

Research conducted by the Trade Union of Commerce and Services of Bosnia and Herzegovina (STBiH) under the project “Together for Stronger Civil Society in Bosnia and Herzegovina” supported by Olof Palme International Center

Members of the STBiH Para Legal Network who held meetings with workers, research participants, providing them with expert guidance and support, while collecting information on the state of workers' rights in BiH, in the period from 2012 until the end of 2014:

Omerbegović Hanumica, Balalić Devleta, Mango Sedika, Plivčić Fikret, Došen Dragan,
Bradarić Danijela, Tinjić Šejla, Poljskić Alma, Teskeredžić Samra, Bavčić Lana, Smriko Renata,
Nurkić Izeta, Brkić Selmir, Šestić Asim, Alić Jasmina, Rubinić Željka, Bavčić Benjamin

Members of the Independent Union of Forestry, Wood Processing and Paper of Bosnia and Herzegovina who participated in the work of the STBiH Para Legal Network and held meetings with workers, research participants, providing them with expert guidance and support, while collecting information on the state of workers' rights in BiH, during 2014:

Rakić Mićo, Plećan Rešid, Ćuturić Sabahudin, Jazvin Mirsad

Data analysis and presentation by:

Zlatko Jakšić, born in Sarajevo (BiH), graduated International Business at the University of North Carolina (USA), currently working as a freelance researcher, and cooperating with the STBiH conducting data analysis since April 2014.

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Istraživanje izvršeno od strane Sindikata trgovine i uslužnih djelatnosti Bosne i Hercegovine (STBiH) u okviru projekta „Zajedno za jače civilno društvo u Bosni i Hercegovini“ koji je podržao Olof Palme Internacionalni centar

Članovi STBiH Para pravne mreže koji su vodili razgovore sa radnicima i radnicama, učesnicima/ama ovog istraživanja, pružajući im stručne savjete uz svesrdnu podršku i prikupljujući informacije o poštivanju radnih prava u BiH, u periodu od 2012. do kraja 2014. godine:

Članovi Samostalnog sindikata šumarstva, prerade drveta i papira Bosne i Hercegovine koji su učestvovali u radu Para pravne mreže STBiH i vodili razgovore sa radnicima i radnicama, učesnicima/ama ove ankete, pružajući im stručne savjete uz svesrdnu podršku i prikupljujući informacije o poštivanju radnih prava u BiH tokom 2014. godine:

Analizu i prezentaciju podataka vršio:

Zlatko Jakšić, rođen u Sarajevu (BiH), diplomirao Međunarodni Biznis na Univerzitetu u Sjevernoj Karolini (SAD), trenutno radi kao slobodni istraživač i sarađuje sa STBiH vršeći obradu i analizu podataka od aprila 2014. godine.

Izdavač: Sindikat radnika trgovine i uslužnih djelatnosti BiH (STBiH)
Novembar 2014.

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Executive Summary Sažetak

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STBiH

The Trade Union of Commerce and Services of Bosnia and Herzegovina (STBiH) is a non-profit and non-partisan organization working for the protection and promotion of the interests and rights of its members, primarily workers employed in the trade and service sector in entire Bosnia and Herzegovina. STBiH's work was re-established in 1996, when the new wave of organizing started from zero, and during the last eighteen years of active work the number of members has reached around 10,000.

Since 2012, STBiH has been implementing the project "Together for Stronger Civil Society in Bosnia and Herzegovina", one of the goals of which is to compile an adequate and representative database on the violations of rights in the sector of trade and commerce in Bosnia and Herzegovina in 2012, 2013 and 2014. To this purpose, since the start of 2012, research through surveys is being continuously conducted with employees in the sector of trade and commerce. The research will last until the end of 2014, and its results thus far are presented in this brochure.

Research sample

Since 2012, 465 persons were included in this analysis, through 614 meetings, since meetings were held more than once with certain persons. 258 persons surveyed are female, 188 male, in 12 cases groups of workers had been surveyed, and 7 persons did not state their gender. Furthermore, 371 participants addressed the question of membership in STBiH, with a positive response given by 23.2%, while the frequency of membership is much higher with women, as there are 30% more women members.

We can note that persons aged 26-55 comprise the majority, 85%, of the workforce surveyed. People 18-25 constitute 8%, while persons above 55 make up 7% of research participants.

STBiH

Sindikat radnika trgovine i uslužnih djelatnosti Bosne i Hercegovine (STBiH) je neprofitna i nestranačka organizacija koja se bavi zaštitom i promocijom interesa i prava svojih članova, prvenstveno radnika i radnica zaposlenih u sektoru trgovine i uslužnih djelatnosti na teritoriji cijele Bosne i Hercegovine. STBiH je svoj rad reanimirao 1996. počevši organizovanje od nule, da bi u osamnaest godina aktivnog rada dostigao brojku od oko 10, 000 aktivnih članova.

Od 2012. godine, STBiH provodi projekt „Zajedno za jače civilno društvo u Bosni i Hercegovini“, u okviru kojeg je jedan od ciljeva da prikupi adekvatnu i reprezentativnu bazu podataka o kršenju prava u sektoru trgovine i usluga u 2012., 2013. i 2014. godini. U tu svrhu, kontinuirano se vrši anketno istraživanje sa radnicima/caima iz ovog sektora od početka 2012. godine. Istraživanje će trajati do kraja 2014. godine, a rezultati istog su predstavljeni u ovoj brošuri.

Uzorak Istraživanja

Od 2012. godine anketirano je 465 osoba, tokom 614 sastanka, a sa nekim osobama sastanci su održani više puta, od kojih je 258 ženskog, a 188 muškog roda. U 12 slučajeva anketirane su grupe radnika, dok 7 anketiranih osoba nije dalo odgovor na pitanje spola. Stoga, u ovom istraživanju učestvuje 37% više žena. Nadalje, 371 osoba se izjasnila o članstvu u STBiH, od kojih je potvrđeno odgovorilo 23,2%. Kod broja članova je znatno veća zastupljenost osoba ženskog pola i to čak za 30%.

Evidentno je da osobe starosne dobi od 26-55 godina predstavljaju 85% radne snage obuhvaćene ovom analizom. Osobe starosne dobi od 18-25 godina čine 8%, dok osobe iznad 55 godina čine 7% ispitanika.

STBiH je kroz ovo istraživanje dobio saznanja o kompanijama u kojima se krše prava radnika/ca obuhvaćenih istim, ali se ove informacije ne objavljaju zbog zaštite anonimnosti osoba koje su učestvovali u istraživanju.

Executive Summary Sažetak

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Through the research, STBiH collected data on the companies where workers' rights violations occur, but this data shall not be published in order to protect the anonymity of the research participants.

In 2014, this project was offered to other trade unions in BiH as a possible model for providing services to their members. Thus, the results in 2014 also include findings of network members from the Trade Union of Forestry, Wood Processing and Paper of BiH (SSSPDP). 4 union representatives from this trade union participated in the project. During the year they held 31 meetings with 31 workers. Out of these, 17 were male, 12 female, 1 meeting was held with a group of workers, and 1 person did not state his or her gender.

Workers' Rights Violated

The biggest problem for the men and women surveyed is mobbing, followed by problems of financial nature, and problems relating to social protection. A significant portion of participants also reported workplace discrimination.

Mobbing is a specific kind of behavior at the work place, where one person or group, systematically, psychologically and morally abuses and disregards another person with the intent of damaging his or her reputation, honor, dignity and integrity, until elimination from the work place. The most common form of mobbing reported is verbal threats, reported in 43.6% of cases. However, we can see that women are much more susceptible to mobbing at the workplace than men, being confronted with all types of mobbing more frequently than their male counterparts.

Discrimination is every act of different and/or unequal treatment of a person or group, on the basis of their gender, sex, nationality, religion, economic status, sexual orientation, or other characteristic. The majority of people reported discrimination on the basis of disability or similar health issues.

Ovaj projekat je u 2014. godini ponuđen i drugim sindikatima u BiH kao mogući model pružanja usluge članstvu. Stoga rezultati u 2014. godini obuhvataju i nalaze do kojih su došli članovi Mreže iz Sindikata šumarstva, prerađe drveta i papira BiH (SSSPDP). U projektu su učestvovala 4 sindikalna povjerenika iz ovog sindikata. Oni su u toku godine održali 31 sastanak sa 31 radnikom. Od toga 17 njih su muški, 12 su žene, 1 grupom radnika i 1 osoba koja nije dala odgovor na pitanje o spolu.

Prekršena prava iz radnog odnosa

Anketiranim ženama i muškarcima najčešći problem predstavlja mobing, a potom slijede problemi finansijske prirode i problemi vezani za socijalnu zaštitu. Značajan broj ispitanika je prijavio diskriminaciju.

Mobing je specifičan oblik ponašanja na radnom mjestu, kojim jedna osoba ili grupa, sistematski, psihički i moralno zlostavlja i ponižava drugu osobu s ciljem ugrožavanja njenog ugleda, časti, ljudskog dostojanstva i integriteta, sve do eliminacije sa radnog mesta. Najčešće prijavljen oblik mobinga su verbalni napadi, prijavljeni od strane 43,6% ispitanika. Međutim, analizom vidimo da su žene, na radnom mjestu, izloženije mobingu nego muškarci, te da one češće trpe sve vidove mobinga, nego što je to slučaj sa muškarcima.

Diskriminacija je svaki postupak razlikovanja i/ili nejednakog tretmana osobe ili grupe osoba, a na osnovu njihovog spola, roda, nacionalne, vjerske pripadnosti, ekonomskog statusa, seksualne orientacije, ili nekog drugog osnova. Prema ovom istraživanju najviše osoba je prijavilo diskriminaciju na osnovu invalidnosti i zdravstvenih problema.

51 % ispitanika je izjavilo da se njihova prava iz radnog odnosa krše manje od godinu dana, odnosno u posljednjih godinu dana, što ukazuje na porast novih slučajeva kršenja radnih prava.

Executive Summary Sažetak

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51% of participants stated that their rights have been violated less than a year, or in the past year, indicating an increase in new workers' rights breaches.

The fact that 74.4% claim that there are other employees with the same or other problems in their company, indicates that the frequency of workers' rights violated is greater than this research alone indicates. It is also evident that the majority of surveyed persons, 97.8%, who addressed the question of most persistent problems in the company, state constant violations of workers' rights as the biggest problem in their company.

Workers of the forestry, wood processing and paper sector are faced with a similar situation, where the most frequent problems regard treatment of workers, as well as irregular payments of salaries and benefits. The most common form of mobbing recorded is verbal threats, while it is the immediate supervisor who is most often responsible for such violations. Further, 79% of participants stated that other workers in their company faced the same problems.

Protection of Workers' Rights

In order to protect their workers' rights, employees have the opportunity to seek assistance from union representatives, the courts, lawyers, ombudsmen, work inspectors, management and other relevant professional bodies. However, almost half of the persons surveyed declared that they had not sought any help for solving problems they face at the workplace.

There is great lack of faith of workers in the effectiveness of the system for the protection of their rights, to the extent that 57.1% of research participants stated that they fear termination of employment, while 27.9% believe that nothing will change if they take action attempting to protect their workers' rights.

In most cases, 88.4%, employees are inclined towards non-formal, direct and personal approaches for protecting their workers' rights, which does not leave a written trace of agreements reached and measures taken, nor carries a formal weight such as an official complaint or suit, and therefore it may not be the most efficient way of protecting workers' rights.

Činjenica da 74,4% ispitanika tvrdi da u istom preduzeću ima još zaposlenih sa istim ili drugim problemima, ukazuje na to da je učestalost kršenja radnih prava veća nego što to rezultati istraživanja prikazuju. A evidentno je i da velika većina radnika, koji su se izjasnili o problemima u preduzeću, i to čak njih 97,8% navodi učestalo kršenje prava radnika kao najveći problem.

Sa sličnom situacijom suočeni su i radnici sektora šumarstva, prerade drveta i papira, gdje se najučestaliji problemi odnose na ophođenje prema radnicima, kao i na neredovno isplaćivanje plata i doprinosova. Najčešći, zabilježeni, oblici mobinga su verbalni napadi, dok je neposredni nadređeni u većini slučajeva počinitelj istog, a čak 79% ispitanih osoba je navelo da u njihovom preduzeću ima još radnika sa istim problemima.

Zaštita radnih prava

Kako bi ostvarili zaštitu svojih prava iz radnog odnosa, radnici imaju mogućnost da se nekome obrate za pomoć u rješavanju svojih problema, uključujući sindikate, pravosuđe, ombudsme, inspektore rada, rukovodstvo i druga relevantna stručna tijela. Međutim, skoro pola osoba koje su učestvovali u ovom istraživanju je izjavilo da se nije nikome obratilo za pomoći pri rješavanju problema s kojima se suočavaju na radnom mjestu.

Postoji veliko nepovjerenje radnika u efikasnost sistema za zaštitu njihovih prava, do te mjere da je 57,1% učesnika/ca istraživanja izjavilo da se boje prestanka radnog odnosa, a da 27,9% vjeruje da se nikakva promjena neće desiti ukoliko nešto poduzmu, kako bi pokušali/e zaštititi svoja radna prava.

Zaposlenici su u najviše slučajeva, 88,4%, skloni neformalnom, direktnom i ličnom obraćanju kako bi zaštitili svoja prava iz radnog odnosa, što ne ostavlja pismeni trag kao vid dokaza o dogovorenim rješenjima i poduzetim mjerama. Takav pristup nema formalnu težinu kakvu može imati zvanična žalba ili tužba, pa često nije najefikasniji način borbe za zaštitu radnih prava.

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Most persons surveyed, 57%, stated that they turned to management in order to protect their rights, while in 36% of cases they stated that they represent themselves personally when negotiating with employers to this purpose. Furthermore, 29% of persons surveyed stated that they do not dispose with information on whether a court proceeding regarding their case has been initiated. These statistics indicate that workers are not familiar with the mechanisms and procedures for the protection of their workers' rights, which further shows that workers are not being educated nor informed about this issue by their employers.

In the forestry, wood processing and paper sector also, half of the research participants stated that they did not seek help to protect their workers' rights, mainly because they did not know whom to turn to. Persons who sought help mostly did so in person, turning to their immediate supervisor. Also, around one fourth of participants stated that they did not know whether a law suit was initiated or not, while 67.7% knew that it had not.

The Role of STBiH

The role of STBiH is to represent workers, as to ensure work worthy of man in the trade and service sector in BiH, as well as respect of a minimum of workers' rights guaranteed by the labor codes of BiH and other relevant regulations. In order to monitor its effectiveness in helping workers protect their rights and improve future methods, information on the shape of help STBiH provided is very valuable, as well as what happened to the workers' rights after talks with STBiH representatives.

The significance of STBiH's role is reflected by the fact that in as many as 39% of cases where employees were able to protect their workers' rights, STBiH directly represented them before their employers, indicating exceptional efficacy of the Syndicate in protecting the rights of workers. Furthermore, in 73% of cases when workers were able to realize their workers' rights by representing themselves, they were able to do so as a result of the expert and legal guidance and counseling they received from STBiH, which empowered them to represent themselves effectively.

Najveći broj anketiranih osoba, 57%, navode da su se obratile rukovodstvu kako bi zaštitile svoja prava, dok su u 36% slučajeva navele da su u pregovorima zastupale sebe lično. Nadalje, 29% ispitanika je navelo da ne raspolaže informacijom da li je pokrenut sudski spor u njihovom slučaju. Ove činjenice ukazuju da radnici nisu upoznati o mehanizmima i procedurama zaštite svojih radničkih prava, što pokazuje da se radnici ne obrazuju niti informišu o istom kod poslodavca.

I u sektoru šumarstva, prerade drveta i papira, više od pola učesnika/ca istraživanja je navelo da nije tražilo pomoć kako bi zaštitilo svoja radna prava, a najčešće jer ne znaju kome da se obrate. Osobe koje su tražile pomoć su, u najviše slučajeva, to uradile lično, obraćajući se neposrednim nadređenim. Takođe, oko četvrtina ispitanika/ca je navela da nema saznanja o tome da li je pokrenut sudski spor, dok je 67,7% sa sigurnošću znalo da nije.

Uloga STBiH

Uloga Sindikata radnika trgovine i uslužne djelatnosti u BiH je da predstavlja i zastupa radnike, kako bi osigurao rad dostojan čovjeka u sektoru trgovine i usluga u BiH, ali i poštivanje minimuma radničkih prava zagarantovanih zakonima o radu u BiH i ostalom relevantnom regulativom. U svrhu praćenja učinkovitosti STBiH u pomaganju radnicima/cama da zaštite svoja prava iz radnog odnosa i unapređenja budućih metoda rada, značajne su informacije o tome koji oblik pomoći je STBiH pružio radnicima, te šta se desilo sa pravima radnika/ca nakon razgovora sa predstavnicima/cama STBiH.

Važnost uloge STBiH se odražava i u činjenici da u čak 39% slučajeva kada su radnici uspjeli/e da se izbore za svoja radna prava, STBiH ih je direktno predstavljao pred poslodavcem, što ukazuje na izuzetnu učinkovitost Sindikata u zaštiti prava radnika. Dalje, u 73% slučajeva u kojima su ispitanе osobe uspjele, lično u svoje ime, da se izbore za svoja radna prava, to su postigle tek nakon stručnog i pravnog savjetovanja sa STBiH koji ih je osnažio da sami sebe mogu efektivno zastupati.

Research Sample

Uzorak istraživanja

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Total number of persons surveyed: 465

Female: 258

Male: 188

Groups: 12

Answer omitted: 7

Ukupan broj anketiranih osoba: 465

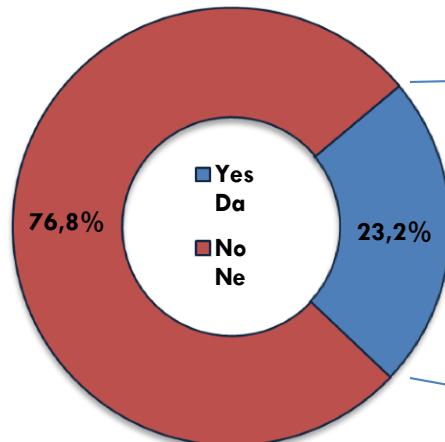
Osobe ženskog roda: 258

Osobe muškog roda: 188

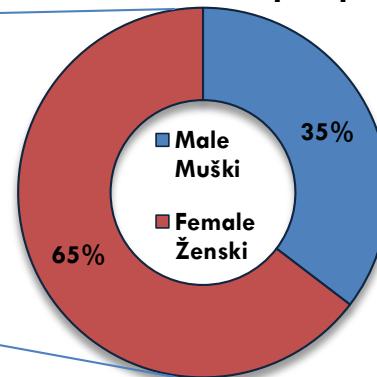
Grupe radnika/ca: 12

Nije dalo odgovor: 7

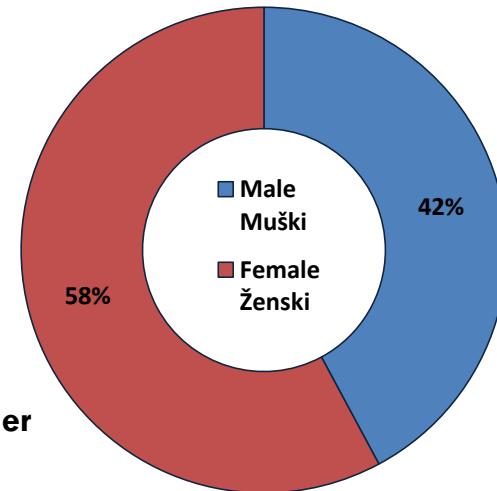
Membership of the Sample
Članstvo uzorka



Sample Membership by Gender
Članstvo uzorka po spolu



Gender Distribution of the Sample
Rodna zastupljenost uzorka

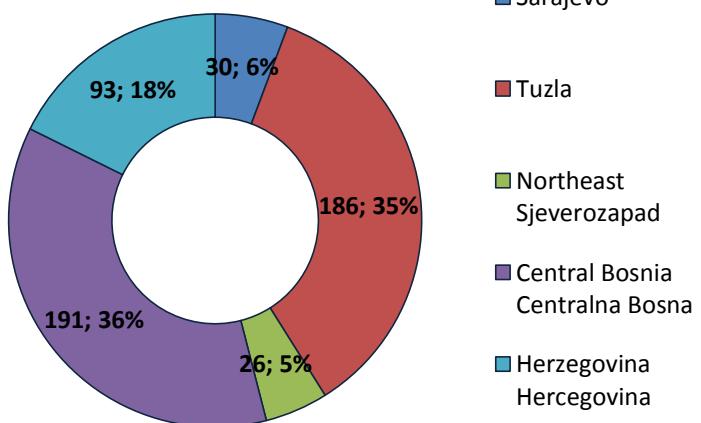


Research Sample

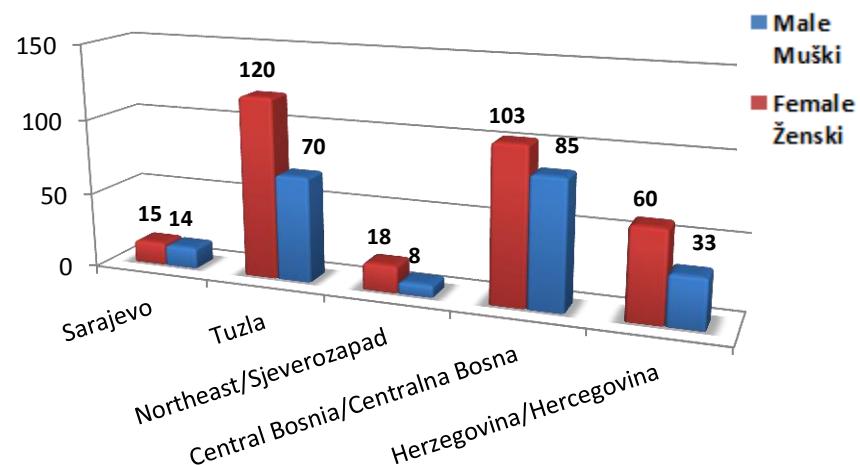
Uzorak istraživanja

7

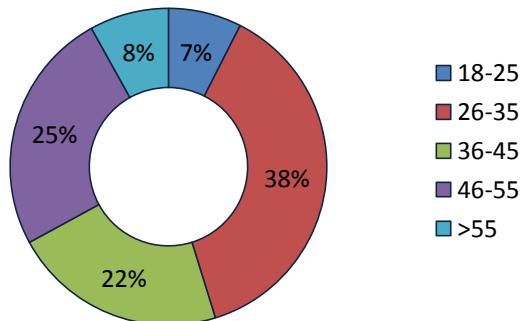
STBiH Region of Origin of Employees
STBiH regija porijekla radnika/radnice



Gender Distribution by STBiH Region
Rodna zastupljenost po regijama STBiH



Age Structure of Participants
Starosna struktura ispitanika/ca



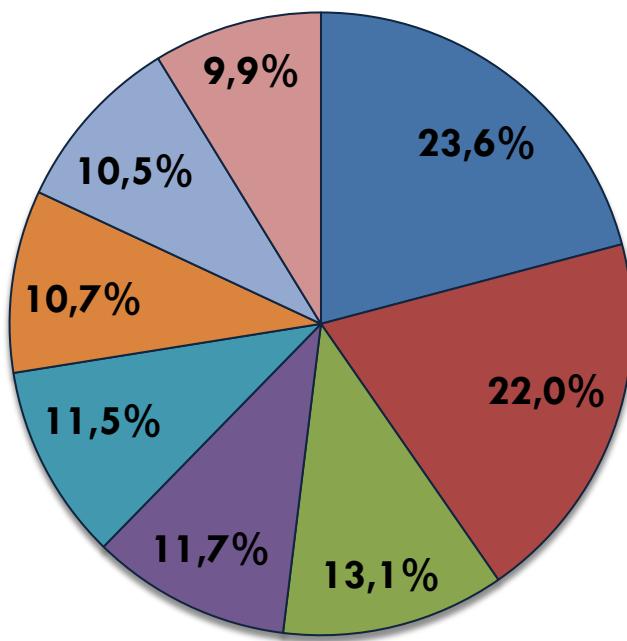
Violations of Workers' Rights

Prekršena prava iz radnog odnosa

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Most Frequent Violations of Workers' Rights Najučestaliji oblici kršenja radnih prava

Note: The percentages in the chart represent portions of the total number of participants who answered this question, and since more than one answer choice was possible for this question, the sum may exceed 100%.



■ Mobbing/maltretiranje

Mobbing/Harassment

■ Neplaćen prekovremeni rad

Unpaid Overtime

■ Neuplaćivanje doprinosa

Unpaid Benefits

■ Radno vrijeme iznad zakonskog maksimuma

Working Time above Statutory Maximum

■ Neopravdano i nedobrovoljno premještanje radnika/ice na drugo radno mjesto ili drugu lokaciju

Unjustified and Involuntary Transfer of Workers to another Position or Location

■ Neredovna isplata i kašnjenje plata

Irregular and Delayed Salaries

■ Zabrana/nemogućnost korištenja sedmičnog odmora

Ban/Impossibility of use of Weekly Break

■ Neisplaćivanje ili ad hoc smanjenje plate

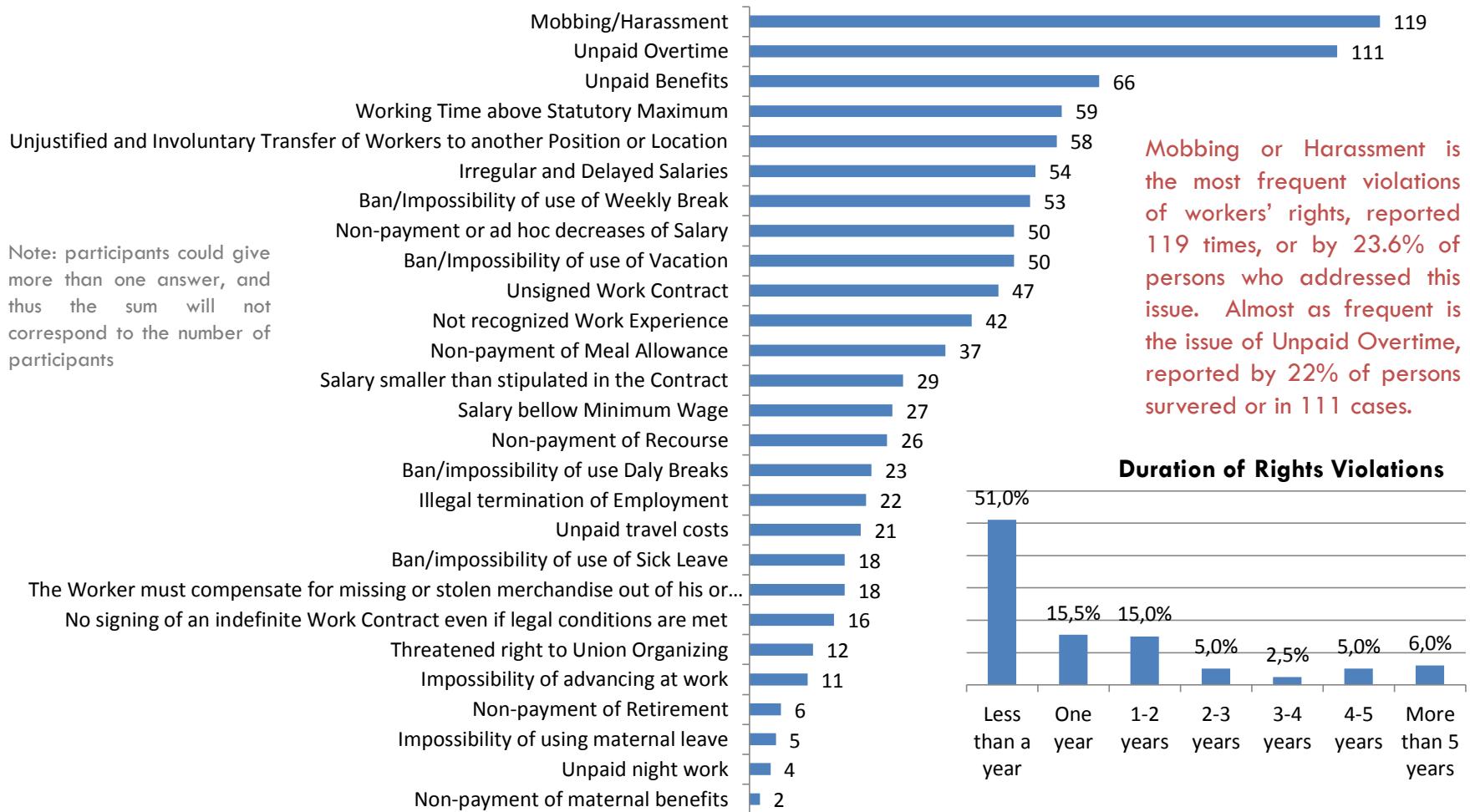
Ban/Impossibility of use of Vacation

Napomena: Ispitanici su imali mogućnost da navedu više od jednog odgovora, dok navedeni postotci predstavljaju dio ukupnog broja osoba koji su odgovorili na ovo pitanje, te zbir navedenih postotaka ne mora biti jednak 100.

Violations of Workers' Rights

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Frequency of all Reported Workers' Rights Violations



Prekršena prava iz radnog odnosa

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Učestalost svih prijavljenih kršenja prava iz radnog odnosa



Violations of Workers' Rights

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Workers' Rights Violations by Gender

The most persistent problem for both men and women regard human relations at the workplace, followed by problems of a financial nature and problems relating to social protection and benefits.

No signing of an indefinite Work Contract even if legal conditions are met

The Worker must compensate for missing or stolen merchandise out of his or her own funds

Impossibility of advancing at work

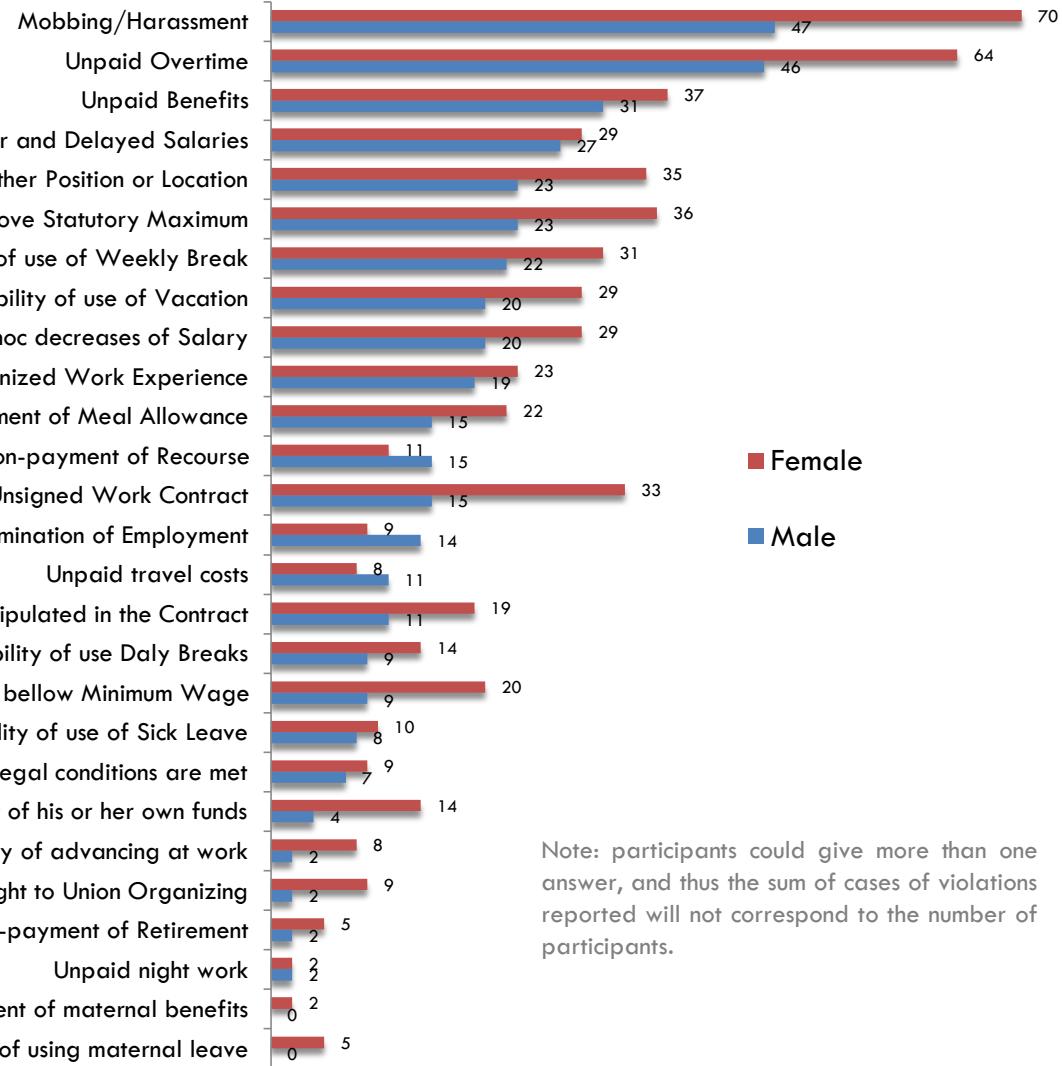
Threatened right to Union Organizing

Non-payment of Retirement

Unpaid night work

Non-payment of maternal benefits

Impossibility of using maternal leave



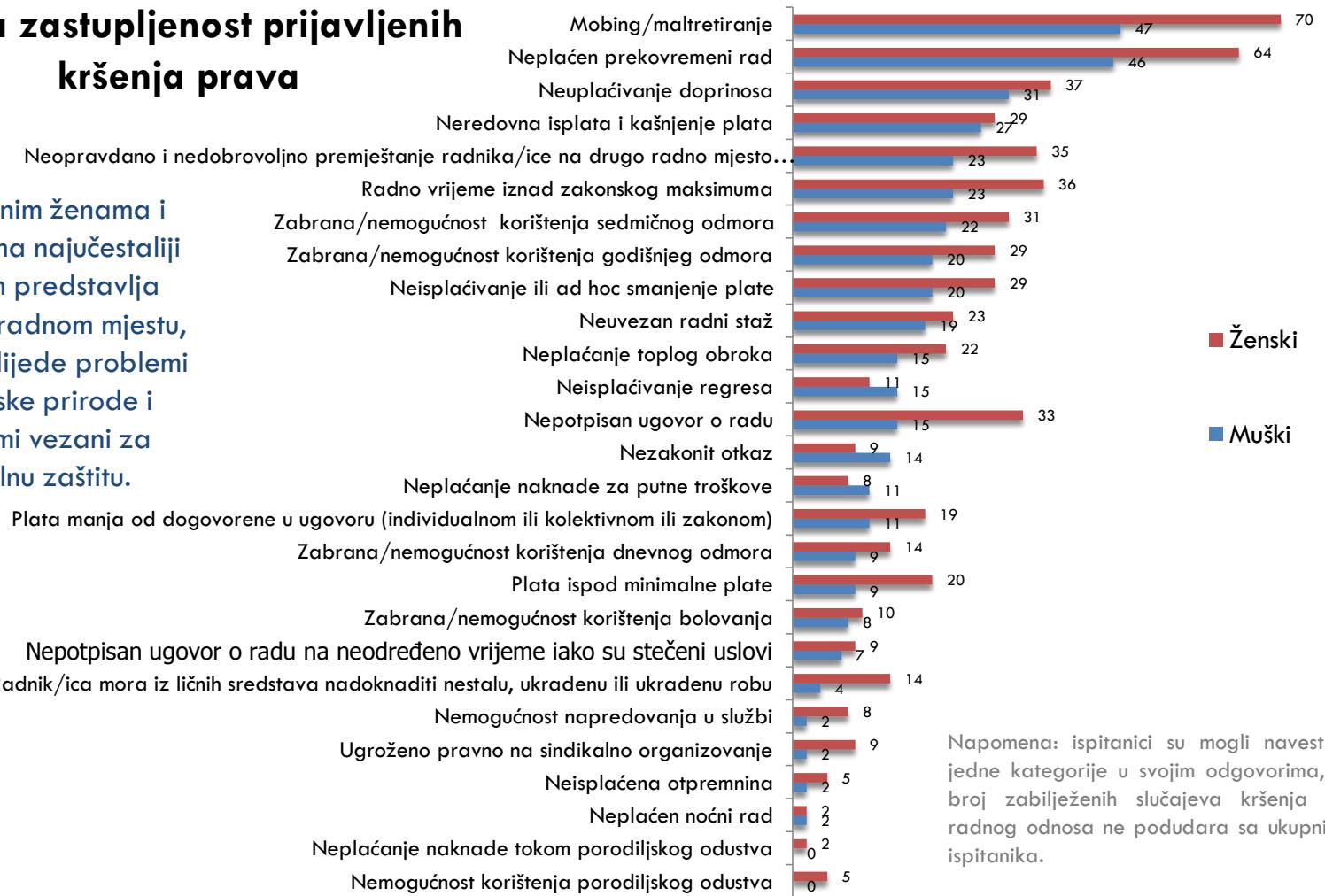
Note: participants could give more than one answer, and thus the sum of cases of violations reported will not correspond to the number of participants.

Prekršena prava iz radnog odnosa

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Rodna zastupljenost prijavljenih kršenja prava

Anketiranim ženama i muškarcima najučestaliji problem predstavlja odnos na radnom mjestu, a potom slijede problemi finansijske prirode i problemi vezani za socijalnu zaštitu.



Napomena: ispitanici su mogli navesti više od jedne kategorije u svojim odgovorima, stoga se broj zabilježenih slučajeva kršenja prava iz radnog odnosa ne podudara sa ukupnim brojem ispitanika.

Workers' Rights Violations by STBiH Region

Kršenja radnih prava po STBiH regijama

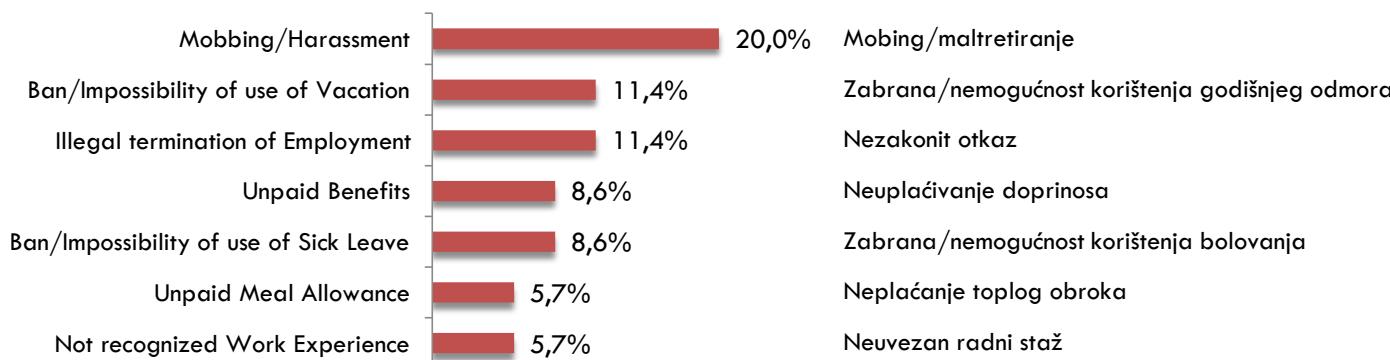
13

STBiH divides its work area into the following regions, regardless of official political and administrative categorization:

- Sarajevo Region
- Central Bosnia Region
- Herzegovina Region
 - Northeast Region
 - Tuzla Region



Sarajevo



STBiH dijeli svoje područje djelovanja na slijedeće regije, neovisno o zvaničnim političkim i administrativnim kategorizacijama:

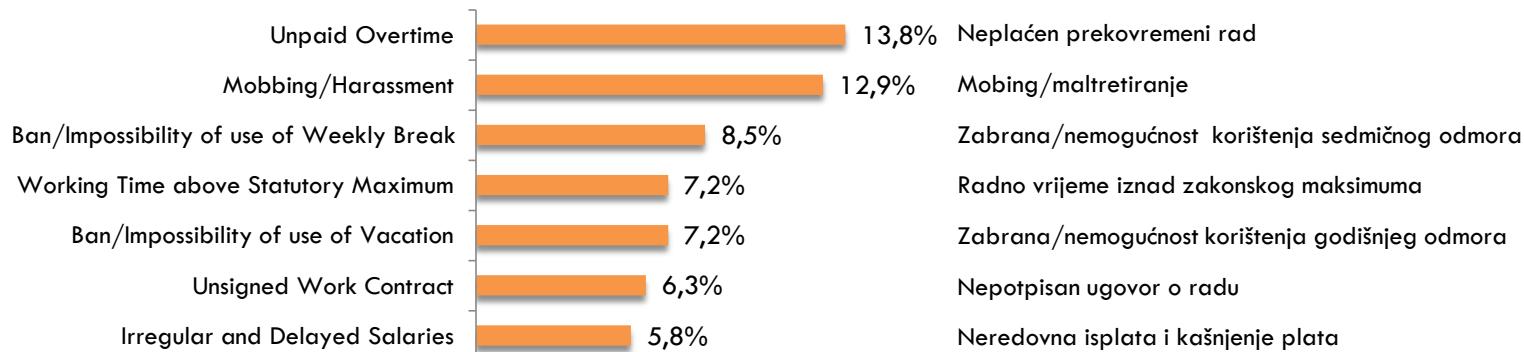
- Regija Sarajevo
- Regija Centralna Bosna
- Regija Herzegovina
- Regija Sjeverozapad
- Regija Tuzla

Workers' Rights Violations by STBiH Region

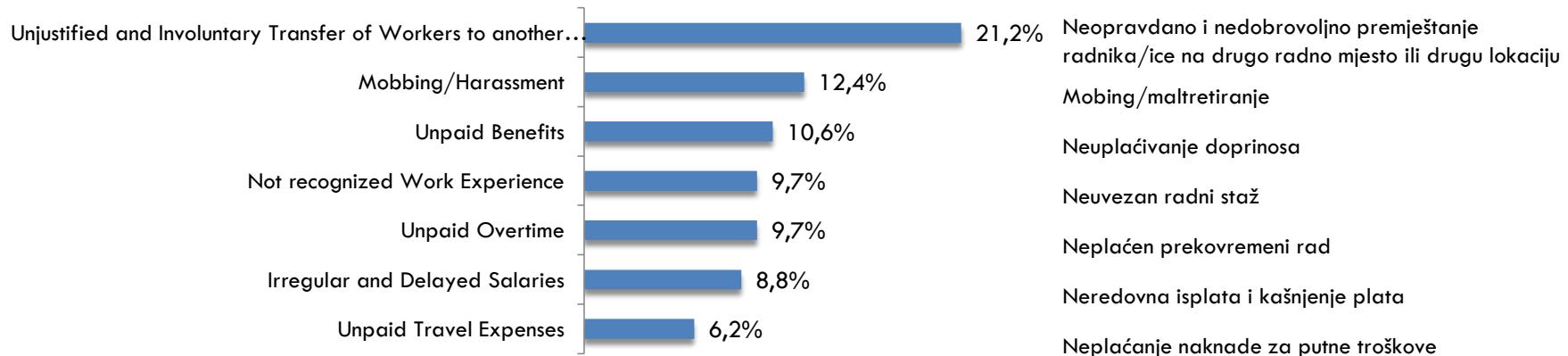
Kršenja radnih prava po regijama STBiH

14

Central Bosnia / Centralna Bosna



Herzegovina / Hercegovina

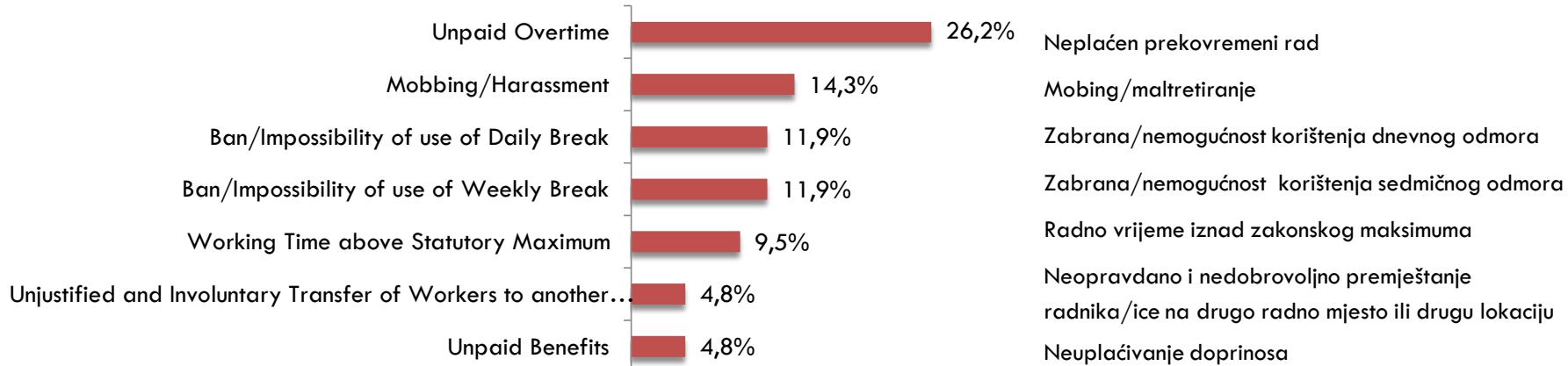


Workers' Rights Violations by STBiH Region

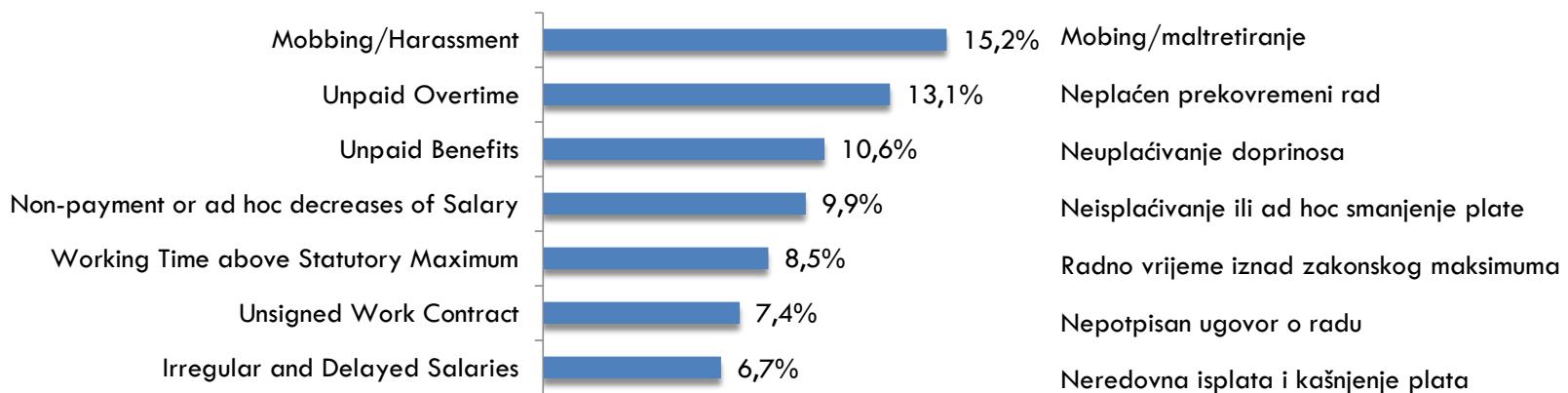
Kršenja radnih prava po regijama STBiH

15

Northeast/Sjeverozapad



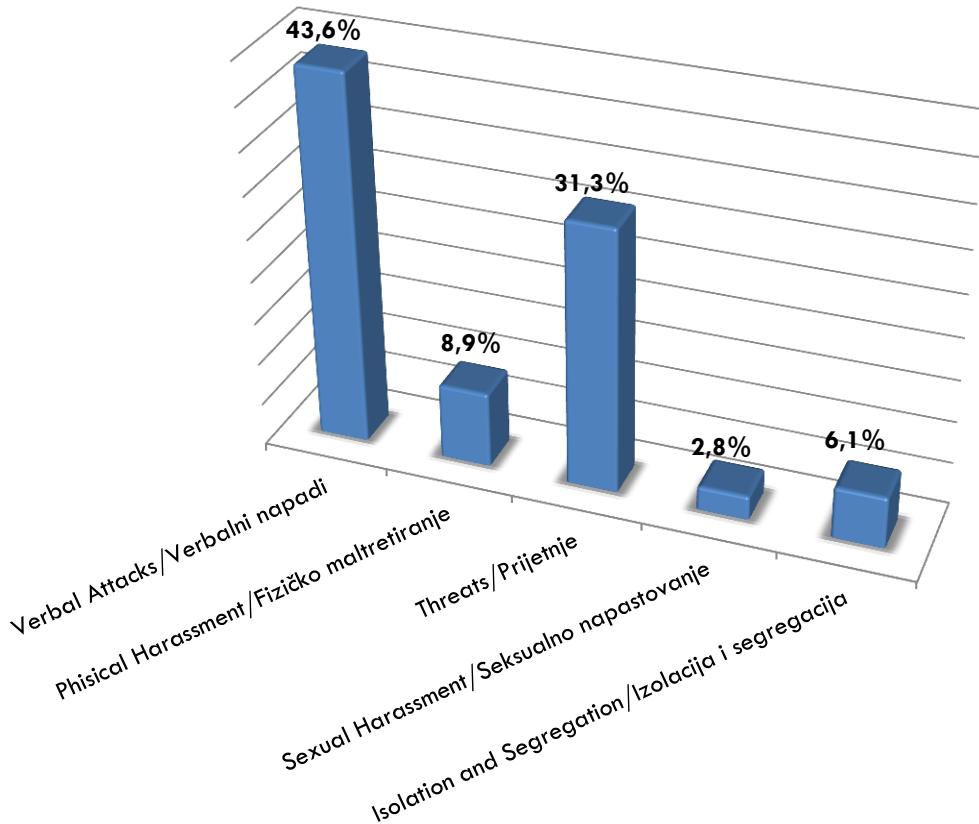
Tuzla



Mobbing

16

Types of Mobbing Reported Prijavljeni oblici mobinga



Mobbing

It is evident that the majority of mobbing cases reported by participants of the research is of a verbal nature, as 43.6% of the total number of participants reported verbal attacks and 31.33% reported threats.

Note: The percentages in the chart represent portions of the total number of participants who answered this question, and since more than one answer choice was possible for this question, the sum may exceed 100%.

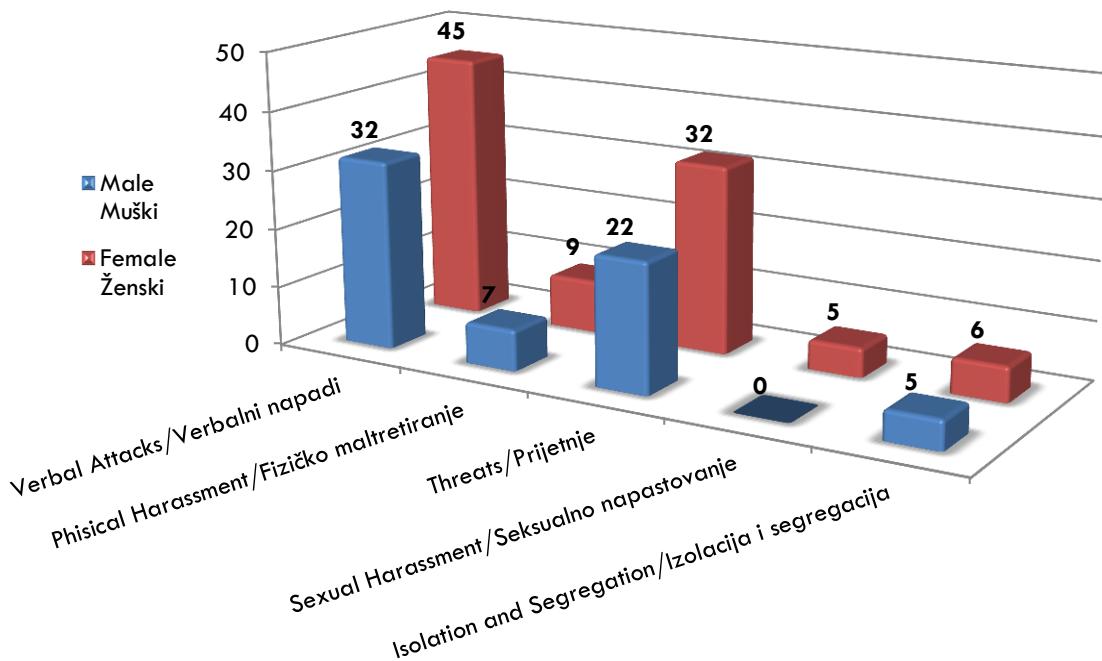
Većina prijavljenih slučajeva mobinga su verbalne prirode, što je evidentno iz činjenice da je 43,6% ispitanika prijavilo verbalne napade, dok je 31,3% ispitanika prijavilo prijetnje.

Napomena: Ispitanici su imali mogućnost da navedu više od jednog odgovora, dok navedeni postotci predstavljaju dio ukupnog broja osoba koji su odgovorili na ovo pitanje, te zbir navedenih postotaka ne mora biti jednak 100.

Mobbing

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Cases of Mobbing Experienced by Gender Slučajevi doživljenih oblika mobinga po spolu



Both genders equally ranked the persistence of the kinds of mobbing reported, with verbal forms of mobbing being the most persistent. However there were 5 cases of sexual harassment reported by women, which was not the case with men.

Note: More than one answer choice was possible for this question.

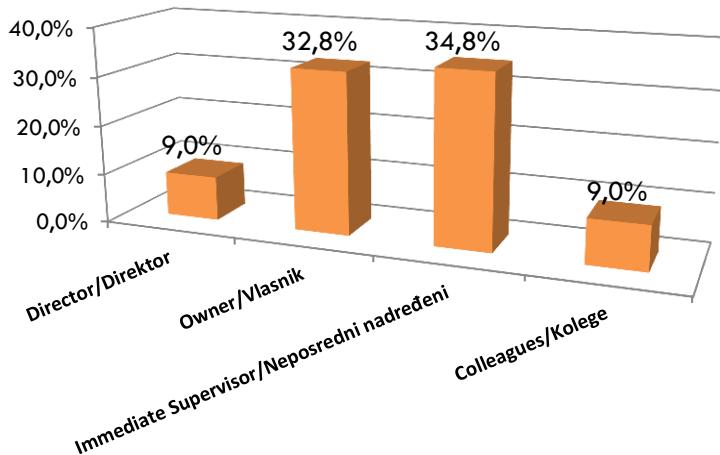
Oba pola su isto rangirala oblike kršenja po učestalosti, gdje su vrebalni oblici mobinga najučestaliji. Međutim, žene su navele 5 slučajeva seksualnog napastovanja, dok anketirane osobe muškog roda nisu prijavljivale ovu vrstu mobinga.

Napomena: Ispitanici su imali mogućnost da navedu više od jednog odgovora na ovo pitanje.

Mobbing

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Reported Offenders of Mobbing Prijavljeni počinitelji mobinga

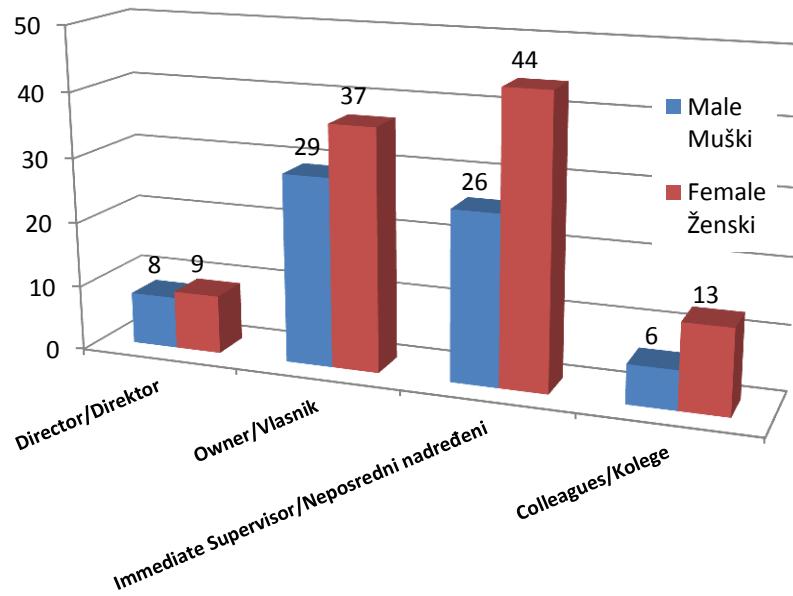


Najčešće prijavljeni počinitelji mobinga su neposredni nadređeni, što je naročito slučaj kod anketiranih osoba ženskog roda.

Napomena: Ponuđeni odgovor „Ne zna/Ne želi odgovoriti“ je izostavljen iz grafikona radi efikasnije prezentacije identifikovanih počinitelja. Ispitanici su imali mogućnost da navedu više od jednog odgovora, dok navedeni postotci predstavljaju dio ukupnog broja osoba koji su odgovorili na ovo pitanje, te zbir navedenih postotaka ne mora biti jednak 100%.

Mobbing

Reported Cases of Mobbing Offenders by Gender Slučajevi prijavljenih počinitelja mobinga po spolu



Immediate supervisors are the most frequent reported perpetrators of mobbing, which is especially the case with women.

Note: The answer choice “Does not know/Does not wish to disclose” was omitted from the graph for ease of presentation. The percentages in the chart represent portions of the total number of participants who answered this question, and since more than one answer choice was possible for this question, the sum may not amount to 100%.

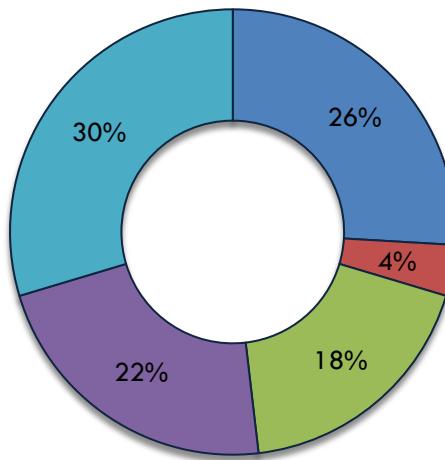
Workplace discrimination

Diskriminacija na radnom mjestu

19

Types of Discrimination Reported

- Gender based Discrimination
- Sexual orientation based Discrimination
- Age Discrimination
- Ethnic or Religious Discrimination
- Discrimination due to Handicap or Health Issues



The most occurring discrimination reported is based on handicaps and other health issues.

Prijavljeni oblici diskriminacije

- Diskriminacija na osnovu roda/spola
- Diskriminacija na osnovu seksualne orientacije
- Diskriminacija na osnovu starosti
- Diskriminacija na osnovu etničke i/ili religijske pripadnosti
- Diskriminacija na osnovu invalidnosti ili sl zdravstvenih problema

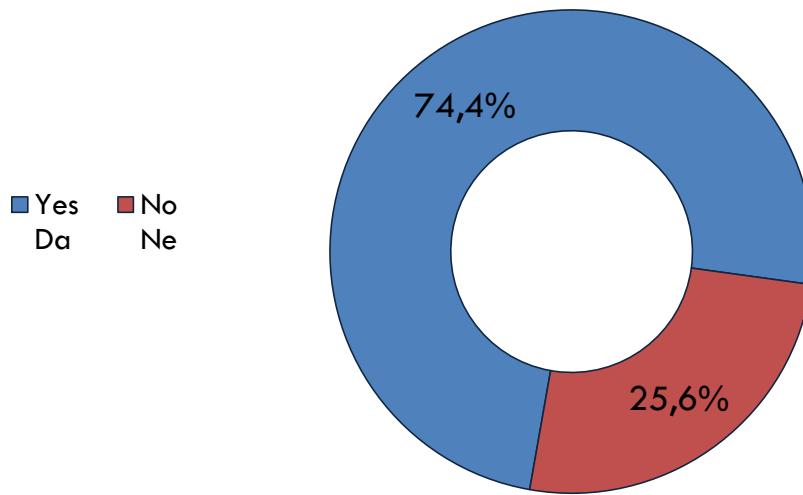
Najučestaliji oblik diskriminacije je na osnovu invalidnosti i/ili sličnih zdravstvenih problema

Coworkers with the Same Problems

Saradnici/e sa istim problemima

20

Other Workers within the Company with the Same or Other Problems
Još radnika/ca u istom preduzeću sa istim ili drugim problemima



Činjenica da, od većine ispitanih koji su odgovorili na ovo pitanje, njih 74,4% tvrdi da u istom preduzeću ima još zaposlenih sa istim ili drugim problemima, ukazuje na to da postoji mogućnost da je učestalost kršenja radnih prava veća nego što to rezultati istraživanja prikazuju.

The fact that 74.4% of participants claim that there are other workers with the same or other problem within their company indicates that the persistence of violations of workers' rights is potentially larger than research results alone indicate.

Reported Problems in the Company

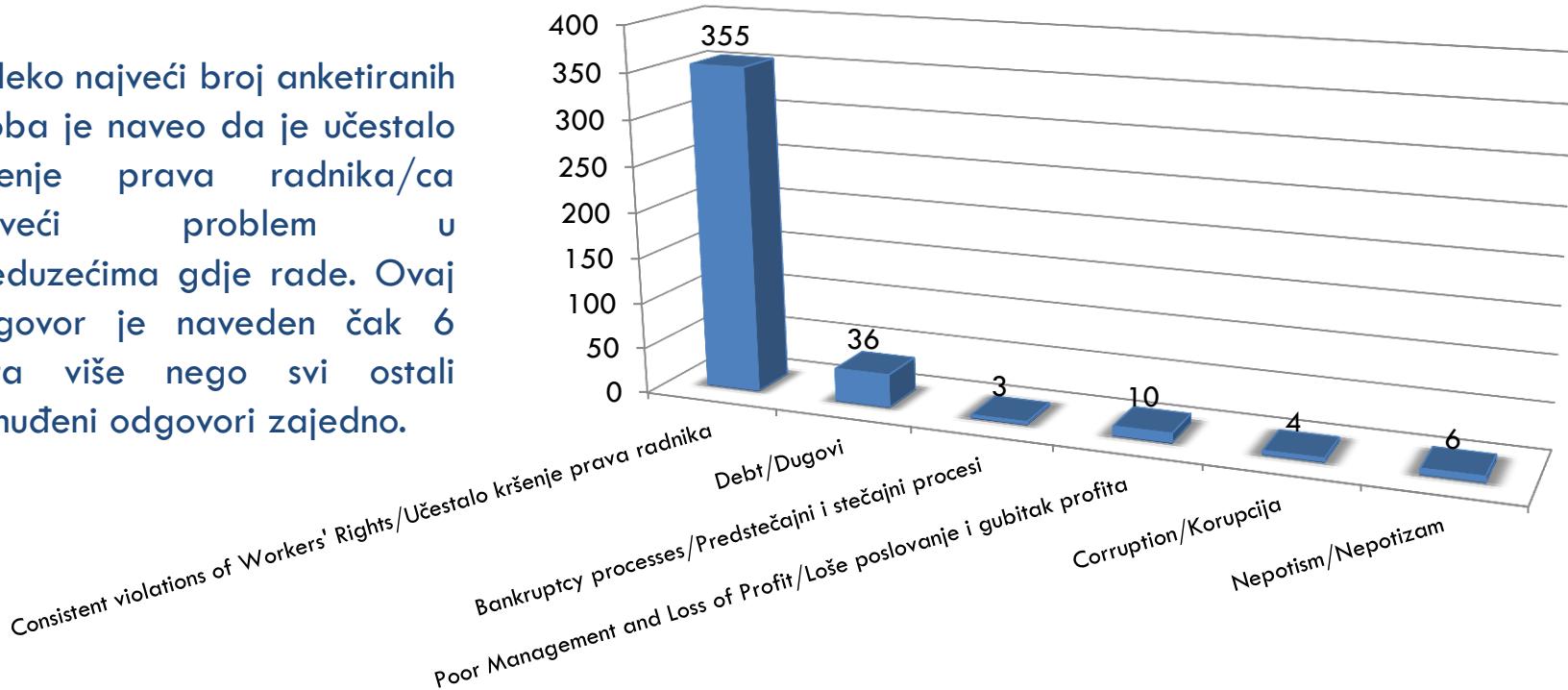
Zabilježeni problemi u preduzeću

21

Cases of Reported Problems in the Company

Zabilježeni problemi u preduzeću po slučaju

Daleko najveći broj anketiranih osoba je naveo da je učestalo kršenje prava radnika/ca najveći problem u preduzećima gdje rade. Ovaj odgovor je naveden čak 6 puta više nego svi ostali ponuđeni odgovori zajedno.

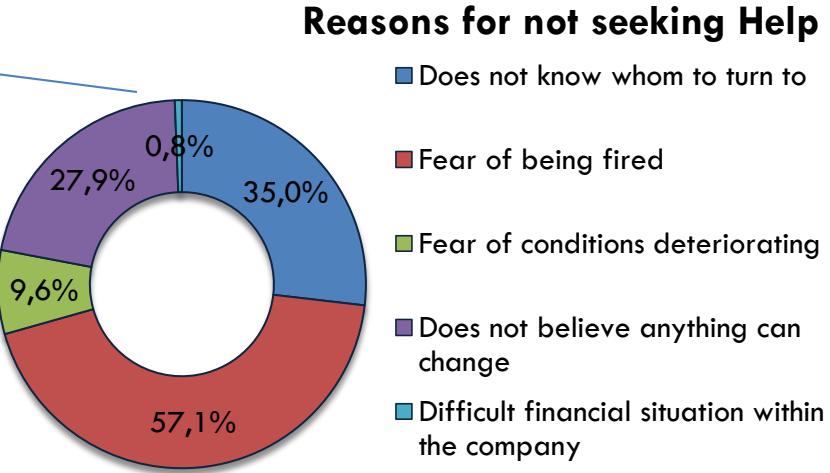
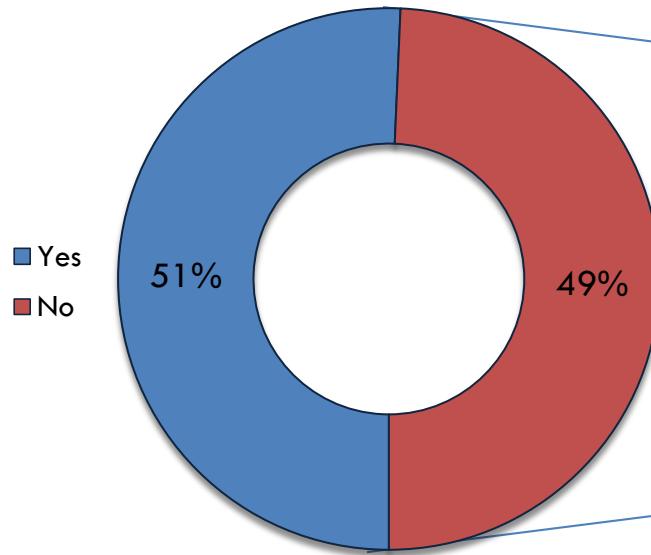


By far, the majority of surveyed persons stated that constant violations of workers' rights were the biggest problem in their companies. This response was stated 6 times more than all other responses combined.

Protection of Workers' Rights

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Workers who have Sought Assistance for Protecting their Rights



Note: The percentages in the chart represent portions of the total number of participants who answered this question, and since more than one answer choice was possible for this question, the sum may exceed 100%.

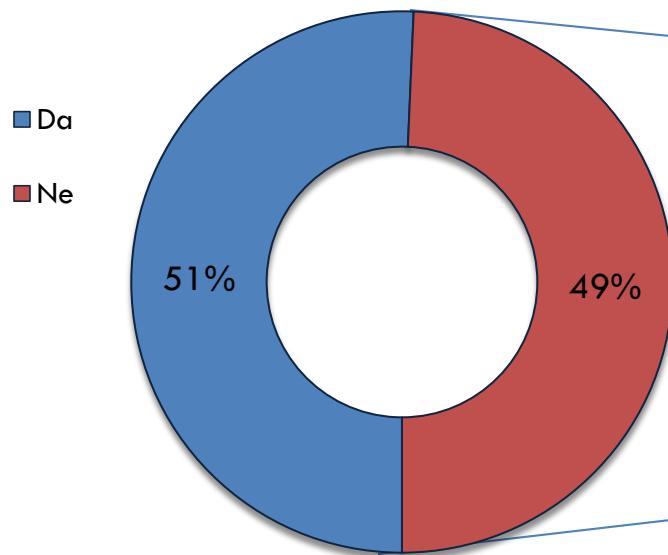
In addition to STBiH, there are various expert bodies and organization workers can turn to in order to protect their workers' rights, including ombudsmen, NGOs, attorneys, employee councils, work inspectors, etc. However, nearly half of the persons surveyed stated that they did not seek any type of assistance from anyone in order to protect their workers' rights.

The workers do not have much faith in the efficacy of the system that is supposed to protect their rights, to the extent that they are afraid of losing employment, deteriorating the situation or that nothing will change if they take action. On the other hand, we can note that the workers are not adequately informed about what and how they can do in order to protect their rights.

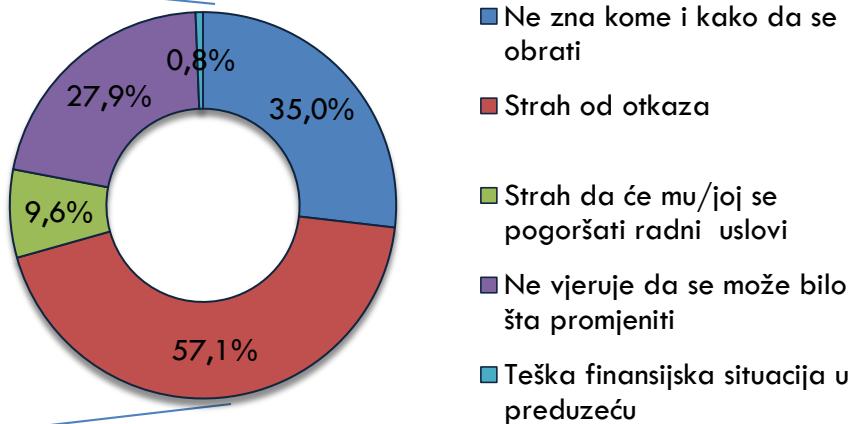
Zaštita radnih prava

23

Radnici/e koji/e su tražili/e pomoć za zaštitu svojih prava



Razlozi zašto pomoć nije tražena



Napomena: Ispitanici su imali mogućnost da navedu više od jednog odgovora, dok navedeni postotci predstavljaju dio ukupnog broja osoba koji su odgovorili na ovo pitanje, te zbir navedenih postotaka ne mora biti jednak 100.

Postoji veliko nepovjerenje radnika u efikasnosti sistema za zaštitu njihovih prava, do te mjere da se boje prestanka radnog odnosa, pogoršanja situacije ili vjeruju da se nikakva promjena neće desiti, ukoliko nešto poduzmu. S druge strane, evidentan je vrlo nizak nivo informisanosti među radnicima, o tome šta i na koji način mogu da poduzmu kako bi zaštitili/e svoja prava.

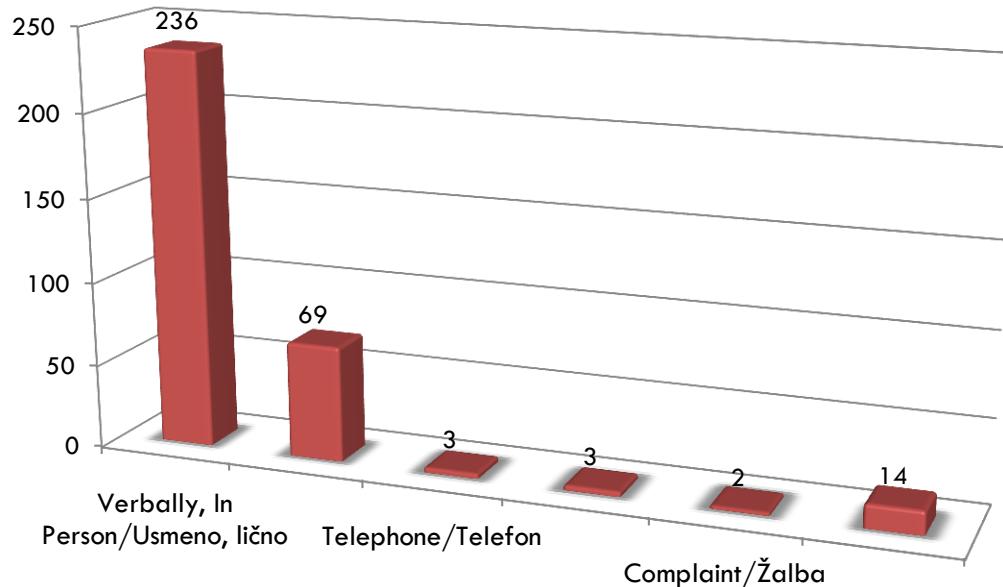
Pored STBiH, postoje razna stručna tijela i organizacije kojima se radnici/e mogu obratiti kako bi zaštitili/e svoja radna prava, poput ombudsmana, nevladinih organizacija, advokata, vijeća radnika, inspektora rada itd. Međutim, skoro pola anketiranih osoba je izjavilo da se nije nikome obratilo za pomoći kako bi zaštitile svoja radna prava.

Protection of Workers' Rights

Zaštita radnih prava

24

Manner of Seeking Assistance for Protecting their Workers' Rights
Načini traženja pomoći za zaštitu svojih radnih prava



Od 267 osoba koje su odgovorile na ovo pitanje, 236 je navelo da su tražile pomoći usmeno i lično, što ukazuje da 88,4% ispitanika/ca koji/e su dali/e odgovor na ovo pitanje preferira direktni i neformalan pristup kako bi pokušali/e zaštiti svoja radna prava.

Napomena: Ispitanici su imali mogućnost da navedu više od jednog odgovora, dok navedeni postotci predstavljaju dio ukupnog broja osoba koji su odgovorili na ovo pitanje, te zbir navedenih postotaka ne mora biti jednak 100.

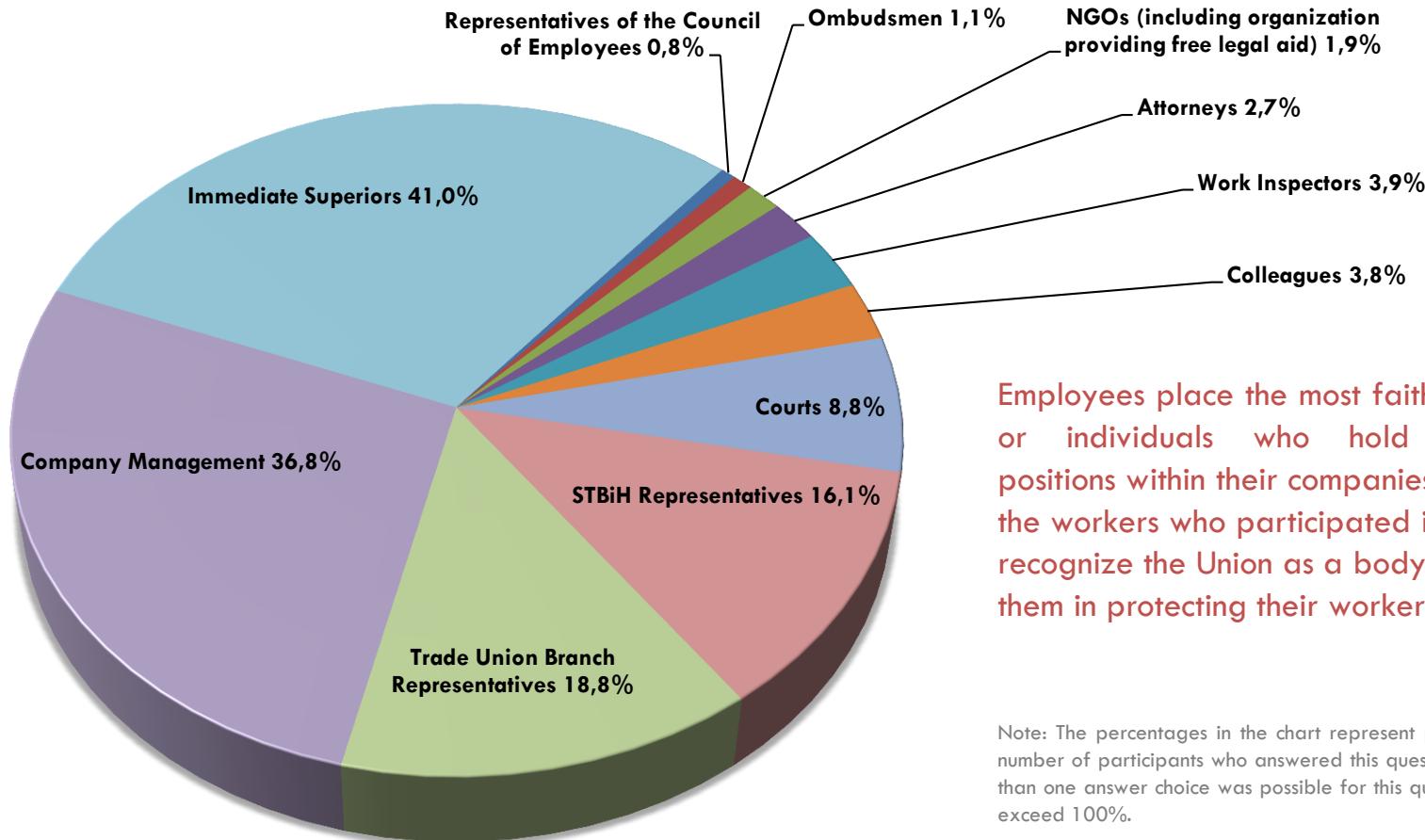
Out of the 267 persons who addressed this question, 236 participants stated that they sought assistance verbally and in person, which indicates that 88.4% of persons who answered this question prefer a direct and less formal approach when attempting to protect their workers' rights.

Note: The percentages in the chart represent portions of the total number of participants who answered this question, and since more than one answer choice was possible for this question, the sum may exceed 100%.

Protection of Workers' Rights

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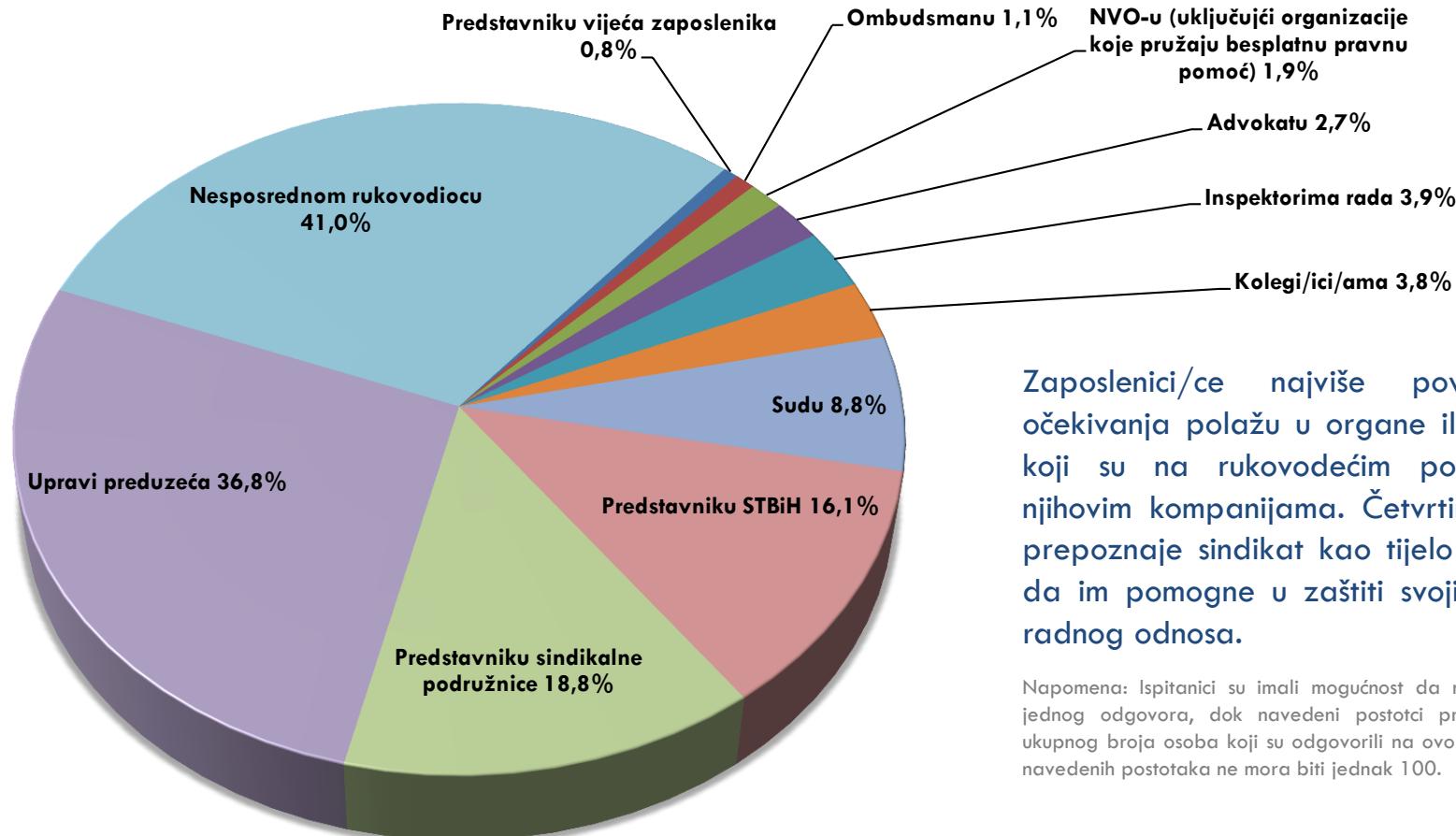
Employees who sought Help turned to:



Zaštita radnih prava

26

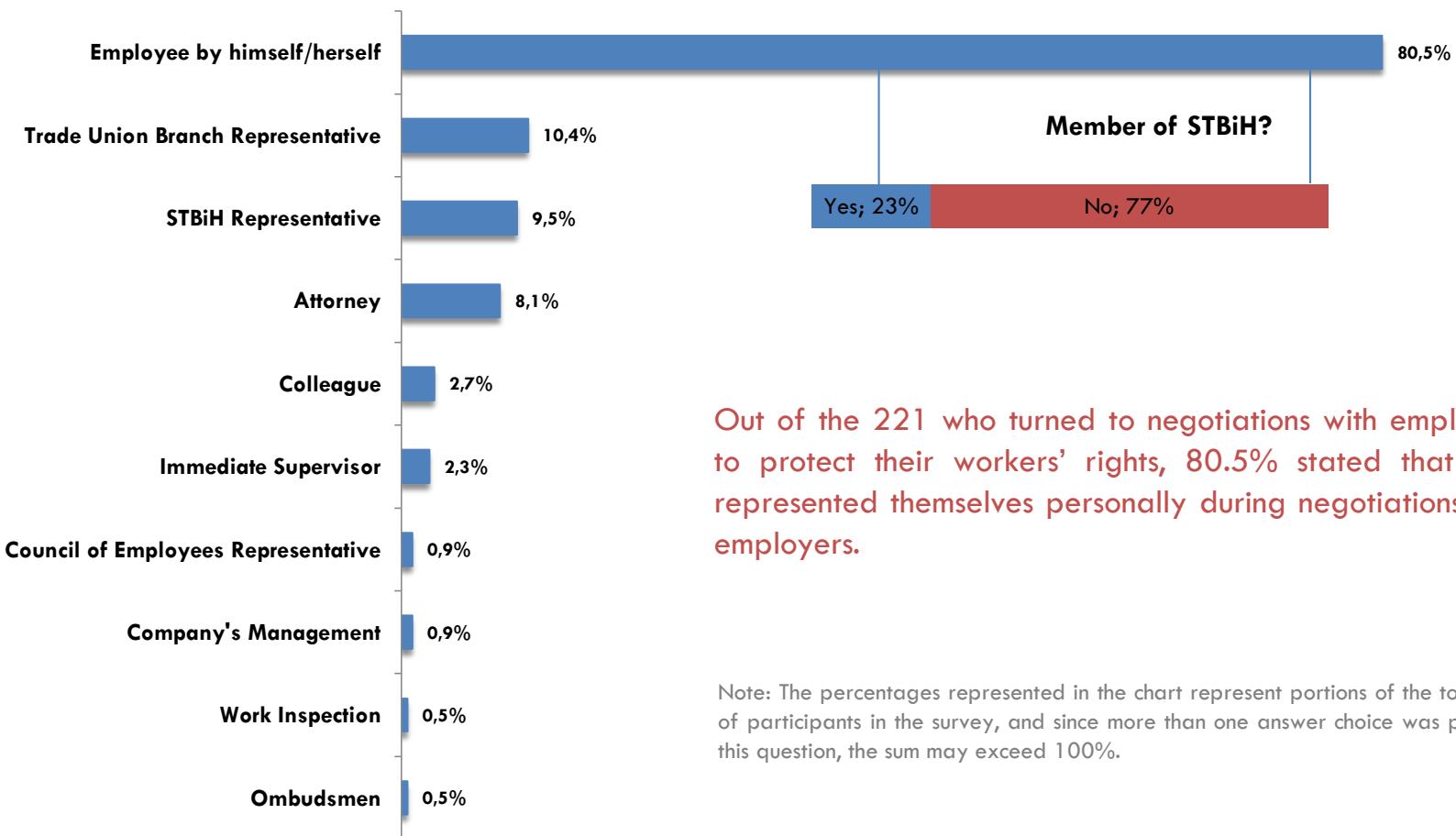
Anketirane osobe koje su tražile pomoć obratile su se:



Protection of Workers' Rights

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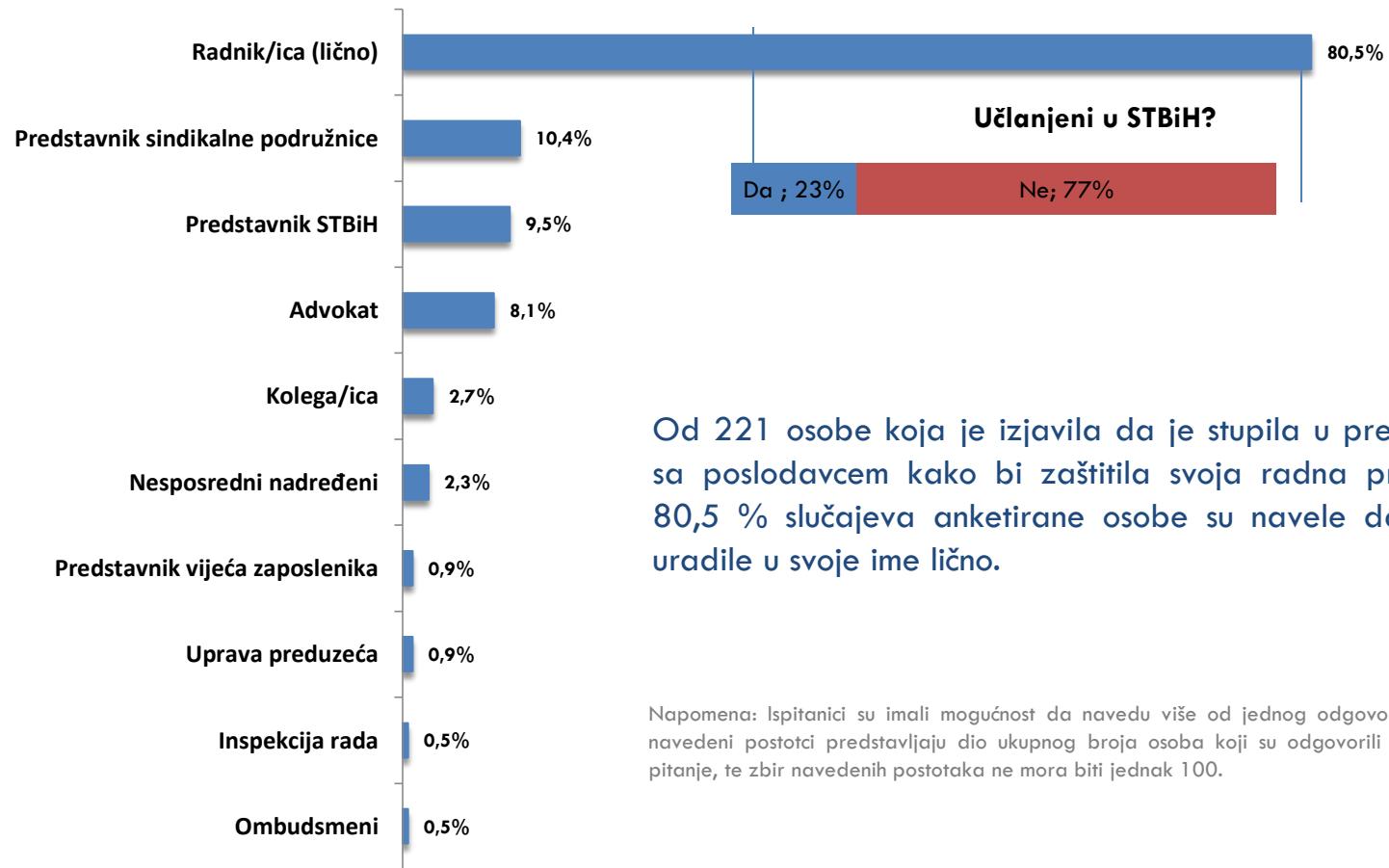
Who Represented the Worker in Negotiations with Employers?



Zaštita radnih prava

28

Ko je zastupao radnika/cu u pregovorima sa poslodavcem?

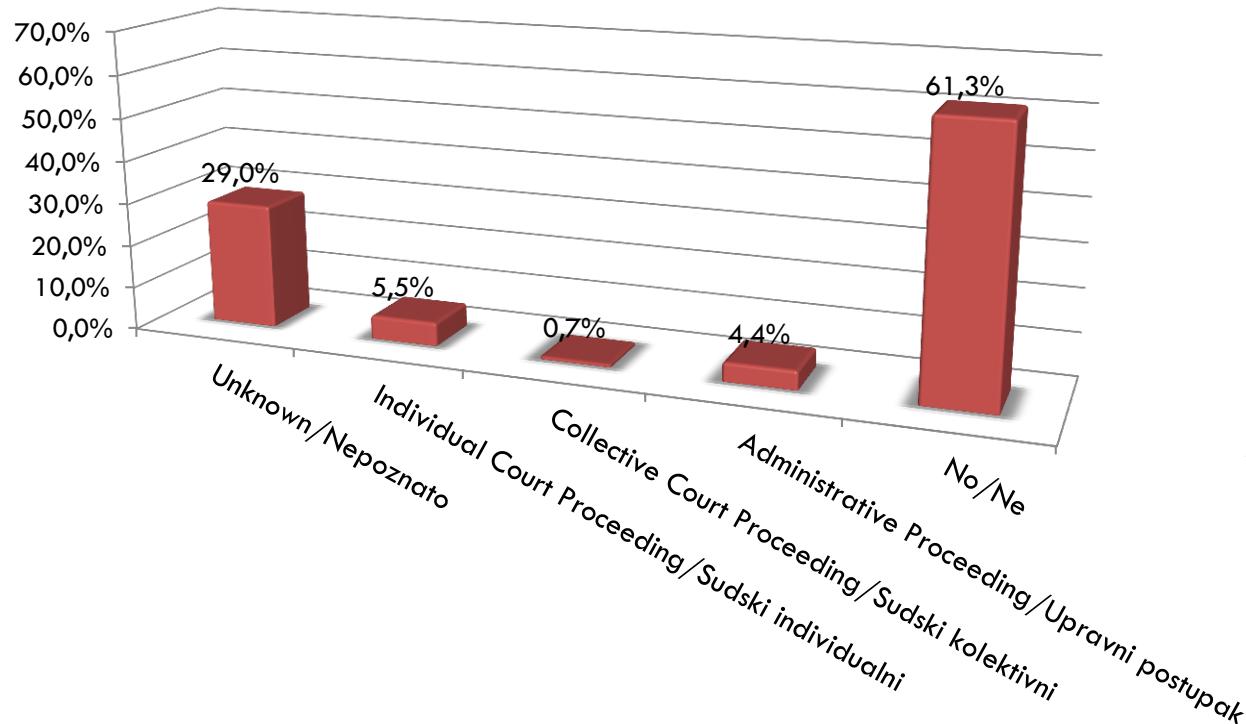


Protection of Workers' Rights

Zaštita radnih prava

29

Court Proceeding Initiated? Da li je pokrenut sudski spor?



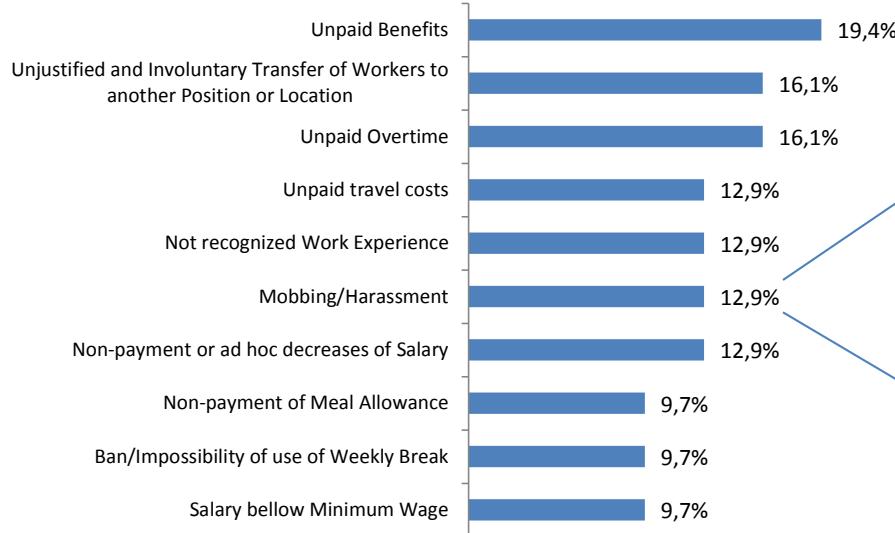
10,6% of persons who responded to this question stated that some kind of proceeding had been initiated in their case.

10,6% osoba koje su odgovorile na ovo pitanje su navele da je pokrenuta neka vrsta postupka u njihovom slučaju.

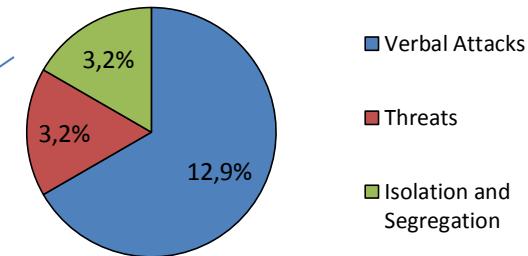
Independent Union of Forestry, Wood Processing and Paper of BiH - SSSPDP

30

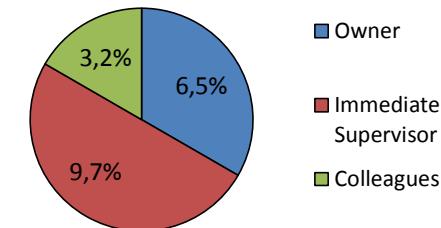
The most Frequent Workers' Rights Violations



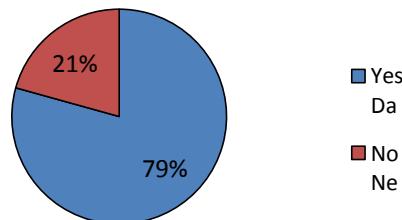
Types of Mobbing Reported



Reported Offenders of Mobbing



Other Workers within the Company with the Same or Other Problems

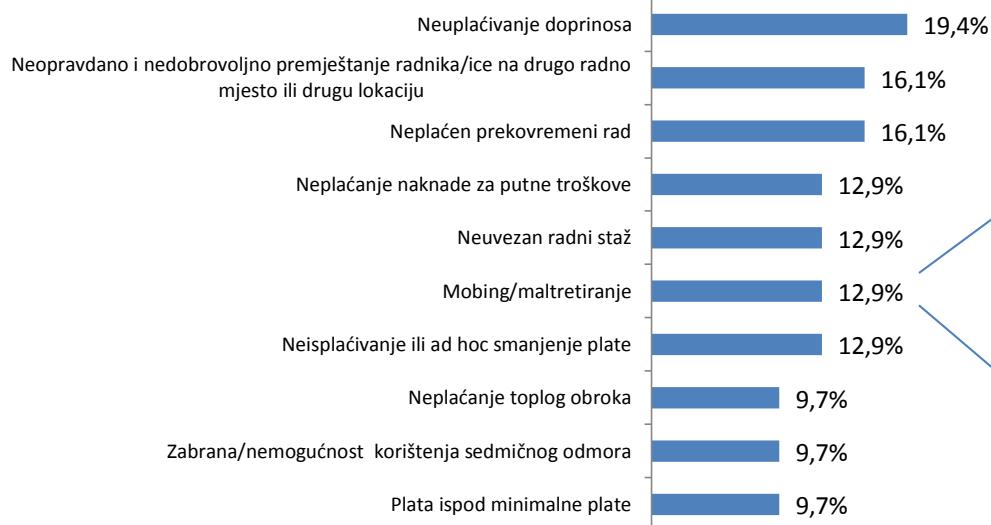


Note: The percentages represented in the chart represent portions of the total number of participants interviewed by the SSSPDP and since more than one answer was possible for this question, the sum may not be equal to 100%.

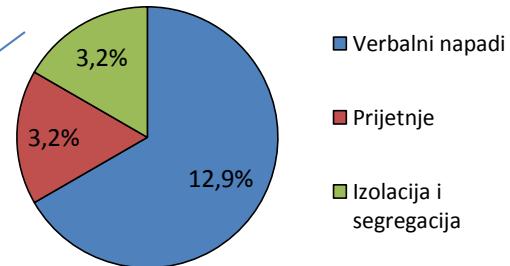
Samostalni Sindikat šumarstva, prerađe drveta i papira BiH - SSSPDP

31

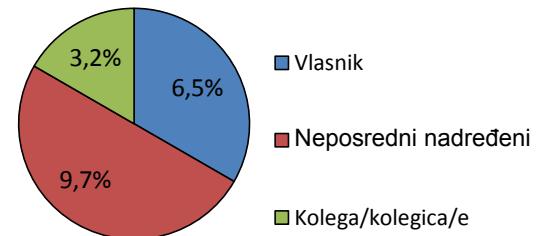
Najučestalija kršenja radnih prava



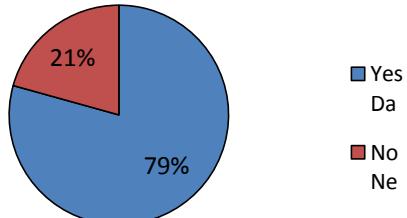
Prijavljeni oblici mobinga



Prijavljeni počinitelji mobinga



Još radnika/ca u istom preduzeću
sa istim ili drugim problemima

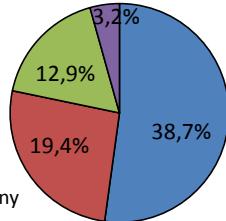


Napomena: Ispitanici su imali mogućnost da navedu više od jednog odgovora, dok navedeni postotci predstavljaju dio ukupnog broja osoba koji su razgovarali sa predstavnicima SSSPDP, te zbir navedenih postotaka ne mora biti jednak 100.

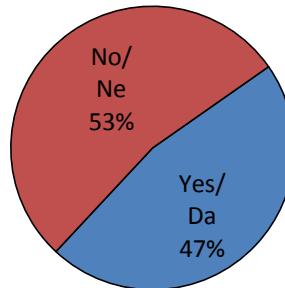
Reasons for not seeking Help

Razlozi zašto pomoć nije tražena

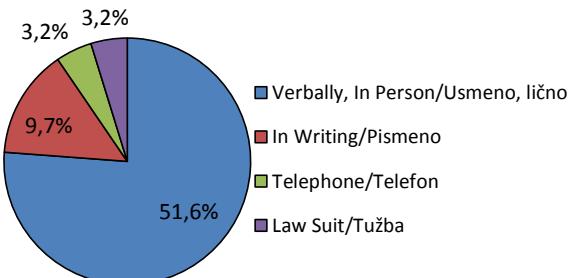
- Does not know whom to turn to
■ Ne zna kome i kako da se obrati
- Fear of being fired
■ Strah od otkaza
- Does not believe anything can change
■ Ne vjeruje da se može bilo šta promjeniti
- Difficult financial situation within the company
■ Teška finansijska situacija u preduzeću



Was Help sought for Protection of Rights? Da li je tražena pomoć za zaštitu prava?



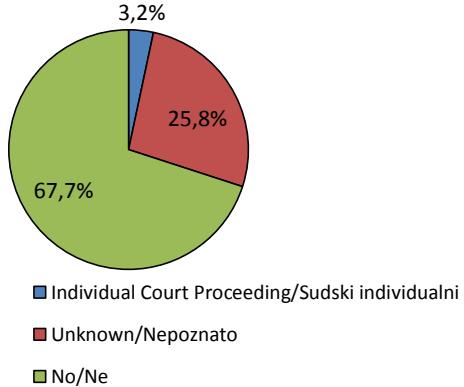
Manner of seeking Help Način traženja pomoći



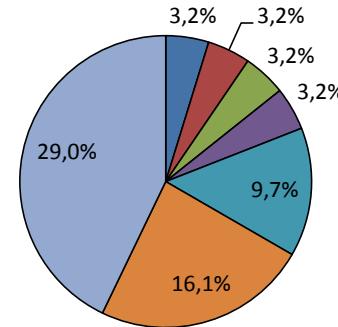
Note: The percentages represented in the chart represent portions of the total number of participants interviewed by the SSSPDP and since more than one answer was possible for this question, the sum may not be equal to 100%.

Napomena: Ispitanici su imali mogućnost da navedu više od jednog odgovora, dok navedeni postotci predstavljaju dio ukupnog broja osoba koji su razgovarali sa predstvincima SSSPDP, te zbir navedenih postotaka ne mora biti jednak 100.

Court Proceeding Initiated? Da li je pokrenut sudski spor?



Help sought from: Pomoć tražena od:



- Colleagues
■ Kolegi/ici/ama
- Company Management
■ Upravi preduzeća
- Ombudsmen
■ Ombudsmenima
- Courts
■ Sudu
- Trade Union Branch Representatives
■ Predstavniku sindikalne podružnice
- STBiH Representatives
■ Predstavniku STBiH
- Immediate Superiors
■ Nesposrednom rukovodiocu

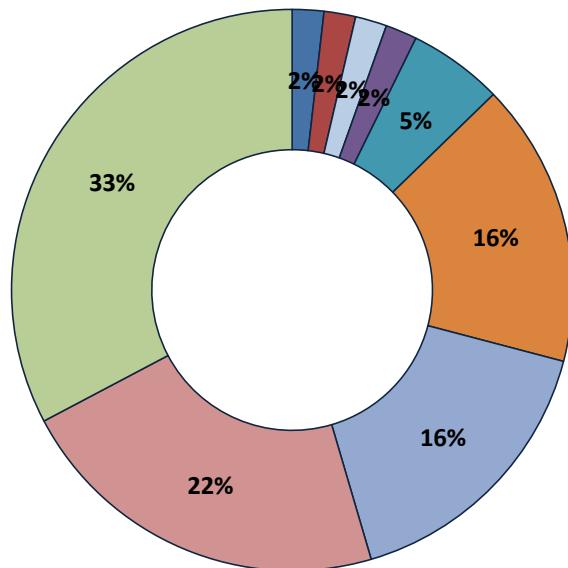
The Role of STBiH

Uloga STBiH

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Workers who were Able to Protect their Workers' Rights turned to:

- Colleagues
- Ombudsmen
- Attorneys
- Work Inspectors
- The Courts
- Immidiate Supervisor
- Union Branch Representative
- Company Management
- STBiH Representative



The majority of workers whose situation improved turned to STBiH for help. Union representatives, either STBiH or other union branches, provided expert assistance in 49% of the cases where workers were able to protect theri workers' rights.

Radnici/e koji/e su uspjeli/e da zaštite svoja radna prava obratili/e su se:

- Kolegi/ici/ama
- Ombudsmenima
- Advokatu
- Inspektorima rada
- Sudu
- Nesposrednom rukovodiocu
- Predstavniku sindikalne podružnice
- Upravi preduzeća
- Predstavniku STBiH

Većina radnika/ca koji su riješili/e svoj problem, su to učinili/e uz pomoć STBiH. Predstavnici sindikata, bilo STBiH ili sindikalnih podružnica su pružili stručnu pomoć u 49% slučajeva gdje su radnici/ce uspjeli/e, da zaštite svoja radna prava.

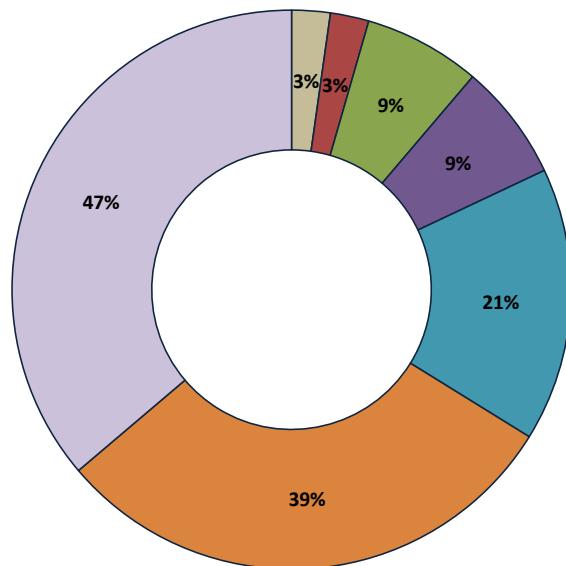
The Role of STBiH

Uloga STBiH

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Workers whose situation improved after meeting with STBiH stated that, for negotiations with their employers, they turned to:

- Colleague
- Work Inspection
- Immediate Supervisor
- Attorney
- Union Branch Representative
- STBiH Representative
- Employee Personally



In most cases, where workers were able to protect their rights through negotiations with employers, union representatives, either STBiH or other union branches, represented workers in the negotiations.

Note: The percentages represented in the chart represent portions of the total number of participants in the survey, and since more than one answer choice was possible for this question, the sum may exceed 100%.

Radnici/e čija situacija se poboljšala nakon razgovora sa STBiH naveli/e su da je pregovore sa poslodavcem vršio:

- Kolega/ica
- Inspekcija rada
- Nesposredni nadređeni
- Advokat
- Predstavnik sindikalne podružnice
- Predstavnik STBiH
- Radnik/ica (lično)

U većini slučajeva kada su radnici/ce ostvarili svoja radna prave kroz pregovore sa poslodavcem, predstavnici sindikata, bilo STBiH ili sindikalnih podružnica su zastupali radnike/ce u pregovorima.

Napomena: Ispitanici su imali mogućnost da navedu više od jednog odgovora, dok navedeni postotci predstavljaju dio ukupnog broja osoba koji su odgovorili na ovo pitanje, te zbir navedenih postotaka ne mora biti jednak 100.

The Role of STBiH

Uloga STBiH

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Type of Assistance Received by Workers who were Able to Protect their Rights

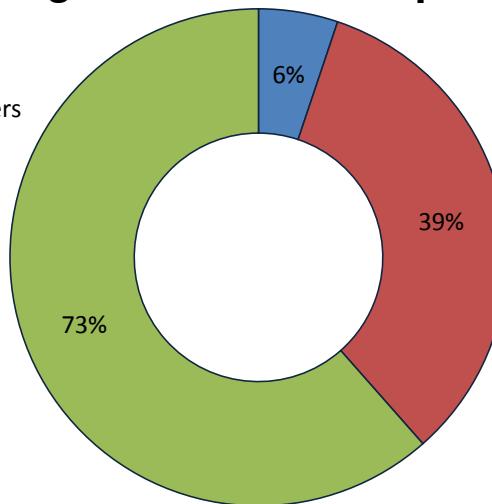
■ Syndicate Membership and Protection of Workers

■ Representation before the Employer

■ Expert and Legal Counseling

STBiH represented workers before their employers in as many as 39% of cases when they succeeded in realizing their workers' rights.

Note: The percentages represented in the chart represent portions of the total number of participants in the survey, and since more than one answer choice was possible for this question, the sum may exceed 100%.



Pruženi oblik pomoći radnicima/cama koji su riješili/e problem u preduzeću

■ Učlanjenje u sindikat i zaštitu radnika/ice

■ Zastupanje pred poslodavcem u cilju pregovaranja

■ Stručno informisanje i savjetovanje

U čak 39% slučajeva kada su radnici uspjeli zaštititi svoja prava, STBiH ih je direktno predstavljao pred poslodavcem.

Napomena: Ispitanici su imali mogućnost da daju više od jednog odgovora, dok navedeni postotci predstavljaju dio ukupnog broja osoba koji su odgovorili na ovo pitanje, zbog toga zbir navedenih postotaka ne mora biti jednak 100%.

Methodology

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The Trade Union of Commerce and Services of Bosnia and Herzegovina (STBiH) has since 2012 conducted research on the problems workers in Bosnia and Herzegovina face in the field of workers' rights, their efforts towards solutions of their problem and the end results. The analyzed information, collected through this research, provides STBiH representatives with field insight on the state and position of employees, helping them counsel and guide employees in order to improve the protection and realization of worker's rights.

In 2014, this project was offered to other trade unions in BiH as a possible model for providing services to their members. Thus, the results in 2014 also include findings of network members from the Trade Union of Forestry, Wood Processing and Paper of BiH (SSSPDP).

The information was collected through a survey questionnaire, completed by STBiH members throughout Bosnia and Herzegovina according to instructions received by the STBiH. All persons surveyed have participated voluntarily, and they were guaranteed anonymity and confidentiality of the information they disclose. Considering that the number of persons surveyed, as well as their territorial distribution, are not equal everywhere, this analysis does not provide precise statistical data that could be representative for the entire territory of BiH. However, the findings from this sample can certainly assist in creating a relevant framework, with a focus on: the most commonly violated worker's rights, knowledge of possible methods of realizing workers' rights and the outcomes of the fights for protecting these rights guaranteed by law.

Metodologija

Sindikat Radnika trgovine i uslužnih djelatnosti Bosne i Hercegovine (u nastavku teksta STBiH) je u 2012., 2013. i 2014. godini provodio prikupljanje informacija o problemima sa kojima se radnici/ce u Bosni i Hercegovini susreću u polju radnih odnosa, njihovom odnosu naspram problema i ishodu ovih slučajeva. Analizirani rezultati ovog istraživanja pružaju uvid sa terena o stanju i položaju radnika te pomažu predstavnicima STBiH pri savjetovanju i usmjeravanju radnika sa ciljem poboljšanja zaštite i ostvarivanja prava iz radnog odnosa.

Ovaj projekat je u 2014 godini ponuđen i drugim sindikatima u BiH kao mogući model pružanja usluge članstvu. Stoga rezultati u 2014 godini obuhvataju i nalaze do kojih su došli članovi Mreže iz Sindicata šumarstva, prerade drveta i papira BiH (SSSPDP).

Informacije su prikupljane putem anketnog upitnika koji su članovi/ice mreže STBiH širom Bosne i Hercegovine popunjavalni po uputama dobivenih od STBiH. Sve anketirane osobe su dobrovoljno pristale na anketiranje, a istima je zagarantovana anonimnost i povjerljivost podataka koje daju. Obzirom da su i broj anketiranih osoba, kao i njihova teritorijalna rasprostranjenost neravnomerni, ova analiza nije u mogućnosti dati statistički precizne pokazatelje koji bi mogli biti reprezentativni za područje BiH. Međutim, nalazi iz uzorka svakako mogu pomoći u stvaranju okvirne slike sa fokusom na: najčešće narušavana prava radnika/ca, poznavanje mogućih metoda zaštite prava radnika/ca i ishod u njihovoj borbi za postizanje svojih zakonom zagarantovanih prava.

SINDIKAT RADNIKA TRGOVINE BOSNE I HERCEGOVINE

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