



Trade union movement at European and global level, including the trade union movement in the country, especially in recent years, paid special attention to the harassment at the workplace, i.e. mobbing. Recently, at the initiative of the Federation of Trade Unions of Macedonia the Law against mobbing was adopted, being extremely important for the regulation of relations in working environments. Passing the bill is of historical importance because it will contribute to creating healthy working environment and relaxed relations, says the president of SSM Zivko Mitrevski, PhD.

What was the previous regulation the problem of mobbing in the country in the legal framework?

- The requirements of SSM as a leader in direction of adoption of new special law on mobbing found the legal framework and legal limitation of this phenomenon as insufficient, presented with only one article in the Labor Law. Namely, in Macedonia existed legal norms that prohibited and sanctioned procedures (activities) that enable mobbing: the Constitution, the Law on Protection from Harassment in the Workplace, Labor Law, the Criminal Code, OHS Law, the Law on Equal Opportunities for Women and Men, the Law on Protection against Discrimination, Collective Agreements, the Law for Peaceful Resolution of Labor Disputes.

For example, according to the Constitution, the state has an obligation to ensure basic rights and freedoms of people and citizens, recognized in international law. Articles 10 and 11 prohibit any form of torture, inhuman or degrading treatment, punishment and forced labor. With Article 25, every person is guaranteed the respect and protection of the privacy of their personal and family life, dignity and reputation. Article 32 specifies labor rights and employment rights (everyone has the right to work, to free choice of employment, occupational safety and financial support during unemployment. Each job is available for everyone under equal conditions. Every employee is entitled to be paid daily, weekly and to an annual leave).

In 2009 Labor Law was amended by Article 9-a in order legal regulation of mobbing in RM. Practice has shown that the goal is not achieved, i.e. there are only a few cases of mobbing in litigation procedure, for which there is no final court decision, etc.

However, due to the subtlety of the issue of mobbing, i.e. protection from physical and sexual harassment in the workplace and providing healthy working environment, Federation of Trade Unions of Macedonia required normative devices and a special law, because the only article in the Labor Law, which only defines and prohibits mobbing, complicated rather than provided opportunity to resolve cases of mobbing. For this reason, SSM started initiative for passing a law - Lex specialis, launched on May Day event in 2012, under the motto: "To protect human dignity by passing legislation to prevent harassment."

Besides SSM's activities, who else is credited for the adoption on the law against mobbing?

- SSM proposed text for the law that was put on the agenda of the Economic and Social Council. The motion was accepted by ESC and the Ministry of Labor and Social Policy initiated

activities to establish the draft text of the law, involving the social partners. On the initiative and draft text of the law pleaded the Government, and after their acceptance, the bill was discussed in the Parliament and passed. The position of SSM was to create a legal framework to the problem called mobbing, accepted and supported by our membership and the general public. The debates and workshops on mobbing held by SSM, and on the debates on this issue organized by other entities, there was a joint idea - our country needs a special law for harassment, because of the frequency of psychological pressure on employees, which carries consequences not only for their health, but also for their employment status. This law was necessary for mitigating the impact and resolving labor disputes that resulted in harassment. I am grateful to all stakeholders who contributed project on the law to be successfully completed. Those are branch trade unions, women sections, the SSM's Office on assistance and education to victims of mobbing, many NGOs and civil society organizations, especially the working groups of the Ministry of Labor and Social Policy, and I would mention Liljana Popovska of the parliamentarians, being part of all initiatives.

What are the sanctions prescribed by the law?





