



**ESPN Thematic Report on  
Access to social protection of  
people working as  
self-employed or on  
non-standard contracts  
former Yugoslav Republic of  
Macedonia**

**2016**

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**European Social Policy Network (ESPN)**

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## Contents

SUMMARY .....	4
1 CONTEXT: SELF-EMPLOYMENT AND NON-STANDARD WORK RELATIONSHIPS IN THE NATIONAL ECONOMY AND LABOUR MARKET .....	5
2 DESCRIPTION AND ASSESSMENT OF SOCIAL PROTECTION PROVISIONS FOR THE SELF-EMPLOYED AND PEOPLE EMPLOYED ON NON-STANDARD CONTRACTS .....	7
2.1 Description of social protection provisions for the self-employed and people employed on non-standard contracts.....	7
2.1.1 Healthcare and sickness: cash benefits and benefits in kind.....	8
2.1.2 Maternity/paternity cash benefits and benefits in kind.....	8
2.1.3 Old-age and survivors' pensions.....	9
2.1.4 Unemployment benefits and social assistance benefits .....	9
2.1.5 Long-term care benefits.....	10
2.1.6 Invalidity, accidents at work and occupational injuries benefits .....	10
2.1.7 Family benefits .....	11
2.2 Assessment of the existing social provisions and of the impact of possible extension of their coverage .....	12
3 CONCLUSIONS AND RECOMMENDATIONS .....	13
ANNEX 1.....	15
STATISTICAL ANNEX .....	17
REFERENCES.....	27

## Summary

Self-employment in the former Yugoslav Republic of Macedonia (FYR Macedonia) has experienced a higher growth than standard full-time employment. In 2015, self-employment reached 17.7% of total employment. The share of self-employment is highest by far in agriculture, at 46.5%. Self-employment is frequently not the result of choice, but of a lack of available waged jobs. It is more a question of economic survival, as can be seen by the fact that a majority of the self-employed in 2015 lived on incomes below the average wage.

Other non-standard types of employment, such as part-time work, are even less sought after, as only 4% of workers are employed on this type of contract. Temporary workers represented 9.4% among all employees in 2015. Atypical working is most often found in the informal economy, which represented 19.9% of total employment in 2015.

According to the Law on Obligatory Social Insurance Contributions (Official Gazette No. 142/2008) a self-employed person is defined as any natural person who independently runs an economic activity (business), as well as any person who renders professional and other intellectual services, and makes earnings out of it. Other non-standard forms of employment, such as seasonal work, are defined in the Labour Relations Law (official Gazette No. 74/2015): art. 47 says that work is defined as seasonal if it does not exceed eight months in a period of 12 consecutive months. It also states that seasonal workers who work without interruption for at least three months, and accrue more working hours than those regulated for a full-time job, can ask for these hours to be calculated as full-time work. The Law on Agencies for Temporary Employment (Official Gazette No. 39/2013) defines temporary agency workers as workers with an employment contract with an agency for temporary employment who can be ceded to another employer/user for temporary work (art. 3a).

Self-employed persons are included under the general obligatory scheme for social protection, accessible by all the economically active population. The exception is unemployment insurance, for which self-employed persons are not covered (though the employees of self-employed persons are). Rates of financial contribution by self-employed persons and employees are the same. A difference exists in relation to the basis on which social insurance contributions are levied. Temporary workers with contracts for performing physical and/or intellectual services (non-employee service contracts) are excluded from pension and disability insurance, as well as from unemployment insurance. Health insurance contributions are compulsory only for those temporary workers whose income is higher than the statutory minimum wage. Farmers are also a special category, and are excluded from a number of areas of the obligatory social protection system, such as the second-pillar (fully funded) pension, and unemployment insurance.

Increased support for self-employment has been evidenced in recent years through a number of active labour market programmes that promote self-employment either in general, or among specific target groups, such as young unemployed people up to 29 years of age and persons with physical disabilities.

This thematic report suggests that although legal rights to access social protection are equal as between salaried workers, the self-employed and some temporary workers, there is a need for improved access in practice. Also, some non-standard forms of employment are misused in order to avoid paying social contributions. Temporary employment due to frequent discontinuation of employment contracts represents an obstacle to obtaining certain services, such as bank loans.

Coverage of the obligatory social protection system should be extended to temporary workers with contracts for performing physical and/or intellectual services, as well as to people in informal employment. This, if realised gradually and in a manner that avoids negatively affecting the employment and incomes of these workers, could bring

positive long-run effects both to public social insurance budgets and the workers themselves.

Other measures to encourage greater mobility from unemployment towards self-employment, or from the informal economy towards registered self-employment, could include removing work/income disincentives in the social financial assistance scheme, as well as increasing the scope of current active labour market targets and support for self-employment.

## **1 Context: self-employment and non-standard work relationships in the national economy and labour market**

According to Eurostat data for 2016, self-employment in 2015 accounted for 17.7% of total employment in the former Yugoslav Republic of Macedonia (FYR Macedonia). 75.4% of the self-employed had no employees (own-account workers). Over the period 2007 to 2015, the self-employment rate for women increased by 36%. The incidence of self-employment is highest in the age group 45-49 (17.3%), followed by the age groups 60-64 (8.3%) and 65+(4.8%). It is lowest among young people (2.21% among the age group 20-24, and 3.5% among the age group 25-29).

Taking into consideration net pay figures for 2015, it can be argued that self-employment is mostly a survival strategy, as around 15% of all self-employed people lived on incomes below the poverty line. Labour Force Survey (LFS) data for 2015 show that 49% of the self-employed lived on incomes below the minimum wage, 21% had incomes around the average wage, and only 7% had incomes above the average wage. In 2015, according to EU Study on Income and Living Conditions (EU-SILC) data, 33.5% of self-employed people ('employed persons other than employees') lived in poverty or social exclusion.

Analysis of self-employment in particular sectors shows that the highest concentration of self-employment (46.5% in 2015) is found in agriculture, forestry and fishing (Eurostat, 2016). 84% of those employed in that sector also received pay below the national average net salary (State Statistical Office, 2016), bringing with it a greater risk for self-employed people of low incomes and therefore of poverty. According to EU-SILC data (2016), income from self-employment has the highest share in total disposable income among households in the second quintile (24.3%) and first quintile (20.3%). There is a lack of data about health, housing and other conditions for the self-employed, which necessitates the need for further research in this respect. There are no data or research on the extent of bogus self-employment in FYR Macedonia.

Part-time work represented only 4% of all employment in 2015. Men represented 58% of part-time workers, and there was an almost equal distribution across all age groups (with a slightly higher incidence among the age group 35-39). The largest proportion of part-time workers (43%) consisted of workers with primary or lower secondary education, while the second largest (38.2%) was those with three and four years of secondary education. One-half of all part-time workers were employed in the agriculture, forestry and fishing sector, with the remainder dispersed across all other sectors (the second largest group, at 12.8%, was in the sector 'wholesale and retail trade, repair of motor vehicles and motorcycles'). The majority of part-timers (53%) worked up to 20 hours in the reference week, while 40% worked 21-40 hours per week. According to LFS data (2016), the reasons for part-time work in FYR Macedonia are mostly the inability to find a full-time job (40.7%), 'other reasons' (25%) and lack of any other job (22.8%).

Temporary workers constituted 9.4% of the total number of employees in FYR Macedonia in 2015 (Eurostat, 2016). There were no significant gender differences among temporary workers. According to Eurostat data based on the LFS, the five main occupations among temporary employees in 2014 (as a percentage of the total number of temporary employees) were: service and sales workers (21.7%), craftsmen and workers of related trades (19.8%), elementary occupations (18.3%), plant and machine operators and assemblers (16.6%) and professionals (9.6%). In terms of

contract duration, the majority of temporary contracts (64.3%) lasted less than one year, and the most prevalent were those lasting from one to three months (24%).

An even more prevalent characteristic of the labour market in FYR Macedonia is the informal sector. In 2015, 19.9% of all those employed were in informal employment, out of which 36.5% were women. The dominant age group among the informally employed was those aged 35-44 (25%), closely followed by those aged 45-54 (22.2%). However, among those aged 65+ only 20% were in formal employment, while the other 80% worked informally. Informal employment has shown a continual decrease over the years, and has fallen by 8.7 percentage points since 2008.

Social policy measures aimed at fostering self-employment have become more common in recent years, with an increase in self-employment support as part of the overall Operational Plans for Active Programmes and Measures for Employment. For instance, the 2016 Operational Plan for active programs and measures stipulates three programmes for self-employment: a general one; one with a special focus on young people up to 29 years of age; and another one for persons with physical disabilities. However, funding for these measures is low as a percentage of GDP compared with the EU average (0.05% in 2014), so it cannot be expected that they will have a large impact on the creation of self-employment.

There are no other social policy measures aimed at promoting self-employment. Unemployment benefits are not paid to the newly self-employed. Social financial assistance is either withheld from those benefiting from active labour market programmes, or removed once income rises above the stipulated threshold for social financial assistance. Attempts have been made to discourage informal employment through active labour market measures, namely through financial incentives for the formalisation of businesses.

The social protection system in FYR Macedonia does not contain separate provision for the self-employed. All self-employed persons are obligatorily covered by the social security system, including benefits-in-kind for sickness and maternity, and cash benefits for sickness, maternity, old age, invalidity, survivors' pensions and to some extent family benefits (The Mutual Information System on Social Protection of the Council of Europe - MISSCEO, 2015). Self-employed people are excluded from unemployment insurance. Temporary workers with contracts for performing physical and/or intellectual services (non-employee service contracts) are excluded from pension and disability insurance, as well as from unemployment insurance. Workers who are informally employed are not covered by the social protection system at all.

Apart from active labour market measures aimed at reducing unemployment and encouraging formal rather than informal employment, there are no other particular measures aimed at extending social protection to self-employed and non-standard workers. A policy initiative in mid-2014 was designed to extend social insurance coverage among self-employed people by introducing obligatory social contributions on incomes from temporary service work and copyright contracts. However, the relevant legal changes in the Law for compulsory social contributions adopted in July 2014 were reversed in August 2015: they had number of shortcomings (Gerovska Mitev (2015, 2016), provoked large public protests, lacked systematic assessment and were not based on a wider social and political consensus.

Aside from debates related to easing the process for formalizing businesses, there are currently no policy debates regarding social protection for self-employed and non-standard workers.



## **2 Description and assessment of social protection provisions for the self-employed and people employed on non-standard contracts**

### **2.1 Description of social protection provisions for the self-employed and people employed on non-standard contracts**

As indicated in Annex 1, social protection for self-employed and non-standard (part-time and temporary) workers in FYR Macedonia does not significantly differ from social protection for other workers. It is an obligatory system and, in terms of financing, the only difference concerns the basis on which social insurance contributions are levied. The exception is unemployment insurance, which is voluntary for the self-employed. Temporary workers with contracts for performing physical and/or intellectual services (non-employee service contracts) and farmers are also in a special category, which is excluded from parts of the obligatory social protection system.

According to the Law on Obligatory Social Insurance Contributions (Official Gazette No. 142/2008) a self-employed person is any natural person who independently runs an economic activity (business), as well as any person who renders professional and other intellectual services, and makes earnings out of it. Examples include sole proprietors or members of a partnership in crafts, commerce, transport, and catering; but also experts who deliver full- or part-time consultancy services (lawyers, accountants, translators, etc.) if registered as sole proprietors (MISSCEO, 2015).

The Law on Labour Relations also stipulates rules and criteria for fixed-term employment contracts. The maximum length of such contracts is five years, after which they are transformed into a regular contract, provided that the employee continues to work under the conditions and in the manner defined by law (Law on Labour Relations, Article 46, paragraph 3).

Social security legislation refers to the following specific categories of insured persons, for which special rules apply, different from those for wage earners:

- Individual (family) farmers.
- Individual artists whose status is recognised by the Minister of Culture, and professional sportspersons.
- Individuals who are not in employment, but who earn an income (honorarium) from physical and/or intellectual work ('freelance/honorarium workers'), based on one or more contracts for service and/or intellectual property contracts or another contract, provided that the total net amount of the relevant income is higher than the statutory minimum wage (MISSCEO, 2015).

The State Statistical Office follows ILO recommendations on the definition of the self-employed within the LFS, and defines them as persons who work in their own business, professional practice or farm for the purpose of earning a profit and who do not employ any other person.

In terms of funding arrangements related to compulsory social insurance, contributions by self-employed and freelance/honorarium workers are calculated by applying fixed percentage rates that are the same as those for wage earners. The differences are as follows:

- Self-employed: lump-sum net income on which tax is paid in accordance with the law on personal income tax. Newly self-employed people pay contributions for the first year on a base equal to 50% of the average monthly salary.
- Part-time workers pay contributions in proportion to hours worked.
- Individual artists whose status is recognised by the Minister of Culture and professional sportsmen pay contributions based on the national average salary, subject to having earned income in the previous calendar year higher than the

minimum contributions base (Law on Obligatory Social Insurance Contributions, Official Gazette No. 190/2016).

The rate for social contributions is currently 27%, for both employees and the self-employed. This is made up as follows:

- Pension and disability insurance: 18%.
- Health insurance: 7.3%.
- Employment insurance: 1.2%.
- Additional health insurance: 0.5%.

Whereas contributions for wage earners are paid by employers, the self-employed pay their own. The Pension Insurance Fund and the Health Insurance Fund calculate the contributions to be collected from self-employed persons, freelance/honorarium workers and individual farmers. The Public Revenue Office is responsible for the control and collection of all contributions.

The social protection system in general does not hamper the transition from contractual employment to self-employment. Social contributions have been reduced in the past ten years in order to ease the burden of employment costs. However, for most people in informal employment, with low and/or seasonal incomes, the cost of social contributions still presents a serious obstacle to moving into self-employment or contractual employment. Similarly, the transition from unemployment to work is hampered by the many disincentives embedded in the social financial assistance scheme.

### **2.1.1 Healthcare and sickness: cash benefits and benefits in kind**

Self-employed and non-standard workers are covered by compulsory health insurance. Contributions are only levied on those temporary workers whose income is higher than the statutory minimum wage. The contribution rate is the same for all wage earners, namely 7.3% of the relevant base figure. Insured persons pay contributions for themselves. In addition, self-employed and non-standard workers can make voluntary health insurance contributions.

Apart from access to primary healthcare, the self-employed have the right to sickness and maternity benefit (art. 13 and 14 of the Law on Health Insurance). For self-employed persons, the basis for calculation of sickness benefit is the same as the basis on which the health insurance contribution has been paid.

Access to the above rights is conditional on the payment of contributions for the last six months, which limits access for those in non-standard types of employment such as seasonal work.

### **2.1.2 Maternity/paternity cash benefits and benefits in kind**

Maternity benefits (cash and in-kind) are part of the social insurance scheme providing earnings-related benefits to all economically active persons (including the self-employed). Contributions for obligatory health insurance (7.3%) cover the risk of maternity.

In order to receive maternity benefit, a working mother must have been compulsorily insured for at least six months before the delivery of the child, with health insurance contributions paid regularly and on time (i.e. with not more than 60 days delay). These conditions also apply to the self-employed: article 9(b) of the Law on Labour Relations states that: "all forms of discrimination against workers because of pregnancy, childbirth and parenting, irrespective of the duration and type of employment are prohibited if the work relationship is established according to the law". As indicated previously, however, there is a considerable discrepancy between

legal rights and their practical implementation, so this type of legal stipulation is not a guarantee that the self-employed will have the access to these rights in reality.

Paid maternity leave (covering pregnancy and confinement) lasts nine months (from up to 28 days before the anticipated delivery), or 12 months in case of a multiple birth. A female employee may begin her maternity leave 45 days before childbirth if authorized by the competent medical commission. A mother can resume employment or self-employment at a date of her choosing, but not less than 45 days after confinement. A female employee who adopts a child is entitled to paid maternity leave of nine months, and if she adopts more than one child to maternity leave of one year. Maternity leave includes the period of child adaptation, which lasts 2-3 months. The father of the child may use the leave if the mother decides not to use it. Unpaid leave of up to three months may additionally be taken until the child is 3 years old (MISSCEO, 2015).

Paid paternity leave is given to all employed fathers, of up to seven days (Article 146 of the Law on Labour Relations) (Najchevska, 2015).

Maternity benefit is paid at 100% of the average monthly net wage paid to the employee (mother) in the 12 months prior to maternity leave (monthly payment). 100% of maternity benefit is covered from the state budget.

The length of service requirement in order to benefit from parental leave is six months before the birth or adoption of a child. In the case of successive fixed-term contracts, the sum of these contracts is taken into account for the purpose of calculating the qualifying period.

### **2.1.3 Old-age and survivors' pensions**

Old-age and survivors' pensions for the self-employed (excluding farmers) can be obtained under the same conditions as for salaried workers. Contributions for the compulsory pension system equal 18%, and for the self-employed are levied on the income assessed for personal income tax. Pensions under the first-pillar (pay-as-you-go) scheme consist of an earnings-related pension based on the length of working service (defined benefit), and is payable to employees, self-employed persons and farmers. Temporary workers with contracts for performing physical and/or intellectual services (non-employee service contracts) are excluded from pension and disability insurance.

All those who entered employment for the first time after 1 January 2003 are covered by the second-pillar (fully funded) pension scheme. Self-employed people can join the second-pillar scheme, but those who cannot include: temporary workers, farmers, and those in work that attracts increased service credits (such as contracted soldiers, junior officers, officers and civilians in the army service, and employees in the Ministry of Interior and in penitentiary-corrective and educational-corrective institutions). People who were covered by mandatory pension and disability insurance before 1 January 2003 can opt to join the fully funded scheme. Those excluded from the second-pillar scheme can join the voluntary third-pillar (fully funded) scheme.

Old-age pension payments are suspended if a person receives earnings from employment (including self-employment), the only exception being earnings from temporary non-labour relations contracts (e.g. contracts for service).

### **2.1.4 Unemployment benefits and social assistance benefits**

According to the Law on Obligatory Social Insurance Contributions (latest changes, Official Gazette No. 190 from 17 October 2016), self-employed persons are not covered by compulsory unemployment insurance (although the employees of self-employed persons are).

Unemployment benefit is part of the compulsory social insurance scheme and provides an earnings-related payment, financed by contributions (1.2%). According to the Law for employment and unemployment insurance, the right to unemployment benefit is

conditional on an unemployed person having an insurance contribution and employment record of at least nine consecutive months (or 12 in total) in the last 18 (Law on Employment and Unemployment Insurance, art. 65). Art. 66 of the same Law stipulates the eligible categories of workers, according to their type of employment contract, as those with a:

1. full-time employment contract;
2. employment contract with part-time hours which are treated as full working hours;
3. fixed-term contract (seasonal work) for more than 40 hours per week; or
4. contract for work abroad.

The benefit is equal to 50% of the worker's average salary in the previous 24 months. It cannot be higher than 80% of the national average salary in the previous month (art. 68). A recipient of unemployment benefit who starts part-time employment is entitled to 50% of the unemployment benefit. They also retain the right to be referred by the Employment Service Agency to a full-time job position (art. 77). Beneficiaries of this right are also provided with free health insurance. In practice, this benefit is paid only to redundant workers, laid-off workers or in cases where employment was not terminated at the request of the employee.

Social financial assistance represents 'last resort' support for the unemployed and those with low incomes. It provides financial help for individuals or households whose means to do not cover their basic needs (minimum living standard). Self-employed and non-standard workers can get assistance if they pass a means test based on actual and potential household income. Assistance can only be paid to one person per household. Unemployed social financial assistance beneficiaries must be registered as active jobseekers with the Employment Agency. They must report every month and accept any suitable job assignment (seasonal work, temporary tasks etc.), as well as training, qualification etc. offered by the Employment Agency.

### **2.1.5 Long-term care benefits**

Long-term care benefits are not directly financed from contributions. Benefits are provided as part of the social protection, healthcare and social insurance scheme. There are number of benefits, such as: financial reimbursement for assistance and care; a special allowance for disabled children up to 26 years of age; salary compensation for shortened working hours due to care of a child with developmental problems and special educational needs; and financial assistance granted to a single parent with a disabled child, upon reaching pensionable age.

There are no differences in access to, and calculation of, these benefits as between standard, non-standard and self-employed workers. Financial reimbursement for assistance and care is granted if the annual net income earned by the individual from all sources is lower than the national average net salary (on a monthly basis) in the previous year. Salary compensation is financed from the state budget and is paid to employees who are entitled to work half of their full-time working time because they have to care for a child with mental or physical development problems or with chronic illness. The part-time working hours are treated as full working hours. Contributions for social insurance are calculated according to the law on pensions and disability insurance, and the law on contributions for compulsory social insurance.

### **2.1.6 Invalidity, accidents at work and occupational injuries benefits**

These benefits are part of the compulsory insurance system financed by contributions, paying out earning-related benefits both in cash and in kind in the event of an accident (whether or not related to employment) or occupational disease. They cover employees, the self-employed, persons/students engaged in practical or voluntary work, and the unemployed during professional and vocational retraining. The self-employed pay 0.5% of their insurance base against the risk of work-related injuries

and occupational diseases (temporary incapacity). Farmers are not insured against the risk of temporary incapacity.

Temporary incapacity benefits are paid for the duration of incapacity. For workers, compensation is paid from the first day and lasts during the whole period. For temporary incapacity for work of up to 12 months, the Medical Committee of the Health Insurance Fund refers the insured person to the competent Commission for assessment of the working capacity in the Pension and Disability Fund. A monthly benefit is paid of 100% of average net earnings in the 12 months before incapacity, subject to a maximum of four times the national average monthly salary in the previous year.

Permanent incapacity benefits are paid at 80% of the claimant's average earnings over the entire insurance period. Self-employed people are entitled to invalidity pensions if they comply with other eligibility criteria. Invalidity pension is terminated if a person receives additional earnings from employment (including self-employment), with the exception of earnings from temporary non-labour relations contracts (e.g. contracts for service). Within the pension and disability insurance system, only payment for bodily injury can be combined with an invalidity pension (in such cases the amount of the payment is not affected by the amount of the invalidity pension).

Pensions can be combined with financial reimbursement for assistance and care by another person, and with allowances for blindness, mobility and deafness, if the annual net income earned by the individual from all sources (including pensions and benefits) is lower than the national average net salary in the previous year (MISSCEO, 2015).

### **2.1.7 Family benefits**

Self-employed people are entitled to family benefits in the same way as standard workers. These benefits are financed by the state budget. There are a number of family benefits, including those below.

Child benefit is aimed at people on low incomes. Self-employed people can apply for this benefit if they satisfy the eligibility conditions. The total monthly income per family member (for the entire household, including the children) must be lower than 2,587 denars (27% of the minimum wage). For single parents this income threshold is 5,174 denars (54% of the minimum wage). The income threshold is adjusted at the beginning of each year according to the cost of living in the previous year.

A special allowance for the parents of disabled children up to 26 years of age is given regardless of family income or whether or not the child regularly attends school. The only condition is that the recipients have been permanent residents in the previous three years and are citizens of the country. The benefit equals 4,366 denars (46% of the minimum wage). The benefit is increased by 50% for single parents with a disabled child, and by 25% for parents in need (recipients of financial social assistance or continuous financial assistance).

One-off financial assistance is paid to everyone, including the self-employed, for the first new-born/adopted baby. It is payable to one of the parents, who must be a citizen of and a permanent resident in FYR Macedonia. The child must be born in the FYR Macedonia. The benefit amounts to 5,017 denars (52% of the minimum wage)

A parental allowance is paid for the third child. This is a universal flat-rate benefit with no income/employment threshold or condition. It is paid in the amount of 8,048 denars monthly (91% of the minimum wage) from birth until the child reaches 10 years.

A co-payment (in-kind benefit) is made on a universal basis, financed by the state budget, to parents who enrol their child in a public kindergarten, to help cover the associated childcare costs. Self-employed people are entitled to this support as well. The state covers 77% of the total costs, with parents paying only for child nutrition and a part of the material costs. Thus parents pay just 1,490 denars per month (16% of the minimum wage) for full-time attendance, i.e. the remaining 23% of the market price (MISSCEO, 2015).

## **2.2 Assessment of the existing social provisions and of the impact of possible extension of their coverage**

There have been very few assessments of the coverage and adequacy of the social protection system in relation to self-employed and non-standard workers.

Data on social protection coverage among self-employed and non-standard workers are not available through public sources. The Health Insurance Fund in its latest annual report indicated that in 2015 2.3% of all health insurance contributions were collected from self-employed persons (p. 57). Similarly, the annual report of the Public Revenue Office for 2015 (2016) notes that out of all collections for social contributions and personal income tax, 1.79% were from self-employed people with employees, and 0.47% from own-account workers (p. 47).

The latest annual report of the Employment Agency (2016) indicates that 52.2% of contracts established through the Agency in 2015 were fixed-term contracts and seasonal work contracts (p. 9). This percentage has been falling continually since 2010, when it was 62.2%.

In recent years new active employment measures have been designed to support part-time workers and also the formalization of businesses. In the Operational Plan for Active Programmes and Measures for Employment for 2016, there are three programmes for supporting self-employment through favourable loans (one general, one aimed towards young unemployed up to 29 years of age, and one for persons with physical disabilities). However, the targets of these programmes are very limited. For the general self-employment programme, in 2016 only 900 registered unemployed people will be selected, which represents 0.86% of all unemployed people registered as active. The target is slightly higher for the young unemployed – 300, which represents 1.24% of all young registered unemployed people up to 29 years of age. And the target for the unemployed with physical disabilities is highest – 100 people, or 6.3% of all disabled registered unemployed people.

There is no research on the take-up of active employment programmes. Some of the existing evaluation in this field shows a lack of adequacy on the part of the self-employment programme. Thus, according to Mojsoska and Petreski (2015) “the programme is effective in improving employability at programme end (but not afterwards), in reducing the inactivity of the participants, and bringing positive changes in the subjective well-being. But, there was no evidence that the programme brought effects in terms of employment after the programme ended” (p. 69).

In 2013, a subsidized employment programme for social assistance beneficiaries was initiated through a World Bank loan on conditional cash transfers. Initially, it targeted young unemployed people coming from households that are social assistance beneficiaries. Due to low take-up, the programme's scope has been widened to include: young people (19-26) who were children without parents and parental care; family members of households which are beneficiaries of continual financial assistance or child supplement; victims of family violence accommodated in shelter centres; persons who were beneficiaries of state stipends in the last 15 years (income tested); and young people up to 29 years of age in households where income per household member is lower than 50% of the average wage. The estimated coverage for this programme in 2016 was 166 people, which was too low to make any significant impact among vulnerable young people.

Regarding the adequacy of social protection measures, EU-SILC data show that 6.7% of temporary workers were at risk of poverty in 2015. Men were slightly more at risk than women (7.8% compared with 5.2%). The risk of poverty among part-time workers was higher at 25.7%. In the same year 33.5% of self-employed people were at risk of poverty or social exclusion.

Although the self-employed and most non-standard workers enjoy the same legal rights, realization of these rights in practice is more problematic. According to Anceva, employers often disobey the legal stipulation that a succession of short-term contracts with the same employer for the same or similar jobs lasting five years must be transformed into a permanent one (unless labour inspection is involved) or they deliberately terminate such contracts before the end of the five-year period (2016, p. 6). She also indicates that this problem affects all employees, but particularly the young, and that it is an issue that also inhibits trade union recruitment, since all employees in newly built industrial facilities have short-term contracts and precarious jobs. Similarly, Kalamatiev and Ristovski (2013) recommend that labour legislation should increase the employment security of non-standard workers and prevent the abuse of fixed-term employment contracts (p. 137).

According to research by CESOS for the European Commission (2016), there is an increasing incidence of misuse of self-employment contracts in Europe (analysed countries – Germany, Spain, Italy, Portugal for Macedonia) The report states: “the phenomenon of ‘false’ and ‘fake’ self-employment appears to be rising. Provision-of-service contracts (officially contracts for self-employed workers) are sometimes used as a substitute for subordinate employment relationships and are adopted to avoid social security contributions. This, mainly, concerns freelancers who – although their contractual arrangement is that of a self-employed person – work under the factual circumstances (integration in work organization; subordination under the discretionary power of the employer; etc.), which are that of dependent work” (p. 18). The same report identifies issues related to health insurance among temporary workers. Due to the fact that unemployed people are covered by health insurance provided by the state, when they take on temporary work, even if only for one day, they lose health insurance; and, when their employment contract then expires, they are forced to spend considerable time reactivating it (2016, p. 25).

Other evidence suggests that although temporary workers pay social and health contributions for each hour of work, they suffer other disadvantages. For example, in many cases temporary workers find it hard to access bank credit because of discontinuity of employment (Papraniku, 2011).

This evidence suggests that there is a large gap for self-employed and non-standard workers between legislative rights and their practical realization.

### **3 Conclusions and recommendations**

On the basis of the analysis above, it can be argued that self-employed people in FYR Macedonia enjoy the same social protection rights, with the exception of unemployment insurance, as other workers. However, these rights are not easily translated into practice. Part-time workers and some other non-standard workers (not including farmers and temporary workers with contracts for performing physical and/or intellectual services) also have access to the social protection system.

Some workers, such as those who are informally employed, are at higher risk of poverty, due to the fact that they do not pay social insurance contributions. Greater support for the self-employed is limited to recent labour market activation programmes. However, due to their limited coverage and financing, the impact of these is negligible.

Due to a lack of national data and studies, it is impossible to estimate and assess the financial and labour market implications of a possible extension of social protection coverage and the conceivable consequences on the labour market. Individual social security accounts exist only in relation to old-age pensions (reformed pension

system). One can only speculate that the scope for similar developments limited to specific benefits is very narrow.

Based on the analysis in this report, a number of recommendations can be made, as follows.

Unemployment insurance should be made compulsory for self-employed persons.

Social insurance should be gradually extended to temporary workers with contracts for performing physical and/or intellectual services (non-employee service contracts), through the option of paying for social contributions on a lump-sum basis.

Active labour market programmes currently focused on self-employment should be extended to include the wider population, both those registered as unemployed and others. This would help to promote self-employment not only among vulnerable unemployed people but also among others with higher educational skills.

Social financial assistance should be reformed, so as to remove its disincentivizing effect on employment and income creation, so that transition into work can be gradually supported.

There should be greater employment protection and inspection for workers who are given a succession of fixed-term contracts by the same employer.

The procedure for temporary workers when reapplying for health insurance should be simplified.

Workers in informal employment should be supported through a special governmental programme to promote the formalization of their situation, which by gradually introducing social contributions and taxes would increase the income of social security funds and also improve protection for the workers themselves.



## Annex 1

**SUMMARY TABLE: ACCESS TO SOCIAL PROTECTION: SELF-EMPLOYED**

	On her/his own account	With employees (self-employed employer)	Dependent on single client	Dependent on contractual relationship with client	Liberal professions (e.g. doctor, notary, lawyer)
<b>Healthcare - cash benefits and benefits in kind</b>	Full	Full	Full	Full	Full
<b>Sickness - cash benefits and benefits in kind</b>	Full	Full	Full	Full	Full
<b>Maternity/paternity - cash benefits and benefits in kind</b>	Full	Full	Full	Full	Full
<b>Old age pensions (preretirement benefits and pensions)</b>	Full	Full	Full	Full	Full
<b>Survivors pensions and death grants</b>	Full	Full	Full	Full	Full
<b>Unemployment benefits</b>	None	None	None	None	None
<b>Social assistance benefits</b>	Full	Full	Full	Full	Full
<b>Long-term care benefits</b>	Full	Full	Full	Full	Full
<b>Invalidity benefits</b>	Full	Full	Full	Full	Full
<b>Accidents at work and occupational injuries benefits</b>	Full	Full	Full	Full	Full
<b>Family benefits</b>	Full	Full	Full	Full	Full

**SUMMARY TABLE: ACCESS TO SOCIAL PROTECTION: CONTRACTUAL EMPLOYMENT (NON-STANDARD CONTRACTS)**

	Full-time employee	Part-time employee	Fixed-term employee	Temporary agency worker	Casual and seasonal workers	On-call workers	Zero-hour workers	Apprentices	Paid trainees	(Other) persons in vocational/professional training
<b>Healthcare - cash benefits and benefits in kind</b>	Full	Full	Full	full	Full	none	none	full	full	
<b>Sickness - cash benefits and benefits in kind</b>	Full	Full	Full	full	none	none	none	none	none	
<b>Maternity/paternity - cash benefits and benefits in kind</b>	Full	Full	Full	full	none	none	none	None	none	
<b>Old age pensions (preretirement benefits and pensions)</b>	Full	Full	Full	Full	Partial	none	none	None	none	
<b>Survivors pensions and death grants</b>	Full	Full	Full	Full	Partial	none	none	None	none	
<b>Unemployment benefits</b>	Full	Full	Full	Full	none	none	none	None	none	
<b>Social assistance benefits</b>	Full	Full	Full	Full	full	none	none	Full	full	
<b>Long-term care benefits</b>	Full	Full	Full	Full	none	none	none	None	none	
<b>Invalidity benefits</b>	Full	Full	Full	Full	none	none	none	None	none	
<b>Accidents at work and occupational injuries benefits</b>	Full	Full	Full	Full	None	none	none	None	none	
<b>Family benefits</b>	Full	Full	Full	Full	partial	none	none	None	none	

## Statistical Annex

**Table 1: Employment by professional status**

2015	self-employed	contributing	non-employees
<b>European Union (28 countries)</b>	14.1%	1.1%	15.2%
<b>Former Yugoslav Republic of Macedonia, the</b>	17.7%	7.6%	25.3%

Source: Eurostat, *Employment by sex, age and professional status (1 000)* [Ifsa\_egaps]

**Table 2: Self-employed persons without employees (own account workers) (thousand)**

2015	2013	2014	2015
<b>Former Yugoslav Republic of Macedonia, the</b>	94.9	93.6	93.3

Source: Eurostat 2016, <http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>

**Table 3: Full-time and part-time employed by economic status and sectors of activity, 2015**

	Employed full-time		Employed part-time	
	Total	Self-employed	Total	Self-employed
Total	674 693	85 438	31 298	12 578
Agriculture, forestry and fishing	110 709	53 767	15 417	6 569
Mining and quarrying	6 681	-	-	-
Manufacturing	135 920	3 396	1 231	(541)
Electricity, gas, steam and air conditioning supply	9 558	-	-	-
Water supply, sewerage, waste management and remediation activities	11 186	:	(876)	(851)
Construction	46 989	6 453	2 878	1 902
Wholesale and retail trade, repair of motor vehicles and motorcycles	93 210	9 829	4 017	1 457
Transportation and storage	34 484	3 446	1 214	:
Accommodation and food service activities	26 131	1 366	(813)	:
Information and communication	14 353	(575)	:	:
Financial and insurance activities	10 045	:	:	-
Real estate activities	1 139	-	:	:
Professional, scientific and technical activities	11 993	1 626	:	:
Administrative and support service activities	11 600	:	:	:
Public administration and defence, compulsory social security	51 291	-	:	-
Education	40 304	:	(863)	:
Human health and social work activities	35 976	:	(549)	:
Arts, entertainment and recreation	10 872	(535)	(550)	:
Other service activities	10 930	3 622	(773)	:
Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use	(691)	-	(606)	-
Activities of extraterritorial organizations and bodies	(632)	-	:	-

Source: State Statistical Office (2016)

**Table 4: Employed by economic status, age and gender, 2015, structure by gender**

Age	Total			Self-employed		
	Total	Men	Women	Total	Men	Women
<b>Total</b>	705 991	423 913	282 078	98 016	79 945	18 071
<b>15-19</b>	7 502	4 750	2 752	:	:	-
<b>20-24</b>	41 209	24 492	16 718	2 014	1 739	:
<b>25-29</b>	76 606	44 616	31 990	3 403	2 810	(593)
<b>30-34</b>	99 755	58 043	41 712	7 382	6 548	(834)
<b>35-39</b>	100 063	57 825	42 239	13 237	10 614	2 623
<b>40-44</b>	95 240	56 100	39 141	14 454	11 156	3 298
<b>45-49</b>	89 476	55 822	33 654	16 971	14 173	2 798
<b>50-54</b>	83 595	50 102	33 493	14 105	10 786	3 319
<b>55-59</b>	69 262	43 515	25 748	13 452	10 918	2 535
<b>60-64</b>	34 475	23 250	11 226	8 149	7 039	1 111
<b>65+</b>	8 807	5 400	3 407	4 715	4 028	(686)

Source: State Statistical Office (2016)

**Table 5: Employed by economic status and gender, urban and rural, 2015**

	Total	Self-employed
<b>Urban</b>		
<b>Total</b>	398 798	30 996
<b>Men</b>	222 529	24 345
<b>Women</b>	176 269	6 651
<b>Rural</b>		
<b>Total</b>	307 193	67 020
<b>Men</b>	201 385	55 600
<b>Women</b>	105 808	11 420

Source: State Statistical Office (2016)

**Table 6: Employed by economic status, gender and net pay, 2015**

Economic status	Total	Unknown	Up to 5000 MKD	5001-8000 MKD	8001-10000 MKD	10001-12000 MKD	12001-16000 MKD	16001-20000 MKD	20001-25000 MKD	25001-30000 MKD	30001-40000 MKD	40001 MKD and more
<b>Total</b>	705 991	55 365	21 665	30 846	81 138	120 443	127 572	97 798	64 012	27 470	14 442	8 456
<b>Self-employed</b>	98 016	7 397	14 356	17 379	15 229	15 770	14 255	6 758	2 784	1 778	1 660	(648)
<b>Men</b>	79 945	5 880	11 059	14 131	12 396	13 136	11 922	5 951	2 078	1 481	1 328	(583)
<b>Women</b>	18 071	1 517	3 298	3 248	2 834	2 635	2 332	(808)	(707)	:	:	:

Source: State Statistical Office (2016)

**Table 7: Employed looking for a second job by reasons and economic status, 2015**

Economic status	Total	Afraid of losing present job	Temporary or seasonal character of present job	Seeking another (main) job with more hours worked than in present job	Better conditions (earnings, transportation)	Seeking a job according to acquired education
<b>Total</b>	47 162	(666)	9 286	1 133	29 822	5 095
<b>Self-employed</b>	13 803	:	3 456	:	8 835	(669)
<b>Men</b>	11 735	:	2 815	:	7 871	:
<b>Women</b>	2 068	-	(641)	:	(963)	:

Source: State Statistical Office (2016)

**Table 8: Employed by gender and economic status, 2008-2011**

	2008			2009			2010			2011		
	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women
<b>Total</b>	645 085	388 963	256 122	645 085	645 085	645 085	678 838	407 531	271 307	645 085	388 963	256 122
<b>Self-employed</b>	83 551	68 563	14 988	83 551	83 551	83 551	98 182	78 137	20 045	83 551	68 563	14 988

Source: State Statistical Office (2016)

**Table 8a: Employed by gender and economic status, 2012-2015**

	2012			2013			2014			2015		
	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women
<b>Total</b>	650 554	393 092	257 462	678 838	407 531	271 307	690 188	419 589	270 599	705 991	423 913	282 078
<b>Self-employed</b>	88 162	71 556	16 607	98 182	78 137	20 045	96 401	81 337	15 065	98 016	79 945	18 071

Source: State Statistical Office (2016)

**Table 9: Full-time and part-time employed by gender and age, 2015**

Age	Employed								
	Total			Full-time			Part-time		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
<b>Total</b>	705 991	423 913	282 078	674 693	405 739	268 954	31 298	18 174	13 124
<b>15-19</b>	7 502	4 750	2 752	5 619	3 722	1 897	1 882	1 028	(855)
<b>20-24</b>	41 209	24 492	16 718	37 508	21 817	15 691	3 701	2 675	1 026
<b>25-29</b>	76 606	44 616	31 990	74 741	43 555	31 186	1 866	1 062	(804)
<b>30-34</b>	99 755	58 043	41 712	96 162	55 687	40 475	3 593	2 356	1 237
<b>35-39</b>	100 063	57 825	42 239	95 689	55 653	40 035	4 375	2 171	2 204
<b>40-44</b>	95 240	56 100	39 141	92 845	54 703	38 142	2 396	1 397	(998)
<b>45-49</b>	89 476	55 822	33 654	86 417	54 231	32 186	3 059	1 591	1 469
<b>50-54</b>	83 595	50 102	33 493	79 689	47 786	31 903	3 906	2 316	1 590
<b>55-59</b>	69 262	43 515	25 748	66 812	42 258	24 554	2 451	1 257	1 194
<b>60-64</b>	34 475	23 250	11 226	32 351	21 801	10 550	2 124	1 448	(676)
<b>65 +</b>	8 807	5 400	3 407	6 861	4 527	2 334	1 946	(873)	1 073

Source: State Statistical Office (2016)



**Table 10: Full-time and part-time employed by educational attainment and gender, 2015**

Educational attainment	Employed persons			Full-time			Part-time		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
<b>Total</b>	705 991	423 913	282 078	674 693	405 739	268 954	31 298	18 174	13 124
<b>Without education</b>	1 969	(758)	1 210	1 670	(576)	1 094	:	:	:
<b>Incomplete primary and lower secondary education</b>	17 669	9 958	7 711	15 274	8 638	6 636	2 394	1 320	1 075
<b>Primary and lower secondary education</b>	136 320	89 450	46 870	122 934	81 812	41 122	13 386	7 637	5 749
<b>3 and 4 years of secondary education</b>	379 156	242 245	136 911	367 186	234 621	132 565	11 970	7 624	4 347
<b>Higher education</b>	18 770	10 058	8 711	18 190	9 661	8 528	(580)	:	:
<b>University education</b>	152 108	71 445	80 664	149 440	70 430	79 009	2 669	1 014	1 655

Source: State Statistical Office (2016)

**Table 11: Part-time employed by economic status and sectors of activity, 2015**

	Total	Employed part-time			
		Employee	Employer	Self-employed	Unpaid family worker
<b>Total</b>	<b>31 298</b>	<b>10 332</b>	:	<b>12 578</b>	<b>8 108</b>
Agriculture, forestry and fishing	15 417	1 110	:	6 569	7 725
Mining and quarrying	-	-	-	-	-
Manufacturing	1 231	(674)	-	(541)	:
Electricity, gas, steam and air conditioning supply	-	-	-	-	-
Water supply, sewerage, waste management and remediation activities	(876)	:	-	(851)	-
Construction	2 878	(818)	:	1 902	-
Wholesale and retail trade, repair of motor vehicles and motorcycles	4 017	2 321	:	1 457	:
Transportation and storage	1 214	(789)	-	:	-
Accommodation and food service activities	(813)	(669)	-	:	:
Information and communication	:	:	-	:	-
Financial and insurance activities	:	:	-	-	-
Real estate activities	:	:	-	:	-
Professional, scientific and technical activities	:	:	-	:	-
Administrative and support service activities	:	:	-	:	-
Public administration and defence, compulsory social security	:	:	-	-	-
Education	(863)	(804)	-	:	-
Human health and social work activities	(549)	:	-	:	-
Arts, entertainment and recreation	(550)	:	-	:	-
Other service activities	(773)	:	-	:	:
Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use	(606)	(606)	-	-	-
Activities of extraterritorial organisations and bodies	:	:	-	-	-

Source: State Statistical Office (2016)

**Table 12: Formal and informal employment, by gender and age, 2015**

	Total employment			Formal employment			Informal employment		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
<b>Total</b>	<b>705 991</b>	<b>423 913</b>	<b>282 078</b>	<b>565 349</b>	<b>334 599</b>	<b>230 750</b>	<b>140 642</b>	<b>89 314</b>	<b>51 328</b>
<b>15-24</b>	48 711	29 242	19 469	29 909	16 517	13 391	18 802	12 724	6 078
<b>25-34</b>	176 361	102 659	73 702	148 775	83 193	65 583	27 586	19 466	8 119
<b>35-44</b>	195 304	113 924	81 379	160 146	93 541	66 605	35 158	20 383	14 775
<b>45-54</b>	173 071	105 924	67 147	141 800	86 487	55 314	31 270	19 437	11 833
<b>55-64</b>	103 738	66 765	36 973	82 971	53 587	29 384	20 767	13 177	7 589
<b>65 +</b>	8 807	5 400	3 407	1 748	1 274	:	7 059	4 126	2 933

Source: State Statistical Office (2016)

**Table 13: The five main occupations of temporary employees in FYR Macedonia in 2008 and 2014 (as % of the total number of temporary employees)**

	2008	2009	2010	2011	2012	2013	2014
<b>Service and sales workers</b>	16.4	16.6	16.5	20.8	20.7	20.9	21.7
<b>Craftsmen and workers of related trades</b>	23.6	24.0	22.9	19.9	18.8	18.1	19.8
<b>Elementary occupations</b>	20.3	18.5	17.8	17.6	18.3	17.3	18.3
<b>Plant and machine operators and assemblers</b>	16.2	15.1	14.3	10.9	14.5	16.2	16.6
<b>Professionals</b>	8.6	11.2	11.9	14.5	13.9	12.9	9.6

Source: Eurostat Labour Force Survey

**Table 14: Temporary work contracts in 2014 according to their duration (as % of the total number of temporary work contracts)**

	EU 28	Fyr Macedonia
<b>Less than 1 month</b>	5.7	8.2
<b>From 1 to 3 months</b>	18.8	24.0
<b>From 4 to 6 months</b>	16.8	18.5
<b>From 7 to 12 months</b>	27.8	13.6
<b>From 13 to 18 months</b>	4.2	5.2
<b>From 19 to 24 months</b>	7.8	6.1
<b>From 25 to 36 months</b>	10.0	6.3
<b>Over 36 months</b>	9.0	18.1
	100.0	100.0
<b>Less than one year</b>	69.1	64.3

Source: Eurostat Labour Force Survey

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