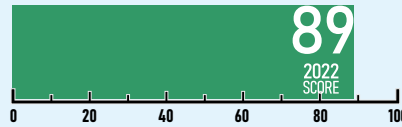




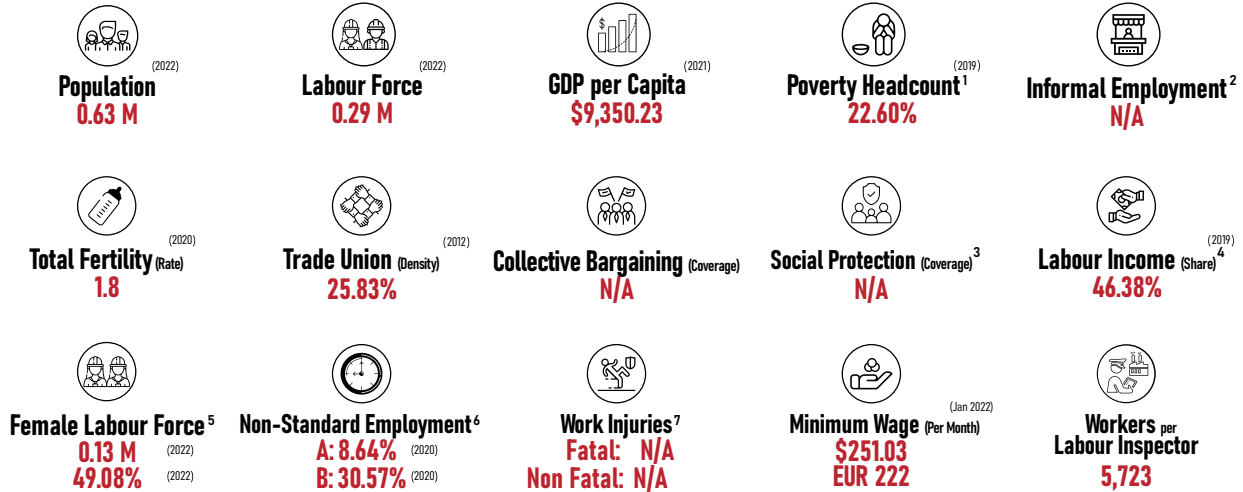
Montenegro



89.5 2020 SCORE

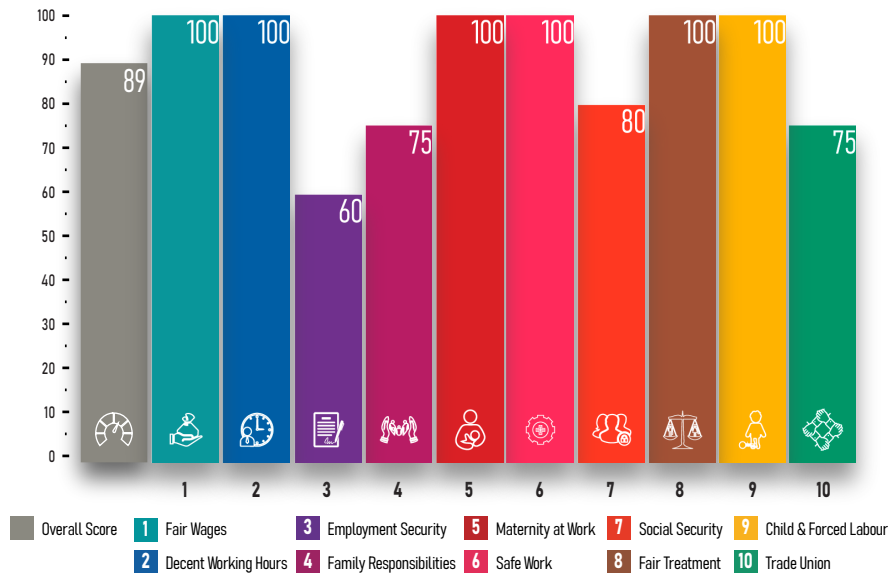
Eastern Europe
Upper Middle Income
Approaching Decent Work
LRI RATING

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.

Montenegro's overall score is 89 out of 100. The overall score for Montenegro is higher than the regional average observed across Eastern Europe (88). Within the Eastern European region, the highest score is observed for Greece (96).

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

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

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

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

⁵ The female labour force is shown in absolute number along with the female labour force participation rate

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

⁷ 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 ⁹	Answer	Legal Basis	Trend ¹²
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	§101 & 113 of the Labour Law, 2007	●
	Does the law require regular payment of wages?	Yes	§105 of the Labour Law, 2007	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§98 of Labour Law, 2007	●
	Does the law require additional compensation for working on a weekly rest day?	Yes	§76 of the Labour Law, 2007	●
	Does the law require additional compensation for night work?	Yes	§70 & 98 of the Labour Law, 2007	●
2. Decent Working hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§61 of Labour Law, 2007	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§64 of Labour Law, 2007	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§76 of the Labour Law, 2007	●
	Does the law require paid public holidays?	Yes	§89 of the Labour Law, 2007	●
	Does the law require at least three working weeks of paid annual leave?	Yes	§79-86 of Labour Law, 2007	●
3. Employment Security	Does the law require written employment contracts or at least written employment particulars?	Yes	§30 of Labour Law, 2007	●
	Does the law restrict the hiring of fixed-term contract workers?	Yes	§37-38 of the Labour Law, 2007	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	No	§34-35 of the Labour Law, 2007	●
	Does the law require a 30-day notice before contract termination?	Yes	§172 & 177 of the Labour Law, 2007	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	No	§164 & 169 of the Labour Law, 2007	●
4. Family Responsibilities	Does the law require parental leave for parents?	Yes	§127 of the Labour Law, 2007	●
	Does the law require at least one week of paid paternity leave for fathers?	No	§87 of the Labour Law, 2007	●
	Does the law require flexible work arrangements for workers with family responsibilities?	Yes	§741 & 125 of the Labour Law, 2007	●
	Does the law require paid nursing breaks?	Yes	§129 of the Labour Law, 2007	●
5. Maternity at Work	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	§7 & 121 of Labour Law, 2007	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§126 of the Labour Law, 2007	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§102 of Labour Law, 2007	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§102 of Labour Law, 2007	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§123 of the Labour Law, 2007	●
6. Safe Work	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§30 of Law on Safety and Health at Work (No. 34/14)	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§92 of the Labour Law, 2007; §19 of Safety at Work Law (No. 34/14)	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§124-125 of the Labour Law, 2007	●
	Does the law provide for employment injury benefit?	Yes	Law on Pension and Disability Insurance, 2003; Law on Health Insurance, 2016; Law on Health Care 2016	●
	Does the law provide for an old age pension?	Yes	Law on Pension and Disability Insurance, 2003; Law on Contributions for Mandatory Social Insurance, 2007	●
7. Social Security	Does the law provide for a dependants/survivors' pension?	Yes	Law on Pension and Disability Insurance, 2003; Law on Contributions for Mandatory Social Insurance, 2007	●
	Does the law provide for unemployment benefit?	Yes	Law on Social and Child Welfare, 2013; Law on Employment and Unemployment Insurance 2010	●
	Does the law require paid sick leave for the first 6 months of sickness?	No	§90 of the Labour Law, 2007	●
	Does the law provide for invalidity benefit?	Yes	Law on Pension and Disability Insurance, 2003; Law on Health Insurance, 2016; Law on Health Care 2016	●
	Does the law require equal remuneration for work of equal value?	Yes	§99 of Labour Law, 2007	●
8. Fair Treatment	Does the law prohibit sexual harassment in employment?	Yes	§3 & 10, Law on Prohibition of Harassment at Work; §7, 26 & 34, Law on Prohibition of Discrimination, 2014; §10, Labour Law, 2007	●
	Does the law prohibit discrimination in employment matters? ¹⁰	Yes	§7-9 of Labour Law, 2007	●
	Does the law allow women to do the same jobs as men?	Yes	§118 of Labour Law, 2007; §43 of the Family Law, 2007	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	§5 of the Law on Contributions for Mandatory Social Insurance, 2007	●
	Does the law prohibit employment of children?	Yes	§20 of the Labour Law, 2007	●
9. Child and Forced Labour	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§4 of the Law on Primary Education, 2013	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§120 of Labour Law, 2007; §7-8, Reg. on Protection in the Workplace, 2015	●
	Does the law prohibit forced labour?	Yes	§28 and 63 of the Constitution, 2007; §444 of the Criminal Code, 1996	●
	Does the law allow workers to form and join unions of their own choice?	Yes	§53 of the Constitution of the Republic of Montenegro 2007; §191-197 of the Labour Law, 2007	●
10. Trade Union	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	§181-187 of the Labour Law, 2007; §5 of the Representativeness of Trade Unions Act, 2010	●
	Does the law provide for the right to strike?	No	§12, 18, 27 and 28 of the Strike Act, 2015; CEACR, C87, Obs. 2021	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	§66 of the Constitution 2007; §12, 18, 27 and 28 of the Strike Act, 2015; §54(4) of the Labour Law, 2007	●

Covid 19 and Labour Market in Montenegro*

Total Covid Cases	0.25 Million
Total Covid Deaths	2,734
Partial Vaccinated	47.0%
Fully Vaccinated	46.0%

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)	✗

⁹ The Index has 10 indicators and 46 evaluation criteria or questions.

¹⁰ 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.

¹¹ 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 Montenegro on SDG 8.8.2 is 1.21 (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.

¹² 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