

I. GENERAL PROVISIONS

Subject of the Law

Article 1

- (1) This Act regulates the establishment of European Works Councils or the establishment of one or more information and consultation procedures with an employer performing economic activity at the level of the European Union and with associated employers performing economic activity at the level of the European Union.
- (2) The information and consultation procedures referred to in paragraph 1 of this Article on matters relating to the business of the employer or affiliated employers, or to at least two employers or their branches or groups established in two Member States, shall be determined and implemented in a manner ensuring the effectiveness of information and consultation and decision-making.
- (3) Member States, for the purposes of this Act, are the Member States of the European Union and the States party to the Treaty on the European Economic Area (hereinafter: the Member States).
- (4) Economic activity at the level of the European Union shall be performed by the employer, ie related employers who meet the conditions referred to in Article 5 of this Act.
- (5) Terms used in this Law, which have a gender meaning, are used neutrally and refer equally to the masculine and feminine genders.

Article 2 (NN 127/17)

This Act transposes the following European Union directives into the legal order of the Republic of Croatia:

- Directive 2009/38 / EC of the European Parliament and of the Council of 6 May 2009 establishing a European Works Council or introducing a procedure involving undertakings and groups of undertakings at Community level for the purpose of informing and consulting employees (recast) (Text with EEA relevance), (OJ L 122, 16.5.2009) and
- Directive (EU) 2015/1794 of the European Parliament and of the Council of 6 October 2015 amending Directives 2008/94 / EC, 2009/38 / EC and 2002/14 / EC Of the European Parliament and of the Council and Council Directives 98/59 / EC and 2001/23 / EC as regards seafarers (Text with EEA relevance), (OJ L 263, 8.10.2015).

Worker participation in decision - making

Article 3

- (1) The participation of workers in decision-making regarding their economic and social rights and interests, in terms of the provisions of this Act, includes information and counseling.
- (2) The notification referred to in paragraph 1 of this Article is the notification of workers 'representatives by the central administration or other appropriate level of administration of the necessary information, in time, content and in a manner enabling workers' representatives to assess possible impact and prepare for possible consulting with the management of the employer or an affiliated employer.
- (3) The consultation referred to in paragraph 1 of this Article shall include the exchange of views and the establishment of a dialogue between workers 'representatives and the central administration or other appropriate level of administration, in time, content and in a manner enabling workers' representatives to present their information an opinion on the subject matter of the consultation procedure, to be considered by the employer or an affiliated employer operating in the Member States, without prejudice to the powers of the administration.
- (4) Workers shall participate in decision-making through the European Works Council established by the agreement or through one or more information and consultation procedures regulated by the agreement, or through the European Works Council established in the manner and under the conditions prescribed by this Act.

Application of the Law

Article 4

- (1) The provisions of this Act shall apply to workers employed by an employer performing economic activity at the level of the European Union and having its registered office in the Republic of Croatia and to related employers performing economic activity at the level of the European Union, if the employer with dominant influence has its registered office. in Republic of Croatia.

(2) When the employer or the ruling employer referred to in paragraph 1 of this Article does not have its registered office in a Member State, the provisions of this Act shall apply under the following conditions:

- 1) if the employer or the ruling employer has authorized as its representative a branch of the employer or the employer under his ruling influence who have their registered office in the Republic of Croatia, or
- 2) if the employer or the ruling employer has not authorized its representative, and the branch of the employer or the employer under the dominant influence with the most employees in relation to other related companies has its registered office in the Republic of Croatia.
- (3) The provisions of Articles 7, 9, 12, 23, 30 and 32 of this Act shall also apply when the central administration is located in another Member State, as well as when the conditions referred to in paragraph 2 of this Article are not met.

Employer carrying out economic activity and related employers at the level of the European Union

Article 5

(1) An employer performing economic activity at the level of the European Union, within the meaning of this Act, is a company which employs at least one thousand workers in the Member States, of which at least one hundred and fifty workers in each of at least two Member States.

(2) Related employers, in terms of this Act, are the employer with dominant influence and all employers under its dominant influence.

(3) Associated employers performing economic activity at the level of the European Union, in terms of this Act, are at least two affiliated companies established in different Member States, employing at least one hundred and fifty workers and employing at least one thousand workers in Member States.

Employer with dominant influence

Article 6

(1) An employer with dominant influence, in the sense of this Act, is a legally independent company which is connected with another legally independent company or companies in such a way that it can, directly or indirectly, have a dominant influence over them.

(2) A company has a dominant influence, in terms of this Act, over another company if directly or indirectly:

- 1) may appoint more than half of the members of the management, supervisory or board of directors of subsidiaries or
- 2) supervises the majority decision-making right in the subsidiary or
- 3) has a majority share in the subscribed share capital of subsidiaries.

(3) If more than one employer meets the conditions referred to in paragraph 2 of this Article, the employer with dominant influence shall be considered an employer who meets the condition referred to in paragraph 2, subparagraph 1 of this Article.

(4) In determining the employer with dominant influence, the right of appointment and the right to decide referred to in paragraph 2, subparagraphs 1 and 2 of this Article shall be added to the relevant rights of all subsidiaries and the rights of all natural and legal persons acting in their own name. with dominant influence or subsidiaries.

(5) An employer shall not be considered to have a controlling influence over another employer if their mutual influence, according to a special regulation governing competition, is not considered a concentration of undertakings.

(6) The law applicable to the determination of dominant influence between affiliated undertakings shall be the law of the Member State in which the registered office of the employer has its registered office, except where that applicable law is not the law of the Member State. the registered office of the company with dominant influence or, if such a representative does not exist, in which the central management of the company under dominant influence employs the largest number of employees, has its registered office.

Determining the number of employees

Article 7

The number of employees of employers, in terms of this Act, is determined on the basis of the average number of employees of these employers in the previous two years.

Obligation to obtain and submit data

Article 8

(1) The central administration, ie the administration of each of the related employers, shall obtain and submit the information necessary for the commencement of negotiations on the establishment of a European Works Council or the establishment of information and consultation procedures.

(2) The data referred to in paragraph 1 of this Article shall relate in particular to data on the total number of workers and the number of workers in individual Member States, employers and their branches and on the structure of employers referred to in Article 5 paragraphs 1 and 3 of this Act.

Liability of employers in the Republic of Croatia

Article 9

(1) Affiliated employers in the Republic of Croatia who are branches of employers performing economic activity at the level of the European Union or are subsidiaries of an employer with dominant influence performing economic activity at the level of the European Union, are obliged to provide conditions and necessary funds for workers' participation in decision-making in accordance with Article 2 and Article 4, paragraph 3 of this Act.

(2) Employers referred to in paragraph 1 of this Article shall, at the request of the central administration, submit data on the number of employees referred to in Article 7 of this Act.

II. NEGOTIATION COMMITTEE

Establishment of the Negotiating Committee

Article 10

(1) For the purposes of this Act, the Negotiating Committee is a committee established to negotiate with the Central Administration on the establishment of a European Works Council or to regulate the procedures for informing and advising employees in order to exercise workers' rights in accordance with Article 2 and Article 4 (3).

(2) Workers employed by employers and related employers have the right to initiate the procedure of establishing the committee referred to in paragraph 1 of this Article.

(3) The committee referred to in paragraph 1 of this Article shall be established at the initiative of the central administration or at the written request of at least one hundred workers or their representatives employed in at least two related employers or two branches in different Member States.

(4) If several applications have been submitted in terms of paragraph 2 of this Article, the total number of applicants shall be determined by summing the number of applicants of each individual application.

(5) If the request is submitted to the employers referred to in Article 9 of this Act, they shall forward such request to the central administration no later than eight days from the day of receipt of the request and inform the applicants thereof.

Number of members of the negotiating committee

Article 11

The negotiating committee shall be composed of representatives of workers from each Member State, and its number shall be proportional to the number of workers employed by the employer or associated employers in that Member State, so that workers from each Member State are entitled to one representative for every 10% of the total workers employed by employers referred to in Article 5, paragraphs 1 and 3 of this Act in all states together.

Representative of workers from the Republic of Croatia in the negotiating committee

Article 12

(1) Representatives of workers from the Republic of Croatia shall be elected to the negotiating committee by workers of all employers, branches of employers or associated employers in free and direct elections, by secret ballot.

(2) The right to nominate candidates for the election of workers' representatives referred to in paragraph 1 of this Article shall have a workers' council, trade unions having their members employed by a particular employer, branch or affiliated employer or a group of workers supported by at least twenty percent of workers employed by a particular employer, branch or affiliated employer.

(3) The Minister competent for labor shall prescribe by an ordinance the election and recall of workers' representatives from the Republic of Croatia to the negotiating committee.

Cooperation central administration and the bargaining committee

ARTICLE 13

(1) The Central Administration is obliged to initiate the procedure of establishing the committee referred to in Article 10 of this Act.

(2) Cooperation between the central administration and the negotiating committee shall be based on mutual trust.

(3) The Negotiating Committee shall notify the central administration no later than eight days from the day of appointment of the names of its members, their residence and data on the employer, ie the branch in which they are employed.

(4) The Central Administration shall submit the data referred to in paragraph 3 of this Article to the relevant employers' associations and trade unions operating at the level of the European Union and to the employer's or branch's management.

(5) The Central Administration shall convene a constituent session of the negotiating committee within thirty days from the day of receipt of the notification referred to in paragraph 3 of this Article, at which the president shall be elected and the rules of procedure of the committee shall be adopted. .

(6) The Central Administration is obliged to submit to the negotiating committee in a timely manner the information important for making a decision.

Conditions for the work of the negotiating committee

Article 14 (NN 127/17)

(1) The Central Administration shall bear the costs of establishing and operating the negotiating committee.

(2) The Central Administration shall provide the negotiating committee with the necessary space, staff, funds and other working conditions, including funds for salary compensation, travel expenses, accommodation and translation.

(3) The Central Administration shall plan meetings in order to facilitate the participation of all members of the negotiating committee, and if they cannot attend the meeting, it shall ensure, if possible given the circumstances, the use of information and communication technologies. remote communication

(4) The Negotiating Committee has the right, before and after the meeting with the central administration, to meet without the presence of the representative of the central administration, for which the central administration is obliged to provide it with the necessary means and possibility of communication.

(5) The Negotiating Committee may request the opinion or expert assistance of experts, who may be appointed from among the representatives of representative trade union associations operating at the level of the European Union, who may, at the request of the Negotiating Committee, attend meetings of the Negotiating Committee. central government as advisors.

(6) The Central Administration shall bear the costs of one expert referred to in paragraph 5 of this Article.

(7) The employer referred to in Article 9 of this Act shall also be jointly and severally liable for the obligations of the central administration referred to in this Article.

Participation of workers' representatives in the work of the negotiating committee from countries which are not members of the European Union

Article 15

If the central administration and the negotiating committee agree that the agreement referred to in Article 17 of this Act will apply to workers employed by employers and branches from non-member states, that agreement must contain a provision on the manner of including representatives of workers employed by employers, at branches of employers or affiliated employers from non-member countries and determining their number and legal status.

The suspension of negotiations
ARTICLE 16

- (1) The Negotiating Committee may, by at least a two-thirds majority vote of all members, decide not to start negotiations or to terminate negotiations that have already begun.
- (2) Minutes shall be drawn up on the decision and implementation of voting referred to in paragraph 1 of this Article, which shall be signed by the President, one copy of which shall be submitted to the Central Administration.
- (3) A repeated request for the establishment of a negotiating committee may not be submitted before the expiration of two years from the decision referred to in paragraph 1 of this Article, unless the negotiating committee and the central administration reach a different written agreement.

III. AGREEMENT ESTABLISHING A EUROPEAN WORKERS 'COUNCIL

Freedom to contract the manner in which workers participate in decision - making
Article 17

- (1) The Central Administration and the Negotiating Committee are obliged to negotiate in good faith in accordance with the principle of freedom of contract.
- (2) The Central Administration and the Negotiating Committee may agree on the manner of employee participation in decision-making, ie they may decide by a majority vote on the establishment of a European Works Council or on the regulation of one or more information and consultation procedures.
- (3) If the agreement referred to in paragraph 2 of this Article has been concluded, the provisions of Title IV shall not apply. of this Law, unless otherwise regulated by this agreement.
- (4) The agreement referred to in paragraph 2 of this Article shall apply to all workers employed by employers and branches, or by affiliated employers from Member States, unless it regulates a wider scope within the meaning of Article 15 of this Act.

European Works Council established by agreement
Article 18

- (1) The Central Administration and the Negotiating Committee shall establish a European Works Council by concluding a written agreement on the establishment, powers and work of the European Works Council.
- (2) In the case of affiliated employers referred to in Article 5, paragraph 2 of this Act, the European Works Council shall be established at the level of all affiliated employers, unless the agreement referred to in paragraph 1 of this Article provides otherwise.
- (3) The agreement establishing the European Works Council must contain information on:
 - 1) application of the agreement, ie on which employers, branches and affiliated employers the agreement applies to and whether it also covers employers and branches referred to in Article 15 of this Act
 - 2) the composition and number of members of the European Works Council, the duration of its mandate and the distribution of seats in order to ensure, whenever possible, that workers of all organizational units, groups of workers and both sexes are equally represented.
 - 3) the powers and duties of the European Works Council, the procedures for informing and consulting the European Works Council and the workers' representatives at national level
 - 4) the venue, frequency and duration of European Works Council meetings

- 5) the composition, appointment, powers and conduct of the committee, if established within the European Works Council
- 6) the resources required for the work of the European Works Council
- 7) the date of entry into force of the agreement, the deadline for concluding the agreement, the procedure for amending or terminating the agreement and the conditions and procedure for renegotiating the agreement, which includes, where necessary, the case of structural changes with the employer or employers referred to in Article 5. paragraphs 1 and 3 of this Act
- 8) amendments to the agreement in case of extraordinary circumstances that significantly affect the interests of workers.

(4) The provision of Article 12 of this Act shall apply to the appointment of members of the European Works Council from the Republic of Croatia.

Status changes of the employer
Article 19

- (1) In the event that employers referred to in Article 5, paragraphs 1 and 3 of this Act undergo status changes, such as mergers, acquisitions, ie unbundling, the central administration shall initiate negotiations referred to in Article 10 of this Act on its own initiative, ie at the written request of at least one hundred workers or their representatives employed by at least two employers or branches in at least two Member States, if there are no provisions in the current agreement on how to adapt the European Works Council to the change or if there is a conflict between the two or more applicable agreements.
- (2) In addition to the members appointed or elected pursuant to Article 11 of this Act, the members of the negotiating committee shall also be at least three members of the existing European Works Council or of each of the existing European Works Councils.
- (3) During the negotiations, the existing European Works Council shall continue its work in accordance with the current agreement between the European Works Council and the Central Administration, until a new agreement is concluded, ie until the expiry of the mandate of that European Works Council.
- (4) By concluding a new agreement on the European Works Council, ie an agreement on information and consultation procedures, the previously concluded agreement shall cease to be valid, and the mandate of the members of the European Works Council referred to in paragraph 3 of this Article shall end.

Agreement on the regulation of information and consultation procedures
Article 20

- (1) The Central Administration and the Negotiating Committee shall regulate by written agreement one or more information and consultation procedures.
- (2) The agreement referred to in paragraph 1 of this Article shall regulate the conditions for holding meetings and consulting employees' representatives with the central management on issues affecting the interests of workers with all employers, branches or affiliated employers to which the agreement applies.

IV. ESTABLISHMENT OF THE EUROPEAN WORKERS 'COUNCIL BY LAW

Conditions for the establishment of a European Works Council
Article 21

- (1) The provisions of this Act shall apply to the establishment, composition, manner of work and powers of the European Works Council if:
 - 1) so decided by the central administration and the negotiating committee
 - 2) the central administration does not start negotiations within six months from the day of submitting the request referred to in Article 10, paragraph 2 of this Act
 - 3) no agreement referred to in Articles 19 or 20 of this Act has been concluded within a period of three years from the day of submitting the request referred to in Article 10, paragraph 2 of this Act.

(2) By way of derogation from paragraph 1 of this Article, a European Works Council shall not be established if the negotiating committee has adopted the decision referred to in Article 16, paragraph 1 of this Act.

Composition of the European Works Council

Article 22

(1) The European Works Council shall be composed of representatives of the employees of the employer, branch or affiliated employer, operating at the level of the European Union.

(2) The members of the European Works Council shall be elected or appointed in proportion to the number of workers employed by the employer or employers referred to in Article 5, paragraphs 1 and 3 of this Act in each Member State, so that workers from each Member State are entitled to one representatives for every ten percent of the total number of workers employed by those employers in all Member States at the time the information on the number of workers referred to in Article 7 of this Act is given.

Election of a member of the European Works Council from the Republic of Croatia

Article 23

(1) The provisions of Article 12 of this Act shall apply accordingly to the representatives of workers from the Republic of Croatia to the European Works Council.

(2) By the Ordinance referred to in Article 12, paragraph 3 of this Act, the minister responsible for labor shall prescribe the election and recall of workers' representatives from the Republic of Croatia to the European Works Council.

Notice of members of the European Works Council

Article 24

(1) The European Works Council shall notify the central administration, no later than eight days from the date of appointment or election, of the names of its members, their place of residence and the details of the employer or branch in which they are employed. council.

(2) The Central Administration shall submit the data referred to in paragraph 1 of this Article to the employer, branches of the employer or related employers.

Work of the European Works Council

Article 25

(1) The Central Administration shall convene the founding session of the European Works Council, at which the members shall elect the President, the Vice-President by a majority vote and adopt the rules of procedure of the European Works Council.

(2) The European Works Council shall be represented by the President, and in his absence by the Vice-President.

Narrow committee

Article 26

(1) In order to coordinate its activities, the European Works Council shall elect from among its members a narrow committee consisting of a maximum of five members, which must have the conditions for the regular performance of its duties.

(2) The Committee referred to in paragraph 1 of this Article shall replace the European Works Council in the cases provided for in this Act, and shall determine the manner of its work by its rules of procedure.

(3) The provisions of Article 14 of this Act shall apply mutatis mutandis to the costs of the establishment and operation of the European Works Council and its Committee.

Powers of the European Works Council

Article 27

(1) The European Works Council shall have the right to meet once a year with the central administration to inform and consult on matters

relating to the employer, branch or affiliated employers as a whole or to at least two employers or branches located in different Member States.

(2) The Central Administration shall at least once a calendar year inform the European Works Council and consult with it on the results of operations and plans of the employer or affiliated employer operating at the level of the European Union, and timely submit a report with appropriate documentation. notify the employer's affiliates or affiliated employers of the meeting.

(3) The business results and plans referred to in paragraph 2 of this Article shall relate to:

- 1) the state and results of operations of the employer or affiliated employer
- 2) introduction of new technologies, development plans and their impact on the economic and social position of workers
- 3) number and structure of employees according to the types of employment contracts and employment plan
- 4) planned disposal of redundant workers
- 5) organizational and status changes of the employer, branch or affiliated employer
- 6) change of the seat of the employer, branch or affiliated employer and transfer of the enterprise, part of the enterprise, economic activity or part of the activity.

(4) The counseling referred to in paragraph 2 of this Article shall be conducted in such a way as to enable workers' representatives to meet with the central management in order to obtain a reasoned answer, ie an explanation to each question or opinion presented.

(5) The European Works Council shall inform the representatives of workers employed by the employer, branches of the employer or affiliated employers of the content and outcome of the information and consultation procedures and, if such representatives are not elected or appointed, all workers employed by the employer, employers' branches or affiliated employers.

Information and consultation in a special case

Article 28

(1) The Central Administration shall inform the narrow committee referred to in Article 26 of this Act, ie the European Works Council, if the committee has not been established, in a timely manner of special cases that significantly affect the interests of workers, and present and consult appropriate documentation. .

(2) In the case referred to in paragraph 1 of this Article, the narrow committee, ie the European Works Council shall have the right to a meeting with the central administration.

(3) In particular, the following shall be considered a special case referred to in paragraph 1 of this Article:

- 1) change of the seat of the employer, branch or affiliated employer and transfer of the enterprise, part of the enterprise, economic activity or part of the activity
- 2) status change of the employer, branch or affiliated employer
- 3) taking care of redundant workers.

(4) Members of the European Works Council who are representatives of employees of the employer or branch with which a special case referred to in paragraph 2 of this Article has arisen, have the right to participate in the narrow committee referred to in Article 26 of this Act and participate in the meeting referred to in paragraph 2. of this article.

(5) Before holding the meeting referred to in paragraph 2 of this Article, the European Works Council, ie the committee referred to in paragraph 4 of this Article, has the right to a preparatory meeting with the central administration without the presence of the employer's administration.

(6) The information and consultation procedures in a special case may not diminish the obligations of the management of employers in which a special case has arisen to carry out the information and consultation procedure in accordance with the regulations of the Member State.

Mandate of the European Works Council

Article 29

- (1) The European Works Council shall be appointed or elected for a term of four years.
- (2) A member of the European Works Council may be recalled.
- (3) The Central Administration shall submit to the European Works Council, within a period of two years from the date of the founding session of the European Works Council, data on changes in the number of employees in the Member States of the European Union and with employers, branches or affiliated employers.
- (4) If the information on changes of workers referred to in paragraph 3 of this Article indicates the need to change the number of members and the composition of the European Works Council, the number of members and the composition of the workers' representatives in the European Works Council shall be redefined. changes in the number of workers.
- (5) The European Works Council established in accordance with Article 21, paragraph 1 of this Act shall, no later than six months before the termination of its mandate, decide by a majority vote on whether to start negotiations for the agreement referred to in Article 17, paragraph 2 of this Act. Of the Act.
- (6) If the European Works Council decides to open negotiations referred to in paragraph 5 of this Article, it shall have the same rights and obligations as the negotiating committee.
- (7) If an agreement on information and consultation with workers is concluded on the basis of Article 20 of this Act, the mandate of the European Works Council shall end.

Cooperation between the Central Administration and the European Works Council

Article 30

- (1) Cooperation between the central administration and the European Works Council shall be based on mutual trust.
- (2) The provision of paragraph 1 of this Article shall apply *mutatis mutandis* to cooperation between the central administration and workers' representatives within the framework of information and consultation procedures.
- (3) Members of the European Works Council shall be obliged to keep, after the expiration of their term of office, a business secret which they have learned in the exercise of the powers granted to them by this Act.
- (4) The duty to keep business secrets referred to in paragraph 3 of this Article shall apply in an appropriate manner to:
 - 1) members of the negotiating committee
 - 2) employee representatives within decision-making and consultation procedures
 - 3) experts and translators
 - 4) employee representatives in the European Works Council employed by employers and in branches in the Republic of Croatia.
- (5) The obligation to keep business secrets referred to in paragraph 3 of this Article shall not apply:
 - 1) with regard to the conduct of information and consultation procedures with other members of the European Works Council and with workers' representatives at the employer, in branches or associated companies
 - 2) relations with workers' representatives in the employer's bodies
 - 3) to translators or experts assisting the European Works Council.
- (6) The obligation to keep business secrets referred to in paragraph 4 of this Article shall not apply to:
 - 1) members of the negotiating committee with regard to experts and translators

2) employee representatives within the information and consultation procedures regarding translators and experts assisting them, as well as in relation to employee representatives employed by employers, branches or affiliated employers in the Republic of Croatia.

Conditions for the work of the European Works Council

Article 31 (NN 127/17)

(1) Members of the European Works Council must be provided with the conditions necessary for exercising the rights that belong to the European Works Council under this Act, in order to collectively represent the interests of workers employed by the employer or employers referred to in Article 5, paragraphs 1 and 3 of this Act.

(2) The members of the European Works Council must be provided with the conditions to participate in the European Works Council meeting, in such a way that the meetings are planned to facilitate their participation, while ensuring the use of information and communication technologies, ie remote communication technologies. given the circumstances possible, in case they are unable to attend the meeting.

(3) Members of the Negotiating Committee and members of the European Works Council shall be entitled to salary training if this is necessary for the performance of their representative duties at international level.

Protection of workers' representatives in the Republic of Croatia

Article 32

The provisions of the general labor regulation on the protection of unequal treatment of members of the Works Council shall apply to the members of the European Works Council referred to in Articles 18 and 21 of this Act, who are employed in the Republic of Croatia, in terms of rights and protection.

V. SUPERVISION OVER THE APPLICATION OF REGULATIONS

Administrative supervision

Article 33

Administrative supervision over the application of this Act and regulations adopted on the basis thereof shall be performed by the central state administration body responsible for labor affairs, unless otherwise provided by another law.

Inspection

Article 34

(1) Inspection supervision over the implementation of this Act and regulations adopted on the basis thereof shall be performed by the central state administration body responsible for labor inspection affairs, unless otherwise provided by another law.

(2) In carrying out supervision, the labor inspector shall have the powers determined by law or on the basis of a regulation adopted by law.

VI. MISDEMEANOR PROVISIONS

Article 35

(1) A fine of HRK 7,000.00 to HRK 15,000.00 shall be imposed on an employer of a legal person for a misdemeanor:

- 1) if, at the request of the workers' representative, it fails to provide information on the total number of workers and the number of workers in individual Member States and with individual employers, or on the structure of employers (Article 8 (2))
- 2) if it fails to convene the founding session of the negotiating committee within the prescribed time limit, or if it fails to submit to the negotiating committee in a timely manner the information relevant for the decision (Article 13, paragraphs 5 and 6)
- 3) if the negotiating committee, the European Works Council or the committee itself does not provide the necessary space, staff,

resources or other working conditions, including funds for salary compensation, travel, accommodation or translation costs (Article 14, paragraph 2)

4) if it does not convene the founding session of the European Works Council (Article 25, paragraph 1)

5) if it does not inform the European Works Council at least once a calendar year and does not consult it on the results of operations or plans of the employer or affiliated employer operating at EU level or fails to submit a timely report with appropriate documentation, or the employer, the employer's branch or related employers do not notify the meeting (Article 27, paragraph 2)

6) if the narrow committee, ie the European Works Council, when the committee is not established, fails to inform in due time about special cases that significantly affect the interests of workers or does not present appropriate documentation, or is not consulted (Article 28, paragraph 1.))

7) if, within a period of two years from the date of the founding session of the European Works Council, it fails to provide information on changes in the number of workers in the Member States or with employers, branches or affiliated employers (Article 29 (3)).

(2) A fine of HRK 2,000.00 for the misdemeanor referred to in paragraph 1 of this Article shall be imposed on the employer, a natural person and the responsible person of the legal person.

VII. TRANSITIONAL AND FINAL PROVISIONS

Article 36

(1) The procedures for the election of workers' representatives to individual bodies in which workers participate in decision-making, initiated before the entry into force of this Act, shall be carried out and completed in accordance with the provisions of the Labor Act (Official Gazette [149/09](#), [61 / 11](#), [82/12](#) and [73/13](#)), and the members of these bodies will retain their mandate until its expiration.

(2) The Minister competent for labor shall, within three months from the day this Act enters into force, issue the ordinance referred to in Article 12, paragraph 3 of this Act.

(3) The Ordinance on the procedure for the election of workers 'representatives from the Republic of Croatia in bodies for the implementation of workers' participation in decision-making at the transnational level shall apply until the entry into force of the Ordinance referred to in paragraph 2 of this Article (Official Gazette [122/13](#)). .

Article 37

This Act shall enter into force on the eighth day following that of its publication in the Official Gazette.

Transitional and final provisions from NN 127/17

Article 4

This Act shall enter into force on the eighth day following that of its publication in the Official Gazette.