

Macedonia

By Vladimir Misev

I. Abstract

A total of 100 questionnaires were distributed and 60 were returned. In addition, 21 in-depth interviews were held, 6 with freelancers, 2 with non-government organization representatives, 1 with a representative of the trade union that represents journalists and the rest with typically hired workers in the media. Also, an analysis of the legislative framework was done.

A large number of the typically employed journalists surveyed had not signed individual labor agreements with their employers, and nearly 30% of the freelancers had worked more than 10 years in media without signing individual labor contracts with their employers. Of those with contracts, 41% did not think the contract would protect them from dismissal or unjust sanctions. More than half of the survey respondents were not happy with their salaries. The phenomenon of censorship and self-censorship is present in Macedonia to a high degree. The main obstacles to combating it are the owners who are well-known businessmen and the close relationship of the media with the political authorities in the state.

There is only one trade union in Macedonia representing journalists, and that one is not exclusively for journalists or for the mass media sector. Macedonian journalists are therefore not truly protected. Furthermore, social dialogue and tripartite relations are very weak in the mass media sector. Generally, there is a very little interaction between the Association of Journalists, the associations of employers and the union while at the same time, government institutions are not specifically interested in improving labor relations in the mass media.

II. Overview

The topic of labor relations in the media in Macedonia is largely unexplored as comprehensive analyses and research in this field are absent. There have been a few pioneering studies related to the media, but this issue still needs to be further researched in-depth. Although the situation with labor relations in the media is not alarming, particular attention by government and non-government organizations (NGOs) is needed.

The general framework for labor relations in Macedonia is set in the Constitution and International Labour Organization (ILO) conventions to which the country is a party. There is one law for labor relations specifying the norms that the media outlets and journalist have to obey. A general collective agreement has yet to be signed in Macedonia, nor is there a specific one for the media sector. There is one collective agreement between the management and workers of the Macedonian Radio and Television Station (MRTV), the biggest public media outlet in the country. However due to high debts, inefficient performance, overstaffing and the reforms that are under way, the implementation of this collective agreement is uncertain. The only trade union representing all employees in the mass media, not only journalists, employs only one person and actually covers four other areas beside the mass media. While it has members from different media outlets and action programs, the actual membership is not extensive, and capacities and resources are quite weak.

II. Legislation Regulating Labor Relations in the Media

The legislation covering labor relations in the media in Macedonia derives from the Constitution of the country, from the relevant ILO conventions and from the Law on Work Relations. There are no specific legal documents that apply to the media sector as such that have been enacted by Parliament or other institutions of the Government. Only one media outlet, publicly owned MRTV, has concluded a collective agreement between management and the employees. The privately owned media mainly do not have collective agreements for their employees, even though some of their employees are members of the only trade union dealing with the media sector in Macedonia. After the acquisition of the three daily newspapers (*Dnevnik*, *Utrinski Vesnik* and *Vest*) by the WAZ media group, a collective agreement was offered to the employees; however, only the journalists in *Vest* signed it while journalists working in *Dnevnik* and *Utrinski Vesnik* refused on the grounds that it was not in line with their interests.

Constitutional Provisions¹

"Humanism, social justice and solidarity" are among the founding values of the Constitution of the Republic of Macedonia adopted in 1991. They come right after "free market and entrepreneurship" in Article 8. Further on, Article 20 stipulates the "freedom of organizing for accomplishing and protecting the political, economical, social, cultural and other rights and beliefs." Even more concretely, in Chapter 2 titled "Economic, Social and Cultural Rights," Article 37 provides the right of the citizens to form trade unions to protect their economical and social rights. The unions can have different branches and be part of international trade union federations as provided in articles 32 and 34.

Article 32 stipulates, "anyone has the right to work, free choice of employment, protection during work and material compensation during temporary unemployment." Also the article provides equal treatment for employment opportunities, the right to fair compensation and the right to a vacation all to be specified in separate laws as well as in collective labor agreements. Article 34 gives citizens the right of social security and social insurance to be determined in a specific law as well as in collective labor agreements.

International Conventions²

The Republic of Macedonia has ratified numerous conventions of the ILO since the break-up of the Socialist Federative Republic of Yugoslavia (SFRJ) and has also taken on the responsibilities of the conventions that SFRJ had ratified prior to 1991, i.e., Convention 158 (stopping work on the initiative of the employer), Convention 98 (the right to organize and to conduct collective bargaining), Convention 142 (for the professional orientation and development of human resources) and many others. Most recently, on December 8, 2006, Macedonia became a party to ILO Convention 144

1 Constitution of the Republic of Macedonia,
([www.http://www.sobranie.mk/mk/default.asp?vidi=ustav](http://www.sobranie.mk/mk/default.asp?vidi=ustav))

2 Overview of Multilateral Relations, Ministry of Foreign Affairs of the Republic of Macedonia
(www.mfa.gov.mk)

(on the three party consultations for the improvement of the implementation of international standards for labor).

Law on Work Relations³

This law is the main legal document for employment and working relations in the Republic of Macedonia. It has 27 sections.

Part I. General Provisions (articles 1–12): The aim of the law is to include the workers in the work process with due respect for the freedom of labor, dignity and protection of the interests of the workers. It is a catch all that applies to all types of employment in all public or private organizations established in Macedonia. It prohibits all types of discrimination and sexual harassment, be they direct or indirect, including on the basis of membership in unions. If discrimination occurs, compensation will be awarded in an amount equal to up to five average monthly wages. In such a case, the employer carries the burden of proof that there were no illegal practices. This part also stipulates that no collective agreement can infringe on rights that are provided in the law; if there is such a case, the collective agreement should be considered null and void.

Part II. Employment Contract (articles 13–21): The employment contract should be in written form between the employer and employee, and both should have copies. The obligations for both begin on the day of signing. The contract can be for a defined or an undefined period of time, and the employer has to register the employee and pay the required social insurance fees (pension and disability funds, health and unemployment insurance). The lowest legal working age is 15 regardless of whether the person has Macedonian citizenship or not. The employer sets the employment criteria and has the freedom to choose the best qualified candidate who meets those criteria.

Part III. Rights and Obligations of the Parties when Concluding an Employment Contract (articles 22–29): Employers should publicly announce open positions and criteria for filling them and are responsible for interviewing candidates and checking references. Candidates should provide relevant evidence that they are the best suited ones for the position. The contract must contain a job description, the place and duration of work, the remuneration and vacation time.

Part IV. Obligations of the Employee (articles 30–39): The employee should respect the contract, obey work requirements and notify the employer of any substantial changes affecting his end of the agreement. The employee must not harm the interests of the employer and should preserve business secrets and not work for competitors.

Part V. Obligations of the Employer (articles 40–55): The employer should provide work and wages while protecting the freedom, dignity and privacy of the employee. The contract can be full time, part time or seasonal. In the latter two cases, the employee can work for different employers as long as there is no legal conflict.

³ Law for Work Relations, *Official Gazette of the Republic of Macedonia*, No 62/05, 28.07.2005

Part VI. Traineeships, Volunteering and Probationary Work (articles 56–69): Traineeships are provided within some professions regulated with laws or collective agreements; they can not last more than 18 months. At the end, an exam is taken to demonstrate full competence in the profession. Probationary work should be paid and cannot exceed six months. Volunteering is obligatory in professions in which an examination for a license to work is required.

Part VII. Canceling the Employment Contract when the Employer Fires the Employee (articles 70–104): Employees can quit willingly, but the employers need due reasons to cancel the agreement. The employer must first warn the employee of any breaches or violations and must then provide written notification. Firing cannot be on the basis of union membership, as a result of suing the employer due to a breach of the employment contract or because of allowed exemptions for personal or vacation purposes and other cases provided by law. Cancellations must be made at least one month in advance.

Part VIII. Wages (articles 105–115): Wages must be paid in legal currency and cannot be less than the agreed minimum in the collective agreement. They must be paid every month not later than the 15th of the following month. Other paid expenses include food, transport, work trips, field work, use of private cars, living separately from the family and death of the employee or family member.

Part IX. Working Hours (Articles 116–131): Full-time work cannot exceed 40 hours per week, but cannot be less than 36 hours per week. Overtime can be up to 10 hours per week at the request of the employer. It is paid as a bonus, but after 150 hours of overtime, if the employee does not have more than 21 days of absence from work, the employee receives up to one average salary.

Part X. Breaks and Vacations (articles 132–155). Breaks during the work day are from 15 to 30 minutes. Depending on whether the employee is full time, at least one day per week is a holiday. During the year, 20 to 26 work days are holidays if not stipulated otherwise in the collective agreement. Paid vacations of up to seven working days are possible for personal and family reasons, while unpaid leave cannot exceed three months in one year. An employee cannot lose a job because of injury, vocational training, professional education or election to public positions. Concerning training and education, the employer should provide paid leave and other forms of assistance that should be stipulated in a collective agreement.

Part XI. Compensation for Damages (articles 156–159): Both the employee and the employer should compensate each other for damages to the other party made either intentionally or accidentally.

Part XII. Special Protection (articles 160–171): This part provides protection of employees' positions during pregnancy and raising children. It is mainly intended for women but is applicable to both parents. Pregnancy leave is 9 months starting as early as 45 days into pregnancy and is compulsory 28 days before delivery.

Part XIII. Protection of Workers under the Age of Eighteen (articles 172–176): Workers under 18 years of age must not perform heavy physical work, work during the night or work longer than 40 hours per week.

Part XIV. Protection of Disabled Persons (articles 177–178): The employer is supposed to provide special conditions for disabled workers.

Part XV. Special Protection for Elderly Workers (Articles 179–180): Women over 57 and men over 59 cannot work overtime or during the night and have other protection as well.

Part XVI. Implementation and Protection of the Rights, Obligations and Responsibilities of Work Relations (article 181): The employee should first appeal to the employer about a breach of his rights. If a satisfactory answer is not received in 15 days, the employee can appeal to the courts.

Part XVII. Peaceful Resolution of Individual and Collective Work Disagreements (articles 182–183): Resolutions can be reached through a three-person council, through representatives of the employer and the employees and one chosen jointly or through arbitration if it is envisaged in the collective agreement.

Part XVIII. Unions and Associations of Employers (articles 184–202): Unions and associations are freely made on a voluntary basis, cannot be prohibited and are for protecting common interests. They are registered in the Ministry for Labor and Social Policy. They can merge with similar organizations or enter international federations. They have their own statutes with procedures for making collective agreements. Membership in a union may not jeopardize a worker's right for employment in any way. The unions can have representatives in the organizations where they have members who enjoy legal protection from dismissal while performing this duty.

Part XIX. Collective Agreements (articles 203–235): A general collective agreement should be made on a national level between the association of employers and representatives of employees. For a union to represent employees for negotiating a collective agreement it should have at least 33% of the employees as members. Agreements are made after negotiations between interested parties. They last for two years with possibilities for extension. Once concluded they are registered with the Ministry of Labor and published in the *Official Gazette*.

Part XX. Strikes (articles 236–245): Strikes can be organized by the unions or other workers' organizations after written notification to the employer. The courts can prevent a strike. During a strike, the employer can remove no more than 2% of employees temporarily but cannot fire any and has to pay wages and other social benefits.

Part XXI. Economic and Social Council (articles 246–247): This is a tripartite body consisting of the Government, unions and associations of employers aiming to improve and protect economical development with social protection. The Council can comment on existing regulations, advise state institutions and propose new solutions.

Part XXII. Working Abroad (articles 248–249): The employer can ask the employee to work abroad in a contract specifying the necessary details.

Part XXIII. Work of Children under Fifteen Years of Age, Pupils and Students (articles 250–252): Full-time employment for minors is strictly prohibited. They can

be engaged mainly in entertainment and arts on the basis of a contract for a certain paid period.

Part XXIV. Work Card (articles 253–255): Every worker has an ID with basic personal information that he/she gives to the employer for the duration of the contract after the work contract is signed.

Part XXV. Inspection Control in Work Relations (articles 256–263): The Ministry of Labor oversees that labor inspections fulfill the law and can be made in any organization at the request of employees, unions or employers. If employers do not respect the workers rights, they face fines of up to 150,000 dinars (about 2500 euros) or they are prohibited from operating for 7 days for the first offense and for 30 days for repeated violations.

Part XXVI. Sanctions and Penal Rules (articles 264–266): Employers face fines from 100,000 to 200,000 dinars (1600 to 3200 euros) for breaches of the law while unions or associations of employees can be fined from 50,000 do 70,000 dinars (820 to 1150 euros).

Part XXVII. Final Provisions (articles 267–273): A specific body regulating a part of the mass media sector is the Council for Radio Diffusion; however, it provides rules of a more technical nature and content for the electronic media. It does not deal with labor relations in the mass media. The Association of Journalists in Macedonia has enacted the “Code for Journalists” which provides the framework for performing the duties and obligations of a journalist in Macedonia. The Code strives to set best practices for professionalism and ethical standards in the profession and does not deal with the rights of the journalists.

In Article 8 of its statute, the Association of Journalists has included under goals and aims, "the protection and improvement of the freedoms, rights and responsibilities of journalists," and further in Article 10 that it will accomplish its goals through "cooperation with unions representing journalists in the Republic of Macedonia."⁴ However there is no concrete body or any procedure that would deal with labor relations in the mass media, their improvement or their protection. The list of duties for the administration of the association (the Assembly, Executive Board, President and Advisory Board) is more oriented to the work of the organization itself. Only a vague remark on regional representation is made under the duties of the regional sections, basically that they should take care of "the working and living conditions of journalists."⁵

IV. The Implementation of the Legislation in Practice

Of the 60 journalists who returned the survey questionnaires, around two thirds had signed contracts with their employers and the rest were freelancers. In all, 54% were male, and 83% were between the ages of 25 and 44. Most had worked more than 10 years in the profession (40%), while 30% had worked from 6 to 10 years and 26% had worked from 1 to 5 years. With respect to the type of media, 44% worked for

4 Statute of the Association of Journalists in Macedonia (ZNM), www.znm.org.mk

5 Ibid, Article 35 line 3.

newspapers, 36% for TV stations, 13% for radio stations and 7% worked in on-line media and news agencies. Seventy percent of the respondents were journalists and reporters, 30% were in managerial positions (editors and directors), 75% of the journalists were employed in private (national or international) media outlets and the rest were employed in public outlets.

The journalists strongly insisted on preserving their anonymity when providing data. This is because they were worried about retaining their jobs, but it also is an indication that owners' actions may be contrary to the provisions of the law and may further violate provisions in individual labor agreements. This could be one reason why only 60 out of 100 questionnaires were returned. According to informal contacts with journalists from some media outlets, they were advised by their chief editors or directors not to answer the questionnaire. According to these media outlets, answers to the questions could be given only at the request of official state authorities, not by NGOs. Such a low level of knowledge and understanding of the owners about modern needs for information, the research necessary to obtain it and the advantages of cooperating with NGOs clearly indicates the level at which employment standards are respected and the conditions under which Macedonian journalists have been working. According to the findings of the interviews, informal pressure on journalists is present to a significant extent.

An in-depth analysis of the questions related to contracts and working premises yielded the following results.

- More than 90% of the journalists worked on their employers' premises; in 60% of the cases the employer made the decision about the place of work.
- A total of 67% of the respondents had signed individual labor contracts with their employers.
- Around 45% of those agreements were for an indefinite period of time.
- With respect to protection from unjustified sanctions and dismissals, 41% did not consider the agreement they had signed offered protection, 35% thought the agreement did offer protection and 20% were not familiar with the guarantees in the agreement.

In conclusion, a large number of the journalists surveyed had not signed individual labor agreements with their employers and thus had no assurance of long-term employment or the benefits it brings and no formal obligations to or feelings of commitment and loyalty toward media outlet and its policies (Figure 1). Furthermore, of the journalists who had signed contracts, the majority (61%) were either not familiar with the provisions in the agreement or did not think it protected them from unjustified dismissal or groundless sanctions. One respondent who had been working in the same TV station for more than 14 years said he had never signed any agreement with the owner, "...in fact I have never heard that any of my colleagues have signed any detailed agreement with the owner. Some of them are signing very general contracts that don't guarantee them anything."

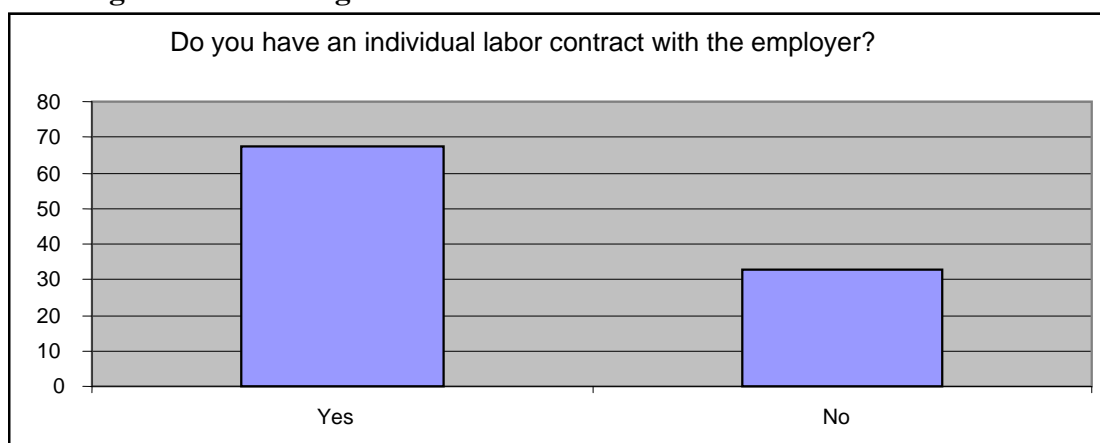
There is a trend among owners to hire freelancers to do most of the work. According to the interviews with freelancers, notwithstanding the fact that they are not regular staff employees, they perceive of themselves as having many more responsibilities

than regular employees. The only advantage of freelancing is that they are free to work for other media outlets.

Journalists' answers to the questions related to respect for basic labor rights indicated that in general, there were no serious violations. A closer look yielded the following results.

- In all, 13% of the respondents thought that employers usually didn't respect their rights concerning salaries while 11% thought that happened occasionally.
- Regarding working conditions, 30% believed that the owners violated their employment rights always or sometimes while 65% had the opposite opinion.
- A total of 40% thought that employers didn't respect the length of the working day by violating rest time.
- Most (around 70%) said that employers generally respected their rights related to annual vacations.

Figure 1: Percentage of Journalists with Individual Labor Contracts



Most violations of rights occur when journalists are assigned work that is not stipulated in their contracts. In two cases, respondents said there was discrimination based on national or sexual orientation.

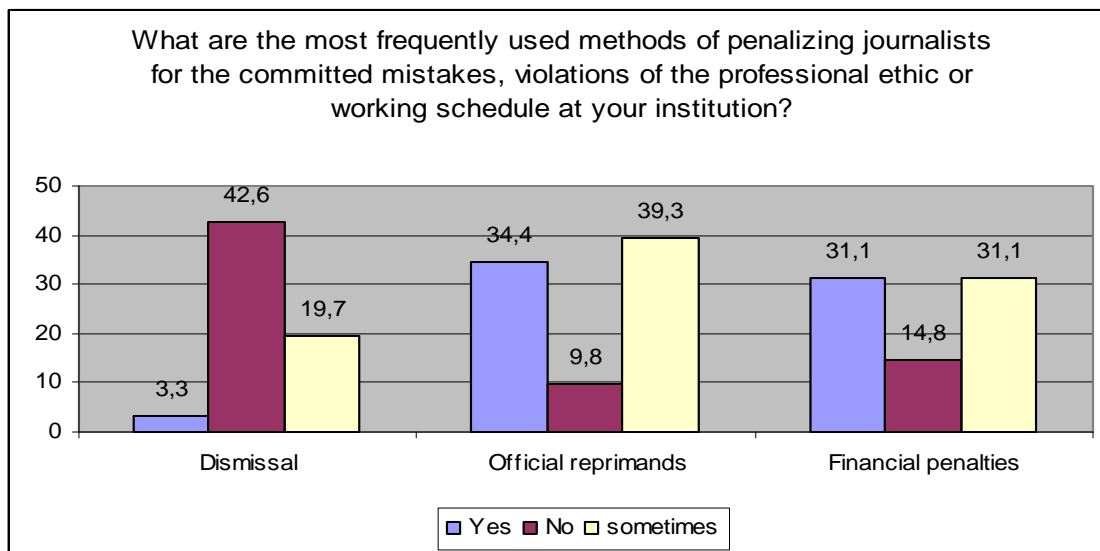
The overall perception is that journalists are not satisfied with their salaries. Most of them believed that their salaries were not indicative of the work they accomplished. An argument against this statement is that 54% of the respondents had incomes higher than the average salary in the country.⁶ According to the regional research study *Ethics and Journalism*, "There is a considerable number of journalists in Macedonia who perform some other function on top of their journalistic one, but that fact usually is kept a secret."⁷

The most frequently used methods of penalizing journalists for mistakes or violations of professional ethics or working schedules was official reprimands. Financial penalties were also common while dismissals were the exception (Figure 2).

⁶ The average salary in Macedonia is 14,000 dinars (around 230 euros).

⁷ Regional research study *Ethics and Journalism*, Media Centre, Belgrade 2005, p. 65.

Figure 2: Frequently used Means of Penalizing Journalists

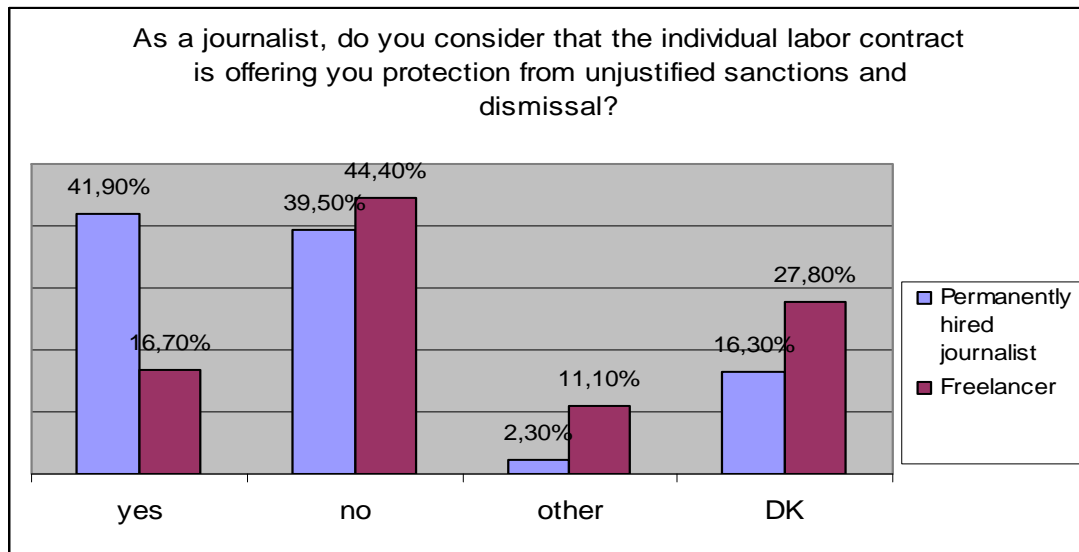


Differences between Typically Employed and Atypically Employed Workers

Altogether, 27% of males and 32% of females were freelancers, and most of them were younger than 35 years of age. None of the journalists with contracts had been working less than one year at their media outlets, but nearly 30% of the freelancers had worked more than 10 years in media without signing individual labor contracts with their employers. Of the workers in TV stations, 90% were regularly hired as were 70% of those in newspapers. In contrast, 60% of the employees in radio stations were freelancers and 100% of those in the on-line media were. Public media had the largest number of freelancers (33%) while in the private national and private international outlets, 30% and 22% respectively were freelancers.

On the whole, freelance journalists were less likely to think that employment contracts offered protection from unjustified sanctions and dismissal. It is also interesting that a significant percentage of both groups did not know (Figure 3).

Figure 3: Protection from Sanctions and Dismissal



DK= don't know

An analysis of both the questionnaires and interviews showed that the status of workers with contracts was better than that of freelancers. Freelancers interviewed said they did not have any job security and did not have benefits like health insurance, pension schemes or annual vacations. According to one freelancer working for a daily newspaper, “In Macedonia the status of freelancer doesn't have any advantages because the real price of the journalist's product, no matter what the status of the journalist, cannot be evaluated. Freelancers don't have any employment rights but do not have other options. As a freelancer it is almost impossible to survive if you don't have other sources of income.” A freelance TV journalist said,

There is a standard procedure that freelancers are to be paid last in the media outlets. If there is not enough money for all journalists, first regular staff journalists receive their salaries while the freelancers are first not to be paid for a job accomplished. Another important issue is that the owner can dismiss you or sanction you without any explanation.

With respect to the place of work, all the typically hired journalists worked on their employers' premises while the atypically hired have more options for choosing their work places.

Regarding violations of labor rights by the owners and methods used for penalizing journalists, the general conclusion is that journalists working in TV stations and newspapers are subject to more violations of their labor rights with respect to the payment of their salaries. The same journalists had the most complaints about their working conditions. TV journalists also cited a lack of respect by the owners about their rights to rest time during the day (23%) and violations on the length of their working days (32%).

Imposing financial penalties for mistakes committed is mainly used in newspapers and TV stations in contrast to radio stations and on-line media where official reprimands were most commonly used. Dismissals were used in the on-line media more frequently than in other types of media, which could be due to the fact that

100% of the employees are freelancers. In private national media, financial sanctions were more likely while in the public and private international media, official reprimands were more common. Only 5% of the respondents (all of them in private national media) said that dismissal was the most frequently used method for penalizing journalists (30% freelancers).

To sum up, workers in the media, no matter what their status (typically or atypically hired) experienced violations of their employment rights in an equal measure. In general, those violations were mostly connected with the payment of salaries and respect for the length of the working day. Additional information from the surveys is the following.

- All typically hired journalists worked on their employers' premises while one third of the freelancers surveyed worked at home.
- Freelancers had much more independence when deciding where they would work.
- The real length of the working week of typically hired journalists was much longer (very often more than 40 hours) compared to that of the atypically hired.
- The salaries of freelancers were much lower than the average salary in the country while those of journalists with contracts were higher than the average.
- Around 75% of the typically hired journalists benefited from health insurance, unemployment allowances or pension schemes; this was not the case for 83% of the freelancers.
- A significantly larger percentage of typically hired journalists decided on their own what they will write about.

V. Censorship and Self-censorship as an Effect of Labor Relations

The phenomenon of censorship and self-censorship is present in Macedonia to a high degree. There are numerous examples in everyday journalism that support this statement, yet most of the journalists who have been censured don't want to speak about it or insist on anonymity. The main obstacles to combating censorship or self-censorship in the media is the owners (they are well-known businessmen) on one side and close relations to the political authorities in the state on the other. For instance, the owners of Sitel and Kanal 5 (two national TV stations) are leaders of political parties while the owner of A1 (the most popular national TV station) had extensive support for his own campaign for parliamentary elections from his station. According to *Ethics and Journalism*,

In order for media to be able to survive financially, they have to be very careful not to criticize advertisers in a direct and open way ... issues that cannot avoid censorship ... and even 'commercial prohibition' and limitations on the freedom of information.⁸ Whole sentences are added to [journalists] stories or ... they are asked to sign already-made or ordered stories.

Notwithstanding the fact that most regularly hired journalists decide on their own what they will write about, there is a great deal of influence from their superiors.

⁸ Ibid, p.66.

More than 60% of the total number of journalists surveyed had been censured by their chief editors or employers. To the question, “Are you familiar with cases of imposing censorship on journalists?” one respondent from the NGO sector answered that he had never heard of journalists writing about anything related to the business of the owner of the media outlet, while in the words of another journalist, “The policy of the media is that editors always have the last word about the final product.”

VI. Journalists Trade Unions: Existence and Effectiveness

There is only one trade union in Macedonia representing journalists, and that one is not exclusively for journalists or for the mass media sector. GIFIH stands for the Union of Graphical, Information, Film and Publishing Industry and Production of Paper in the Republic of Macedonia. It is part of the Alliance of Unions in Macedonia (SSM) as one of the 17 branch unions. SSM with all of its branches, GIFIH included, is a legacy of socialist times. GIFIH has only one permanent staff member that undertakes responsibility for the five areas it covers as a, “...Union that coordinates the specific union organizations in the various areas.”⁹ Each area has its own board. The President of the Board of Journalists performs this duty on a voluntary basis while being a full-time employee in a daily newspaper. The tasks of the Union are the following: to negotiate with the owners; to provide free legal aid; to protect material, work, status and social interests; to improve working conditions; to improve conditions for wages and honoraria; to improve social and pension insurance and to provide free training in the protection of labor and union rights.¹⁰

The union is a legal entity, registered with the Ministry of Labor and has the competence to represent its members to the employers. All persons working in the mass media are eligible to become members in the union, so it represents technical personnel as well as journalists. The membership fee is set at 1% of the monthly wage; however, in order to become a member, workers first must have a “valid contract with an employer.”¹¹

There are no current figures for the exact membership in the union due to drastic changes during the transition period 1990–2005. At the beginning of 1990, however, “GIFIH had some 6,000 members of which some 10–15% were journalists.”¹² The membership up to 2003 decreased by 50% due to the closure of factories mainly in the publishing industry and also to the restructuring and later privatization of *NIP Nova Makedonija*, the state-owned print media outlet. An estimate based on previous statistics would be that 300–500 workers from the mass media sector are members of GIFIH, but they are not all journalists, and they come from various media outlets.

Most work at the publicly owned MRTV, however there are members who work for news agencies (Macedonian Information Agency), daily newspapers (*Utrinski Vesnik* and *Vreme*) and local radio and TV stations. There is no special collective agreement for the mass media sector, and only MRTV has one between management and the workers. It took a year and half to negotiate the agreement, but now the outlet is undergoing reforms due to its debts and financial crisis, so implementation remains

9 Interview with Milka Maneva, General Secretary of GIFIH (SSM), Skopje 20.08.2007

10 GIFIH brochure, “Who are we?”, SSM: Skopje 2007

11 Interview with Milka Maneva, General Secretary of GIFIH (SSM), Skopje 20.08.2007

12 Ibid

uncertain. The agreement covers the main responsibilities of the employers: minimum wages and indexes for calculating wages, working hours, obligations of employees and employer, overtime, breaks and vacations, dismissal procedures and workers' protection and special protection clauses following the framework of the Law on Work Relations.

GIFIH has prepared a written proposal for a special collective agreement for the media sector similar to the one with MRTV but points out that, "Further negotiations with employers and workers must be held to specify all of conditions."¹³ They have targeted potential negotiating partners, namely the Association of Private Electronic Media in Macedonia and the management of WAZ Group, as representatives of the largest employers but still have not made contact with them. Some members of GIFIH sporadically ask for assistance concerning their working relations. GIFIH tries to negotiate and persuade the employer if a breach is made, or when the need arises GIFIH advises the member to take legal actions and does so on the member's behalf. GIFIH representatives note that they have, "...a 95% success rate with legal actions against employers in mass media in cases when the workers had a valid working contract."¹⁴ However, they also note that most journalists do not have valid contracts and are sometimes threatened or are afraid to ask for assistance against their employers.

Other actions taken by GIFIH include training seminars for journalists on their labor rights and on trade union organizations working in partnership with a variety of different stakeholders. Also, GIFIH reacts whenever certain ILO conventions are not obeyed by asking for action by the Government. After 2001, rules for protecting and insuring journalists reporting on combat and conflict were enacted in Macedonia in line with international standards. GIFIH also aims to raise awareness among journalists and to expand its membership. A strategy for communication is being developed that is to be implemented in the outlets where they already have a branch organization.¹⁵

VII. Conclusions and Recommendations

As a result of the survey and legislative analysis, several main conclusions can be emphasized.

- The majority of journalists had not signed individual labor agreements with their employers.
- Of those with agreements, 41% did not consider that the agreement protected them from unjustified sanctions and dismissals.
- Most of the owners were hiring freelancers to do the main work of the media outlet.
- More than a half of the journalists surveyed were not satisfied with the salary that they were receiving.
- The predominant method for penalizing journalists for mistakes was official reprimands.

13 Ibid

14 Ibid

15 Ibid

Recommendations

- Enhance the membership of GIFIH, and create stronger interactions between the Association of Journalists and GIFIH.
- The Association of Journalists and GIFIH should engage in awareness raising of the need for trade unions for journalists.
- Start communications and negotiations between GIFIH and the largest employers in the mass media (MRTV, Associations of Electronic and Published Media in Macedonia, WAZ) for a sector collective agreement.
- The Association of Journalists and individual journalists should raise public awareness of the need for better regulated labor relations in the mass media as a necessary pre-requisite for improving the quality of coverage.
- Engage the Economical and Social Council to analyze labor relations in the mass media and give its opinion to the Government for improving the regulations where needed.
- Request an inspection of all media outlets to determine the current state of affairs and fulfillment of the provisions in the Law for Work Relations in the mass media sector.

VIII. Additional Reading

<http://www.setimes.com/cocoon/setimes/xhtml/mk/features/setimes/features/2006/03/09/feature-03>

<http://www.fes.org.mk/pdf/RABOTNI%20ODNOSI.pdf>

<http://www.usud.gov.mk/domino/WEBSUD.nsf/ffc0feee91d7bd9ac1256d280038c474/f1939e eb81193fd8c12572e9002d5539?OpenDocument>

http://www.seenpm.org/archive/download.php?file=00Business_Ethics_Introduction.pdf