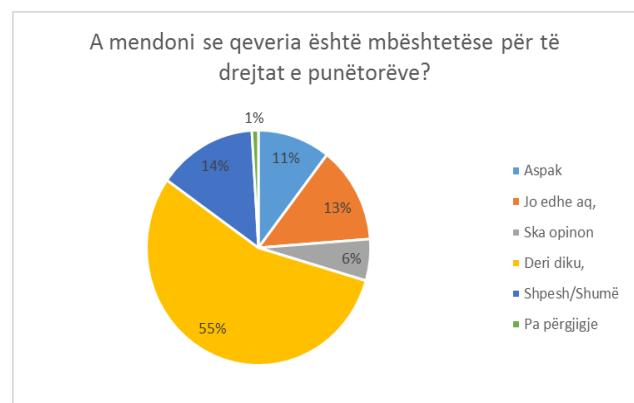
To the question: Do you think that Government is supportive to employees' rights? Respondents of the private sector respond with 35% that they do not think they are supported by the Government, 16% not all that much, 5% do not have an opinion, 36% consider that Government supports them to a certain degree, 5% think Government supports them very often and 3% did not respond to this question. See Fig.13.

On the other hand, to same question, 11% respondents of the public sector say they think they are not supported by the Government at all, 13% not all that much, 6% do not have an opinion, 55%, namely the greatest part of responses at this point, believe they are supported by the Government to a certain degree, 14% consider they are very often supported by the Government, and 1% do not respond at all. See Fig.14.

Private sector Fig .13



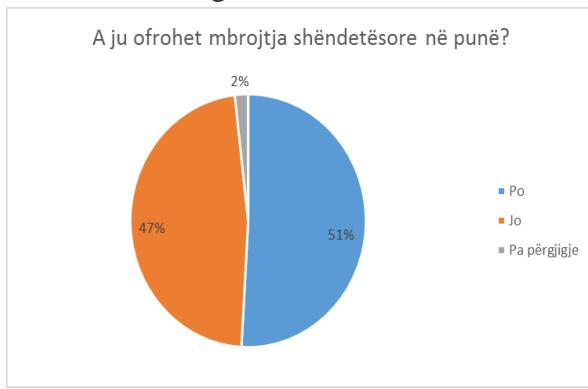
Public sector Fig.14



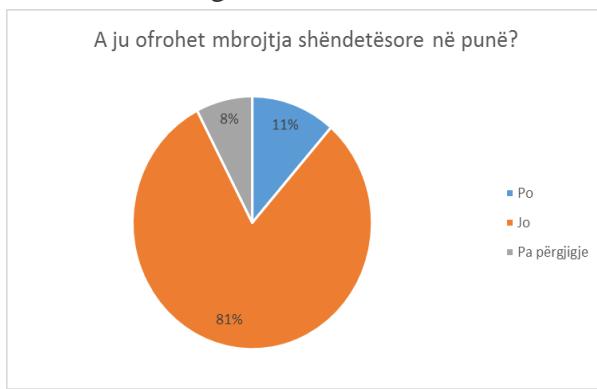
Are you provided health protection at work? 51% of the private sector respondent state yes, 47% state no and 2% do not respond. See Fig.15.

On the other hand, 11% of employees of the public sector respond with yes to the question: Are you provided health protection at work? The greatest part, 81%, with no, and 8% do not give a response. See Fig.16.

Private sector Fig.15



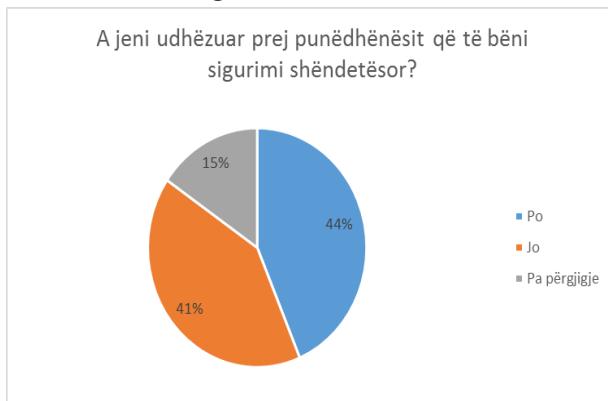
Public sector Fig.16



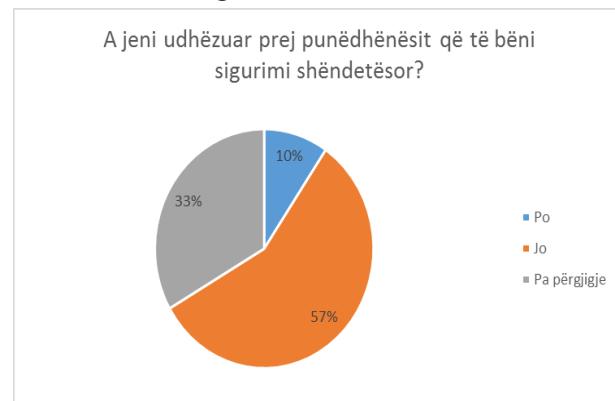
To the question: Have you been instructed by your employer to make health insurance? In the private sector it turns out that 44% have stated yes, while 41% with no to the question if they were instructed by their employer and 15% did not respond to this question. See Fig.17.

Whereas, respondents in the public sector responded with yes at 10%, no at 57% and 33% that did not respond to this question. See Fig.18.

Private sector Fig.17



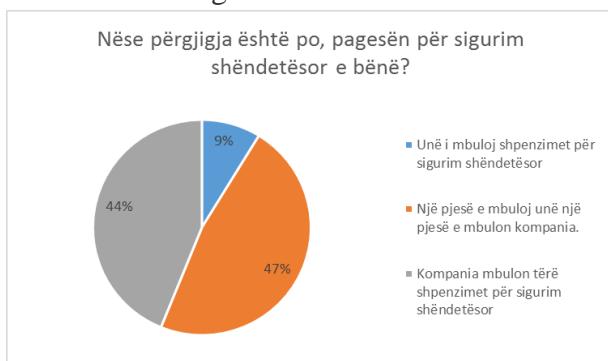
Public sector Fig.18



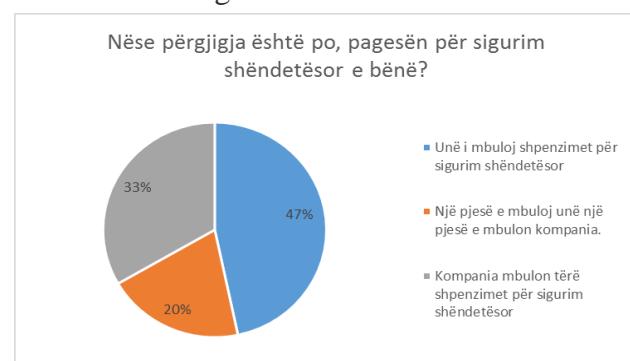
Who makes the payment of health insurance? 9% of the private sector employees state they cover their health insurance and a part from the employer, while the other part composed of 44% state that company covers all the health insurance costs. See Fig.19.

Whereas in the public sector 47% cover insurance costs on their own, 20% of respondents say they pay a part of on their own and a part from the company, while 33% state that the company covers health insurance costs. See Fig.20.

Private sector Fig.19



Public sector Fig. 20

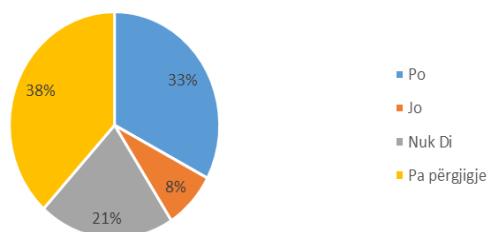


To the following question: In the contract signed with the company, is there any Article where the health insurance is described? 33% of public sector respondents state yes, 8% state no, 21% do not know and 38% did not respond. See Fig.21.

To the same question, 4% of the public sector respondents stated yes, 23% no, 10% of them do not know if there is an Article in the contract describing the health insurance and 63%, which is the majority part, did not respond to this question. See Fig.22

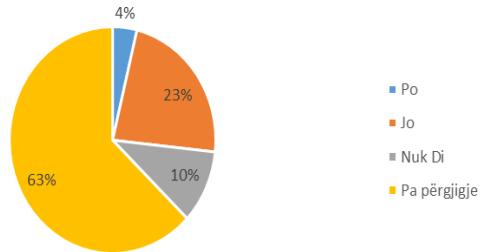
Private sector Fig. 21

Ne kontratën e nënshkruar me kompaninë a ka ndonjë nen ne të cilën përshkruhet sigurimi shëndetësor



Public sector Fig.22

Ne kontratën e nënshkruar me kompaninë a ka ndonjë nen ne të cilën përshkruhet sigurimi shëndetësor

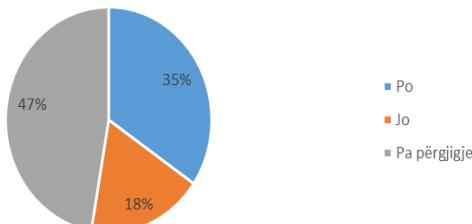


To the question: In case of sickness, did you request compensation from the health insurance company for the expenses? 35% of private sector respondents stated yes, 18% no and the greatest remaining part, 47%, did not respond to this question. See Fig.23.

On the other hand, 8% of public sector respondents results to have replied with yes, 24% with no and the greatest part of respondents did not respond to this question. See Fig. 24.

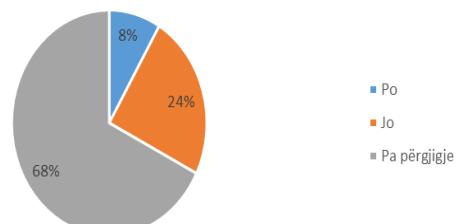
Private sector Fig. 23

Në rast të sëmundjes a keni kërkuar kompensimin nga kompania e sigurimeve shëndetësore për shpenzimet



Public sector Fig. 24

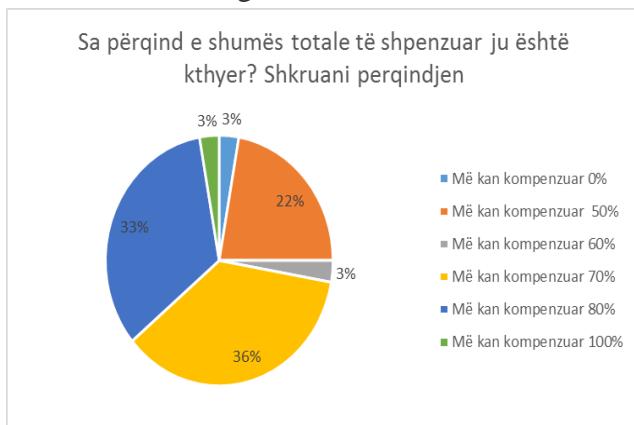
Në rast të sëmundjes a keni kërkuar kompensimin nga kompania e sigurimeve shëndetësore për shpenzimet



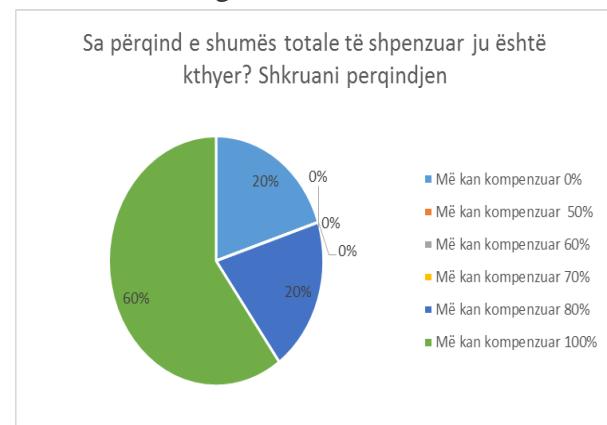
To the question: What is the percentage of the total amount that has been reimbursed to you? Write down the percentage. 3% of private sector respondents declared 0% compensation, 22% admit that 50% of the amount spent has been compensated to them by the insurance companies, 3% state that they got 60% compensation from health insurance, 36% get compensated with 70%, while 33% stated that they got compensated with 80% of the amount spent, and the remaining 3% gets compensated by the health insurance companies with 100% of the amount spent. See Fig. 25.

Regarding this question, 20% of public sector respondents declared 0% compensation from health insurance companies, another 20% of them also state that they got 50% compensation from the spent amount and 60% of respondents in the public sector get 100% compensation from health insurance companies for their expenses. See Fig. 26.

Private sector Fig.25



Public sector Fig.26



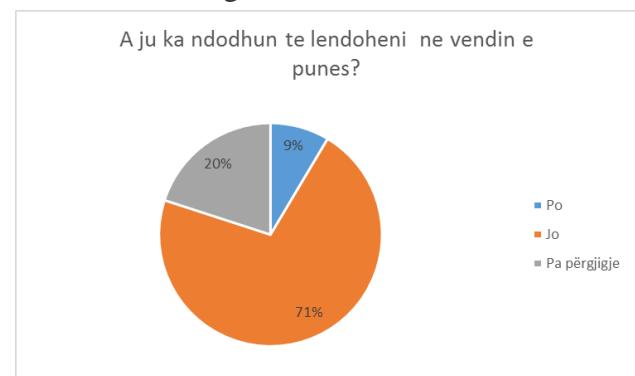
To the question: Did it happen to you to get injured in your workplace? 8% of the private sector respondents stated they were injured in their workplace, while the biggest number of respondents, 84%, responded with no, as well as the remaining 8% did not respond. See Fig.27.

9% of the public sector respondents replied with yes in regards to injuries at the workplace, which is almost similar with the private sector, whereas 71% stated that they were not injured at their workplace, which turns out to be a lower percentage compared to the private sector, while the remaining part of 20% did not respond to this questions is also bigger than in the private sector. See Fig. 28.

Private sector Fig. 27



Public sector Fig. 28



Have you been provided assurances of compensation of costs? 53% of employees in the private sector state yes and 47% respond with no. See Fig. 29.

To the same question, public sector employees respond with a huge difference which results to be 9% with yes and the other part of 91% respond with no. See Fig.30.

Private sector Fig.29



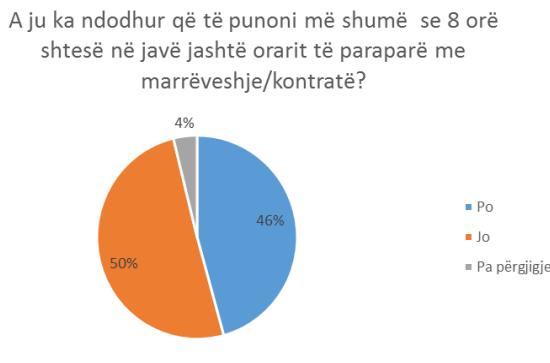
Public sector Fig.30



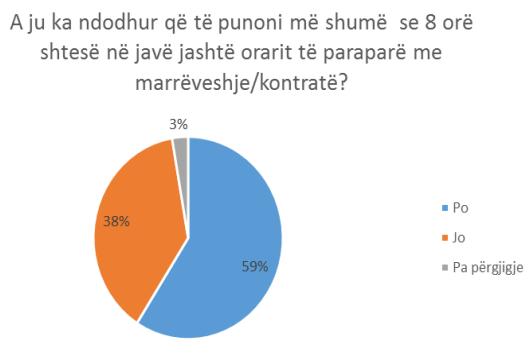
To the question: Did it happen to you to work more than 8 additional hours a week out of the planned schedule by the agreement/contract? Over half, namely 59% of the respondents in private sector said they work more than planned in their agreement with the employer, while 38% respond with no and 3% do not respond at all. See Fig.31.

46% of respondents in the public sector respond with yes to the question if they work out of their schedule planned with the contract and 50% respond with no, so they do not exceed the work norm that they have in the agreement with the employer, and 4% did not respond. See Fig. 32.

Private sector Fig. 31



Public sector Fig. 32



To the question: Has the work schedule been announced at a visible place at your workplace? The greatest part, 74% of the private sector employees, respond with yes, while 24 % respond with no and 2% do not respond. See Fig.33.

To the same question: Has the work schedule been announced at a visible place at your workplace? A great number of respondents of the public sector, 91%, stated yes, 8% stated no and 1% did not respond. See Fig. 34.

Private sector Fig.33



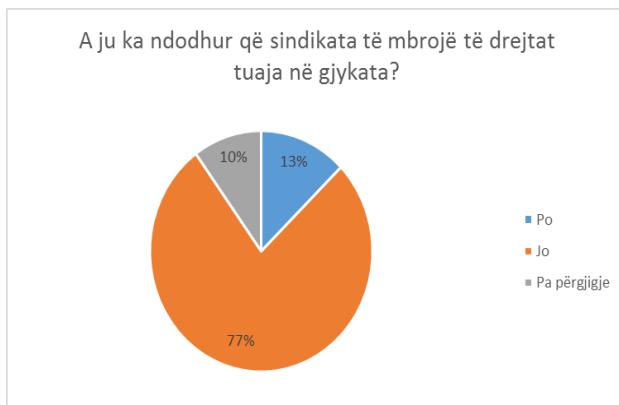
Public sector Fig.34



Question: Did it happen that unions defended your rights in courts? Only 13% of the private sector responded with yes, 77% responded with no and 10% of those that did not respond to this question. See Fig. 35.

On the other hand, to the same question, 11% of the public sector employees say yes to the same question, 86% responded with no and 3% did not respond. See Fig.36.

Private sector Fig.35



Public sector Fig.36



To the question: Are you aware of any case when unions have defended employees' rights? 48% of the private sector employees responded with yes, while 45% with no and 7% of them did not respond. See Fig.37.

When it comes to unions defending the rights of private sector employees then it results to be 74% of those who stated yes, 25% yes and only 1% did not respond. See Fig.38.

Private sector Fig.37



Public sector Fig.38



The next question: Are you registered in a union? It turned out that 18% of private sector respondents stated yes, while the greatest part of them, 75%, responded with no and 7% did not respond at all. See Fig.39.

Whereas, it turns out to be the opposite in the public sector where 74% of respondents stated yes, 25% with no and 1% did not respond. See Fig.40.

Private sector Fig.39



Public sector Fig .40



## **RECOMMENDATIONS:**

- Citizens, the employed persons in particular, need to have greater knowledge in relation to Law on Labour, the rights, responsibilities and obligations stipulated with this Law toward the employer and the employee;
- Labour Inspectorate should inspect private companies more, including public enterprises or institution, because employees have complained that they are often discriminated at their work schedule, as they also work out of their working schedule without any additional compensation, a rather more present phenomenon in the private sector, in certain cases in the public sector, too;
- Government of Kosovo, namely Ministry of Labour and Social Welfare, must oblige all businesses and institutions in the public and private sector to the adequate materials and tools for work which increases health and life safety of employees at their workplaces, because this has been a concern which has been raised by employees in the public and private sector;
- Ministry of Labour and Social Welfare and the Labour Inspectorate should inspect the private sector more in relation to drafting and implementation of contracts they sign with employees, because employees are particularly discriminated regarding the daily, weekly and annual leave. A similar concern is also present in the public sector, although at a lower percentage;
- Government of Kosovo should develop awareness policies that guarantee protection of employees and increases their trust, and engage every day on protection of their rights at work;
- Government, respectively Ministry of Health, in cooperation with the municipal health directorates should do more in order for the employers in the public and private sector to guarantee provision of health services in case of injury or intoxication at the workplace, including the healing costs and indemnity;
- Labour unions should visit different businesses to discuss with employees, thus to increase employees' trust in Unions as institutions that defend employees' rights, not only at their workplace, but also in Courts, if need be;
- Unions should carry out an awareness campaign on the procedures and importance of employees' registration or membership in Unions, in particular those of private sector;
- Unions should undertake different activities to impact on employers' awareness on the rights that employees should enjoy at their workplaces, both in the private and public sector;
- Unions should develop plans to increase employees' awareness and trust on unions, in some of the smaller unions in particular. They should increase their membership and the trust that unions can help in solution of their problems and increasing awareness on employees' welfare;

- Inter-unionist cooperation should be increased between bigger and smaller unions to help their strengthening with experiences and collaborations they have

## **ANNEX:**

### **Questions:**

1. Are you aware of the Law on Labour?
2. If you are aware of the Law, how did you learn about it:
  - You found it on internet and read it over?
  - Your employer gave you the copy and you read it?
  - You heard it exists?
  - Give explanations
3. Are you entitled to annual leave? If so, how many annual leave days do you take?
4. What is the timeframe of your contract/agreement with the employer?
5. Do you consider that you are equally treated at the workplace?
6. If not, what are the reasons behind equality at the workplace? Give examples.
7. Do you think that the state is supportive to your employee rights?
8. Are you provided health protection at work?
9. Have you been instructed by your employer to make health insurance?
10. In case the answer is yes, who makes the payment of health insurance?
11. In the contract signed with the company, is there any Article where the health insurance is described?
12. In case of sickness, did you request compensation from the health insurance company for the expenses?
13. What is the percentage of the total amount that has been reimbursed to you? Write the percentage down.
14. Did it happen to you to get injured in your workplace?
15. If so, have you been provided assurances for compensation of costs?
16. Did it happen to you to work more than 8 additional hours a week out of the planned schedule by the agreement/contract?
17. Has the work schedule been announced at a visible place at your workplace?
18. Did it happen that unions defended your rights in courts?

19. Are you aware of that unions defend their members from employers in courts?
20. Are you registered in a union?



Syri i Vizionit



This publication is part of the "Active Citizenship" project implemented by Syri i Vizionit from Pejë, funded by the Olof Palme International Centre, and supported by the Swedish Government. All contents of this publication represent the views of the authors, and not necessarily the views of Olof Palme International Centre.