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THE SOCIAL RIGHTS OF WORKERS IN SOCIAL EUROPE WITH A REVIEW IN NORTH MACEDONIA

Nano Ružin¹

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ABSTRACT

The historical efforts of workers for the recognition of various economic, social and cultural rights are primarily focused on the rights related to their work and status. Before the constitution of the United Nations and the Universal Declaration of Human Rights, the International Labor Organization developed and implemented a wide range of standards relating to work. As a result of decades of international and national efforts, labor initiatives in many countries, human rights standards have experienced tremendous progress. The achievements of the EU in the domain of social law and justice are particularly impressive. Regardless of the fact that there is no universally accepted and mandatory corpus of social security, EU countries are obliged to respect minimum social rights arising from EU directives. This text provides a brief summary of the international standards relating to the right to work and labor rights, the regulation of these rights in the EU, as well as a brief overview of the situation in this domain in North Macedonia.

KEYWORDS

labor rights, European social law, European Union, collective agreement, North Macedonia

INTRODUCTION

The right to work is the primary right among other specific rights recognized by the International Covenant on Economic, Social and Cultural Rights (ICESCR, multilateral international treaty, 1966..)². Introduction The right to work is the primary right among other specific rights recognized by the International Covenant on Economic, Social and Cultural Rights (ICESCR). Part II of the Covenant sets out the nature of States' obligations. Section III elaborates on the right to work (Art. 6). The right to work exclusively treats access to work, as well as persons who do not have access to work. are the subject of the main attention. the right to work is only poorly detailed. EU law, in many respects, is the original source of labor rights. If the European Union's primary goal is to create a vast common market for employment, services and capital, it also pursues social goals. It is within this framework that the rules for the protection of workers have been developed, which organize and facilitate their mobility within the EU. This particularly concerns the freedom of movement that allows workers to move freely within the territory of another member state in order to get a job and stay there. The social corpus of the EU, which contains numerous other social rights, is a platform for the mandatory implementation of minimum requirements in certain areas.

¹ Faculty of Business Economics, nanoruzin@gmail.com, ORCID: 0009-0007-3961-7867

² The International Covenant on Economic, Social and Cultural Rights (ICESCR)



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Although each member state has specific national legislation in the field of social security, they are obliged to accept minimum social rules that enable harmonization of national laws on labor relations within the EU. This particularly concerns the domain of health and safety at work. EU law protects workers' basic social rights such as the right to action and collective bargaining. For this reason, EU law is the most important corpus of international standards in the social field. Unlike other rules derived from sources of international and European law, those derived from the European Union aim to directly create rights and obligations for individuals. Labor rights and valuing the labor of the worker are a priority and responsibility in numerous countries and their institutions. Such a strategy is particularly significant for EU membership candidate countries such as North Macedonia and the rest of the Western Balkans. In that direction, the states strive to implement the European directives in the domain of the European labor legislation, and to stimulate the social partners to conclude collective agreements.

REGIONAL AND INTERNATIONAL STANDARDS FOR THE RIGHT TO WORK

Article 23 of the Universal Declaration of Human Rights guarantees that everyone has the right to work, to free choice of work, to fair and satisfactory working conditions and to protection against unemployment. In Article 6 (1), the ICESCR specifies "the right of everyone to gain opportunities through work, also stating in Article 6(2) that "the full realization of this right must include technical and vocational guidance". and training, and program development." Article 1(2) of ILO Convention 122 specifies that each member must ensure that "there shall be work for all those who are available and seeking work" (The ILO Conventions cover a wide area of social and labour issues..1919..).

Article 1 of The European Social Charter recommends (ESC,1961/1996,), "...In order to ensure the effective realization of the right to work, the contracting parties undertake 1. to recognize as one of their main goals and responsibilities the achievement and maintenance of the highest and most stable level of employment in order to achieve full employment; 2. to effectively protect the employee's right to earn a living through freely undertaken work; 3. to establish or maintain free employment services for all workers; 4. to provide or promote appropriate professional orientation, training and rehabilitation.

CREATION OF SOCIAL EUROPE

The roots of European social responsibility can be found at the beginning of the 17th century with the adoption of the Poor Laws (1601) in the United Kingdom. Then follows the legitimization of the protection of workers through the imperial message to the Reichstag of November 17, 1881, with the decision of Otto Von Bismarck establishing the principle of professional solidarity in social insurance in Prussia. Finally, with the project "three U" (universality, uniformity, unity) of Lord Beveridge in 1945, the United Kingdom and Europe, are offered a systemic solution to the social protection of employees. (Ruzin, (2006). In this way, the Welfare State enters Europe through a big door, which will start the creation of the welfare society.

The construction of social Europe implies the existence of various global, and especially European, legal instruments in the social area. In that direction, the International Labor Organization (ILO) has developed numerous conventions and recommendations that refer to all labor relations: freedom of



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association and protection of the right to organize. In addition, under the auspices of the Council of Europe, whose main mission is the promotion of human rights, with several texts they contributed to the advancement of the social rights of workers.

The law of the European Union first focused on the regulation of situations with the mobility of workers. In the Treaty of Rome of 1957 (EEC Treaty, 1957..) this is the central theme of the European project. Article 48 of the EEC Treaty, refers to the right to free mobility. All nationals of the Member States of the European Union have the right to move freely within the European Union and to enter and reside in any EU Member State. This right to freedom of movement is guaranteed by Article 21 of the Treaty on the Functioning of the EU (TFEU,). Numerous rules encourage and regulate the right of workers as part of building a Social Europe in view of the creation of the vast common market for goods, people, services and capital. (EEC, 1957, Art.48.)

Mobility

According to Article 45 of the Treaty on the Functioning of the European Union (TFUE, Maastricht. 1992), the free movement of people, initially recognized for the sole benefit of workers, must enable the creation of a common employment market. This right implies the abolition of any discrimination based on the nationality of workers from member states in terms of employment, remuneration and other working conditions. This includes the right to respond to jobs offered in another Member State, the right to free movement and residence in the territory of another Member State.(EU, Regulation, 2011..)

Mobility of workers, encouraged by EU law, is regulated by the implementation of techniques from international private law intended to resolve possible conflicts. The legal rules make it possible to determine the competent judge who will act on a possible dispute, as well as the law that will have to be applied. These provisions are specific according to the employment contract and the protection of the weaker party (the worker) resulting from the European regulation.(Regulation EU),1215/2012) In addition, other instruments are provided that allow to determine the applicability of social insurance law in the case of mobility. In view of this issue, there is no question of standardizing the social security legislation of the member states, especially since social law in general hardly works in this form of action by the EU, since the states have retained their competence in this area. It is not about harmonizing the social security legislation of the different member states either, but simply about the coordination of the social security systems. It is not about harmonizing the social security legislation of the different member states either, but simply about the coordination of the social security systems. Mandatory Minimum Labor Rights for EU Member States (Regulation 883/2004/EC)

Mandatory Minimum labor rights for EU member states

In addition to encouraging and regulating the mobility of workers, the social law of the EU is aimed at establishing a certain number of minimum rules that the member states are obliged to transpose in their national legislation. With the Single European Act of 1986 (SEA, 1986/1986) , the EU acquired competence to suggest to the members the adoption of directives that set minimum requirements for the member states.

In Article 118 of the SEA, which derives from the Rome Treaty of 1957, it is confirmed that "Member States shall endeavor to promote the improvement of the working environment, protection, safety and health of workers. They set themselves the goal of harmonizing the rules, by improving the conditions that exist in this area. These directives are also suggested to the candidate countries for EU membership, such as the countries



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of the Western Balkans. Social rules are intended to protect workers. The social policies of the EU are listed in Article 153 of the TFEU,(1992, Maastricht) and elaborated more specifically.

These are the following social directions: improving the working environment, protecting the health and safety of workers; working conditions; social insurance and social protection of workers; protection of workers in case of termination of the employment contract; information and consultation with workers; the representation and collective defense of the interests of workers and employers; conditions for employment of citizens of third countries legally residing in the territory of the Union; integration of persons excluded from the labor market; equality between men and women in terms of their opportunities in the labor market and treatment at work; the fight against social exclusion; the modernization of social protection systems. In each of these domains, the EU is competent to supplement the activities of the member states through directives. The aim is to harmonize national laws by imposing minimum requirements applicable in labor relations. Harmonization within social policies through directives is a vector of social progress; it is one of the driving forces of social Europe. Therefore, member states are required to make progress in certain social areas for the development of their social legislation and compliance with the minimum rules established by the directives. It is known that the EU does not have a single system of social protection that is mandatory for every member of the union. In the last fifteen years, EU action in favor of the protection of workers has developed in the domain of fundamental rights.

Already, in 1989, the Charter of Fundamental Social Rights of the Community, , made it possible to establish the main principles of the European model of labor law. (EU, Strasbourg, 1989) The Charter of Fundamental Social Rights of the Community...: "It is pointed out that social aspects should be given the same importance as economic aspects and (...), therefore, they must be developed in a balanced way. (Préambule de la Charte communautaire des droits sociaux..1989)

The Charter of Basic Social Rights of the Community, although it does not have a binding character, still remained a strong act in the affirmation of the authentic logic of social progress within the framework of the law of the European Union. In essence, it was about affirming the "social dimension of the EU in the domains of improving living and working conditions. During the promulgation of the Charter of Fundamental Rights of the EU, the European Council of the EU, in Nice in 2000, a turning point was reached.

The Charter of Fundamental Rights of the EU became part of the Treaty of Lisbon ((Treaty of Lisbon 2007). In Article 6.1. al. 1st of the Lisbon Treaty stands out:... Endowed with binding force, the text proclaims all the civil, political, economic and social rights of EU citizens.(Article 6.1. para. 1 of the Treaty of Lisbon,2007)

Regarding labor relations specifically, the chapter dedicated to "Solidarity" confirms the existence of the right to information and consultation with workers in the company. Article 27 of the Charter of Fundamental Rights of the Union highlights the right to negotiation and collective action.(Article 27) Article 28 of the Charter of Fundamental Rights of the Union outlines the right of access to accommodation services. Article 29 of the Charter of Fundamental Rights of the Union highlights the right to protection in case of unjustified dismissal. Finally, Article 30 of the Charter highlights the right to fair working conditions. The recognition and implementation of these basic rights for the benefit of workers undoubtedly contributes to the construction of a social Europe, built progressively and in successive layers.

The future of Social Europe

The future of social Europe is a current topic of debate and political competition. This topic is present in the EU institutions. Various alternatives are being considered, limiting the social dimension of free movement, or giving the states the opportunity to do more in the social field, deepening social rights individually or at the EU



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level. In the ambitions for a better Social Europe, the EU Commission presented the "*European Pillar of Social Rights*" which was the subject of an inter-institutional proclamation in April 2017 before being adopted on 17 November 2017 during Sweden's EU Presidency in Gothenburg.

This *European pillar of social rights* contains 20 principles and rights that are divided, in an ambitious program, around three global themes: a) equal opportunities and access to the labor market, b) fair working conditions, c) social protection and integration. In this way, rights such as the right to lifelong learning were confirmed in order to retain and acquire skills that enable full participation in life in society and successful management of transitions in the labor market.

In Chapter 1.1., equal treatment and equal opportunities between women and men in all areas, including in terms of participation in the labor market, employment conditions, career advancement and especially remuneration, are highlighted. Chapter 1.2: on the balance between professional and private life, chapter 2.9., on the right to a fair wage that enables a decent standard of living, could also be cited here. In chapter 2.6. the right to secure and flexible employment is emphasized.

The ambitions of the European Pillar of Social Rights were to become an instrument for the renewal of Social Europe. (Garnier, 2018/19) It is necessary to point out that legal social content by itself has no binding force. The use of the soft law process is intended not to create blockages by certain states on social issues that can cause conflicts and misunderstandings. For this reason, the European Pillar of Social Rights has been criticized for its lack of ambition and non-binding obligations for states which has generated some scepticism (Robin-Olivier, 2016b). According to experts, this social pillar should not remain declarative, but serve as a driving force for the adoption of texts capable of effectively renewing the process of social Europe (Ruzin, 2004).

EU-states with the best system of social coverage for workers

As previously stated, there is no single European social security system. Each EU member state possesses a certain sovereignty and its own specific national system. European legislation simply coordinates these national systems to protect free movement and free trade. Although harmonization is not imposed, the EU still sets, in many areas, minimum requirements to improve working conditions in its territory. From a global perspective, European social protection systems have a good reputation.

Two studies, conducted by Glassdoor and Deloitte, compared social security systems across Europe. (Compare/Deloitte,2023) In most European countries, all social rights are guaranteed, but there are significant differences from one country to another in the application of these rights. Overall, Denmark, France and Spain are considered the countries with the most favorable social allocations, while Iceland, the United Kingdom (before and after Brexit) and Switzerland belong to countries with more limited social allocations. We will look at the differences in several domains of social coverage: *Maternity leave; The right to paternity leave; Parental leave; Paid leave; Unemployment benefit; Minimum guaranteed wage and wage inequalities; Quality of life of employees.*

Maternity leave The EU guarantees a minimum maternity leave of 14 weeks. However, the compensation and maximum duration of this leave can vary significantly. In this category, the UK (pre- and post-Brexit) is generous with 52 weeks of holiday, of which 39 are paid at 90% of salary for the first six weeks (then capped at €160 per week thereafter). Ireland follows with 42 weeks, of which 26 are paid at a flat rate of €188 per week. Germany, Spain, the Netherlands, France, Austria and Denmark offer more or less the statutory 14 weeks with 100% compensation.



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The right to paternity leave: This right is not regulated in the EU. There are big differences between countries with, on the one hand, Finland offering 45 days of leave to new fathers, Spain (15), France (11) and 10 days for Belgium, Denmark, Norway, Sweden. On the other hand, the Netherlands and Italy which give only 2 days and Austria, Germany, Ireland and Switzerland which do not offer this right at all.

Parental leave: The EU guarantees every parent the right to take leave to care for their children until they turn 8 for a minimum of 4 months. However, the amount paid during this leave is not specified. France and Germany grant up to 156 weeks of leave, compensation of 600 euros per month for 6 months or for 3 years if parents have more children. In contrast, Switzerland does not provide parental leave, and Belgium, the United Kingdom (pre- and post-Brexit) and Ireland only offer 17 weeks of leave, which is not always compensated. The amount paid during parental leave is not specified by the European Union.

Paid leave : The European Union provides the right to paid leave of at least 4 weeks per year, excluding public holidays. The amount of paid leave is highest in Sweden, France and Denmark (5 weeks). Furthermore, the number of public holidays varies from country to country. The Spanish calendar contains 14 public holidays, followed by Austria (13), Italy (12), Sweden, Finland and Greece (11), France (10), and even Switzerland, which plans only 4. Sick pay Sickness allowances in EU countries, which are not regulated, vary widely. They are highest in the Netherlands, where workers can be absent for 104 weeks (2 years) and receive 70% of their salary. In contrast, compensation is only guaranteed for 28 weeks in the UK (around €100/week) and 26 weeks in France (at 50%).

Unemployment benefit: In EU countries, the amount of unemployment benefits and the period covered by this assistance may differ. Allocations are the highest in the most developed EU countries. Compensation in Denmark reaches 90% of salary up to 104 weeks, followed by Belgium with 65% of salary in the first thirteen weeks. France guarantees 60% of salary for 16 to 52 weeks. The least protected employees are those in the United Kingdom (pre- and post-Brexit) and Ireland, who benefit from a package of around €100 a week for 30 weeks.

Minimum guaranteed wage and wage inequalities : Wage inequality is the main problem facing the EU since the financial crisis. This significant gap is particularly visible in Portugal, Romania and Italy. Thus, only in six European countries (France, Germany, Benelux and the British Isles) does the monthly minimum wage exceed 1,000 euros. It is in Luxembourg where it is the highest, with 1,999 euros, and in Bulgaria, where it is the lowest at 235 euros. Inequalities between men and women Although these inequalities tend to decrease in Europe, significant differences remain. The ratio of women and men with higher education qualifications in Europe is a relevant indicator. According to a 2022 Eurostat study, it averaged 29.9% for women compared to 25.9% for men, a gap of 4%. This difference varies considerably from one country to another: 11% in Bulgaria, 4.7% in France to 2.1% in Luxembourg. Retirement Most EU countries have raised the minimum retirement age to 65. Currently, only Latvia remains on the margins with a minimum age of 62. The gross monthly pension amount ranges from a maximum of €7,991.36 in Luxembourg to a minimum of €431.21 in Malta. Spain, Greece, Belgium and Switzerland pay their citizens a pension of almost 2,000 euros gross. In France, pensioner benefits amount to 833.20 euros gross per month. The gross monthly pension amount ranges from a maximum of €7,991.36 in Luxembourg to a minimum of €431.21 in Malta.

Quality of life of employees: According to a study The Work Force View in Europe 2023, carried out annually by ADP, almost one in five respondents (18%) say they suffer from stress every day and three in ten (30%) feel so stressed that they are considering a change at the workplaces. The prize for the most stressed country goes to Poland, where more than a quarter (27%) of employees say they suffer from stress on a daily basis, closely followed by the French and the British (pre- and post-Brexit) (20%). The Netherlands is the most conservative, with only one employee in ten (10%). However, this year, all



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countries in the survey are experiencing economic growth and falling unemployment. Good news, across the continent, 79% of those surveyed say they are optimistic. Again, Dutch employees are the most optimistic (85%), while French employees remain in last place (74%). Almost one in five (18%) respondents say they suffer from stress every day and three in ten (30%) feel so stressed that they are considering changing jobs.

SOCIAL LABOR RIGHTS IN NORTH MACEDONIA

The Constitution of the Republic of North Macedonia guarantees the rights to work, social and health insurance, organization in trade unions, the right to sign a collective agreement, the right to salary, etc. Other social rights of employees are determined by the Law on Labor Relations (Zakon za rabotni odnosi" 2016/2023). Workers are protected by the Law on Labor Relations, the Law and the collective agreement, the Law on Social Protection and other social laws and measures.

The Manual on Labor Rights interprets issues that are often unknown to the wider circle of workers, such as: what should be contained in the Employment Agreement, job description, risks, duration of the employment relationship, salary amount, the right to annual leave, general Acts of the employer, seal, signature, archive number, employer's duty, overtime pay supplements, seniority allowance, work during holidays, etc. (Workers' Rights Handbook, 2021).

The minimum amounts of salary supplements for a certain percentage amount calculated according to hours are determined according to the general collective agreements: - for overtime work - 35%; - for night work - 35%; - for work in three shifts - 5%; for work on a day of weekly rest - 50%; for work on holidays and non-working days established by law... Salary allowances follow: When you are absent from work in cases determined by law (absence from work due to use of annual leave, paid overtime rest, further education, holidays and days off), as well as in cases when you do not work for reasons on the part of the employer; In cases of incapacity for work due to illness or injury up to 30 days, and over 30 days it is paid at the expense of the health insurance; If an illness or injury occurs due to the failure of the employer to provide the measures established by the regulations in the field of safety and health at work, then the employer can continue to pay you sick leave on this basis even after the expiration of 30 days, but after a previous inspection by the State Labor Inspectorate; In cases where the work process is interrupted for business reasons, on the basis of which the employer is obliged to issue a decision and pay 70% of the salary for a period of up to three months in the current year and If you cannot perform the work due to force majeure, you have the right on half of the salary, to which they would otherwise be entitled, if they were working. In addition to salary compensation, the employee has the right to other work-related expenses compensation, namely: business trip, field allowance, use of a private car for business trips, life separated from the family, death of the employee or a member of his family, right to severance pay upon retirement, as well as jubilee awards. The employer can reimburse the costs of food during work and the costs of transportation, that is, he can organize transportation to and from the workplace at his own expense (Workers' Right Handbook, 2021).

The General Collective Agreements provide for other reimbursements of work-related expenses. An employee has the right to annual leave compensation of at least 40% of the base. This right is regulated by the general collective agreement and it is a mandatory obligation of the employer. If he respects that right, the employee can turn to the union representative, the State Labor Inspectorate or initiate court proceedings. In terms of working time, there are several types: Full-time working time, which must not be longer than 40 hours per week (during one working week), nor shorter than 36 hours per week. As a rule, the working week lasts five working days. Part-time work is shorter than full-time, that is, shorter



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than 40 hours per week. If the reason for working part-time is because you are doing work that is particularly difficult, demanding and harmful to health, then the right to salary and other rights from employment are equal to full-time work.

Rights arising from the employment relationship

Female and male workers who use maternity leave and are employed for 6 (six) months with the same employer have the right to annual leave. Overtime - in exceptional cases, defined by law, the employer may ask you to work full-time. For overtime work and hours for overtime work, the employer is obliged to keep separate records and specify them separately in the employee's monthly salary calculation. The law specifies the cases and categories of workers for whom the employer may not require work longer than full-time. Night work is considered working at night and between 10:00 PM and 6:00 AM the following day. The employer, who regularly uses workers for night work, is obliged to notify the labor inspection, and to provide the workers with a longer rest and adequate food or reimbursement of food costs. Workers who perform night work should have a medical examination beforehand. Before introducing night work, the employer is obliged to consult with the employer's trade union at least once a year if night work is regularly performed with workers who work at night. According to the Law on Labor Relations and the EU directives, the issue of safety and health at work is regulated as well as other rights arising from the combined European directives.

Failure to respect workers' guaranteed rights

The analyzes show that the legal regulation is not the main and biggest problem in the Republic of North Macedonia. This does not mean that it is ideal and that further reforms should not be made, such as improving the safeguards that are broken down in various laws. However, the practice is the biggest problem: what is insisted on by the EU directives are the drafting of precise collective agreements, in different areas. The lack of information of the workers is problematic, as well as the request of the institutions themselves for excessive regulation. Also, inspectorates always act reactively, rather than proactively. There is a whole system of discouraging workers from reporting irregularities and violations of their rights. Unions are also not doing their job, but they are not trained to represent workers properly. Research shows that workers have the least confidence in unions. A new trade union law is needed which will lead to some form of pluralism (Helsinki Committee, 2023).

The workers are also disappointed by the dysfunctionality of the State Labor Inspectorate. He faces insufficient resources, and a lack of state inspectors. There is also great dissatisfaction with the Employers' Associations that do not respect the social rights of the workers, as well as with the corruption and procrastination of court decisions by the basic and appellate courts. Workers feel the greatest trust in non-governmental organizations. The main problem in North Macedonia is that the workers do not enjoy the guaranteed rights. In many cases, the practice does not follow international standards, while the protection does not correspond to international regulations and national legislation. On an average year, between 4000 and 5000 workers reported some kind of violation, mostly from the textile, leather and shoe industries. The Free Legal Aid Act is quite restrictive, preventing many employees from obtaining this type of protection. Due to the high costs, judicial justice is still inaccessible to most of the workers.



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CONCLUSION

From the appearance of the first trade unions and syndicalism in Europe in 1830, through the affirmation of the social models of Chancellor Bismarck in Germany and Lord Beveridge in the United Kingdom, the constitution of the International Labor Organization, the UN Charter, the signing of the Founding Act of the EEC, the European Social charter of the Council of Europe, to the numerous conventions and declarations of the EU for the preparation of Social Europe, the road was difficult in the construction of the mechanisms of the social protection of workers, the extension of social insurance and social law. In the past decades, the EU made a huge leap in these domains, although it failed to build a single system for the protection of workers, it still managed to win directives that provide for minimum implementation by the member states, given that national social legislation is the sovereign authority of the member states.

Social rights for the protection of employees are not identical in all EU member states. The most developed systems are located in Northern Europe, while the lowest allocations are received by employees in Eastern Europe. According to the Eurobarometer survey, conducted in April 2023 among 27,601 citizens of EU countries, 60% of the respondents believe that their country's membership in the EU is a good thing, and 32% believe that the social protection system must be at the center of the programs of the political parties. The European social model is gradually being integrated into the EU. Regardless of such a social mosaic, a culture of respect and implementation of social legislation regarding the protection of workers has developed in the EU, and the body of rules is constantly being updated. Among them, we single out the following then fundamental rights that protect employees:

- ***Right to fair and non-discriminatory treatment***, i.e. legal provisions against discrimination According to the *Labor Law*, no employee may be sanctioned, fired or subject to a discriminatory measure, direct or indirect, especially in relation to remuneration, in relation to their origin, their gender, her morality, her sexual orientation or identity, her age, her marital situation, her pregnancy, her genetic characteristics, the part of her name, her membership or non-membership, real or perceived, of an ethnic group, nation or race, of his political opinions, his trade union or mutual activities, his religious beliefs, his physical appearance, his surname or, unless declared unfit for work by a doctor.
- ***Basic rights to health and safety at work are safety obligations of the employer.*** The primary obligation of the employer is to ensure the safety and protect the physical and mental health of its employees. This obligation, is expressed by measures such as: Actions to prevent occupational risks This especially includes the risks of accidents at work or occupational diseases. In general, a prior risk assessment is necessary to define the appropriate preventive actions. Organization and adequate resources are necessary on the part of the employer who must ensure that the work is adapted to the person in order to preserve his health.
- ***Fundamental rights to privacy: Restrictions on surveillance in the workplace.*** The surveillance of employees by the employer is regulated by law to guarantee respect for the right to private life, legitimacy and proportionality of surveillance devices. According to the case law of the Court of Cassation, any surveillance device must have a legitimate purpose (security, protection of equipment, etc.) and be proportionate to the requested purpose. Employees must be informed about any monitoring system, the Law on Labor Relations. Protection of personal data Protection of personal data is a fundamental right recognized by every individual. Basic rights related to respect for working time and rest



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- ***The right to respect for working time and rest*** is one of the foundations of European labor law, which makes it possible to guarantee a balance between the professional and personal life of the employee.
- ***Right to fair compensation:*** The salary is equivalent to the work provided by the employee. It is necessary to ensure its accuracy and fairness. In order to provide minimum protection for the lowest paid employees, EU law establishes a cross-occupational minimum wage (SMIC). This salary is revised at least once a year and guarantees a minimum compensation for all workers.
- ***Right to professional training.*** Professional development is essential for every employee in the context of a constantly changing labor market. European law recognizes the importance of continuous professional training to guarantee each worker the ability to adapt their skills throughout their career. Continuing education: rights and obligations Continuing professional training is regulated by the Law on Labor Relations. Its main objective is to ensure continuous employment and career advancement of employees.
- ***Right to freedom of association and representation.*** Democracy at work is a basic principle of European labor law. It guarantees the participation of employees in the life of the company, as well as respect for their trade union rights. Freedom of trade union membership and the right to strike Freedom of association is enshrined in all European constitutions and reinforced by various international conventions.
- ***Right to information about rights and duties.*** Being informed and knowing the rights of each employee is a basic assumption for the favorable individual and collective position of each employee. Each employee, regardless of his position, seniority or sector of activity, is protected by a set of legal provisions. which aim to guarantee respect for his dignity, physical integrity and psychological well-being. It is crucial that every worker is fully informed of these rights and ensures that they are respected. In case of doubt, question or dispute, consultation with a specialized professional, such as an employment lawyer, is recommended. These experts, thanks to their deep knowledge of legislation and case law, can offer informed advice and relevant assistance in case of conflict. Stay informed, know your rights and don't hesitate to call a specialist: these are the key words for every employee who wants to progress in his professional life while maintaining personal balance.
- ***Right to protection against unfair dismissal:*** Every employee has the right to job security. If the employer can terminate the employment contract, this termination must be justified and respect a certain formality, otherwise it can be considered abusive. Legitimate reasons for dismissal The dismissal of an employee must always be based on a genuine and serious reason.
- ***The right to work-life balance.*** A harmonious work-life balance is essential for individual fulfillment and general well-being. French legislation, through various texts, recognizes this need for balance and offers employees specific rights to maintain it. Right to leave A break is a human need, both for physical rest and for mental recharge.
- ***In North Macedonia:*** regardless of the normative acts and laws for the protection of workers, in practice their rights are not respected in North Macedonia. Workers do not enjoy guaranteed rights. In many cases, the practice does not follow international standards, while the protection does not correspond to international regulations and national legislation. Because of the complex and expensive court procedures, the workers are discouraged from



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the protective role of the judiciary, from the functioning of the Trade Union, from the State Inspectorate for Labor Relations, as well as from the conceit of the employers' associations.

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