

dangerous work situation without jeopardy to their employment.

Wage, Hour, and OSH Enforcement: The Labor Inspectorate is responsible for enforcing all labor standards, including those pertaining to wages, hours, and occupational safety and health (OSH). The government did not effectively enforce the law, and penalties were less than commensurate with those for similar violations. Penalties were rarely applied against violators.

The number of inspectors was insufficient to deter violations in both the formal and informal sectors. Inspectors have the authority to make unannounced inspections and initiate sanctions; however, the inspectorate was not fully functional due to budgetary and staffing shortfalls.

According to experts, violations of wage, overtime, and OSH standards were common for both men and women, as well as foreign migrant workers, particularly those who faced hazardous or exploitative working conditions, such as in construction and agriculture. Kosovo Agency of Statistics data indicated that 12.3 percent of employees worked over the 40-hour limit set by labor law, and anecdotal evidence suggested that overtime is rarely compensated.

According to the BSPK, employers failed to abide by official labor standards that provided equal standards of protection to public and private sector workers. The BSPK reported a lack of government oversight and enforcement, particularly of the standard workweek and compulsory and unpaid overtime. Many individuals worked long hours in the private sector as “at-will” employees, without employment contracts, regular pay, or contributions to their pensions. The BSPK reported employers fired workers without cause in violation of the law and refused to respect worker holidays.

Informal Sector: There are no reliable official statistics on the informal economy, but an EU-commissioned report estimated the informal and black market at 32 percent of GDP. Workers in the informal sector were not covered by all wage, hour, and occupational safety and health laws. The Association of Labor Unions reported lack of enforcement by the judiciary, especially in the informal sector, citing resource and capacity limitations within the labor inspectorate. The Ombudsperson Institution characterized the informal sector as the greatest violator of workers’ rights, with lack of workplace protections often resulting in fatalities,

lack of work contracts, and refusal of employers to pay wages and respect working hours.

As of October, the Ombudsperson Institution received six complaints about alleged violation of workers' rights, specifically nonpayment of wages and pension contributions, unfair dismissal, noncompensation of overtime, and violation of the right to leave, including maternity leave.