

Social Dialogue mapping

Description scheme for country overviews

LATVIA

Sources:

- 1/ Eurofound Working Life Profiles <https://www.eurofound.europa.eu/country/latvia#actors-and-institutions>
- 2/ OSH WIKI https://oshwiki.eu/wiki/OSH_systems_at_national_level_-_Latvia
- 3/ ESENER-3 <https://visualisation.osha.europa.eu/esener#!en/survey/overview/2019>

Introduction on Social Dialogue in MS (1)

At national level, employers are represented by a single employers' organisation, the Latvian Employers' Confederation (LDDK) and employees are represented by a single trade union organisation, the Free Trade Union Confederation of Latvia (LBAS).

This representation is set forth in the Conception of Tripartite Cooperation that was approved in the Cabinet of Ministers in 1998, Statutes of the National Tripartite Cooperation Council (NTSP) and confirmed in a tripartite agreement among the Cabinet of Ministers, LBAS and LDDK, signed on 1 October 2004.

The rights and obligations of social partners are set forth in the Trade Union Law and The Employers' Organisations and Their Associations Law. Principles of representativeness in labour relations are set forth in Part Two of the Labour Law.

Trade Unions (1)

- **About trade union representation**

The Trade Union Law (Section 4) states that everyone has the right to establish freely a trade union, without any discrimination, and not to join a trade union. Section 8 of the Labour Law regulates trade union membership for working citizens. Employees and employers have the right to unite freely, without any direct or indirect discrimination and to join organisations to defend their social, economic and occupational rights and interests and receive the benefits provided by such organisations. Affiliation with the organisations or the desire to join such organisations may not serve as a basis for refusal to enter into an employment contract, for termination of an employment contract or for otherwise restricting the rights of an employee.

Some categories are excluded from the right to establish and to join trade unions. These are:

individuals who are not residents of Latvia; pensioners; unemployed; employees of the Constitution Protection Bureau, Defence Intelligence and Security Service and the Security Police; soldiers; border guards. However, working trade union members are not obliged to leave the trade union if their status changes to student, unemployed or pensioner. State police workers have their own trade union.

Section 16 of the law on trade unions (adopted in 2014) sets out that trade union interests at national level in relations with the Cabinet of Ministers must be represented by the trade union association that unites the largest number of workers in the country. Moreover, trade union interests in relations with the state and local government institutions at sector or profession level or at the level of the administrative territory should be represented by trade union that is member of the trade union association uniting the largest number of workers in the country. However, the law permits state and local government institutions to collaborate with other trade unions and their associations if necessary.

- **Main trade union confederations and federations**

LBAS affiliates that are the main trade unions at sector level are detailed in the table below.

Long name	Abbreviation	Members	Year	Involved in collective bargaining (*)
Latvian Trade Union of Education and Science Employees (Latvijas Izglītības un zinātnes darbinieku arodbiedrība)	LIZDA	30,475	2015	Yes
Railway Workers Trade Union (Latvijas Dzelzceļnieku arodbiedrība)	LDzA	12,623	2015	Yes
Trade Union of Health and Social Care Employees of Latvia (Latvijas Veselības un sociālās aprūpes darbinieku arodbiedrība)	LVSADA	11,516	2015	Yes
Latvian Trade Union of Public Service and Transport Workers (Latvijas Sabiedrisko pakalpojumu un transporta darbinieku arodbiedrība LAKRS)	LAKRS	6,556	2015	Yes
Seafarers Union of Merchant Fleet (Latvijas Tirdzniecības flotes jūrnieku arodbiedrības)	LTFJA	7,642	2015	Yes

Long name	Abbreviation	Members	Year	Involved in collective bargaining (*)
Trade Union Energija (Latvijas Arodbiedrība "Enerģija")	LAB Enerģija	3,618	2015	Yes
Latvian Industrial Workers Trade Union (Latvijas industriālo nozaru arodbiedrība)	LIA	3,402	2015	Yes
Communication Workers Trade Union (Latvijas Sakaru darbinieku arodbiedrība)	LSAB	3,144	2015	Yes
Trade Union of Employees of State Institutions, Self-governments and Finance Sector (Latvijas Valsts iestāžu, pašvaldību, uzņēmumu un finansu darbinieku arodbiedrība)	LVIPUFDA	3,163	2015	Yes
Forest Sphere Workers Trade Union of Latvia (Latvijas Meža nozaru arodbiedrība)	LMNA	2,142	2015	Yes
Latvian Trade Union Federation for People Engaged in Cultural Activities (Latvijas kultūras darbinieku arodbiedrību federācija)	LKDAF	1,934	2015	Yes
Trade Union of Commerce (Latvijas Tirdzniecības arodbiedrība)	LTAB	1,766	2015	Yes
Latvian Agriculture and Food Branch Trade Union (Latvijas Lauksaimniecības un pārtikas nozaru arodbiedrība)	LLPNAB	1,170	2015	Yes
Water Transport Trade Union Federation (Latvijas Ūdens transporta arodbiedrību federācija)	ŪTAF	1,434	2015	Yes

Latvian Road Workers Trade Union (Latvijas Ceļu darbinieku arodu apvienība)	LCDA	1,052	2015	Yes
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Long name	Abbreviation	Members	Year	Involved in collective bargaining (*)
Latvian Builders Trade Union (Latvijas Celtnieku arodbiedrība)	LCA	1,035	2015	Yes
Nursing and Health Care Personnel Trade Union (Latvijas Ārstniecības un aprūpes darbinieku arodsavienība)	LĀADA	1,022	2015	Yes
Trade Union of Local Governments (Latvijas Pašvaldību darbinieku arodbiedrība)	LPDA	789	2015	Yes
United Police Trade Union of Latvia (Latvijas Apvienotā policistu arodbiedrība)	LAPA	312	2015	Yes
Federation of Trade Unions of Civil Aviation (Latvijas Aviācijas darbinieku arodbiedrību federācija)	LADAF	272	2015	Yes

Employers' organisations (1)

- **About Employers' organisations**

Latvian legislation does not define rights, obligations or restrictions to membership of employers' organisations or associations. The law states that an employers' organisation is a public organisation established by at least five employers which represents and protects the economic, social and professional interests of its members, and other interests that conform to the objectives and functions of the employers' organisation. Members of an employers' organisation may be natural or legal persons who, on the basis of a contract of employment, employ at least one employee.

An association of employers' organisations may be established if at least three employers' organisations unite.

An employer who is not a member of an employers' organisation may also be a member of an association of employers' organisations if on the basis of a contract of employment he or she

employs at least 50 employees.'

Associations of employers' organisations that fulfil representation arrangements set by the Labour Law are eligible to represent employers at sector level negotiations. Individual enterprises that have the right to an employers' organisation are not eligible for sector level collective bargaining.

Despite good design of the representation system, it is rare for employers' organisations to be involved in collective bargaining, even if they are members of the national level employers' organisation LDDK.

LDDK strives to increase its membership, and there is increasing participation of such quasi-employers organisations (these are not employers organisations by law and do not participate in collective bargaining).

- **Main Employers' organisations**

LDDK is the most important employers' organisation, a single national-level employer representative, established exclusively for social dialogue purposes. It reports that its members employ 44% of the total number of employed in Latvia (in 2017).

The Latvian Chamber of Commerce and Industry (LTRK) represents employers at national level and participates in social dialogue, but is not an employers' organisation as stipulated by law.

Long name	Abbreviation	Members	Year	Involved in collective bargaining (*)
LDDK	LDDK	112 sector leaders –companies with more than 50 employees, 64 sector and regional associations and federations covering more than 5,000 enterprises in total, of which 3,036 are micro and small enterprises	2017	Yes

Social Dialogue on OSH (2)

- **General Remarks on Social Dialogue on OSH**

Latvia has established a system of social dialogue at all levels (national, sectorial and company) #[link to OSHwiki main category OSH in general, subcategory Social Dialogue, article title Social dialogue in OSH, article code RO-11-04-8]# but social partnership, as an instrument of regulation for industrial relations does not have long lasting traditions and real power. Most actively social dialogue is developed in areas like social and economic policy and relations between employers and employees and only seldom extends to occupational safety and health. Former trade unions from the Soviet Union have failed to achieve high representation rates and workers involvement. While employers organisations are relatively recent in development and are joining only small percentage of employers. Current research data (Working conditions and risks in Latvia 2009-2010 ^[12]) shows that

employees' involvement is relatively low and social level at company level is rather low. Survey data shows that only 8.8% of companies have elected workers representatives, 2.4% have trade unions and 6.9% have employee's trustees.

- **National level**

At the national level the system for social dialogue is formally well developed since 1998 when the National Tripartite Collaboration Council was established by the Cabinet of Ministers ^[13]. It functions as part of the State Office under direct supervision of the Prime Minister and comprises a working group consisting of members of the Cabinet of Ministers and state secretaries of selected ministries, representatives of the Latvian Trade Union Confederation (Latvijas Brīvo arodbiedrību savienība) ^[14] and representatives of the Employers' Confederation of Latvia (Latvijas Darba devēju konfederācija) ^[15]. The National Tripartite collaboration council has 8 sub-councils including council for labour issues.

The labour sub-council of the National Tripartite Collaboration Council works in accordance with their establishment regulations ^[16]. The main tasks of the labour sub-council is to promote collaboration of state, employers and employees in the area of occupational safety and health, legal issues of labour relations and equal opportunities in the area of labour rights. To achieve this sub-council has different functions including reconciliation of legal acts in the area of OSH.

Employers' organizations

The **Employers' Confederation of Latvia** (ECL) is the biggest organization representing the interests of employers and acts as a partner in socioeconomic negotiations with the Latvian Parliament (Saeima), the Cabinet of Ministers of Republic of Latvia and the Free Trade Union Confederation of Latvia. It currently unites 42 branch and regional associations and federations that represent significant number of Latvian employers. It is estimated that the Employers' Confederation of Latvia is joining around 35% of employees.

Main objectives of the ECL are:

1. To enhance effectiveness of entrepreneurship and employment development by taking into account the interests of society at large;
2. To promote strengthening and development of the Latvian employers and their organizations;
3. To enhance the growth of the Latvian employers, the development of enterprise culture and creation of favourable social conditions;
4. To represent and protect economic, social and professional interests of its members in conformity with the Law on Employers' Organizations and their Associations;
5. To represent and defend its members' interests in relations with trade unions, state and municipal institutions, as well as international employers' organizations;
6. To provide the ECL members with an opportunity to participate in discussion of issues of their interest at all government levels.

The **Latvian Chamber of Commerce and Industry** (Latvijas Tirdzniecības un rūpniecības kamera) ^[17] is a non-governmental, voluntary organisation uniting Latvian companies of different sectors. The aim of the organisation is to create favourable business environment, represent economic interests of Latvia's enterprises and offer business promotion services. The Latvian Chamber of Commerce and

Industry represents business interests through a dialogue with national and local governments and participates in the drafting of commercial legislation in Latvia. The Latvian Chamber of Commerce and Industry joins members from all economic sectors. Regional offices of the association are operating in 7 regional cities of Latvia.

Trade union organizations

The **Latvian Trade Union Confederation** ^[14] is a confederation currently joining 20 sectorial trade unions and is the largest non-governmental organisation in Latvia coordinating the collaboration between independent trade unions representing and protecting the interests of its members in national and international institutions. The Latvian Trade Union Confederation was established in 1990. The purpose of the Latvian Trade Union Confederation is to protect the interests of trade union members. The main principle of trade unions work is solidarity and joint coordinated actions of the affiliates. The confederation represents its members' interests and protects their rights in the socio economic field. The Latvian Trade Union Confederation together with the government and the Latvian Employers' Confederation works in the National Tripartite Cooperation Council. The Latvian Trade Union Confederation observes the principles of social dialogue in cooperation with the social partners and also participates in the elaboration of economic and social development programmes. Also in the evaluation of draft laws, in working groups on improvement of labour conditions, salaries, tariff policies, compulsory social insurance and social guaranties, healthcare as well as employment, vocational education and lifelong learning.

• Sectoral level

Social dialogue at sectorial level is not well developed in Latvia. As mentioned, both of the employers' organizations are representing employers of various sectors and to some extent are represented at regional level as well. The Latvian Trade Union Confederation ^[14] is more active at sectorial level. It has 20 different branch (sectorial) trade unions mostly uniting workers of particular sectors:

1. Federation of Trade Unions of Civil Aviation;
2. Nursing and Health Care Personnel Trade Union;
3. Trade Union of Construction Workers;
4. Road Workers Trade Union;
5. Railway Workers Trade Union;
6. Trade Union Energija;
7. Industrial Workers Trade Union;
8. Education and Science Workers Trade Union;
9. Trade Union Federation for People Engaged in Cultural Activities;
10. Trade Union of Agriculture and Food Industry Workers;
11. Forest Sphere Workers Trade Union;

12. Trade Union of Local Governments;
13. Trade Union of Public Service Employees LAKRS;
14. Communication Workers Trade Union;
15. Trade Union of Commerce;
16. Seafarers Union of Merchant Fleet;
17. Water Transport Trade Union Federation;
18. Trade Union of Employees of State Institutions, Self-governments and Finance Sector;
19. Unite Trade Union of Policemen;
20. Health and Social Care Workers Trade Union.

- **Enterprise level**

Social dialogue at enterprise level in Latvia is legally well established, but the practical implementation is lagging behind (see survey data above). General requirements on social dialogue are described in the Labour Protection Law ^[1] where definitions of terms like „consultations”, „representative of employees” and „trusted representatives” are provided. On the other hand legal opportunity for social dialogue is also foreseen by the Labour Law ^[2] providing opportunity for employees to elect representatives to protect their rights in the area of labour rights.

Current situation is providing good opportunity for workers to be involved in social dialogue but at the same time is rather confusing as there is confusion as there are various legal opportunities for social dialogue - the trade union representatives (trade union members working in particular company), representatives of employees (as referred to in the Labour Law) and trusted representatives (as referred to in the Labour Protection Law). In practice it could mean that within one company there could be both representation by trade union members and trusted representatives elected by workers.

Workers' rights to be represented are guaranteed for enterprises employing more than 5 employees and the general requirement is that more than 50% of workers shall be represented in the election procedure.

An employer is obliged to ensure the necessary means to the trusted representatives and grant them the time during working hours for fulfillment of the obligations. The employer is also obliged to pay the trusted representative average earnings for this time. Another important aspect to improve the quality of social dialogue and involvement of workers is requirement to provide special training to trusted representatives. According to the Regulations Regarding Training in Labour Protection Matters ^[18] employers have to provide 40 hours OSH training to elected trusted representatives.

Article 21 of the Labour Protection Law ^[1] describes in details rights of the trusted representatives including rights to express opinion, receive information, access workplaces and propose measures to improve working conditions. It is also important to note that according to the Labour Protection Law

election of an employee as a trusted representative may not cause him unfavorable consequences or restrict in other way his or her rights.