1. Basic Information

1.1. Désirée Number: SK0006.01
1.2. Title: Development of Social Dialogue on the Bipartite Level
1.3. Sector: Employment and Social Policy
1.4. Location: Slovak Republic

2. Objectives

2.1. Overall Objective:
   - Social Dialogue developed especially on the branch and enterprise level
   - Social partners’ capacity building improved

2.2. Immediate Objective:

Preparation of social partners on branch and enterprise level for active participation in the social dialogue and collective bargaining

2.3. Accession Partnership and NPAA priority

Accession Partnership - Short-term priority

“Support social partners’ capacity-building efforts to develop and implement the acquis, notably through bipartite social dialogue”.

NPAA

The implementation of Directive 94/45/EC on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purpose of informing and consulting employees and other regulations are important part in the transposition of Acquis Communautaire.

The NPAA, part 3.5.1 Employment and Social Policy corresponds to the Accession Partnership priority regarding further development of an active bipartite social dialogue.

3. Description

3.1. Background and justification

Social Dialogue has substantially improved in the Slovak Republic. The Act of Tripartite, economic and social partnership, entered into force in June 1999. The law institutionalizes the dialogue between Government, Trade Unions and employers. The re-launching of the social dialogue and the establishment of an institutional tripartite framework are positive developments.
Further effort is required to secure transposition of the acquis, with particular reference to employers’ insolvency and workers representation, especially on the enterprise level.

The Amsterdam Treaty gives the social partners important powers, placing heavy responsibilities on the EU level organization of Trade Unions and employers. They now have the possibility to decide on some European Social Policy matters themselves and to co-shape the “social dimension” of the Union.

The European Social Partners play also an important advisory role in the definition of economic and employment guidelines agreed annually by the European Council, and in numerous advisory and consultative committees (on Safety and Health, Training, Equal Rights) and in the European Social Fund.

The Social Dialogue serves as the forum in which the social partners – at both the horizontal and the branch levels - examine current changes at national and international level and discuss how to address them.

The functioning of the internal market involves a process of concentration of undertakings, cross-border mergers, take-overs, joint-ventures and, consequently, a trans-nationalization of undertakings and groups of undertakings operating in two or more Member States leads to the necessity to inform and consult the representatives of employees when decisions affecting them are taken. To guarantee that employees of undertaking or groups of undertakings are properly informed and consulted, it is necessary to set-up European Works Councils or to create other suitable procedures for transnational information and consultation of employees (Directive 94/45/EC).

3.2. Linked activities:

Project 9408-04 – Social dialogue and tripartite
The project included technical equipment for the Council of Economic and Social Agreements and technical assistance for all participating social partners, the Confederation of Trade Unions and the Association of Employers Unions and Associations of the Slovak Republic.

SR 9519 – Industrial Relations
The project aimed at providing technical assistance and equipment for the partners of the tripartite social dialogue at regional levels.

3.3. Results:

- The bipartite social dialogue in the chemistry and construction branches is developed in terms of quantity (number of collective agreements) and quality on a national level as well as in selected enterprises
- Negotiation and bargaining skills of 80 bipartite negotiators from the mentioned branches are improved through training
- Two pilot projects in selected enterprises to test in practice the development of the bipartite social dialogue are carried out.
3.4. Activities:

a) Introduction of permanent social dialogue at branch and enterprise level

- To compare national models (based on the “enterprise constitution” versus model with consulting role)
- To determine the role of the state in collective bargaining (legislation, inspection)
- To implement the EC legislation (European Works Councils)
- To acquaint Slovak bipartite bodies with EU bodies’ performance (UNICE/UEAPME, ETUC, CEEP).

b) Development of communication, bargaining and negotiation skills

Development of skills and knowledge on:
- employment issues negotiations
- enterprises management
- work productivity development
- quality product management
- occupation safety and health management (prevention, rehabilitation, compensation of occupational injuries)

b) Implementation of two pilot projects in the field of bipartite social dialogue

The envisaged pilot projects will focus on solving issues related to the
- remuneration and wages determination
- increasing the quantity and quality of membership in organisations (trade unions, employer organisations) acting as social partners
- creation and operation of pension and guarantee funds
- human resources development

The topics to be covered will include:

- bargaining methods, communication and negotiation skills training
- role of employers/branch associations in collective bargaining
- collective agreements
- negotiating methods
- legislative background (EU legislation, ILO Convention, Slovak legislation)
- responsibilities of social partners (form and methods of work).

Two PAAs will be recruited with specific expertise in the field of collective bargaining and other forms of workers participation at the branch and enterprise level in two specific fields: chemistry and construction. Expertise on labour law legislation will be required.

Employers’ Association and Trade Unions from both branches (chemistry and construction) will define the group of 80 people for future training and experience exchange.

Two training courses for 80 participants (four mixed groups from employers and employees representatives) will be carried out in Slovakia by foreign experts.
The internship for 6 experts from Trade Unions and Employers’ Associations will be organised at EU top institutions and participation in the international companies’ Works Council meetings.

Pilot projects at two levels will be also carried out with the following objective:
- To create alternatives for workers participation in 4 pilot joint-venture international companies under the model of European Works Councils.
- To verify different schemes of workers participation in social dialogue in Slovak companies (where the European Directive is not applicable).

The mechanisms of workers’ participation at the enterprise level will be assessed through this project.

3.5. Outputs:

The tangible outputs will be as follows:

* qualified local negotiators for collective bargaining, facilitators and top negotiators are trained
* the results of the pilot projects are disseminated

3.6. Means and costs:

PAAs profile:
Two PAAs – (24 months each) with extensive experience (at least 10 years in the relevant sector):
- specific expertise in the field of collective bargaining and other forms of workers participation at the branch and enterprise level in two specific fields: chemistry and construction
- Expertise on labour law legislation
- University degree
- good command of oral/written English

One PAA will be oriented on Trade Union level [to be placed at the Confederation of Trade Unions (KOZ)]; the second one will be an expert on employers’ issues [to be placed at the Association of Employers (AZZZ)]. Each should come from one of the social partners operating in a Member State.

The PAAs will be assisted by 2 long-term local linguistic assistants

Means:
2 long-term PAA [ 2 x 24 months ]
2 long-term assistants [ 2 x 24 months]
several short-term experts from Member State for legal questions, training and pilot projects (to be defined in detail in the twinning covenant)

4. Institutional Framework

Ministry of Labour, Social Affairs and Family (MoLSAF)
Branch Employers’ Associations
Branch Trade Unions Associations
Employers, employees representatives
5. Detailed budget  (in MEUR)

<table>
<thead>
<tr>
<th>Sub-group 1: PAAs (24 months each, including linguistic assistants)</th>
<th>Phare Support</th>
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<td>Investment Support</td>
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<table>
<thead>
<tr>
<th>Sub-group 2: Project leader + short-term experts</th>
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<thead>
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<th>Sub-group 3: Workshops, internships, translations</th>
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</table>

(*) The co-financing will be ensured through provision of office premises, equipment, etc.

6. Implementation Arrangements

6.1 Implementing Agency

CFCU
PAO Milan Michalicka
Mlynské Nivy 61 - 821 09 Bratislava
Tel:++421 7 53418 093
Fax: ++421 7 53418 095

Implementing Authority

Ministry of Labour, Social Affairs and Family
PhDr. Lýdia Zelmanová
Špitalska 6 - Bratislava
Phone: ++421 7 5975 2216,17
Fax: ++ 421 7 5296 2465

6.2 Twinning

Ministry of Labour Social Affairs and Family (MoLSAF) (see above)

Federation of Employers Associations
Ing. Daniel Hrdina
Nobelova 18 – 83102 Bratislava
Tel.: 421-7-49231240
Fax: 421-7-44258530
e.mail: imb@azzz.sk

Confederation of Trade Unions
Ing. Milos Krsak
Odborarske nam. 3
81570 – Bratislava
Tel.: 421-7-50239113
Fax: 421-7-55423600

Employers, employees representatives
6.3 **Non-standard aspects:** not relevant

6.4 **Contract**

One twinning covenant with a budget of 1 MEUR
7. **Implementation Schedule**

7.1 Call for proposals: 4\textsuperscript{th} quarter 2000  
7.2 Start of project activity: 2\textsuperscript{nd} quarter 2001  
7.3 Project completion: 2\textsuperscript{nd} quarter 2003

8. **Conditionality and sequencing**

The beneficiary institutions will ensure that adequate financial and human resources are made available before the actual start of the project. Each seconded PAA will cooperate with competent Slovak staff made available by the beneficiary institution.
Annexes to project Fiche

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period)
4. List of relevant Laws and Regulations
5. Reference to relevant Government Strategic plans and studies
### Logical Framework Planning Matrix for: Programme Social dialogue

|-------------------------|----------------------------------------|---------------------------|--------------|

### Date of drafting: April 2000

### Total budget (MEUR)

| 1. |  |

### Programme Social dialogue

<table>
<thead>
<tr>
<th>Overall objectives:</th>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
<th>Assumptions</th>
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<tr>
<td>• Enforcement of social partners’ capacity building</td>
<td>• Common outputs on social dialogue are existing;</td>
<td>• Media information, statements</td>
<td>• Co-financing of relevant partners ensured</td>
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<tr>
<td>• Improvement of permanent social dialogue on the branch and enterprise level</td>
<td>• The negotiation of social partners is permanent at branch, regional and enterprise level;</td>
<td>• Adequate reports and statistic</td>
<td>• Relationship with public and private companies effective</td>
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<td></td>
<td>• Branch collective agreements, enterprise collective agreements are regularly adopted</td>
<td>• Specific studies of EU experts</td>
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### Project purpose:

Social dialogue on the branch and enterprise level developed

| • Common outputs on social dialogue are existing; | Social Dialogue at the branch and enterprise level increased | Media information, statements | Effective internal communication mechanisms working in AZZZ (Federation of Employers’ Associations and KOZ (Confederation of Trade Unions) |
| • The negotiation of social partners is permanent at branch, regional and enterprise level; | Representatives at relevant level more skilled in negotiation and communication | Adequate reports and statistics | Tripartite legislative council well functioning |
| • Branch collective agreements, enterprise collective agreements are regularly adopted | | Specific experts studies | Tripartite council for economic and social agreement effectively working |

### Results:

1. The bipartite social dialogue in the chemistry and construction branches in terms of quantity (number of collective agreements) and quality on a national level as well as in selected enterprises to be developed
2. Negotiation and bargaining skills of 80 bipartite negotiators from the mentioned branches through training to be improved
3. Two pilot projects in selected enterprises to test in practice the development of the bipartite social dialogue carried out

<p>| • Social Dialogue at the branch and enterprise level increased | • Representatives of social dialogue trained | • Media information, statements | • Effective internal communication mechanisms working in AZZZ (Federation of Employers’ Associations and KOZ (Confederation of Trade Unions) |
| • Representatives of social dialogue trained | • Relevant knowledge and skills achieved and used (higher quality outputs) | • Adequate reports and statistics | Tripartite legislative council well functioning |
| • Relevant knowledge and skills achieved and used (higher quality outputs) | | • Specific experts studies | Tripartite council for economic and social agreement effectively working |</p>
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<table>
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<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
<th>Assumptions</th>
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<td>• A number of pilot project described</td>
<td>• Adequate final evaluation report of the pilot projects</td>
<td>• Partnerships at the relevant level well functioning</td>
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<tr>
<td>• Results of implemented pilot projects disseminated</td>
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**Activities:**

1. **Introduction of social dialogue at the branch and enterprise level based on the best EU practice**
   - 2 PAAs (each 24 months)
   - 2 long-term linguistic assistants to the PAAs
   - Several EU short-term experts
   - Training of representatives from the social partners in Slovakia and in an EU Member State
   - Internships at social partners in EU MS

2. **Development of communication skills, bargaining and negotiations skills in the frame of HRD using wide range of know-how transfer methods and on-the-job training**
   - Pilot projects (capacity building)
   - Translations of training materials

3. **Launching 2 pilot projects in two different industrial branches aimed on bipartite social dialogue**
### ANNEX 2

**TIME IMPLEMENTATION CHART - PROJECT NUMBER SK0006.01**

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ANNEX 3

CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE (in MEUR)

Development of Social Dialogue at the bipartite level – Project number SK0006.01

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ANNEX 4

List of relevant Laws and Regulations

Act on tripartism, Act 106/ 1999 Economic and Social Partnership

Amendment to Act No. 2/1991 on Collective Bargaining as amended by later regulations

Act 281/ 1999 concerning bankruptcy

Labour Law as amended in Act 297/ 1999
Reference to relevant Government Strategic plans and studies

NPAA, part Economic and Social Cohesion (3.5) and Employment and Social Policy (3.5.1)

Strategic Plan of RHSD (Council of Economic and Social Agreement) - top tripartite donor

National Employment Policy up to 2002 (MoLSAF, July 1999)

Concept of Social Reform of Slovak Republic Government