

1. THE MOST IMPORTANT DEVELOPMENTS THROUGHOUT 2013 FOR SiCRED ASSISTANCE

1.1 GENERAL FRAMEWORK

The 2013, for SiCRED ASSISTANCE marks the year of execution of principles that justified the creation of this legal entity. Under these conditions, the reluctance of the entities to endorse this completed and improved legal policy, imposed by law, in favor of caring for the employee, led to employers being skeptical on the fact whether these services were necessary for their employees or not, as long as the economic costs of this contractual service were a burden for the budget of these employers. The challenge of SiCRED ASSISTANCE consisted in the awareness of the entities that supported and contracted this service, considering it as the best solution for the employer and employee, with regards how these parties were related in the employment matters.

Under these circumstances, the dynamics of the political developments of 2013 consisted of crucial changes in the political spectrum. The result of political elections in the country brought into power another political party, which, in its electing programme, proclaimed the treatment of employers as an emergent issue, on formal and legal basis. It also proclaimed the maximal avoidance of any anti-legal policy applied from employment entities, or in deviation from law, directly or indirectly related to the employer, health care and safety at workplace, efficiency growth of the responsible state entities, like State Labor Inspectorate, Public Health Inspectorate...etc. for the purposes of monitoring and properly imposing, as well as, the adequate execution of legal stipulation in force which regulate labor relations as well as the health and safety legal matters of the employers at the workplace.

Namely, the spirit of the above governing programme, in a way, increased the public awareness for the decrease of informality, improvement of legal practices related to workplace aspects, as well as, strengthening the public structures, which are responsible for implementing the measures of safety and health at work.

Even with the aspiration of several years of the Albanian state to become a member of European Union (EU) there has been a visible effort for the legislation implementation, a weak energy is noted in embracing and implementing aspects of safety and health at work, imposed by the law itself. It is evident that since 2010, when the Law No. 10 237, date 18.02.2010 "*On safety and health at work*" entered into force, later followed by bylaws (DCM No. 107, dated 09.02.2011, DCM No. 108, dated 09.02.2011 and DCM no. 562 dated 03.07.2013), our country has taken positive steps as far as the legal regulatory framework of safety and health is concerned. After several years of observing the labor law enforcement issues, we can say with certainty that the problem in the Albanian environment lies in the breakdown and concrete application of legal requirements, by the entities to which the labor law is addressed and imposed upon. If we pay close attention to the data published by the State Labor Inspectorate, a major problem is the lack of a physician at the workplace as well as the absence or failure of a properly functioning Safety Council at work.

The current difficulties in the labor market for the implementation of safety and health labor legislation are as follows:

- **Non-harmonized Legal framework.** Even-though there has been made an important step by adopting the law on safety and health at work as well as creating bylaws for its implementation, it is evident the fact that there's a lack of harmonization of the practical guidelines, which complement though methodical execution, the principles that the law as well as bylaws have stipulated on the matters of safety and health at work. The experience gained in 2013, clearly identified the lack to have a standardized and practical process to implement the law and its requests, as well as made us set up procedures, while trying to transpose and adapt them according to our national specifications, acts that were already being used by other homologous companies abroad, which companies, had gained more in years and as long as such practices were lacking in the Albanian market.
- **Lack of Information** on the employers' side for their legal obligations, as well as the lack of coherence in the relevant chains of state monitoring manners, to make the information of health and safety at work, a public sensitive topic, in need of public awareness, as well as for the employers and employees, to know more about their rights and obligations.
- **Low will of employers** for the execution of law on health and safety at work. A safe and healthy working environment means several advantages for the employer, like for example, a higher working efficiency, reduction of costs as the result of accidents at work, more quality products and services...etc. and embracing this approach is what's missing in today's labor market.
- **The lack of specialized consultants.** Just like everywhere in the world, the successful implementation of the safety and health at work legal requirements is not that easy. Oftentimes, businesses don't own sufficient human resources and capacities to fulfill these requirements and that's why there's a need to hire specialized external services. Currently, in Albania there are only 2 external consultants for the matters of safety and health at work. Regardless of the experience and the identifiable specifications that these operating entities have, we deem that in general, the meaning and the correct execution of principles of health and safety at work should be deepened. In the meantime, this also affects the extension of this type of business, especially by these particular entities, which, thoroughly deal with matters of safety and health at work in a more professional manner.

1.2 The progress of activity throughout 2013

During 2013, we have signed the first consultancy contracts with private entities and now we serve to more than 700 employees, while continuously assisting them in the improvement of practices for minimizing the risks at their workplace, efficiency growth at the workplace, the decrease of stress levels ...etc