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European Transport Workers' Federation
Fédération Européenne des Travailleurs des Transports
Europäische Transportarbeiter-Föderation
Federación Europea de los Trabajadores del Transporte

Brussels, 27 March 2020

Mr. Andrej Plenković,
President of the Government of the Republic of
Croatia,
Mr Aladrović
Minister of Labour and Pension System of Croatia
[Letter sent by e-mail]
predsjednik@vlada.hr;
kabinet@mrms.hr;

CC:

Mrs. Ursula Von der Leyen,
President of the European Commission
Mr. Nicolas Schmit,
Commissioner for Jobs and Social Rights
Mrs. Marija Pejčinović Burić,
General Secretary of the Council of Europe
Mrs. Dunja Mijatović,
Commissioner of Human Rights
Mr. G. Palmisano,
President of the European Committee of Social
Rights

Ref.: Suspension of labour and social rights in Croatia during the pandemic

Dear Prime Minister, Dear Minister,

The European Transport Workers' Federation has been informed by our Croatian affiliates, Sindikata pomoraca Hrvatske (SPH), Sindikat kabinskog osoblja zrakoplova, Sindikata strojovođa Hrvatske (RETUC) and Sindikat željezničara Hrvatske (SZH), that the Croatian Ministry of Labour and Pension System is drafting an Act on regulating labour relations in the circumstances of the COVID-19 epidemic which will bring some important changes to fundamental social rights guaranteed by the Croatian Labour Code.

The law would amongst others "temporarily":

- Enable employers to cut wages down to the level of the minimum wage, and to abolish workers' rights to payment of one-off material rights. In practical terms it would abolish collective agreements and allow the employers to unilaterally exclude certain provisions /material rights from collective agreements,



President Frank Moreels

Acting General Secretary Livia Spera

Vice Presidents Alexander Kirchner
Ekaterina Yordanova



- temporarily suspend certain provisions of the Labour Code by allowing wage compensation in case of termination of work due to COVID-19 epidemic to be reduced,
- Enable employers to unilaterally shorten workers' working time (and thus lower wages) by simply putting an annex to their employment contracts,
- Enable employers to impose annual leave of 15 days without further notice and abolish an obligation of periodic medical check-ups of workers employed on jobs with specific working conditions,
- Enable employers to unilaterally decide to organize work on a dislocated place of work; and no sanctions to be put on employers who have already organized telework, but have not ensured OSH,
- Abolish the obligatory consultation with the works council to adopt any of such decisions by the employer.

Although the Ministry claims they will do this in consultation with the national social partners, it is clear that the trade unions have not been informed of this initiative, let alone consulted.

The ETF condemns this legislative initiative which is a clear attempt on workers' rights. We also think that launching such an initiative when the whole of Europe is undergoing a health crisis, and while Croatia's workforce is already under pressure as they cope with this epidemic is appalling. Such a crisis should never be used as an excuse to take away workers' rights.

Transport workers are currently on the frontline giving their all to help us cope with this crisis, and attempting to take away their fundamental rights is a poor way to thank them, and is blatant disrespect. On the contrary, as we are seeing in other countries, governments should now be working closely with trade unions to take sensible measures to protect their workforce and ensure that this crisis is dealt with in a sensible way.

We are also shocked that Croatia is agreeing to cooperate with companies, but not with unions. We would like to remind you that unions are the voice of workers, and they are the only ones that can truly represent workers and their demands. Ignoring them is equal to saying that the rights of your citizens – i.e. you workforce – do not matter.

In this vein, we would like to remind you that Croatia is a Contracting Party of the ILO and the Council of Europe whose high-level representatives and bodies spoke out and underlined that Covid-19 crisis should not be used, even temporarily, to dismantle human rights and social rights, in particular trade union and workers' rights. Furthermore, if Croatia pursues this initiative, Croatia will be in violation with several of its obligations it has committed to, amongst others, under ILO Conventions, the European Convention of Human Rights and the European Social Charter.

The ETF urges you to reconsider your position, and would also like to remind you of your role as holder of the presidency of the EU, it is important that you take the lead and be an example to other governments during these difficult times. Our affiliates have all of support, and we will closely follow the situation. We reiterate our demand for you to withdraw this legislative initiative – which goes against human rights – immediately.

Yours sincerely,



Livia Spera
ETF Acting General Secretary



President Frank Moreels

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Ekaterina Yordanova

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