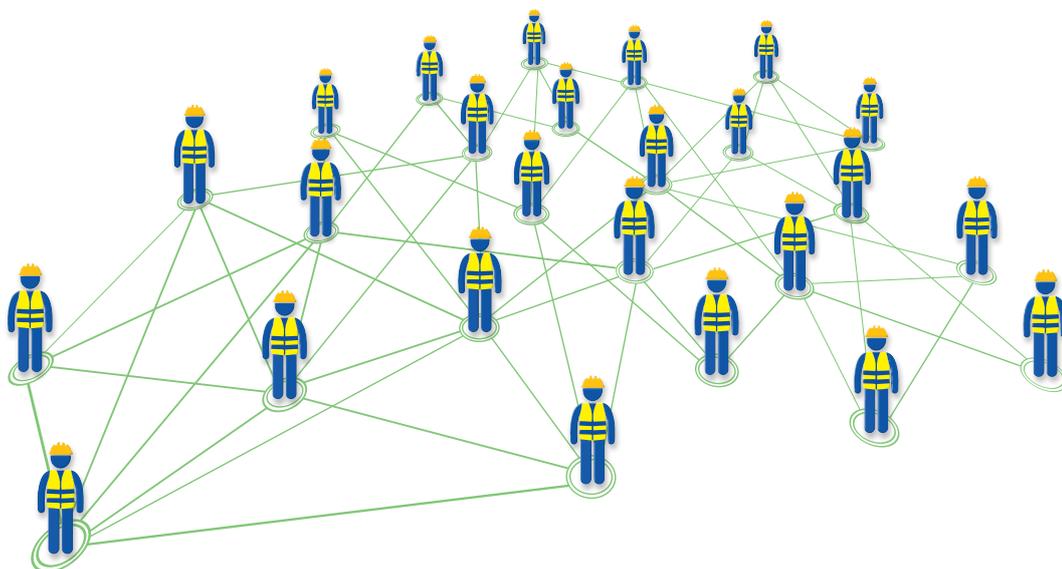


REGIONAL OCCUPATIONAL SAFETY AND HEALTH STUDY OF THE WESTERN BALKAN COUNTRIES

INCREASING CAPACITIES AND STRENGTHENING
OF THE ROLE OF THE REGIONAL CSOS FOR
IMPROVEMENT OF THE LABOR CONDITIONS AND
DIALOGUE WITH PUBLIC INSTITUTIONS





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LIST OF ABBREVIATIONS

OSH	Occupational Safety and Health
ILO	International Labour Organization
WHO	World Health Organization
EEC	European Economic Community
EU	European Union
ESAW	European Statistics on Accidents at Work
EU OSHA	European Agency for Safety and Health at Work
SLI	State Labour Inspectorate
MLSP	Ministry of Labour and Social Policy
MH	Ministry of Health
MES	Ministry of Education and Science
HIFM	Health Insurance Fund of the Republic of Macedonia
PDIFRM	Pension and Disability Insurance Fund of the Republic of Macedonia
PHI	Public Health Institute
OMI	Occupational Medicine Institute
SIRM	Standardization Institute of the Republic of Macedonia
PPE	Personal Protective Equipment
FTUsM	Federation of Trade Unions of Macedonia
MCFTUs	Macedonian Confederation of Free Trade Unions
OEM	Organization of Employers of Macedonia
GCA	General Collective Agreement
NGOs	Non-Governmental Organizations
CSOs	Civil Society Organizations
GDP	Gross Domestic Product
GSP	Gross Social Product
ESC	Economic and Social Council
LOSH	Law on Occupational Safety and Health
LLR	Law on Labour Relations
LSG	Local Self-Government
MOSHA	Macedonian Occupational Safety and Health Association
MOMA	Macedonian Occupational Medicine Association
OSHS	Occupational Safety and Health Strategy
OMSs	Occupational Medicine Services
NCOs	National Classification of Occupations
PHC	Primary Healthcare
ECTS	European Credit Transfer System
UNATUM	Union of Independent and Autonomous Trade Unions of Macedonia

PREFACE

This Study unites the studies of several countries in the Western Balkan region, prepared in 2018, including Macedonia, Albania, Serbia, Kosovo* and Montenegro, regarding the safety and health systems at work. The purpose of this Regional Study is to link and benchmark the systems of occupational safety and health, comparing national characteristics, positive benefits, and existing deficiencies. In one place it can be obtained information on the national characteristics of the Western Balkan countries, and it can be compared which of the countries indicated, made implementation of the international and European occupational safety and health standards and thus creating a preventive culture in the workplace.

The Regional Study is intended for practitioners and implementers of occupational safety and health, for analysts, students, business community, NGO sector, governments, as well as for any citizen who wants to become familiar with the regional situation and to contribute to development of the system of safety and health at work, both nationally and regionally.

By analysing and unifying the conclusions and recommendations of the national studies, this regional study provides a unique way, overview of what has been achieved so far and in which direction the region is moving in terms of safety and health at work, bearing in mind the European Union 89/391 framework directive on safety and health at work of the. In this way, for the first time in the region, it is possible comparatively, in one place to get a complete picture of the situation, problems and challenges of the OSH system, but also to reach the vision for future development in the field of occupational safety and health.

Through the study conclusions, arise the need for adopting a strategy implementation and development of OSH system, as well as further deep networking and joint action of civil society organizations, State Institutions and media at the regional level.

Naturally, this process of analysing and comparing occupational health and safety conditions, as well as the consequences of non-implementation, must be currently collected, analysed and studied so that we can create workplaces that will be tailored to the individual, not vice versa.

*This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

I. GENERAL AND SYSTEM BASE

In the framework of long term project “Increasing capacities and strengthening of the role of the regional CSOs for improvement of the labour conditions and dialogue with the Public institutions”, coordinated by Macedonian Occupational Safety and Health Association, in partnership with the Safety Work Association of Montenegro, Albanian Center for Occupational Safety and Health, Serbian Association for Occupational Safety and Health and Kosovar Association for Safety and Health at Work, financial supported by the European Commission, were prepared national studies on safety and health, by national teams of specialists in the specific area of Macedonia, Albania, Serbia, Kosovo* and Montenegro. The same studies were prepared by identical purpose, structure and methodology. The purpose of all national studies is to give a comprehensive overview of national situations in each country, especially in the field of occupational health and safety. Each national study reflects on identical aspects and focus points analysed in order to obtain a unique system of compatible regional studies reflected in this regional study which unites them all.

As structure of these studies, have been identifies several identical as following:

1. Legal framework and policy framework
2. Compliance with international standards
3. Organizational frameworks and enforcement mechanisms
4. Role of social partners in occupational safety and health
5. Current activities related to occupational safety and health
6. Records in the field of occupational safety and health
7. Basic information
8. Conclusions and recommendations

From the structure of national studies, it can be noted that each of them keeps on issues that are fundamental and important in order to obtain a true and realistic overview of national situation. Methodologically, there is an analytical part for each individual point, as well as a section that gives a summary presentation and recommendations for each point in the national study. Each national study ultimately includes some conclusions about the current situation, as well as several recommendations that reflect the vision, goals and directions in which direction the country should move in the future. Taking into consideration exactly these national "road signs", the regional study will give some insights on the direction in which the region should move forward.

II. FRAMEWORK COMMON POINTS

Each of the national occupational safety and health systems of Western Balkan countries included in this research has certain common characteristics. Countries from the region, included in this study can be grouped in several groups, depending on different criteria that are taken in the preparation of national studies. Thus, if we take the criterion set in point one of the national studies “Legal framework and policy framework”, we will see that countries such as Macedonia, Serbia and Montenegro have partially developed a normative system for occupational safety and health in whose structure are included general Labour Law, special law relating the OSH system, as well as a number of by-laws in the form of rulebooks. However, following submitted studies, there is a serious lack of implementation of occupational safety and health standards.

In Albania and Kosovo*, there is a need for additional legal provisions, and especially the need for by-laws that should help the implementation of occupational safety and health system.

On the other hand, regarding the implementation of international standards in normative acts, the general impression is that in all countries in the Western Balkan region there is a moderate to a high degree of harmonization and compliance with the European Union framework 89/391 and International Labour Organization Convention No. 155.

It is noticeable that EU Occupational Safety and Health Directive 89/391 is the basis of the existing national law on safety and health at work¹¹ in all countries where the survey was conducted. This is a general directive that gives the framework for safety and health at work and which after its adoption became the most important act in the field of occupational safety and health and many other directives were adopted based on it. The Content of this Directive applies to employers and workers in almost all branches and industries, both in the private and public sectors. Derogations exist only in relation to non-application in certain activities, unless a special regulation regulates this matter, such as the armed forces, the police, in some special activities of the protection and rescue forces, where safety and health at work need to be provided as much as far as possible according to the objectives of the Law on Safety and Health.

On the other hand, the Occupational Safety and Health Convention 155, International Labour Organization is a basic and framework convention, covering the protection of occupational safety and health for all employees and all workplaces. It is developing and upgrading the overall modern system of occupational safety and health in new ILO normative system. It should be noted that prior to this convention there were other acts that regulated some special areas or services of occupational safety and health.

The Convention and Recommendation no. 164 were adopted in 1981, are in the same area and sends and complements the Convention.

Regarding third item, “Organizational frameworks and enforcement mechanisms” in some countries such as Macedonia, Serbia and Montenegro, there is a relatively branched system of bodies and institutions that service the system.

The situation in Kosovo*, although derived from the previous Yugoslav system for protection at work² says that, in addition to the existing ones, such as the State Labour Inspectorate and medical institutions for labour related services, there are still new institutions such as licensed health and safety companies, as well as other national bodies for promoting safety and health at work.

In Albania, the situation is most likely different from the previously mentioned countries, as there is no authorized Ministry and there is a real challenge with insufficient education of involved parties. The same is certainly negatively reflected on the professionals and professional capacities of the State

1 The term “occupational safety and health” is not used in all countries where the survey was conducted. In Montenegro, it is used the term “health and safety at work”.

2 Macedonia, Serbia, Montenegro and Kosovo* were administrative part of the Socialist Federal Republic of Yugoslavia

and private stakeholders in occupational safety and health system. However, there is a Ministry of Social Affairs that is responsible for some of the issues related to labour and OSH system.

In common with all the researchers, there is a challenge of staffing, expertise and education regarding the application of the acts and measures for safety and protection at work, which is a continuous process and it must be conceptualized as an Archimedes' principle moving progressively.

Regarding the issue of social partners role in development and application of OSH system, it can be concluded one regional characteristic, which is no satisfactory union activism and a level of proactive affirmation of problems and issues of safety and health in work. Trade unions, although in all countries can participate in creation of rules and normative framework for safety and health, still do not come to that. Most often, in practice, the provisions of the Law on Labour, in the field of occupational safety and health in collective agreements are simply transferred. On the other hand, there is a lack of elaboration and amendment of provisions of Law on Occupational Safety and Health in specific parts of collective agreements, thus losing a valuable opportunity to certain issues related to safety and health in more detailed and better regulation on company or national level, through the social dialogue expressed in collective agreements.

The need to raise public awareness of safety and health issues at work is an activity that can and must be focus of each country separately. Although in some countries such as Macedonia, Serbia and Montenegro there is moderate media coverage and activities that are aimed at promoting health and safety at work, in certain countries such as Kosovo*, it is noticeable that some movements are with different intensity, in different periods. The situation in Albania indicates that it is necessary to undertake bigger communication strategies for promotion of OSH programs and activities.

Almost the most common denominator of all countries in which the research is conducted are data related to occupational safety and health. It is evident that all countries face a real challenge in terms of presenting unique real data for recording injuries, occupational diseases and fatal accidents on workplace. According to authors, there is a lack of a single system of records that needs to be networked and create a single database at national level. This unique unified, compatible with the EU statistics should help accurately to measure the number of injuries, deaths at work, and occupational diseases so that the State can take right steps in dealing with workplace risks, thereby reducing the causes that lead to a disruption of personal health and loss of life.

For the next item referring to basic information, are covered issues regarding demographic aspects, economic statistics, as well as health statistics. These data aim to present the demographic and social structure of the population, in order to plan future activities according to current socio-economic and demographic characteristics and potentials.

In the end, each of the national studies contains concluding observations and several recommendations for future steps and activities.

A common conclusion for all national studies is the need to follow the pace with European standards and positive experiences regarding the occupational health and safety system. In doing so, each country affirms its own view of the things given by national needs and opportunities. But what is the basic paradigm of the European Occupational Safety and Health System? Safety and health at work are a significant issue in European Union. The consideration of the issue in its entirety by the Council and the Commission only confirms the Union's determination through the Directives (but other acts) through social dialogue to address the existing and upcoming issues in this area with the aim of an intelligent and proactive way to create a culture of prevention of accidents at work, occupational diseases and consequences that directly have devastating financial effects on the companies themselves. By following the guidelines given in the framework, as well as individual safety and health directives, realistic bases for minimum standards for safe and healthy jobs in the European Union are created, a community that is a desirable destination for the pre-accession countries of the Balkans.

In addition, the safety and health at work aspect is developed and adopted in a prism of dignity at work. The dignity of work encompasses the protection of the very person in her spiritual, ethical and moral phenomenon, and not only the protection of the physicist. This is best seen in the development of consciousness, but also the norm for the protection of the "beauty of the human person". It is directly related to the protection against harassment or blackmail at work, as well as the protection of the right to privacy at the workplace. The European Court of Justice is particularly active in these fields, for the protection of privacy. These new trends, in addition to their actuality in the European Union, are developing internationally in the ILO, the UN, and the Council of Europe. It all forms part of the accepted content of the *acquis Communautaire*.

At the end, it can be said that the OSH system as a fundamental postulate and source of the labour legislation in Europe evolves in time with the so-called third generation of human rights. Today's occupational safety and health is multifaceted and applies to different professions, both for all employees and for special categories of workers. In the EU and Council of Europe by developing a safety and health at work and nurture its core value, which is an integral the protection of man himself as an employee, his life, health and dignity. It protects the man - employee, the worker - citizen as a person in the physical and spiritual sense. Because only in two places the meaning of the word "man" can truly be lost, and that is before the organs of the State and the workplace.

III. NATIONAL PECULIARITIES

1. LEGISLATIVE FRAMEWORK AND POLICIES IN THE FIELD OF OSH

1.1. MACEDONIA

Consequently, in the analysis done in the Study for safety at work for the Republic of Macedonia, it is provided in Constitution of the Republic of Macedonia, more precisely in Article 32 paragraph 1, as following “Everyone has the right to work, free choice of employment, protection during work and material security during the temporary unemployment”.

In R. Macedonia as a result of the process of harmonization of domestic legislation with European, national legislation transposing the framework directive for Safety and Health at Work 89/391 / EEC (Council Directive of 12 June 1989). Directive 89/391 / EEC sets the basic standards, while each country can introduce higher standards and provisions for the protection of workers. The Framework Directive applies to all working sectors, both public and private. The implementation of this Directive at national level also changes the name of the whole area, so from “safety at work” the whole area is renamed “Safety and health at work”.

The Law on Occupational Safety and Health in the Republic of Macedonia was adopted on 01.08.2007 and is fully harmonized with European Framework Directive on Safety and Health at Work 89/391 / EEC. The basic principle, according to the Law, is “the principle of prevention of work injuries, occupational diseases and work-related illnesses”. In the Law on Safety and Health at Work, the institute “risk assessment” is introduced for the first time, thus introducing a new approach in preventive action towards raising the preventive approach for creating safe and healthy working conditions with the goal protection of workers’ health. The Ministry of Labour and Social Policy and the Ministry of Health are responsible for the Occupational Safety and Health Policy, which is guided by the objectives related to EU accession. Since the entry into force of the Law in 2007, until September 2010, the implementation of this Law is at a relatively low level, until the first 12 legal entities are authorized to carry out risk assessment and implementation of other provisions of the law.

According to the latest data (January 2018), their number has grown to 47 authorized legal entities for performing work in the field of OSH in the Republic of Macedonia.

In addition to the Law on OSH, there are other regulations that are issued by the competent ministries and directly regulate the OSH matters:

Law on health care - on the principle of equality, solidarity and reciprocity:

- provides health care for the entire population,
- defines the organizational structure of the health care system, the rights and obligations of individuals, employers and the State regarding the provision of health care at all levels of health care as well as in the field of occupational medicine and organization of the system of medical labour services.

The health part of the complex area of occupational safety and health is in the competence of occupational medicine as an integral part of the health care system in the Republic of Macedonia. Legislation in the field of occupational safety and health, led to an increased number of labour medicine services (LMS) and improved coverage of LMS. With the new legal solutions (Law on Health Protection, 2013), was established a national Labour Health Laboratory, composed of all private and public services of occupational medicine in the Republic of Macedonia, coordinated by the Institute of Occupational Health of the Republic of Macedonia.

Law on Pension and Disability Insurance - with this law, in the field of OSH prescribes and defines what is:

- Immediate danger of disability;
- Disability pension;
- Family pension and
- Physical damage.

Based on this law, a list of occupational diseases has been adopted.

Law on Labor Relations - contains general provisions that indicate the obligations and responsibilities of employers, as well as the rights and obligations of OSH workers.

Labor Inspection Law - regulates the organization and work of the State Labour Inspectorate that carries out supervision of inspection over the application of laws and regulations prescribed for labour relations, which include the application of the Law on Safety and Health at Work, i.e. acts related to this area. These include labour relations, employment, occupational safety, collective agreements, employment contracts and other acts governing the rights, obligations and responsibilities of workers and employers in the areas of labour relations, employment and occupational safety.

There are other regulations adopted within the Ministry of Economy, Transport and Communications and Interior, Environment and Spatial Planning as well as the Directorate for Protection and Rescue.

In addition to these laws in the Republic of Macedonia were adopted several strategies for safety and health at work:

- Occupational Safety and Health Strategy 2020;
- Strategy for Promoting Safety and Health at Work in the Republic of Macedonia through the active participation of CSOs (2015-2019);
- Strategy for Occupational Safety and Health of the Republic of Macedonia (2011-2015);
- Community Health and Safety at Work (2007-2012).

1.2. KOSOVO*

In Kosovo*, starting with the Constitution, through other acts, safety and health at work is envisaged in more articles, but two articles are most specific. That is Article 22 and Article 49, which overlook the following:

Article 22 (direct implementation of international agreements and instruments), human rights and freedoms are guaranteed by the international instruments and agreements provided for in this Constitution, implemented directly by the Republic of Kosovo*, and in themselves bear a priority in the event of a conflict against the provisions of the law, and other acts of public institutions:

1. Universal Declaration of Human Rights;
2. European Convention for the Protection of Human Rights and Fundamental Freedoms, and its protocols;
3. International Convention on Civil and Political Rights, and its protocols;
4. Council of Europe Convention for the Protection of Minorities;
5. Convention on the Elimination of All Forms of Racial Discrimination;

6. Convention on the Elimination of All Forms of Discrimination Against Women;
7. Convention on the Child Rights;
8. Convention against torture and other forms of gross and inhuman degradation and punishment.

Article 49 (Right to work and practice) provides that:

1. The right to work is guaranteed to everyone, and that
2. Everyone is free to choose his profession, and place of work.

In addition to the Constitutional Orders that still regulate the Occupational Safety and Health issue, the Law on Occupational Safety and Health, which entered into force in May 2013, systematically and in detail regulates the OSH system in Kosovo *. This law is in accordance with the EU Directive 89/391 of 12 June 1989, in order to achieve the application of measures to improve the safety and health of employees in the work they perform at their workplaces. With the entry into force of this Law, Law No. 2003/19 refers to the safety, health, and protection of the employees and the working atmosphere, together with its bylaws.

The aim of the right to safety and health at work is to set up measures to improve the safety and health at work of the employees in the workplace. It consists of general principles in relation to:

- Prevention of professional injuries;
- Elimination of hazardous factors and accidents;
- Information;
- Consultations;
- Participation in improving the level of occupational safety and health, dealing with employees, and their representatives; as well as
- A general guide to the implementation of these principles.

Duties of the employer provided for in Article 5 of the Law on Safety and Health at Work:

“The employer is obliged to cover all expenses for treatment of the employee who has suffered a violation at the workplace, or illness caused by the work tasks, if he has not previously provided him with insurance.”

Also, in the article of this law:

“The employer responds to the employee for the damage caused by a workplace injury, work-related illness, or related work tasks, in accordance with the principles, and the objective responsibility of the right to responsibility.”

Realizing the views presented in the national study on Kosovo*, with strong capacity and partnership of all relevant stakeholders, is key to effective implementation and monitoring of the legal framework.

Kosovo* has established a legal framework for the functioning of occupational safety and health, which is in line with the European Directives. However, its functioning in creating a preventive culture for a decent and human workplace by removing injuries and occupational workplace diseases and adapting it to the worker, faces difficulties in their practical implementation. The reasons may be seen in several segments, beginning generally the low awareness of the general working population, as well as the management of the benefits of good preventive culture at the workplace, to specific parameters, such as few licenses issued by specialized companies that work in the field of safety and health at work, which should directly raise awareness primarily among employers, but also workers about the present workplace risks in companies in Kosovo* and their specific overcoming.

The Main Family Medical Center - Pristina relates to occupational medicine, and performs the following activities:

- Examining the candidates for employment and based on the working abilities, knowledge and needs of the employer for the work tasks that worker should perform, provides expert opinion on the health / work skills of the future work for a specific workplace;
- Perform systematic employee visits to investigate the general opinion of employees using epidemiological - statistical methods and other temporary methods;
- Investigates the sources of illness, injury, the causes of labour shortages, and other important health and work-related consequences for the employee;
- Together with other professional and relevant institutions, monitors the process of adapting the new employee to the job.

Activities that need to take up workplaces, and that will have to be governed by existing legal acts, to meet and used in the future are the following:

- Workplace surveys and visits;
- Preventive health checkpoints;
- Monitoring of risk health prevention of employees;
- Minutes and reports for the health of employees, and for occupational diseases and injuries;
- Promoting workplace health, education and counselling at the workplace;
- First aid, management of accidents;
- Treatment services;
- Education, training, information campaigns;
- Guaranteed quality of the health process at the workplace;
- Revisions

1.3. SERBIA

Safety and health at work is a right that is provided for in the Constitution of the Republic of Serbia, according to which everyone has the right to be respected at work, protection at work and no one has the right to waive these rights. The specific law that regulates occupational safety and health is the Law on Safety and Health at Work, and it was adopted in the Republic of Serbia in November 2005 (Official Gazette of RS, No. 101/05). The same, ten years later, receives its amendments and additions, published in the Law on Changes and Amendments to the Law on Safety and Health at Work, adopted in 2015. It comes into force on November 13 of the same year ("Official Gazette of RS", No. 91/15).

The Law on Occupational Safety and Health is largely in line with the Council Directive 89/391 / EEC, but the European Commission's progress reports on candidate status indicates the obligation for further harmonization with European practice, not to mention that still are using rulebooks from the time of the former FNRJ are in force, thus challenging the harmonization of certain provisions of this Law with European innovations.

The Law on Safety and Health at Work is composed of twelve chapters, such as:

1. Basic Provisions
2. Application of preventive measures
3. Obligations and responsibilities of the employer

4. Rights and obligations of employees
5. Organizing work safety and health at work
6. Role and importance of employees' representatives for occupational safety and health
7. Records, collaboration and reporting
8. Professional exam and licensing
9. Competence of the Directorate for Safety and Health at Work
10. National accolade
11. Supervision
12. Punitive, transitional and final provisions.

In Serbia, has been adopted a Strategy for occupational safety and health for the period 2013-2017 ("Official Gazette of RS", No. 100/13). The following principles are defined in this strategy:

1. Promotion: changing the awareness among the general public about the importance of applying health and safety measures at work through the organization of various promotional activities and campaigns.
2. Prevention: workplace safety and health activities should focus on the prevention of workplace injuries, occupational diseases and work-related illnesses.
3. Most work-related injuries and illnesses can be prevented, so prevention is the most cost-effective way to proactively address occupational safety and health issues.
4. Involving all stakeholders: Improving safety and health at work can be best protected if all participants in the occupational safety and health system are involved. This would involve the employees, as well as employees' representatives on health and safety at work. At the national level, this would involve involvement of employers, trade unions, state bodies, non-governmental organizations, educational institutions, etc.
5. Responsibility: Employers have the greatest responsibility for safety and health at work, and they must provide a healthy and safe workplace. Employees also have a responsibility for their own safety.

In addition to the Law on Health and Safety at Work as well as with the fact that measures for safety and health at work are applied in all spheres, that is, all employees with employers on any basis they have a series of by-laws and they are divided into several groups:

1. Bylaws that closely regulate certain issues of the law
 - 1.1 Rulebook on the program, the manner and amount of the expenses for taking the professional exam in performing safety and health at work and the work of responsible persons.
 - 1.2. Rulebook on the conditions and amount of the costs for issuing licenses for work in the field of occupational safety and health.
 - 1.3. Rulebook on the procedure for determining fulfilment of the prescribed conditions in the field of safety and health at work.
 - 1.4. Rulebook on the manner and procedure for risk assessment at the workplace and in work environment.
 - 1.5. Rulebook on the content and manner of issuing forms for the reports on injuries at work and occupational diseases.

- 1.6. Rulebook on the procedure for reviewing and checking the equipment for working and checking the conditions in the work environment.
 - 1.7. Rulebook on the records in the field of safety and health at work.
 - 1.8. Rulebook on previous and periodical medical examinations of employees at high-risk workplaces.
 - 1.9. Rulebook on the program, manner and amount of expenses, preparation and taking the professional exam for performing the work coordinator for preparation of projects and professional examination for carrying out work coordinator for performing works.
 - 1.10. Rulebook on the content of the elaborate on arrangement of construction sites.
 - 1.11. Rulebook on the program for knowledge improvement and other issues related to the improvement of the knowledge of occupational safety and health.
2. By-laws with which EU directives are incorporated in national legislation are:
 - 2.1. Decree on safety and health at work of temporary and mobile construction sites.
 - 2.2. Rulebook on preventive measures for safe and healthy work with the use of personal protective equipment and equipment.
 - 2.3. Rulebook on Preventive Measures for Safe and Healthy Work at the Workplace.
 - 2.4. Rulebook on preventive measures for safe and healthy workplace when using equipment for work.
 - 2.5. Rulebook on safe and healthy work with manual transmission of loads.
 - 2.6. Rulebook on preventive measures for safe and healthy work in the use of crane equipment.
 - 2.7. Decree on preventive measures for safe and healthy work in contact with asbestos.
 - 2.8. Rulebook on preventive measures for safe and healthy work in contact with chemical substances.
 - 2.9. Decree on preventive measures for safe and healthy work in exploitation of mineral resources with deep drilling.
 - 2.10. Decree on preventive measures for safe and healthy work in underground and surface exploitation of mineral resources.
 - 2.11. Decree on preventive measures for safe and healthy work of ships engaged in fishing.

In addition to these, there are other bylaws that regulate the OSH matter, which are aimed at the establishment of a closed system for protection at work in Serbia. However, it seems that in the future some normative acts need to be upgraded and improved, in order to increase the practical penetration of the system.

1.4. MONTENEGRO

Occupational health and safety as constitutional principle is stipulated in the Constitution of Montenegro in accordance with Article 64, paragraphs 3 and 4. In accordance with these constitutional provisions, it is developed system of safety and health at work in Montenegro. In that direction, the Assembly of Montenegro on the session of 25 July 2014 adopts the Law on Occupational Health and Safety, whereby the Law on Occupational Safety and Health is put outside the force (Official Gazette of the Republic of Macedonia No. 79/04 and Official Gazette of the Republic of Macedonia, no. 26/10 and 40/11.) The new Law is fully in line with the Council of Europe Directive 89/391 / EEC of June 12, 1989 to introduce measures to encourage improvements in the safety and health of employees at the workplace. The Law envisages the obligations that employer must undertake to implement protective measures, workplaces with special working conditions, protection measures. The Law anticipates and regulates the health inspection of workers, protection against fires, evacuation and rescue, as well as serious or immediate danger, informing employees, employee representatives, qualifying professional work, training for professional matters. The rights and responsibilities of workers are also foreseen.

On the other hand, the Government of Montenegro in July 2016 adopts the Strategy for the Promotion of Health and Safety at Work in Montenegro 2016-2020 with an action plan for implementation. This strategy starts with the legislation in this field and is based on the principles of social dialogue at all levels between employers, workers' representatives and employees and trade union, who are obliged to cooperate in the procedure for determining their rights obligations and responsibilities related to protection at work.

There are several laws that directly apply to the basic aspects of the Law. Among these laws are the following:

- Law on protection and health at work
- Law on work
- Law on Health Care
- Health Insurance Law
- Law on pension and health insurance
- Law on Labour Inspection
- Law on the Army of Montenegro
- Decision on Montenegrin standards and related documents
- Law on safety of maritime navigation
- Law on protection against ionized and radioactive safety
- Law on Mining
- Law on the Social Council.

Apart from the laws in Montenegro that make the skeleton of the OSH system, there are also several by-laws, a total of 52 volunteers, which regulate this area such as:

- Rulebook on measures for protection of work from the risk of exposure to biological materials
- Rulebook on measures for protection against exposure to explosive atmospheres.
- Rulebook on taking an expert exam for persons who are engaged in occupational safety activities.

- Rulebook on special measures for protection at work in forestry
- Rulebook on hygienic and technical protection measures in quarry and brickwork.

There are also laws that regulate labour inspection, then labour relations and employment, branch collective agreements, laws and by-laws that cover the aspects of the ZZDP but are issued by other ministries.

Regarding the Strategy of Montenegro for Occupational Health and Safety 2016-2020, the objectives that are to be achieved are as follows:

- Strengthen policies that address occupational health and safety, including the integration of occupational health and safety at work in other sectoral policies and finding new solutions.
- Reducing the number of workplace injuries and the relationship between the workplace and the environment
- Reducing the number of occupational diseases and work-related illnesses
- Reducing the number of work-related injuries that are associated with the fulfilment of work tasks
- Improving the health status of employees
- Reduce work-related illnesses, occupational diseases and work-related illnesses.

In Montenegro, the following institutions and organizations undertake activities in the field of occupational health and safety:

- Parliament of Montenegro
- Government
- Responsible ministries, Inspectorate, Health Insurance Fund, Pension and Health Insurance Fund, Institute for Development and Research in the area, and the Economic Chamber of Montenegro.
- Social partners
- A social council composed of representatives of the social partners
- 36 authorized health and occupational safety and health organizations
- Association for protection of work in Montenegro
- Insurance companies.

The national policy for protection of health at work is based on certain goals that need to be met in the years to follow. Among others, these are:

- Adoption of laws and by-laws and other general acts on occupational health and safety in line with the regulations of the EU and the ILO, as well as their implementation, and at the same time encouraging all social partners to regulate issues in this area through the system of collective bargaining;
- Further development and adoption of mechanisms and procedures for implementation of occupational health and safety regulations;
- Raising awareness of the importance and gradual introduction of health and safety at work in the educational system of Montenegro;
- Promotion of culture and examples of good practice in this field at all levels of organization of employers, workers and the state as a whole;
- Improve the collection of statistical data and develop a database;

- Connecting with international organizations in this area;
- Promoting social dialogue;
- Informing employees and their involvement in issues related to this area.

1.5. ALBANIA

As with all other countries in the region, covered by this Study and Albania, the issue of occupational safety and health is regulated first by the Constitutional provisions, and then by several other acts. However, there is an indirect connection of the constitutional provisions with the OSH system, unlike other constitutions where there are specific provisions for protection at work. Thus, the Constitution of the Republic of Albania guarantees to all citizens the right to social protection at work. The Labour Code of the Republic of Albania in section VIII "Health insurance and protection" defines the obligations of the employees and employers for safety and hygiene at the workplace against the dangers arising from the work tasks.

In February 2004, Albania ratified the International Labour Organization Convention No. 155 "Occupational Safety and Health", where the duties deriving from this Convention were incorporated into Law No. 10237 of 18.02.2010 "Safety and Health at Work", which is still in force.

Law No. 10.237 dated 18.02.2010 "Occupational Safety and Health" as its own lenses covers the definitions of the measures that are to be taken and guarantee for the safety and health at work of the employees. The purpose of this Law is to guarantee safety and health and their protection through the prevention of occupational accidents at work, elimination of risk and factors contributing to accidents, information, counselling in accordance with the Law, to guarantee the organization of employees and their representatives, as well as to create general guidelines for the implementation of these goals.

- Ministries that issue Laws, Documents and Regulations covering the aspects of workplace protection

There are several ministries that have a certain direct or indirect role in the OSH system in Albania, but it is unique that within the Government there is no separate ministry in the field of labour. Among the government ministries working in the field of OSH are:

- Ministry of Infrastructure and Energy - Transport sector.
- Ministry of Health and Social Protection - State Health Inspectorate and State Institute of Health.
- Ministry of Tourism and Spatial Planning - National Agency for Spatial Planning.
- Ministry of Agriculture and Rural Environment.

Strategic Document on Safety and Health at Work 2016 - 2020.

The intention of drafting this Strategic Document for Occupational Safety and Health is to create a clear field of action for key actors in future development and orientation of occupational safety and health in Albania. One of the objectives is to improve the number of stakeholders actively involved in promoting health and safety at work, and to strengthen their roles. There is a general framework of cooperation, the roles and duties of the Government itself, certain ministries, institutions, inspectorates, social partners and other actors.

An important part of this document is related to the fact that all ministries, government, agencies and other bodies will cooperate with each other and coordinate their intervention activities. They will also

work side by side with employees, workers, employers, trade unions and stakeholders. This will allow the sources of government to be used to enable a proper coordination relationship.

2. COMPLIANCE WITH INTERNATIONAL STANDARDS

2.1. MACEDONIA

In Macedonian frameworks, we can say that there is a high degree of harmonization and implementation of inter-state OSH standards in the national legal system and public policies. What is lacking is practical relevance of the norms and the implementation of policies. On the other hand, the occupational safety and health policy is based on relevant international regulations and documents such as:

- ILO Conventions (Republic of Macedonia has ratified 74 ILO Conventions),
- ● EU Directives and
- ● EU Strategy:
 - Improving the quality and productivity of the work, the Community Strategy for Safety and Health at Work 2007-2012, as well
 - WHO Global Action Plan for the Health of Workers 2008-2017.

From the national study, it is undoubtedly that the Macedonian legislation in the field of OSH, to a large extent, has quantitatively and qualitatively incorporated the European standards and standards of the International Labour Organization. However, there is a lack of practical application of the same and their modification of the Macedonian needs and conditions, both in the labour market and in the institutional capacity of the OSH sector (these include state bodies as well as companies and civil society organizations). This means that certain changes in the legal framework, as well as the by-laws for the purpose of replenishing the gaps, as well as the introduction of OSH standards will be required in the future, which will be at the level of the needs of the Macedonian system for safety and health at work.

2.2. KOSOVO*

When we talk about Kosovo* , and taking into account the candidate status for a member state of the European Union, in the period 2015-2017, within the Project Harmonization of the National Legislation with the legislation of the European Union, in the field of safety and health, Kosovo* has taken 16 separate Directives coming from the Framework for Directives 289/89:

1. Regulation number 03/2017 - Prevention of injuries from sharp tools at the workplace;
2. Regulation No. 04/2017 - Protection of employees from the risk of carcinogens in the workplace;
3. Regulation No. 05/2017 - To protect employees from the risk of exposure to biological agents at the workplace;
4. Regulation No. 06/2017 - Criteria for minimum occupational safety and health in temporary or mobile buildings;
5. Regulation No. 07/2017 - To protect employees from the risk of exposure to asbestos at work;
6. Regulation No. 10/2017 - Protection of the safety and health of employees from the risk caused by chemical agents at the workplace;
7. Regulation No. 04/2014 - For the minimum safety and health that is required at the

workplace;

8. Regulation No. 05/2014 - Minimum safety and health required in the use of work equipment at the workplace;
9. Regulation No. 02/2016 - Minimum safety and health required for work with personal protective equipment at the workplace;
10. Regulation No. 03/2016 - Minimum safety and health required for the protection of employees who work with weapons;
11. Regulation No. 04/2016 - For the minimum need to apply signs of safety and health at work;
12. Regulation No. 05/2016 - Minimum protection and safety for employees working with explosives and explosive materials;
13. Regulation No. 06/2016 - Minimum protection and safety required for operation with display and computers;
14. Regulation No. 09/2017 - To protect employees from the risk of optical radiation at the workplace;
15. 1Regulation No. 08/2017 - Protection of employees from the risk of work with electromagnetic fields at the workplace;
16. Regulation No. 02/2017 - To protect employees from loud noises in a workplace, hazardous to health, and protection against vibration at the workplace.

According to the observations of national experts and the national OSH study in Kosovo*, it is undoubtedly underlined that Kosovo* as a potential candidate for membership in the European Union needs legislation that is focused on finding the best practices of the European Union in the field of health and safety work.

2.3 SERBIA

The Republic of Serbia is an ILO member since its inception in 1919. So far in the field of occupational safety and health, Serbia has ratified a few ILO conventions in the form of a law whose norms are directly implemented in national legislation in the field of occupational health and safety and as such they are directly applicable. The following conventions have been ratified:

1. Convention no. 12 for compensation of damage in case of an accident at work in agriculture
2. Convention no. 13 - to ban the use of leaded white in colouring industry
3. Convention no. 17 - for compensation paid to workers in the event of an accident at work
4. Convention no. 18 - for compensation paid to workers for occupational diseases
5. Convention rev. 19 - for equal treatment of foreign and domestic workers in respect of accident compensation at work.
6. Convention no. 81 for inspection of work in industry and trade from 11. 07. 1947.
7. Convention no. 87 - on trade union freedom and protection of trade union rights (1948)
8. Convention no. 89 for the night work of women employed in the industry.
9. Convention no. 90 for children's night work in the industry - revised.
10. Convention no. 98 - on the application of the principles of organizing and collective bargaining.

11. Convention no. 103. protection of motherhood.
12. Convention no. 119. for the protection of machinery.
13. Convention no. 121. for benefits in case of accident at work and occupational disease
14. Convention no. 126. for the accounting of the crew of fishing vessels.
15. Convention no. 129. For inspection of work in agriculture
16. Convention no. 135. The protection and relief granted to workers' representatives in the enterprise.
17. Convention no. 136. To protect against the danger of benzene poisoning.
18. Convention rev. 139. For the prevention and control of occupational risks caused by carcinogens and agents.
19. Convention 144. For tripartite consultations since 1976, as well as Recommendation 152 on Tripartite Consultations of 1976 and Recommendation 113 on Negotiations of 1960 relating to this issue.

In addition to the previously mentioned conventions that have an older date and some of them are no longer applicable, Serbia has ratified the following especially important ILO acts, among which:

1. Convention no. 148. To protect workers from occupational risks in the working environment caused by polluted air, noise and vibration.
2. Convention no. 155. For safety and health in the desktop.
3. Convention no. 159. For the professional rehabilitation and employment of disabled persons.
4. Convention no. 161 for medical services.
5. Convention no. 162. For the safety of asbestos use.
6. Convention no. 167. Safety and health in construction.
7. Convention number. 181. For private employment agencies.
8. Convention no. 182. For the worst forms of child labour and ILO Recommendations No. 190 on Prohibition and Urgent Action for the Abolition of the Worst Forms of Child Labour.

Pursuant to the law on the confirmation of the Stabilization and Association Agreement concluded between Serbia and the European Communities and their members, Serbia is committed to harmonizing domestic legislation with the European as in other areas, as well as in the field of occupational safety and health. In this area, Serbia introduces the following European directives into domestic legislation:

1. Directive 89/391 EC.
2. Council Directive 92 / 57 / EEC
3. Council Directive 89/656 / EEC
4. Council Directive 89/654 / EEC
5. Council Directive 89/655 / EEC
6. Council Directive 90/269 / EEC
7. Council Directive 90/270 / EEC
8. Directive of the European Parliament and of the Council number 2009/148 / EEC.
9. Council Directive number. 98/24 / EC

10. Council Directive number. 92/91 EEC
11. Directive 92/104 / EEC
12. Directive 93/103 / EC
13. Council Directive no. 92/58 / EEC
14. Directive no. 2000/54 / EC
15. Directive no. 2002/44 / EC
16. Directive no. 2003/10 / EC
17. Directive of the European Parliament and of the Council 2004/37 / EC
18. Directive no. 1999/92 / EC
19. Directive 2013/35 / EU
20. Directive of the European Parliament and of the Council 2006/25 / EC

These European directives should be fully transposed into the Serbian national legislation in the period that follows, thus harmonizing the national OSH with European. From the data obtained from the national study, it can be concluded that most of the already existing national legislation in Serbia is in line with European standards.

2.4. MONTENEGRO

Harmonization and implementation with international standards and national legislation is a priority for Montenegro. From 2015, 39 new laws have been adopted in accordance with the EU directives, as well as 68 conventions, which after independence have been taken over by succession.

- Degree of Compliance with ILO Conventions.

On July 14, 2006, Montenegro became a full member of the ILO and 68 conventions have been taken, after independence, Convention No. 183, 167, 187, as well as the Convention on the Operation of the Sailors of 2006.

- Degree of compliance with the EU directives

Under the Stabilization and Association Agreement between the European Communities and their member states on the one hand and Montenegro, on the other hand, the agreement was signed on 15 October 2007. With Montenegro's EU accession program for the period 2018-2020 under Chapter 19- Social policy and employment envisage harmonization with EU legislation in this area. In this program in the field of occupational health and safety, 3 laws are harmonized with the EU directives:

- Law on Occupational Health and Safety
- Law on Safety, Organization and Efficiency of Railway Transport.
- Law on protection against ionized radiation.

2.5. ALBANIA

It can be said that Albania has taken important steps in terms of progress on the road to European integration in the development and improvement in terms of undertaking legislation in the field of occupational health and safety. Over the years, the Albanian Government has taken specific Regulations, which define the elements provided by the European Union in terms of policies and measures for safety and health at work.

Following the "Progress Report", the European Commission for Albania and health and safety at work issues, 25 Regulations were adopted.

The standards of the International Labour Organization are the other source of international standards for national legislation. Albania is the country with the highest number of ratified conventions of the International Labour Organization. The most important conventions of the International Labour Organization in the field of occupational safety and health have been ratified, including Convention Nos. 81, 129 and 155. Two of the lists of ratified conventions in 2014 entered into force in April 2015.

Although many conventions have been ratified, the process of ratifying the International Labour Organization conventions, such as the Labour Convention for Sailors, the working conditions in hotels and restaurants, chemicals, and health services at work, should be completed and practically implemented.

3. ORGANIZATIONAL FRAMEWORKS AND ENFORCEMENT MECHANISMS

3.1. MACEDONIA

Regarding the organization of the OSH system in Macedonia, there are several institutions and bodies that participate in the practical application and control. The competent OSH institutions are as follows:

Ministry of Labor and Social Policy

According to ORDER, this ministry is responsible for labour, employment and social policy, occupational safety and health, protection of children, adolescents, women and individuals with special needs. It is responsible for the implementation of existing national legislation as well as compliance with international conventions in the field of occupational safety and health.

Ministry of Health

Pursuant to the Law on Health Care and Bylaws in this field, it assesses the fulfilment of the minimum criteria of the healthcare institutions for the performance of the occupational medicine occupation, on the basis of which it authorizes the healthcare institutions for performing the occupational medicine occupation and maintains a register of the same.

Labor inspection

From 1 June 2014, this body functions as a separate legal entity. The State Labour Inspectorate implements its activities in accordance with the legal obligation to supervise the application of laws and other regulations on labour relations, employment, safety and health at work and collective agreements, employment contracts and other acts that regulate and exercise the rights, obligations and responsibilities of workers and employers in the field of labour relations and safety and health at work. State labour inspectors enforce laws and other by-laws that regulate the relations between employers and workers, and special attention is paid to the application of regulations that relate

to the legal obligations of the employer towards the employees. State labour inspectors perform regular, control and extraordinary inspection supervision, while controlling whether employers have met safety and health measures for employees in the public and private sectors, for all persons insured from occupational injury or occupational diseases, and also for persons who are located professional development, students of practical training and all other persons involved in the work processes, according to the regulations on pension, disability and health insurance. The State Labour Inspectorate organizes its operations in seven sectors, in 30 areas with a total of 114 labour inspectors. The State Labour Inspectorate, in order to promote the safety and health at work of the employees, has conducted coordinated inspection surveillance with the State Sanitary and Health Inspectorate at the Authorized healthcare institutions.

Labor Medicine Services

The Law on Occupational Safety and Health defines the term "authorized healthcare institution", which is "a health institution in which the occupational medicine is performed in accordance with the regulations in the field of health, engaged by the employer for the implementation of health protection at work ". This Law regulates the obligations of the authorized healthcare institution as:

- preventive health examinations of employees in accordance with special regulations,
- providing medical services for employees with occupational diseases,
- keeping records and collecting data about the health of employees,
- participation in risk assessment, implementation of employee education, etc.

The services in the field of occupational medicine related to the implementation of the Law on Occupational Safety and Health are implemented in public and private institutions where the occupational medicine is authorized by the Ministry of Health, which includes PHI Specialist Medical Practitioners labour, medical laboratories at the PHI Health Centers, labour services in PHI Polyclinics, PHI Institute for Public Health, and PHI Institute of Occupational Health of the Republic of Macedonia.

According to the data from the Ministry of Health (MOH), 49 teams on occupational medicine (1 team - 1 doctor of occupational medicine and 1 nurse / medical technician) were registered on primary level in 18 municipalities, on the secondary level there are 29 teams in 6 municipalities and 9 teams at tertiary level or total at the level of the Republic of Macedonia have 87 teams of occupational medicine. The Institute of Occupational Health of the Republic of Macedonia, WHO Collaboration Center, is the supreme institution in the field of occupational medicine at the national level, which carries out health, methodological, educational and scientific research activities in its field. The Institute oversees establishing criteria and methodology for work, proposing and realization of preventive and scientific-research programs, initiation and creation of strategic documents, legislation and standards in the field of occupational health.

Ministry of Economy - State Inspectorate for Technical Inspection

The State Inspectorate for Technical Inspection supervises pressure equipment and products and plants intended for operation in explosive atmospheres, supervision of elevators, lifts, cranes and conveyors and power generation plants, products and devices, performs verification and records for independent legal entities, keeps records of technical inspections and periodical tests during the use of technical equipment, geological and mining supervision and equipment, products and plants intended for use in the exploitation of mineral resources, one inspection supervision over the application of laws, by-laws in geological explorations, performance of mining works, exploitation of mineral resources and mineral technology, and supervision over the use of electrical devices and installations for exploitation of mineral resources.

Health insurance fund

This authority, within its competencies, finances the aspects of remediation of diseases, injuries, as professional risks, but which have already occurred. In other words, the Fund is the body through which the system of health care in the country is financed, of course, health care, which as a right belongs to the insured in case of occurrence of professional risks.

Pension and Disability Insurance Fund

The Pension and Disability Insurance Fund finances the part referring to the realization of the right to a disability pension that follows due to the occurrence of professional incapacity for work caused by an injury or occupational disease at the workplace.

Institute of Public Health

The Institute is in charge of keeping the health statistics in the Republic of Macedonia, and as such it should be a reference center for collecting and storing statistical data at the national level and is in charge in accordance with the legal obligation for keeping health registers including the records of work injury and for occupational diseases.

The judiciary in solving disputes from the OSH

The Administrative Court of the Republic of Macedonia (Administrative Court and the Supreme Administrative Court of the Republic of Macedonia) oversee resolving legal disputes in the field of OSH from the aspect of the inspection supervision by the SIT and the misdemeanours guided by the misdemeanour bodies. In the disputes for damages, the Basic Courts in the Republic of Macedonia are competent.

Council for Safety and Health at Work

The Council reviews and gives opinions and recommendations on:

- The program;
- The situation in the field of safety and health at work;
- A coherent policy strategy for preventing and reducing workplace injuries, occupational diseases and other work-related illnesses and injuries;
- Expert bases for drafting laws and other safety and health regulations at work
- Documents of international organizations regarding safety and health at work.

All documents adopted at the sessions of the council for safety and health at work, which are under its competence, shall be submitted to the Government of the Republic of Macedonia, the relevant ministries and other state administration bodies as necessary.

Insurance schemes for accidents and illnesses at work

According to the existing legislation in the Republic of Macedonia, each employee pays additional health insurance paid in the budget of the Republic. The amount of this additional health insurance is 0.5% of the gross salary and is paid on a monthly basis. The purpose of this money is to cover the medical costs of an employee who has suffered injury at work. These funds are paid to the healthcare institution that treats the injured.

In the Republic of Macedonia, besides this type of compulsory insurance, there are special products for insurance companies that offer insurance for employees from injury, commonly known as "collective insurance". This product works in such a way that a certain amount is paid for monthly

insurance against injury, in accordance with the predefined criteria of the insurance company. This amount per unit insured is paid by the employer or by the employee.

Specialized medical, technical and scientific institutions associated with various OSH activities

Courses at Universities and Faculties - In the past period, several Universities in the Republic of Macedonia have implemented accredited study programs in the field of occupational safety and health. These study programs are accredited in all three degrees of higher education: undergraduate, postgraduate and doctoral studies. Attracting more students in every level of higher education is still a serious problem for these higher education institutions, where the main problem is identified in the introduction of the occupational safety and health profile in the National Classification of Occupations.

Faculty of Mechanical Engineering, University "Cyril and Methodius" - Skopje

The Faculty of Mechanical Engineering in Skopje offers education that corresponds to the latest trends in the European Higher Education Area, such as the ECTS and the postulates of the Bologna Declaration. The study programs are in line with the staffing needs that will meet the demands of the modern technological development, the labour market for the development of the industrial branches in the Republic of Macedonia, that is, the staff that will meet the needs of the companies.

Graduated mechanical engineers can recognize the needs and problems that the industrial sector faces, as well as knowledge and competencies for finding optimal solutions for implementation, maintenance and improvement of OSH systems. The Faculty of Mechanical Engineering has accredited a second cycle of studies entitled: Managing Occupational Safety and Health Systems. Two-year academic studies enable an increase in the number of resources trained in implementing and managing occupational safety and health systems in enterprises. The work safety body at the Faculty of Mechanical Engineering has been authorized to perform workplace risk assessments, regular testing and control of the work equipment, preparation of a concept for the safety statement, preparation and implementation of training programs for employees for safe work execution.

Technical Faculty, University "Kliment Ohridski" - Bitola

At the technical faculty in Bitola there are four years of studies in the area of "mechanical engineering" and "engineering for protection of the environment and working environment", while three-year professional studies on "energy and environmental protection". The title that the student receives after finishing the study program is BSc in Environmental Protection or BSc in Occupational Safety and Health.

Faculty of Mechanical Engineering and Faculty of Technical Works, University "Goce Delcev" - Stip

The UGD Faculty of Mechanical Engineering gives strong support to the students in the possibilities of acquiring knowledge, independently to solve the problems in the field of environmental protection. At this Faculty, the field of OSH is represented in the first cycle of studies by studying two selected subjects, namely "Occupational Safety" and "Ergonomics", at the study program for industrial engineering.

Iustinianus Primus Faculty of Law – Skopje

Within the postgraduate course in the field of labour and social law, it is developed a special subject under the title "Right to safety and health at work", which students choose within the 9th semester. This course covers OSH issues primarily from a legal point of view and it examines the normative framework related to the OSH system. In this way, only on this faculty is studied the subject Safety

and health at work through the prism of national legal framework, but also in relation to international standards and trends.

Faculty of Medicine, University "Cyril and Methodius" - Department of Medicine of Labour

The Department of Occupational Medicine was constituted as an independent Chair on September 25, 2001 after separation of the Joint Department of Hygiene and Occupational Medicine. The Department of Occupational Medicine at the Medical Faculty oversees the implementation of new program for Specialization in Labour Medicine, for a period of 4 years, harmonized with the EU requirements (Rulebook on specializations and sub-specializations, Official Gazette of the Republic of Macedonia No. 8/06). According to the new Program for Specialization in Occupational Medicine, from 2007 until today, the professional community of labour medicine in the Republic of Macedonia has received 22 new specialists, and currently 16 new doctors are in the process of specialization in occupational medicine.

Faculty of Security Engineering, International Slavic University "Gavrilo Romanovich Derzhavin" Sveti Nikole

The faculty provides education of occupational safety and health professionals as well as fire safety in order to more efficiently and more successful implementation of European legislation.

Institutions that implement OSH training

In the R. Macedonia to the moment when this analysis was made, there were 47 legal entities registered in the field of safety and health at work for employees with an employer, stipulated by the law on safety and health at work.

For the implementation of the trainings for occupational safety and health professionals, the matter regulated by the Law on Safety and Health at Work, and in the segment of continuous education of the professionals providing services for safety and health at work in the Republic of Macedonia, are licensed 6 legal entities.

Specialized institutions

Institutions and laboratories that specialize in the assessment of workplace risks (chemicals, toxicology, epidemiology, production safety). According to the data from the Ministry of Labour and Social Policy (January 2018), 9 legal entities are authorized to perform occupational safety work at work, specializing in the assessment of hazards to the risks of chemical harmfulness and for performing periodic measurements of chemical hazards (dust, inorganic gases and vapours, total volatile organic gases and vapours).

Standardization Agency

This body was established in March 2003 since a standardization law and a decision of the Government of the Republic of Macedonia. The Republic of Macedonia undertakes the necessary measures in order to accelerate the development of standardization as one of the pillars of the quality infrastructure, to encourage participation in the work of European standardization bodies (CEN, CENELEC, ETSI, EA, WELMEC, EUROMED, etc.) as well as to encourage the use of Community technical regulations and European standards, testing and conformity assessment procedures. The organizational structure is based on the Assembly of ISRM, which consists of the members of ISRM and representatives of the founder. The ISRM Council was established by a decision of the Assembly of ISRM. The ISRM Council consists of nine members, namely: three representatives of the founder, four representatives from the members of ISRM, one representative of the employees of ISRM and the President of the ISRM Assembly.

Professional associations

Macedonian Occupational Safety and Health Association (MOSHA)

MOSHA is the only professional non-governmental organization that has been in existence for more than 50 years and in terms of the way it operates and has regularly employed professionals in the Republic of Macedonia, but also in the region of Southeast Europe.

What distinguishes MOSHA is the fact that it is ILO / CIS Collaboration Center for Macedonia and the Focal Point of the European Agency for Safety and Health at Work (EU OSHA) for the Republic of Macedonia, which together with the TNO Institute from the Netherlands are the only national organizations that according to the manner of their financing does not belong to the State structures, more precisely, they are not financed from the budget funds.

Its main goal is by creating a preventive culture to create safe human working places. The psycho-physical integrity of workers, the evaluation of workers' rights, the implementation and the full implementation of legislation in the field of occupational health and safety are just some of the goals that MOSHA stands for. During its many years of operation, the Association has organized several projects in the field of OSH, international and domestic conferences, public debates, various forms of training and several educational events for building professional capacities in the field of occupational health and safety.

Occupational Safety Association - Bitola

Association dealing with training seminars, in the field of OSH.

Occupational Safety Association "April 28"

Established in 2012, with main goal, more healthy and safe jobs and reduced workplace injuries. From 2015 she will receive authorization from the MLSP in order to be able to provide expert training for OSH professionals.

Macedonian Society of Occupational Medicine

In the field of occupational health, the Macedonian Occupational Health Association (MOHA) is also taking over its activities. MOHA is a professional association of doctors and occupational medicine specialists, as well as other doctors who are active in the field of occupational medicine and occupational safety and health.

Association of Protection Engineers Tutela

Established in 2018 and aimed at uniting occupational safety and health experts.

3.2. KOSOVO*

Regarding the organizational structure and enforcement mechanisms in Kosovo*, within the Government of the Republic of Kosovo*, the Ministry of Labour and Social Policy was established, based on Regulation No. 02/2011 in the field of administrative responsibility of Prime Minister's office and ministers, which has the following responsibilities and competencies:

1. Creation of labour and social policy, as well as creation and implementation of legislation in these fields;
2. Supports and develops employment and working relations without discrimination, considering international labour standards;

3. Monitoring of employment and social policy and introduces active measures for stimulating employment and reducing unemployment, as well as adequate measures for intercepting with social assistance to the citizens who need it;
4. Supports the policy of action and practice of social work and well-being for the protection of children and minorities;
5. Establishes standards for the safety and health of employees, and oversees their implementation;
6. Manages and oversees public administration, State Institutions for employment and social care and cooperates with municipalities and institutions involved in implementation of employment and social welfare policies;
7. Monitoring the movements on the labour market;
8. Provides and supervises vocational training programs for unemployed, and for job seekers in terms of human resource development, in order to improve their qualifications for employment;
9. Encourages the dialogue between the social partners (employers' organizations, trade unions, workers' organizations and government);
10. Convene meetings of the Economic Social Council, which is the highest advisory body of social partners on employment policies, social welfare and other economic policies;
11. Provides financial assistance to families and persons;
12. Manages the use and development of the infrastructure;
13. Administers and supports the social security system, including the pension system and the resolution of unemployment;
14. Guarantees financial and social support of citizens, through the institutions established for this purpose;
15. Performs other duties under the authority of the Ministry supported by the relevant legislation in force.

Among other things, the Ministry of Labour and Social Policy ensures the ongoing development of departments under its authority, as State Labour Inspectorate. This is done by analysing the situation and setting specific development goals, which also defines the strategic priorities that should be achieved in the upcoming period (2017-2021) in order to improve the rights of workers, in accordance with the policies and standards of European Union, International Labour Organization, etc. These goals are:

Strategic goal 1:

Effective implementation of workers' rights and guarantee for minimum standards, as well as development of the inspection process in the field of labour relations and safety and health at work.

Strategic goal 2:

Development of human resources and capacity for building IT technology.

Strategic goal 3:

Improve IT communication with employees and employers and in general with the public.

Strategic goal 4:

Improving inter-institutional coordination in reducing informal employment.

Regarding the inspection, within the Project for Capacity Building of Labour Inspectorate, was prepared manual, containing:

- Planning a visit to labour inspection;
- Preparing for a visit to labour inspection;
- Beginning of visits to labour inspection;
- Perform visits to labour inspection;
- Official inspection report;
- Final meetings, discussion of the results;
- Notice of visits to the inspection.

Regarding procedures for accident or injury at work, there is a system for recording accidents at work. In that sense, guided by the Law on Safety and Health at Work, article 23, in the event of an accident at work, the employer must comply and manage the law, and make timely electronic information, as described below.

Accident at work

Generally, the definition of workplace accidents in Kosovo* Regulatory System follows the European experience and, consequently, it is estimated that it is a work accident or work-related accident occurred when the employee was injured during:

1. Execution of the work in the company where he is employed;
2. Performing other work, with or without the employer's approval for several reasons;
3. Resting time, while controlling the machinery, the tools, work clothes, cleaning at the workplace before or after the work is arranged;
4. During vocational training;
5. During first aid;

Based on the consequences, accidents at work are classified in the following way:

1. Accidents causing temporary incapacity for work;
2. Accidents that cause permanent incapacity for work;
3. Accidents that cause death at the workplace.

Based on the number of injured persons at work, work accidents are classified as follows:

1. Individual victims when only one employee is injured at work,
2. Mass accidents when at least two or more employees are injured at the same time and for the same reasons.

Manner of reporting accidents at work

The accident reporting procedure at the workplace follows the general world and European experiences. After the accident, the employer must immediately inform the State Labour Inspectorate for the accident that resulted in the injury or death of the employee. According to the authorizations of State Labour Inspectorate prescribed by law, its enforcement agent - the labour inspector is obliged to prepare a report on the basis of his own perceptions of available facts, determine the mechanisms

that led to the accident, the compliance of parties concerned with the minimum legal claims, as well as through direct talks with the innocent witnesses, came to the nearest truth about the unpleasant event.

The labour inspector in extraordinary and regular controls of legal entities, if he finds that there are potential risks in suitable locations / workplaces that can lead to injury, he gives directions for his decision to take emergency measures for risk avoidance. If, according to individual and subjective opinion, there is unquestionable evidence that working conditions pose a risk to the safety and health of employees that cannot be removed / or are not removed, gives orders for temporary prohibition of the work process in the company, the legal entity, or the machine on which it operates. This temporary ban on the work processes will continue until all measures have been taken to eliminate the risks from the legal entity / location / machine and that the current working conditions do not pose a risk to the health and safety of employees and immediate attendees;

Labour inspectors for certain insights about irregularities, should inspect the company. Recognizing that working conditions have improved and the risk of occupational safety and health is avoided, the decision allows the continuation of the workflow of employees;

OCCUPATIONAL SAFETY AND HEALTH SPECIALISTS

Doctors in labour medicine

According to the national Study in Kosovo* are working 52 doctors in occupational medicine. They are most often employed at the Medical Faculty by University of Pristina with a special department for Occupational Medicine. In addition to the organizations mentioned above, the provision of safe and healthy includes judicial authorities, public prosecutors and other state bodies, legal entities, as well as entrepreneurs with license in the field of occupational safety and health, professional associations, institutes and others.

Occupational Safety Specialists

Currently in Kosovo* there is master's degree on Faculty of Business, with subject for risk assessment as a very important element for the education of future professionals in the field of occupational safety and health, which will be part of functional system of safety and health at work in the Republic of Kosovo*.

PROFESSIONAL CIVIL SOCIETY ORGANIZATIONS

Within Kosovo*, the only registered professional organization that deals with issues related to safety and health at work is Kosovar Association for Safety and Health at Work KOSHA, established in 2009.

The main activities in Kosovo* are focused on promoting safety and health at work on national level, as well as raising public awareness about problems in the field of safety and health at work and creating a generally preventive culture among the working population. The way of achieving these goals was implemented through various campaigns for safety and health at work, direct implementation of regional project for safety and health at work, as well as other small projects that contributed to raising awareness for occupational safety and health and efforts to create a functional system for occupational safety and health in Kosovo*.

3.3. SERBIA

Health and Safety Administration

Due to the establishment of a system for occupational safety and health in accordance with the EU directives, Serbia has established a special unit within the Ministry of Labour that deals issues of safety and health at work, Occupational Safety and Health Administration. This body has the following responsibilities:

Preparation of regulations in area of safety and health at work and giving opinions on their application; professional preparation of a national program for development of safety and health at work and monitoring of their accomplishment; monitoring and assessment of situation in this field and preparation of views on uniqueness in the organization of safety and health at work measures that are subject to the Law and other regulations; providing professional assistance in this area; studying of the reasons and events that result in work injury, occupational diseases and diseases related to the work, organizing the taking of professional exams and keeping the records, supervising the work of legal entities and entrepreneurs as well as the responsible persons with a license preparation of draft decisions for granting or revoking licenses, encouraging culture and education for awareness of the need for protection and safety at work, and carrying out many other activities envisaged in the law.

Labour Inspection

The labour inspection has the following organizational structure:

At the headquarters of the Ministry:

- Department for second instance administrative procedure in the field of labour relations and safety and health at work.
- Department for expert-analytical work and supervision.
- I Department for Labour Inspection in Belgrade
- II Department for Labour Inspection in Belgrade.

Outside the Ministry's headquarters:

- Department
- Labour Inspection Section.

Labour Medicine Services

As part of the health care system, labour medicine is under the authority of the Ministry of Health, which also prescribes the scope of work of the labour administration services, the organization, the conditions for carrying out the activities in this field at different levels and keeping of records. In addition to this Ministry, it is closely connected with the Ministry of Labour.

Medical laboratories until 2006 were in transition from the old model's transition into the new model, but on the order of the Minister, all health care directors were ordered to deploy labour medicine specialists in departments that would self-finance or alternatively to offer them to work as selected doctors. Regarding the activities that have and the number of regulations, regulating the work of the labour medicine, it can be concluded that most of the services are related to previous and periodic examinations of employees employed at high-risk jobs. Also, activities in the area of traffic, assessment of the ability to hold and carry weapons and other preventive acts.

The most important acts in the field of health that regulate the work of services for occupational medicine are:

- Health Insurance Law
- Law on Health Care
- Law on health documentation and records in the field of health
- Law on Patients' Rights
- Law on medicines and medical devices
- Rulebook on the conditions for performing activities within the scope of healthcare institutions and other forms of health services.

In addition to these laws, there are others that regulate the scope of work of labour administration services, as well as many by-laws.

Occupational safety and health professionals.

In the Republic of Serbia, employers are obliged to appoint experts who will perform all the work in the company in accordance with the Law on Safety and Health at Work. The employer can carry out these tasks by himself or hire professionals. How these organizations will be organized depends on the activity of the employer.

Other agencies or institutions for compliance

Role of judiciary - Pursuant to the Law on safety and health at work, penal policies are foreseen for cases of non-implementation of measures prescribed in the Law, both for the employer as a legal entity and for managers or responsible persons in the enterprise.

National advisory body on safety and health at work

This body in Serbia has been established as an interim authority which has the right to initiate adoption of regulations in the field of safety and health at work, elaboration of national programs for development of this area, as well as a kind of mediator among the participants in social dialogue. The Council is a tripartite body that includes representatives of Ministry, social partners, educational institutions.

Courses related to occupational health and safety

In the education system of the Republic of Serbia, there are higher education institutions that educate staff in field of occupational safety and health at the study programs of occupational safety and health, i.e. occupational safety and health, master academic studies, specialist professional studies and doctoral academic studies.

Research departments and institutions that conduct occupational health and safety studies

These authorities are obliged to conduct research and analysis on health and safety at work in Serbia, but also comparisons with EU member States.

Institutions that conduct training in accordance with legal regulations

These trainings are organized by Directorate for Safety and Health at Work and other institutions and legal entities. However, in order to conduct such trainings, they should have the status of recognized organizers of such trainings.

Institutions and laboratories that specialize in assessing the workplace hazards and risks

In accordance with the Law on OSH, employers are obliged to carry out workplace risk assessment at all workplaces. In Serbia, from March 1, 2018, 22 legal entities with specialized licenses are authorized to perform risk assessment and workplace and environment conditions, and 27 for examinations and checking the work equipment.

Institute for Standardization

Competencies:

It adopts, publishes and examines Serbian standards in accordance with the rules of the Institute.

It ensures compliance of Serbian standards with international and European standards.

It acts as an information center for standards, information and reporting on standards in accordance with international agreements and obligations arising from membership in international and European standardization organizations.

Approves the use of a national mark of compliance with Serbian standards in accordance with the rules of the Institute.

Professional associations

This includes professional associations in the field of occupational safety and health that are registered with the competent authority. In Serbia, there are many such associations that are active. One is the Association for Occupational Safety and Health, a non-profit, non-political, educational association that promotes health and safety at work.

3.4. MONTENEGRO

In Montenegro there is a relatively developed structure of authorities and institutions that carries out practical implementation of the system of health protection at work. It is a relatively small and efficient organizational system that meets the needs of Montenegro.

Direction for issues related to occupational safety and health

In 2013, within the Ministry of Labour and Social Policy, was established Directorate for health protection at work. The activities of this body are: monitoring, studying and encouraging work protection, preparation of regulations in this field, monitoring of the application of ratified conventions and EU directives in this area, giving opinions regarding the application of regulations for work protection measures providing professional help, preparing a methodology for performing field examinations, collecting data on injuries at work and occupational diseases, educating employees, keeping registers for professionals who passed an exam for this area and etc.

Labour Inspectorate Services

From 01.06.2012, the Labour Inspection Unit passes from MLSP to Office for Inspection Affairs. Competence is divided into two groups:

Supervision issues in the field of labour relations employment-inspection supervision about compliance with the law and other regulations and general acts in the field of labour relations.

Supervision issues in the field of occupational health and safety - inspection supervision about compliance with the law and other regulations that regulate the area for health protection at work,

undertaking measures, conducting insights, misdemeanour procedures, filing criminal charges, etc.

After the workplace systematization, are foreseen 48 places for labour inspectors, but only 33 inspectors are employed, of which 25 are for the field of labour relations, and only 8 for protection and health at work.

Labour Medicine Services

According to the World Health Organization and International Labour Organization, occupational medicine should provide protection, promotion and provision on highest level of physical, mental health, and social well-being of employees with a particular focus on the concept of prevention and protection of the health of employees and their working capabilities and capacity.

This definition determines the concept, as well as the way of organizing and delivering occupational medicine services, which as such is first inaugurated in Montenegro through the strategy for advancement of labour medicine in Montenegro.

The activities of the Labour Medicine Laboratory in Montenegro are as follows:

- Removal of potentially dangerous factors in the workplace;
- Prevention of occupational diseases and accidents at the workplace;
- Promote the health of employees;
- Improvement of working conditions and organization of work;
- Higher levels of physical and mental health of employees maintaining their working capacity.

For one legal entity to perform health protection of employees, it is necessary to fulfil the services provided by Law on Occupational Health and Safety, as well as by Rulebook on Closer Conditions that should fulfil the requirements for performing health care services which are listed.

Professionals for ZZNR

Professionals for ZZNR in Montenegro are persons who have the necessary education as well as passed a professional exam for work in the field of occupational health and safety, which corresponds to the activity that the employer has specified in written form. So, it is most important to pass the professional exam that is required.

National advisory bodies for ZZNR

In addition beside Ministry of Labour and Social Policy, as advisory bodies and institutions that have the right to participate in counselling and to influence the national policy for health protection at work are certain governing bodies, local authorities, non-governmental organizations, authorized health care organizations as well specialized technical, medical and scientific institutions related to various aspects of the ZZNR.

There are also university courses from the ZZNR at the faculties, research departments and institutions that conduct studies on ZZNR and research within the Directorate for Occupational Health and Safety matters. Among them are:

- Institutions and laboratories specializing in risk assessment (chemical protection, toxicology, epidemiology, product safety)
- Standardization Agency,
- Professional associations,
- Montenegrin Chamber of Engineers.

There are also institutions that conduct training in accordance with the legal requirements, such as:

- ZOPT - Center for Education and Training. Licensed organizer for adult education;
- ZOPT - Professional Rehabilitation Center

The Occupational Safety and Health Association of Montenegro, works on:

Professional assistance in drafting regulations from ZZNR

- Organize promotional ZZNR activities
- Organize seminars for preparing candidates for taking the professional ZZNR exam,
- Organize seminars for OSH professionals from ZZNR,
- Organize seminars for employers, trade unions,
- Celebrate of World Day and European Week for Occupational Health and Safety,
- Awarding recognitions in the area of ZZNR and others.

3.5. ALBANIA

Several are working in the field of occupational safety and health:

3. State Labor Inspectorate and Inspectorate for Social Services;
4. Ministry of Health and Social Protection;
5. Ministry of Defense;
6. Ministry of Internal Affairs;
7. Ministry of Justice;
8. Ministry of Finance and Economy;
9. Ministry of Infrastructure and Energy.

State Labor Inspectorate and Inspectorate for Social Services

State Inspectorate for Labor and Social Services was established in 1995 as part of the structure of the Ministry of Labor and Social Policy, and in May 2006 it was declared an economically independent institution, but politically depending by Ministry of Labor and Social Policy and Equal Opportunities, according to the Law of October 30, 2006 "for Labor Inspection and State Labor Inspectorate".

In addition to the readiness and the desire to achieve the goals, the State Inspectorate for Labor and Social Services faces difficulties which are:

- Reduced number of labor inspectors;
- The lack of institutions for the preparation of experts in the field of occupational safety and health brings unwanted recruitment of the work of the inspectors;
- Lack of system for initial and continuous training of labor inspectors, and special initial training for inspectors;
- Incomplete Infrastructure;
- There is a lack of statistics and information collection in the occupational health and safety system, guided by the standards of the European Union;

- Need for a larger budget in order to support labor inspectors for: capacity building, coverage of inspection across the whole territory, inspection documentation, campaigning, brochures, magazines, leaflets, etc.

The State Inspectorate of Labor and Social Services is the main institution that controls the implementation of the legislation on safety and health at work, and has several problems such as:

- Lack of training and training institutions for occupational health and safety experts, leading to recruitment without defined criteria for labor inspectors and consequently low performance and lack of professionalism in the work of inspectors;
- Lack of system for initial and continuous training for labor inspectors, and special start-up training for other inspectors;
- Lack of financial resources to cover inspector activities, inspectors have limited financial resources to travel from one entity to another, to be inspected, and have limited daily expenses and have no transport.

Considering the organizational framework and the implementation of the measures and mechanisms for safety and health at work, we should point out that the institutional transition period directly affects the implementation of the Law on Safety and Health at Work, as well as its laws and regulations.

Acting in an unfortunate job

There is a special procedure for reporting accidents at work, which consists of the following:

1. Every event is immediately reported to the employer by the responsible person at that workplace, or from any other person who knows at the event - Law on Safety and Health at Work.
2. The employer is obliged to immediately notify:
 - State Labor Inspectorate;
 - Institute for Social Security;
 - Prosecution, in the event of a fatal accident, or in all other cases where the event is classified as a criminal offense;
 - Other institutions, according to the Law on Safety and Health at Work, or law experts in this area.
3. The employer or responsible person in charge should immediately inform the Inspectorate of any accidents at the workplace, which resulted in death or serious injury.
4. In all cases of injury at work, or during working hours, the employer or the responsible person must inform the State Labor Inspectorate and the Social Security Institute within three days.

Procedure for investigating accidents at the workplace by labor inspectors

Labor inspectors during the investigation of occupational accidents should initially take into account the general objectives of the investigation of the Labor Inspectorate, such as:

- Identify the link between the causes and consequences of the accident;
- Identify the main cause of the accident;
- Identify any disadvantages that led to the accident;
- Indicate which member was injured, and from which Law;
- Indicate corrective and preventive measures.

Although the legislation with regard to research and reporting on occupational accidents exists and has found its applicability in practice, it still has its own problems it faces, such as those cases in which employer accidents do not report of the competent institutions (mainly accidents do not result in death). Also, statistics on accidents at work have not been collected according to the European method, so the figures for accidents at the workplace are not as real as the reality.

For the period January - December 2017, 1460 legal entities were registered for regular medical assistance, while occasional medical control exists in 2242 legal entities (we point out that doctors in enterprises are generally physicists, because there are no suitable physicians).

For the period January - December 2017, 10 professional employers were declared (we note that this number is registered by doctors in enterprises, and there are unconfirmed cases by professional medical specialists because there is no division between regional and central occupational diseases in the Republic of Albania).

According to Article 39 of the Labor Code:

1. An employer must know the difference between the damage and compensation that an employee receives from social protection when the accident or illness is the fault of the employer.
- 2) When the employer has not registered and declared the social security employee, he or she should be responsible for the costs incurred by the employees as a result of the accident or occupational disease, as well as all damages as a result of not registering and not applying for social protection employee.

Courses at universities and secondary schools:

There are no courses directly related to the safety and health at work in universities, but at the faculties of education there are curricula in the subjects of organizing. Also, in Albania, there is a shortage of professionals for engineering safety and health at work. The Faculty of Medicine has a curriculum and curriculum for occupational diseases, some focus on lung diseases caused by exposure to a variety of workplace situations.

In vocational schools such as electro technical and construction, there are curricula where security elements are included.

There are no institutions in Albania that have a system for training in the area of safety and health at work, but there are institutions, organizations or companies that develop safety and health training at work, such as:

- International Organization of Labor;
- State Labor Inspectorate for Social Services;
- Albanian Center for Work Safety and Safety at Work;
- Medical Faculty;
- Trade unions;
- Employee orientation.

4. THE ROLE OF THE SOCIAL PARTNERS IN THE OSH

4.1. MACEDONIA

Employers' organizations

Organization of Employers of Macedonia (OEM) - The only representative organization of employers that has legitimacy to conclude general collective agreements and participate in tripartite social bodies. The mission of this body is the creation of measures and policies through the active participation of employers and the promotion of social dialogue with all stakeholders. They point to the need for further training and training in the field of OSH in order to achieve the desired effect.

Workers' organizations

There are many organizations in the Republic of Macedonia that represent the interests of the workers. The most common legal form that is encountered is trade union organizations, but there is a possibility for informal association of employees on a level without legal subjectivity, who, for realization of their rights stipulated by the Law on Labor Relations, nominate their representatives and collectively agree with the employer on certain issues. However, a more stable and legally regulated form is, of course, trade union associations which, according to previously defined qualification norms for representativeness, are the official authorities in the tripartite bargaining / negotiation.

Some of the most representative and oldest trade union organizations in the Republic of Macedonia are:

Union of Trade Unions of Macedonia (SSM)

Independent, representative union on national level, in the private and public sector.

General, strategic goal of TUM is to provide healthy and safe working conditions, which will preserve the human dignity and its health at the workplace. For TUM, there is an important place for raising awareness among the employees, but also with the relevant subjects in the state, ie with the social partners, scientific and professional organizations and institutions, experts, professionals and the non-governmental sector for issues in the field of safety and health at work. Continuously organize seminars, trainings, OSH conferences in order to inform all stakeholders about the rights and obligations of the OSH. CCM undertakes the following activities for the development and promotion of OSH:

- discuss and require the employer and management staff to consistently apply the regulations and take appropriate OSH measures;
- negotiate with the employer for exercising the right to work in conditions that do not pose a risk to life and health;
- Participate in the Council for Safety and Health at the national level;
- cooperates with employers' organizations, specialized scientific and professional organizations and institutions, the labor inspector, international trade union organizations, the ILO and other organizations;
- provides free legal aid and represents the employees, members of TUM, in front of the court;

Confederation of Free Trade Unions (CFTU)

The Confederation of Free Trade Unions is a voluntary union organization that brings together public and private sector unions in the Republic of Macedonia, which form two federations: the Federation of Public Sector and the Federation for the Private Sector.

KSS is an autonomous organization independent of the government, political parties, employers and other organizations and interest groups, established in order to strengthen the active role of working people as a social partner in the country. One of the basic tasks of CFTU is healthier and safer jobs, as well as improving the health of workers. The basic goals of CFTU are: economic and social security of workers, protection and promotion of labor rights, decent living standards, timely and dignified wages and pensions, guaranteeing the minimum wage, healthier and safer jobs, health care for all citizens, development of democracy, social justice and solidarity.

Union of Independent and Autonomous Trade Unions of Macedonia (UNASM)

The Union of Independent and Autonomous Trade Unions of Macedonia is one of the Macedonian trade union centers on a national level that advocates the application of international standards, conventions and recommendations. In the Macedonian society, it takes concrete actions in order to promote and promote workers' rights. Established in 1991, the pluralism of the trade union movement in Macedonia began.

Economic and Social Council

The Economic and Social Council is a tripartite body composed of government officials and representative representatives of the trade union and employers' associations. It has the following competencies:

1. To monitor, study and evaluate the impact of economic policy and measures of the economic policy of social stability and development;
2. It monitors, studies and assesses the impact of social policy and social policy measures on economic stability and development;
3. It monitors, studies and assesses the impact of changes in prices and wages of economic stability and development;
4. Provides a reasoned opinion of the Minister of Labor on issues and problems related to the conclusion and application of collective agreements;
5. Proposes to the Government, employers and trade unions, ie their associations at a higher level, to conduct a harmonized price and salary policy;
6. Gives opinions on proposals for laws in the field of labor and social security;
7. It promotes and encourages the idea of three-way cooperation (tripartite social dialogue) between social partners to address economic and social issues and problems;
8. Encourages the peaceful resolution of collective labor disputes;
9. Gives opinions and suggestions to the Minister of Labor in relation to the other issues determined by this Law.

Bipartite boards

It can be said that the bipartite boards are poorly or not at all developed in the Macedonian OSH system.

Professional person for safety at work

According to the Law on Occupational Safety and Health, "Professional for Safety at Work". employs an expert with the employer appointed by him to perform professional tasks related to safety at work. If the employer is unable or does not have adequate professional employees and technical equipment to perform such duties and obligations independently, he may entrust these obligations to authorized legal or natural persons.

Participation of a trade union representative in risk assessment at the workplace

Following the implementation of the Law on OSH in practice, TUM assessed that it is necessary to involve the trade union representative more actively in all procedures for improving healthy and safe working conditions in companies. As a result, TUM CCM in 2014 realized the campaign "For Sustainable Jobs", within which an initiative for amendments to the OSH Law was initiated, in order to actively participate the trade union representative besides the representative of the employees for safety and health at work in the creation of healthy and safe conditions in working environments.

Collective bargaining (OSH)

With the publication in the Official Gazette of the Republic of Macedonia, no. 115 from 01.08.2014 a general collective agreement for the private sector in the field of economy was passed. Collective agreements are generally negotiated at sector level and they cover employees from different industries. In the R. Macedonia does not have a separate collective agreement for OSH, but within the general collective agreement there are certain members that cover this field.

On the other hand, the Law on Occupational Safety and Health clearly specifies the responsibilities the employer has in the field of NRW, as well as the rights and obligations of workers as well as OSH workers. Even with Article 12 of the same law, "the employer is obliged, in a collective agreement, to secure the exercise of the right to employees directly or through the president of the trade union organization, that is, the union representative of the representative trade union or the representative of the employees where there is no union and the representative of the employees for safety and health at work, to participate in the identification of the shortcomings and in improving the working conditions and working environment with the employer, which will include all the activities of the enterprise or institution and at all levels of the organization". This legal provision in practice is almost non-existent.

4.2. KOSOVO*

The social dialogue in Kosovo* is structured between trade union organizations and employers' organizations. Kosovo's* reality in terms of collective bargaining and social dialogue at various levels is still at the stage of development and advancement. This means that many areas are still not regulated by collective agreements. especially from the aspect of safety and health at work. which goes to the subjects of the social dialogue they have the following aspects:

Employers

Pursuant to the Law on Occupational Safety and Health in Kosovo*, the employer is the central figure that in the labor process has the responsibility to create safe and healthy working conditions, from all aspects of the performance of the employees' working responsibilities. The employer is obliged to be guided by the principle of equal treatment in the implementation of occupational safety and health for all employees by undertaking active occupational safety and health measures, including measures to prevent occupational risks, providing relevant information on possible risks, and dealing with them, training employees for safe work, and providing appropriate instructions for the use of machinery, instruments, tools, measures for organization of the work process.

The employer has an obligation to constantly work in direction of improving the working conditions, in order to raise the level of occupational safety and health, by changing the previously taken measures, depending on the situation created by the changes in the technological process

At the same time, according to the legal regulations, the employer is responsible for creating safe and healthy workplaces, and otherwise, if there is a work injury, occupational disease, or an illness related to the performance of his/her duties, he/she is obliged to cover all expenses for the treatment of an employee who suffers, suffers from an injury at work or from an occupational disease, if he did not provide him with the same health insurance.

In the exercise of their rights and interests, employers are united in several legal entities, in addition to the area in which they operate. One of the oldest is the Economic Chamber of Kosovo*, which is a professional organization established in 1962 by the Assembly of Kosovo*. The Chamber is an independent, non-political and non-profit professional organization today. It is an institution that works to promote Kosovo's* economy as partner of state institutions in Kosovo*, partner in social dialogue, and promoter of developing economic and good macroeconomic policies, with about 15,000 registered members.

In accordance with the labor law provisions of the Economic and Social Council, and the Law on trade unions in Kosovo*, an organization of employers (Chamber of Commerce and business union) employer organization (Federation of Independent Trade unions in Kosovo*), and the Government of the Republic of Kosovo* (Ministry of Labor and Social Policy), conclude general collective agreements in Kosovo*.

Workers

Federation of Health Unions in Kosovo*

This is representative national trade union organization that advocates for the health of workers in the Republic of Kosovo* and a trade union federation level. This Federation of Trade Unions has 12,000 members and contains 40 union organizations affiliated to workers' health across the territory of the Republic of Kosovo*.

The goal of their formation can be sought in the idea of:

1. Creating better working conditions for employees;
2. Protection of legal, economic, social and professional rights for employees;
3. Promoting and developing social dialogue between social partners

4.3. SERBIA

Employers' organizations

Union of Employers of Serbia

UPS is the only representative association of employers who actively participates in the procedures of adoption of the Law, by-laws of strategic documents related to safety and health at work, as well as within the framework of social dialogue. Within its framework, a preventive engineering sector has been set up which advocates the interests of employers by creating a sustainable development of a safety and health system at work.

Economic Chamber of Serbia

It plays a significant role in the implementation of the policies for safety and health at work, i.e. in creating a pleasant ambience for creating and consistent application of the regulations in this field.

National Alliance for Local Economic Development

Independent, non-profit and over party association formed by companies formed by municipalities and organizations from the civil sector that work together to create better conditions for living and working in Serbia.

Employee organizations

Union of Independent Trade Unions of Serbia

The oldest trade union organization in Serbia that pays special attention to health and safety at work, adopts the Safety and Health at Work with other social partners. A sample of the Collective Agreement on Safety and Health at Work has been prepared, which serves as a help to the representatives of trade unions, but also the employers, but also as a direction in which things should be done in this area.

United branch unions "Independence"

One of the most important activities is continuous improvement of the occupational health and safety and therefore has established a Program Board for the protection of the environment and the working environment. They undertake a range of activities to promote safety and health at work.

Confederation of Free Trade Unions

Organization of Associated Trade Unions at the level of R. Serbia by regional and regional principle.

The social dialogue in Serbia is at a level that has numerous fluctuations and where the issue of occupational safety and health has been recognized as an important issue in the system of collective bargaining, but for other priorities such as salary and job security, it still does not have a real meaning.

4.4. MONTENEGRO

The social dialogue in Montenegro is above all a bipartisan, where trade unions and employers' organizations, as well as the state in the public sector, appear as its participants.

Organization of employers

The Union of Employers of Montenegro is a representative organization of employers that cooperates with the International Labor Organization. Actively participates in social dialogue and working groups for adopting the Law on Occupational Health and Safety, campaigns, conferences, workshops, seminars, round tables.

Chamber of Commerce of Montenegro

The Montenegro Chamber of Commerce unites the business sector in the country and as its main objective, it has the promotion and promotion of the interests of businessmen, as well as the national and international representation of the country's economy. The main goals and tasks are as follows:

- Provides the realization and promotion of the common interests of its members

- Creates an environment for the development of market conditions.
- Participate in the construction of an EU accession program.
- Works on educating and educating personnel for special jobs
- Provides information to its members in order to find potential partners in foreign markets, etc..

Montenegro Business Alliance and Mission MBA

These organizations of employers are actively involved in all activities when enacting a law or creating a policy in the field of LPDP. In fact, they are the main subjects in the process of social dialogue by the employers and parties that actively participate in the system of creating health protection at work, as well as in the cooperation with the state bodies and institutions, as well as with the trade unions in the country.

Workers' organizations

In Montenegro, there are two unions representing the interests of workers in general, as well as in relation to the OSH system. The union movement in Montenegro has a long tradition, but as far as focusing on the health protection system is concerned, trade unions still need to be further engaged and involved in the processes. As trade unions at the national level are distinguished:

- Union of Trade Unions of Montenegro
- Union of free trade unions of Montenegro

At the national level, Montenegro has not established a National Body or Board for Occupational Health and Safety, but the Social Council addresses the most important issues in this area.

Bipartite boards

They are carried out at the branch level, so according to the Law on OSH no obligation to form Council or Board for Occupational Health and Safety is foreseen, but collective bargaining takes place at the level of the sector that results in sector collective agreements.

Participation at the enterprise level

Pursuant to the law on occupational health and safety, the employer is obliged to inform the employee or his representative in writing about all issues related to health and safety at work.

The employer, the employees and the representatives of the employees as well as the trade union are obliged to cooperate in relation to their rights, obligations and responsibilities related to the occupational health and safety in accordance with the Law on OSH.

The Law on OSH of Montenegro is precisely foreseen and defined as the rights and obligations of both the employer and the workers in terms of health and safety at work.

4.5. ALBANIA

In Albania, social partners are not part of the planning, organization and management of health and safety at work programs. According to a national study, respecting labor rights in Albania is still far from international standards. Social dialogue is not fruitful to complement the goals of the International Labor Organization, and to complete the aspirations of Albanians for equal opportunities for decent work within the framework of freedom, equality, security, and human dignity. With the

support of various donors, the social partners have established several workplace safety training cycles and their representatives are part of a working group to develop the national strategy and legislation, but they do not have clear programs and detailed development of occupational safety and health for a continuous and future development.

Social dialogue

Social dialogue at the regional level regarding problems in the field of occupational safety and health leaves many issues to be further regulated, in which many of the regions of the Republic of Albania do not have well-organized structures for the development of social dialogue.

Social partners

There are many trade union organizations in Albania, but two are major trade union organizations that act as an umbrella organization for trade unions and federations of trade unions. There is currently a Union of Independent Trade Unions in Albania, and a Confederation of Trade Unions in Albania.

Trade unions should be free of political influence to complete their mission. The formalism and intolerance of trade unions in all fields, seriously affects the protection of employees, especially in the framework of the implementation of the legislation on safety and health at work. Also, the formal implementation of the Law on the Establishment and Functioning of the Councils for Occupational Safety and Health, and the manner of selection of employees' representatives led to a lack of consultation and involvement of employees in the issues of occupational safety and health. Social dialogue should be promoted both at the national and regional level, and at the enterprise level. Social dialogue should be developed genuinely and consistently among all actors. It should also be able to increase the number of collective bargaining agreements in the company, as well as broader involvement in the field of problems arising within occupational health and safety.

In a company where there are more than 50 employees, it is a legal duty to set up a council for workplace safety and health, which aims to contribute to the protection of employees' physical and psychological security, as well as to improve working conditions. The Council is an advisory partner within the enterprise, with an equal number of employers 'and employees' representatives who aim to provide regular and periodic advice on the activities of the company for the prevention of occupational hazards. Representatives in the council have the right to participate and to analyze the problems of business risks in the enterprise.

Rights and obligations for both the employee and the employer

Obligations of the employer:

The Law on Safety and Health at Work number 10237, dated February 18, 2010, defines the obligations of the employer in the framework of occupational safety and health. The obligations of the employer, cited as in the Law, are the following:

- General principles for the employer;
- General obligations for the employer;
- Protection and prevention services;
- First aid, fire protection, and evacuation of employees;
- Special duties of the employer;
- Obligation of the employer to apply measures and prevention of accidents at work, and occupational diseases;
- Obligation of the employer to ensure the implementation of measures for prevention of

accidents at work, and occupational diseases;

- Employee information, employee advice;
- Council for Safety and Health at Work;
- Equal rights of employees who are members of trade unions;
- Medical services;
- An obligation to notify employees of any changes in the company;
- Records of accidents at work;
- Evaluation;
- Take measures for pregnant women who are employed, and employed women who have infants;
- Measures taken by the employer for juveniles who are employed.

Rights and obligations of employees

The Law on Safety and Health at Work, number 10237, dated February 18, 2010, in Chapter III, "Obligations of employees", in Articles 21 and 22, defines the obligations of the employees in the context of occupational safety and health work of employees, special obligations of employees, which are listed below in the Law.

Each employee should behave in accordance with his / her previous education, and qualification, as well as according to the instructions and instructions given by the employer, so that employees or other persons affected are not at risk of accident or occupational disease. The employee must, in accordance with his training, with the instructions given by the employer:

- To use the machinery, appliances, tools, shipping, equipment, etc., to use it exactly ...;
- Properly and with care to use individual protection equipment, made and available to employees, and after use, return them to a safe place;
- Not to lose or move security mechanisms mounted on machines, equipment, tools, plants and buildings, and to properly use these mechanisms;
- Immediately notify the employer, the employee responsible for occupational safety and health, and a representative of the employee for any situation at work, for which he has a justifiable motive to consider the risk to occupational safety and health, as well as any defects they encountered or found in the protection system;
- To cooperate with the employer, the employee responsible for occupational health and safety cases, or an employee representative;
- To perform all the duties and duties assigned by the labor inspector in order to protect the safety and health at work;
- As far as it is necessary to allow the employer to ensure that the working environment and working conditions are safe and without risk to the safety and health of work in the business field.

5. OCCUPATIONAL OSH-RELATED ACTIVITIES

5.1. MACEDONIA

In the period from 2011 to March 2018, many campaigns, trainings, round tables, seminars, celebration of health and safety at work, awarding prizes were held in Macedonia. All these events were organized by all the before mentioned entities dealing with the issues of OSH issues, with special emphasis on the civil sector. In order to increase international capacity building and exchange of experiences, through realization of cooperation activities that directly contribute to the promotion of OSH, international OSH conferences are organized. Also, many international projects that assist the development of OSH in Macedonia have been implemented.

In the last few years, some of the main activities in promoting health and safety at work in Kosovo* were made by the Non-Governmental Sector in cooperation with the Trade Unions.

5.2 KOSOVO*

Within these activities the right cooperation with the Macedonian Association for Safety and Health at Work, have taken several actions that actively attended by the media and members of the Kosovo* Association for Safety and Health at Work. In that sense, the issue of one of the most watched TV political magazines on a national level was realized with a topic related to safety and health at work.

In terms of capacity building and technical cooperation activities that direct to safety and health at work, Kosovo* is part of some regional and international collaborations in the field of occupational safety and health. The successful regional cooperation is the participation of Kosovo* through KOSHA - the Occupational Safety and Health Association in the regional network for safety and health at work at BALcanOSH.net. This cooperation is genuine, effective and has made progress in the cooperation on safety and health at work in Kosovo* and the region, while helping to exchange experiences in the field of occupational safety and health, experiences from the views of professionals, and also cooperation and regional opportunities for organizing international conferences on safety and health at work in Kosovo*.

5.3. SERBIA

The Occupational Safety and Health Administration, together with all previously mentioned and affected parties, and in the framework of its competences, performs constant promotion of occupational safety and health. They continuously educate employees, occupational safety and health professionals and other participants in this area.

Also, on April 28, the World Day of Safety and Health at Work, the Authority, in cooperation with the Labor Inspectorate, organizes a competition for awarding national accolades in the field of occupational safety and health for legal entities - entrepreneurs in the category of 250 and over 250 employees. Also marked is the August 6th day of the miners, August 8th of the builders. They organize a European Safety Week, Safety and Health Fairs, as well as a range of other promotional activities.

5.4. MONTENEGRO

In 2007, cooperation and determination of FOCAL POINT was marked in Montenegro in the campaign of the EU-OSHA European Agency for Safety and Health at Work. In cooperation with TAIEX and ILO, numerous workshops, study visits and expert missions are being realized. Regional conferences such as "We are building protection in the 21st century" were organized as well.

In the forthcoming period, it is planned to strengthen the activities for promotion and protection of health at work in cooperation with all participants in this area.

5.5. ALBANIA

In the Republic of Albania, there is a national program and initiative proposed by state institutions, social partners and civil society in raising awareness for the promotion of job security and health through the promotion of brochures and other media activities. Mainly the occupational health and safety activities are realized and developed with the support of the EU - the Agency for Safety and Health at Work, the European Union, the support of the International Labor Organization, the Fredrik Ebert Foundation, etc. These activities consist of cobwebs, round tables for discussion, ready-made brochures, public awareness campaigns, etc. These activities are developed with the help of state institutions, trade unions and some direct training with workers and high-risk industries for occupational accidents and occupational diseases.

In addition to these activities, the EU - the Agency for Occupational Safety and Health, within the framework of the European Secure Work and the Health Sector, provides posters, brochures and other public health and safety publications circulated in all regional branches, subject to frequent activities, and also as special subjects in vocational schools.

6. RECORDS IN THE FIELD OF HEALTH AND SAFETY AT WORK

6.1 MACEDONIA

In Macedonia, according to the Law on Health Records (Official Gazette of the Republic of Macedonia No. 20/09, 53/11 and 164/13), the Public Health Institute of the Republic of Macedonia (IPH) is a national health statistics center responsible for keeping health registers including occupational diseases and occupational diseases registers.

Reporting accidents at work

In accordance with the legal regulations, the employer is obliged to notify the state administrative body in charge of the labor inspection in writing within 48 hours of any serious injury causing sick leave for more than three days, any collective accident and any death caused by an injury at work. The employer has an obligation to keep records and keep records of any injury, occupational disease or accident at work.

The data on reported/registered work injuries are recorded in the State Labor Inspectorate, since the duty of the employer is within 48 hours after the event, to notify in writing the state administrative body competent for labor inspection work.

Occupational diseases

Official data on the incidence and prevalence of occupational diseases in the Republic of Macedonia compared to the European average of the number of employees and the number of occupational diseases is incomplete. However, an important step was made with the publication of the List of Occupational Diseases of the Republic of Macedonia with criteria for their diagnosis and verification (Official Gazette of the Republic of Macedonia No. 88/04) in which the following recommendations were followed by the European Union for the List of Professional diseases (Commission Recommendations from 19/09/2003 concern about occupational diseases).

The Register of Occupational Diseases

According to the Law on Health Records, is the obligation of the Public Health Institute of the Republic of Macedonia (IPH RM) as a national health statistics center.

Defining the accident at the workplace

There are many definitions of international workplace injuries (ILO, EUROSTAT), but in Macedonia, workplace injuries are defined according to the Law on Pension and Disability Insurance of the Republic of Macedonia. According to the Law, a work injury is a violation caused by immediate and short-term mechanical, physical or chemical action, as well as an injury caused by sudden changes in the position of the body, sudden burden on the body or other changes in the physiological state of the body the organism, if such a violation is causally related to the performance of the work at the workplace.

According to the Institute of Public Health, Information on injuries at work 2014-2015 and 2015-2016, published on the IPH website, in the course of 2016, a total of 894 work-related injuries were reported, compared to 1,222 injuries in 2015, which means reduction of registered injuries at work by about 27%. In 2014, there were 975 injuries at work. Most of the injuries were reported in the industry and mining, in total 356 injuries or 39.8% of the total number of reported injuries in the Republic of Macedonia in 2016, i.e. 512 injuries or 42.0% in 2015. But it is necessary to mark unexpected data, which requires more detailed analysis, that in construction, which traditionally represents one of the most risky activities for occurrence of work injuries, in 2016, only 10 work injuries were registered, representing 1.1% of the total reported violations in the reporting period, and in the same activity, in 2015, a total of 19 injuries were registered.

According to the Macedonian Occupational Safety and Health Association, which collects data on accidents at work at the end of 2007, the situation drastically differs from those published by state bodies.

Namely, according to the summarized data of the last 10 years, in the Republic of Macedonia the situation with accidents at the workplace is alarming. Statistical data differ significantly, which can largely be concluded that the collection of data related to accidents at the workplace, but also their analysis by appropriate institutions and experts, is largely lacking. On the other hand, it gives a vague picture of the situation with accidents at the workplace, the exact number of lost lives due to accidents, the number of occupational diseases, and how much funds are spent related to the accidents.

6.2. KOSOVO*

Regarding noted and reported accidents and diseases at the workplace; it is necessary to undertake the following activities and steps from the various subjects in the OSH system:

1. At the event of the accident that resulted in injury or death of the employee, the employer shall immediately inform the labor inspector.
2. For accidents at work, the labor inspector is obliged to make a written record in which he will describe the actual situation at the time when the accident occurred.
3. The labor inspector should take all appropriate measures in accordance with the law, at the time when the accident occurred.
4. The labor inspector instructs to take urgent measures to avoid the risk, and if there are indisputable facts that the working conditions cause a serious risk to the health and safety of the employees, it orders an order to establish and pronounce a temporary ban on work in that field firm or company, or a ban on the work of a particular person or a particular machine.
5. The temporary ban on work will continue until the employer or firm / company provides facts that avoid the level of danger and in the current working conditions, there is no risk to the safety and health at work of the employees.

6. The Labor Inspector with knowledge from item 4 of this Article, will foresee the inspection of the company. After establishing that the working conditions have improved and that the risk to safety and health at work is avoided, the decision allows the continuation of the working process of the employees.

Based on the consequences, occupational accidents are classified in the following way:

- Accidents causing temporary incapacity for work;
- Accidents causing permanent incapacity for work;
- Accidents that result in death at the workplace.

Based on the number of injured persons at work, occupational accidents are classified in the following way:

- Individual accidents when only one employee is injured in the workplace;
- Massive accidents when at least two or more employees are injured at the same time, and for the same reasons.

Based on the reports that are relevant and unique official data, for 2017 we have information that as a result of fatal accidents, caused 19 deaths at the workplace, of which 5 cases are cases of natural death, and as seriously injured are presented 50 cases.

6.3. SERBIA

In Serbia, there is no single record system that records and processes injuries and accidents at work, as well as workplace deaths.

Pursuant to Articles 50 and 51 of the WIPO, the employer is obliged immediately and, within 24 hours of the event, to report it in writing and in writing to the competent labor inspector and the competent body for internal affairs for any death, collective or severe violation of Workplace. The Rulebook on the content and manner of issuing forms for reports of occupational injuries and occupational diseases are with specified deadlines.

6.4. MONTENEGRO

In Montenegro, as with other countries in the region, there is no unified and unified system of recording and registration of provisional diseases, work accidents and deaths at the workplace. Nevertheless, as in the region, certain institutions and organizations are distinguished that run their own internal statistics and deliver certain information. Thus, in the period 2011-2017, 82.927 employees are trained in Montenegro for safe work. In the same period according to official data from MOSTAT in Montenegro, there are 30286 employers, 2 693 acts for risk assessment on a slave place were made, which means that 8.89% of employers passed a risk assessment act that covers 40.722 of workers, which means that 22.32% of the employees in Montenegro were assessed at a slave place. In terms of job injury for 2017, there are: deaths-5, serious injuries at work-22 collective-0.

6.5 ALBANIA

It is noteworthy that in Albania there is no single statistical system for accidents and injuries at work, as well as injuries with death consequences. in accordance with the legal regulations, an obligation to record and record accidents and illnesses at work, but this legal framework does not cover the issue of a single database in this area.

Reporting and reporting of accidents and illnesses at work

Every event must be immediately transferred to the employer by the person in charge at the workplace, or by any other person who witnesses the event and its occurrence.

Entities with a duty to notify and direct are:

1. First, they are employers. this is because the employer is obliged to immediately notify them of the events:
 - 1.1. State Labor Inspectorate;
 - 1.2. Institute of Social Security;
 - 1.3. Prosecution, in the event of a fatal accident or in other cases in which it may be affected;
 - 1.4. Other institutions, provided with the definitions regulated by the bylaws, when the violations are classified as a crime.
2. Apart from the employers, the duty to apply and target medical practitioners at the workplace, family doctor, or other public or private institutions declare occupational disease detected during medical examination or medical treatment.

The occurrence of a professional illness according to the definition should be immediately transferred to the State Labor Inspectorate and the State Sanitary Inspectorate, after identifying a doctor-specialist that the case is safe. In addition to the arc, there is a list of occupational diseases that is being compiled by the Council of Ministers.

7. BASIC DEMOGRAPHIC AND ECONOMIC INFORMATION

7.1. MACEDONIA

The Republic of Macedonia is a country with an area of 25 713 km². Since the 2002 census has not been made in the country, the exact number of the population cannot be determined, but according to the population estimates made as of 31.12.2016, the Republic of Macedonia has 2,072,703 inhabitants. Of this number, male members are 1 038 613 inhabitants, while the remaining 1 035 089 are female. Worrying is the data on the age structure, as according to the latest statistics, the Macedonian population ages (In the period from 2006 to 2016, the share of the young population 0-14 years in the total decreased from 18.9% to 16.6%, and the share of the old population 65 and more years has increased from 11.2% to 13.3%).

Regarding the working-age population, the employment and unemployment rates show certain changes from year to year. According to data, the highest employment rate of 43.1% was reached in 2016, while the lowest unemployment rate of 23.7% was also reached in 2016. According to the data, the able-bodied male population participates with a higher percentage of employment. What is really worrying is that there is very high unemployment among young people, that is, persons aged 20 to 29, which according to the data from 2016 is high 39.2%. An interesting figure for the able-bodied population is that according to schooling, the largest percentage is with four years of secondary education.

The information is according to the published data from the State Statistical Office of the Republic of Macedonia for 2017.

In the structure of the GDP of the Republic of Macedonia, the sector of services has the largest share with 54.2%, followed by sectors Mining and quarrying, Manufacturing, Electricity, gas, steam and air conditioning supply, Water supply, removal wastewater, waste management and environmental remediation and construction activities, in 2014 and 2015, participated in the structure of the gross

domestic product with 22.8%, i.e. 23.2%.

Unfortunately, despite measures of the state, the agriculture, forestry and livestock sector accounts for only 10.0 percent of GDP.

According to the State Statistical Office data in 2016, the number of business entities is 75 519 business entities, which indicates a slight increase compared to the previous years. The largest number of business entities are registered for services of large and retail services, or even 23 716 entities, followed by the entities in the manufacturing industry with 7 967 entities, and unfortunately there are only few entities in the supply of electricity, gas and air conditioning, only 165 subjects.

The strategic goal of all governments in the past period is the economic growth of the state through the development of the private sector, attracting investments, creating new jobs and improving the standard of citizens.

Characteristic for the unemployed in this country that about 80% of them are unemployed for many years. But an even more serious problem facing the state is the grey economy and the so-called black business where people work but are not paid pension and health insurance and cannot take sick leave. This is one of the challenges that the state must compete with.

In the Republic of Macedonia, the number of doctors according to the data of 2015 is 5975 doctors, of which: specialists - 3704, dentists 1824, pharmacists 1029.

There are 2,9 physicians per 1,000 people.

The deadliest diseases are diseases of the circulatory system, which account for 53.5 percent of the mortality of the population, followed by neoplasm's with 19.1 percent and others.

7.2. KOSOVO*

According to the latest report by the US intelligence agency (CIA) in Kosovo*, demographically, in 2018 there are 1,907,592 people. The ethnic groups according to this report are the following: Albanians 92.9%, Bosnians 1.6%, Serbs 1.5%, Turks 1.1%, Ashkali 0.9%, Egyptians 0.7%, Gorani 0.6% Roma 0.5%, Other / Unspecified 0.2%.

The age structure of this population has the following distribution:

0-14 years: 24.74% (male 245.188 / female 226.766)

15-24 years: 17.12% (male 170,448 / female 156,199)

25-54 years: 42.52% (male 428.030 / female 383.045)

55-64 years: 8.19% (male 79.415 / female 76.743)

65 years and over: 7.43% (male 59,830 / female 81,928) (2018 eth.)

According to this, the average age in Kosovo* is 29.6 years, of which male is 29.3 years, while for females it is 29.9 years (2018). In addition to the countries of this study (Macedonia - 38.2, Serbia - 42.8, Montenegro - 38.9, Albania - 33.4 years) is a relatively young population, making the work potential the biggest. The gender gap is also for mention. With only 14% of women employed, comparing this to almost 50% of employed men, Kosovo* has a huge population that is not involved in the labor market. Nearly 70% of the workforce in Kosovo* is employed to carry out public and private services, while less than 3% process the country, i.e. dealing with agriculture. The trend of the percentage of farmers has been continuously decreasing since 2011, and by the end of 2018. All this creates imbalance in creating new jobs, as well as in relation to measures and policies for future creation of new jobs in public and private services, as well as the industry. These statistical parameters are directly reflected in the profile of qualifications and work skills.

Citizens of Kosovo* are second pour citizens in Europe, Moldova, with a GDP per capita of 10,400 dollars in 2017. The unemployment rate of 33 per cent and the unemployment rate among young people close to 60 per cent in a country where the average age is 26 years, encourages emigration and encourages a significant informal, undeclared gray economy. Most of the Kosovo* population lives in rural towns outside the capital Pristine. Inefficient undeveloped agriculture is commonplace. This results in small parcels, limited mechanization and lack of technical expertise. Kosovo* has lower labor costs than the rest of the region. However, the high levels of corruption, failure to comply with the agreements and the uncertain supply of electricity discouraged potential investors. The official currency in Kosovo* is the euro, but the Serbian dinar is also used illegally in Serb-majority communities. The use of the euro in Kosovo* has helped to keep underlying inflation at a low level (CIA 2018).

7.3. SERBIA

Considering the data obtained from the national study, in Serbia according to the population census conducted in 2011, there were 7,186,862 inhabitants, of which 3,499,176 (48.69%) were male, and 3,687,686 (51.31%) are female president. The results of the census show that the age limit for citizens in Serbia in 2011 is 42.2 years. According to the last census of 2011, the working population of the Republic of Serbia is 6,161,584 inhabitants, of which 2,971,868 are male, while 3,189,716 are female. The working age is dominated by people with secondary education, while only 10% are with higher education. According to a survey conducted in the third quarter of 2017, the working age population in Serbia was 5,981,200.

This survey suggests that in Serbia were employed 2,881,900 inhabitants of which 2.253.500 were formally employed and informally 628.400 inhabitants.

Regarding the economic parameters and data, the data from the Agency for Economic Companies in Serbia are relevant, according to which as of 01.03.2018 144,343 companies were registered, 243,215 enterprises, 31,118 associations, 70 foreign associations, 567 travel agencies, 13,914 associations, companies and alliances in the field of sports and chambers. The largest number of entities deals with wholesale and retail trade and are dominated by small and micro enterprises. Most employees are in the processing area. The economy of the Republic of Serbia generates a GDP of about 40 billion dollars, i.e. less than 6,000 dollars per capita.

Regarding the health system, WHO data indicate that the life expectancy of the female sex is more than the lifespan of the male. According to data from 2014, the female life expectancy is 78 years on average and in the male age 73 years. There is also a rise in the number of physicians, i.e. in 2014 there are 307 doctors per 100,000 citizens. There is also a growth in the funds allocated for health, i.e. in 2014 they amount to 10% of GDP compared to 2004 when they amounted to 6.4%. The death rate in Serbia in 2014 is 887 cases per 100,000 inhabitants.

7.4. MONTENEGRO

Montenegro is a country located in south-eastern Europe and lies on the coast of the Adriatic Sea. Montenegro is a member of the United Nations, the Organization for Security and Cooperation in Europe, the Council of Europe and the Union for the Mediterranean. Also, a candidate for EU membership since 2010, and is a member of the NATO Pact.

Montenegro has an area of 13,812 km², until 1 January 2017 there are 622,987 inhabitants, of whom 307,752 are male and 314,635 are female.

Regarding the economic determinants, Montenegro's GDP for 2016 is 3.954 billion euro, per capita

it is 6.354 euro, GDP at the prices of the previous year is 3.762 billion euro, the real GDP growth for 2016 is 2.9%, the nominal GDP growth for 2016 is 8.2% and the deflator for the same year is 5.1%.

As for the health determinants, in Montenegro, the provision of affordable and comprehensive health care is a priority goal of the health policy until 2020, which is also foreseen in the health care strategy of Montenegro, which aims to improve the quality of life, reducing health differences, but also extending life expectancy.

The state is the largest founder of healthcare institutions in which health care is provided to the citizens. However, apart from the state healthcare institutions, there are private health institutions.

In the previous period, a reform was made in the health centers, so health centers with elected doctors were established, and then there were fees for their support, which were established at the local and regional level as well as units for patronage and sanitary transportation.

According to the data in Montenegro, there are: 18 Health Centers, 7 general hospitals, 3 special hospitals, Clinical Center of CG, Institute for Public Health, Institute for Emergency Medicine, Institute for Transfusions, and pharmacies of Montenegro.

All these institutions have been established with the same goal of providing health care and helping to achieve the goals of the health strategy of Montenegro.

According to the latest data from 2013, 7228 health workers worked in health institutions in Montenegro, of which 5550 are healthcare workers, while the rest are their collaborators and medical personnel.

7.5. ALBANIA

Basic demographic data

Albania is a country located in Eastern Europe (in the Western part of the Balkan region) with a total area of 28,000 km², and is predominantly a mountainous state, except for its coastal area.

The population of Albania on January 1, 2018 was 2,870,324 inhabitants, down 0.2% compared to January 1, 2017. The sex population on January 1 was 1,438,609 men, and 1,431,715 women. During 2017, the population was 8,637, with its decline of 16.5% compared to the previous year. Migration in 2017 is 14,902 inhabitants.

IV. NATIONAL CONCLUSIONS, OPINIONS AND RECOMMENDATIONS

Each country from the Western Balkans, which participates in this project, has certain national characteristics. Based on the national characteristics and peculiarities, several conclusions, opinions and recommendations have been produced aimed at helping to improve the system of occupational safety and health.

1. MACEDONIA

Regarding the Occupational Health and Safety System of Macedonia, and considering the analytical data obtained in the study, the following settings are distinguished:

The Law and Policies in the Republic of Macedonia. Macedonia for OSH:

The Republic of Macedonia has more than 50 years of legal organization of the field of protection at work. Although the renaming of the overall occupational safety area in Safety and Health at Work occurred in 2006-2007 after the adoption of the current law on occupational safety and health, explaining that it "so demands" from Brussels, the basis for creating a preventive culture remains the preservation of individual sovereignty and the integrity of the employee is the basis of all adopted policies in the Republic of Macedonia. However, as the working process is dynamic both in the continuous process of changing, as well as in the economic and social framework of the Republic of Macedonia as a candidate country for a member state of the European Union, it requires the modernization and continuous development of the occupational health and safety system as well as its adaptation to the current socio-economic trends of social progress in the country. The current legislation provides a good framework for the application and promotion of OSH, but several trends have been detected in the past decades that are disrupting the process of creating sustainable and secure systems for the national needs. Namely, there is an ad hoc admittance into the legal solution several times, which directly changes the original Law systematically. Changes are often brought under the influence of certain stakeholders who proposed changes to make some progress in the area perceived solely through its dioptr. Hence, if certain amendments are made to the legal and secondary legislation, the expert public must be consulted, as well as stakeholders. There is also a lack of continuous updating of the by-laws, such as standards for safety and health at work and transposition of OSH directives. Emphasis must be placed on the part for systematic resolution of the practical approach in creating a preventive culture in Macedonian jobs. Locating individual responsibility must be revived through clear court resolutions for possible violations of the legal framework. This can largely be done through clearly set standards of practice, where opportunism as a deviation in the profession would be unequivocally sanctioned and eliminated. Such as occupational safety and health standards and transposition of OSH directives. Emphasis must be placed on the part for systematic resolution of the practical approach in creating a preventive culture in Macedonian jobs. Locating individual responsibility must be revived through clear court resolutions for possible violations of the legal framework. This can largely be done through clearly set standards of practice, where opportunism as a deviation in the profession would be unequivocally sanctioned and eliminated. Such as occupational safety and health standards and transposition of OSH directives. Emphasis must be placed on the part for systematic resolution of the practical approach in creating a preventive culture in Macedonian jobs. Locating individual responsibility must be revived through clear court resolutions for possible violations of the legal framework. This can largely be done through clearly set standards of practice, where opportunism as a deviation in the profession would be unequivocally sanctioned and eliminated. Locating individual responsibility must be revived through clear court resolutions for possible violations of the legal framework. This can largely be done through clearly set standards of practice, where opportunism as a deviation in the profession would be unequivocally sanctioned and eliminated. Locating individual responsibility must

be revived through clear court resolutions for possible violations of the legal framework. This can largely be done through clearly set standards of practice, where opportunism as a deviation in the profession would be unequivocally sanctioned and eliminated.

Recommendations regarding compliance with international standards:

The Ministry of Labor and Social Policy and the Ministry of Health are responsible for the Occupational Safety and Health Policy, following the objectives related to the EU accession. There has been visible progress in terms of harmonization of legislation and strengthening of institutional capacities, but there are still obligations that need to be implemented.

Recommendations regarding organizational frameworks and enforcement mechanisms:

The organizational framework and the mechanisms for carrying out OSH work in the past period have been significantly improved. MLSP and MOH are the main state institutions responsible for creating and implementing policies in the field of OSH.

State Inspectorate of Labor enforce the law and bylaws in the area of OSH, which regulate relations between employers and workers.

The National Council for OSH with Action Plan of Activities in accordance with the OSH Strategy 2020, intensifies its activities including all partners on an equal footing.

In the sphere of education, the role of higher education institutions in the formal education sector that produces professionals, professionally and professionally qualified to respond to the demands of the extremely complex role of the occupational safety officer should be emphasized. The efforts are aimed at setting up the professional person for occupational safety on a professional basis with the possibility of his constant upgrading in the field of informal education. In this part, the role of the associations in the field of OSH is important, which realize a series of trainings through organization of conferences, seminars, workshops, debates, etc. on various topics in the field. However, there is no evaluation of the trainings for continuous improvement of the experts, so much of the trainings are reduced to the repetition of already known things defined in the OSH Law or by-laws. It is necessary to review the criteria for authorization for trainings for continuous improvement of the occupational safety personnel.

A professional person for safety at work must not be randomly selected person to satisfy the obligation only. For this purpose, it is necessary to revise the existing criteria and the manner of taking the OSH exam.

Recommendations regarding the role of the social partners:

The cooperation of trade unions with line ministries, professional and professional institutions and associations, as well as international cooperation, although sufficiently developed, can generally be concluded that it is still insufficient. However, this study can be a basis for increasing the interest of workers and their representatives on this issue.

Recommendations regarding the current OSH activities:

The professional associations for safety and health at work, the scientific and educational institutions, the social partners in cooperation with the relevant institutions, organize various promotional activities, projects and campaigns for promoting the safety and health at work in the Republic of Macedonia. In addition, the Institute of Occupational Medicine of the Republic of Macedonia, the WHO Collaborating Center successfully conducts several significant promotional activities in the field of health and safety at work, by organizing educational intersectoral meetings, tribunes and workshops on a national and international level. However, it can be concluded that all possibilities for

cooperation and application for EU funds have not yet been used in the direction of strengthening the OSH capacities and implementation of the standards in the area.

Recommendations regarding the safety and health records at work:

The Public Health Institute of the Republic of Macedonia is a national health statistics center and is responsible for keeping health registers including occupational diseases and occupational diseases registers. However, despite the legislation in the domain, the number of registered occupational diseases is low, while the number of registered injuries significantly deviates from the official injuries report at the workplace according to the SIT.

Non-reporting is one of the major problems associated with recording and reporting accidents and illnesses at work.

It should be emphasized the different structure and data, that should be entered in the reports for injury at work, as well as the injuries records, which imposes the necessary need for creation of a single information system for reporting and recording of injuries at work.

These data indicate the need for improvement of all measures for recording, monitoring and prevention of injuries at work, and for harmonizing their statistical treatment with the European Statistics for Accidents at Work (ESAW).

General considerations and conclusions:

The situation in the country in the field of occupational safety and health is closely related to the state of the economy and the conditions for work and employment. In the past period, the Republic of Macedonia implemented a series of reforms aimed at better and more flexible SME development and reduction of the unemployment rate.

From the active population, according to education, the most unemployed are primary and secondary education, which points to the fact that there are many unskilled workers. In addition, persons who for a longer period wait for employment and are excluded from the labor market are not familiar with the risks at the workplace in terms of occupational safety and health. Therefore, when implementing the measures for safety and health at work, it is necessary to pay special attention to the training of workers in the direction of developing a culture of prevention.

During the records in the OSH, it is important to emphasize the different structure and number of data that should be included in the reports for injury at work, as well as the injuries records, which directly imposes the need for designing a single unified information system for reporting and records of injuries at work, which will be in line with European and global practices. For the same reason, the need for improvement of all measures for recording, monitoring and prevention of injuries at work as well as for harmonization of their statistical processing with the European Statistics for Accidents at Work (ESAW)

The capabilities of occupational safety professionals in the Republic of Macedonia. Macedonia is 711 experts, of which only 10% are engineers from the area. This point to the necessary need for greater promotion of the profession "occupational safety officer" and motivation of young engineering staff for guidance and specialization in this field. In addition, the large number of occupational safety personnel from other engineering profiles points to the need for intensification of non-formal education in the direction of their continuous improvement and upgrading of knowledge. In particular, the role of scientific and educational institutions for accreditation of study programs in the field of OSH, as well as professional associations in the area in order to improve the quality of training for continuous professional development. In this direction, it is necessary to evaluate the trainings for continuous improvement of the experts and to review the criteria for obtaining a training authorization for continuous improvement of the occupational safety personnel.

A professional person for safety at work must not be a randomly chosen person for the purpose of satisfying the legal obligation. For this purpose, it is necessary to revise the existing criteria and the manner of taking the OSH exam.

From the previous research in the field of OSH, one of the most important documents for building and maintaining a national preventive security culture is the National OSH Strategy 2020. For realization of the set goals it is necessary to participate of all key partners in the OSH process through partnership in action: employers, workers, professionals in the field of safety and health at work, trade union representatives, employers' organizations, government agencies, relevant ministries and universities.

It is important to emphasize that now the process of external evaluation of the OSH Law is initiated by the ILO and according to the plans of the Ministry of Labor and Social Policy, by the end of 2018, all changes in the direction of its improvement should arise.

Regarding the organization from the perspective of the first in the OSH, the Republic of Macedonia has more than 50 years of legislative policy that regulates this area. The current legislation provides a satisfactory framework for the application and promotion of OSH, but it is still evident that there is a lack of continuous improvement and bylaws such as occupational safety and health standards and OSH directives.

Nevertheless, the strategic determination of the Republic of Macedonia for EU integration unambiguously requires more aggressive policies in the field of occupational safety and health in order to improve working conditions and reduce occupational injuries and occupational diseases. OSH policies and strategies must envisage activities aimed at improving legislation, institutional cooperation and support for all partners for consistent application of safe and healthy workplace measures.

2. KOSOVO*

Regarding the situation in Kosovo*, there are several main conclusions that move in two directions, as well as recommendations that could be implemented in the future. So what needs to be improved is in the line of trainings and acknowledgments of those who are responsible for safety and health at work, as well as in drafting legal acts that will regulate the society and the health of the jobs. There is a project that is implemented in the legal framework for the harmonization of local legislation with the European Union legislation in the field of occupational safety and health. From this project, the first accredited trainers resulted in training all security personnel and health in companies and companies across the country. All that trained will transfer the knowledge and will be provided with certificates issued by the state. In view of completing the omission from by-laws in this field, and at the same time harmonizing the legislation with the European Union, 20 special regulations have already been issued, which will be of great help to those who are required to take special measures, in accordance with the activities, but also for surveillance and self-perpetuation. Lastly, the need for inclusion of stakeholders in drafting these documents can be emphasized, so there is public oversight by giving this case to the professionals and the carriers of the obligation.

It has been established that two years from the National Council for Safety and Health at Work, which will develop policies and strategies in the field of occupational safety and health in the country. A body expected to achieve a series of advances, evidence, practices, and standards of action in this area. As an illustration, some very simple and very important data that are developed in the field of occupational health and safety are already being mentored: incidents reported from a workplace injury. Only a few cases come from the public and private sectors. In most cases, the private sector presents cases of violation, especially those with a major or fatal consequence, and this is done very easily because a document cannot be found indicating the presence of an injured person in the employer's private store.

Conclusions and recommendations on the legal and political framework.

With all the progress made in the legislation, its implementation in practice faces difficulties because:

- Implementation of safety and health at work measures, provides for the creation of occupational safety and health experts;
- Creation of licensing framework and continuous recording of the work of occupational safety and health experts, following the example as it was agreed with colleagues in occupational medicine;
- At higher education levels in Kosovo*, there are no studies of occupational safety and health, as well as expert capabilities for occupational safety and health;
- Labor inspectors who control the implementation of legislation on safety and health at work have an ongoing need for additional professional training in order to successfully be dealt empowered with challenges of safety and health at work;
- The system of initiating and continuing training of labor inspectors, as well as everyone involved in the occupational safety and health system (OSH experts, occupational medicine physicians, social partners) should be systematically resolved and currently promoted;
- It is necessary to create a system solution in collecting data on the evaded / accidental accidents at the workplace, as well as occupational diseases;
- Advancement in the field of occupational safety and health must be based on scientific and studious analysis of the available data, as well as the adoption of conclusions.

After analyzing labor legislation, labor law provisions are in line with the standards of the International Labor Organization - ILO.

Regarding the implementation of legal norms in practice, and in relation to safety and health at work, it is necessary, besides the existence of experts, to train them, to introduce a system of education of employees and employers, in order to introduce them with safety and health measures at work. This target group of employers and employees needs to be acquainted with the rights of the obligations assigned to each of the parties, for the protection of safety and health at work, as well as for remediation of damages in the event of occupational injuries, diseases, injuries to workplaces and the like.

3. SERBIA

Regarding the obtained data on the situation in the field of occupational safety and health in Serbia, we highlight the following conclusions, opinions and recommendations:

- The Occupational Safety and Health System is based on international standards (EU & ILO).
- International standards to a great extent have been implemented in terms of preventive measures as well as in the process of building an institutional framework.
- In addition to the legislation that approaches European standards, implementation is still not satisfactory.
- The Republic of Serbia recognized the need to establish a special authority - the Occupational Safety and Health Administration.
- Labor Inspectorate promotes its engagement, but administrative technical facilities and resources are needed.
- Labor medicine is not sufficiently embedded in the basics of the occupational health and

safety system.

- Judicial authorities do not satisfactorily follow the application of health and safety measures at work.
- ● Scientific research activities in the field of OSH in all workplaces are lacking.
- Although occupational health and safety topics embedded in most of the plans and programs lack formal application and implementation in most educational profiles.
- There is a lack of a registry and a precisely structured system of people who are prequalified.
- Although there is an active system for safety and health at work for a larger number of associations, there is room for increasing their influence.
- The civil sector and the social partners participate in the adoption of regulations and decisions in the field of occupational health and safety, but their participation is limited.
- The role of employees' representatives for occupational safety and health is not sufficiently healed on the level of employer.
- There is insufficient media coverage for activities and activities undertaken in this area.
- Registration of workplace injuries and occupational diseases is not at the level of international standards.

In the light of previous conclusions, the following recommendations could be outlined:

- It is necessary for the Republic of Serbia to continue to align its legislation with the EU legislation in this area, as well as to continue ratifying and confirming the ILO conventions.
- Improving the implementation of the regulations in the area of safety and health at work of micro, small and medium enterprises in cooperation with all entities including civil society organizations.
- Reform of the registration system and insurance against injury at work and occupational diseases.
- Improving the administrative and technical capacities and resources of the labor inspectorate
- Reform of the organizational and functional role of the services of occupational medicine in the occupational safety and health system.
- Improving the competence of the occupational safety and health personnel, which will enhance their role and status with the employer.
- Education of magistrates and prosecutors in the field of OSH and promotion of their cooperation with the labor inspectorate.
- Through special funds to stimulate scientific research in this area.
- Education of teaching staff in the basics and secondary schools in this area.
- It is necessary to establish a special accreditation body within the National Council for Safety and Health at Work, which will evaluate quality and accredit the training and education programs in this area.
- Within the Law on Safety and Health at Work define a profile for occupational safety and health and their competences based on their education.
- Systemic regulation of the role of the civil sector and social partners in this area, which would increase their influence.

- By amending the law to stimulate employers to increase the participation of employees in solving problems in this area.
- To provide special education for media representatives in this area, which would increase their interest in this area.
- In cooperation with the Occupational Safety and Health Administration, the labor inspectorate, social partners and civil society organizations should organize special promotional activities in the field of occupational safety and health.

4. MONTENEGRO

As with other countries in the Western Balkans region, and in the case of Montenegro, some positive trends can be noted in the promotion of the occupational health and safety system, as well as certain areas that need to be improved and upgraded. These are set out in several points below:

- Regarding the legal framework and the policy that is implemented for the protection and health of workers, the following recommendations are given:

Montenegro is well on track to harmonize its laws with EU laws, in the next period a special challenge will be their implementation. In this struggle for Montenegro's economic growth, raising the awareness of the importance and especially introducing occupational health and safety in the educational system of Montenegro, promoting social dialogue, improving the collection of statistical data and developing a database, informing the employees and their participation in resolving the issues related to occupational health and safety and strengthening the administrative capacities of all involved in the area of the ZZDP will be the directions in which they will act and at the same time make proposals to improve the situation in this area.

On 06.07.2018, the Law on Amending and Supplementing the Law on Occupational Health and Safety was adopted and received a green light by the European Commission regarding the harmonization with the Council Directive 89/391 / EEC of 12.06.1989 on the introduction of measures to encourage improvement on the safety and health of employees (OJL No. 183 of 29.06.1989 p. 1), as amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008 on the adaptation of certain acts on which uses the special procedure laid down in Article 251. Agreement, Council Decision 1999/468 / EC in Regulatory procedure with review - Adjustment of the regulatory procedure with review - Part 1 (OJ L 311 of 21.11.2008 p.1.) and the Directive of the European Parliament and Council 92/57 / EEC of 24 June 1992 on the minimum occupational health and safety requirements for temporary or mobile construction sites has been implemented. In the upcoming period, further harmonization of the legislation in terms of complete harmonization with the regulations referring to construction sites, because the Law will give only legal basis and the introduction of coordinates and regulation of measures for occupational health and safety at construction sites and harmonization of the existing regulations with the EU regulations in the area of Law on OSH will be a priority.

- Regarding the compliance with international standards, the following recommendations are given:

Harmonization and implementation of legal regulations in this area are based on the principles of social dialogue at all levels between employers, workers, workers' representatives and trade unions, who are obliged to cooperate in the process of determining their rights, obligations and responsibilities that relate to protection and health at work.

This process, as well as the process of adoption and application of international standards, includes all socio-economic spheres in order to realize the vision for the full implementation of laws, changing the awareness of the importance of applying the measures for protection and health at work, socially

responsible companies and responsible society as a whole.

Further harmonization and implementation of the legal regulations need to be continued and better connections with the international organizations and the EU accession funds.

- Regarding the organizational frameworks and enforcement mechanisms, the following recommendations are given:

In the next period, especially after the harmonization of the regulations, even closer cooperation is expected, especially in terms of its implementation and raising public awareness. By working together on all stakeholders in the field of occupational health and safety, conditions are created for the provision of healthy jobs. In the period 2008-2017, the number of injuries at the jobs in Montenegro with joint efforts has decreased by 51.79%. In the course of 2017, the highest number of injuries at the workplace has been in construction activities of 39%, but this is a decrease of 43% compared to 2008 when that percentage equals 82%. Raising the public awareness, coordination and cooperation of all stakeholders, prevention and provision of measures for protection and health at work, permanent knowledge of modern solutions, introduction of protection and health at work in the educational system of Montenegro, working culture and dialogue, exchange of experiences, empowerment of safe work are the recommendations that are given for advancement in this area.

- Regarding the role of the social partners in the ZZDP, the following recommendations are given:

In the coming period, more work should be done on promoting social dialogue and collective bargaining. In the amendments to the Law on Occupational Health and Safety adopted at the Government session of Montenegro on April 11, 2018, following the insistence of the Union of Free Trade Unions of Montenegro, Article 26 of the Law was amended and amended as follows: "The employees of the employer have the right to choose one or more employee representatives. The procedure of selection, the manner of work and the number of employees' representatives at the employer, as well as their relationship with the union is regulated by a collective agreement, the Employer shall be obliged to provide at least one of the employees' representatives with necessary absence from work for at least five hours per month, with salary compensation and to provide him with all the necessary means for performing work related to occupational health and safety".

- Recommendations regarding the usual and ongoing activities in the area of the ZZDP:

In the following period it is necessary to strengthen the activities especially regarding the regional connection in the field of occupational health and safety, and as a result of such cooperation, jointly apply for projects funded by international organizations, primarily the EU and the ILO.

At the national level, more common activities are needed to promote health and safety at work (seminars, workshops, trainings, round tables, panel discussions) and to achieve better media coverage of such activities.

- Regarding the training of employees for occupational health and safety, the following recommendations are given:

Montenegro must reduce the informal economy and reduce the unemployment rate. By increasing the employment especially among young workers, they will automatically be covered by the rights deriving from the legal regulations, especially in terms of protection and health at work, because only the persons with the status of employees are entitled to protection persons who have concluded contracts for employment, as well as persons who are trained for work and apprentices, as well as any person who, for any legal basis, performs work with an employer. It is also recommended to reduce the conditions provided for the number of professionals needed for risk assessment at the workplace and thus increase the number of risk assessment workplaces and the number of employees that will be covered by those acts without losing its quality. Unfortunately, awareness is still not at that level for the employer to assess the risk of jobs, even without an expert who is employed by him.

The statistical data, first of all with regard to the recording of occupational injuries and occupational diseases, must be as soon as possible in accordance with ESAW (European Statistics on Job Disasters) methodology, due to EUROSTAT notifications, and a Medical Office work that, among other things, will deal with the verification of occupational diseases that is necessary.

5. ALBANIA

In the case of Albania, as regards the occupational health and safety system, certain oscillations and extremes are noted that make the system divisive and relatively unstable. But a few conclusions and recommendations can be drawn out that sublimate the situation:

Firstly, it should be underlined that Albania has made great progress towards occupational safety and health, and it also has a relatively harmonized legal framework in line with the European directives and the International Labor Organization conventions. During their implementation in practice, they are faced with difficulties because:

- The implementation of occupational safety and health measures requires experts in the field of occupational safety and health, and Albania has a lack of a legal framework for the preparation and training of workers;
- The state does not license experts and companies for the occupational safety and health, because in its list of working professions, safety and health at work it is not recognized as a profession;
- Albania does not have an educational system for the formation and education of occupational safety and health experts;
- Labor inspectors who control the implementation of safety and health legislation at work do not have adequate professional training, and do not have any kind of recognition and certificate in this field. They are not professional and professional in this work, which results in incompetence for performing inspection supervision;
- There is no Ministry of Labor;
- The system for initiating regular training of labor inspectors does not work;
- There is a lack of legislation on the qualifications of doctors;
- There is currently a lack of coordination between state institutions working in the field of occupational safety and health, and coordination with the social partners;
- There is a lack of a collection of statistics and information on the occupational health and safety system, according to EU standards;
- There is a lack of information and a system of caution, as one of the priorities of the occupational safety and health legislation;
- There is a shortage of research institutions and departments that consult research and occupational safety and health studies;
- There is a lack of legal bases, institutions and programs for accreditation of experts and companies for safety and health at work;
- Although it is legally mandatory, the Internal Affairs Council for Occupational Safety and Health has not yet been established, despite the 8 years since the adoption of the Law on Safety and Health at Work;
- There is a formality and fiction in the movement of trade unions, and involvement of

employees in problems that cover occupational health and safety in all fields;

- There is a lack of educational programs; awareness and training of social partners about the problems that arise in the field of occupational safety and health.

Guided by the current situation and the will to improve the legislation in the field of occupational safety and health, it is recommended that the following actions be taken:

- Analyze the Law on Safety and Health at Work, and identify the areas where the by-laws are needed in order to implement the necessary, included in the law as: necessary activities related to the licensing of external prevention procedures; education and recognition for specialists in the field of occupational safety and health, and licensing of occupational safety and health services.
- Completion of the process for individual European Union Directives on Occupational Safety and Health related to the European Union Framework Directive 89/391.
- Completion of the process with the other EU Directives on health and safety at work, such as the Seveso II Directive on the Control of Capital Accidents, regulation of radiation, working hours for special groups of workers, and for avoiding and prevention of severe injuries in the hospital and in the health and care sector.
- Completing the process of the European Union Directives on technical safety standards for products and their placement in the markets, which is also related to the protection of occupational safety and health.
- Transformation of non-mandatory guides that will indicate the proper implementation of the regulations of the EU Directives.
- Completion of the process of ratification of the Conventions of the International Labor Organization, such as the Labor Convention, the operation of a ship, working conditions in hotels and restaurants, the conditions for working with chemicals, asbestos, and professional health services.
- Develop special regulations on occupational health and safety at work in agriculture and forests, work with weapons (physical, psychic, hot and cold) and other risky activities, and these types of regulations are missing and do not have a model of European Union, should be developed on the basis of technical guides.
- To introduce a legal mechanism for preparing and certifying occupational health and safety experts in companies, which is recommended: to appoint a commission for recognition of occupational health and safety experts considering the State Labor Inspectorate for Labor and Social Services ; to establish a legal basis (regulations) for legal support to the aforementioned commission; members of this commission should be trained with the European Union's training programs, which are implemented in each of the countries in the region.
- The preparation of occupational health and safety experts as a first step can be achieved through training (in the training courses provided for certification to use standards from countries in the region), and then to open up areas for the preparation of security experts and health at work, at the level of master studies at Universities.
- Introduction to the education system by the placement of occupational safety and health experts, based on a method approved by the relevant institutions.
- In the direction of carrying out professional inspection, and professional training, the profiling and certification of labor inspectors should be properly formulated.
- A system of initiating and continuing training, and training of labor inspectors should be set up and implemented on the basis in a manner approved by the relevant institutions.

- To be supported by legislation and qualified institutions and profiles of doctors.
- Negotiations with the Ministry of Labor, establishing a mechanism for coordination between state institutions operating in the field of occupational safety and health, and coordination with the social partners.
- Establishment of a collection system of statistical and information collection for occupational safety and health, adhering to the standards of the European Union.
- Establish and manage a system for information on occupational safety and health as one of the priorities of the legislation on safety and health at work through a national program for managing information on occupational safety and health, public awareness and promotion of occupational safety and health.
- Establishing and strengthening institutions and departments that carries out studies and research on occupational health and safety.
- Establishment of the Internal Affairs Council for Occupational Safety and Health, because it is not only legally mandatory, but also plays an important role in developing safety and health at work in the future.
- To conduct a full insight into safety and health at work in order to avoid legal acts that create timidity and confusion in the legislation for its implementation in practice.
- Complete the process of ratification of the International Labor Organization Conventions, such as the Labor Convention; Safety and health at work in Agriculturist, concerning seafarers, working conditions in hotels and restaurants, and chemistry; Professional health services, etc.
- To improve the cooperation between the state administration, the social partners, the civil society , and all other actors working in the field of occupational health and safety, as one of the basic recommendations for the prevention of working, hospital and occupational diseases, and to complete the international protection of the principles of the workplace.

V. CONCLUSIONS AND RECOMMENDATIONS FOR FURTHER DEVELOPMENT OF CIVIL SOCIETY ORGANIZATIONS AND COOPERATION WITH STATE INSTITUTIONS AND MEDIA AT THE REGIONAL LEVEL

Considering the results and insights obtained under this Study, and the conclusions, opinions and recommendations allocated at national level it can be said that there are certain general characteristics pertaining to the region. These regional characteristics primarily encompass several similarities, but also differences in terms of the set-up and development of the occupational health and safety system.

As a regional feature that draws the region is primarily the commitment and the desire to implement, first, European normative standards related to occupational health and safety, transposed through EU regulations and directives in this area, and then the standards of the International Labor Organization. Western Balkan countries participating in the project have relatively well-harmonized legislation, but certain by-laws are lacking that should help in the implementation and proper implementation of legal provisions. On the other hand, because of this, as well as the lack of enough awareness and information of employers, workers, employees in state bodies, as well as with the bodies of control and supervision, there is no real application of the already adopted normative acts. Hence, the practical application of the normative system for occupational safety and health is a fundamental issue that needs to be addressed in the region.

Also, with regard to the policies undertaken in the countries of the Western Balkan region, it is noticed that there is no understanding of the essence of the system, its internal fluctuation, as well as the significance of the actors and political elites in the countries. This results in a certain confusion and tendency to “circle around” in certain segments of the OSH system. This is especially evident in all countries in the region regarding the issue of education and the allocation of a special education system that will have to respond to the needs of companies, employees and the state. In that sense, in all the countries from the participating region subject to analysis in this study, it is necessary to work on the development of a separately segregated education system within the framework of secondary education and universities, on the one hand, as well as the establishment of a system of continuous education for the persons who are engaged in this profession on the other. It is necessary to educate the judicial authorities, the media, and the media the wider community in terms of safety and health at work, the prevention of injuries and illnesses, as well as the importance of it.

Regarding the organizational and institutional set-up in the countries of the region that are the subject of this study, two aspects are noted, i.e. a relatively well-established institutional system (Macedonia, Serbia and Montenegro) and a system that has yet to be established and developed (Albania and Kosovo*). However, the main common feature in all countries is the problems regarding inspection supervision, starting from their number and staffing, to education and efficiency on the ground. However, on the other hand, the institutional setup of occupational medicine has not yet been fully defined and set in the right place in some countries in the region. Here, as before for other issues, there is a different degree of national development. In some countries such as Macedonia and Serbia, labor medicine exists as a long-standing tradition, but there seem to be problems in the practical implementation and implementation of legal provisions on the one hand, as well as practical problems related to greater interconnection and cooperation of medicine with other institutions. This is especially in terms of raising the right place in the health system that labor medicine must have, and which is currently missing.

Within the framework of the social dialogue that takes place between trade unions and employers, and in certain areas with the state as an employer, it is a common feature that the issue of occupational health and safety is not in the priorities of the negotiations and dialogue, in contrast to some other social issues which is for example the salary. In practice, there is insufficient information and movement along a line of less resistance where already existing legal solutions are only transferred into collective agreements and are not elaborated in more detail. This should especially

be considered in terms of the role and importance that the social partners can have in preventing injuries and accidents in the workplace. Here, the economic and social councils should take their place, as well as national health and safety councils in the countries where they exist.

As for civil and professional organizations working in the field of occupational safety and health in the region, it should be said that they have the good will to help and support the system, as well as to directly engage in its functioning and improvement. But there are problems with financial capacities and opportunities that directly reflect the quality of organizational and personal opportunities. In view of this, it is necessary to strengthen the financial capacities of CSOs, and then the overall capacities. In this way, CSOs can be actively used and used in relation to the future functioning of the national OSH systems in the Western Balkan region.

The record and creation of a single linked statistical data network is a field in which all countries in the region should work in the future. This, because there is none in any country participating in this project, there is no compliance of the database on injuries at work, deaths, and occupational diseases with ESAW (European Statistics on Job Disasters) methodology, and according to the need to forwarding notices to EUROSTAT.

Bearing in mind the indicated common regional characteristics that refer to touch points and differences, as well as the national characteristics of each country separately as steps that need to be taken at the regional level, we set out the following recommendations:

- the improvement of the legal framework in the countries in the region and the development of the system of by-laws should continue. Especially work should be done to improve the real and effective practical application of the already existing normative system of occupational safety and health in Macedonia, Kosovo*, Serbia, Montenegro and Albania.
- in the future it is necessary to establish a common regional policy for the promotion of safety and health at work in the region that will involve joint actions, projects and cooperation in this field through the institutional framework.
- it is especially important to work on improving the education system primarily at the university level and establishing a study on occupational safety and health in countries in the region that do not have an OSH education system, and in Macedonia and Serbia, which they have, yes it is working to improve it.
- it is advisable to establish a regional center for occupational safety and health at the level of civil society organizations and within the BALcanOSH network, which will aim to send, promote and promote the relations in the field of OSH in the members of the network.
- to improve the knowledge and skills of inspectors, employees in ministries, professionals and doctors considering the concept of lifelong learning, and through continuous systematic trainings that will be part of an integrated education system within universities.
- it is necessary to increase the competencies of the labor inspectors in order to effectively implement preventive measures for safety and protection at work, and in the sense that they can pronounce mandatory penalties, refer to certain institutions and procedures where passive legitimacy will be the labor Inspectorate (opportunity to initiate civil litigation).
- it is necessary to raise the capacities of the social partners and the social dialogue itself, where in the future, work should be promoted to promote collective agreements as a tool for providing better conditions for safety and health at work
- work on additional capacity building of the civil society organizations in the field of OSH and their active involvement in the creation of OSH policies, as well as outside the institutional (civil) oversight and control of the application of the measures and activities carried out by the state institutions. This is necessary for civil society organizations to strengthen the role of informal correction and an important factor in improving health and safety at work.

- it is necessary to continue, but also to expand the regional cooperation between the non-governmental sector in the region and the EU, further linking the civil society organizations at the regional level and exchange of experiences and knowledge in the field of OSH, a wider expansion of the Balkan network is needed and intensification of network activities.
- as soon as possible, it is necessary to establish national statistical tools for the expedient, precise and systematic recording of injuries at work, occupational diseases and deaths, with the establishment of national OSH statistics centers. National Centers should cooperate regionally and connect.

VI. INSTEAD OF A CONCLUSION

Given the previously obtained analytical data in the study and considering the conclusions and recommendations that have been received at the national level, and especially at the regional level, there is undoubtedly the need to take future steps of the countries in the region. Namely, the countries of the Western Balkans participating in the project, Macedonia, Kosovo*, Serbia, Montenegro and Albania will in the future have to continue to work on improving the safety and health system work in a normative sense, improving institutional co-operation, adequate practical application of European and international standards, new forms of education and training, as well as a relevant and sustainable system of data collection and processing. In order to achieve these goals, it will be necessary to provide financial means strengthen civil society organizations in the field of OSH, strengthen the institutions responsible for creating and implementing the OSH system, and developing regional cooperation at several levels.

From all of this it follows that it is particularly important to develop these goals in a coordinated and harmonized way at the regional level. That is why it will be necessary to develop a regional strategy and action plan (realization plan) that will unite all or some of the stated goals and will help realize the regional vision of safer and healthier jobs as part of the understanding of labor through the prism the dignity and realization of the human person in material and spiritual terms.

Finally, this study, as well as the future steps towards developing a common strategy is the basis of regional cooperation and exchange of ideas and experiences that should and can help achieve the stated goals and vision.

Used literature?

Used web pages?

Used other sources?

Objectives of the study

- General purpose
- Specific objective
- Target groups

Hypotheses

The basic and starting hypothesis is that the system of occupational safety and health at the regional level, especially within Macedonia, Kosovo*, Serbia, Montenegro and Albania has been partially developed and has an oscillatory character, that is, in some aspect there is improvement, and somewhat insufficient development.

Specific hypotheses are distinguished by several. First, the first special hypothesis is that civil society organizations in the countries in the region do not have enough cooperation with the state institutions and the media in promoting and promoting the safety and health at work. A second special hypothesis is that there are legal problems that relate to the quality of legal provisions at the national level, but also their practical application due to organizational, financial and personal obstacles and problems. Another specific hypothesis is that in order to better manage and prevent injuries, illnesses and deaths at work, there is a need for a unified and adequate national and regional system of records of them.

The last hypothesis from which the study was prepared was that the increased cooperation and

linkage at the regional level between the civil society organizations, the institutions and the media would provide a significantly better OSH prevention system at the national and regional level.

Study methodology:

In the preparation of Study, it will be used comparative method, statistical method, analytical approach, and legal method. Finally, for defining settings and findings will be applied synthetic and deductive approach.

Expected Study results:

First expected result is to see the situation on national level divided into several areas such as legal system, statistics, compliance with international standards, organizational set up of OSH system, how developed the social dialogue in the field of OSH, and see what is the level of media activity at the national level and what other activities are undertaken for the promotion of the OSH system.

Furthermore, it is expected through the study that the advantages and disadvantages of the countries in the region can be compared comparatively, that is, to compare the current situation and the achieved results. The next objective of the study is to provide information on areas that are weak points at the national and regional levels and how they should be improved. It is also one of the goals to give guidance and a vision in which direction the region should move in the future cooperation, on which topics should be regionally co-operating and where there is room for mutual assistance and exchange of positive experiences and good practices.

Sources:

- OSH Study of Macedonia
- OSH Study of Serbia
- OSH Study of Montenegro
- OSH Study of Albania
- OSH Study of Kosovo*

