



inform **contact**

NEWS FROM THE GENERAL CONFEDERATION OF TRADE UNIONS

No.43

October-December 2003

GCTU CONGRESS TO BE HELD 26 MARCH 2004

The GCTU Executive Committee met in Moscow 4 December 2003.

To improve the activity and structure of the Confederation, the Executive decided, pursuant to Article 12 of the GCTU Constitution, to call an extraordinary congress of the General Confederation of Trade Unions in Moscow 26 March 2004.

The congress will consider the following issues:

- Reforming of the General Confederation of Trade Unions;
- Report of the GCTU Audit Commission;
- Amendments and addenda to the GCTU Constitution; and
- Amendments and addenda to the Regulations for the GCTU Audit Commission.

The Executive Committee approved the text of a draft model law "On the Guarantees of Equal Rights and Equal Opportunities for Men and Women"

presented by the GCTU Commission for Working Women, and decided to submit it to the CIS Inter-Parliamentary Assembly for consideration

CIS COUNTRIES: GDP GROWTH RATES SOARING

According to the CIS Interstate Statistical Committee, in the period of September-December 2003 Armenia boasted the highest GDP growth rates among the countries of the Commonwealth of Independent States (15.2 per cent). On the whole, the gross domestic product of the CIS states (with the exception of Turkmenistan and Uzbekistan) has risen over the period by an average of seven per cent as against the similar period in 2002. Armenia is followed by Azerbaijan with its 10.5 per cent and Kazakhstan with 9.2 per cent, while Russia ranks sixth (6.7 per cent).

ARMENIA: UNIONS ENHANCE LINKS WITH PARLIAMENT

President of the Confederation of Trade Unions of Armenia (CTUA)

Martin Harutyunian and his deputies met Chairman of the Parliamentary Commission for Social Problems, Health Care and Environment Protection G.Mkhsian 29 October 2003

The CTUA leaders said the trade unions were willing to get more actively involved in the appraisal and development of draft laws to be considered by Parliament. They also drew Mr Mkhsian's attention to the necessity to supplement the current legislation with new laws on employment, health and safety, collective bargaining, strikes, etc.

Mr Mkhsian proposed that their cooperation start with a joint discussion of the draft labour code. For this purpose, trade union representatives would be invited to take part in the forthcoming parliamentary hearings.

ARMENIA TO COMBAT POVERTY

The Armenian Government has adopted a national programme to combat poverty, providing for measures to create new jobs, reduce the number of poor people, and promote economic growth. The programme is viewed as a strategic one, and aims at narrowing the income gap between the richest and the poorest sections of the population. The gap that exists today is considered to be a threat to the country's national security.

The new law passed by the National Assembly sets the minimum wage in

Armenia at 13 thousand drahms, or roughly USD 23, a month as from 1 January 2004. The previous minimum wage amounted to 5 thousand drahms.

BELARUS: UNIONS WANT LOUDER SAY IN HEALTH & SAFETY

The Federation of Trade Unions of Belarus, FTUB, has rejected outright the draft Regulations for the Investigation and Registration of Industrial Accidents and Occupational Diseases worked out by the Ministry of Labour and Social Protection. The document strips the unions of their right to conduct investigation, interview injured workers, witnesses or officials liable for the neglect of safety regulations, and prescribe measures to be taken to eliminate the causes of accidents.

In addition, the proposed procedure for investigating accidents is at variance with the Labour Code of Belarus. According to Article 229 of the Code, investigation of accidents must be carried out by the employer with the involvement of the trade union, rather than by a state labour inspector. In Belarus, employees' right to normal work conditions is protected by the technical inspection of the trade unions. The FTUB supposes that many on-the-job accidents are reported as out-the-job ones. Thus, in 2002, 114 fatal occupational accidents were misreported in this way, which constitutes 48 per cent of all officially registered fatal accidents at workplaces.

On the 30th of October 2003, the FTUB Presidium appealed to the Council of Ministers to take into account the opinion of trade unions in the course of discussing and amending the draft Regulations. Should these demands be ignored, the unions may resort to picketing and call a broad national campaign to make their members aware of their position.

The FTUB leader Leonid Kozik also raised the issue at his meeting with the country's President Alexander Lukashenko.

ILO COMMISSION TO APPRAISE SITUATION IN BELARUS

The Governing Body of the International Labour Office decided to set up a special commission to investigate into alleged infringement of trade union rights in Belarus. Within the framework of the procedure established by Article 26 of the ILO Constitution, the Commission is expected to present its findings about "the numerous violations of ILO basic conventions lately committed by the Belarus authorities and many employers against the country's trade union movement", said the session of the International Labour Conference held in June 2003 in Geneva.

GEORGIA: UNIONS DISMAYED WITH LABOUR MARKET

Trade union activists from all the regions of Georgia took part in a meeting of the Council of the Georgian Trade Union Amalgamation,

GTUA, held in Tbilisi 28 November 2003.

As he spoke to the meeting, GCTUA Vice-President Zurab Didishvili noted that, because of the economic crisis and aggravated social tensions, the Government had failed to implement an active labour market policy and ensure full employment of the population. Compared with 1997, the number of wage workers decreased in 2003 by 7.8 per cent, with the number of self-employed people being very high.

The curtailed production volumes and the reduced numbers of jobs had seriously handicapped trade union activity in defence of workers' rights and interests at industrial enterprises and institutions. The Council had recommended that trade union organisations at all levels enhance their cooperation with the employers' unions, and get more actively involved in the development of regional and industrial employment projects and in monitoring their fulfilment.

The Council decided to convene the 6th ordinary congress of the Georgian Trade Union Amalgamation 19 November 2004, and approved the composition of its preparatory commissions.

The Union of Military Personnel was admitted to the GCTUA.

KAZAKHSTAN: URGENT SOCIAL PROBLEM

The Federation of Trade Unions of the Republic of Kazakhstan, FTURK,

has drawn the attention of the Government and Parliament to the problems of social protection of those employed in harmful and hazardous working conditions. In 2000, the issue was discussed at the FTURK 18th Congress, and the General Agreement contains a Government commitment to this effect. In December 2000, a respective draft law was prepared concerning almost 30 thousand employees whose health was undermined at work and many of whom do not attain the age of 63.

The Government has so far refused to support the draft law that guarantees this category of workers special state benefits. Four years ago the FTURK agreed to postpone the solution of the problem, given the hard socio-economic and financial situation in the country. However, today the situation has improved considerably, and in this context the Government's reluctance bewilders the unions. Therefore, the Federation has called for new consideration of this question.

KAZAKHSTAN: UNIONS TAKING CARE OF WOMEN'S RIGHTS

The FTURK General Council met 25 November 2003 to consider the situation of working women who account for 46 per cent of all employees in the country (over two million people).

The status of women in the labour market remains quite unsafe, and the facts of discrimination against them

can hardly be denied. Women make up 58.7 per cent of the unemployed, almost 50 per cent of them earn less than the subsistence minimum, and the average female pay in all spheres of activity does not exceed 60 per cent of the male pay. About half a million women are employed in harmful or dangerous industries. Quite often, women have to work night shifts or longer hours, and sometimes they are denied maternity benefits or children allowances. The sickness rates among women are high, as well as the maternity and child death rates. The women's problems are further aggravated by the closure of numerous nurseries and kindergartens, and by the growing prices of foodstuffs and public utilities.

The FTURK stressed the need for special target-oriented programmes to be implemented by the Government to improve women's situation in the labour market and stop discrimination against them. Specific legislation must be adopted to secure the right of women to healthy and safe working conditions and guarantee them the payment of public welfare benefits.

Trade union organisations were advised to insist that the collective agreements should provide for measures to increase female employment, ensure observance of the health and safety regulations for women, promote their occupational retraining, and render social support to their families. The agreements should also contain specific

commitments by the employers to allocate funds for the maintenance of preschool education institutions for children and health protection of women workers.

The General Council recommended trade union committees to revive the activity of women's commissions and councils at industrial enterprises and establish closer cooperation with non-governmental organisations dealing with women issues.

KAZAKHSTAN: COURT CONFIRMS UNION RIGHTS

The Supreme Court of Kazakhstan has handed down a special ruling on the procedure of enforcement by courts of labour dispute laws. Current labour legislation gives broader rights to employers, which has given rise to contradictions in the application of several provisions of the Law on Trade Unions.

Taking this into account, the Supreme Court ruled that employers cannot terminate the labour contracts with unionised workers on their own initiative unless they have received consent from the trade union concerned (if otherwise is not stipulated by law). Similarly, elected trade union leaders cannot be dismissed from their jobs on the initiative of the management, except for the cases of enterprise dissolution. Nor can any disciplinary punishment be inflicted on them without preliminary consent of the trade union body they are members of.

KYRGYZSTAN: CHILD LABOUR DISCUSSED

A round table on the problems of child labour in Kyrgyzstan held in Bishkek 5 December 2003 brought together representatives of state institutions, the Kyrgyzstan Federation of Trade Unions, the Employers' Union, the ILO, and some of the Global Union Federations.

The country's Parliament is currently considering a draft law on the ratification of ILO Convention No 182 concerning the eradication of the worst forms of child labour. A Coordinating Committee for Child Labour Issues has been established by Government decree.

Deputy Minister of Labour and Social Protection K.Mambetaliyev admitted there was an article in the Labour Code allowing recruitment of teenagers for work. However, if in the pre-market period this was viewed as an educational measure, today child labour often takes on such forms that endanger both spiritual and physical development of the younger generation.

It would be extremely difficult to impose a total ban on child labour, as certain national crafts are traditionally passed on from generation to generation. Some speakers pointed to the need for a broader campaign to publicise the laws protecting minors' rights that would make it possible to reach out to every family. Sometimes parents are not even aware that such laws exist.

MOLDOVA: UNIONS ANGRY WITH GOVERNMENT INTRUSION

President of the Union Confederation of the Republic of Moldova (UCRM) Petru Chiriac told a press conference 28 October 2003 that destructive work was underway in the country aiming to split the trade union movement from within, and to make union organisations withdraw from the UCRM and join the Confederation of Free Trade Unions of the Republic of Moldova "Solidaritate".

There were many gross violations of the Law on Trade Unions committed by local authorities and enterprise management. They hinder the collection and transfer of union dues, interfere with the elections in the unions and put pressure upon grass root organisations to make them join a specific industrial or territorial trade union. In fact, such methods were used to split the Federation of Chemical and Power Workers' Unions and the Federation of Workers in Cooperatives and Commerce.

The reason behind these actions is evident: the authorities do not need effectively independent and strong trade unions. It is exactly such unions that make up the membership of the UCRM. The Confederation was the only one that had come out with sharp criticism of the draft laws on the State Social Insurance Budget and on the State Budget for 2004, and organised rallies and pickets whenever workers' rights were flagrantly violated.

During the press conference, it was emphasised that the Law on Trade Unions forbids to disband arbitrarily workers' organisations, bully or bribe workers into keeping away from unions, or force them to leave one union and join another.

The UCRM Council held a special meeting on 13 November to discuss interference by the authorities in the Confederation's activity. The Council appealed to international trade union organisations to keep a watch on the developments in Moldova's trade union movement, and give their appreciation of the obvious infringement of the principles governing the creation and functioning of trade unions, and direct interference by authorities in their activity.

MOLDOVA: NEW UNION EMERGES

A founding congress of the Transport Workers' Union of Moldova was held on 12 November 2003. Up to that moment, over three thousand transport workers had been non-organised.

Most delegates believed the national transport was in a plight as a result of the wrong and unjustified measures taken by the Government. Those included the reluctance by the Government to regulate the industry's development, and the increased customs duties on goods, imported motor cars and combustibles and lubricants. All this had had a detrimental impact on the service rates for the transportation of

passengers and goods, and led to higher unemployment.

There is practically hardly any social dialogue in the industry. Many drivers have been employed with violations of current legislation, and the duration of their working day has reached 16-18 hours.

Congress demanded that social partnership bodies be set up at every enterprise; an employers' association be established in the industry to allow for normal collective bargaining; and an effective system of workers' socio-economic protection be developed and implemented.

Bro I.Ciorba was elected President of the union. The Congress decided that the trade union should become affiliated with the Union Confederation of the Republic of Moldova, UCRM.

RUSSIA: FNPR KEEN TO COMBAT POVERTY

The Federation of Independent Trade Unions of Russia, FNPR, regards decent pay as the main instrument to eliminate poverty. A meeting of the FNPR General Council held 28 October 2003 adopted a document providing guidance to its member organisations as to what common demands must be put forth during the collective bargaining campaign of 2003-2004. Those include, among other things, a claim for minimum pay not lower than the subsistence minimum. Apart from that, pay increases must surpass the rises in prices of goods and services.

The General Council emphasised that the collective bargaining campaign should be used to press for an end to delays in the payment of wages and deductions to the Pension Fund and to the social and compulsory health insurance funds.

The Council also requested that the Federation's leadership should approach the country's President Vladimir Putin with a proposal to work out a national programme for poverty eradication.

FNPR demanded that the RF Government carry out, in 2004, an indexation of wages in the non-production sector by 50 per cent, and make provisions for allocating special funds to help those below the poverty line. Other social and economic claims were also put forth.

The General Council urged Russian employers "to join the UN global initiative on the social responsibility of business". The Federation invited domestic business to take a more active part in regulating labour relations through the social partnership system, and use its potential to foster production and labour resources.

RUSSIA: MINERS DEFEND THEIR RIGHTS

A major industrial action, the biggest in the country's recent history, was staged at the North Urals bauxite mine (Sverdlovsk Region) from 1-9 October 2003. Some 6 000 miners stopped their work demanding

a pay increase and lower output quotas.

The strike broke out spontaneously. The outburst of dissatisfaction was triggered by the management's systematic and sustained violations of labour legislation and collective agreement provisions. For example, the increased output rates and volumes had often forced the miners to work on their rest-days. However, the remuneration for such work was paid at a regular rate, and not at a double rate as provided for by labour legislation.

The strikers demanded a revision of the output rates, pay compensation for work on rest-days and a wage increase. The negotiations resulted in an agreement signed by the representatives of the Independent Miners' Union, the Mining and Metallurgical Workers' Union and the mine's management. The agreement provided for an average pay increase at the enterprise from 1 November 2003 by 20 per cent, and that for the drifters by 35 per cent

UKRAINE: UNIONS STRUGGLING FOR NEW LABOUR CODE

In early December 2003, some 60 leaders of national trade unions and federations including President of the Federation of Trade Unions of Ukraine (FTUU) Olexander Stoyan signed an appeal to Prime Minister Viktor Yanukovych expressing their concern over the Government's disrespect for the principles of social partnership and relations with trade

unions. Indeed, the Ukrainian Cabinet of Ministers had reduced the minimal pay in the budget proposal for 2004 without prior consultation with the trade unions. This would worsen workers' conditions and result in lower pensions for people due to retire from 1 January 2004.

The draft Labour Code submitted by the Cabinet of Ministers to the Supreme Rada (Parliament) restricts the rights of waged labour and trade unions as it contains quite a few standards that are at variance with the Ukrainian Constitution, current legislation, and ILO Conventions. For this reason, the draft Code should be withdrawn for a further review with the involvement of trade unions. The unions warned that, unless their opinion was duly taken into account, they would suspend their participation in the National Social Partnership Council, appeal to international organisations, and stage protest actions.

Following a meeting of the Prime Minister with FTUU President Olexander Stoyan who presented the common trade union position, negotiations involving representatives of the trade unions, the Government and the Parliament were held. As a result, agreement was reached that six out of the seven basic provisions of the draft Code that the unions wished to amend would be amended, and a protocol was signed to the effect. In particular, the protocol covers such issues as the necessity for the manager to seek prior consent of the trade union to dismiss a worker,

the right of the trade unions to exercise public control over the observance of labour legislation and health and safety laws, and some others. The provision for obligatory collective bargaining at enterprises in all forms of ownership has so far not been discussed. The negotiations concerning the draft Labour Code will be continued.

UKRAINE: FTUU AND FNPR ENHANCE COOPERATION

Trade union leaders from ten bordering regions of Ukraine and Russia met in Kharkiv on 23-24 October 2003. The meeting was attended by FTUU President Olexander Stoyan and FNPR President Mikhail Shmakov. Participants noted that trade unions in both countries and the regional union organisations were facing many similar challenges, and, therefore, they ought to promote a regular exchange of experience and develop common approaches to the problems. The issues requiring consultation and dialogue include wages, employment, pensions, social insurance, protection of migrant workers, and the impact of globalisation on regional problems.

WHAT ICFTU MISSION DISCOVERED IN UKRAINE

An ICFTU mission led by its General Secretary Guy Ryder visited Ukraine in early November 2003. Its main task was to look into the possibility of affiliating two Ukrainian trade union centres, the Federation of Trade Unions of Ukraine and the

Confederation of Free Trade Unions of Ukraine, as ICFTU members. One outcome of the visit was that the mission recommended that the decision on the affiliation of the FTUU to the ICFTU should be postponed to a later date.

Commenting on this recommendation, Olexander Stoyan said the ICFTU had always directed its attention mostly to “the so called independent and newly established unions”. Until recently, it had not taken any notice of such a trade union centre as the FTUU which was regarded as “old”, or traditional. That explained the prejudiced attitude taken by the mission participants towards the FTUU.

Another factor that had influenced the ICFTU decision was that Ukrainian enterprise managers and senior officials in ministries and agencies were still members of trade unions affiliated with the FTUU.

Besides, the ICFTU would not accept the right of FTUU grass-root organisations to spend from 50 to 90 per cent of the collected union dues at their own discretion.

Olexander Stoyan believes the negative decision has also been prompted by the claims on trade union property constantly made by some unions not affiliated to the FTUU.

In addition to all that, the sum of the ICFTU membership fees seems to be currently beyond the FTUU financial means.

PUBLISHED BY

**INTERNATIONAL DEPARTMENT AND
DEPARTMENT FOR HUMANITARIAN PROBLEMS AND INFORMATION
OF THE GCTU**

**42 LENINSKY PROSPEKT
119119 MOSCOW, RUSSIA
TELEFAX +7(095) 938-2155
PHONE +7(095)938-7215
+7(095)938-8274
TELEX 411 010**

Web site: www.vkp.ru; E-mail: inter@vkp.ru

THE GENERAL CONFEDERATION OF TRADE UNIONS, GCTU, IS AN INTERNATIONAL TRADE UNION ORGANISATION THAT WAS FOUNDED AT ITS FIRST CONGRESS ON 16 APRIL 1992.

ITS CONSTITUTION, WHICH WAS APPROVED BY THE FIRST CONGRESS, WAS AMENDED AND SUPPLEMENTED BY THE SECOND CONGRESS OF THE GCTU ON 22 SEPTEMBER 1993, AND THE THIRD CONGRESS OF THE GCTU ON 18 SEPTEMBER 1997

THE BASIC OBJECTIVES OF THE GCTU ARE:

- CO-ORDINATION OF ITS AFFILIATES' ACTIVITIES ON THE PROTECTION OF SOCIAL RIGHTS OF WORKERS, STUDENTS AND PENSIONERS;***
- ASSISTANCE IN THEIR PROTECTION OF TRADE UNION RIGHTS AND GUARANTEES;***
- AND***
- ORGANISING TRADE UNION SOLIDARITY AND CO-ORDINATION OF ITS AFFILIATES' INTERNATIONAL POLICIES.***

***THE GCTU BUILDS ITS ACTIVITIES IN CONFORMITY WITH THE UNIVERSALLY RECOGNISED STANDARDS OF INTERNATIONAL LAW, WITH FULL RESPECT FOR ITS AFFILIATES' COMPLETE INDEPENDENCE AND THE EQUALITY OF THEIR RIGHTS AND DUTIES.
THE GCTU AFFILIATES NATIONAL TRADE UNION CENTRES OF ARMENIA, BELARUS, GEORGIA, KAZAKHSTAN, KYRGHYZSTAN, MOLDOVA, RUSSIA, TAJIKISTAN, UZBEKISTAN, AND UKRAINE, AS WELL AS 37 BRANCH TRADE UNION INTERNATIONALS. BESIDES BILATERAL AGREEMENTS ON CO-OPERATION WAS SIGNED WITH THE TRADE UNION CONFEDERATION OF AZERBAIJAN .***

THE GCTU IS READY TO CO-OPERATE WITH ANY OTHER NATIONAL TRADE UNION FEDERATIONS, IRRESPECTIVE OF THEIR BEING MEMBERS OF OTHER INTERNATIONAL ORGANISATIONS. ON THE OTHER HAND, THEIR PARTICIPATION IN GCTU ACTIVITIES DOES NOT IN ANY WAY RESTRICT THE INDEPENDENCE OF ITS AFFILIATES.

THE CONFEDERATION ENJOYS OBSERVER STATUS WITH THE CIS INTER-PARLIAMENTARY ASSEMBLY, THE CIS COUNCIL OF HEADS OF STATE, THE CIS COUNCIL OF HEADS OF GOVERNMENT, THE CIS INTERSTATE ECONOMIC COMMITTEE, ETC.

INTERNATIONALLY, IT IS IN CONSULTATIVE RELATIONS WITH THE ILO , UN DPI AND ECOSOC.

THE GCTU SUPREME BODIES ARE THE CONGRESS, CONVENED ONCE EVERY FIVE YEARS, AND, IN THE INTERVALS BETWEEN THE CONGRESSES, THE EXECUTIVE COMMITTEE.

CONTROL OVER FINANCIAL ACTIVITIES IS EXERCISED BY THE GCTU AUDITING COMMISSION.

PRESIDENT OF THE GCTU IS VLADIMIR SCHERBAKOV

DEAR READERS

The GCTU information bulletin "Inform-Contact" is also distributed by E-mail. Apart from that, the English and French versions of our publication are available on our web site: www.vkp.ru