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GUIDELINES FOR APPLICANTS

CALL FOR PROPOSALS

Promote labour rights, report violations, and engage in social dialogue with public authorities in Kosovo

Contracting Authority: Advocacy Training and Resource Center - ATRC

Project funded by the: European Union Office in Kosovo

Project Title: Protecting and promoting labour rights of vulnerable groups in the labour market

Deadline for submission of applications:

21 November 2022, at 4 P.M.





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1. Background Description of Activity

In recent years, Kosovo has been affected by the COVID-19 crisis, which slowed down the implementation of the Labour Law and made it impossible for the labour inspectorate to monitor the employees' working conditions due to the lockdown measures, while such backlog provided space for companies to not respect all the measures that have been in force, therefore, endangering the well-being of workers even more. Even though the legal framework that regulates labour rights in Kosovo is broadly in line with international standards, the implementation in protecting these provisions remains weak. The Labour Law No. 03/L-212 was approved in 2010 and regulates the rights and obligations arising from the employment relationship in the private and public sectors. The Labour Law consists of a total of 100 articles covering employment terms and conditions, discrimination, maternity and family leave entitlements, employment termination and court procedures, among others. The law strictly forbids discrimination on the basis of gender, race, religion, age, disability, political orientation, national identity and language on all matters related to the employment relationship regulated by this law as well as the provisions of the Law on the Protection from Discrimination. The Labour Law further specifies that forced labour, child labour, labour inequality, and informal work are prohibited.

Moreover, aiming to improve the working conditions, Law No. 04/L-161 on Safety and Health at Work was approved in 2013 and the ongoing reform is amending the Labour Law and Law on the Labour Inspectorate. But still, a practical implementation of the Labour Laws remains a challenge for private sector employers and public institutions in Kosovo. Workers' rights are subject to grave violations in both sectors, thereby breaching important international labour standards and agreements. However, the working conditions in the private sector are particularly challenging and significantly worse than those in the public sector.

International reports have further attested to the insufficient implementation of the Labour Law in Kosovo. The 2021 European Commission Staff Working Document for Kosovo *raises a number of*





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*concerns related to social policy and employment*¹. The reports state that Kosovo is at an early stage of preparation in the area of social policy and employment. There was limited progress during the reporting period, in particular on the implementation of health and safety regulations. The rate of fatal incidents remains concerningly high, especially in the construction sector.

In terms of improving working conditions, workers' rights and guaranteeing the minimum standards of safety and health at work, the Ministry of Labour and Social Welfare has presented strategic objectives through Sectorial Strategy 2018-2022² that aims to strengthen the capacities of the Labour Inspectorate as the only executive institution for monitoring the applicability of legislation in order to guarantee the minimum standards of safety and health at work, but despite the progress noted, there is still work to be done in order to create the conditions for implementation. Most workers in Kosovo are not covered by health insurance and there is no insurance against injuries and related illnesses sustained while performing work. A small part of the workforce is covered by private health insurance, the percentage of which remains small³.

Although Kosovo has intensified efforts to address discrimination against women, by adopting legislation for the Law on Protection from Discrimination, the practical implementation remains low and women continue to be disadvantaged in the labour market. While comparing women and men in employment and social policy, gender-based discrimination continued to be widespread in recruitment, promotion, payment, and contract length. In 2020, the employment rate for the population aged 20-64 was 16% for women and 48.8% for men, resulting in a very high gender employment gap of 32.8 percentage points⁴. The labour market participation of youth shows that the alarming rate of youth unemployment (49.1% for the age group 15-24) persisted, implying structural problems such as undeclared work and misalignment between education outcomes and labour market needs⁵. Persons with needs have barriers to employment and the same applies to

¹ Kosovo Report 2021. European Commission.

https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en

² Sectorial Strategy 2018-2022. Ministry of Labour and Social Welfare.

<https://mpms.rks-gov.net/wpdm-package/strategjia-sektoriale-2018-2022/>

³ Performances of Western Balkan Economies regarding the European Pillar of Social Rights 2021. Regional Cooperation Council. <https://www.esap.online/docs/151/performance-of-western-balkan-economies-regarding-the-european-pillar-of-social-rights-2021-review-on-kosovo>

⁴ Kosovo Report 2021. European Commission.

https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en

⁵ Kosovo Report 2021. European Commission.

https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en



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members of ethnic minorities, particularly members of the Roma, Egyptian and Ashkali communities, which are subject to high unemployment and informal work⁶.

Taking into consideration the overall situation with labour rights of the vulnerable categories, ATRC and BIRN Kosovo have teamed up with the aim of strengthening compliance with labour laws. Therefore, by directly monitoring and reporting on labour rights abuse cases, strengthening capacities of duty bearers, journalists and CSOs to work on labour rights, and raising public awareness of the Labour law, the project "Protecting and Promoting Labour Rights of Vulnerable Groups in the Labour" aims to improve the working conditions for vulnerable categories of employees, notably within the private sector, including workplace health and safety for women and men, through the promotion of social dialogue between workers and duty bearers.

Through this project, the sub-granting scheme will award up to 20 awards. The Call for Proposals is the main component of the project which aims to provide new opportunities for unions, local CSOs, groups of lawyers, and other registered groups (entities) which work and operate in Kosovo, so they can tackle the issues related to labour rights and social dialogue. The given scheme seeks to promote labour rights, develop capacities for reporting violations of labour rights, and conduct research on policies, legislation, and related topics, and on the engagement in social dialogue with public authorities.

Through these activities, the sub-grantees will have the opportunity to strengthen the labour rights of the vulnerable categories, implement the labour law, and improve the working conditions by training the working force, producing qualitative and analytical reports on labour law issues, and supporting the employees with information on working conditions.

1.1 Objectives and Priorities of the Call for Proposals

The overall objective of the Call for Proposals is to *promote labour rights and decent work by strengthening awareness on health and safety at the workplace, equality of opportunities for women and men, protection against discrimination in the workplace, as well as to enhance the social dialogue with public authorities in Kosovo.*

⁶ Performances of Western Balkan Economies regarding the European Pillar of Social Rights 2021. Regional Cooperation Council. <https://www.esap.online/docs/151/performance-of-western-balkan-economies-regarding-the-european-pillar-of-social-rights-2021-review-on-kosovo>





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The specific objective of the Call for Proposals is to *contribute to the advancement and implementation of labour law and other laws related to the field of labour rights*. The thematic areas of this Call of Proposals contain two lots, as described below:

LOT I: Research and strengthening inclusive social dialogue on issues concerning labour rights

LOT II: Raising awareness of labour rights and reporting violations of labour rights

ATRC plans to award up to **20 Grants**, from which 10 grants will be awarded for the LOT I and 10 grants will be awarded for the LOT II.

The Call for proposals will also consider the mainstreaming of cross-cutting issues at the project level. When developing a project to address any of the specific objectives of the call, cross-cutting issues need to be mainstreamed in the following manner:

- a) Gender equality, promotion of equal labour market opportunities and treatment at work⁷.
- b) Protection and promotion of ethnic minority labour rights⁸.
- c) Social security and social protection of workers⁹.
- d) Integration of persons with physical and mental disabilities in labour market¹⁰.
- e) The information and consultation of workers¹¹.

⁷ The concept that women and men, girls and boys have equal conditions, treatment, and opportunities for realizing their full potential, human rights and dignity, and for contributing to (and benefitting from) economic, social, cultural and political development. Gender equality, glossary of terms and concepts. UNICEF.

<https://www.unicef.org/rosa/media/1761/file/Gender%20glossary%20of%20terms%20and%20concepts%20.pdf>

⁸ The fundamental pillar of human rights and the legal protection of minorities are the principles of non-discrimination and equality, which form the basis of all core human rights treaties. They apply to everyone with respect to all human rights and freedoms and prohibit discrimination on the basis of a non-exhaustive list of categories such as race, colour, religion, language, nationality and ethnicity or work background. About minorities and human rights. United Nations.

<https://www.ohchr.org/en/minorities/about-minorities-and-human-rights>

⁹ Social protection is about people and families having security in the face of vulnerabilities and contingencies, it is having access to health care, and it is about working in safety. Social Protection. International Labour Office.

<https://www.ilo.org/public/english/protection/download/lifecycl/lifecycle.pdf>

¹⁰ Enforcement of equal opportunities has to be secured in the project in order to promote integration of persons affected by disabilities and in securing their participation in project activities (e.g. accessibility to buildings and project sites) and in decision-making processes in line with project activities and expected results.

¹¹ Arrangements to inform and consult mean there's ongoing communication between your employer and their employees. This should involve any important developments that could affect the people who work for the organization, Information and consultation of employees.





- f) The combating of social exclusion¹².
- g) Prevention and prohibition of child forced labour¹³.
- h) Democratic standards, anti-discriminatory practices, and good governance¹⁴.

Lot Number	Objective	Suggested Interventions:
LOT I: Research and strengthening inclusive social dialogue	<ol style="list-style-type: none"> 1. Publish written reports on labour rights and related issues 2. Promote all types of social dialogue 3. Enhance the coverage and effectiveness of social protection 4. Strengthen tripartism and social dialogue 	<ul style="list-style-type: none"> -Analysis and research of labour policies, labour market analysis, social protection, taxation or other economic policies. -Analysis and research on the level of implementation of the international labour standards -Occupational protection and safety analysis, the inclusion of vulnerable groups in labour market. -Employee skills analysis, analysis on social dialogue organizations and need assessments. -Analysis and research of the employment situation before

<https://www.nidirect.gov.uk/articles/information-and-consultation-employees#toc-0>

¹² Exclusion is related to the dissatisfaction or unease felt by individuals who are faced with situations in which they cannot achieve their objectives for themselves or their loved ones. From this perspective, exclusion tends to have a certain subjective content based on material facts. It should also be recalled that exclusion from certain dominant fashions, customs and ideas may have a positive side for some individuals, groups or communities, thereby reinforcing their internal cohesion. In other cases, voluntary exclusion may be a prerequisite for the stimulation of artistic or intellectual creativity, or a more philosophical or religious life of reflection, Concepts and strategies for combating social exclusion. International Labour Office-STEP.

<https://www.ilo.org/public/english/protection/socsec/step/download/96p1.pdf>

¹³ Child labour is a violation of fundamental human rights and has been shown to hinder children's development, potentially leading to lifelong physical or psychological damage. Evidence points to a strong link between household poverty and child labour, and child labour perpetuates poverty across generations by keeping the children of the poor out of school and limiting their prospects for upward social mobility International Labour Standards on Child Labour. ILO.

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

¹⁴ Democracy embodies responsive and responsible governance, rule of law, human rights, civic participation and peaceful transfers of power through electoral processes. Each of these underpins a peaceful and stable society, Democracy& Governance. United States Institute of Peace. <https://www.usip.org/issue-areas/democracy-governance>





		<p>and after COVID-19 for marginalized groups.</p> <ul style="list-style-type: none"> -Capacity-building and training. -Cooperation between labour inspectorates and other relevant institutions, etc. -Awareness raising and support employees and employers on social dialogue
<p>LOT II: Raising awareness of labour rights and reporting violations of labour rights</p>	<ol style="list-style-type: none"> 1. Promote labour rights and labour law among the most vulnerable categories, most notably in the private sector 2. Ensure adequate knowledge on reporting violations of labour rights 3. Strengthen and promotion of social dialogue 4. Support equal access in labour market for marginalized groups in the public sector 5. Guarantee safety and health in the workplace 	<ul style="list-style-type: none"> -Advocacy campaigns through various activities that may include conferences, roundtables for educational, awareness raising and advocacy purposes. -Engaging policy stakeholders from central and municipal institutions around issues of labour rights. -Gender equality in labour market. -Academia and preparation of youth in labour market, civil society. -Training and capacity-building activities. -Raising awareness on labour law. -Raising awareness on duties and responsibilities deriving from labour law, etc.

2. Eligibility of Applicants

In order to be eligible to participate in this Call for Proposals, there are certain criteria that need to be fulfilled. As mentioned above, the sub-grants are envisaged to be awarded to unions, local CSOs, lawyer associations, journalist groups, media associations and other registered groups (entities) or businesses, which meet the criteria described below:





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2.1 CSO applicant must:

- be a non-profit-making organization.
- be a legal entity registered within Kosovo authorities at least six months before this call is launched.
- provide registration documents of the organization (certificate of registration, fiscal number certificate) and proof they have completed all obligations towards the state, including registration with the Tax Administration, and bank account information
- provide last two years' financial statements or Audit Reports (if applicable)
- show organization capacities and profile including but not limited to: Human Resources capacities, past and present projects in the last two years (funding source, timeframe, partnerships, objectives).

2.2 Union applicant must:

- be an independent entity that represents and protects the legal rights and interests of its members.
- be a legal entity registered within Kosovo authorities at least six months before this call is launched.
- provide registration documents of the organization (certificate of registration, fiscal number certificate) and proof they have completed all obligations towards the state, including registration with the Tax Administration, bank account information
- provide last two years' financial statements or Audit Reports (if applicable)
- show union profile and capacities including but not limited to: Human Resources capacities, past and present projects in the last two years (funding source, timeframe, partnerships, objectives).

2.3 Registered groups or entities must:

- be a legal entity registered with Kosovo authorities at least six months before this call is launched.
- be a registered business that produces/publishes legal analysis or media content/journalistic work.
- be able to provide registration documents of the organization/media (certificate of registration, fiscal number certificate, business registry document) and proof they have completed all obligations towards the state, including registration with the Tax Administration, bank account information, and previous experience in implementing projects related to the legal analysis, journalistic work proposed (samples/examples of legal analysis, journalistic stories produced/published, including current outreach data/viewership data, if applicable).





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If applicant is selected for funding, the following submissions are required:

- A statement issued by the relevant authorities certifying that the applicant and its representative has not been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization, money laundering or any other illegal activity
- Banking details

2.4 Exclusion Criteria

Potential applicants may not participate in this Call for Proposals, or be awarded grants, if they are in any of the following situations:

- They are bankrupt or having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities. They are not in compliance with their obligations relating to the payment of any taxes in accordance with the legal provisions of the contracting party in which they are established.
- They, or persons having powers of representation, decision making, or control over them, have been the subject of a judgment that has the force of res judicata for fraud, corruption, involvement in a criminal organization, money laundering, or any other illegal activity.
- Their proposed actions are not already supported by the European Union in order not to duplicate European Union funding of the same expenditures.
- They are directly affiliated to commercial profit.
- They are involved directly in political campaigning.

3. Eligible actions within the scope of the project

This section will provide information on the duration, amount, and scope of the projects to be financed under this sub-granting scheme, and the eligible activities for which the potential applicants may seek financial support under this Call for Proposals.

3.1 Size and Duration of Sub-Grants

Lot I: Maximum amount of **EUR 5,000** – Duration: Up to six (6) months

Lot II: Maximum amount of **EUR 10,000** - Duration: Up to ten (10) months

The time frame for the implementation of the supported projects is **January 2023 to October 2023**.





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3.2 Scope of Activities

All activities to be implemented within the scope of the sub-granting program must be implemented in Kosovo; they may be focused on one municipality, a region, or cover the entire territory of Kosovo.

3.3 Eligible Activities:

- Organization of advocacy campaigns including conferences, roundtables for educational, awareness raising and advocacy purposes, engaging policy stakeholders from central and municipal institutions around issues of labour rights, gender equality in labour market, academia and preparation of youth in labour market, civil society, social dialogue of trade unions, business community, media etc.,
- Designing and carrying out social media campaigns targeting issues related to the core topic of labour rights of vulnerable categories that need to be supported,
- Civic education activities aiming to raise labour rights issues and other related topics primarily targeting high school and university students,
- Publication of educational and promotional materials in various media forms,
- Training and capacity building for employees or employers on the implementation of the Labour Law,
- Activities that strengthen and improve the social dialogue between workers and public authorities,
- Supporting fair working conditions and decent pay,
- Activities to combat informal work of vulnerable categories,
- Research reports on labour rights, and other issues related, tackling the problems, and offering recommendations,
- Supporting production of new content through investigative reporting and/or in-depth analysis of labour rights,

3.4 Non-Eligible Activities:

- Activities concerning only or mainly with individual sponsorships for participation in workshops, seminars, conferences, congresses.
- Activities undertaken before signature of the contract.
- Activities aimed at profit making activities.
- Activities that are directly affiliated with or supportive of political parties.



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4. Eligibility of Costs: Costs which may be taken into consideration for the grant

We encourage all unions, CSOs, lawyers' groups, and other registered entities to propose realistic and cost-effective budgets in line with market prices. Note that the eligible costs must be based on real costs based on supporting documents.

Recommendations for the award of a grant are always subject to the condition that the checking process preceding the signing of the contract does not reveal any problems requiring changes to the budget (for instance arithmetical errors, inaccuracies or unrealistic costs and other ineligible costs). The checks may give rise to requests for clarification and lead the Contracting Authority to impose modifications or reductions to address such mistakes or inaccuracies. The amount of the grant because of these corrections may not be increased. It is therefore in the applicant's interest to provide a realistic and cost-effective budget.

Eligible costs/costs that we can support are actual costs incurred by the Beneficiary(ies), which meet all the following criteria:

- a) they are incurred during the implementation of the Activity, as specified under 3.1, 3.2, and 3.3.
- b) they are indicated in the estimated overall budget for the Activity.
- c) they are well-justified for the implementation of the Activity.
- d) they are identifiable and verifiable, in particular being recorded in the accounting records of the Beneficiary(ies) and determined according to the accounting standards and the usual cost accounting practices applicable to the Beneficiary(ies);
- e) they are in full compliance with the requirements of applicable tax and social legislation.
- f) they are reasonable, justified and comply with the requirements of sound financial management, particularly regarding economy and efficiency.

Types of Eligible Costs/Types of expenses that we can support:

- a) the cost of staff assigned to the Activity, including cost of staff performing financial and administrative tasks related to the Activity, corresponding to actual gross salaries including social security charges and other remuneration-related costs; salaries and costs shall not exceed those normally borne by the Beneficiary(ies), unless it is justified by showing that it is essential to carry out the Activity.
- b) travel and subsistence costs for staff and other persons taking part in the Activity, provided they do not exceed those normally borne by the Beneficiary(ies) according to its rules and regulations, or the rates published by the European Commission at the time of such mission





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- if reimbursed on the basis of simplified cost options.
- c) costs of consumables.
 - d) bank charge costs.
 - e) costs entailed by contracts awarded by the Beneficiary(ies) for the purposes of the Activity.
 - f) costs deriving directly from the requirements of the Contract (dissemination of information, evaluation specific to the Activity, accounting, audits, translation, reproduction, insurance, etc.).

Ineligible costs/Costs that we will NOT support

- taxes, including value added taxes (VAT) - (excluding taxes on salary).
- customs and import duties, or any other charges.
- purchase, rent or leasing of land and existing buildings.
- fines, financial penalties and expenses of litigation.
- indirect operating costs, costs of guarantees and similar charges.
- conversion costs, charges and exchange losses with any of the component specific euro accounts, as well as purely financial expenses.
- contributions in kind.
- depreciation costs.
- debts and debt charges.
- provisions for losses or potential future liabilities.
- interest owed.
- costs declared by the beneficiary and covered by another activity or work programme.
- credits to third parties.

5. Application Procedures

The Application Package has to be submitted by email, and must include the following *three* documents:

1. **Application Form**
2. **Budget Form**
3. **Registration Act** from the relevant public authority.

The applications MUST be sent by email to:

grants@advocacy-center.org no later than 21 November 2022, at 4 P.M.

Applications can be submitted in Albanian, Serbian, or English.





6. Evaluation and selection of applications

Applications will be examined and evaluated by the contracting authority (ATRC) with the assistance of external evaluators.

If the review of the Application shows that the proposed activity does not meet the eligibility criteria, the Application shall be rejected solely on this basis.

All applications will be assessed following the criteria below:

	Criteria	Definition	Max. coefficient
1.	Relevance of the action with the priorities of the Call for Proposals	This criterion evaluates the relevance of the content of the action vis-a-vis the objectives of the call for proposals of the project. The evaluation committee will review the impact of the proposals on the selected target groups and the beneficiaries of the project.	40
2.	Design of the action	This criterion assesses the overall impact of the coherence of the proposal of the action, the problem analysis, the expected results, new and innovative topics/activities that have not been analysed/implemented before by unions, CSOs, lawyer associations, medias in Kosovo.	20
3.	Effectiveness and feasibility of action	This criterion assesses the proposed activities of the project by evaluating if they are appropriate, practical, and consistent with objectives and expected results.	10
4.	Budget and cost effectiveness	This criterion evaluates the budget and the balance between the estimated costs of the proposed action and the real costs in line with current market prices.	20
5.	Sustainability of the action	This criterion evaluates the practice where human needs and actions are addressed in a way that is	10



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	environmentally friendly and stable, shows the tangible impact on the target groups of the proposal, and includes the multiplier effects of implementing the action.	
TOTAL POINTS		100

7. Notification of the Contracting Authority

Each applicant will be informed in writing about the decision, together with a justification regarding the decision according to the jury evaluation.

7.1 Content of the decision

Letters to successful and unsuccessful applicants will be sent within 5 working days after the selection by 6 December 2022. Unsuccessful applicants will have the right to enquire further clarifications within 10 *working days* of the notification.

7.2 Indicative Timetable

	DATE	TIME
Public announcement of the Call for proposals	31 October 2022	10 A.M.
Deadline to request any clarifications from ATRC/BIRN Kosovo	09 November 2022	4 P.M.
Last date on which clarifications are issued by the ATRC/BIRN Kosovo	11 November 2022	N/A
Deadline for submission of Application Package	21 November 2022	4 P.M.
Deadline for the evaluation of received proposals	30 November 2022	
Information to applicants on the evaluation of the Application Form	01 December to 06 2022	
Signing of contracts	By 26-27 December 2022	
Start date of the projects	1 January 2023	

*Please note that this is an indicative plan only, exact dates are not presently available.

Questions regarding the propositions of the Call for Proposals can be sent in Albanian, Serbian or English by e-mail before 09 November 2022 to the email: grants@advocacy-center.org.





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All questions and answers as well as other important notices to applicants will be published on ATRC official website, no later than 7 days before the deadline for the submission of applications.

7.3 Information Sessions

The information session for this call for Proposals will be held live. Please check the ATRC website and social media pages for the exact Info-session schedule.

Information sessions will be held on 8 November 2022, at 10:00 A.M. at the Europe House in North Mitrovica at 10 A.M. and on 9 November 2022 at 10:00 A.M. at the Europe House in Prishtina.

