



## KONFEDERATA E SINDIKATAVE TË SHQIPËRISË CONFEDERATION OF THE TRADE UNIONS OF ALBANIA

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*Tirana, on 08.04.2020*

Honored Mr. Ruçi!

Honored Mr. Rama!

Honorable Members of Parliament!

The Confederation of Trade Unions of Albania as an important chain in the public, social, economic life of the country is following with concern the created situation from COVID-19 Pandemic and is giving its contribution to cope this situation.

We have better understood, supported and followed the implementation of the recommendations and measures taken by the government for the workers and to all citizens of the country.

KSSH has shown solidarity with the measures of socio-economic supportive character for the workers, unemployed, pensioners and the vulnerable groups. We are disappointed about the non-inclusion of the two National Trade Unions of the country in the Inter-Ministerial Committee of Civil Emergencies, excluding from inclusion unlike what happened with other actors as business organizations, employment organizations or civil experts.

This has not happened in any other country of the EU, or in our region. We express confidence that in the law approved by the Parliament of Albania, especially for this situation, this will be regulated.

KSSH thinks that the shortage of a national specific law "For the extraordinary situation" has made the situation difficult and stakeholders, especially unions as the only legal representative for employment has made the fact done regarding the government.

The last one has managed the situation through decision-making from the government with instruments and normative acts that has given the power of law.

Article 81 of the Constitution of the country in point "DH" of it obliges the Parliament of Albania for the adoption of such a law. Starting from this, but also from the Prime Minister's Declaration "until April 15, will be fulfilled the legal framework of the State of Emergency" as well as from some cynical and not dignified requests of some business organizations, including even "American Chamber of Commerce" (which require monthly salary € 100 for workers).

KSSH urge to Parliament and Government: Urgent Approval of the law "On the Extraordinary Situation created by Covid-19 Pandemic". This law for more consulting and more productivity for job protection to seek. Let it has all details set clearly to re-regulate the new relationship that the Covid-19 situation has created, especially for employees.

This law must necessarily maintain economic, health and social balances between all parties in terms of restricting constitutional rights during the period of prolonged state of emergency. In addition to possible changes to the Criminal Code, the Road Code should be considered urgently replenished with legal acts in the Labor Code.

Specifically, Article 123 of the Labor Code, which deals with "Inviolable Wages", Point 1 defines that "Shall be considered as intangible wage in a certain measure to ensure the livelihood of the employer and his family members".

KSSH requests its completion in accordance with point 3 with a special DCM in the absence of a court decision that: "Intangible wage can not be deducted below the official minimum wage" this as a necessity to cover the living, personal and family expenses of the employee in an emergency.

This obligation also comes from the obligation to implement ILO Convention C 173, "On the protection of workers' claims" in 1992 and also Directive 208/94 / EC, "On the protection of employees in case of insolvency of the employer" signed by our country, which protect the employee and guarantee him intangible wage.

Article 129 of the Labor Code which deals with "Reasons for refusal to give work". The implementation of its Point 3 must be completed, which deals for the reasons of refusing to provide work that in this case are from the major force outside the will of the employer. Who? How? and how will employees be paid ..? But always no less than the official minimum wage.

Even Article 134 of the Labor Code also requires a specific DCM when work is terminated due to extreme climatic reasons. This decision must specifically include the rights of employees closely related to the specifics of Article 129 of the Labor Code.

KSSH expresses its conviction that these legal shortcomings will be met and this will be a higher security coefficient for the protection of all Albanian workers in this extraordinary situation and will create breath for business and government, so that they become more

responsible for liabilities to employees who are most exposed to the consequences of the situation with Covid-19.

KSSH expresses its solidarity and encourages all political and social actors to increase cooperation and solidarity in successfully coping with the extraordinary situation created by the pandemic of Covid-19.

General Assembly of KSSH

President of KSSH

Kol Nikollaj