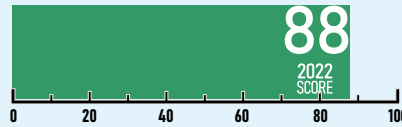


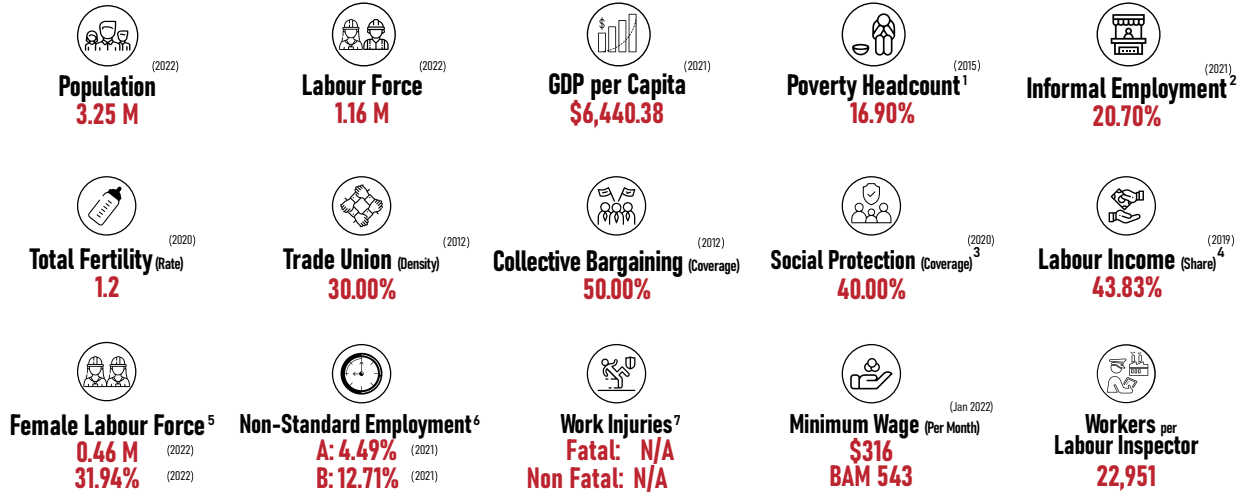


## Bosnia and Herzegovina



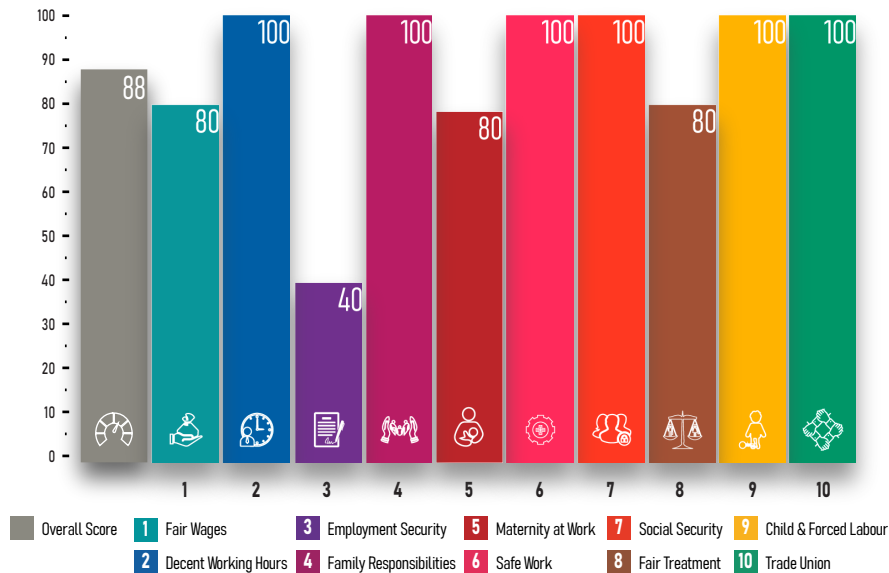
2020 SCORE  
Eastern Europe  
Upper Middle Income  
Approaching Decent Work  
LRI RATING

## Contextual Indicators



Sources: World Bank  
International Labour Organization  
WageIndicator Minimum Wages and Living Wages Database  
M = Million

## Legislative Performance Indicators



## Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

The legal data refers to the legislation applicable to the most populous region (Federation of Bosnia and Herzegovina). Different rules may apply in other jurisdictions, necessitating review of other sources. Following this approach, the overall score for Bosnia & Herzegovina is 88 out of 100. The overall score for Bosnia & Herzegovina is similar to the regional average observed across Eastern Europe (88). Within the Eastern European region, the highest score is observed for Greece (96).

<sup>1</sup> Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

<sup>2</sup> Share of informal employment in total employment (%), as measured under SDG 8.3.1

<sup>3</sup> Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

<sup>4</sup> Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

<sup>5</sup> The female labour force is shown in absolute number along with the female labour force participation rate

<sup>6</sup> Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

<sup>7</sup> Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

The country rating is based on the overall score of 0-100, with the following coding:

(90.5-100) Decent Work | (80.5-90) Approaching Decent Work | (70.5-80) Reasonable Access to Decent Work | (60.5-70) Limited Access to Decent Work | (50.5-60) Basic Access to Decent Work | (0-50) Total Lack of Decent Work

# LABOUR RIGHTS INDEX 2022

	Question <sup>9</sup>	Answer	Legal Basis	Trend <sup>12</sup>
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	§78, 159-162 and 171 of the Labour Law of FBiH, 2016; §1, 7, 9 & 34 of General Collective Agreement for FBiH, 2016	●
	Does the law require regular payment of wages?	No	§79, 80, 106 and 171 of the Labour Law of FBiH, 2016; §10 and 17 of General Collective Agreement for FBiH, 2016	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§12 of the General Collective Agreement FBiH, 2016	●
	Does the law require additional compensation for working on a weekly rest day?	Yes	§46 of the Labour Law of FBiH, 2016	●
2. Decent Working hours	Does the law require additional compensation for night work?	Yes	§40, 42, 76 and 171 of the Labour Law of FBiH, 2016; §11 of General Collective Agreement for FBiH, 2016	●
	Does the law stipulate general working hours as 48 hours or lower?	Yes	§36, 38, 76 and 171 of the Labour Law of FBiH, 2016; §11 of the General Collective Agreement for FBiH, 2016	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§36 and 38 of the Labour Law of FBiH, 2016	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§46 and 171 of the Labour Law of FBiH, 2016	●
3. Employment Security	Does the law require paid public holidays?	Yes	Public Holidays Act 1992; §54 of the Labour Law of FBiH, 2016	●
	Does the law require at least three working weeks of paid annual leave?	Yes	§47- 52, 81 and 171 of the Labour Law of FBiH, 2016	●
	Does the law require written employment contracts or at least written employment particulars?	Yes	§22, 24, 26 and 170 of the Labour Law for FBiH, 2016	●
	Does the law restrict the hiring of fixed-term contract workers?	Yes	§22, 170 of the Labour Law for FBiH, 2016	●
4. Family Responsibilities	Does the law limit the length of probation period including renewals to a maximum of 3 months?	No	§21 of the Labour Law for FBiH, 2016	●
	Does the law require a 30-day notice before contract termination?	No	§21, 96, 97, 98, 99 and 100 of the Labour Law of FBiH, 2016; §27 of the General Collective Agreement for FBiH, 2016	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	No	§111 and 171 of the Labour Law of FBiH, 2016	●
	Does the law require parental leave for parents?	Yes	§62 of the Labour Law of FBiH, 2016	●
5. Maternity at Work	Does the law require at least one week of paid paternity leave for fathers?	Yes	§53 of the Labour Law of FBiH, 2016	●
	Does the law require flexible work arrangements for workers with family responsibilities?	Yes	§63 and 64 of the Labour Law of FBiH, 2016	●
	Does the law require paid nursing breaks?	Yes	§65 of the Labour Law of FBiH, 2016	●
	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	§8, 60 and 171 of the Labour Law of FBiH, 2016	●
6. Safe Work	Does the law require paid maternity leave of at least 14 weeks?	Yes	§62, 66 and 171 of the Labour Law of FBiH, 2016	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	No	§149-155 of the Law on Social Protection, 2014 (Sarajevo Canton); §68 the Labour Law of FBiH, 2016	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§170 of the Law on Social Protection, 2014 (Sarajevo Canton); §68 the Labour Law of FBiH, 2016	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§60 and 171 the Labour Law of FBiH, 2016	●
7. Social Security	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§29 and 31 of the Law on Occupational Safety, 2020	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§9, 21-22, 28, 30, 43 and 46-48 of the Law on Occupational Safety, 2020; §55 of the Labour Law of FBiH, 2016	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§41, 61 and 171 of the Labour Law of FBiH, 2016	●
	Does the law provide for employment injury benefit?	Yes	§39 and 67 of the Pension and Disability Law for FBiH, 2018	●
8. Fair Treatment	Does the law provide for an old age pension?	Yes	§40 to 47 of the Pension and Disability Law, 2018	●
	Does the law provide for a dependants/survivors' pension?	Yes	§68-77 of the Pension and Disability Law, 2018	●
	Does the law provide for unemployment benefit?	Yes	§4 of the Labour Law of FBiH, 2016; §27-30 of Law on Employment and Rights during Unemployment, 2004	●
	Does the law require paid sick leave for the first 6 months of sickness?	Yes	§72 of the Labour Law of FBiH, 2016; §42, 43, 44, 46, 47 and 56 of Health Insurance Law, 1997	●
9. Child and Forced Labour	Does the law provide for invalidity benefit?	Yes	§48, 49, 58 and 60 of the Pension and Disability Law, 2018	●
	Does the law require equal remuneration for work of equal value?	Yes	§77 of the Labour Law of FBiH, 2016; §13 of the Law on Gender Equality, 2003	●
	Does the law prohibit sexual harassment in employment?	Yes	§9, Labour Law of FBiH, 2016; §3, 5 & 29, Law on Gender Equality, 2003; §4, 6, & 12, Prohibition of Discrimination Act BiH, 2009	●
	Does the law prohibit discrimination in employment matters? <sup>10</sup>	Yes	§8, 10, and 12 of Labour Law of FBiH, 2016; §177 of the Criminal Law of FBiH, 2003	●
10. Trade Union	Does the law allow women to do the same jobs as men?	No	§59 and 171 of the Labour Law of FBiH, 2016	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	§4 & 5 of the FBiH Law on Contributions, 1998	●
	Does the law prohibit employment of children?	Yes	§20 of the Labour Law of FBiH, 2016	●
	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§16 of the Framework Law on Primary and Secondary Education, 2003	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§42, 57, and 171 of the Labour Law of FBiH, 2016	●
	Does the law prohibit forced labour?	Yes	§11 of the Constitution 1995; §185-186a & 210 of the Criminal Law 2003	●
	Does the law allow workers to form and join unions of their own choice?	Yes	§14-15 of the of the Labour Law of FBiH, 2016	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	§137-149 of the of the Labour Law of FBiH, 2016	●
	Does the law provide for the right to strike?	Yes	USDOS CRHRP 2021	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	§156-157 of the of the Labour Law of FBiH, 2016	●

## Covid 19 and Labour Market in Bosnia and Herzegovina\*

Total Covid Cases	0.38 Million
Total Covid Deaths	15,824
Partial Vaccinated	29.0%
Fully Vaccinated	26.0%

Wage Subsidies	✓
Social Security Contributions (deferrals/waivers)	✓
Paid Sick Leave	✓
Add. Unemployment Benefits	✓

Protection from Dismissals	✓
Telework/flexible work	✓
Improved Health Access	✓
Training (activation measures)	✓

<sup>9</sup> The Index has 10 indicators and 46 evaluation criteria or questions.

<sup>10</sup> The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

<sup>11</sup> A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Bosnia and Herzegovina on SDG 8.8.2 is 0.89 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

<sup>12</sup> In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change