

Challenges for Organising and Collective Bargaining
in Care, Administration and Waste collection sectors
in Central Eastern European Countries

National Report on Collective Bargaining in Waste Management Sector in Serbia



Publisher:

Center for Democracy Foundation

Kraljice Natalije 70/II, Beograd

www.centaronline.org

info@centaronline.org

Design: Pozitiv MVP

October 2024

Funded by the European Union. Views and opinions expressed are however those of the author only and do not necessarily reflect those of the European Union or the Institute of Public Affairs. Neither the European Union nor the Institute of Public Affairs can be held responsible for them.

Table of contents

1. Introduction.....	4
2. General characteristics of the sector	5
3. Primary issues and challenges of the sector.....	6
4. Characteristics of organisations dealing with social dialogue	7
4.1 Challenges in the organisation of employees	8
4.2 Good practice in the organisation of employees.....	9
4.3 Characteristics of employers.....	9
5. Collective bargaining and other forms of social dialogue in the sector - characteristics	10
6. Analysis of the content of the Collective Agreement.....	10
6.2 Other forms of social dialogue.....	12
6.3 Impact of European social dialogue on the sector.....	12
7. Conclusions and recommendations	13

1. Introduction

The study encompasses companies, trade unions, and employees from the waste collection, treatment, and disposal sector. It is based on empirical data from relevant official sources such as the Statistical Office of the Republic of Serbia (RZS), competent ministries, and data held by trade unions in the waste collection, treatment, and disposal sector.

The study employs the desk method and qualitative method by selecting representative companies from this sector, from different geographical, economic, and cultural environments, specifically from Belgrade, Western Serbia, Šumadija, and Vojvodina. Particularly and purposefully, based on projected needs, requirements, and goals, six formal interviews were conducted, four with union presidents and two with enterprise directors¹. The interviews were conducted online and were specifically authorised in writing. Additionally, 19 informal interviews were conducted with union members in enterprises from the sector to obtain more comprehensive insight. The study also utilised the empirical method by using data and expert experience in the fields of labour and labour relations, social dialogue, and collective bargaining.

Conclusions and recommendations were prepared using the cross-analysis method, based on the six formal and 19 informal interviews conducted in the waste sector (described in more detail in the previous paragraph), as well as parts of the research and study by Demostat, and parts of the research and study by ASNS Union Education Center, that refer to collective bargaining and unions' and workers' situation in the waste sector.



¹ Names and information about participants in the interviews can be found at the end of this document.

2. General characteristics of the sector

The sector encompasses the activities of collecting, transporting, storing, treating, and disposing of non-hazardous and hazardous waste.

The legal framework regulating this sector includes the Law on Waste Management², Law on Environmental Protection³, Law on Packaging and Packaging Waste⁴, Law on Utility Services⁵, Law on Public Enterprises⁶, Employment Act⁷, Law on Occupational Health and Safety⁸, Waste Management Programme 2022-2031, the Rulebook on Preventive Measures for Occupational Health and Safety with the Use of Personal Protective Equipment⁹ and various other regulations.

Additionally, the National Waste Management Strategy of the Republic of Serbia is of vital importance, through which local governments are required to develop and implement their waste management plans.

There are a total of 3,805 enterprises operating in the sector, 3,181 in the field of non-hazardous waste and 624 in the field of hazardous waste. Of these, 1,226 are involved in waste collection, 1,482 in transport, 1,022 in storage, 706 in treatment, and 28 in waste disposal. The vast majority of these enterprises are state-owned, established by cities and municipalities. A smaller number are public-private partnerships. Currently, there is little involvement of multinational companies, the most notable being a waste processing plant in Vinča.

To operate in the sector, a waste management permit is required, which is issued by the Ministry of Environmental Protection which issued 2,458 permits; AP Vojvodina has issued 271 permits, and local governments have issued a total of 1,076 permits.

According to the latest published data from the Statistical Office of the Republic of Serbia in March 2024, there were 19,393 employees in the sector with an average net salary of RSD 82,829. This is 15% less than the average salary in the Republic, and a net median salary of RSD 60,000, which is 19% less than the median salary in the Republic. A significant number of employees, specifically those with lower qualifications, receive minimum wage, which is usually RSD 47,700 net.

A special characteristic of the workforce is that approximately 30% are Roma, and the sector predominantly employs workers with low qualifications who belong to the group of citizens living on the edge of poverty. Notably, immigrants do not yet work in this sector, as they do in construction or transportation.

Working conditions, occupational safety, and protective equipment, in particular, vary; in larger cities, particularly in Belgrade, they are at a satisfactory level, while in smaller and poorer municipalities in the east and south of the country, equipment is outdated, prescribed protective equipment goes unreplaced, and working conditions are unsatisfactory.¹⁰

2 Law on Waste Management, RS Official Gazette Nos. 36/2009, 88/2010, 14/2016, 95/2018 & 35/2023 link: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2009/36/14/reg>

3 Law on Environmental Protection, RS Official Gazette Nos. 135/2004, 32/2009, 72/2009, 43/2011, Decision of the CC 14/2016, 76/2018, 95/2018 and 95/2018 link: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2004/135/8/reg>

4 Law on Packaging and Packaging Waste, RS Official Gazette Nos. 36/2009 and 95/2018, link: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2009/36/15/reg>

5 Law on Utility Services, RS Official Gazette Nos. 88/2011, 46/2014, Decision of the CC 14/2016 and 95/2018, link: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2011/88/2/reg>

6 Law on Public Enterprises, RS Official Gazette Nos. 15/2016, 88/2019, and 62/2023, link: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2016/15/1/reg>

7 Employment Act, RS Official Gazette Nos. 24/005, 61/005, 54/2009, 32/2013, 75/2014, 13/2017, Decision of the CC 113/2017 and 95/2018 – authentic interpretation, link: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2005/24/1/reg>

8 Law on Occupational Health and Safety, RS Official Gazette No. 35/2023, link: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2023/35/2>

9 Rulebook on Preventive Measures for Occupational Health and Safety with the Use of Personal Protective Equipment, RS Official Gazette Nos. 92/2008 and 101/2018, link: https://www.paragraf.rs/propisi/pravilnik_o_preventivnim_merama_za_bezbedan_i_zdrav_rad_pri_koriszenju_sredstava_i_opreme_za_licnu_zastitu_na_radu.html

10 Interview

3. Primary issues and challenges of the sector

The entire sector faces numerous issues and challenges, ranging from systemic to seemingly marginal problems, such as the lack of protective gloves.

The green transition is not just a matter of government policies, strategies, and commitments but, above all, the awareness and daily behaviour of the population, which significantly impacts the challenges faced by enterprises in the sector. Serbia loses \$100 million annually due to insufficient waste recycling¹¹.

Significant modernisation efforts are being made in Belgrade. This includes the use of several electric and hydrogen-powered vehicles and efforts to implement new technologies in line with the green agenda requirements. In Novi Sad, Kragujevac, and Niš, similar efforts are being made. However, in smaller municipalities with smaller budgets, outdated equipment is used, with minimal protective measures and equipment, and without adequate health protection for employees and environmental impact, despite local governments being obliged to develop and implement their waste management strategies and plans.

A particular issue is the legal status of these enterprises, which is formally market-based but, in essence, highly dependent and reduced to a technical aspect. The reason for this is that all of the enterprises' policies are led by the founder, whether it be cities or municipalities. Local governments set service prices, usually significantly below the real cost and often below actual expenses, practically reducing the enterprise's operations to simple reproduction, leading social policy at the expense of both the enterprises and their employees. The number of employees is not determined by the scope of work but by the founder, and approval is required for each new hire, according to the Decree on Amendments and Supplements to the Decree on the Procedure for Obtaining Approval for New Employment and Additional Work Engagement for Public Fund Users, which extends this regime until 31 December 2026¹²; The founder also determines funds for employee salaries and any potential increases. Preferential users are determined, and numerous other decisions are made based on policy rather than economics. All this results in low income for enterprises in the sector, hindering development, the introduction of new technologies, innovations, and especially decent working conditions and employee wages. Exceptions are Belgrade and other large cities, but the issues and challenges are essentially the same for all.

Particular issues include the absence of professional management and party-based employment. Instead of professional management, these enterprises are run by party appointees who often lack basic competencies and are sources of corruption. Additionally, instead of hiring necessary production employees, who are chronically lacking and estimated to be about 20% less than needed, members of ruling parties in local government are employed, usually in management and administration, often without any professional competencies or real need.

This type of management creates significant issues in operations, efficiency, finances, technical equipment, development and investment opportunities, low wages, and employee health and safety. The social status of most employees is unsatisfactory, especially for those with the lowest qualifications, predominantly Roma, most of whom live on the poverty line.

Another specific issue is labour shortage. Numerous other jobs with similar wages are available on the labour market, such as in retail, which do not require physical labour as is the case in the waste management sector.

This is why 839¹³ workers are employed based on a contract on temporary and occasional jobs (Serbian: *privremeno-povremeni poslovi*) in the sector. Although these workers are employed based on the Employment Act¹⁴, they do not have the right to annual leave, union organisation, and other rights that regular employees have. On the positive side, in addition to the contracted compensation, they have the right to pension insurance, and the work period counts towards insurance years. They also have the right to health insurance.

11 Data provided by the Serbian Chamber of Commerce

12 RS Official Gazette No. 116/2023

13 Data from the Statistical Office of the Republic of Serbia for Q1 2024

14 Employment Act, Articles 197-202.

A positive aspect of this sector is the work, social inclusion and integration of Roma, providing opportunities for professional and social advancement, with more Roma taking on more complex and better-paid jobs¹⁵.

The main issues faced by employees in the sector are poor working conditions, often working in harsh and unhealthy environments, with limited access to protective equipment and outdated tools; low wages in the sector, significantly lower than the average wages in the Republic; irregular salary payments and delayed payments; a permanent shortage of workers, especially due to migration to EU countries; the sector predominantly employs older workers without the influx of young workers to replace them, as young people are not interested in working in this sector; many overtime hours without financial compensation; many employees are not adequately prepared for waste management work; insufficient education and training of employees and a lack of specialised programmes for further education and training. Another pressing issue is the minimal or zero involvement of employees in decision-making. Furthermore, another problem is the low societal valuation of these jobs.



4. Characteristics of organisations dealing with social dialogue

Social dialogue in the sector is conducted on a tripartite basis at the level of the Republic, the autonomous province (AP Vojvodina), and local governments. At the Republic level, social dialogue is conducted between representative unions for the territory of the Republic, representative employer associations, and the Government, represented by the Ministry of Environmental Protection. At the AP Vojvodina level, the participants in social dialogue are the Government of AP Vojvodina, representative trade unions, and representative employer associations. At the local government level, social dialogue is conducted between representative unions for the territory of the specific local government, employer associations, and representatives of the local government.

Within a company, social dialogue is conducted between the employer, typically represented by the director, and the representative unions within the enterprise.

Most often, social dialogue takes the form of negotiations for concluding collective agreements. It is less frequently focused on the adoption of important legal acts relevant to employees that affect their working and social status, determining employee redundancies, wage increases, addressing workplace bullying, working conditions for unions, or preventing strikes.

In the sector, there are about 3,500 registered unions, most of which are members of the four largest union federations: the Confederation of Autonomous Trade Unions of Serbia, the Association of Free and Independent Trade Unions, United Branch Trade Unions, and the United Trade Unions of Serbia 'Sloga', but there are also independent trade unions that are not members of any central trade union operating in the Republic of Serbia. These unions operate only in certain companies and are commonly called "in-house unions" (Serbian: *kućni sindikati*).

Trade union membership is free and voluntary, with approximately 70% of employees in the sector being union members. It is difficult to determine the exact number of members because employees often hold simultaneous memberships in multiple unions, mainly for financial assistance and other

15 Interview

benefits provided by the unions. Although it may sound anecdotal, it is a fact that due to multiple union memberships, there are often more union members than employees in these enterprises in the waste sector (this is not specific to the waste sector, but it is most common there). Employers are members of the Serbian Association of Employers, where membership is also voluntary, but it has significantly fewer members compared to, for example, the Chamber of Commerce.

4.1 Challenges in the organisation of employees

Freedom of union organisation is guaranteed by the Constitution of the Republic of Serbia and the Employment Act, while preventing union organisation is a criminal offense as established by the Criminal Code. The operation of unions does not require approval; however, registration in the Union Register is mandatory. Formally, there is absolute freedom for union activities, but in practice, trade unions and their members face numerous obstacles and challenges.

Workers, unions, and labour issues are marginalised, a situation significantly influenced by the state's systematic efforts to marginalise unions and unionism. This has resulted in employee apathy, reducing their status to precarious conditions and reducing social dialogue to a mere legal obligation, formality, and measure¹⁶.

Motivation for trade union membership has shifted from job security, protection of work dignity, fighting for greater rights and wages, and labour legal protection, to the social functions of unions, financial benefits, and solving immediate problems. Alarmingly, there is a lack of empathy for the issues facing colleagues, especially in cases of workplace bullying. Further, a reluctance to lawfully and collectively oppose rights violations or fight for better conditions and wages. Most union members tend to adopt a passive role, expecting others to fight for their interests. Young people, especially the educated, are uninterested in unions and have no desire to protect their rights in an organised manner¹⁷.

The membership fee, which is usually 1% of the salary, is a demotivating factor for union membership, along with doubts about the union's ability to resolve issues, fear of job or position loss due to union involvement, and personal animosity towards union leadership. Positively, nationality, religion, or social background do not motivate or influence employees' decisions to join unions¹⁸.

The general perception of unions has also been affected by their internal disunity, lack of readiness for minimal joint action, acceptance of a subordinate and dependent position, and a lack of energy and ideas that would make them an indispensable factor from the enterprise level to society at large.

Particularly in this sector, a significant issue in union organisation and operations is employers who, despite all legal regulations and declarative support for social dialogue, essentially try to minimise the work and influence of trade unions. The main reason for employers' reluctance to accept unions as social partners is a lack of understanding of the essence of social dialogue and an unwillingness to compromise, which involves delegating rights, responsibilities, and competencies. Often, unions are divided into favourable ones, over which directors and management have significant influence, and unfavourable ones, seen as open or covert enemies who can expose and demand accountability for all irregularities and abuses in the enterprise.

In those enterprises where social dialg exists working conditions and wages are much better.

However, this is not the result of a systemic approach to social dialogue but varies from one director to another, depending on the director's attitude and approach to social dialogue.

16 Interview, Research "Workers' Rights in Serbia" by Demostat, determination of the minimum wage by Government decision, the Social and Economic Council does not consider or give opinions on draft laws, lack of social dialogue in state enterprises, media underrepresentation of unions and workers' issues, especially on the public broadcaster RTS.

17 Research "Workers' Rights in Serbia," Demostat, Interview, experiences of the Autonomous Trade Union of Employees in organizing union actions, as well as in legal protection of employees

18 Interview, ASNS survey

4.2 Good practice in the organisation of employees

Despite all the shortcomings, trade unions are the largest and best-organised interest organisations for employees in Serbia. This particularly applies to trade unions and employees in the waste sector. In this sector, unions are virtually the only representatives and advocates for employees since employee councils, although provided for in the Employment Act, do not exist in any sector enterprise. Collective agreements, which have been concluded in all of these enterprises, are particularly significant for employees and serve as a classic example of good practice. Although limited in scope, these agreements provide employees with legal and material security and the opportunity to maximise their interests through the negotiation process. Furthermore, unions play a significant role in legal and labour relations. Additionally, almost all unions have their own funds to assist employees, commercial agreements for the purchase of goods and services under favourable conditions, and often provide additional health insurance for their members.



4.3 Characteristics of employers

Employers in the sector vary in size, technical and technological equipment, number of employees, willingness to engage in social dialogue, management competencies, social and corporate responsibility, and their significance and influence on local government. In large cities, especially Belgrade, due to their significant impact on the daily lives of citizens and the functioning of the city, the Public Utility Enterprise *Gradska čistoća* (City Sanitation) is one of the most important and largest municipal enterprises and the biggest employer. In smaller municipalities, however, despite the importance of their work, these enterprises are marginalised. Social dialogue occurs on two complementary levels: with the founder (local government) and within the enterprise itself (with management). Social dialogue at the local government level is usually conducted within the framework of communal services, as they share many common issues and interests. Thus, representativeness is first established for the level of communal services and then for the sector, where representativeness is not an issue due to the typically small number of employers. The local government is usually represented in social dialogue by the relevant secretary, less often by the mayor or municipal president, while trade unions are represented by representatives of the representative unions, typically the presidents of the branch unions. The employer in social dialogue is usually represented by the director, who, as needed, delegates authority to colleagues depending on the topic, with analyses and models prepared by the enterprise's expert service.

The most common form of social dialogue is during the conclusion of collective agreements, where the Employment Act mandates negotiations. Employers cannot avoid this type of social dialogue; otherwise, they would face sanctions and be unable to independently enact any general act regulating labour relations within the enterprise. This is the primary reason why collective bargaining is the main form of regulating labour relations in the sector.

5. Collective bargaining and other forms of social dialogue in the sector - characteristics

The most common form of social dialogue in the sector is collective bargaining. The greatest achievement of both legal regulations and the practice of social dialogue is the establishment and maintenance of collective bargaining and the conclusion of collective agreements as the primary means of regulating employer-employee relations. Collective agreements have been concluded for the territory of the Republic of Serbia, the Autonomous Province of Vojvodina, Belgrade, and other cities and municipalities. These agreements have been established in nearly 95% of enterprises and employers in the sector. In the concluded collective agreements, there is a legal hierarchy. The fundamental agreement is the Special Collective Agreement for Public Enterprises in Municipal Activities for the territory of the Republic of Serbia.¹⁹ This agreement can only contain the same or a greater scope of rights for employees than those determined by law. Next are the collective agreements concluded for the territory of the local government, which can also only contain the same or greater scope of rights for employees than those established by the Special Collective Agreement at the Republic level. Lastly, there are collective agreements concluded at the employer level, which can only establish the same or greater rights compared to the Special Collective Agreement and the collective agreement concluded for the territory of the local government.



6. Analysis of the content of the Collective Agreement

The subject of analysis will be three representative collective agreements: the Special Collective Agreement for Public Utility Companies in the Republic of Serbia, which applies to all employees and all employers in the sector; the Special Collective Agreement for Enterprises in Municipal and Housing Activities of the City of Belgrade, which applies to all employees in the sector within the territory of the City of Belgrade²⁰ and the Collective Agreement of the public enterprise Gradska Čistoća (City Sanitation) Belgrade²¹, Serbia's largest employer in the sector.

All collective agreements are concluded through a negotiation process that lasts up to 60 days. The process involves authorised representatives of representative unions, authorised representatives of employers, authorised representatives of the Ministry of Environmental Protection at the Republic level, and authorised representatives of the local government at the local level. All collective agreements, fundamentally, have the same content and regulate: the establishment and termination of employment, occupational safety, salaries and other employee benefits, working hours, holidays and leaves, occupational safety, and conditions for union work.

The Special Collective Agreement for Public Enterprises in Municipal Activities in the territory of the Republic of Serbia regulates the key rights of employees, the most important of which are: **the right to earnings**, including: base salary, elements for determining the base salary, job evaluation,

¹⁹ Special Collective Agreement for Public Enterprises in Municipal Activities for the RS territory, RS Official Gazette Nos. 30/2021 and 1/2024, link: <https://pn2propisi.net/?di=rp24101&dt=rp&dl=92440>

²⁰ Special Collective Agreement for Public Enterprises in Municipal and Housing Activities of the City of Belgrade, RS Official Gazette Nos. 117/2021 and 75/127/2021, link: <http://pn2.propisi.net/?di=rp250226&dt=rp&dl=96149>

²¹ Special Collective Agreement for the Municipal Public Enterprise Gradska čistoća Beograd, RS Official Gazette No. 76/2023, link: <http://pn2.propisi.net/?di=rp269246&dt=rp&dl=10448>

and increased earnings; **working hours**: defining the duration of working hours, work schedule, overtime, shift work, breaks, and rest periods during the workday; **rest periods and leave**: establishing the right to annual leave, paid and unpaid leave, sick leave, maternity leave, and leave for child care; **occupational health and safety**: stipulating measures for the safety and health of employees, mandatory training, and work tools and equipment; **solidarity assistance**: determining the cases and conditions for providing financial aid to employees in various social need situations, such as prolonged or serious illness of an employee or a close family member, procurement of medical aids, health rehabilitation, onset of severe disability, alleviation of the effects of natural disasters, and similar situations. It is particularly important to establish the possibility of providing one-time financial aid to all employees in the sector, with the limitation that it is granted based on available funds, which in practice creates significant issues and puts employees in an unequal position, as certain employees may not have the opportunity to access this right; **conditions for union work**: the employer is required to inform the union of all matters significant to the working and social status of employees. The employer must also provide the union with access to all information necessary for the protection of employees' rights and submit all documents related to work and organisation within the enterprise, as well as employee status. Special labour legal protection is provided for trade union representatives against dismissal, and the right to paid hours for union activities is also specified.

The Special Collective Agreement for Public Enterprises in Municipal and Housing Activities of the City of Belgrade applies to all employees and employers in the sector within the territory of the City of Belgrade. This collective agreement extends employees' rights beyond those guaranteed by law and the Special Collective Agreement for the Republic, and it also provides rights not established by law. These include: a higher percentage of increased earnings for work on a holiday that is a non-working day, set at 125% of the base compared to the legally guaranteed 110%; night work at 35% compared to the legally guaranteed 26%; overtime work at 30% compared to the legally guaranteed 26%; and, based on time spent at work, for each full year of employment, employees are entitled to an increased salary of 0.5% compared to the legally guaranteed 0.4%. Additionally, other bases for increased earnings not specified by law are established: shift work with an increase of 2%, work in two shifts (split shift) with an increase of at least 10%, work on Sundays with a 10% increase, and work outdoors at temperatures below -15°C or above +40°C with a 100% increase. The agreement also establishes a right to 70% compensation for sick leave instead of 65% as provided by law, the right to a jubilee award, payment of solidarity assistance, a higher severance pay upon retirement, longer annual leave, and longer annual leave for employees working under difficult conditions of over 30 days (the legal limit is 20 days).

It is particularly important to regulate the participation of employees in the management of the enterprise. Employees have their representative on the enterprise's Supervisory Board, and representative trade unions participate in the process of corporate status changes, especially ownership transformations, restructuring, public-private partnerships, and concessions of the enterprise.

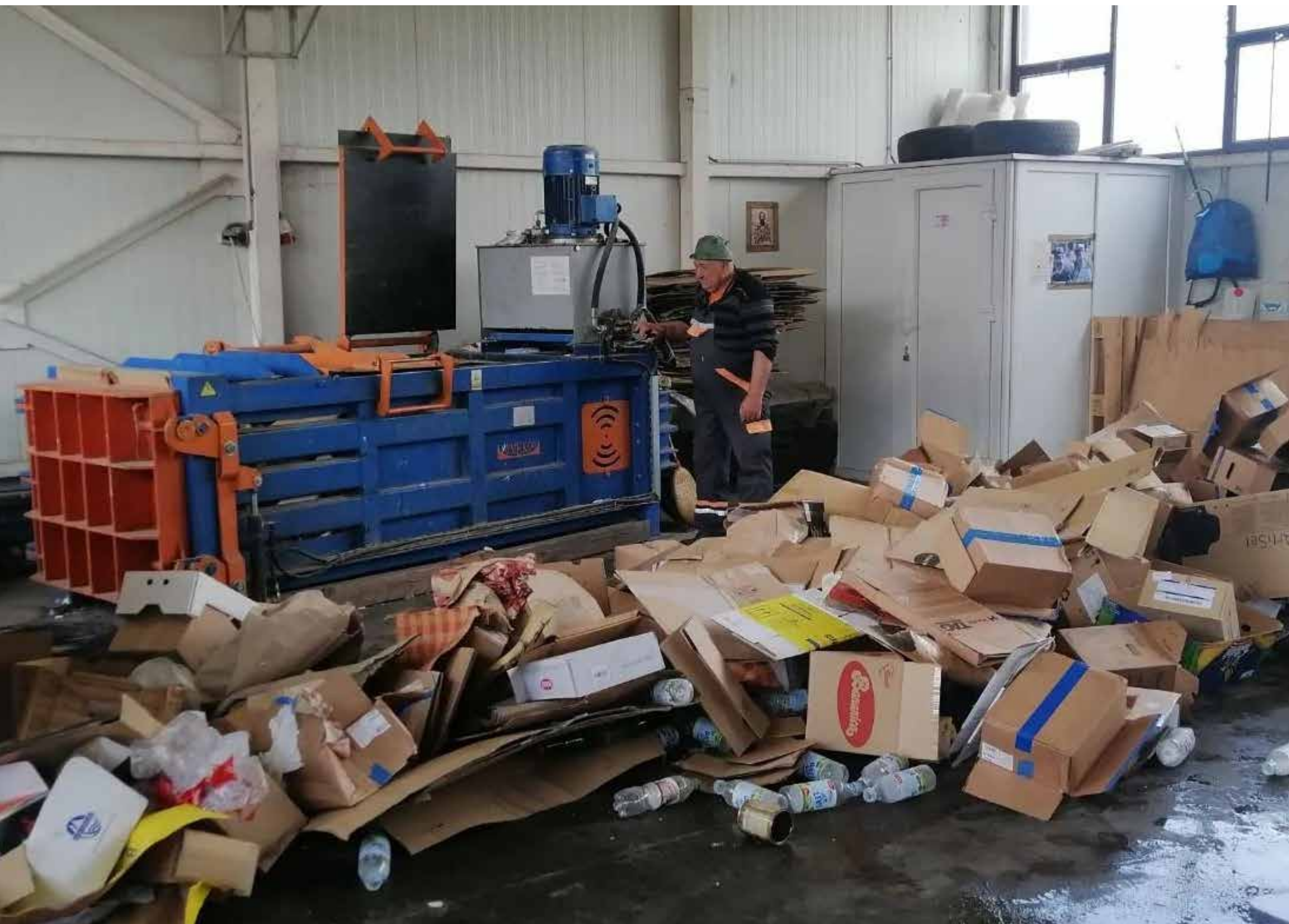
The Collective Agreement of the Public Utility Enterprise *Gradska čistoća* (City Sanitation) covers 2,700 employees at the employer PUE City Sanitation. The agreement was concluded between the founder, the City of Belgrade, the employer represented by the director, and the representative trade unions within the enterprise.

The Collective Agreement incorporates most of the provisions contained in the Special Collective Agreement for the City of Belgrade, but it also provides a significantly higher and more favourable level of employee rights concerning: higher percentages of increased earnings for overtime work, higher percentages of increased earnings for shift work, a greater number of paid leave days for employees, increased solidarity assistance and severance pay upon retirement, and, notably, specific funds designated for additional employee training and the prevention of work-related disability.

The most important feature of collective agreements at all levels in the sector is that they provide additional legal security for employees, and the greatest benefit of these agreements is the improvement of employees' working and social conditions by contracting a broader scope of rights compared to existing legal regulations, as well as clarifying specific issues that are not sufficiently regulated by law but are often subjects of dispute in practice.

6.1 Other forms of social dialogue

There is an institutional, formal-legal framework and mechanisms for social dialogue in the sector through tripartite social and economic councils at the local government level and employee councils at the employer level. However, in practice, these social and economic councils, if they are even established, are completely passive, and the employee councils in enterprises, which are envisaged under the Employment Act as advisory bodies that provide opinions and make decisions on employees' economic and social rights, simply do not exist. Some forms with elements of social dialogue are conducted through public consultations, primarily on environmental protection issues, or at round tables. Additionally, in a broader sense, social dialogue is also carried out through the institute of arbitration and mediation in labour disputes, as well as through the work of the Occupational Health and Safety Committee, which, according to the law, exists in enterprises within the sector and which the employer is required to consult on matters related to the occupational health and safety of employees.



6.2 Impact of European social dialogue on the sector

Social dialogue in the EU, which includes the presentation and realisation of civil society interests, is practically non-existent within the sector. Certain elements occasionally arise through public consultations on environmental issues or spatial plans involving waste disposal, or through expert discussions. The influence of good practices from European social dialogue is minimal, and although recommendations are available with a bit of effort, they are not promoted and are sparsely utilised, if at all.

7. Conclusions and recommendations

The general and unequivocal conclusion is that the state of social dialogue in the sector is unsatisfactory. Apart from verbal and formal interactions, there is little willingness from local authorities and employers to engage in a partnership and substantive social dialogue. Collective bargaining is an exception, but even this process is more compelled by legal frameworks than by a genuine willingness to arrange relations consensually and amicably.

There are numerous causes for this, but the predominant issue in the sector is the high level of politicisation within enterprises, which affects all aspects of operations, particularly the relationship between employers and trade unions, and effectively blocks any form of social dialogue other than that which is coerced. On the other hand, although there is undeniable willingness for social dialogue and support from employees to represent their interests, trade unions struggle to agree on joint actions.

Positive aspects include that the legislative framework regulates and favours social dialogue as the primary means of organising and regulating relationships between employers and employees. Collective agreements have been concluded in 95% of enterprises in the sector as a result of negotiations and reached agreements, and there is no discrimination in trade unions or among employees in any form, including religious, national, or personal characteristics²².

To improve social dialogue in the sector, numerous systemic changes are needed, but foremost, there must be a shift in awareness and understanding of the importance and numerous benefits that social dialogue brings to all participants, from employees to employers and the local community, as well as the significant role it plays in and contribution to social cohesion.

Firstly, it is essential to completely depoliticise public enterprises and minimise or eliminate the influence of ruling political parties at the local government level on the business and other policies of the enterprises.

In addition to other benefits such as the potential for higher earnings, market-oriented business practices and the professionalisation of management would create better working conditions. This includes respect for the dignity of employees and the work they do, conditions for a more independent and responsible approach by directors and management to social dialogue.

It is positive that the newly enacted Law on the Management of Enterprises Owned by the Republic of Serbia²³ represents a guideline for the professionalisation of the management of public enterprises, which also serves as a roadmap for future changes in the management of enterprises in the waste management sector.

It is especially important to address the issue of the relationship with social dialogue and the understanding of its significance and the non-conflictual resolution of issues. The government and local authorities must move beyond mere proclamations and formalities to focus on the substance. This involves promoting and, above all, establishing social and economic councils that include not only social partners but also third-party interests through the non-governmental sector, highlighting their importance to the community, and actively participating in their work to establish social dialogue as not just a legal obligation but a real necessity and the best way to understand and resolve conflicts and foster social understanding and cohesion.

Improving social dialogue also requires at least a minimum of unified approach and actions by trade unions to enhance their negotiating power, competence, and influence at all levels in the sector. Opportunities for this are real if the issue of representativeness and the privileges it confers are relativised. Trade unions need to modernise their operations, primarily through more attractive, ambitious, and intensive promotion of unionism, especially on social media, and to approach employees, particularly younger generations, in a new, clearer, and more accessible manner.

Furthermore, rather than ignoring or denying the role of employee councils, which are fully utilised by enterprise management, these councils should be the initiators of forming employee councils as a complementary and fundamentally important mechanism for presenting, promoting, and achieving employees' interests.

²² Interview, ASNS survey

²³ Law on the Management of Enterprises Owned by the Republic of Serbia, RS Official Gazette No. 76/2003, link: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2023/76/2/reg>

Interviews have been conducted with:

Simo Blagojević, President of ASNS - Sectoral Trade Union of Municipal Services;

Slavko Radujković, Head Representative at ASNS – Public Utility Enterprise PUE Čistoća (Sanitation) Nova Pazova;

Vesna Arsenijević, Head Representative at ASNS - PUE Lazarevac;

Zoran Milošević, Head Representative at PUE Čistoća (Sanitation) Lajkovac;

Goran Vraneš, Director at PUE Čistoća (Sanitation) Stara Pazova;

Dušan Kuzmanović, Director of the Public Utility Enterprise - Vidrak Valjevo.

Interviews are authorised.

A further 19 main representatives were interviewed on specific issues.



COLLECTIVE BARGAINING