



Fostering Business and Human Rights Principles
This project is funded by the European Union



GENDER LENS TO UNGPS: MAMFORCE, REGIONALIZATION OF A GOOD PRACTICE

Labour law

Involvement of women in the workforce is part of the women's economic empowerment. Yet pregnancy and maternity are an especially vulnerable time for working women and their families. Expectant and nursing mothers require special protection to prevent harm to their or their infants' health, and they need adequate time to give birth, to recover, and to nurse their children. At the same time, they also require protection to ensure that they will not lose their job simply because of pregnancy or maternity leave. Such protection not only ensures a woman's equal access to employment, it also ensures the continuation of often vital income which is necessary for the well-being of her entire family. Safeguarding the health of expectant and nursing mothers and protecting them from job discrimination is a precondition for achieving genuine equality of opportunity and treatment for men and women at work and enabling workers to raise families in conditions of security.¹

Labour law (also known as labor law or employment law) mediates the relationship between workers, employing entities, trade unions and the government. Collective labour law relates to the tripartite relationship between employee, employer and union. Individual labour law concerns employees' rights at work and through the contract for work. Employment standards are social norms (in some cases also technical standards) for the minimum socially acceptable conditions under which employees or contractors are allowed to work. Government agencies (such as the former US Employment Standards Administration) enforce labour law (legislative, regulatory, or judicial).²

Non-discrimination labour laws protect mothers in the workforce.

Historical overview Macedonia and Croatia

Yugoslavia was an independent country in Southeastern and Central Europe for most of the 20th century. It constituent of six socialist republics that made up the country were the SR Bosnia and Herzegovina, SR Croatia, SR Macedonia, SR Montenegro, SR Serbia, and SR Slovenia. Serbia contained two Socialist Autonomous Provinces, Vojvodina and Kosovo. On 25 June 1991, Croatia and Slovenia declared independence and on 8 September 1991, following a referendum the Republic of Macedonia declared independence.

¹ <https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/maternity-protection/lang--en/index.htm>

² https://en.wikipedia.org/wiki/Labour_law



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KONEKT



БИЗНИС КОНФЕДЕРАЦИЈА НА МАКЕДОНИЈА
BUSINESS CONFEDERATION MACEDONIA
Competitiveness Skills of Macedonian economy

Under Yugoslavia Macedonia and Croatia followed the same Yugoslavian labour laws.³

When these countries became sovereign they started to write their own constitutions and laws.

The Macedonian Law on Working Relation is in place in Macedonia⁴, whereas in Croatia it is the Croatian Labour Law⁵.

In the Macedonian Law on working relation, article 6 is dedicated to anti-discrimination and prohibits all forms of discrimination. In the Croatian Law article 7, has paragraph 4 that also prohibits any form of discrimination in the workforce.

According to ILO Macedonia and Croatia protect the right of a paid maternity leave.

Country	Duration of maternity leave (in national legislation)	Duration of maternity leave (in weeks)	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits
Croatia	45 days before birth to 1 year after birth	58 weeks	100% until 6 months after birth, then a flat-rate benefit	Social security (health insurance fund for 6 months, then public funds)
FYR Macedonia	9 months	39 weeks	100%	Social security (social insurance)

Both Macedonia and Croatia have ratified the Maternity Protection Conventions⁶.

Even with the most advanced legislature, companies need to make further effort to ensure the protection of gender rights.

MAMFORCE

MAMFORCE© is an innovative assessment methodology and business standard for corporate family responsibility and gender equality.

³ <http://www.podaci.net/z1/8122806/Z-oredno02v8960-9242.html> (Zakon o osnovnim pravima iz radnog odnosa

(Objavljen u "Službenom listu SFRJ", br. 60/89, 42/90 i "Sl. listu SRJ", br. 42/92, 24/94)

⁴ <http://www.mtsp.gov.mk/content/pdf/zakoni/ZRO%20Precisten%2074-15.pdf>

⁵ <https://www.zakon.hr/z/307/Zakon-o-radu>

⁶ https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_242615.pdf



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The standard aspires to achieve conditions of professional advancement that offer equal opportunities despite motherhood and parenting.⁷

The MAMFORCE METHOD© is a strategic tool aimed at changing the organisational culture and assisting companies in creating a supportive and inclusive work environment based on open communication, trust and appreciation of differences. This ensures conditions for full equality, regardless of specific family needs of various groups in different stages in life. In an increasingly competitive environment, productivity and maximum use of available resources are paramount. Women make up over 50% of the population and in most countries they account for at least a half of the workforce. Some female or male talents fail to stand out due to an organisational culture that lacks flexibility, understanding and support in the various stages of an employee's life. Sustainable development is not possible without adequate use of existing talents. Change of organisational culture implies changes in the way we work and think that can be achieved through a series of measures introduced by means of MAMFORCE methodology.

RESULT- ORIENTED BLENDED APPROACH

What makes MAMFORCE unique is its blended approach towards mutually dependent issues – lack of understanding for family obligations and consequently emerging gender issues. It is necessary to engage employees, develop a culture of open communication, mutual support and trust supported by participative leadership.

MAMFORCE provides organizations with a better insight into the following:

- Efficiency of existing family-responsible measures and diversity policies opportunities for the improvement of organizational culture
- Synergy of indicators relevant for business success and well-being of employees.

Fostering Business and human rights principles

The Association Konekt and Business Confederation, both from Skopje, are implementing the project *Fostering Business and human rights principles*, which is funded by the European Union and will be implemented in the period 2018-2019. The objective of the project *Fostering Business and human rights principles*, is to support the economic and social rights in the business sector in Macedonia through the application of the United Nations Guiding Principles on Businesses and Human Rights (UNGPs). The project will help the institutions and employers to link their policies with the UNGPs, the EU integration processes, European Commission's Strategy on Corporate Social Responsibility (CSR) and the EU Action Plan on Human Rights and Democracy (2015-2019). Within this framework, the project's tasks include research, promotion and direct support for companies regarding the UNGPs:

⁷ <http://www.mamforce.com/mamforce-method.aspx>



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Creating baseline data and identifying opportunities and challenges in the integration of human rights in the private sector:

- Developing and promoting a research report on the state of Business and Human Rights in the country.

Raising awareness among key stakeholders about the UNGPs as a way to achieve economic and social rights:

- Translation and publishing of UNGPs in Macedonian and Albanian languages in order to increase understanding among stakeholders;
- National Conference on the Business and Human Rights.

Creating and implementing tools to support companies in integrating UNGCs:

- Creating and implementing tools to support companies in integrating UNGCs such as manuals, self-assessment tools and direct consultations;
- Introducing recognition scheme to promote good practice.

Strengthening the capacity of up to 80 private business representatives and other stakeholders on advancing business and human rights in practice:

- Workshop for representatives from relevant institutions and social partners;
- Workshops for business representatives.

Establishment of multi-stakeholder policy dialogue to foster implementation of the UNGPs:

- Establishing multi-stakeholder Working Group on UNGPs;
- Design and implementation of participatory process (national and local level) for developing policy proposals on integration of UNGPs.

Drafting policy recommendations for integration of UNGPs in national policies based on EU best practices:

- Drafting policy recommendations for integration of UNGPs in national policies based on EU best practices (through drafting a NAP or integration within the new CSR strategy).

One of the activities in the project is support in implementation of MAMFORCE in the country.

To help companies to improve the state of human rights in their human resources policies, especially in the area of labour rights, tentatively 5 SMEs will be supported for implementation of the MAMFORCE standard and will get additional guidelines for integration of UNGPs.

The process of awarding the standard has 4 steps which are similar with the steps of human rights due diligence process: 1) data collection; 2) analyses, benchmark, presentation of the information; 3) development of an action plan 4) awarding the primary standard. Each company will go through the process of revision which will be consisted of: interviews of their employees, review of their policies,



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creation of action plan and commitment for its fulfilment. If the company meets the criteria of the standard they will be awarded the Primary Mamforce standard and will receive guidelines how to improve their policies and to integrate UNGPs. This activity will also have its own recognition scheme and the special ceremony for awarding the standard will be organized in Skopje.

Regionalization of good practices

The UN Guiding Principles on Human and Business Rights is a good start for gender rights and non-discrimination, but the real work comes in implementing those rules. Protecting labor rights and gender equality in the workforce are no easy tasks and finding models that work in this area are always a good idea to try to implement even it means “importing them” from abroad. Considering the regional proximity and the joint historical labour laws it was easy to see that the MAMFORCE method developed in Croatia could be a good fit in Macedonia. In Croatia more than 20 companies have acquired the MAMFORCE standard and are a part from the MAMFORCE society⁸.

The Association Konekt has the exclusive rights to implement the MAMFORCE standard in Macedonia. As of now, Konekt has set up a website for MAMFORCE on Macedonian, held info sessions with companies and launched the standard with the support for the company who acquired the standard. The first accredited company in Macedonia with the MAMFORCE standard was VIP⁹. The next 5 companies will be supported from the project Fostering Business and human rights principles. With the help of the European Union, Konekt will be able to facilitate the implementation of this standard and also introduce the companies with the UNGPs. The open call for applications for the companies is due on the 31st of October 2018. With this activity, the goal is to implement good practices from the MAMFORCE standard and lead a new trend for human and gender rights in the business sector in Macedonia and the region.

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⁸ <http://www.mamforce.hr/mamforce-society.aspx>

⁹ <http://www.mamforce.mk/mamforce-kompanii.aspx>