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KEY LABOR LAW ASPECTS OF WORK-RELATED STRESS**

ABSTRACT: In the paper, the author addresses significant labor law aspects of work-related stress, categorized as a type of psychosocial risk. This risk is defined as a biopsychological reaction of employees to continuous exposure to pressure, unreasonably demanding or extensive tasks, or other work-related efforts. The primary research problem involves identifying the various causes and consequences of work-related stress and the implications of failing to recognize this psychosocial risk on employee health. Although work-related stress is neither directly regulated by domestic legal provisions nor classified as an illness, it can significantly harm employees' health in multiple ways. The paper examines the concept of work-related stress, its causes, consequences, and possible legal and other preventive measures. It also highlights positive examples from other legal systems regarding prevention and protection from work-related stress. The study identifies shortcomings in the domestic legal system and presents *de lege ferenda* proposals of importance for future amendments to existing regulations and practices. The research aims to confirm the hypothesis that work-related stress remains unrecognized and unmitigated in practice due to the absence

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of adequate legislation, posing a risk to employees' health, safety, and overall well-being. The study employs normative, axiological, and comparative law methods, alongside a survey and in-depth interviews with employees and employers.

Keywords: safety and health at work, work-related stress, stressor

INTRODUCTION

Historically, protection of workers through labor law primarily focused on safeguarding physical health in the workplace. The initial sources of labor law aimed to regulate working time limits, prohibit child labor, and protect safety and health in the workplace.¹ However, defining health merely as the absence of disease or injury is overly narrow and does not encompass all facets of what the concept of health entails.² Unlike risks that threaten employees' physical integrity and health, which are traditionally addressed by legal frameworks, legislators have long overlooked risks affecting psychological health and employee dignity. These are often dismissed as a "harsh reality" and an unavoidable part of the work environment,³ despite the understanding that "where workers are exposed to stress, there is no dignified work."⁴ The focus on workplace health and safety must therefore extend to protecting and enhancing employees' mental health, achieved by recognizing psychosocial risks in the workplace that can have far-reaching negative impacts on their health.

The risk to employees' health refers to the likelihood of injury, illness, or harm resulting from circumstances detrimental to their health.⁵ Psychosocial risks, in particular, may originate from the work environment, where unfavorable conditions lead to their emergence. They may also stem from poor work organization or strained interpersonal relations between employees and/or employers. Such risks can harm both the physical and mental health of employees. Among these, work-related stress stands out as one of the most prevalent, and consequently, most hazardous, psychosocial risks.

¹ Kovačević, Lj. (2013). *Pravna subordinacija u radnom odnosu i njene granice*. Belgrade: Faculty of Law, University of Belgrade, 464.

² Petrović, M. (2018). Osobnosti novih rizika po bezbednost i zdravlje na radu – ključni radnopravni aspekti. *Radno i socijalno pravo*, 22 (2), 207–224.

³ Kovačević, Lj. (2013). *Op. cit.*, 465.

⁴ Petričević, A., Medarić, D. (2014). Pravo radnika na dostojanstven rad i radno okruženje bez stresa. *Pravni Vjesnik*, 30 (2), 405–419.

⁵ Lubarda, B. (2020). *Radno pravo – rasprava o dostojanstvu na radu i socijalnom dijalogu*. Belgrade: Faculty of Law, University of Belgrade, 392.

DEFINING WORK-RELATED STRESS

“The development of the concept of stress began with the observation that in order to sustain life, all organisms are forced to protect their complex and harmonious internal balance from the continuous action of numerous and diverse factors.”⁶

Work-related stress constitutes a psychosocial risk and can also act as a cause or consequence of other psychosocial risks. It manifests through harmful physiological, psychological, and behavioral reactions by employees when job requirements are misaligned with their abilities.⁷ The health consequences of work-related stress include weakened immunity, which increases susceptibility to colds, psychosomatic illnesses, and workplace accidents. In terms of work engagement, it results in reduced performance, delays in task execution, and frequent errors. Moreover, it can trigger adverse behavioral responses, with employees sometimes resorting to ineffective coping mechanisms, such as alcohol or drug use.

Concept and Types of Stressors

Work-related stress arises as a result of the cumulative effect of stressors in the workplace over an extended period.⁸ In this sense, stress is a reaction or internal state caused by external pressures, known as stressors.⁹ One of the primary causes of work-related stress is the complex demands placed on employees, accompanied by intense pressures for quality performance. Apart from this, employees often face demands that exceed their existing knowledge and abilities. Given the variety of stressors, it is challenging, and perhaps impossible, to create a *numerus clausus*, as stress is closely tied to each individual’s subjective perception. Examples of stressors include a disproportionate workload, inhumane working conditions, improper task delegation, and difficulties in communication with employers, colleagues, and clients.¹⁰ Addi-

⁶ Dmitrović, I., Grubić-Nešić, L. (2011). Stres i stresori u radnom okruženju. *Proceedings of the Faculty of Technical Sciences in Novi Sad*, 26 (9), 2041–2043.

⁷ Stanojević, D., Milošević, B. (2011). Profesionalni stres. *Collection of Papers of the Faculty of Philosophy in Pristina* (41), 601–637.

⁸ *Ibid.*, 625.

⁹ Labus, I., Grubić Nešić, L. (2010). Povezanost zadovoljstva radom i intenziteta stresa. *Proceedings of the Faculty of Technical Sciences in Novi Sad*, 25 (13), 2755–2758.

¹⁰ Glomazić, H. (2020). Organizacioni pristup prevenciji stresa na radu i očuvanju mentalnog zdravlja zaposlenih. *Journal of the Institute of Criminological and Sociological Research*, 39 (2/3), 45–58.

tionally, overtime work is among the most widespread and serious modern stressors,¹¹ as time outside of work is typically reserved for rest, hobbies, and leisure. Consequently, the inability to self-organize due to extensive work tasks that cannot be completed during working hours increases stress levels. This is because employees often redirect their free time to additional, i.e., overtime work. Unreasonably long working hours can cause insomnia and reduced concentration, which is essential for preventing workplace injuries and accidents, especially for employees in high-risk jobs. Although the concept of overtime work is regulated by law, employers still often require employees to work overtime in violation of these legal provisions.¹² Furthermore, there are situations where employers do not explicitly demand overtime work but assign tasks whose scope and complexity make it evident that the employee cannot complete them within regular working hours. Abuse is one of the most severe forms of prolonged stress in the workplace. It jeopardizes the physical and moral integrity of the employee and has serious consequences for their personality and health.¹³ While stress and abuse at work may seem similar, they are distinct in their objectives, which is a crucial factor in defining the concept of workplace abuse, a factor absent in work-related stress. Specifically, work-related stress is an employee's reaction to certain adverse conditions or events, whereas abuse at work is characterized by the intent or result of violating the rights or legal interests of the victim.¹⁴ In flexible types of employment, employers often refrain from investing in the development of employees' knowledge and skills, perceiving such investments as unjustified expenses due to the temporary nature of their employment relationships. This lack of investment fosters feelings of diminished self-worth among employees, stemming from the insecurity and instability they face, which collectively contribute to work-related stress.¹⁵ For individuals in these employment arrangements, the causes of stress are also tied to lower wages, typically calculated in proportion to hours worked, limited opportunities for career advancement, and the absence of access to professional training or development programs. These factors further reduce job security and disproportionately affect women, who are more likely to work part-time due to the need to balance professional and family responsibilities, and who are more likely to accept lower wages.

¹¹ Gligorić, S. (2021). *Zlostavljanje na radu – ključni radnopravni aspekti*, doctoral dissertation (unpublished). Belgrade: Faculty of Law, University of Belgrade, 29.

¹² Kuzminac, M. (2021). Prekovremeni rad kao vid radne eksploatacije. *Sociološki pregled*, 55 (2), 509–537.

¹³ Gligorić, S. (2021). *Op. cit.*, 41.

¹⁴ Kovačević, Lj. (2016). Pojam zlostavljanja na radu u zakonodavstvu i praksi Republike Srbije. *Kaznena reakcija u Srbiji: šesti deo*, 214–242.

¹⁵ Rončević, D., Antić, A. (2016). Ugovor bez određenog radnog vremena (zero hour contract). *Radno i socijalno pravo*, 20 (1), 229–244.

Burnout Syndrome in the Workplace

“Burnout syndrome at work is a prolonged response to chronic emotional and interpersonal stressors associated with one’s workplace. It is characterized by emotional exhaustion, depersonalization, and low personal accomplishment. Burnout arises from mismatched relations between employees, on the one hand, and the working environment, on the other.”¹⁶

Analyzing this phenomenon reveals that healthcare workers, journalists, managers, educators, and police officers are more frequently exposed to the risk of burnout at work.¹⁷ The service sector, in particular, stands out due to its high levels of interaction between employees and clients.¹⁸ Symptoms of burnout syndrome may manifest as lack of concentration, social withdrawal, and isolation, as well as insomnia despite overwhelming fatigue, loss of appetite, and a pervasive sense of meaninglessness. Physical symptoms such as heart problems, headaches, and muscle weakness or fatigue are also common. However, burnout syndrome is often the precursor to other health issues. Accumulated work-related stress can lead to mental health problems, such as depression, and, in the most severe cases, employee suicide. Physical manifestations of psychosocial risks at work, such as musculoskeletal disorders and heart diseases, may also arise.¹⁹

PREVENTION OF WORK-RELATED STRESS

To prevent or mitigate work-related stress, it is necessary to implement appropriate measures aimed at improving employee health. Addressing factors that could lead to health issues has become one of the primary challenges and objectives of modern labor law. Prevention and protection measures for work-related stress include direct assistance to employees facing stressors, counseling, and the implementation of educational programs to modify

¹⁶ Veljković, D. (2021). Sindrom sagorevanja na radu. *Southeast European Journal of Emergency and Disaster Medicine*, 7 (1), 8–14.

¹⁷ Đuričić, D., Pantić, I., Ristić, C. (2009). Sindrom sagorevanja na poslu. *Zdravstvena zaštita*, 38 (3), 77–81.

¹⁸ Čabarkapa, M., Đuričić-Bojanović, M. (2014). Psihosocijalni izvori stresa u globalno promenjenom radnom okruženju i zahtevi za promenama u sistemu obrazovanja. *Savremene paradigme u nauci i naučnoj fantastici*, Volume 3, 48–62.

¹⁹ Lerouge, L. (2017). Health and Safety Law and Psychosocial Risks at Work: A Comparative Overview of France and Other Countries. *Psychosocial Risks in Labour and Social Security Law*, 15–30.

inadequate stress-coping strategies and develop new habits.²⁰ Combating work-related stress has proven essential, as society is no longer willing to tolerate high levels of illnesses caused by inhumane working conditions.²¹

Effective management of work-related stress begins with the timely identification of employees affected by this risk within the workplace. In this regard, data on absenteeism due to temporary incapacity, workplace injuries, and occupational diseases are especially significant. However, such data must be handled with care, as it is highly sensitive and confidential.²²

Social partners can play a crucial role in protecting against work-related stress. Historically, trade unions have been central to securing fair and safe working conditions.²³ For this reason, social partners should be allowed to choose appropriate methods for combating work-related stress, such as collective agreements, action plans, strategies, guidelines, and educational programs. Furthermore, labor inspectors should be trained to identify stressors and work-related stress, as well as to organize advisory visits and implement preventive measures that can significantly improve employee health in monitored workplaces.

Active efforts to combat work-related stress can lead to the improvement of health and safety in the workplace, along with economic benefits for companies, employees, and society as a whole.²⁴

LEGAL FRAMEWORK FOR THE PROTECTION FROM WORK-RELATED STRESS IN DOMESTIC AND FOREIGN LAWS

“The Republic of Serbia has not yet explicitly regulated protection from work-related stress through labor law. Instead, other laws and fragmented legislation have established a framework for the further regulation of this significant aspect of workers’ rights in Serbia.”²⁵

²⁰ Labus, I., Grubić Nešić, L. (2010). Povezanost zadovoljstva radom i intenziteta stresa. *Proceedings of the Faculty of Technical Sciences in Novi Sad*, 25 (13), 2758.

²¹ Barrett, B. (2004). Employers' liability for stress at the workplace: neither tort nor breach of contract. *Industrial Law Journal*, 33 (4), 343–349.

²² Gligorić, S. (2021). *Zlostavljanje na radu– ključni radnopravni aspekti*, doctoral dissertation (unpublished). Belgrade: Faculty of Law, University of Belgrade, 43.

²³ Jašarević, S. (2014). Uloga sindikata u ostvarivanju zdravih i pravičnih uslova rada. *Radno i socijalno pravo*, 18 (1), 29–45.

²⁴ UNICE, CEEP, UEAPME & ETUC, *Framework Agreement on Work-Related Stress*. Brussels, 2004.

²⁵ Škaro, M. (2019). *Radnopravna zaštita od stresa na radu*, master's thesis (unpublished). Belgrade: Faculty of Law, University of Belgrade, 36.

Namely, employees in the Republic of Serbia have the right to leave work with compensation in case of marriage, childbirth, serious illness, or death of a close family member, voluntarily donating blood, as well as in other cases established by the general act and employment contract.²⁶ At the same time, an employer can grant an employee leave from work without compensation, during which his rights and obligations from the employment relationship are suspended, while the reasons for this kind of leave are not explicitly prescribed by law. This framework of leave from work in the Republic of Serbia is drastically different from those of other countries and still recognizes (and understands) only traditional forms of leave from work. On the other hand, the Family and Medical Leave Act of the United States of America allows employees unpaid leave from work for up to 12 weeks if the employee has physical or mental difficulties that prevent him from performing his job.²⁷ In Canada, in the province of Alberta, an employee may be granted leave of absence of up to three working days in a calendar year in the event that it is necessary for the employee to be absent from work for personal reasons, which may inevitably include absence for reasons related to work-related stress.²⁸ At the same time, Gallup's report on the state of the global workplace for 2021 shows that 57 % of employees in the US and Canada report the highest level of daily work-related stress²⁹ while the Mental Health Commission of Canada reported in its study that one in five Canadian employees has mental health problems.³⁰ Bearing in mind the risks that work-related stress has on the well-being of employees, the Government of Ontario introduced the so-called employee's right to disconnect. Disconnecting is defined as not engaging in business communications, including email, phone calls, video calls, or messages, so that employees are free from work during vacation time.³¹

Unlike the Serbian legal system, the legal systems of numerous European countries recognize work-related stress as a health risk for employees. For instance, Slovenia signed a tripartite social agreement on health and safety in the workplace for the period 2007–2009, which explicitly mentions that social partners would conclude special agreements for implementing the European

²⁶ Labor Law, *Službeni glasnik RS*, no. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017. – US decision, 113/2017. and 95/2018. – authentic interpretation.

²⁷ United States Congress, *Family and Medical Leave Act*, Washington D.C., 1993.

²⁸ The Government of Alberta, *Public Service Employment Regulation*, Edmonton, 2021.

²⁹ ***, State of the Global Workplace 2021 Report, Gallup.

³⁰ Smetanin, P., Stiff, D., Briante, C., Adair, C. E., Ahmad, S., Khan, M. (2011). *The Life and Economic Impact of Major Mental Illnesses in Canada*. Toronto: RiskAnalytica, 6.

³¹ Legislative Assembly of the Province of Ontario. *Bill 27: Working for Workers Act*. Ontario, 2021.

Framework Agreement.³² In Portugal, training programs were organized for employers and health and safety representatives of employees, incorporating the content of the European Agreement.³³ An innovative example from Denmark is the “Stress Barometer,” a tool developed by social partners to measure work-related stress levels. This tool is used in government institutions to effectively monitor and address stress.³⁴ One of the most effective methods to combat work-related stress in New Zealand is the “stress management policy.” This policy allows employees to openly discuss work-related stress with their employer, attend stress management courses, or, if necessary, seek professional assistance. Such measures are particularly important, considering that a 2018 report by the New Zealand Health Promotion Agency revealed that 30 % of respondents had mental health problems, 67 % knew someone with mental health problems, and 40 % worked with a colleague experiencing mental health problems.³⁵

In addition, the Law on Health Insurance of the Republic of Serbia provides for paid leave (“sick leave”), which can be used for health-related work incapacity, including work-related stress, if confirmed by the relevant professional medical authority. For occupational illnesses or workplace injuries, employees are entitled to compensation during the period of temporary work incapacity. Such circumstances are not grounds for terminating an employment contract.³⁶ In contrast, British regulations allow employees to *self-certify* absences of up to seven days without requiring a doctor’s note. For absences exceeding this period, a *statement of fitness for work*, issued by a doctor, is required. This entitles them to *statutory sick pay*.³⁷ This document specifies whether the employee is “not fit for work” or “may be fit for work,” with the latter requiring a discussion between the employee and employer to implement necessary adjustments, such as modified working hours or revised job assignments.³⁸ This solution is particularly significant, given that research by

³² ***, Implementation of the European autonomous framework agreement on work-related stress: Report by the European Social Partners adopted at the Social Dialogue Committee on 18 June 2008, 24–25.

³³ *Ibid.*, 26–27.

³⁴ *Ibid.*, 27.

³⁵ Kvalsvig, A. (2018). *Wellbeing and mental distress in Aotearoa New Zealand: Snapshot 2016*. Wellington: Health Promotion Agency, 11.

³⁶ Law on Health Insurance, *Official Gazette of the Republic of Serbia*, no. 24/2019.

³⁷ Jagielski, S. (2020). *How to handle an employee off with work-related stress*. Available at: <https://www.healthassured.org/blog/how-to-handle-employee-off-with-work-related-stress/>

³⁸ ***, *Taking sick leave*. Available at: <https://www.gov.uk/taking-sick-leave>

Perkbox indicates that 75 % of employees in Great Britain experience work-related stress.³⁹

An important step in regulating work-related stress would be to revise the regulations on safety and health in the workplace, where special emphasis would be placed on work-related stress as a type of psychosocial risk. The employer is obliged to ensure that the work process is adapted to the physical and psychological capabilities of the employee and that the working environment, work tools, and personal protection equipment in the workplace are carried out in such a way that they do not endanger the safety and health of the employee.⁴⁰ Despite this, domestic regulations do not explicitly provide for the employer's obligations regarding protection from work-related stress, which further leads to employers not considering work-related stress as a risk. Contrary to domestic law, the Norwegian Working Environment Act, although it does not specifically mention stress at work, contains provisions that set requirements on how the workplace and work environment should be organized, with the provisions in question formulated on the basis of knowledge about the causes of stress at work. It is also interesting to note that the Act requires the company's highest-ranking manager to participate in health and safety training that will lead to a better understanding of the importance of working to reduce the level of stress at work.⁴¹

EMPIRICAL RESEARCH

Subject, Goal, and Research Tools

This paper examines the key labor law aspects of work-related stress as a psychosocial risk that is not recognized in domestic law. Due to the absence of adequate legal regulations, employers often neglect their obligation to address employees' psychological health and mental well-being, focusing solely on protecting their physical health, such as preventing workplace injuries and occupational diseases. Citing the need to manage business risks, employers prioritize efficient work performance while ignoring the negative impacts of work-related stress, failing to recognize that without adequate protection from stress, successful task performance is unattainable. The goal of this research is to highlight employers' neglect of this psychosocial risk and its negative impact

³⁹ Perkbox. (2020). *The 2020 UK workplace stress survey*. Available at: <https://www.perkbox.com/uk/resources/library/2020-workplace-stress-survey>

⁴⁰ Law on Safety and Health at Work, *Official Gazette of the Republic of Serbia*, no. 101/2005, 91/2015. and 113/2017.

⁴¹ ***, Report by the European Social Partners, *Op. cit.*, 23.

on employees' health, regardless of their profession, age, or level of education. Special emphasis was placed on the survey as a key research method. The survey's anonymity provided employees with an incentive to express their opinions freely, without fear of stigma often associated with mental health problems or retaliation from employers. A case study approach was deemed inappropriate for this research because work-related stress is not regulated by existing laws, and no court decisions currently support the hypothesis. Instead, an internet survey was chosen as the primary method, using random sampling. This approach aligns with the nature of work-related stress, which affects all employees regardless of their profession. Consequently, the survey aimed to include a diverse range of employees performing a great variety of tasks rather than focusing on a specific group. An in-depth interview served as the second research method. While the survey primarily relied on "yes" or "no" responses, the complexity of work-related stress required follow-up interviews with both employees and employers to gather comprehensive and relevant data supporting the hypothesis. Additionally, normative, comparative law, axiological, and statistical methods were applied throughout the research.

Research Conducted Through a Survey

The survey was conducted using random sampling, targeting respondents of both sexes, varying ages, different levels of education, and diverse professions and work schedules. Participation was voluntary, and to encourage greater freedom of expression, the survey was entirely anonymous. Individual responses remain confidential, with all results presented collectively. Certain questions were structured for "yes" or "no" responses, one question allowed for multiple-choice answers, and two questions utilized a scale from one to ten for responses.

Research Results

A total of 120 respondents participated in the online survey, with 47.5 % male and 52.5 % female, ensuring a balanced gender structure. Regarding age, 40 % of respondents were under 25 years old, 25.8 % under 35, 14.2 % under 45, 11.7 % under 55, and 8.3 % under 65. The survey revealed that younger employees showed greater interest in discussing work-related stress. The assumption is that younger individuals are more aware of the harmful effects of work-related stress, which explains the higher response rate among this group. The majority of respondents (37.5 %) had a university degree. In

terms of professional fields, 23.3 % worked in law, 8.3 % in trade and information technology, 7.5 % in education and economics, and 6.7 % in healthcare, with other fields being less represented. On average, most respondents (45 %) worked eight hours per day, five days a week. A further 23.3 % worked more than eight hours daily, five days a week, while 8.3 % worked over eight hours for more than five days a week. When asked if they experience work-related stress, 55.8 % said yes, 33.3 % said “sometimes,” indicating occasional exposure to work-related stress without any protection, and 13 % reported no work-related stress. The majority of respondents rated their level of work-related stress as seven on a scale of one to ten, reflecting an extremely high level of stress. The largest group, 16.7 %, identified demanding work tasks as their primary source of stress, with 38.3 % reporting insufficient time to complete tasks during regular working hours. When asked whether they felt under high pressure at work, 46.7 % answered affirmatively. This pressure, created primarily by employers to meet deadlines, overlooks the stress these demands impose on employees. Regarding emotions experienced while performing their jobs, one respondent troublingly noted an absence of emotions, while most reported feeling tired. Burnout syndrome, caused by chronic and intense stress in a work environment perceived as stressful, has led to significant mental and physical exhaustion.⁴² Positive emotions such as joy, satisfaction, and enthusiasm were less common than negative emotions. Encouragingly, however, 30.8 % of respondents still reported feeling motivated to work. Work-related stress rendered 53.3 % of respondents unable to perform their work efficiently. This highlights a vicious cycle: employers demand high performance to achieve business success, which increases work-related stress, ultimately undermining the very productivity employers seek to maximize. Furthermore, 63.3 % of these respondents stated that work-related stress affects other areas of their lives. Nearly half (47.5 %) reported that work-related stress adversely affects their health, highlighting the neglect of this psychosocial risk and the absence of adequate prevention measures. Specifically, 31.7 % reported difficulty sleeping due to work-related stress, 30 % experienced cardiovascular, digestive, or other physical problems, and 54.2 % struggled to achieve a sense of happiness and satisfaction. Additionally, 42.5 % of respondents reported experiencing burnout in the past 12 months. This underscores the need for Serbia to align its regulations with the World Health Organization’s practices, which include work-related stress in the 11th edition of the International Classification of Diseases. The fact that work-related stress significantly impacts employee health indicates that employers often ignore its effects. Unlike work-

⁴² Kostić, M. (2015). *Zamor na radu— profesionalna bolest XXI veka: prevencija i posledice*. *Collection of Papers of the Faculty of Philosophy in Pristina*, 45 (4), 73–90.

place injuries and occupational diseases, work-related stress is not explicitly regulated under current laws. The survey results reveal that 73.3 % of employees lack effective freedom of expression regarding work-related stress, and 76.7 % do not have access to flexible working arrangements such as remote work or part-time options to help mitigate stress. The most concerning finding is that 77.5 % of employees believe their workplace does not prioritize the mental health of its staff. Consequently, 70 % reported that their employers do not conduct interviews, surveys, or other measures to prevent and manage work-related stress. Finally, a significant number of respondents indicated that they had quit their jobs due to exposure to work-related stress.

Research Conducted Through In-Depth Interviews

In-depth interviews were conducted with employees and employers from an independent trade shop and a company in the field of information technology, two workplaces with significantly different working methods. Consequently, there are notable differences in the allocation of working hours, earnings, opportunities for remote work, and other factors. The interviews highlighted contrasting perspectives between employers and employees in fields like trade, where remote work is not an option. Employees in this sector are often required to work overtime, which frequently causes stress. In contrast, employees in the information technology sector benefit from options such as remote work, flexible working hours, longer vacations, and additional days of paid leave.

Interview Questions

The questions for employees focused on whether they experience work-related stress daily, the primary sources of stress, whether they have ever been absent from work due to stress, how work-related stress affects their performance, the impact of stress on their health, and whether the negative effects of work-related stress are acknowledged in their workplace. The questions for employers addressed their understanding of psychosocial risks at work, whether they believe stress affects efficient job performance, the best prevention measures, the specific prevention measures they apply, and, finally, whether they believe employees should have the right to take leave from work to recover from stress.

Results of In-Depth Interview

The first interview was conducted with an employee and an employer in the field of trade. Each party answered the questions separately, without seeing the other's responses. The employee reported experiencing a high level of work-related stress daily, primarily due to her working hours. She stated that her workday begins at six in the morning and ends at three in the afternoon, and she works 13 consecutive days, with every other Saturday off. Although she has never taken time off due to stress, she is unsure whether she has the right to do so. She acknowledged that stress occasionally affects her work performance but noted that her job in sales is not overly demanding. She added that she sometimes experiences "headaches, fatigue, and absentmindedness" which she identified as symptoms of burnout. She works up to 63 hours per week, despite the Labor Law stipulating that overtime cannot exceed eight hours per week.⁴³ Ultimately, she believes that "no account is taken at all" of employees' stress levels and feels this is a widespread issue for those working in the trade sector. Her employer, on the other hand, admitted to not knowing "what exactly psychosocial risk is." He acknowledged that work-related stress can lead to feelings of anger and may impact job performance to some extent. He remarked that "everyone is under stress these days." Regarding prevention measures, he suggested that "talking to a psychologist" is ideal, but admitted he does not implement any prevention measures himself. The situation in the IT sector is markedly different. Employees report experiencing work-related stress occasionally, primarily when tasked with "difficult assignments." One employee noted that he always has access to a mentor who provides support when needed. He stated that even under stress, he manages to "get the job done," though he acknowledged that "how someone deals with stress is a matter of personality, and someone else might not be able to." He mentioned feeling "overworked" at times and stated that after a stressful day, it is sometimes "harder to fall asleep." However, he believes his employer ensures that all employees work in a "pleasant environment." This is evidenced by the fact that he is entitled to five days of paid leave annually for personal reasons, in addition to the legally prescribed length of paid leave. His employer admitted uncertainty about the definition of psychosocial risk. He agreed that stress can affect job efficiency and stated that employees are given the "flexibility to work from the office or from home." He cited "rest" as the best prevention measure and noted that the company provides "relaxation rooms with TVs and bean bags." Additionally, he stated that employees experiencing stress can "work from home that day, work fewer hours, or take a day off."

⁴³ Labor Law, *Official Gazette of the Republic of Serbia*, no. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017, 113/2017, and 95/2018.

CONCLUSION

Based on the empirical research conducted through a survey and in-depth interviews, the conclusion is that the hypothesis has been confirmed. The results indicate that employees frequently experience the consequences of work-related stress, supporting the hypothesis that, due to the absence of legal regulations, employers do not recognize work-related stress as a psychosocial risk. Moreover, some employers are entirely unaware of the concept of psychosocial risk. The neglect of work-related stress in domestic legislation and practice has clear consequences, both for employees' health and the efficiency of their work performance. The research revealed that employees have minimal protection against work-related stress and that employers continue to overlook their obligation to safeguard employees' mental well-being. By ignoring the negative effects of work-related stress, employers directly endanger employees' health and violate their legally stipulated obligations to adapt work processes to employees' physical and psychological capabilities.⁴⁴ Given the above, it is necessary to revise existing legal regulations. A future legal definition of work-related stress should recognize it as a psychosocial risk that poses a threat to the health and safety of employees. Amendments to the positive legal regulations of the Republic of Serbia should enable employees to take paid leave to recover from the negative effects of work-related stress. If work-related stress causes severe health consequences, amendments to health insurance regulations should provide for paid leave during periods of temporary incapacity for work ("sick leave"). To comprehensively address work-related stress, it is necessary to revise workplace safety and health regulations, emphasizing the need to train employers on the nature of work-related stress and its effective prevention. Finally, future legal solutions should also highlight the importance of collective bargaining and other forms of social dialogue, considering the significant role of trade unions in promoting health and safety in the workplace.

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⁴⁴ Law on Safety and Health at Work, *Službeni glasnik RS*, no. 101/2005, 91/2015. and 113/2017. – amended law.

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