

STATUS AND PROSPECTS OF SOCIAL DIALOGUE IN LITHUANIA AFTER EU ACCESSION

LITHUANIA

Ministry of Social Security and Labour

Audra Mikalauskaite

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REGULATION OF SOCIAL DIALOGUE

In Lithuania, principles of social dialogue are defined by the Labour Code (with entry in force in 2003).

This part specifically provides concept and principles of partnership, as well as parties, levels, system, operating principles and forms of partnership.

PARTIES OF SOCIAL PARTNERSHIP

Representatives of employees and employers and their organizations shall be considered to be parties of social partnership – social partners.

PARTIES OF SOCIAL PARTNERSHIP

In case of a **tripartite social partnership** the Government and municipal institutions shall participate in the partnership on an equal basis with representatives of employees and employers and their organizations.

LEVELS OF SOCIAL PARTNERSHIP

Social partnership may be developed on the following levels:

- 1) national;**
- 2) sector (production, services, professional);**
- 3) territorial (municipality, county);**
- 4) enterprises, establishments or organizations and their structural divisions.**

FORMS OF SOCIAL PARTNERSHIP

Social partnership shall be implemented:

- 1) through participation in the activities of bipartite or tripartite councils (commissions, committees);**
- 2) through the exercise by employees' representatives of information and consultation rights and other rights of participation in the employer's decision-making processes;**
- 3) by conducting collective bargaining and concluding collective agreements.**

SYSTEM OF SOCIAL PARTNERSHIP

The system of social partnership comprised of:

- 1) the Tripartite Council of the Republic of Lithuania;**
- 2) other tripartite and bipartite councils (commissions, committees) formed in accordance with the procedure established by laws or collective agreements.**

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

The main institution harmonizing interests of social partners – *trade unions and employers' organizations* – and state institutions in Lithuania is the **Tripartite Council of the Republic of Lithuania.**

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

The **Tripartite Council of the Republic of Lithuania** was set up in 1995 on the basis of equal tripartite partnership for the purpose of solving socio-economic and labour matters by mutual agreement.

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

The Council was established in implementing the Agreement between the Government of the Republic of Lithuania, Trade Unions and Employers' Organizations on Tripartite Partnership of 5 May 1995 and following the provisions of the *ILO Convention No. 144 Concerning Tripartite Consultations to Promote the Implementation of International Labour Standards*.

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

**Provisions of Tripartite Council of Republic of Lithuania
are defined by the Labour Code.**

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

- * The functions, rights, procedure of formation, organization of work of the Tripartite Council shall be established in the **Regulations of the Tripartite Council**.
- * The Regulations of the Tripartite Council, amendments and supplements thereto shall be published in "Valstybės žinios" (Official journal).

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

The present **Tripartite Council** is comprised from representatives of trade unions, employers and the Government (21 members in total – 7 representatives per each party).

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

Institutions and organisations represented in the Council:

State authorities:

- Ministry of Social Security and Labour;
- Ministry of Economy;
- Office of the Government of the Republic of Lithuania;

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

Three central (republican) trade union associations:

- Lithuanian Confederation of Trade Unions;
- Lithuanian Labour Federation;
- Lithuanian trade union “Solidarumas”;

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

Four central (republican) employers' organizations:

- Lithuanian Confederation of Industrialists;
- Lithuanian Business Employers' Confederation;
- Chamber of Agriculture of the Republic of Lithuania;
- Lithuanian Association of Chambers of Commerce, Industry and Crafts.

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

Sittings of the Tripartite Council of the Republic of Lithuania are also attended by experts of various sectors (depending on subjects considering in the meetings).

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

The **Tripartite Council (TC)** is **a forum for discussions and preparatory work**, competent to assess different problems in relation to issues discussed, formulate and present conclusions and proposals to the Government of the Republic of Lithuania, Ministries, Seimas of the Republic of Lithuania and the public.

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

The Council deals with all most relevant issues of:

- *economic and*
- *social development,*
- *national macroeconomic and*
- *social stability,*

therefore the activities of the Council are in accord with objectives and goals of the country and consolidate the society for their attainment.

COMMISSIONS UNDER THE TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

Following **Commissions** have been presently functioning at the Tripartite Council:

1. Commission on Labour Relations
2. Commission on Culture Affairs
3. Commission on Youth Affairs
4. Commission on Education
5. Commission on Monitoring Consumers' Rights
6. Commission on a Social Dialogue in Civil Service
7. Commission on Energy

COMMISSIONS UNDER THE TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

The commissions have been set up on the basis of the tripartite principle, like the Tripartite Council.

NGO representatives are also members of many commissions.

COMMISSIONS UNDER THE TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

The purpose of these Commissions is to :

- address the issues within their competence,
- analyse legal acts and draft laws,
- submit their opinion and proposals to the Tripartite Council.

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

**Decisions passed by the Council are
recommendatory, but not obligatory.**

TRIPARTITE COUNCIL OF THE REPUBLIC OF LITHUANIA

The activities of the Council shall be directed and its meetings shall be chaired by the Chairman of the Council that shall be elected, on rotational basis, for a term of office of four months.

OTHER TRILATERAL AND BILATERAL COUNCILS, COMMISSIONS

Other than TC trilateral or bilateral councils (commissions, committees) may be established in accordance with the procedure prescribed by laws or collective agreements for addressing and resolving the issues of a labour, employment, safety and health at work, implementation of a social policy issues, based on the ground of trilateral and bilateral co-operation on the equal rights.

OTHER TRILATERAL AND BILATERAL COUNCILS, COMMISSIONS

Commissions and Boards functioning on **national level**:

- *State Social Insurance Fund Board;*
- *Lithuanian Professional Training Board;*
- *Guarantee Fund Board;*
- *Health Insurance Board;*
- *Commission for Occupational Safety and Health of the Republic of Lithuania.*

OTHER TRILATERAL AND BILATERAL COUNCILS, COMMISSIONS

Tripartite commissions functioning **on territorial level** :

- *Tripartite commissions under the Territorial Labour Exchanges offices;*
- *Commissions for Occupational Safety and Health;*
- *Tripartite or bipartite councils for other issues.*

INFORMATION AND CONSULTATION

With the entry into the European Union, and in order to transpose certain EU directives, Lithuania adopted following special laws:

- *Law on Work Councils;*
- *Law on European Work Councils;*
- *Law on the Involvement of Employees in the European Cooperative Societies.*

INFORMATION AND CONSULTATION

Prior to taking a decision on collective redundancies, the employer must inform the employees' representatives and hold consultations with them.

Consultations must be held with a view to avoiding collective redundancies or reducing the number thereof, or mitigating the consequences of such redundancies.

AGREEMENTS OF SOCIAL PARTNERS

Commissions for individual Labour Disputes

Representatives of employees and employers have recently engaged in an active cooperation with the **Commissions for individual Labour Disputes;**

In 2013 Labour Code has been amended and **extra-judicial procedure** dealing with individual labour disputes has been introduced in order to ensure the right of the parties to employment relations to a quality and efficient resolution of labour disputes.

AGREEMENTS OF SOCIAL PARTNERS

Commissions for individual Labour Disputes

It is now a **mandatory pre-trial body**, i.e. **Labour Dispute Commission under Territorial divisions of the State Labour Inspectorate**;

These Committees include a **representative of both employees and employers** (members of the commission), as well as a **civil servant of the State Labour Inspectorate**, appointed by the Chief Labour Inspector of the Republic of Lithuania (acting as a chairman of the commission).

AGREEMENTS OF SOCIAL PARTNERS

Commissions for individual Labour Disputes

Review of decisions adopted by the **Labour Dispute Commissions** for 2013 and 2014 suggests this is an efficient and timely method to resolve labour disputes (in 2013 and 2014, there were over 9,000 cases examined).

PROSPECTS

The Ministry of Social Security and Labour, seeking to develop social dialogue and assist the social partners in adjustment to the different realities, is currently drafting an *Action Plan on Social Dialogue in Lithuania for 2015–2020*.



***Thank you for your
attention!***