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The Saeima¹ has adopted
and the President has proclaimed the following Law:

Employers' Organisations and their Associations Law

Section 1. Purpose of this Law

The purpose of this Law is to prescribe the legal status and system of employers' organisations, as well as the rights and duties thereof in relations with trade unions and State and local government institutions.

Section 2. Employers' Organisation

- (1) An employers' organisation is a public organisation established by at least five employers which represents and protects the economic, social and professional interests of its members, as well as other interests that conform to the objectives and functions of the employers' organisation.
- (2) Members of an employers' organisation may be natural or legal persons who on the basis of a contract of employment employ at least one employee.

Section 3. Association of Employers' Organisations

- (1) Employers' organisations have the right to establish associations of employers' organisations and to become members thereof.
- (2) An association of employers' organisations may be established if at least three employers' organisations unite.
- (3) An employer who is not a member of an employers' organisation may also be a member of an association of employers' organisations if on the basis of an contract of employment he or she employs at least 50 employees.
- (4) There may be the following types of associations of employers' organisations:
 - 1) Latvian association of employers' organisations;
 - 2) sectoral association of employers' organisations; and
 - 3) territorial association of employers' organisations.

Section 4. Regulatory Enactments regarding Employers' Organisations and their Associations

Procedures for the establishment, registration, operation, supervision, re-organisation and liquidation of employers' organisations and their associations shall be set out in the Law On Public Organisations and their associations and the articles of association of such organisations and associations, insofar as this Law does not provide otherwise.

¹ The Parliament of the Republic of Latvia

Section 5. Independence of Employers' Organisations and their Associations

- (1) Employers' organisations and their associations shall be independent in their operation.
- (2) Any activity the aim of which is to directly or indirectly hinder the creation of employers' organisations and their associations, to subject them to State and local government institutions, as well as to interfere with the performance of the functions and attainment of the objectives specified for employers' organisations and their associations in law and articles of association is prohibited.

Section 6. Rights of Employers' Organisations and their Associations

- (1) Employers' organisations and their associations are entitled to co-operate with employers' organisations of other states and international employers' organisations, as well as to join international employers' organisations.
- (2) Employers' organisations and their associations are entitled to request and receive from State and local government institutions, information necessary to perform their functions and attain their objectives, unless regulatory enactments provide for restrictions regarding the issuance thereof.
- (3) For the performance of their functions employers' organisations and their associations are entitled to participate in the work of commissions, working groups and advisory councils created by State and local government institutions and, within the scope of their competence, give opinions regarding the issues to be resolved.
- (4) Authorised representatives of employers' organisations and their associations have the right to be present and to express their proposals at open meetings of State and local government institutions when issues pertaining to the functions of employers' organisations and their associations are examined.

Section 7. Duties of Employers' Organisations and their Associations

- (1) Employers' organisations and their associations have a duty to represent the interests of their members in relations with trade unions and State and local government institutions.
- (2) Employers' organisations and their associations have a duty, within the scope of their competence, upon the request of State and local government institutions to give opinions regarding draft regulatory enactments, as well as other issues pertaining to the functions of the relevant employers' organisations or their associations.
- (3) Employers' organisations and their associations may not directly or indirectly restrict the rights of employees to unite in trade unions or to affect the operation thereof.

Section 8. Functions of Employers' Organisations

Employers' organisations shall fulfil the following functions:

- 1) develop the policy of the employers' organisation;
- 2) represent the interests of the employers' organisation in relations with trade unions and State and local government institutions;
- 3) co-operate with trade unions in the preparation and entering into of collective agreements and in other employment relationship issues;
- 4) inform their members regarding regulatory enactments in the economic and social sphere;
- 5) organise training of the members of employers' organisations;
- 6) provide consultations in employment relationship issues;

- 7) participate in the settlement of labour disputes, also in the case of strikes; and
- 8) compile and analyse information regarding employers' organisations and their associations and inform the public regarding issues topical for employers.

Section 9. Functions of Associations of Employers' Organisations

In addition to the functions specified in Section 8 of this Law associations of employers' organisations shall fulfil the following functions:

- 1) represent the interests of the association of employers' organisation in relations with trade unions, State and local government institutions in trilateral co-operation councils, as well as international employers' organisations;
- 2) develop and submit to State and local government institutions, proposals for the improvement of social and employment relationships;
- 3) develop and submit to State and local government institutions proposals for the development of economic strategy; and
- 4) develop and submit to State and local government institutions, proposals for the development of entrepreneurial activities and organisation of professional training, which meets the requirements of the labour market.

Section 10. Relationship of Employers' Organisations and their Associations with State and Local Government Institutions

- (1) Interests of employers at the national level in relations with the Cabinet shall be represented by the Latvian Association of Employers' Organisations, which unites employers employing most of the working population in the State and which is a member organisation of the International Labour Organisation.
- (2) Interests of employers at sectoral or administrative territorial level in relations with State and local government institutions shall be represented by a sectoral or territorial employers' association (organisation) which unites employers employing most of the workers in a sector or administrative territory.

Section 11. Relations of Employers' Organisations and their Associations with Trade Unions

- (1) The Latvian Association of Employers' Organisations shall negotiate, on behalf of its members, enter into collective agreements and general agreements, agree regarding general co-operation principles, negotiate regarding the solution of conflict situations with the Latvian Association of Sectoral and Professional Trade Unions, which represents most of the working population of the State.
- (2) Sectoral employers' organisations and their associations shall negotiate, enter into agreements with sectoral trade unions, promote prevention of conflicts causing strikes and other conflicts at the sectoral level.
- (3) Territorial employers' organisations and their associations shall negotiate, enter into agreements with territorial trade unions, promote prevention of conflicts causing strikes and other conflicts at the territorial level.

Section 12. Representation at Bilateral and Trilateral Co-operation Institutions

- (1) The Latvian Association of Employers' Organisations which unites the employers employing most of the working population in the State and which is a member organisation of

the International Labour Organisation shall nominate negotiators for the National Tripartite Co-operation Council and its Sub-councils.

(2) Sectoral and territorial employers' organisations and their associations which unite the employers employing most of the workers in a sector or administrative territory shall nominate negotiators for the relevant sectoral and territorial bilateral or trilateral co-operation institutions.

Transitional Provision

Employers' organisations and their associations registered before the coming into force of this Law shall, by 31 December 1999, make the necessary amendments to the articles of association and other documents regulating their operation in conformity with the provisions of this Law.

This Law has been adopted by the *Saeima* on 29 April 1999.

President

G. Ulmanis

Rīga, 19 May 1999