

To keep you up-to-date with the latest economic and financial developments, this newsletter prepared by our Team provides information that may affect the operation of your business in Albania.

Decision no. 17, dated 15.01.2020 “On procedures, criteria and rules for the implementation of programs for promotion of employment through employment, training along working and professional practices”

The Council of Ministers adopted the **Decision no. 17, dated 15.01.2020 “On procedures, criteria and rules for the implementation of programs for promotion of employment through employment, training along working and professional practices”** (“The Decision”).

The Decision was published in the Official Gazette no.3, dated 20.01.2020. It repeals a number of Decisions of the Council of Ministers (*i.e.*, *DCM no.27, dated 11.1.2012, DCM no. 47, dated 16.1.2008, DCM no. 64, dated 27.1.2016; DCM no. 162, dated 21.3.2018; DCM no. 199, dated 11.1.2012; DCM no. 248, dated 30.4.2014; DCM no. 873, dated 27.12.2006 - as amended*).

This Decision aims to establish a simplified/condensed legal framework for procedures with regard to promoting employment

for different categories of jobseekers through specific programs.

The programs for which this Decision sets out procedures, criteria and rules for their implementation are as follows:

1. Employment program;
2. Training along working; and
3. Professional practices.



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The duration for the implementation of these programs is expected to be 5 (five) years from the entrance into force of this Decision.

Criteria of application

Unemployed jobseekers registered and active with the Labor Office for no less than 3 (three) months, are entitled to benefit from these programs after having received necessary employment services from the particular employment specialist, as provided by the relevant legislation in force. The jobseeker can participate only once in the same program within a period of 5 (five) years.

Employers are entitled to apply for more than one program for a number of jobseekers which should be no more than 20% of the current manpower, nevertheless, the number of participants must not exceed 21 (twenty-one). Employers that have less than 5 (five) employees can apply for no more than 2 (two) participants.

As set forth by the Decision, employers entitled to apply must fulfill the following requirements:

- i. registered as commercial company, for at least 6 (six) months;
- ii. not subject to solvency proceeding;
- iii. are registered as employers with the tax authority;
- iv. have not conducted any infringement of the labor legislation for the last two years prior to applying for such program;
- v. have regularly paid mandatory social and health insurances;
- vi. provide for full time employment, for at least 40 (forty) hours per week, and a monthly salary no less than the minimum wage, pursuant to the Labor Code;
- vii. does not have any tax obligation toward the tax authorities;
- viii. the number of employees is not reduced within the last 4 (four) months; and

- ix. such job opening (*financed by the program*) is due to the increase of manpower.

As stated above, the Decision is intended to set out in a nutshell the legal procedures, criteria and rules for promoting the employment through 3 (three) programs. Each program covers particular individuals and aims at establishing the terrain for unemployed jobseekers to embrace certain features in order to be adaptable in the labor market.



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Employment Program

The employment program is a paid one-year program, intended to recruiting jobseekers suitable for a job opening. Unemployed jobseekers eligible to benefit from the these programs as stated in the Decision are: (i) young people under the age of 29 (twenty-nine) (ii) long-term unemployed jobseekers (iii) jobseekers over 45 (forty-five) years old (iv) unqualified unemployed jobseekers (v) unemployed jobseekers returned from emigration over the 2 last years (vi) jobseekers benefiting from economic assistance (vii) jobseekers receiving unemployment benefits for more than 3 (three) months (viii) people with disabilities (ix) victims of trafficking, of gender base violence and victims of family violence (x) jobseekers coming from Roma and Egyptian community and (xi) individuals who have already completed the professional training

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course or training program and are unemployed even after 6 (six) months from the termination of the program/course.

The Decision provides for subsidy of the following:

1. Mandatory social and health insurances (contributions withhold by employers) throughout the entire duration of employment and compensated each month.
2. In addition, 100 % (one hundred) percent funding of minimal wage (at the country's rate as set forth by law in effect) for 4, 6, and 12 months depending on the categories of the eligible jobseekers.

Training Program along working

This program aims at training jobseekers at the place of work in order to comply with the profile needed for a job as required by the employee and appropriate to the needs of the employer. Any unemployed jobseeker unqualified for a relevant profession is eligible to benefit from the training program through working.

The employers shall draw up the individual training plan, which shall then be endorsed by the authorities in charge of employment and skills and shall also appoint at least one mentor for each group of beneficiaries involved in the program.

This program is also subject to subvention for a period of 4 (four) months; the training program shall likewise cover the mentor's payment of ALL 2 000 per each participant and mandatory social and health insurances for 8 (eight) months period in the event that the employer hires the employee (the participant) for at least 8 (eight) months after termination of the program.

Professional Practices Program

Professional Practices Program is a 6 (six) month program intended to provide for a prompt transition of graduated individuals in the relevant or similar

labor market for which the jobseeker is graduated. This program is open to unemployed jobseekers recently graduated or that have been unemployed for up to 24 (twenty-four) months since graduating and who are already registered as unemployed jobseekers.

This program subsidizes the upcoming costs: (i) contributions for accidents at work insurance (ii) half (50%) financing of the minimal wage as set forth by law and compensated every month.

Furthermore, the Decision provided for additional coverage of other expenses (transportation, education of children, adjustment of the working place for people with disabilities) for orphan beneficiaries, parents of children under the age of 6 (six) or of children with disabilities, victims (or potential victims) of gender base violence or family violence and beneficiaries of economic assistance.

The Decision sets out provisions regarding the procedures of program implementation. According to Chapter IV, the authority in charge of employment and skills publishes announcements in connection with the implementation of the program and keeps up-to-date the employers and registered jobseekers.

In the occasion of termination of the employment contract upon unilateral notice of the employer, the latter is obliged to return 100% of the financial support obtained up to that moment.



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