

Legal Update LABOR LAW

Government Emergency Ordinance No. 82/2017 amending and supplementing several legislative acts

Official Gazette No. 902 dated November 16th, 2017
Date of Entry into Force: November 16th, 2017

Government Emergency Ordinance No. 82/2017 (hereinafter referred to as “GEO 82/2017”) was published with the Official Gazette dated November 16th, 2017. GEO 82/2017 brings amendments to Social Dialogue Law No. 62/2011 as follows:

- all employers, not just those which have more than 21 employees, are required to initiate bargaining for the conclusion of a Collective Bargaining Agreement for the purpose of implementing the provisions of Government Emergency Ordinance No. 79/2017;
- also necessary is to initiate collective bargaining for the conclusion of addenda to the Collective Bargaining Agreement, as applicable.

Such obligation applies during November 20th-December 20th, 2017. Initiation is made by submitting a request/notification in this respect to the employees’ representatives (or Trade Union representatives, as applicable).

GEO 82/2017 stipulates that in the organizations with no representing Trade Union affiliated to a representing Trade Union Federation at industry level, employees may be represented in the bargaining of collective labor contracts/agreements or addenda thereto, as applicable, by the Trade Union Federation jointly with the employees’ representatives, based on an authorization issued by such Trade Union.

In organizations with no Trade Unions, employees’ representatives are entitled to invite to the bargaining process a representative of a representing Federation at the employer’s industry level or a Trade Union confederation at national level.

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