

MINISTRY OF LABOR AND SOCIAL POLICY
INTERNATIONAL MINISTERIAL CONFERENCE FOR
AGEING

DEPARTMENT FOR SOCIAL PROTECTION

Department for social protection creates and implements comprehensive policies for obtaining protection and help to elder people, socially excluded based on poverty, sickness and disability, elder and ageing, persons without family care, maladjusted to social environment and socially excluded.

The Law for social protection, based on the principal of solidarity, humanism and social equity regulates the rights and services from the social protection system.

The Family Law systematically regulates the rights and obligations of the family members which are depended from the relations parents-child, adoption and guerdoning, inclusive of the mutual rights for help and support of close relatives.

Indirect social protection and social treatment and help for old and elder people is provided through the Social Welfare Centers which deal with the following categories of old and elder people:

- **disabled in the sense of work ability and low income individuals / families;**
- **older and elderly people with intellectual and physical impairments;**
- **old people, who does not have living conditions in their families with or without family care;**
- **persons with socially negative habits and acts.**

Social prevention for these categories of citizens are provided through measures and activities for stopping of events determined to be of social risk, early revealing and treatment of the citizens imposed on social risk, aiming to overcome or mitigate the damage of imposing to social risk, especially through Advisory and Counseling work of qualified persons in the Social Welfare Centers.

As Entitlement of cash benefit from the system of social protection the following benefits are currently obtained:

- **Social Cash Benefit;**
- **Permanent Cash Benefit;**
- **One – off payment and support in commodities;**

- Cash Benefit for help and care from other person;
- Health Protection if the person is not health insured under any other circumstance.

Institutional Protection is obtained through a follow up of the users to the specific institution for social protection, based upon verified individual needs of the person. In the system for social protection there are institutions for care of persons with intellectual and physical impairment and foster homes for elderly people are being transferred on local level to the Local Self Governments for their management. Lately, it is evident the increase of private initiative for opening and operating (management) of foster homes for elderly people.

The reforms in the social protection system in the Republic of Macedonia is primarily focused on further improvement of deinstitutionalized care. Numerous measures for increase of capability of foster families and their readiness for fostering elder and old people are already undertaken. The strategic planning towards the improvement of the daily centers net, further development of social services and development of more-alternative social institutions in the living domicile of the user. In this instance the social services should be further developed, as is care of frail person in their own home or the user's current living facility.

The civil society organizations are involved in providing services in the social protection system. The Ministry of Labor and Social Policy currently provides program for support of the Non-Government Sector through rendering of certain works in the social protection and their partial financing by the Ministry of Labor and Social Policy (MLSP). Throughout this fiscal year a contract has been signed for a realization of a social protection project – Daily Centers for individuals above 18 years of age with modest and significant impediments in the intellectual development with the Citizens Association “Poraka” and “Polio Plus”. The enhancement of partnership between the NGOs’ and the Local Self Government Units (LSGs’) is evident especially in providing social services for the community. In this respect the Government of the Republic of Macedonia in cooperation with the LSGs’ deployed a project for obtaining hot meals for individuals above 65 years of age, users of rights from the system of social protection in the RM.

The MLSP of the RM prepares a national strategy for deinstitutionalization of services in the area of Social Protection, which shall, among all, underline measures and activities for improvement of quality for fostering in the institutions for social protection, development of deinstitutionalized forms of protection and increased accessibility of the social services in the place of user's living.

*In alliance with the development of the new **Law for Social Protection and social safety, which, as legal act, among all, anticipates new form of deinstitutionalized protection – self living for elderly people and people with physical impediments. This deinstitutionalized form of protection may be obtained by the NGO's and physical entities.***

In the current policies and programs of MLSP in respect to social exclusion, it does not necessarily link with the poverty, but is identified as typical for certain target groups from the overall population aiming to be imposed on social risk by social exclusion.

The focus towards the social exclusion, instead of poverty or deprivation is enriched with a specific combination of policies and opportunities.

Following, the below measures is suitable to be extracted in this respect:

- Drug users and members of their families;
- Victims of family violence;
- Homeless people.

Extraction of these target groups as special social entities is aimed towards providing effective approach in the social protection of these target groups from the general population of the socially excluded, who had not had, so far, structuralized and organized social protection correspondent to their specific needs and are with high grade of risk in a long term functioning of their individual, family and their wider community.

Through the promotion of deinstitutionalized protection it is obtained social and functional involvement in the community, de-marginalization of social excluded persons. The realization of project with specific content and scope obtains and helps in productive engagement of the socially excluded, psycho - social healing and wholesome, rehabilitation and treatment necessary for certain users.

Part of these deinstitutionalized services for these categories of individuals – users shall be accomplished with the involvement of the Citizen's Associations, voluntary work and involvement of private initiative.

DEPARTMENT FOR LABOR

Article no. 34 from the Constitution of the Republic of Macedonia provides each citizen a right of social security and social insurance enacted with law or collective agreement.

Having in permanent knowledge this constitutional postulate in sense of labor many legal and strategic documents regulates the issue connected with elderly in through measures and activities with special programs.

Special section in the Law for Labor Relations anticipates protection of older employees. In accordance with this law employee above 57 years of age for woman and 59 years of age for man favors special protection, protection specially regulated with the collective agreement. Following, in certain collective agreements it is regulated that the annual leave for employee over 57 years of age for woman and 59 years of age for man, the duration of the annual leave is to be prolonged for three days. Employee with reduced work ability, who is 5 years before retirement, is allotted on less valued post, gets salary as it was before the allotment.

An employee retiring from the service, in accordance with the current collective agreements, is provided to get a severance pay.

Above all, the Law prohibits these persons working overtime or during the night, without their discrete agreement.

Elder people, also have special kind of protection in cases of unemployment. Namely, the Law for employment and insurance in cases of unemployment, individuals having more than 15 years employment service insurance and who misses 5 years before achieving the right to an elderly pension, have the right to a cash benefit until employment or retirement. The cash benefit is paid in access of 50% from the average monthly net salary per an employee for the past 24 months, but for the first 12 months of the payment period. For the remaining period it is calculated in access of 40%. To unemployed individuals who does not have 15 years of registered employment service, a right to a pension and disability insurance is being obtained in accordance with the legal acts form the pension and disability insurance. Unemployed persons in accordance with the above listed law, and they favor a right to a health insurance, if they have not obtained it throughout other possible legal basis. In the Republic of Macedonia elderly people are facing unemployment, employment rate of these group of persons is 26.2%. Accordingly, in the national priorities for increase of employment posted in the National Strategy for Employment 2010, prepared in accordance with the integrated directions of EU for increase of employment and posts, it is anticipated that the employment rate of elderly employed individuals is to be 33%. The achievement of the targeted objectives shall be obtained through numerous measures and activities targeted towards elderly people. In respect to this in the multy-annual IPA operational program for Human Resources Development 2007/2013, activities are planned for long term unemployed elderly persons for whom vocational trainings are planned for which an existence of demand on the labor market is high.

DEPARTMENT FOR EQUAL OPPORTUNITIES

Primer aim of the Government of the Republic of Macedonia is establishment of equal opportunities in the policies of gender equity of men and women, rights and obligations in all life spheres.

In this respect the Government of the Republic of Macedonia in 2006 has supported and the Parliament of the Republic of Macedonia has enacted the Law for equal opportunities of men and women (Official Gazette of the RM no. 66/06).

This law enacts basic principals and special measures in establishment of equal opportunities of men and women, jurisdiction, tasks and obligations of responsible entities for obtaining of equal opportunities and the procedure for establishment of unequal treatment of women and men.

In the respect of institutional framework which deals with this issues in the Ministry of Labor and Social Policy in April, 2007 a Department for equal opportunities has been formed, while the Parliament of the RM and the LSG's Units have formed committees for equal opportunities of men and women.

DEPARTMENT FOR PENSION AND DISABILITY INSURANCE

The primer criterion while establishment of terms compliance for achieving of elderly pension is age and existence of minimum registered employment service. The terms for archiving of elderly pension are established with the Law for Pension and Disability Insurance and are 64 years of age for man and 62 years of age for woman and at least 15 years of registered employment service.

The need of elderly age increase is a result of the demographical trends i.e increase in life expectancy of the population and accordingly expectancy in pension usage.

In accordance with this terms and conditions it is achieved certain harmonization between the life expectancy and period of usage of pension brings it closer to EU standards in respect to the period of usage of pension for less then 14 years.

The Law for Pension and Disability Insurance provides legal base to include among the users, users of pension who established registered employment service or do some kind of legal activity. At the same time it regulates the level of pension and its calculation (elderly or disability pension if the employee, the user worked with a lower work ability), so above 3 years service, the pension is increased by 1% calculated on the paid salary without valorization.

In respect the fact that an increased amount is going to be calculated the law anticipates resolution if the user of pension established employment relation to be paid in access of 30% from the amount of pension, and the employer at the time of his employment pays contribution for pension and disability insurance.

Based on the fact that the entitled individual employed pensioner the law anticipates a resolution for payment of pension and disability insurance contribution and the physical entity for him / herself. The user of pension who has employed and works part of the full working time 50% of the pension is paid and for work for two hours 70% of the full pension.

One of the rights regulated with the Law for pension and disability Insurance is the right to a minimum pension. With this right, the right to a pension user a minimum amount of pension is guaranteed which is above the amount of pension calculated based upon an employment service and received salaries. This right is not conditioned with the material status of the pension user, but is obtained for all users of pension who are calculated to have a pension in a lower then guaranteed amount.

The right to a lower amount of pension is based on the principal of social equity and its amount is dependable of: the length of employment service, plus the contribution expressed through the length of the employment service. The lowest amount of pension is still entitled in three separate groups and is dependable of the length of employment service.

For the entitlement of the amount of the lowest amount of pension, an average salary in the Republic of Macedonia, is taken as a parameter, accordingly the lowest amount of pension at the moment is from 4.091,00 to 5.841,00 Macedonian Denars monthly.

In the Republic of Macedonia from the total number of 276.682 users' pf pension in September, 2007, 82.162 or 30% are users of the minimum pension. The lowest amount of pension provides minimum materials and social safety of the pension users and is achieved through the State Pension Fund.

In the framework of the accomplishment of an overall reforms in the pension and disability insurance system in the RM currently a Law for voluntary capitally financed pension insurance which provides legal base for establishment of professional pension schemes and compliance with the EU best practices. This accepts the reasons from the directive of the EU Parliament from this area which outlines that, as the systems for social insurance are under pressure, which is permanently increasing, the professional pensions shall have more and more supplemental role in the future. Out of these reasons professional pensions should be developed without asking the question of the importance of the pension systems for social insurance in a sense of permanent and efficient social insurance which should guarantee decant living standard in older years and that is the main reasons of putting it in a center of substance of the further capacity building of the European social model.

The key Directive of the EU Parliament for pension funds is *Directive on the activities and supervision of institutions for occupational retirement provision 2003/41/EC*. Directive 2003/41EC of the European Parliament and Council regulates the activities and supervision of institutions for obtaining pensions through professional pension schemes. Based on the fact that part of the third pension pillar through professional schemes a necessity for compliance with this directive is undisputable.