

MINIMUM WAGE LAW  
REPUBLIC OF MACEDONIA

I. GENERAL PROVISIONS

Article 1

This Law regulates the amount of the minimum wage, as well as other issues related thereto.

Article 2

Minimum wage is the lowest monthly amount of the basic salary that the employer undertakes to pay to the employee for the work completed under full time and accomplished norm.

Article 3

(1) Pursuant to the provisions of this law, right to minimum wage have all the employees, in the amount set hereby.

(2) The employee working part time, has the right to a proportional part of the minimum wage, for the time spent at work.

(3) The provisions of this law do not apply to the self-employed persons.

II. MANNER OF SETTING THE MINIMUM WAGE

Article 4

(1) The minimum wage amounts to 39.6% of the average gross wage in the Republic of Macedonia for the preceding year, pursuant to the data published by the State Statistical Office.

(2) The amount of the minimum wage referred to paragraph (1) hereof, shall be published by the Ministry of Labour and Social Policy in the "Official Journal of the Republic of Macedonia", upon the opinion of the Economic and Social Council.

III. INSPECTION

Article 5

The supervision over the implementation of the law, concerning the calculation and payment of the minimum wage, in compliance with this law, shall be carried out by the State Labour Inspectorate, through the labour inspectors.

Article 6

(1) In the course of the inspection visit, should the labour inspector determine, for the first time, failure to comply with Article 4 hereof, the inspector shall make a minutes, noting therein the identified irregularity, and provide a deadline of eight days for elimination of the irregularity, and invite the employer to educational activity related to the irregularity identified during the inspection visit.

(2) The minister in charge of the labour-related matters shall prescribe the form and contents of the invitation to the educational activity, and the manner of its realization.

(3) The educational activity shall be organized and implemented by the State Labour Inspectorate, within eight days following the inspection visit.

(4) The educational activity may relate to a number of same or similar identified irregularities for one or more employers.

(5) If the person or the employer, to whom the educational activity pertains, fails to attend within the set time, the educational activity shall be considered as completed.

(6) If the person or the employer, to whom the educational activity pertains, attends the educational activity and completes it, he/she shall be considered as educated for the identified irregularity.

(7) Should the labour inspector, in the course of the follow-up visit, determine elimination of the irregularities identified in paragraph (1) hereof, he/she shall make a conclusion for interrupting the inspection visit.

(8) Should the labour inspector, in the course of the follow-up visit, determine failure to eliminate the irregularities identified in paragraph (1) hereof, he/she shall submit a request for initiation of a misdemeanor procedure in front of the Misdemeanor Commission.

(9) The State Labour Inspectorate carrying out the inspection visit shall maintain record on the realized educational activities as prescribed by the minister in charge of the labour-related matters.

(10) The Ministry of Labour and Social Policy - State Labour Inspectorate shall draft quarterly reports on the accomplished inspections and publish them on the webpages of the Ministry of Labour and Social Policy and the State Labour Inspectorate, in a form of a unified quarterly review.

#### IV. MISDEMEANOR PROVISIONS

##### Article 7

(1) A fine in the amount of EUR 6,000 to 7,000 in MKD equivalent shall be imposed to the employer, should he/she fail to pay the employee the minimum wage as set in the provisions of this law (Article 4).

(2) A fine in the amount of EUR 3,000 to 4,000 in MKD equivalent shall be imposed to the responsible person for the misdemeanor referred to paragraph (1) hereof.

#### V. TRANSITIONAL AND FINAL PROVISIONS

#### Article 8

(1) The existing collective agreements shall be adjusted to this law, within six months following the enforcement hereof.

(2) The provisions of the collective agreements that shall not be harmonized with the provisions of this law, within the deadline set in paragraph (1) hereof, shall cease to be valid.

#### Article 9

The net minimum wage for the 2012 shall amount MKD 8,050.

#### Article 10

In the sectors in which the July 2011 average gross wage paid was below MKD 15,600, in the following three years adjustments shall be made to the amount of the minimum wage, as determined in this law, by multiplying the amount with the following coefficients:

- 0.778 for 2012
- 0.852 for 2013 and
- 0.926 for 2014.

#### Article 11

The bylaws referred to in Article 6 paragraphs (2) and (9) hereof shall be adopted within 30 days upon the enforcement of this law.

#### Article 12

This Law shall enter into force on the eighth day following its publication in the „Official Gazette of Republic of Macedonia“, and shall be applicable with the payment of the January 2012 wages.