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UNIVERZITET CRNE GORE
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IMPROVING LABOUR MARKET OPPORTUNITIES AND COMBATING THE CRIMINAL OFFENSES OF EMPLOYMENT EQUALITY

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Sustainable Development Goal 8: Decent Work and Economic Growth

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01

Introduction



02

Equal opportunities – European Pillar of Social Rights



Challenges

Discrimination is still a considerable challenge in the EU. The latest (2015) Eurobarometer survey revealed that 64% of respondents think that discrimination on the grounds of ethnic origin is widespread in the EU, 58% for sexual orientation, 50% for disability and religious belief and 42% for being over 55 years old.

Situation at EU level

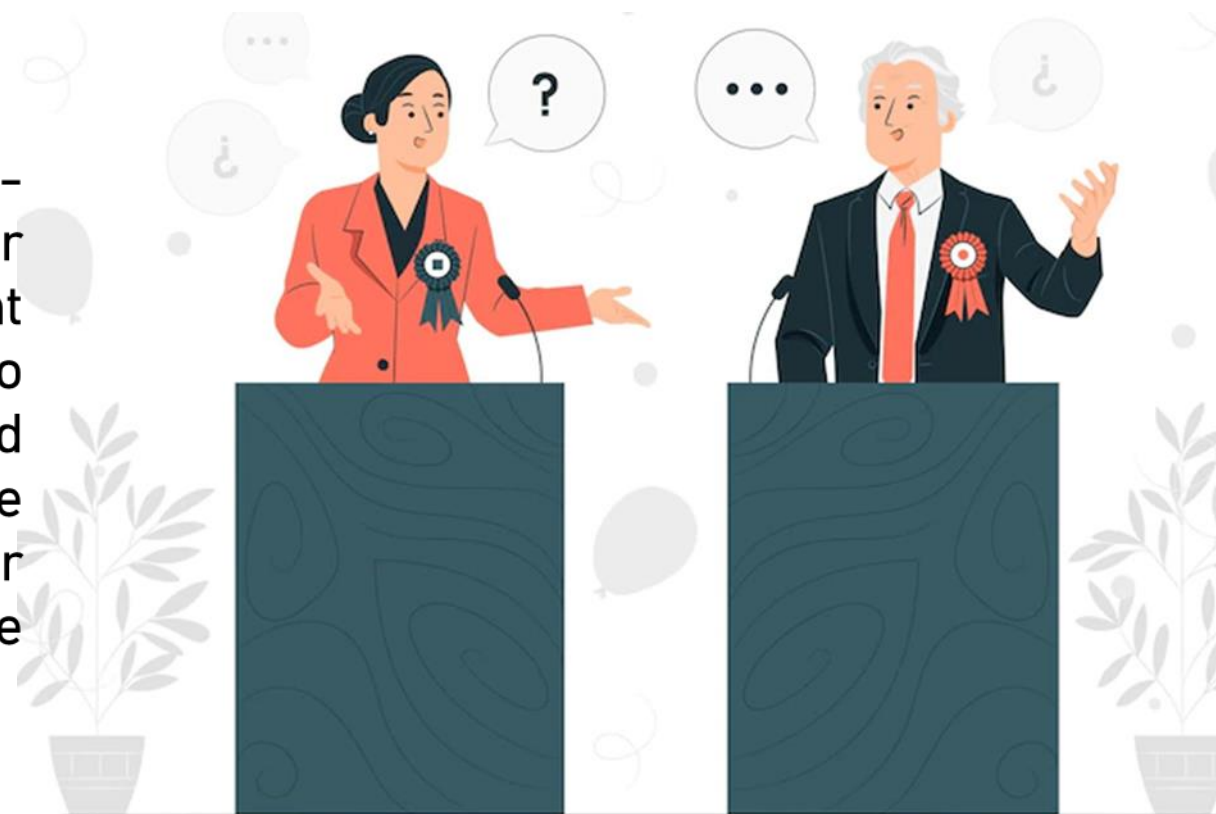
Discrimination on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation is illegal throughout the Union. This is enshrined in Article 21 of the EU Charter of Fundamental Rights. A number of provisions of the EU Treaties provide for the combat against inequalities, discrimination and social exclusion. Several Directives specify the prohibition of discrimination on the aforementioned grounds.

02

Equal opportunities – European Pillar of Social Rights

Situation in the Member States

Following the transposition of the EU anti-discrimination Directives at national level, it is for the competent national authorities to implement and enforce them. Some Member States try to address the challenge of underrepresented groups in the labour market through positive discrimination and incentive measures for employers (e.g., incentives for employers to hire workers, quotas).



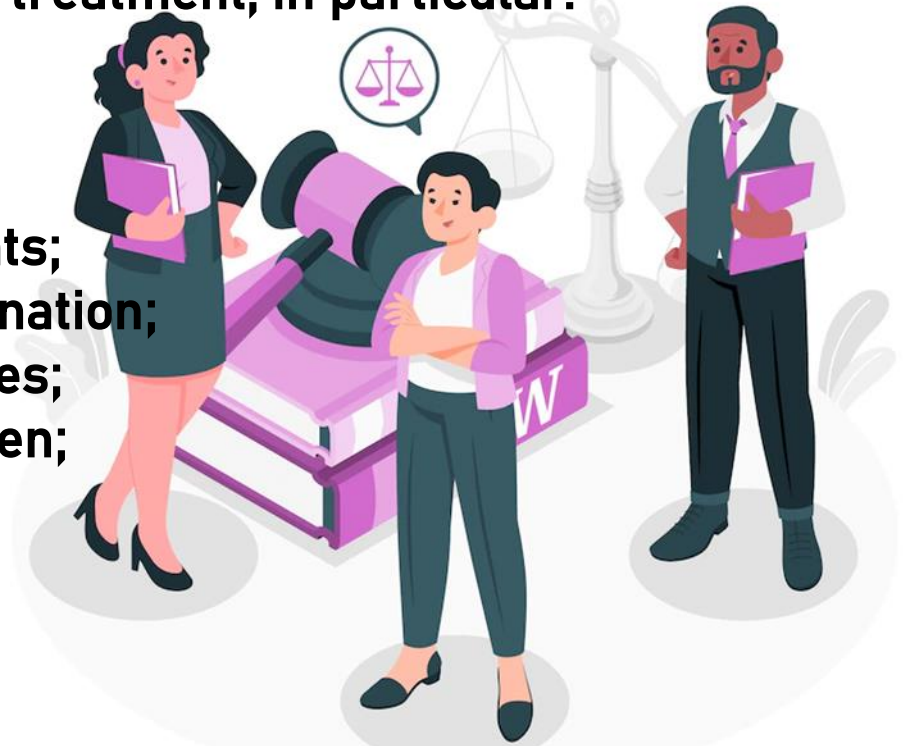
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Equal opportunities – European Pillar of Social Rights

International dimension

Several international conventions set out the principles of equal treatment, in particular:

- the European Convention of Human Rights;
- European Social Charter⁴;
- International Covenant on Economic, Social and Cultural Rights;
- Convention on the Elimination of All Forms of Racial Discrimination;
- Framework Convention on the Protection of National Minorities;
- Convention on the Elimination of Discrimination against Women;
- ILO Convention on Discrimination;
- the UN Convention on the Rights of Persons with Disabilities.



02

Equal opportunities – European Pillar of Social Rights

Situation in Montenegro

The Constitution of Montenegro stipulates the protection against different manifestations of discrimination or inequality, such as:

- **Prohibition of infliction of hatred;**
- **Prohibition of discrimination;**
- **Grounds and equality;**
- **Gender equality;**
- **Protection of the persons with disability;**
- **Freedom of thought, conscience and religion;**
- **Temporary limitation of rights and liberties.**



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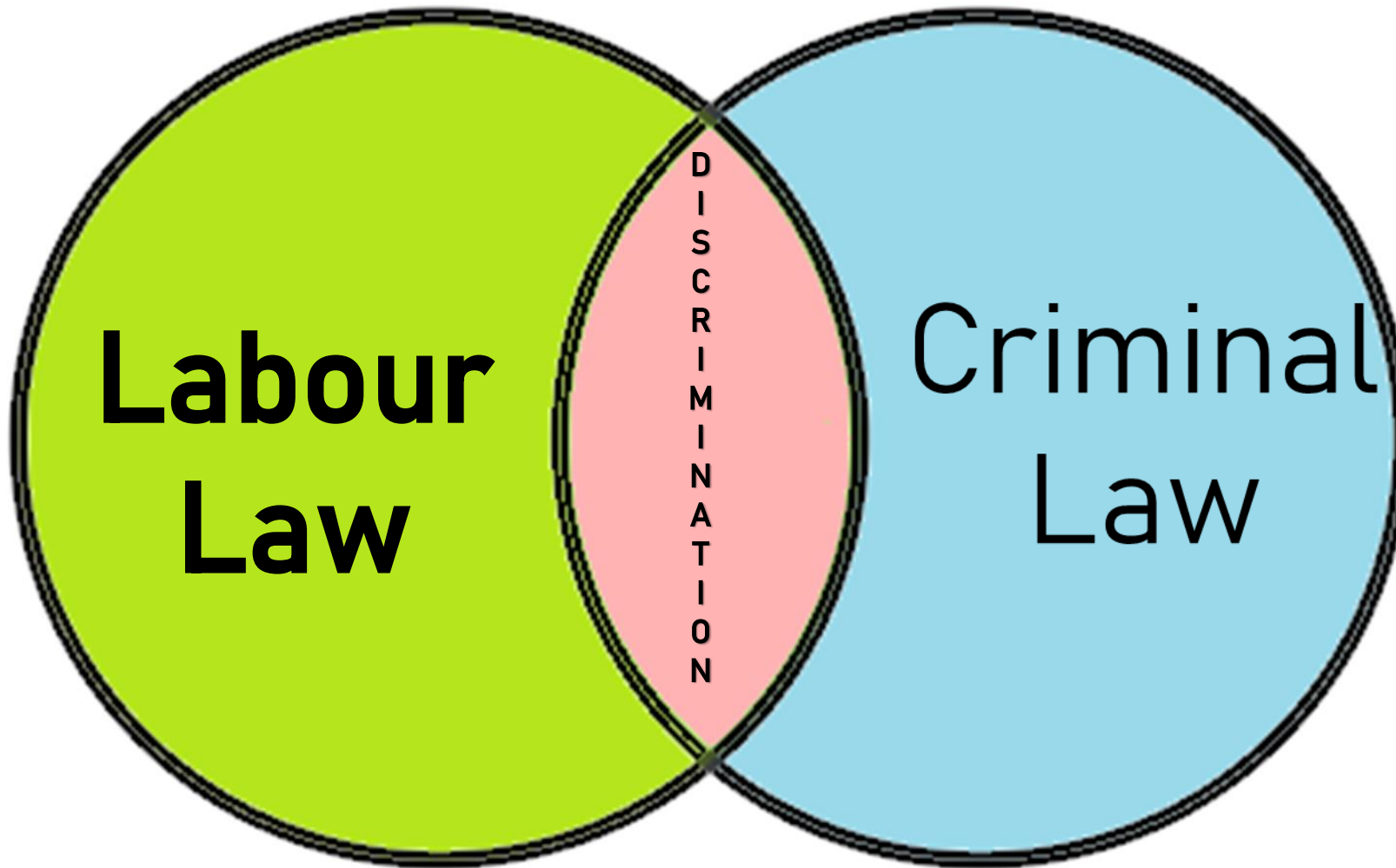
Equal opportunities - European Pillar of Social Rights

- **Universal Declaration of Human Rights**
- **International Covenant on Economic, Social and Cultural Rights**
- **International Covenant on Civil and Political Rights**
- **International Convention on the Elimination of All Forms of Racial Discrimination**
- **UN Convention on the Elimination of All Forms of Discrimination against Women**
- **UN Convention on the Rights of Persons with Disabilities**
- **International Convention for the Protection of Human Rights and Fundamental Freedoms**
- **ILO Convention 111 concerning Discrimination in Respect of Employment and Occupation**
- **ILO Convention 100 on Equal Remuneration**
- **UN Global Compact**



03

Labour Law: Discrimination



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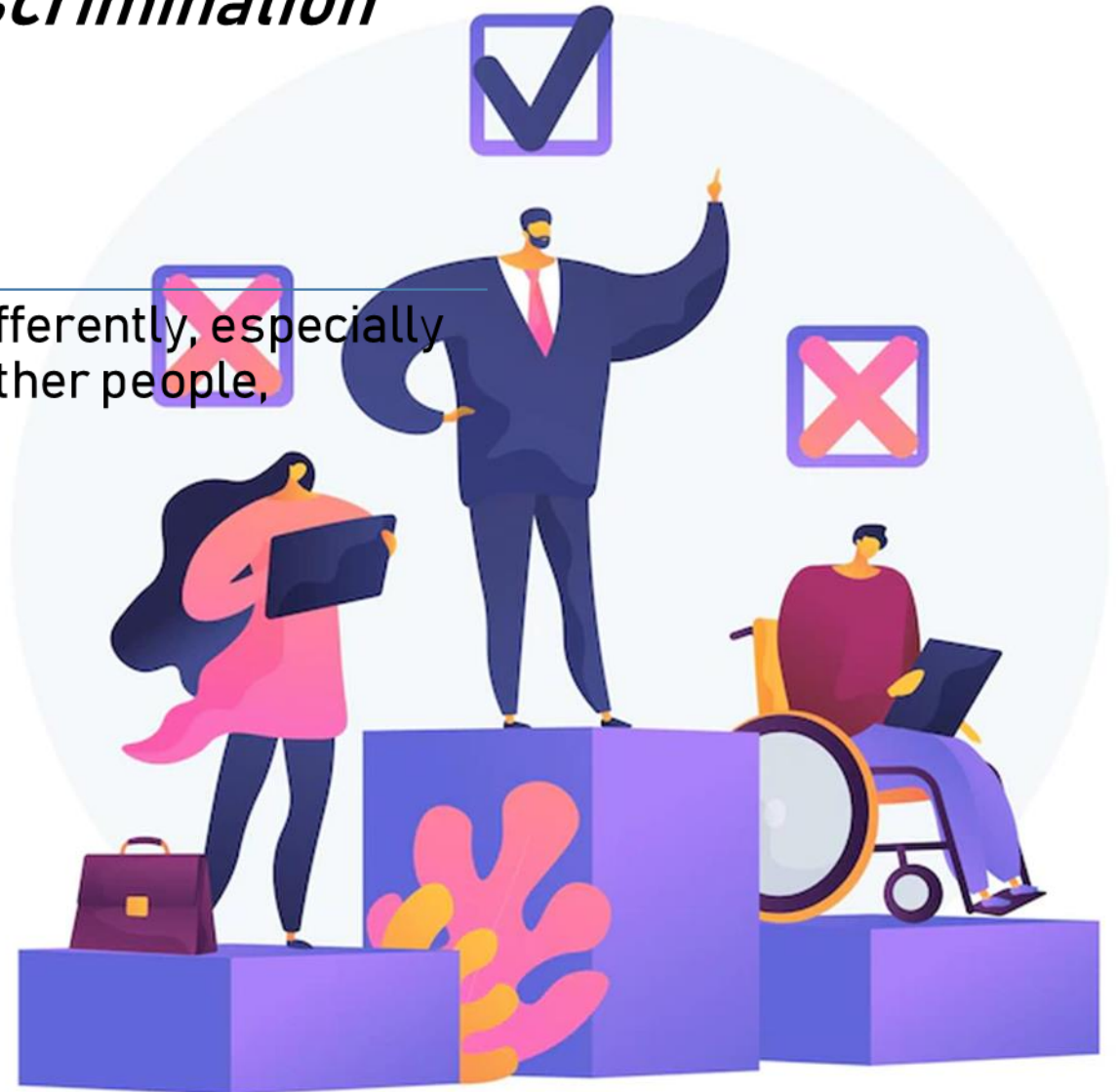
Labour Law: Discrimination

Discrimination

- treating a person or particular group of people differently, especially in a worse way from the way in which you treat other people, because of their skin colour, sex, sexuality, etc.:

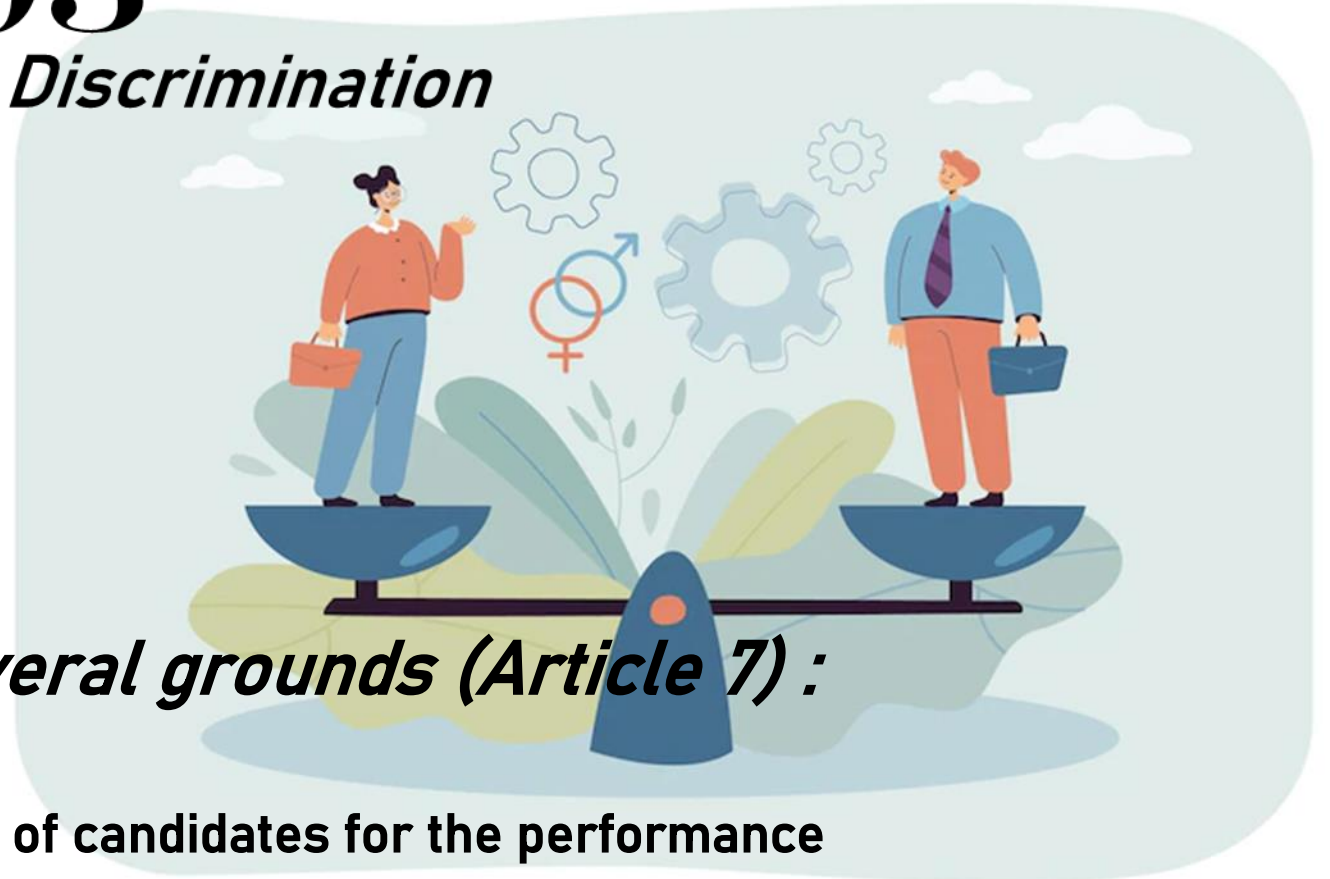
Types of Discrimination

- Age Discrimination
- Disability Discrimination
- Sexual Orientation
- Status as Parent
- Religious Discrimination
- National Origin
- Pregnancy
- Sexual Harassment
- Race, Color and Sex
- Reprisal/ Retaliation



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Labour Law: Discrimination



Prohibits discrimination on several grounds (Article 7) :

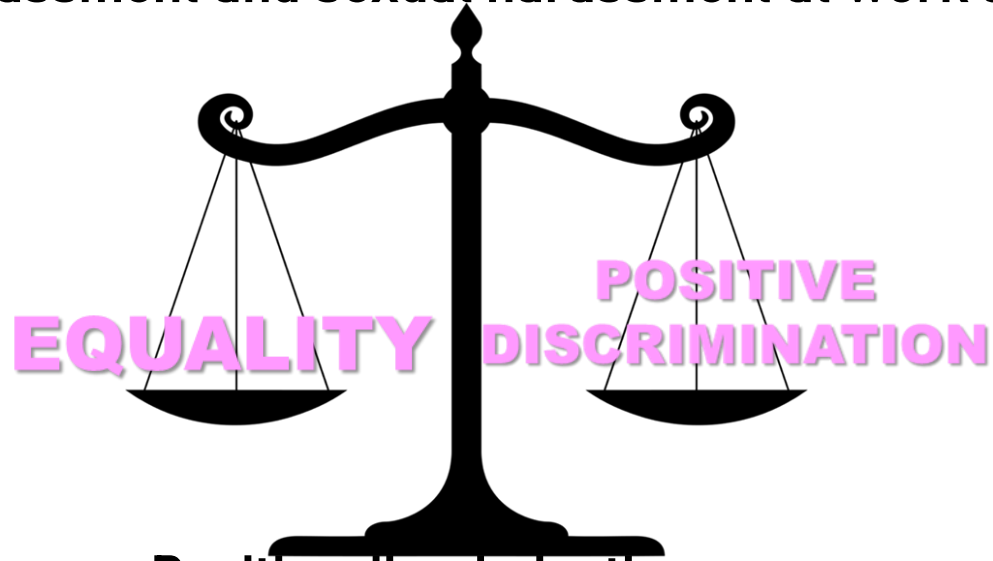
- 1) Employment requirements and selection of candidates for the performance of a specific job;**
- 2) Working conditions and all rights based on employment relationship;**
- 3) Education, capacity building and training;**
- 4) Promotion at work;**
- 5) Cancellation of the labor contract.**

03

Labour Law: Discrimination

As stipulated in Article 8 harassment and sexual harassment at work and in relation to work shall be prohibited.

Positive discrimination is the act of a company favouring someone less capable because of a protected characteristic they possess to fulfil a company quota.



Positive discrimination can occur at various stages in a company, including hiring, firing, promoting or how the company generally acts with its employees.

It's illegal to treat someone with a protected characteristic that isn't as qualified more favourably than someone who is more skilled and doesn't have a protected characteristic.

04

How to Increase Labour Market Flexibility

Reduce minimum wages

Reduce the power of trade unions

Better education and training

Make it easier to hire and fire workers

Reduce protection workers have over collective dismissal



Reduce poverty trap

Make it harder to receive unemployment benefits

Improve child care facilities to encourage women to work

Encourage more immigration from overseas

05

Coronavirus: Impact on the labour market

Policy options for expanding the protection of workers and families during the reactivation phase include:

*** the introduction of temporary safety nets for the new poor and newly vulnerable,**

*** the introduction of an unemployment allowance targeted at young people of working age,**

*** the establishment of an additional employment retention programme.**



05

Coronavirus: Impact on the labour market

- * the restructuring of the current graduate professional training programme into a more cost-effective universal and open-ended internship programme
- * the promotion of in-work intergenerational solidarity by linking the revised internship scheme to an innovative framework for job sharing
- * the introduction of active employment measures in response to the crisis, including job-sharing schemes, voluntary reductions in working hours, job rotation and teleworking.





05

Coronavirus: Impact on the labour market

Reminder

The first local case of coronavirus in Montenegro came to light in mid-March 2020. Since then, the country imposed wide-reaching restrictions to flatten the contagion curve. It successfully managed to limit the number of deaths to nine out of 324 registered cases of infections, before declaring itself coronavirus-free earlier in May and relaxing the restrictions.

Nevertheless, the lockdown measures have severely impacted the economy. According to ILO estimates, 36,000 jobs (15% of the labour market) are at immediate risk.

06

State Prosecutor's Office



THEMIS | JUSTISE

ANNUAL REPORT OF THE PROSECUTION Criminal offenses against labor rights

Criminal offenses from this part are committed in violation of regulations in the field of labor law and in connection with work.



06

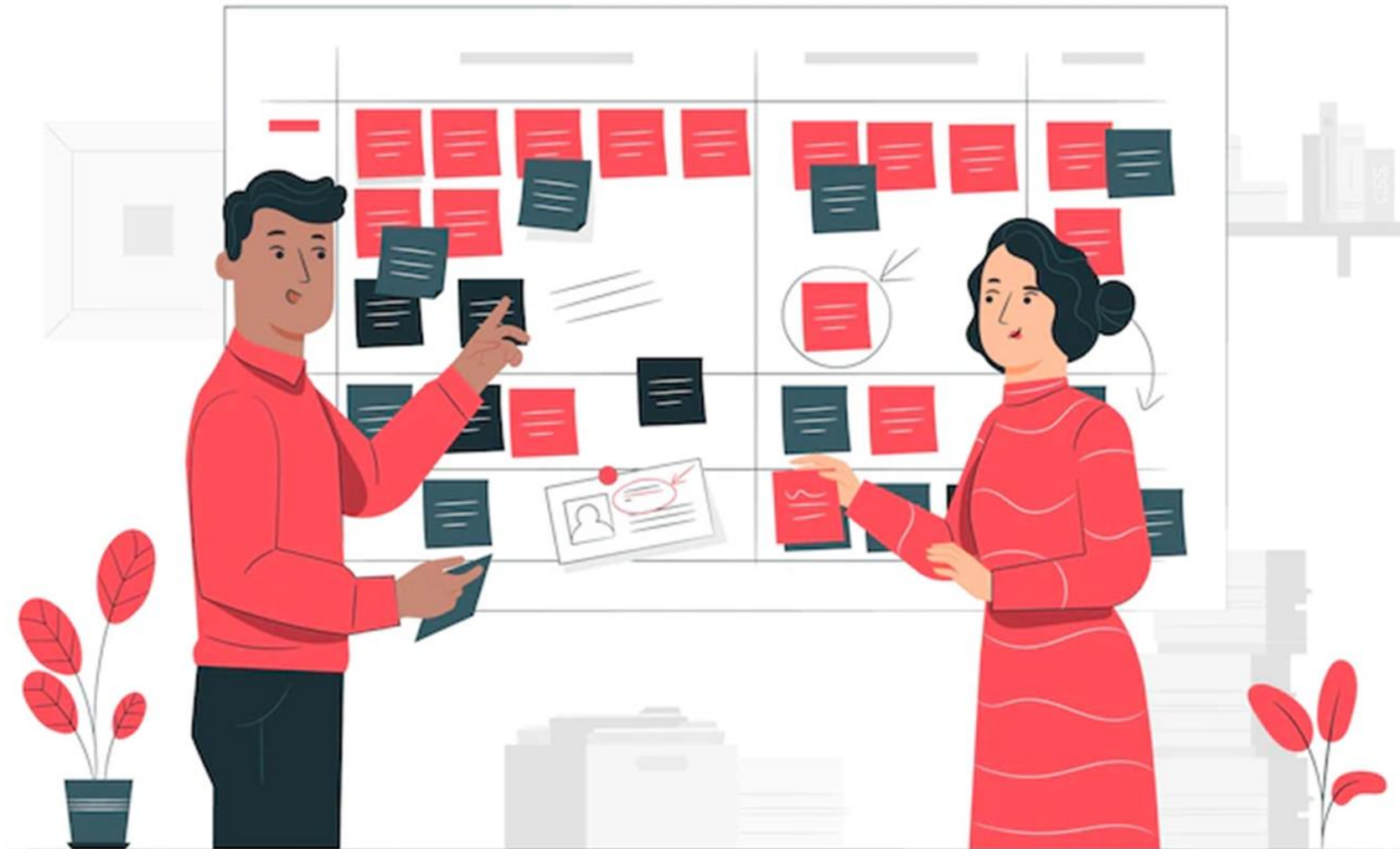
State Prosecutor's Office



- Committing criminal offenses against labor rights (2020, 2019, 2018, 2017).
- Committing criminal offenses of violation of the rights from the work of Article 224 of the Criminal Code (2020, 2019, 2018, 2017).
- Committing criminal offenses of violation of equality in employment under Article 225 of the Criminal Code (2020, 2019, 2018, 2017).
- Committing criminal offenses of violation of social security rights under Article 229 of the Criminal Code (2020, 2019, 2018, 2017).

07

Conclusion



***Thank you for your attention
Your support is truly appreciated!***

