

POLICY PAPER

**INITIATE A CHANCE
FOR ALL:**

**FAIR ACCESS TO
OPPORTUNITIES
FOR ALL UNEMPLOYED
PERSONS**



USAID
FROM THE AMERICAN PEOPLE



National Youth Council
of Macedonia

Public Policy
Paper

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OPPORTUNITIES FOR
ALL UNEMPLOYED
PERSONS**

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National Youth Council
of Macedonia

ABOUT NYCM

The National Youth Council of Macedonia is a platform that represents the interests and the needs of young people as a link among all stakeholders ensuring inclusion and active participation of young people in the decision-making process at all levels. NYCM was founded on June 29, 2013 by 55 organisations.

NYCM is a representative body of the youth organisations in North Macedonia. The Council unites unions, youth organisations, youth divisions of other organisations for the purpose of promoting and advocating for young people and their rights in the Republic of North Macedonia.

The membership of the NYCM is diverse, bringing together organizations working at national and regional level, in rural and urban areas, student organizations, branches of international organizations and other types of organizations. In the process of achieving their goals, NYCM represents the interests of young people in the Republic of North Macedonia regardless of their social and economic status, gender, race, ethnic and cultural background, political and religious beliefs, sexual orientation, gender identity or any other type of difference.

ABOUT THE INITIATIVE

The initiative of the National Youth Council of Macedonia (NYCM) “Initiate a Chance for All” is part of the Programme for strengthening the civic participation in the legislative processes, led by the National Democratic Institute (NDI), with the financial support by the US Agency for International Development (USAID). The goal of the legislative initiative is to change the manner in which the unemployed young people (active job seekers) register at ESARNM, which according to the current Law on Employment and Insurance in Case of Unemployment requires to report in person at the Agency every 30 days.

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LIST OF ABBREVIATIONS

ESARNM - Employment Service Agency of the Republic of North Macedonia

YG – Youth Guarantee

LEICU - Law on Employment and Insurance in Case of Unemployment

NYCM - National Youth Council of Macedonia

eID – electronic identification

NDI – National Democratic Institute

INTRODUCTION

After completing their education, all young people, before joining the labour market register at the Employment Centres of the Employment Service Agency of the Republic of North Macedonia (hereinafter: ESARNM). It is an administrative procedure that each person undergoes in order to be registered as an unemployed person, and thus acquiring certain set of rights and opportunities. This procedure is regulated with the Law on Employment and Insurance in Case of Unemployment.

According to Article 59-a from the Law on Employment and Insurance in Case of Unemployment, "The unemployed person is obligated to report in person at the Agency every 30 days and to prove that they have been actively looking for a job in the course of the past month, while other persons looking for a job every six months."

Pursuant to the quoted article the registration in person causes difficulties for the young people and institutions, especially in regard to:

- ◆ The limiting of the possibility to benefit from the inclusion in the Youth Guarantee measure, having in mind that the conditions for it envisage for the interested parties to be registered at the ESARNM for the first time in the current year and to actively confirm their status each month, otherwise they face being erased from the register.
- ◆ The registration process for all the unemployed at the ESARNM, who due to being uninformed or because of financial, geographic or other obstacles are not able to go and register in person at ESARNM's offices every 30 days.
- ◆ The unemployed records, which because of the current unemployed registration system, do not take into consideration the circumstance or the reasons due to which the job seekers failed to report at ESARNM within 30 days. It is utterly important to have valid and true figures and information in order for the public employment policies to be accurate, efficient and realistic.

Based on the above stated information, the National Youth Council of Macedonia proposes intervention in the text of the Law on Employment and Insurance in Case of Unemployment, believing that alternative mechanisms for registration and active job seeker status confirmation at ESARNM need to be introduced in order to upgrade the monthly registration system in a way that the concerned individuals would not be obligated to personally visit the Employment Centres every 30 days.

LEGAL AND INSTITUTIONAL FRAMEWORK

The current legislation

The national legislation of the Republic of North Macedonia, the process of registration, keeping records and erasure of job seekers from the records is regulated in the Law on Employment and Insurance in Case of Unemployment.

Article 59-a under Chapter 3: Manner of keeping records, registration and erasure of a person from the records, regulates this issue.

Article 59-a

The unemployed person is obligated to report in person at the Agency every 30 days and to prove that they have been actively looking for a job in the course of the past month, while other persons looking for a job every six months.

The unemployed person that has failed to fulfil the obligation from Paragraph 1 of this Article within 30 days after the expiry of the reporting deadline established in the individual employment plan, shall be erased from the unemployed records and could only reregister after a year, while the beneficiaries of rights based on their unemployment status shall lose those rights.

An unemployed person who has been sent by the Agency to an employer for an employment, and fails to report or refuses the employment for an adequate job in line with this law, or refuses a training, retraining or additional training for the purpose of employment shall be erased from the unemployed records and could reregister only after a year.

An unemployed person that fails to abide to the obligations from the individual employment plan shall be erased from the unemployed records and could reregister only after a year.

A person that shall not accept the training twice in the course of two years shall be erased from the unemployed records. An unemployed person that shall fail to inform the Agency about any changes that might have an impact on acquiring or losing rights, and an inspection authority found them working contrary to the law or if they refuse doing a community work, shall be erased from the unemployed records and could reregister only after a year. The inspection authority has a duty to report those persons in writing to the Social Welfare Centre and the Agency.

The unemployed person that shall be found by the inspection authority working contrary to the law is committing an offence.

Institutional practice

Due to the Covid-19 crisis at the beginning of 2020¹, on the 1 April 2020, the Employment Service Agency published a notification that the regular registration of the unemployed every 30 days or 6 months respectively (including of the beneficiaries of monetary compensation or financial social assistance) is halted for the duration of the adopted coronavirus protection related measures and that it would be justified.

The notification also stated that the persons who had been laid off at the time those measures applied, as well as those persons who need to register for the first time as unemployed could register at the competent Employment Centres.²

¹ The World Health Organisation declared the COVID-19 pandemic on March 11, 2020. The measures adopted by the Government of the Republic of North Macedonia for preventing the spread of COVID-19 are available at the following link: <https://vlada.mk/covid19>

² Web site of the Employment Service Agency of the Republic of North Macedonia: <https://www.vrabotuvanje.com.mk/Vest/6847/Soopshntenie-od-Agencija-za-vrabotuvanje/67/>

With this ESARNM has shown that certain modifications are needed in the manner the unemployed register. Still, with the introduction of this practice, and in the absence of the possibility for e-registration of the unemployed, the Agency finds itself deprived of a valid source of data about the number of job seekers.

NYCM'S EXPERIENCE WITH YOUTH GUARANTEE

Youth Guarantee is a set of governmental measures aimed at guaranteeing good quality services offered to young people for the purpose of employment, continued education, retraining, internship and training.

The Youth Guarantee the first time appeared as a model for in Finland and Scandinavia in the 1980s and 1990s. Over the years, one can see different variations of this model in different countries adapted to the nature and the different needs of their labour markets.

At the EU level, in 2012 the Youth Guarantee was included in the recommendations for increasing the employment among people younger than 25 in the member-countries, proposed by the European Commission upon a proposal by the European Council and the European Parliament.

The Republic of North Macedonia has been faced with high youth unemployment rate for decades. The current youth unemployment rate is 47.6%³ and it is the direct reason for the huge urge among the young people in Macedonia to leave the country, for their discontent and apathy.

The Government of the Republic of North Macedonia following the European practice in 2018 started with the implementation of the "Youth Guarantee" (YG) public policy aimed at providing the young people (15-29), who are not in education, employment nor training (NEET) job offers, continued education and training or internship for a period of four months after they become unemployed or after leaving school. The condition to be registered in the Youth Guarantee is to be registered at ESARNM for to first time, to be unemployed and without any engagement. The YG implementation plan consists of two phases:

³ Pg. 57, World Bank Group Western Balkans Regular Economic Report No.14 Higher But Fragile Growth 2018

- ◆ **PHASE 1** (2018-2019). In the course of the first phase the Government of the Republic of North Macedonia:
 - ◆ introduces policy reforms that are needed in order to ensure YG implementation;
 - ◆ maps the young people with no engagement and their needs, but also assesses the necessary investments for full implementation of the YG;
 - ◆ establishes partnerships to reach the unengaged young people;
 - ◆ expands the scope of the available services and programmes;
 - ◆ pilots the implementation of the Youth Guarantee in three pilot employment centres by implementing adequate employment measures and services on the labour market that coincide with the needs of young people that are not in education, employment nor training.
 - ◆ establishes a monitoring and feedback provision system in the implementation process.

- ◆ **PHASE 2** (2020-2022). The second phase from the YG implementation could begin only after the above described key policy reforms are introduced. It could be mainly used for adaptation of the institutional coordination mechanisms for strengthening the provision of integrated services from YG and YG implementation for all young people NEET (15-29) in the country.

The lead agency for this policy is the Ministry of Labour and Social Policy and it is implemented in partnership with the Employment Service Agency of the Republic of North Macedonia, the National Youth Council of Macedonia, as well as the Ministry of Education and Science (MES), the Agency of Youth and Sport (AYS), the Adult Education Centre (AEC), the Centre for Vocational Secondary Education (CVSE) and other institutions⁴.

⁴ Youth Guarantee Master Plan, (2018)

For that purpose, 2018 Youth Guarantee Master Plan and Action Plan were prepared, and a Youth Guarantee Coordinative Body was established consisting of representatives from the executive authorities and the NYCM.

Within the Youth Guarantee framework, the role of the NYCM has been to organise and provide services for engagement of the unengaged young people in the field and has helped them with the registration in the service provision system of the Youth Guarantee. Namely, it is a group of young people that encompasses long-time unemployed, young people that have just joined the labour market, people temporarily suffering from some disease, people with disabilities or just people taking a break from work or school.

Based on the experience from its work in the field, NYCM sees Article 59-a from the Law on Employment and Insurance in Case of Unemployment and its implementation as especially disadvantageous for the most vulnerable categories that at the same time are also the target group for the Youth Guarantee measure. Inside a month from its implementation 170 young people who registered for the Youth Guarantee, because of their failure to show up at the Employment Centres were erased from the records and from the Youth Guarantee. Some of those registered persons have not received an offer from ESARNM within the time framework envisaged with the Youth Guarantee (4 months after the registration at ESARNM). The most common reason for not reporting is the socio-economic position of these young people, the mistrust in the institutions and the inability to cover the costs for the trip to the Employment Centres, and this especially goes for those living in the rural municipalities or rural parts of the municipalities. The young people erased from the register of active job seekers lose their right to be part of the Youth Guarantee for two reasons:

- ◆ The Youth Guarantee provisions for the people to get an offer to join some measure within 4 months, and due to the very fact that they are erased only after a month they do not have an opportunity to get such an offer within the envisaged period of time;
- ◆ The Youth Guarantee could be joined by those who registered at the ESARNM in the current year, and the very fact that they would

be erased after the first month means that after being erased, they automatically lose this status.

The last annual report of the Employment Service Agency of the Republic of North Macedonia⁵, i.e. the 2018 report, the year when the implementation of the Youth Guarantee started, states that the “Success rate of the Youth Guarantee for 2018 is 41%.” The report does not state the reasons for this relatively low percentage, but we believe that if there were a different way of reporting available to the unemployed instead of in person and monthly, the success rate of the Youth Guarantee would be much higher.

In addition, the European Commission itself in its last progress report about the country published on May 29, 2019⁶, emphasises the importance of the Youth Guarantee. More specifically the report reads: “In order to enhance the functionality of the market economy, North Macedonia should primarily ... implement the youth guarantee in the whole territory of the country with an emphasis on underdeveloped regions.” This is another indicator how important it is to have a more efficient application of the youth guarantee, not only for improving the living standards, and in general, the living conditions for the young unemployed persons, but also in perspective for the euro-integration processes of the country.

⁵ 2018 ESARNM Annual Report, available at: <https://av.gov.mk/content/Dokumenti/%D0%98%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%20%D0%BD%D0%B0%20%D0%90%D0%92%D0%A0%D0%A1%D0%9C%202018.pdf>

⁶ Available at: <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf>

COMPARATIVE REGISTRATION MODELS IN THE REGION

Albania

The services provided to the unemployed in Albania by the competent Agency could be divided into three categories: information about vacancies; employment mediation; and career counselling.⁷ In Albania according to their Employment Agency's Platform the unemployed looking for a job should personally register at the employment offices that exist in each municipality, once a month or more frequently depending how many times they would be summoned by this institution. Every time they also need to bring the entire documentation, with all the job applications they have submitted in the course of the previous period.⁸ There is no available data about erasing job seekers from the records.

The e-platform (puna.gov.al) managed by the Albanian Employment Agency publishes the new vacancies and those interested can apply online. This option is available only to those who are electronically registered on the platform. In order for one to register on puna.gov.al and to use the services offered by the platform they need to complete a simple template with their personal information (name and surname, address and e-mail, date of birth, ID number, etc.). If they do it properly and successfully the unemployed individuals are accredited to log in to the portal with their e-mail. Once logged in to their account, the unemployed persons could add their CVs that significantly improves their chances to find a job. The puna.gov.al portal also offers a possibility to filter the active job listings according to occupation, location and date of publication. Even if one does not have an account, they can check the listings, but they will not be able to apply.

⁷ Source: <http://www.puna.gov.al/Sistemi%20i%20Sh%C3%ABrbimeve%20t%C3%AB%20Pun%C3%ABsimit.pdf>

⁸ <http://www.puna.gov.al/Sistemi%20i%20Sh%C3%ABrbimeve%20t%C3%AB%20Pun%C3%ABsimit.pdf>

We could not find any information on the Internet concerning sanctioning of persons who failed to report on time.

Bosnia and Herzegovina

According to the Rulebook on registration of unemployed persons in Bosnia and Herzegovina⁹, the unemployed are obligated to personally and regularly report at the Employment Agency, at least once within:

- ◆ 30 days, if they benefit from the right to monetary compensation and pension and disability insurance;
- ◆ 45 days if they benefit from the right to health insurance; and
- ◆ 120 days if they do not benefit from any rights in case of unemployment.

Article 5 from the Law on employment mediation and social insurance for the unemployed in Bosnia and Herzegovina¹⁰ lists the reasons why the Employment Agency would stop keeping records about the unemployed. The provisions in this law, as well as of the Rulebook on the unemployed records do not state anything about sanctioning persons who failed to report on time.

The organisational system of employment services follows the principle of Bosnia and Herzegovina's organisation, namely at a state level in the area of employment and labour there is a Labour and Employment Agency, at an entity level there are employment offices, and the employment services are organised at cantonal levels.¹¹

⁹ Rulebook on the unemployed persons records, Official Gazette of the Federation of Bosnia and Herzegovina No. 74/18 from 19.8.2018, available at: <https://fmrsp.gov.ba/?wpdmpro=pravilnik-o-evidencijama-u-oblasti-zaposljavanja&wpdmmdl=5038>

¹⁰ Law on employment mediation and social safety of the unemployed in Bosnia and Herzegovina, Official Gazette of Bosnia and Herzegovina, Nos. 41/01, 22/05 and 9/08, available at: http://www.upfbih.ba/uimages/DVADESET%20ZAKONA/Zakon20o20_posredovanju20u20zapoC5A1ljavanju20i20socijalnoj20sigurnosti20nezaposlenih20osoba.pdf

¹¹ Source: https://europa.ba/?page_id=664

In addition, at a cantonal level there are separate platforms that offer the job seekers adequate opportunities for employment, but the legal provisions for registration and status confirmation apply equally for all cantons.

Kosovo

In Kosovo, in line with the Law in registration and offering opportunities to the unemployed, job seekers and employers¹², it is envisaged for the citizens at the age between 18 and 64, who are not employed, or work part time or have been suspended from work, to register in the system of the Kosovo Employment Agency. In addition, the Agency offers a possibility for registration of minors, specifically individuals at the age between 15 and 18 and as such they have a special status in the system.

Each job seeker has a right to register in the system for online services from the Kosovo Employment Agency in order to be provided with employment mediation services. Registration via EARS – the registration system at the Employment Agency is done by creating a personal profile which looks like a CV. Then the job seekers have to use the new profile at least once in the course of 6 months. The Law does not provision a sanction for failing to comply with this obligation.

Those who are registered at the Kosovo Employment Agency are assisted in finding jobs, various trainings in their field of interest, information about all the vacancies according to their profile. This information is either provided by the Employment Agency or sent by e-mail.

In regard to the process of job seekers status confirmation, the persons registered at the Employment Office are obligated to report personally at least once in 3 months and to report to the Employment Office when they are summoned by the institution in order to be informed about the new opportunities and the labour market activities.

¹² GAZETA ZYRTARE E REPUBLIKËS SË KOSOVËS / Nr. 26 / 21 korrik 2016, PRISHTINË - LIGJI Nr. 05/L -077 PËR REGJISTRIMIN DHE OFRIMIN E SHËRBIMEVE PËR TË PAPUNËT, PUNËKËRKUESIT DHE PUNËDHËNËSIT https://aprk.rks-gov.net/sq-AL/Content/Documents?doctype=3&fbclid=IwAR32bs95bMKdEFjslZT6w5MSkjjDry6jNZPa5zN_Gsc2IMm1B14FdxE_S0

In line with the above stated law, if the unemployed fail to report at the Employment Office twice in a row they will be erased from the system, but they can reregister and there is no time limitation for that.

Slovenia

In Slovenia the job seekers register at the Employment Centre either at the place where they look for a job or where they live. The process of registration is done in the following manner:

- ◆ Electronically, via the PoisciDelo.si portal
- ◆ Personally, by reporting at the Employment Centre
- ◆ By post by mailing the completed registration application of the unemployed person or job seeker to the address of the Employment Centre
- ◆ Through an authorised representative who has a power of attorney to undertake certain actions or procedures on behalf of somebody else.¹³

Having multiple ways of registration results in a greater inclusiveness of all unemployed persons, enabling everybody to choose the manner in which they would meet their obligation to report.

The Slovenian Law regulating the labour market¹⁴ does not contain a provision about the deadline for the active job seeker to report at the competent centre and to confirm its status, but establishes that the unemployed person is considered to be actively seeking an employment if they actively implement the activities from the employment plan and they contact the Employment Service within 15 days after the deadline for

¹³ Web site of the Slovenian Employment Service, available at: http://english.ess.gov.si/jobseekers/registration_with_the_ess/register-of-the-unemployed

¹⁴ Law on labour market regulation, Official Gazette of the Republic of Slovenia, No. 80/2010, available at: <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/89477/102807/F-392019526/Labour%20Market%20Regulation.pdf>

conducting the last activity from the employment plan. The employment plan is a written agreement concluded between the unemployed person and the employment centre. In any case the law does not regulate the manner in which the person gets in touch with the Service – personally, by e-mail, post, etc.

In line with the above stated law a person actively looking for a job will be erased from the Employment Service's records only if they ask to be erased or if they have not been in contact with the centre at all for 6 months after their registration.

Serbia

The reporting at the employment offices in Serbia can be done only in person, at the National Employment Service offices depending on the applicant's place of residence.¹⁵

In case the job seeker fails to report at the Employment Office within 3 months there is a sanction in the form of prohibition to report in the next 6 months¹⁶. However, if the job seeker is late with the reporting there is an option to get in touch with their career advisor appointed by the Office to inform them about the reasons, because these sanctions are not that strict in all municipalities.

The unemployed are obligated to report in person at the National Employment Service in order to be informed about the employment conditions and mediation in accordance with the individual employment plan, at least once in three months, as well as every time they are summoned by the National Service.¹⁷

¹⁵ <https://beleske.com/sta-je-zapravo-cuveni-biro/>

¹⁶

¹⁷ Law on employment and unemployment insurance, Official Gazette of the Republic of Serbia, No. 36/2009, 88/2010, 38/2015, 113/2017 and 113/2017, available at: https://www.paragraf.rs/propisi/zakon_o_zaposljavanju_i_osiguranju_za_slucaj_nezaposlenosti.html

Montenegro

In Montenegro identically to the registration process in the Republic of North Macedonia the unemployed have to report personally at the Employment Agency's offices depending on the seeker's place of residence.

The unemployed person is registered in the register of unemployed persons at the Employment Agency according to their place of residence or stay. The unemployed persons are obligated to respond whenever summoned by the Employment Agency, and at least once in 45 days, in person in order to prepare for employment. They are summoned in writing or on the phone for which a written note is prepared. If the unemployed fail to report at the Employment Agency within the required period, they will be removed from the records. In this case the unemployed cannot reregister at the Employment Agency for 6 months starting from the day of their removal from the records.

The other job seekers are registered as other job seekers according to their place of residence or stay. The other job seekers report at the Employment Agency offices at least once in four months. The other job seekers are persons who are not considered unemployed and who can register at the Employment Agency in order to get advice and information about career development and employment management and mediation.¹⁸

However, what sets Montenegro apart from the others are the measure it has undertaken for the inclusion of the vulnerable groups in the employment programme. Hence, it is especially important to point out that one of the measures for achieving one of the goals of the Employment Agency of Montenegro for increasing the participation of Romas and Egyptians in the programmes of the active employment policies is the engagement of

¹⁸ Law on employment mediation and the rights in case of unemployment, Official Gazette of Montenegro, No. 024/19 from 22.04.2019, available at: <http://www.zzzcg.me/wp-content/uploads/2019/11/Zakon-o-posredovanju-pri-zaposljavanju-i-pravima-za-vrijeme-nezaposlenosti-2.pdf>

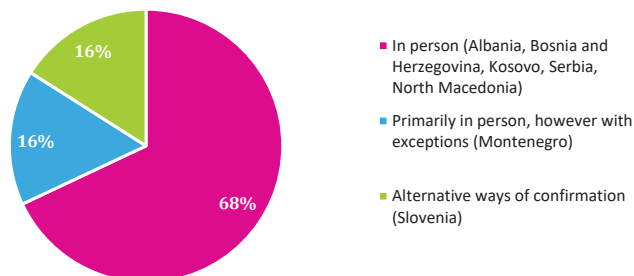
an associate for social inclusion of Romas and Egyptians in the process of employment i.e. an employment mediator.¹⁹

The role of the mediator is to work on the field, to go to the settlements where this target group lives in order to inform them about their rights, the role of the Employment Agency, the significance and the way the registration of the unemployed is conducted. The mission of this person also includes providing assistance in the process of registration at the Employment Agency, inclusion in the active employment policies as well as other programmes as well as encouraging diligence when it comes to registration, and providing direct assistance in the process of job seeking.

Graphic overview

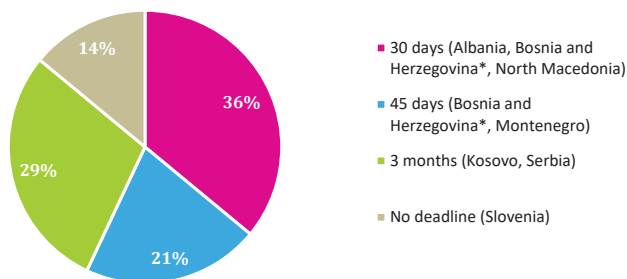
Based on the above stated information, the following charts provide an overview how many states in the region ask from the active job seekers to personally confirm their status, or offer alternative methods as well as what are the deadlines envisaged for such a status confirmation.

Chart 1: Manner of confirming the active job seeker status of the unemployed at the state employment services in the region



¹⁹ Akcioni plan za socijalnu inkluziju Roma i Egipcana 2017-2020, available at: <http://uom.me/wp-content/uploads/2018/01/Model-LAP-a-za-socijalnu-inkluziju-Roma-i-Egip%C4%87ana-2017-2020.pdf>

Chart 2: Deadlines for confirming the active job seeker status of the unemployed at the state employment services in the region



In regard to Chart 2, Bosnia and Herzegovina is included in both 30 days and 45 days categories having in mind that the deadline depends on the benefits they use from the state, i.e. 30 days, if they benefit from the right to monetary compensation and pension and disability insurance, and 45 days if they benefit from the right to health insurance.

CONCLUSIONS AND RECOMMENDATIONS

Based on NYCM's experience so far with the Youth Guarantee, the comparative experience of other European countries, as well as in the interest of all young people in the country there is a need to change the above stated Article in the Law on Employment and Insurance in Case of Unemployment, namely Article 59-a. We propose changes that could at least be used as an alternative, and in the best-case scenario in a cumulative manner. At the moment Paragraph 1 of the Article reads:

The unemployed person is obligated to report **in person** at the Agency every **30 days** and to prove that they have been actively looking for a job in the course of the past month, while other persons looking for a job every six months. "

We believe that the first registration at the employment centres should be in person by the person who's registering. However, in our opinion the law should be amended and should contain the possibility for the active job seeker status to be confirmed, apart by reporting in person at the ESARNM's employment centres premises also via other alternative ways:

- ◆ Electronic active job seeker status confirmation
- ◆ Active job seeker status confirmation by an authorised representative
- ◆ ESARNM's mobile teams to visit twice a month the settlements that are 10 or more kilometres away from the existing employment centre.

In the context of the global as well as the national public services digitalization efforts, we propose to introduce the possibility for the unemployed persons to report electronically. At the moment under "e-services" at the uslugi.gov.mk portal the "registration of an unemployed person" is not listed as an available service".

In this section there is a service called "Issuance of a registered unemployed person certificate", but even though this service is listed as e-service in the information about the service it is stated that the application with the

relevant supporting documents could be submitted at the office window, and that the document is “collected in person”. Furthermore, there is no information about the possible e-delivery of this service, with the exception of the information that in order to receive that service a low level eID is needed.²⁰

In addition, regarding the “Active Employment Measures” and “Employment Services” offered by the Employment Service Agency under “ways of service delivery” it is stated that they are collected in person, i.e. there is no option for e-delivery.

The e-confirmation of active job seekers status will significantly simplify and make the registration process for the economically frail persons, the unemployed young persons, especially those living in the rural areas, cheaper and will reduce the administrative burden for the people working at the employment centres (no more long lines of people waiting and tension caused by that, which could also pose a threat of spreading diseases like in the case of the Covid-19 pandemic). Certainly, this opportunity would be used in parallel with the existing one and each unemployed person would be able to choose what suits them best.

In line with the above stated options, we propose visits by representatives of ESARNM twice a month to the areas that are more than 10 km away from the nearest employment centre that would also ensure equal access for all citizens to ESARNM’s services. These visits would significantly improve the access for the most vulnerable categories to services that the Agency offers and would not expose them to additional costs.

²⁰ eID levels refer to the level of authenticity of the eID certificate in the process of registration and logging. SSO (Single sign-on) supports the following levels of eID. Basic user account – username and password; Low level of eID - username and password and High level of eID - username, password and digital signature certificate. In order to receive an e-service one needs to have eID at least at the level assigned to the service as marked in the public section of Portal.

A low level eID means that in the process of registration at a certain moment the physical identity was checked and confirmed with your personal presence by providing a valid ID and with additional checking and confirmation of your data in the Central Population Register (CPR). Based on your confirmed physical identity, your Low Level eID is created.

Low Level eID logging into the account means authentication with a username and password. This kind of logging is considered to have a low level of authenticity since it is possible for somebody to discover your username and password.

Source: uslugi.gov.mk

We believe that certain changes are also necessary in regard to the deadlines for reporting by the unemployed persons i.e. to be prolonged from **30 days to 3 months**. In accordance with the regional practice of three months, this will additionally help those living in the rural areas by reducing the financial burden and would encourage them to report regularly and use the measures offered by the agency. We recommend for the conditions for reregistration to be adapted to the programmes offered by the Agency.

Furthermore, due to the challenges that the Youth Guarantee beneficiaries face, we believe that it is important to provide a legal framework for this measure in the very same law.

For the purpose of increasing the fairness of the services offered to the unemployed, it is necessary to amend Paragraph 2 of the same Article, i.e. to shorten the period during which the unemployed persons who failed to report at the Employment Service Agency within 30 days are not allowed to reregister as unemployed. For the time being these persons are not allowed to re-register at the Agency for a year after they miss the deadline for reporting. Taking into account the particularities of this vulnerable category, and their need of institutional support, as well as the regional experiences, we propose this period of one year to be cut down to 6 months.

LEGAL SOLUTION

Based on what has previously been said, we propose certain interventions in the text of Article 59 of the Law on Employment and Insurance in Case of Unemployment. In our view the intervention should be as follows:

Article 59-a

The unemployed person is obligated to **report at** the Agency every **three months** and to prove that they have been actively looking for a job in the course of the past month, while other persons looking for a job every six months.

The unemployed person could report in one of the following ways:

- ◆ Electronic active job seeker status confirmation
- ◆ Active job seeker status confirmation by an authorised representative
- ◆ By reporting to the ESARNM mobile teams that visit the settlements that are 10 or more kilometres away from the existing employment centre twice a month.

The unemployed person that has failed to fulfil the obligation from Paragraph 1 of this Article within **three months** after the expiry of the reporting deadline established in the individual employment plan, shall be erased from the unemployed records and could only reregister after **six months**, while the beneficiaries of rights based on their unemployment status shall lose those rights.

Article 59-b (to be added)

The electronic active job seeker status confirmation is done on the web site of the Employment Service Agency of the Republic of North Macedonia (<https://av.gov.mk>).

Article 59-c (to be added)

The active job seeker status confirmation by an authorised representative is performed after the unemployed person authorises (gives power of attorney to) another natural person in accordance with the provisions from the Law of Obligations.²¹

Article 59-d (to be added)

The active job seeker status confirmation to the ESARNM mobile teams shall be performed only at the settlements that are 10 or more kilometres away from the closest employment centre.

²¹ Law of Obligations, Official Gazette No. 18/01, available at: <https://www.pravdiko.mk/wp-content/uploads/2013/11/Zakon-za-obligatsionite-odnosi-20-02-2001.pdf>

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