



TOMIĆ STEVIĆ DULIĆ

ADVOKATSKA KANCELARIJA

TSD NEWSLETTER

Advokatska kancelarija TOMIĆ STEVIĆ DULIĆ informiše o aktuelnostima u radu Kancelarije i u zakonodavnom rešenju RS / Die Rechtsanwaltskanzlei TOMIĆ STEVIĆ DULIĆ informiert über aktuelle Themen der Kanzlei und über den Rechtsrahmen der RS / The TOMIĆ STEVIĆ DULIĆ Law Office is informing about the actual activities of the Law office and the Law frame in RS / TOMIĆ STEVIĆ DULIĆ / Glavni urednik/
Chefredakteur / Editor-in-Chief / : Ljubica Tomić / Lektor/Lektor/Proof reader/ : Ivana Stojanović, Vojislava Katić,
Nevena Stević, Magda Braun / Br. 24/08

Carice Milice 3/II, Beograd, SCG, TEL/FAX +381 (0)11 3285.227, +381 (0)11 3285.208, +381 (0)11 3285.153, office@tomic-stevic.co.rs, www.tomic-stevic.co.rs

SPECIAL ISSUE – NEW MANDATORY APPLICATION OF THE GENERAL COLLECTIVE AGREEMENT

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GENERAL COLLECTIVE AGREEMENT BINDING ON ALL EMPLOYERS AS OF 1 JANUARY 2009

The Minister of Labour and Social Policy rendered a Decision stipulating that the General Collective Agreement shall apply to all employers in the territory of the Republic of Serbia.

This Decision, published in the Official Gazette of the Republic of Serbia no 104 dated 11 November 2008, lays down that all employers in the territory of the Republic of Serbia shall apply the provisions of the General Collective Agreement as of 1 January 2009.

In comparison to the Labour Law (the Official Gazette of the Republic of Serbia nos 24/2005 and 61/2005), the General Collective Agreement (the Official Gazette of the Republic of Serbia nos 50/2008 and 104/2008) increased and introduced new rights of employees relating to:

- Right to increased salary;
- Right to compensation of expenses;
- Right to compensation of salary during leave;
- Procedure for establishing redundancy;
- Procedure for cancellation of employment contract on part of employer in cases when employee fails to achieve performance, or does not have the required knowledge and skills to perform his or her tasks.

Some of the solutions introduced to the area of Labour Law by the General Collective Agreement shall be presented in this Special Issue of our Newsletter.

Gordana Stević Dulić, Attorney-at-Law
gordana.stevic@tomic-stevic.co.rs



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REDUNDANCY

The General Collective Agreement (Official Gazette of the Republic of Serbia nos 50/2008 and 104/2008) which shall be binding on all employers as of 1 January 2009 provides for the criteria for selection of redundant employees, as follows

1. performance;
2. financial situation;
3. number of the members of the household earning salary;
4. length of service;
5. health of the employee and the members of his immediate family;
6. number of children at school, where preference shall be given to the employees who have more children at school.

The criteria shall be applied in the above order.

Employer may not make redundant:

- a) female employee with a child of up to two years age, in cases where the total income per month as per member of the household does not exceed minimum salary;
- b) employee with a disability sustained at work;
- c) employee with a certain length of service established under employer's by-laws.

Ana Čegar, Lawyer
ana.cegar@tomic-stevic.co.rs