

**LAW No. 04/L-083
FOR REGISTRATION AND RECORDS OF THE UNEMPLOYED AND JOBSEEKERS**

Assembly of Republic of Kosovo,

Pursuant to Article 65 (point 1) and Article 49 of the Constitution of the Republic of Kosovo;

Approves:

LAW FOR REGISTRATION AND RECORDS OF THE UNEMPLOYED AND JOBSEEKERS

Article 1

Aim

This law regulates the methods, procedures, conditions of registration, the registration and de-registration of unemployed and jobseekers at the Regional Employment Center in the territory of Republic of Kosovo. This law, also, regulates intermediation of employment, professional orientation and educational activity aiming to increase the employment.

Article 2

Definitions

1. Terms used in this Law, shall have the following meanings:

1.1. **The unemployed** – all persons aged eighteen (18) to sixty five (65) years who are unemployed (neither salaried employees, neither self-employed) who are seeking employment actively and are willing to work;

1.2. **Jobseekers** - all job seekers including those who work full time or part time and those who are temporarily suspended from work;

1.3. **Employer** - natural or legal persons, that provide job for the employers and pay the wage for the job or the did job;

1.4. **Card of the unemployed** – an official document of the Employment Office by which the registration of a person certified as jobseekers at the respective Office of Employment.

1.5. **Vocational training and rehabilitation** - an activity that aims to provide knowledge, skills and attitudes necessary for effective performance within a profession or a group of occupation;

1.6. **MLSW** - Ministry of Labour and Social Welfare;

1.7. **DLE** - The Department of Labor and Employment;

1.8. **DivLE** – The Division of Labour and Employment;

1.9. **REC** - Regional Employment Center are Employment Offices within which act the Municipal Employment Offices and for their work they report to the Division for Labour and Employment;

1.10.**EMO**- Employment Municipality Office, are Employment Offices which for their work shall report to the Regional Employment Center;

1.11.For Regional Employment Centers and Employment Municipality Office, hereinafter in this Law shall be used the notion Employment Offices.

Article 3 Keeping Records

1. Employment Office maintains records for:

1.1. unemployed;

1.2. jobseekers;

1.3. counseling and vocational guidance;

1.4. employers who use the services of the Employment Offices.

Article 4 Register and Evidence for the Unemployed and Jobseekers

1.Registration and records of the unemployed and job seekers, done in Employment Offices managed and administered by the Ministry.

2.Unemployed and job seekers should be reported, for registration and evidence in the Employment Office as their residence.

3.For registration and entry in the Employment Office, the unemployed and jobseekers must personally announce and should bring with them:

3.1. valid ID;

3.2. proof of evidence for eventual educational;

3.3. and training completed.

4. A Foreign National or stateless person may be registered as unemployed if have a residence permit in time to temporarily or permanently in the Republic of Kosova.

5. Unemployed and Jobseekers Can not be at the same time in evidence in two or more Office of Employment.

6. For change of residence within fifteen (15) days the unemployed is obliged to inform the EO.

7. Evidence for the unemployed and job seekers keep the Employment Office, in separate cards and the database in electronic manner.

Article 5 The Unemployed

1. Under this Law, the unemployed considered to be the person which:

1.1. is not employed;

- 1.2. is in working age eighteen (18) to sixty five (65) years;
- 1.3. is able to work;
- 1.4. actively seeking work;
- 1.5. is identified in EO;
- 1.6. is citizen of Kosova and lives in Kosova;
- 1.7. for foreign citizen which has the stay allowance for impermanent or permanent stay in the Republic of Kosova;
- 1.8. is not pupil and regular student, in basic studies;
- 1.9. is not retired.

Article 6 Unemployment Card

1. Employment Offices provide the card to unemployment, the unemployed and jobseekers that arrive for the first time at the Employment Offices.
2. Card of the unemployed and job seekers include:
 - 2.1. personal data of the unemployed, jobseekers;
 - 2.2. professional qualifications of the unemployed - jobseekers;
 - 2.3. The training of the jobseekers after school;
 - 2.4. rehabilitation of jobseekers;
 - 2.5. socio-material condition of the jobseekers;
 - 2.6. family status of job seeker;
 - 2.7. recommendation for intercession in employment of jobseekers; and
 - 2.8. other data that are of interest for job seekers and the Employment Office.
3. The cards with the data by the paragraph 2. of this Article, hold on the archive statistics of Employment Office.
4. Besides unemployment card, Employment Offices also issue personal file-evident for the unemployed and jobseekers in order to maintain accurate records regarding the status of the unemployed and jobseekers, according to deadlines set by the Office of Employment.

Article 7 Registration in the Employment Offices

1. Unemployed and job seekers registering in the Employment Office for information on job vacancies, employment counseling, vocational counseling, counseling and vocational training and job intercession.

2. According to documents provided by the jobseeker defined under this Law, the Employment Office registering the unemployed and job seekers, who claims he is not employed and self-employed.
3. All services provided by employment Offices are free.

Article 8 Obligations of Employment Offices

1. Employment offices are obliged according to data collected from employers for employment needs, notify the unemployed and job seekers on employment opportunities and conditions;
2. Employment offices offer these services and commit to:
 - 2.1. identification of the unemployed and job seekers;
 - 2.2. professional employment counseling and career guidance;
 - 2.3. information on employment opportunities;
 - 2.4. preparation and mediation in employment;
 - 2.5. support for self-employment;
 - 2.6. information on training opportunities and rehabilitation;
 - 2.7. alignment of supply and demand job vacancies;
 - 2.8. providing technical help and professionally of the unemployed jobseekers and employers;
 - 2.9. providing unemployment declaration, which for seekers and beneficiaries of Social Assistance Scheme of category II shall serve as an agreement between the Employment Office and registered unemployed;
 - 2.10. unemployment declaration must be signed by Employment Office and registered person as unemployed;
 - 2.11. employment office at any time shall issue unemployment declaration for all unemployed who shall need it during the process of reapplication for social assistance.

Article 9 The obligations of the unemployed and jobseekers

1. The unemployed is obliged to appear at the Employment Office, regularly every three (3) months and every call to the EO, where in that case must present an identification card and personal evidence card.
2. The unemployment is obliged to:
 - 2.1. to require actively seek employment and to address directly employers for employment;
 - 2.2. certify an individual plan for employment in the EO;
 - 2.3. participate in active employment measures, in accordance with the law and individual employment plan;

- 2.4. not refuse employment and providing adequate training under the guidance of the EO;
 - 2.5. not refuse to sign the unemployment declaration.
3. Jobseeker is obliged to appear in the Employment Office at least twice a year.
4. Unemployed and job seekers that exercise rights under this Law are obliged to inform the Employment Office of any change which affects profit or loss of the right, at the latest within fifteen (15) days when has followed the change.

Article 10
Termination of keeping the records of unemployed and jobseekers.

1. Employment offices stop keeping the unemployed in evidence if:
- 1.1. establish working relationships;
 - 1.2. registering a business and realize the monthly incomes;
 - 1.3. become a pupil or regular student of basic studies;
 - 1.4. eligible for retirement early retirement or disability accordance with the law;
 - 1.5. refuses to take any training or interrupts without reason that;
 - 1.6. is in custody, or begins to prison hold duration time over six(6) month;
 - 1.7. does not appear at the Employment Offices twice in the row, over six(6) months;
 - 1.8. is a foreign national and the permit residence is terminated temporary or permanent;
 - 1.9. deregistered from the record;
 - 1.10. proved that performs work without contract;
2. Jobseeker interrupts its holding on the evidence of the EO, in these cases:
- 2.1. during a calendar year if not appears in the EO;
 - 2.2. with his request;
 - 2.3. in cases provided for in sub-paragraphs 1.2, 1.5, 1.6, 1.7, 1.8 paragraph 1. of this Article;
 - 2.4. jobseekers who discontinued keeping the records, may again enter into evidence as a job seeker, after expiration of the deadline of six (6) months from the date of termination.

Article 11
Deleting from the records of the unemployed and jobseekers

1. The unemployed and job seekers removed from the records of unemployed in the EO, if:
- 1.1. reaches the age of sixty five (65);

- 1.2. becomes completely unable to work, in accordance with the law;
- 1.3. in case of death;
- 1.4. does not appear in the EO without reason two row display over six (6) months;
- 1.5. rejects mediation proposal for employment that offered by EO, as is appropriate vocational training;
- 1.6. rejects training offer from the EO, or abandoned training without reason;
- 1.7. verified that the statement given to unemployment is untrue;
- 1.8. if not notified the employer that is sent by the EO for job placement, which responds to his profession and skills;
- 1.9. refuses to bring proof in the EO over active job search;
- 1.10. refuses to certify an individual plan for employment, or fails to comply with an individual plan;
- 1.11. refuses or with his own guilt, abandon active participation in the employment measure.

Article 12 Re-evidence

Unemployed and job seekers who have been erased or interrupted from the record, have the right to re-register again at the Employment Office as unemployed after the termination of any of the circumstances prescribed by the provisions of Article 10 and 11 of this Law, after the expiration of six (6) respectively for jobseeker twelve (12) months;

Article 13 The right of access to personal data

The unemployed and job seekers have the right to see personal data held in the evidence to the EO and ask for corrections to the data, if eventually there are any errors or irregularities.

Article 14 Special Evidence

1. Besides the evidence for the unemployed and jobseekers, within the Employment Office the records kept for:
 - 1.1. job vacancies;
 - 1.2. foreigner or persons without nationality who seek work;
 - 1.3. nationals of the Republic of Kosova who are temporarily working abroad with the mediation of the Employment Offices.

Article 15 Evidence for Employers

1. Evidence for employers who use the services of the Employment Offices, guided upon presentation of their claims about the need for workers based on market research to identify the work;

2. Evidence is kept in a special card to the employer. The card contains information on:

2.1. the firm name of employer;

2.2. headquarters and address;

2.3. figure of activity and type of activity;

2.4. number of employees;

2.5. employment needs and the type of services which the employer wishes to utilize the Employment Office;

2.6. other records necessary to conduct the evidence.

Article 16 Disciplinary Responsibility

Civil servants of the EO who do not implement or operate in violation of this law are subject to disciplinary responsibility pursuant to the Law of Civil Service of the Republic of Kosova.

Article 17 Issuance of Sub-Legal Acts

Ministry, in deadline from six (6) month, from the entry into the force, will issue the regulations for the implementation and fair of this law.

Article 18 Abrogation of Acts

With the entry into force of this Law all legal and sub-legal acts which are contradiction with this law shall be abrogated.

Article 19 Entry into force

This Law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosova.

**Law No. 04/L-083
06 April 2012**

Promulgated by Decree No.DL-013-2012, dated 26.04.2012, President of the Republic of Kosovo Atifete Jahjaga.