

Montenegro labour inspection audit
Project on “Enhancing Labour Inspection Effectiveness”
(RER/09/50/NOR)

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Foreword

This audit of the labour inspection system in Montenegro was carried out in May 2009 at the request of the Ministry of Health, Labour and Social Welfare, which has responsibility for labour inspection in the country. The purpose of the audit was to establish jointly with the government an action plan for improving, reinvigorating and modernizing the labour inspection system in Montenegro within the framework of the already-ratified labour inspection Conventions.

The audit was undertaken utilizing the ILO's participatory labour administration-related methodology, which includes interviews with the main governmental bodies concerned with labour inspection and the social partners. Visits to regional inspection services were also carried out and initial feedback was provided to the government.

The audit report contains a number of important recommendations for consideration by the Montenegrin government and, where appropriate, the social partners. These recommendations relate to such areas as the structure and organization of labour inspection services; human resources and career development of staff; organization of visits; registries and work accident reports; sanctions and administrative procedures; and cooperation with other partners. Other suggestions and recommendations may be considered in the context of the participatory approach adopted by the ILO.

The audit was carried out in the context of the inter-regional technical cooperation project on Enhancing Labour Inspection Effectiveness, financed by the Government of Norway. The valuable support provided by this project will enable the action plan to be implemented.

I would like to take this opportunity to thank the government and social partners in Montenegro for their very positive engagement in this endeavour. I would also like to thank my colleagues, Ms Maria-Luz Vega, Senior Specialist Labour Administration and Inspection Programme, and Ms Carmen Bueno, Labour Inspection Expert SRO Budapest for their technical contribution.

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I. Main economic, social and political elements

The Republic of Montenegro is located in south-eastern Europe, bordering Croatia and Bosnia-Herzegovina in the North-West, Serbia and Kosovo (within the meaning of UNSC Resolution 1244, 1999) in the East, and Albania in the South-East. It has a 293.5 kilometers Mediterranean coastline and covers a surface of 13,812 square kilometers. The capital is Podgorica.

After the Second World War Montenegro became a constituent republic of the Socialist Federal Republic of Yugoslavia. When the latter dissolved in 1992, Montenegro federated with Serbia, first as the Federal Republic of Yugoslavia and, after 2003, in a looser union of Serbia and Montenegro. On 3 June 2006, after a referendum, declared formally its independence. The current Constitution, adopted in 2007, sets the foundation for a democratic republic.

Montenegro is a partner country of the NATO and a potential candidate country for EU accession, having been adopted a European partnership with Montenegro in January 2007 (Stabilization and Association Agreement between and Montenegro was signed in October 2007).

The population amounts to 672,180 according to 2009 estimates, with a 0.16 per cent annual growth rate in 2007.

There are four main ethnic groups: Montenegrins (43 per cent), Serbians (32 per cent), Bosniaks (8 per cent), Albanians (5 per cent), and others like Muslims, Croats, and Roma (12 per cent). The official language is Montenegrin, although the Serbian language as well as Bosnian, Albanian and Croatian have official status. Estimates suggest that Orthodox is the most common religion in the country (74.2 per cent), followed by Muslim (17.7 per cent) and Catholic (3.5 per cent).¹

The economy relies heavily on services, which in 2008 accounted for an estimated 60 per cent of the GDP, with tourism accounting for about 15 per cent of the economy, manufacturing (notably aluminium) makes up 20-25 per cent of the economy and agriculture just about 15 per cent. However, the coastline, together with a sunny climate, gives Montenegro its high tourism potential. The construction sector is growing rapidly. The government estimates real GDP growth at 8.1 per cent in 2008.²

Consumer price inflation fluctuated between 5 per cent and 7 per cent in November 2008-February 2009, due to the rising of food prices, housing, energy and electricity. Montenegro unilaterally uses the euro as legal tender, without participating in the euro area.

Montenegro suffers from a high trade deficit of up to 50 per cent of the GDP in 2008. Base metals, mainly aluminium, are the base of the Montenegrin exports,

¹ Data on population, religion and geographic details taken from CIA world factbook Montenegro at www.cia.gov.

² Data on economy taken from Economist Intelligence Unit country and profile reports at <http://www.eiu.com>

followed by foodstuff, machinery, equipment and chemicals, but in 2008 there was a deceleration in exports.

Montenegro ranks 64th in the 2008/2009 Human Development Report (UNPD).

Unemployment rate has stabilized since mid-2007 at 11.5-12 per cent. However structural unemployment, uneven regional employment and undeclared work are still main problems. A 68 per cent of the labor force is employed in services, 30 per cent in industry and just 2 per cent in agriculture.

A national strategy for employment and development of human resources has been adopted for 2008-2011. However the capacity of the Ministry of Health, Labour and Social Welfare needs to be further strengthened with a view to coordinating and managing the implementation of the strategies and action plans.

II. Legislative framework for the labour inspectorate

In article 62 of the **Constitution** of the Republic of Montenegro, approved by the Constitutional assembly on 19 October 2007, Montenegro grants the rights to work, to free choice of occupation and employment, to fair and human working conditions and to protection during unemployment. Furthermore, the Constitution underlines the prohibition of forced labour (article 63), the rights to limited working time, paid vacation and protection at work, (article 64), the right to the strike (article 66), the right to the social insurance (article 67), the health protection (article 69), the protection of the persons with disability (article 68), the freedom of association (article 53), the social councils (article 65), the protection of mother and child (article 73) and the rights of a child (article 74)

In the area of social policies, progress has been made on the legislative framework in regards to labour law.

The core labour legislation is included in the **Labour Law** (Official Gazette of the Republic of Montenegro No. 49/08). Subjects such as employment relationship, labor contract, working hours, rest, absence from work, wages, redundancies, protection of women, youth and disabled, protection of maternity, responsibilities of the employees, termination of employment, collective agreements, trade unions and associations of employers, workbook and punitive provisions are included and regulated.

On the other hand, the occupational safety and health is mainly regulated by the **Law on Safety at Work** (Official Gazette No. 79/04). The law sets preventive measures, rights, obligations and responsibilities of employer (risk assessment, organization of work, equipment, health examinations, training, information and participation of employees, first aid, protection from fires and evacuation...).

In 2003 Montenegro adopted a **Law on Inspection control** (Official Gazette No. 39/03) which regulates the general rules for any kind of the inspection control, including labour inspection. The law sets the principles of inspection control

(prevention, proportionality, publicity, independence, protection of the public interest, truth and subsidiary), the obligations and authorities of inspectors, the rights and obligations of a controlled entity and other persons, procedures, execution, relations between inspection authorities and joint inspection control.

The new **Law on Labour Inspection** (Official Gazette No.79/08) sets in its only eleven articles the general competence of labour relations and OSH inspectors, the protection of identity in cases of complaints, the inspector's power to enter the premises of the subject controlled, cases of temporal prohibition of work by labour relations and OSH inspectors, reports, records and pecuniary fines. The new regulation introduces some improvements but matters such as sanctioning and organization should still be addressed by complementary regulations. The new law does not set out the specific powers and functions and other institutional aspects such as the functioning of the labour inspection system, its general mission and the structure of the labour inspectorate. Neither does it mention the cooperation with other public and private institutions.

Substantial amendments to existing safe work and labour inspection legislation are necessary not only to align the legislation with EU requirements but also to strengthen the institutional capacity of the Ministry of Labour and the inspection.

The **Law on Civil Servants and State Employees** (Official Gazette No. 50/08) mentions the observation for all civil servants and state employees of the Code of Ethics, the prohibition of putting their private interest before the public interest, the obligation to avoid conflict of interest, equal access, the recruitment process, the duration of employment, the right to promotion, the right to expert training and the right to trade union organizing, the grades and titles, the official secret, salary, annual vacation and disciplinary liability.

Others laws include provisions related to the labour inspection supervision, such as the Law on Strike (Official Gazette No. 43/03, 61/04 and 71/05), the Law on Safety at Work (Official Gazette No.79/2004) the Law on Employment and Work of Foreigners (Official Gazette No. 22/08), the Law on Health Insurance (Official Gazette No. 39/2004).

Nevertheless, several reports and studies underline that the main problem in the country occurs at the implementation level. Problems such as the payment of monthly payments or salaries are still to be solved (data of the CTUM/SSSCG- Confederation of Trade Unions of Montenegro- shows that over 30.000 workers in the country are not receiving salaries regularly).

III. The labour inspection system in the Ministry of Health, Labour and Social Welfare

Some progress has been made on upgrading the country's administrative capacity and proceedings with the reform of public administration. According to the Law on State Administration (Official Gazette No. 38/03) and the Decree on organization and

functioning of State Public Administration (62/07) the central administration now includes 14 ministries, 17 directorates, 2 secretariats, 6 institutes and 1 agency.

At national level, for social, health and labour matters, the Ministry of Health, Labour and Social Welfare of the Republic of Montenegro (hereinafter MHL SW) is the main authority, including Labour Inspection. The Labour Inspectorate depends on the Sector for Labour Relations with a Head of Sector who is the Deputy of the Minister. Within this Sector there are three departments at the same level: Department for Labour Relations, Department for 1st Instance Offence Procedures and Department for Labour and OSH Inspection. During the audit process a new Department for Safety at Work was in preparation, in order to substitute the projected OSH Agency, which has not been created.

More specifically, the Labour Inspection is located in the Department of Labour and OSH Inspection, with two different inspections at the same level, the so called Labour Relations Inspection and OSH Inspection, according to the existing organization chart.³

The Labour Relations Inspection covers the implementation of standards on labour relations and employment, social insurance included. State and local administration is excluded from the scope of the Labour Inspection.

Nevertheless, the OSH Inspection covers the field of occupational safety and health in all sectors, including state and local administration and just excluding the mining industry.

Inspections of prison work and self-employed are included in the scope of coverage of both Inspections.

Each Inspection has a Chief (Labour Relations Inspector Chief and OSH Inspector Chief) proposed by the Minister and appointed by the Government.

There is no territorial structure for the MHL SW although some of its functions have been decentralized, as employment and labour inspection.

There are other bodies with specific or labour related inspection tasks such as administrative inspectors, depending on the Ministry of Justice, for state and local administration according to the Law on Civil Servants and State Employees; mining inspectors, depending on the Ministry of Energy, according to the Law on Mining; radiation protection and nuclear safety protection, etc.

In the same Ministry and under the Health Protection Sector there is also a sanitary inspection established. Its competences are mainly related to preventing contagious diseases, control of potable water, food safety, tobacco, tourist and catering facilities. The sanitary inspectors do not have competences on occupational health,

³ See the organizational chart in Annexe II

although they have visited jointly with labour relations inspectors, OSH inspectors and taxes inspectors in certain campaigns such as private health institutions. They share facilities in most of the regional offices with labour and OSH inspectorates.

Under the MHLSW, exists an Institute for Public Health dealing with activities related with public health, including prevention, but with no specific competences on occupational medicine, diseases and injuries.

Under the MHLSW, there also exist some work-related medicine offices located primary health care centers carrying out periodical workers' medical examinations and some activities related to occupational diseases medical investigation.

IV. ILO Conventions ratified by Montenegro

The Republic of Montenegro has ratified 68 ILO Conventions, which are listed in Annex I.

Among those, the labour inspection Conventions No. 81 and No. 129, which both were ratified in 2006; Convention No. 144 on tripartite consultation and Convention No. 155 on occupational safety and health were also ratified in 2006. Convention No. 150 on labour administration has not been ratified.

First report of the labour inspection relevant Conventions are still outstanding.

V. Industrial relations and tripartite structures

The tripartite Social Council (hereinafter SC) established by the Law on Social Council (Official Gazette No 16/07) held its first meeting in July 2008 but the first meeting on social issues is still due. It is in charge of labour affairs with the aim of conducting a dialogue on issues that are important for improving the economic and social position of employees and employers. The Council is also expected to encourage peaceful settlement of collective labour disputes. Interestingly, the SC replaced the former ESC (Economic and Social Council), which had a "tripartite plus" structure, which did not function effectively for many years, partly because of the presence of NGOs in it. However, the issue of weak bipartite social dialogue remains unaddressed. There is not a Council or agency for OSH although a subgroup in the SC has been recently formed for OSH and labour inspection subjects.

The Montenegrin Employers' Federation (MEF/UPCG) is the only representative organization of this kind in Montenegro, with its 800 individual and 31 collective members (municipal and local associations)⁴. Officially established in 2002, it was registered and recognised as a representative organisation at national level by the Government of Montenegro in August 2005. It is an International Organization of Employers (IOE) member and it has been very active in the last few years in the promotion of social dialogue and respect of freedom of association principles, including at the regional and local levels.

⁴ http://www.poslodavci.org/eng/O_Activities.asp

The Confederation of Trade Unions of Montenegro (CTUM/SSSCG) is a legal representative of the workers, including private sector and public administrations. It is a member of the International Trade Union Confederation (ITUC) and has an observer status with the European Trade Union Confederation (ETUC). CTUM claims 80 per cent coverage of the labour force in Montenegro (96,000 members out of 161,000 workers, although just 75,000 workers pay fees). CTUM is actively engaged in both bipartite and tripartite social dialogue. It has been so far party to all collective agreements concluded at national and branch levels and most of those signed at the enterprise level.

The Union of Free Trade Unions of Montenegro (UFTUM/USSCG) was founded in 2007 and was officially registered in November 2008. It includes about 25,000 members, according to the information provided by the Union, also from private and public different sector and from different activities. It is not yet a member of any international confederation although some of its federations are. UFTUM is also engaged in both bipartite and tripartite social dialogue, having taken part of the drafting of some new agreement at national level.

The labour law stipulates that collective agreements may be concluded at national inter-professional, branch and enterprise levels. They can also be concluded in both private and public sectors including public institutions such as social security, education and cultural organisations.

Available data shows that 15 sectoral agreements were in force in 2005. These agreements apply to all workers whether they are or are not members of the signatory employers' and workers' organizations. It seems new bargaining processes are being developed but no specific data on the progress are available. At the enterprise level, collective bargaining takes place mainly in large companies. There appear to be no data on the number of collective agreements in force at enterprise level nor is there precise information on the percentage of workers covered by existing collective agreements.

The OSH law provides the existence of Workers' Councils (or its authorized representative) which are entitled to give at the enterprise level its opinion on OSH, relevant for the employed, demand implementation of prescribed OSH measures in case they are not in place, request inspection in case of evident absence of the prescribed OSH measures which should have been secured by the employer, be present during inspection, get acquainted with the records kept and reports submitted, as provided for under the present Law, and in case of injury at work with a lethal or very serious outcome, demand the employer to make available the report on such injuries.

VI. Labour inspection: main features and developments

General description

The article 171 of the Labour Code establishes that the Ministry of labour through labor inspections, has supervision powers in relation with labour law, regulation, collective agreements and labour contracts.

The Law on Inspection control is applicable to all administrative areas, except when a specific law explicitly excludes the application of this law.

The new Law on Labour Inspection is applicable to local and foreign legal and natural entities (who perform activities), institutions and other legal and natural entities in relation to compliance with the Law and other regulations on labour, employment and safety at work, collective agreements and labour contracts, and in relation to practicing rights on strike.

Both Labour Relations Inspection and Safety at Work Inspection have eight regional inspectorates in Podgorica, Niksic, Bijelo Polje, Bar, Herceg Novi, Budva, Plevlja and Berane, most of them covering several municipalities. Labour Relations and OSH inspectors share offices and most of the facilities, and sanitary inspectors are also located in the same offices.

Under the supervision of both Chiefs, labour relations inspectors enforce labour legislation and OSH inspectors enforce occupational safety and health legislation (see above). There are no regional directors or chiefs and therefore inspectors in regional units act with quite autonomy, just reporting to both Chiefs. Therefore, Labour Relations Inspection Chief and OSH Inspection Chief act mainly as chiefs of a number of inspectors, planning separate activities, managing and supervising. There are serious doubts about the existence of a labour inspection central authority as defined in article 4 of Convention No. 81 or article 7, paragraph 3, of Convention No. 129.

Both labour relations inspectors and OSH inspectors quite often carry out visits jointly (20 per cent of the total visits in Podgorica regional unit and 60 per cent in Bar regional unit), especially in building sites and tourist premises inspections and other complex inspections.

Human resources and career

In line with the Law on Civil Servants and State Employees, inspectors should be citizens of Montenegro, of legal age, in a good health condition, with the required qualification, without criminal record which makes them unsuitable for work in the state administration and meeting other conditions stipulated by the law and other regulations (professional exam for work in state administration and a minimum of 4 years of practice for the inspectors). Foreign nationals or stateless persons may also be employed (provisions of a special law and international conventions).

There are some rules for the recruitment of inspectors. Once a job is available, the vacancy may be firstly filled out internally with existing staff in the Ministry or in the state administration. If the vacancy is not filled by this procedure, there is a public competition, published in newspapers and the Human Resources Management Agency's (hereinafter HRMA) website, with a deadline, between 8 and 15 days. The HRMA establishes the list of candidates who meet the conditions. The abilities of the candidates have to be tested in two elimination stages in front of a Commission, whose members are named by the HRMA and where just one belongs to the Ministry and can

be an inspector. The test is designed by the Ministry and is different for labour relations and OSH inspectors. The short list of candidates with the best scores is forwarded to the Minister who takes the final decision. Employment procedures in the public administration are generally transparent and various activities have been organised to raise the awareness of job opportunities in the public sector. Implementation of the civil service legislation needs to be pursued more consistently, especially concerning recruitment. The administrative capacity of the HRMA needs to be strengthened, and a merit-based appraisal system needs to be established.

According to the Law on Inspection Control, in its articles 4 and 5, the inspections will be performed by an inspector as a civil servant with specific competences and responsibilities. Employment with the state administration is not limited in time but inspectors are re-elected every four years once they pass an evaluation of their skills. This re-election system, which is only established for labour inspectors and not for other civil servant bodies, cannot be compatible with the civil servants' career requirements as are provided in the article 6 of Convention No. 81 and article 8 of Convention No. 129

Exceptionally, under specific circumstances like the absence of a permanent employee or when the volume of work requires extra help, the Minister can temporarily authorize any civil servant with the necessary professional requirements to act as an inspector with all competences. This possibility is not normally used.

According to the Law on Civil Servants and State Employees, inspectors are ranked in the first grade of civil servants and within this grade have the following titles and requirements:

- Chief Inspector: university degree and at least 8 years of working experience (apart from the professional exam for work in state administration).
- Inspector I: university degree and at least 5 years of working experience (apart from the professional exam for work in state administration).
- Inspector II: university degree and at least 3 years of working experience (apart from the professional exam for work in state administration).
- Inspector III: university degree and at least 1 years of working experience (apart from the professional exam for work in state administration).

There are hardly differences among the functions in the different titles. Only OSH inspectors' title I, can carry out investigations on accidents and diseases.

The law sets that inspectors, as any civil servant and state employee, may be promoted to a higher title within the same grade and exceptionally to the initial title within the higher grade if they meet the stipulated requirements. In practice, promotion is not very usual and there are hardly incentives to be promoted because the difference in salaries among the titles is very small.

The inspectors' employment may be terminated by filling a written resignation; through dismissal by the head of the state authority according to general labour regulations; if they fail to pass the evaluation system for their re-election every four

years; by force of law when they should be appointed or nominated to a duty incompatible with civil service; if according to the Law they are no longer able to meet the requirements of the profession; in case of penalties of over six months of prison or a criminal violation which morally disqualifies them from exercising the profession of inspector; if they do not meet the requirements for that position; if their work as inspector is not professional or scrupulous; if they do not act according to commitments provided for by the Law and if they are involved in activities incompatible with inspection.

The Law on Civil Servants and State Employees also regulates the disciplinary liability and its procedure.

Inspectors' salaries are regulated in the Law on Salaries (2007). The salaries consist of a fixed part and a variable part, which can be increased if the inspector has developed a complex task but which is only paid if there are available funds. The average salary for an inspector is 400 euro per month. There are no yearly adjustments with the increase of the cost of living. The very low salaries could be the reason why in the last year a considerable number of labour relations inspectors have abandoned their job, leaving their jobs still vacant.

The code of conduct, promotion and assessment of civil servants require further improvement. Civil servants often perform external activities which may give rise to conflicts of interest. A new law on conflicts of interest has recently been adopted.

There are 41 labour inspectors in Montenegro: 1 Labour Relations Inspector Chief, 1 OSH Inspector Chief, 25 Labour Relations Inspectors and 11 OSH Inspectors attached to the mentioned 8 regional inspectorates. There are 8 vacancies for labour relations inspectors and 1 for OSH inspectors. Due to the economic situation, there are no perspectives about new recruitments to fill these vacancies.

There is gender balance in all inspection staff, 50.50 per cent.

There are some support personnel for administrative tasks, just in some of the regional inspectorates, although these personnel do not belong to the Ministry in most cases. Inspectors are usually also in charge of administrative tasks.

The labour relations inspectors are lawyers by academic education with a minimum of 4 years professional experience and having succeeded the professional exam for work in administration.

The OSH inspectors are graduate engineers in different technical fields, with a minimum of 4 years experience and who also have passed the professional exam for work in administration.

The HRMA has a general training plan for all civil servants in state administration and some inspectors have followed some general training courses but no specifically about inspection topics. There is no training plan for inspectors. New recruits are mentored by senior inspectors during the first two months. In spite of the

last new labour and OSH legislation recently approved, no training activities for inspectors have been arranged.

Inspectors do not use any manual of procedures or checklists in their visits.

Based on a yearly plan, each Chief Inspector develops a monthly plan with no coordination between both of them. Large entities are priority, in order to cover as more workers as possible. They also produce an annual report of different activities based on the monthly reports. These annual reports are not published but disseminated between the social partners. Each inspector transmits monthly reports to his chief.

There are seven cars for the 25 labour relations inspectors and two cars for the 11 OSH inspectors. They usually pay visits with their own cars, getting 70 euro monthly reimbursement for petrol. The use of public transport is not reimbursed. The number of computers is reduced (3 computers in Podgorica and 1 in Bar, 2 printers in Podgorica and 1 in Bar). There is no internet connection in any regional unit. There is no technical instrumental for measurements and no personal protection equipment for visits.

Visit

Inspectors can visit according to the yearly and monthly plan, following up complains or by self-initiative. Complaint visits take priority and represents around 10 per cent of the total visits amount. The monthly average visits is 20-25 visits for OSH inspectors and 30-35 for labour relations inspectors.

Labour inspectors conduct inspections in line with the General Administrative Law (Official Gazette No. 60/03, the Law on Inspection (Official Gazette No. 39/03), the Law on Labor Inspection (Official Gazette No. 79/08, Law on Labor (Official Gazette No. 60/03 and 79/04) and Law on Safety at Work (Official Gazette No. 79/04).

Visits are poorly prepared, mainly because of the lack of registers and data, and the preparation is usually mainly focused on consulting existing regulation.

According to the law, the inspectors (in their visits) have to notify a responsible person before starting the inspection control, except if they deem the notification might disparage the effectiveness of the inspection. They have to show their identification to a responsible or another authorized person of the controlled entity.

The law does not contain any provision related to communication with the worker's representatives on the inspectors' visit. However inspectors usually call Workers' Councils if they exist (mainly in big enterprises).

Labour relations inspectors count the workers in order to establish their number; if it is not possible to count them all because they are numerous, the random sample method may be applied.

OSH inspectors visually inspect the workplaces, the means of work (tools, equipment and installations), conditions in the working environment and note down all deficiencies and irregularities.

The documents required by both labour relations and OSH inspectors are: a registration certificate issued upon registration with the Central Register of the Economic Court (a proof of the legal entity status of the company, a certificate (license) issued to the company by the relevant body for carrying out that particular activity and a list of the current workers. The labour relation inspector also checks the personal files of the employees to determine: whether the employer has registered the employees according to the law; whether the employer has registered the employees for pension and invalidity insurance; whether the employer has registered the employees for compulsory health care; whether the employer has a regular employment contract with the employees; whether the employees regularly receive their salaries and whether the employer regularly pays the required fees and contributions; whether the employees regularly receive compensation for one meal a day and financial subsidy for vacations; and other employee rights envisaged by labour laws (breaks during work, weekly rests and vacations, maternity leave, etc.).

OSH inspectors check the following documents: technical documentation on the working premises and auxiliary facilities; documentation provided by the producer or provider on the means of work, documentation on the equipment and personal safety means for work with dangerous materials, in the official language of Montenegro; certification on the means of work and that the personal safety equipment meet the required standards and OSH measures, that they are in good shape and safe for use; documents testifying that the working environment meets the prescribed requirements (on physical, chemical and biological detrimental effects, lighting and microclimate); acts adopted by the employer on safety at work (general acts, employment contracts, training programs for safe work, files, reports on OSH in the company, list of injuries at work, instructions for safe work and the safe use of personal equipment and the means of safety at work, etc.); proofs that the employees are trained for safe work at the working place; medical certificates that the employees are in good health to work at their respective places of work, particularly in the case of high risk jobs; documents on paid collective insurance fees for employees, in case of injury at work, occupational disease or disease incurred at work; proof that personal safety equipment and means have been purchased and made available to the employees; proof that first aid is available and easily accessible and that evacuation measures in case of fire or threat of fire, are in place.

At the end of the visit, all present at the inspection (on the side of the employer) read the inspectors' minutes. The employers may also add their remarks, if any. Finally the minute is signed by the inspector who performed the inspection and the employer or representative.

Authorization and registration

In the country, there is no national registry system for enterprises. However some public administrations and institutions have computerized systems related with their needs.

At the taxation inspection, there exist at the central level, a computerized system with information on any legal and physical persons obliged to pay taxes. It contains data related with the main elements of the entrepreneurs and the premises. This register is not accessible to other public administrations at central and local level.

Also, local governments have registers recording any new enterprise starting business at the local level. This is also no accessible to inspectors.

Registry does not seem a working method and it is not used for the preparation of visit or for follow-up purposes.

At this level the MHLSW does not seem to have a common registry with all the data concerning the different enterprises and the different labour inspections. Inspection visits are classified at the regional units in paper and each inspector keep a handwritten notebook with the record of the different visits. It is an individual and personal system which is not shared even at the territorial level among the different inspectors and is mainly used for monthly reporting purposes. Papers resulting from the visits are kept in files organized by visits and ordered in cabinets with number.

All the closed files are received at national level. The files are placed in the corridors (not even filing cabinet) with no order. There is no general archive nor is there a common connection or classification system.

At the Ministry level the sanitary inspection has been designing a new system of registry to classify inspected enterprises by economical sector: It is actually submitted to biddings for implementation. It should be a central single unit (in the sense of ILO Conventions 81 and 150) covering all the country an can be the main support for risk assessment activities at the health level and for developing plans for sanitary inspections. Even though the new system is located at the MHLSW (three inspections are operating in its scope) other inspections have not been involved in the design. However, it seems the system will allow (it is at least the purpose) access to all inspectors.

A registry of accident or occupational diseases does not exist at the Ministry or at other public institutions. The new law 80/08 provides a new framework for the collection of health related data, including provisions on injuries and occupational diseases and asks for the development of a real statistics system which will include work related figures. No action has been taken in its respect.

The Employment Agency and the National Statistical Offices (MONSTAT) are updating instruments for labour market analysis but responsibilities between both

institutions are not clear. Several organizations have made some remarks on the quality of data collection at all levels.

The Health Insurance Fund of the Republic of Montenegro and the Pension and Invalidity Insurance Fund have a legal commitment to annually submit to the MHLSW all data on injuries at work, occupational diseases, diseases incurred by work (the previous year) not later than January 31 of the following year and also upon request, make this data available on a monthly basis. Unfortunately, this legal commitment was not fulfilled for 2006. Only two out of 21 municipalities in Montenegro submitted reliable statistical data to the Ministry and data from two other municipalities were useless (paper copies sent were not organized). However, all data provided refer to injuries at work only.

The Labour Law in its article 171 concerning authorization, established the obligation of communicating starting-activities and premises but this specific supervision function was attributed to the municipal authorities, as labour inspection had no technical control on it. Inspectors only check the existence of such a license. Sanitary inspectors are also in charge of delivering permission for the construction of some specific buildings or to start activities that could imply some pollution. It is a function related with environmental control.

Notification of workplace accidents and diseases

According to the Law on Safety at Work, the employer is duty bound to immediately (not later than 24 hours after the accident) file a written report to the Labour Inspection on every lethal, or serious injury at work and every phenomenon threatening the safety and health of the employees.

In case of a lethal, collective or serious injury the OSH inspector is duty bound to conduct investigations on the spot.

After having gathered all relevant data the OSH inspector has to write a report on whether the prescribed OSH measures against such injuries have, or have not been implemented and submits the report to the relevant court.

The court may call the OSH inspector to witness before court at the hearing, or give his professional opinion on the case.

Labour Inspection keeps files on all performed inspections.

The OSH inspector is not entitled to investigate the accident (lethal, serious or collective injury) in cases where the employer has not reported it within the deadline provided by the Law, but he may issue a written decision to eliminate the deficiency, or even file a charge with the court for violation of the rules or a criminal charge against the employer. The latter case is rather rare because not only OSH inspectors but also investigating judges and police investigators investigate such accidents. In the cases where the employer did not report the accident, all the involved responsible bodies involved in the investigation of the unreported accident are in contact and

exchange information. The employer is duty bound to make a report on the injury 24 hours after learning of the injury.

The injured receives from the company a filled out form on the injury, or the company sends the form to the medical institution which provided medical treatment to the injured.

The report on the injury at work is made in 4 copies. The report with all the data provided for by the rules of procedure of the company has to be submitted at least 3 days upon the injury, to the Health Insurance Fund with which the injured is insured and which guarantees him all the rights provided for in the health insurance regulations.

Two copies of the report go to the administration of the Health Insurance Fund, and two others are sent to the company (one for the company's files and the other for the injured or his family). It is the legal obligation of the Health Insurance Fund and the Pension and Invalidity Insurance Fund to submit to the MHLSP all data on injuries at work, occupational diseases, diseases incurred by work and invalidity due to work (for each calendar year), not later than January 31 of the following year.

Serious measures are being taken to reduce the number of lethal injuries at work. In 2008, Montenegro had 12 lethal cases, which is too many considering the size and level of industrial development in Montenegro.

However, for occupational diseases there is no reliable data. In 2008, OSH inspectors conducted 70 inspections of lethal, massive and serious injuries (12 of which were lethal).

Sanitary inspection has no special duties in relation with diseases investigation, except in specific cases related with health workers in specific risk situations as is the case of X-ray exposures. Diseases investigation is the unique competency of the OSH inspectors but in practice there is no evidence that this is really done.

At the preventive level, the medical specialists in the local health centers are in charge of occupational medicine and they have the competence for the periodic medical examination and also for prevention. They also take measures in the case of professional diseases. They suffer from a very complicate status at the administrative level (not clearly defined as occupational medicine) and their function in the prevention of occupational diseases and accidents is very limited in practice.

Collaboration with other authorities

Several regulations and provisions establish different possible cooperation agreements in particular with other inspections such as forestry, taxation, sanitary and more. But the amount of inspections (including urbanism, environment, tourism, and more) duplicates action in the different sectors and in some cases it implies double work. It seems to be a big amount of inspections with no clear common plan or target at local level. This situation affects the labour inspectorate.

Being a small country, institutional relations become very personal and they are usually good. There are some initiatives for joint labour inspections mainly related with specific branches (in cases of illegal work or health care related centers) usually initiated by request of one of the labour inspectorates. This is the case of the joint visits with the sanitary inspection (with both labour inspections) which mainly focuses on construction levels and private health institutions. Three inspectorates are part of an emergency committee at the Ministry level and they act together when a joint action is needed for urgent matters.

Collaboration between labour relations and OSH inspector is quite common particularly in relation with the construction sector and around 20 per cent of the total visits of the labour inspection in Podgorica is done jointly. Joint visits are much more common at the local level for example, in Bar 60% of the visits are doing jointly. In fact the two inspectorates share offices and work together.

Even if each inspectorate acts according to their specific competence, it is common practice in case of any irregularity (not included in their competence) to pass the information to other inspections or authorities (even inspections outside the MOHLSW). They have no official channel or document for the purpose of information or communication and so they usually call (phone) or send letters or written notes to inform of a situation that could be an eventual infraction.

Police should and could be called, in case of obstruction (not allowing inspectors entry) but it seems this is not the case.

Sanctions and administrative procedures

Article 172 of the Labour Law sets pecuniary fines with the amounts ten to three hundred times the minimum wage, from one and a half to twenty times the minimum wage and from ten to two hundred times the minimum wage. Article 173 also sets on the spot, pecuniary fines three times the minimum wage. These fines are imposed by the labour relations inspectors.

Article 46 of the Law on Safety at Work sets financial penalties of ten to three hundred times the minimum wage and one and a half to twenty times the minimum wage. Article 147 adds penalties of one and a half to twenty times minimum wage.

OSH and labour relations inspectors can suspend activities or stop work in case of serious risk for health or serious infractions of labour law (such as illegal workers

presence) respectively. In fact, they use this possibility quite frequently. OSH inspectors suspended 549 in 2008 and labour relations inspectors suspended 452.

The Law on labour inspection established fines (50 to 200 times minimum wage) for the nonpayment of contribution related with health insurances, pension, disability insurance or unemployment insurance.

Sanctions can go from 50 (obstruction) to 200 euro (minimum salaries) but it seems in most cases that labour relations inspections (in most of the cases (50 per cent)) are paid on the spot, following the minute or in the first instance in front of the First Instance Offences Office for minor infraction at the MHLSW level (90 per cent are paid).

The labour relations inspectors apply with very few discretionary powers the sanctions (as there is no clear graduation in the law). Fines are imposed on the spot by labour relations inspectors (in 2008, 2,996 fines on the spot were reported) in cases regulated by law and related with serious offences.

The number of infractions detected by labour relations inspectors in 2008 was 4,999 and by OSH inspectors 4,244.

In case of irregularities (except the serious cases mentioned above for labour relations inspections) both inspectors ask the employer to eliminate the deficiencies (notification of irregularity) in a maximum deadline of seven days. Labour relations inspectors issued 1,521 notifications in 2008 and OSH inspectors 982.

If the employer does not eliminate the deficiencies within the deadline, the inspector writes a second decision asking to correct the situation in a period of 7 days to a month. In 2008 labour relations inspectors established 804 second decisions and OSH inspectors 528. In the new deadlines, the employer is duty bound to inform the inspector (in writing) three days upon the expiration of the deadline on the measures taken in this regard.

At the end of this new deadline, if the fault has not been remedied, the inspector enforces the implementation of the decision by opening an administrative process that is followed up by the taxation authority in view of recuperating the payment. Even though, the process is in due course at an executor authority, the inspector can sanction again if the fault is still there during a new visit (it is not clear the respect to the principle *not bis in idem*).

In case of a gross violation, punishable under the Law, the labour inspector may temporary prohibit work until the deficiency has been removed. If the violation is subject to a fine (illegal work or not paying social contributions for more than 6 months) the labour relations inspector decides on the spot, the amount of the fine and orders the employer to pay the fine through a giro account to the State Treasury of Montenegro.

In case of serious deficiencies (direct threat to the life of the employee, work without OSH measures, lack of training for safe work at work and more) or irregularities punishable by temporary suspension of work, OSH inspectors take such decision and order the employer to temporarily suspend work until the problems have been solved. OSH inspectors do not have the legal authority to fine the employer on the spot (it seems a draft regulation is being prepared to remove this limit). All the rest like signing the minute, taking decisions, ordering measures to be taken are the same as in the case of labour relations inspection.

In the case of an on-the-spot-fine, it should be paid 3 days following the labour relations inspections' minutes with no possible appeal based on the reasons or the amount of the said sanction.

The employer could contest by refusing to pay in the three days period and the process will then be conducted to the First Instance Offences Office of the Ministry. Appeal is not a very normal provision as it seem the principle *solve et repete* is applicable in a very narrow manner.

The First Instance Offences Office (for minor violations) operates within the Sector for Labour and Employment of the MHLWS. It is a specialized administrative court for minor offences existing in all administrative areas and depending on the different ministries, but autonomous.

This court is in charge of OSH and labour relations inspection infractions. It is also in charge of pension and insurance fund infractions upon the request of different supervision bodies and also upon the request of individual in specific cases. The law 25/04 related with minor offences regulates all the processes in the different administrations.

This is the first instance where labour inspectors (OSH or labour relations) initiate the procedure for minor violations in case of nonpayment of the imposed sanction. If the employer is not satisfied with the ruling of the first instance he may file a complaint with the regular court.

The Office has jurisdiction over cases between the employer and the employee for violations of OSH measures, particularly in the case of violation of the rights connected with injury at work, labour relation and pension funds.

Once the request arrives at the First Instance Administrative Court, parties are called in for a hearing during eight days. Parties could personally be present at hearings or send written allegations to the office. The Office may call the inspector to testify in the capacity of witness or expert at the hearing. The whole process of first instance decisions has to be completed in a 2 years period after which its prescription will operate.

However the Office manages to solve 90 per cent of the cases in an average of 15 days. This court (with 2 professional "administrative judges" and 5 administrative support staff) deals with about 850 cases per year.

The appeal of a decision can be brought into the National Administrative Minor Offences Court for a final decision.

In specific cases, criminal violation inspectors are allowed to file criminal charges against the employer in front of the criminal court. In 2008 labour relations inspectors started 4 criminal charges. None was presented by OSH inspectors.

Relation with social partners

In general, social partners are aware of the importance of labour inspection activities and they like to have a more effective inspection and to be involved in the general plan and follow up system. The recent Social Council includes a subcommittee on OSH and labour inspection but it is still not operational and could still not be considered as an effective instance for discussion proposals.

In some cases employers and workers are involved in the drafting of new labour legislations and it seems it is the case of the new Labour Inspection Law but consultations are not a regulated process and social actors express quite different opinions on its participation in the final result.

Trade Unions of Montenegro call for a more active labour relations and OSH inspection for the sake of those employees who are subject to minimal required protection measures, but sufficient to guarantee a safe and secure work and a healthy working environment. They demand to have a better and enlarged staff with the means, tools and better working conditions. Some unions feel there is an urgent need to improve the training of inspectors in order to give them a deeper technical knowledge and avoid bias actions that leads to decisions that can even affect fundamental rights at work. Action should specially be strengthened in the field offices. A more serious and targeted policy on OSH would help decrease the number of accidents at work. They also call for a serious risk assessment provisions implementation (the procedures of risk assessment at the enterprise level asked by the article 10 of the Law on Safety at Work do not exist in many premises).

According to the Employers' Union of Montenegro, as a representative organization of employers, there is a good collaboration at the ministerial level and they participate together in some risk assessment trainings that have been useful for collaborating at technical level.

Understaffing and training have also been identified by employers as a main problem for improving the activity of labour inspection. In their view, prevention visit is ignored and there is no real culture of advice and prevention as required by ILO Convention. A better plan of the inspection and campaigns is also needed to avoid bias inspections focused on the "same enterprises".

Some measures should be introduced in case of SMEs with regards to big systems, to avoid the implementation of the same rules where it is not necessary.

The social actors of Montenegro believe that a joint OSH Committee would be the right solution to involve employees in OSH and to focus plans and actions in a tripartite manner. This Committee would be in charge of a wide range of activities, including gathering information, participation in inspection, risk assessment, investigation and testing. This Committee would actually be a place where the employers and the representatives of the employed would jointly work on risk assessment and risk control within OSH. It is, therefore, indispensable to involve the employed in all activities connected with their place of work.

Findings

General comments and labour inspection structure and organization

1. There is no inherent or structural barrier to operating an effective and efficient labour inspection service, considering Montenegro is a small and dynamic country, but there is room for improvement in some areas. In some cases, this can be accomplished by rationalizing, streamlining and consolidating some procedures and structures. In particular, additional funding is needed to cover the current vacancies, increase the number of inspectors and provide them with at least minimum logistical and technical support
2. The recent adoption of a number of important new labour and OSH legislations will require specific training for inspectors and social partners. Training is a main target for the Montenegrin Labour Inspection and efforts should be concentrated in a better and permanent approach.
3. Montenegro has a quite organized and rationally structured labour inspectorate divided in two technical branches (OSH and labour relations) with a good informal network of relationships within the ministry and with other public administration services. It is a coordinated labour inspection system. Nevertheless, the Labour Inspection Central Authority has no clear role. An ILO instrument related suggests that the labour inspectorate should be placed under the direct and exclusive control of a central state authority. Most of the countries' labour inspectorates are organized as a ministerial department with a central structure and other decentralized structures, which generally come under the authority of the Ministry of Labour as well as other related areas such as social affairs, employment, health, training or immigration. The designation of a Central Labour Inspection Authority ensures that the activities of the authorities placed under its control are coordinated with a view to achieving a clearly defined objective. It also ensures a degree of cohesion between mechanisms for cooperation and collaboration with other public and private bodies and institutions and with the employers and workers and their organizations (referred to in Article 5 of Convention No. 81 and Articles 12 and 13 of Convention No. 129). Labour Chiefs of both departments are mainly acting as chiefs of a group of inspectors, planning separately at central level (annual and monthly) for each area. Even with the elements of good

collaboration between them, the idea of a single authority in a labour administration system has been missed in some way.

4. Both inspection departments have a very good informal coordination and some on-the-spot good practices of coordination have been undertaken particularly at the territorial level. However an institutional approach should be developed to facilitate a real integrated labour inspections system as ILO recommends.
5. Inspectors are motivated and no problems of ethics have been referred. All these form a good basis for building a modern and more effective inspection service although some problems (stated below) can affect this progression

Human resources and career development

6. Although inspectors have the status of public civil servants, the re-election system every four years is not compatible with the idea of stability at employment. There are no real human resource strategies for their career development, no incentives for promotion are established and different inspectors' titles do not really mean different functions. Salaries and incentives are not attractive and this leads to losing staff. Vacancies are no longer filled. In general Montenegrin labour inspection (in both areas) is understaffed.
7. Inspectors do not have enough secretarial support (exist in some cases but not under labour inspection departments). This situation could increase the number of tasks of the inspectors. Other insufficiencies include: transport services (inspectors use their own cars because there are not enough official ones and it seems that the use of public transport is not reimbursed), office facilities (lack of computers, fax equipment), registers and appropriate software for registering inspection visits. OSH inspectors have no personal protection equipments for their visits and no technical measuring tools.
8. There is no national training plan/programme for inspectors (only the HRMA has a training program for all civil servants). The only training available consists of mentoring for new recruitments.

Visit

9. Visits are performed in conformity with both the Chief inspectors annual plans (at the request of individuals (but only around 10per cent are complaint based)) and by self initiative. Inspectors hardly prepare for the visits because of lack of registries or data bases.
10. Inspectors do not have enough materials to assist them in carrying out the varied inspection procedures and visits. Checklists and other support materials can be useful.

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11. Even though there exist very fruitful informal collaboration, there is a clear need for more alliance with other authorities particularly, sanitary, local administration and taxation authorities.
 12. Joint-visits should be improved starting with planning.

Registries and data collection

13. Successful planning depends on an up-to-date master register of establishments at the labour inspectorate. At present these do not exist. Lists of establishments exist at local and taxation authority levels but not at the ministerial level.
14. There is an urgent need to develop a proper system to maintain and update the registers at national level. The register should be computerized at headquarters and in the regions. Computer training should be provided to office staff. The master register could be a useful tool for planning, preparing and for following-up inspections. This register could also help to develop a better general data and statistics at labour inspection level and for annual report purposes.

Notification of work place accident and diseases

15. There is no register for occupational accidents and diseases. No information is compiled at central level.
16. The investigation of accidents and diseases at the working place could be improved with better collaboration between other authorities in and outside the MHLSW. The status of Work Medicine Services at the primary health care level is not well defined and there is no connection with OSH inspection, not allowing any real prevention culture.

Collaboration with other authorities

17. Collaboration and relationships with other institutions and authorities are good but informal. There is no agreement at any level. A more targeted institutional and formal approach is needed.

Sanctions and administrative procedures

18. Efficiency could be increased by thoroughly revising, streamlining and homogenizing the current administrative sanctioning procedures in order to simplify the different steps.
19. Infractions should be graduated according to different criteria to allow a better application of the sanctioning system.

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20. OSH inspectors should have the same sanctioning procedures and powers as labour relations inspectors.

Social dialogue

21. It is important for the social partners that their concerns and opinions are taken into account, as provided for in Convention No. 81. In general, they are aware of the important role of labour inspection in the accomplishment of the labour law but there is some lack of real knowledge on how to collaborate together. Employers call for a more preventive system and some workers organizations calls for more active intervention in labour relations matters.

Recommendations

General comments and labour inspection structure and organization

1. Central authority should be established to accomplish ILO Conventions and to improve the labour inspection administrative structure.
2. Establish formal plans for a better integrated labor inspection system at all levels from the plan to the visit.

ILO suggestion: A working group at the labour inspection level with the collaboration of a consultant with view to attend both above-mentioned targets.

Human resources and career development

3. The successful implementation of a modern system of labour inspection will require determined HRMA efforts to rationalize and strengthen the labour inspection system and career. Vacancies need to be filled quickly. The government should provide budget resources to increase the number of staff members.
4. Aside from the need for appropriate qualifications and training of newly recruited officials in the inspection services, it is also necessary to train existing officials, including refresher, on-the-job (in-service) or specialist trainings. A general and national training plan for inspectors should be established and their sustainability ensured.

ILO suggestion: The training activities could be planned and developed with ILO support. ILO Turin Centre is working to produce a new training programme (introduction programme plus an advanced course) that could be used for this purpose.

5. In addition to the concern regarding staff vacancies at the technical level, a serious problem is poor motivation due to low salaries and limited career prospects. Personnel policies need to be redesigned to ensure that inspectors have incentives to promotion. The re-election system of every four years should be abolished.

ILO suggestion: A working group at the labour inspection level with the collaboration of a consultant should be established with view to revise the career plan.

Visit

6. Internal procedures should be improved and inspection forms and procedures prepared with a view to facilitating information exchange and enhancing the value of inspection visits. Checklists should be drawn up for use during inspections.
7. Before inspections take place, inspectors should prepare the visits by checking files, records, location of the establishment, contact person, number of workers, previous violations, employers' general attitude, work accidents, complaint letters, trade union presence and more. To facilitate the monitoring of non-compliance by sector and by locality, it is useful to establish a file and registry system (see register recommendation below).

ILO suggestion: These activities could be planned and developed with ILO support and in the framework of the technical cooperation project with the help of some consultancies.

Registries, data collection and notification of work place accident and diseases

8. A simple and accessible national level register on enterprises should be implemented at the MHLSW level. Forms and registration sheets should be prepared and IT support at the national level should be put in place.
9. A national-level register on occupational accidents and work-related diseases should be developed on a sex-disaggregated basis (maintaining personal confidentiality), to allow a better analysis of trends, as well as planning visits and organizing campaigns for prevention purposes.

ILO suggestion: These activities could be planned and developed with ILO support and in the framework of the technical cooperation project with the help of some consultancies.

Collaboration with other authorities

10. Institutional agreements among the different authorities should be worked out.

Sanctions and administrative procedures

11. It would be necessary to simplify the sanctioning procedure. Graduation of the sanctions should be established to facilitate inspection work.
12. The powers of both inspection departments in relation with sanctions should be equal.

ILO suggestion: A working group at the labour inspection level with the collaboration of a consultant should be established with view to revise the sanction procedure.

Social partners

13. Awareness raising campaigns on the role of the labour inspectorate should be undertaken among the social partners. Leaflets and other media tools should be developed.
14. The institutional consideration of the subject of labour inspection at the Social Council (subcommision) could be an option to promote the involvement of the social partners in the role and general activities plan of labour inspection.

ILO suggestion: These awareness activities could be planned and developed with ILO support and in the framework of the technical cooperation project.

Action Plan

CONCLUSIONS	RECOMMENDATIONS	MINISTRY ACTIONS	ILO ACTIONS
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ANNEX I:

List of ILO conventions ratified by Montenegro

C. 2	Unemployment Convention, 1919 (No. 2)	3.06.2006
C. 3	Maternity Protection Convention, 1919 (No. 3)	3.06.2006
C. 8	Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)	3.06.2006
C. 9	Placing of Seamen Convention, 1920 (No. 9)	3.06.2006
C. 11	Right of Association (Agriculture) Convention, 1921 (No. 11)	3.06.2006
C. 12	Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)	3.06.2006
C. 13	White Lead (Painting) Convention, 1921 (No. 13)	3.06.2006
C. 14	Weekly Rest (Industry) Convention, 1921 (No. 14)	3.06.2006
C. 16	Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)	3.06.2006
C. 17	Workmen's Compensation (Accidents) Convention, 1925 (No. 17)	3.06.2006
C. 18	Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)	3.06.2006
C. 19	Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)	3.06.2006
C. 22	Seamen's Articles of Agreement Convention, 1926 (No. 22)	3.06.2006
C. 23	Repatriation of Seamen Convention, 1926 (No. 23)	3.06.2006
C. 24	Sickness Insurance (Industry) Convention, 1927 (No. 24)	3.06.2006
C. 25	Sickness Insurance (Agriculture) Convention, 1927 (No. 25)	3.06.2006
C. 27	Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)	3.06.2006
C. 29	Forced Labour Convention, 1930 (No. 29)	3.06.2006
C. 32	Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)	3.06.2006
C. 45	Underground Work (Women) Convention, 1935 (No. 45)	3.06.2006
C. 48	Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48)	3.06.2006
C. 53	Officers' Competency Certificates Convention, 1936 (No. 53)	3.06.2006
C. 56	Sickness Insurance (Sea) Convention, 1936 (No. 56)	3.06.2006
C. 69	Certification of Ships' Cooks Convention, 1946 (No. 69)	3.06.2006
C. 73	Medical Examination (Seafarers) Convention, 1946 (No. 73)	3.06.2006
C. 74	Certification of Able Seamen Convention, 1946 (No. 74)	3.06.2006
C. 80	Final Articles Revision Convention, 1946 (No. 80)	3.06.2006
C. 81	Labour Inspection Convention, 1947 (No. 81)	3.06.2006
C. 87	Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	3.06.2006
C. 88	Employment Service Convention, 1948 (No. 88)	3.06.2006
C. 89	Night Work (Women) Convention (Revised), 1948 (No. 89)	3.06.2006

C. 90	Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)	3.06.2006
C. 91	Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91)	3.06.2006
C. 92	Accommodation of Crews Convention (Revised), 1949 (No. 92)	3.06.2006
C. 97	Migration for Employment Convention (Revised), 1949 (No. 97) <i>Has excluded the provisions of Annex III</i>	3.06.2006
C. 98	Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	3.06.2006
C. 100	Equal Remuneration Convention, 1951 (No. 100)	3.06.2006
C. 102	Social Security (Minimum Standards) Convention, 1952 (No. 102) <i>Has accepted Parts II to VI, VIII and X. Part VI is no longer applicable as a result of the ratification of Convention No. 121.</i>	3.06.2006
C. 103	Maternity Protection Convention (Revised), 1952 (No. 103)	3.06.2006
C. 105	Abolition of Forced Labour Convention, 1957 (No. 105)	3.06.2006
C. 106	Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) <i>The Government has declared that the Convention also applies to persons employed in the establishments specified in Article 3, paragraph 1.</i>	3.06.2006
C. 111	Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	3.06.2006
C. 113	Medical Examination (Fishermen) Convention, 1959 (No. 113)	3.06.2006
C. 114	Fishermen's Articles of Agreement Convention, 1959 (No. 114)	3.06.2006
C. 116	Final Articles Revision Convention, 1961 (No. 116)	3.06.2006
C. 119	Guarding of Machinery Convention, 1963 (No. 119)	3.06.2006
C. 121	Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)	3.06.2006
C. 122	Employment Policy Convention, 1964 (No. 122)	3.06.2006
C. 126	Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)	3.06.2006
C. 129	Labour Inspection (Agriculture) Convention, 1969 (No. 129)	3.06.2006
C. 131	Minimum Wage Fixing Convention, 1970 (No. 131)	3.06.2006
C. 132	Holidays with Pay Convention (Revised), 1970 (No. 132) <i>Length of holiday specified: 18 working days. Has accepted the provisions of Article 15, paragraph 1(a) and (b).</i>	3.06.2006
C. 135	Workers' Representatives Convention, 1971 (No. 135)	3.06.2006
C. 136	Benzene Convention, 1971 (No. 136)	3.06.2006
C. 138	Minimum Age Convention, 1973 (No. 138) <i>Minimum age specified: 15 years</i>	3.06.2006
C. 139	Occupational Cancer Convention, 1974 (No. 139)	3.06.2006
C. 140	Paid Educational Leave Convention, 1974 (No. 140)	3.06.2006
C. 142	Human Resources Development Convention, 1975 (No. 142)	3.06.2006
C. 143	Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	3.06.2006
C. 144	Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)	3.06.2006
C. 148	Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)	3.06.2006
C. 155	Occupational Safety and Health Convention, 1981 (No. 155)	3.06.2006

C. 156	Workers with Family Responsibilities Convention, 1981 (No. 156)	3.06.2006
C. 158	Termination of Employment Convention, 1982 (No. 158)	3.06.2006
C. 159	Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)	3.06.2006
C. 161	Occupational Health Services Convention, 1985 (No. 161)	3.06.2006
C. 162	Asbestos Convention, 1986 (No. 162)	3.06.2006
C. 182	Worst Forms of Child Labour Convention, 1999 (No. 182)	3.06.2006

ANNEX II: Organization chart of the Ministry of Health, Labour and Social Welfare of Montenegro

Outline of the organisational chart of the Ministry of Health, Labour and Social Welfare

