

## Monitoring the application of collective agreements in the construction sector regarding foreign workers in Croatia

### Croatia

GENERAL INFORMATION	
Name of the organisation	Trade Union of Construction Industry of Croatia / Sindikat graditeljstva Hrvatske (SGH)
Type of organisation	Social Partner
Address	Trg kralja Petra Krešimira IV 2, Zagreb, Croatia
Web page	<a href="http://www.sgh.hr">www.sgh.hr</a>
Contact person	Name and surname: Matea Majurec Job position: Legal Commissioner E-mail: <a href="mailto:matea.majurec@sgh.hr">matea.majurec@sgh.hr</a>
Member State	Croatia
GOOD PRACTICE - GENERAL INFORMATION	
Title of the good practice	Outreach, information provision and advocacy work relating to the application of collective agreements targeting foreign workers in the construction sector
Topic of the good practice	Construction
Geographical focus	Nation-wide Plus: International component since dealing with foreign workers
Duration	Continuous/regular activity
Summary of the good practice	<p>This trade union from the construction sector is very active in reaching out to foreign workers and providing information in order to ensure that their working conditions are in line with the minimum standards collectively agreed in Croatia.</p> <p>For this purpose, the trade union <b>monitors</b> whether any large-scale infrastructure projects are taking place in Croatia. Once relevant projects are identified, the trade</p>

	<p>union first <b>reaches out to the employer side</b>, clarifying their role, their mission as well as applicable labour law and collective agreements. Furthermore, the trade union asks whether they can approach their employees. Irrespective of whether employers agree to this step, the trade union as a next step <b>actively approaches foreign workers</b> trying to meet these workers at construction sites during break times. At these informal meetings, the trade union introduces itself and provides information material in the relevant language(s) which points out workers' rights in line with sectoral collective agreements. They also use google translate and, when needed, interpreters to <b>communicate collectively agreed minimum standards</b> and <b>probe for any infringements</b>. If infringements are identified, the trade union <b>reaches out to relevant stakeholders</b> on different levels: they cooperate closely with the European and international trade union networks they form part of but moreover also bring issues to the attention of national stakeholders. These include relevant ministries and the labour inspectorate.</p> <p>The trade union also focuses their efforts on micro enterprises, especially in the field of OSH. Here, according to them, considerable room for improvement can still be found.</p>
<p><b>OBJECTIVES AND ACTIVITIES</b></p>	
<p><b>Background/context</b></p>	<p>In Croatia, there are collective agreements which set out the minimum standards in terms of working conditions (as well as employment protection legislation for the construction sector). Part of SGH's mission is to ensure that these provisions are not undermined in the case that foreign workers are engaged to work on construction sites in Croatia. Since many larger-scale construction and infrastructure projects, e.g. building bridges or railway tracks, rely on the manpower of foreign workers, partly through temporary agencies or sub-contractors, SGH acts as a "<b>watchdog</b>" for such projects.</p> <p>One recent example of such activities is the case of a railway project co-funded by EU funds where Turkish workers were not paid in line with collective agreements and where a small number of workers were laid off</p>

	<p>following their engagement in union activities. In this case, as in others, SGH worked closely with their Turkish counterparts and the cases were not only brought to the attention of all involved stakeholders but also received considerable media attention.</p>
<p><b>Objectives</b></p>	<p>To raise awareness of workers' rights, providing a contact point in the case of violation of working rights of posted and foreign workers, drawing decision makers' attention to violations in working conditions and employment protection legislation.</p>
<p><b>Main activities</b></p>	<ul style="list-style-type: none"> <li>➤ Monitoring the start of large scale construction or infrastructure projects in Croatia.</li> <li>➤ Getting in touch with employers informing them about applicable collective agreements and respective laws.</li> <li>➤ Informing foreign workers on-site about their rights and promoting fair working conditions.</li> <li>➤ Detecting potential infringements (e.g. concerning salaries under the Minimum Wage Act or unpaid overtime) and reporting them to the labour inspectorate and other respective authorities.</li> <li>➤ Networking with trade unions from other countries in order to support workers whos' rights were disrespected.</li> <li>➤ Preparing and disseminating promotional material with information on collective agreements.</li> <li>➤ Requesting relevant information from involved entities concerning for example the status of different workers (e.g. whether posted); such actors may include sub-contractors, grant-holder, grant-givers, ministries.</li> <li>➤ Drawing (media) attention to workers' rights violations.</li> </ul>
<p><b>Did you previously provide information about this</b></p>	<p>No</p>

<p><b>particular good practice under the European Platform tackling undeclared work?</b></p> <p>(if yes, is it possible to provide the year and the title of good practice or a link of the good practice in <a href="#">ELA Virtual library</a>.)</p>	
<p><b>Funding/organisational resources</b></p>	<ul style="list-style-type: none"> <li>➤ Organisational resources of SGH include four full time as well as one part-time employee.</li> <li>➤ The trade union makes use of external resources for the purpose of translation and interpretation from their umbrella trade union on EU level.</li> <li>➤ No additional funding in use.</li> </ul>
<p><b>PARTICIPATION</b></p>	
<p><b>Stakeholders involved</b></p>	<p>Sindikrat graditeljstva Hrvatske (SGH), Croatian Employers' Organisation, Labour inspectorate, Ministry of Labour, Pension System, Family and Social Policy, Ministry of the Sea, Transport and Infrastructure, foreign trade unions, the European Federation of Building and Woodworkers (EFBWW), Building and Wood Workers' International (BWI).</p>
<p><b>Target groups</b></p>	<p>Foreign workers including posted workers in the construction sector.</p>
<p><b>Final beneficiaries</b></p>	<p>Workers in the construction sector.</p>
<p><b>GOOD PRACTICE CRITERIA</b></p>	
<p><b>Achievements/ Results and outcomes</b> (Alignment of good practice with the priorities of the Call (if not applicable, alignment with the field of EU labour mobility)</p>	<p>The trade union focuses on workers' rights through outreach, information provision and advocacy work. Focusing on foreign workers and their rights is strongly in line with ELA's mission and therefore its call for good practice. Through its work, a race to the bottom in working conditions can be prevented and international cooperation among workers' representatives is fostered. Some of their current as well as past work focused on the following projects:</p>

1. **Construction of the Pelješac bridge – China Road and Bridge Corporation** (650 Chinese workers) - concluded 4 collective agreements.
2. **Construction of the second tube of the Učka tunnel Bouygues** – (about 500 workers) employed from Croatia and neighbouring countries (Bosnia and Herzegovina, Serbia). SGH warned about OSH risks during the COVID-19 crisis.
3. **Construction of the DC 403 road in Rijeka – Euro asfalt** (about 100 posted workers from Bosnia and Herzegovina). The employer provided access and implementation of the campaign to inform workers about their rights stemming from collective agreements only with the presence and supervision of the employer's representative.
4. **Reconstruction of the existing and construction of a second track on the section Križevci - Koprivnica - state border - CENGİZ İNŞAAT SANAYİ VE TİCARET ANONİM ŞİRKETİ** (500 posted workers from Turkey). During the tour of the construction site and conversations with Turkish workers, a number of serious irregularities were observed which were not in accordance with labour law regulations and collective agreements for the construction sector. These included:
  - working hours of up to 300 hours per month,
  - unpaid overtime,
  - lower wages paid before arriving at the construction site in Croatia,
  - dismissal of workers due to union membership.

SGH paid the court costs to the dismissed workers who were union members.

<p><b>Recognition</b> (has this good practice been recognised on regional, national or EU level)</p>	<p>While the trade union’s work has yet to be recognised as good practice, their work has received substantial media attention at national level (both in print and TV).</p>
<p><b>Cost effectiveness</b> (the degree to which the practice was successful in reaching objectives and producing clear and measurable outcomes at the lowest possible cost)</p>	<p>This good practice demonstrates cost effectiveness utilising limited resources, both human and financial, to achieve substantial outcomes. It effectively reaches out to foreign workers at construction sites and informs employers about collective agreements. This pro-active approach not only optimises resource allocation but also ensures the dissemination of vital information, thereby contributing to the protection of workers’ rights. Their cooperation with other trade unions can be highlighted as an important success factor of their work.</p>
<p><b>Transferability</b> (how the experience from this practice could be transferred to other contexts i.e. what would another Member State/group/sector need to have or put in place for this measure to be successful in their country/group/sector)</p>	<p>This good practice can be implemented in other Member States, in the form of information campaigns or on-the-filed activities, implemented by social partners or other organisations, advocating the compliance with collective agreements and providing information on fair working conditions and workers’ rights.</p>
<p><b>Sustainability</b> (how the practice is sustainable from a social, financial or environmental perspective)</p>	<p>SGH remains committed to monitoring the application of collective agreements, persistently advancing its work including outreach methods. They are actively engaging with other trade unions, employers, and workers, leveraging the resources at their disposal. This ongoing dedication is showcased in their pro-active approach and their determination to make a meaningful impact in this field.</p>
<p><b>Innovativeness</b> (innovative features of the good practice)</p>	<p>The main innovative aspect of this practice is related to their pro-active approach of screening of large-scale construction and infrastructure projects with the potential of receiving a large number of contractors and sub-contractors as well of foreign workers. They also pro-actively advocate for workers’ rights as stipulated in collective agreements and employment protection laws to promote fair working conditions and avoid any race to the bottom in working conditions.</p>
<p><b>Digitalisation</b> (Design, development and/or utilisation of digital tools, policies or plans for digitalisation,</p>	<p>This practice makes use of online translation tools.</p>

business processes and data digitalisation, data sharing digital initiatives, the use of digitalisation to facilitate the access to data in real time and detection of fraud and error, etc.)