

LAW ON ON VOCATIONAL EDUCATION AND TRAINING

CONSOLIDATED TEXT Law on Vocational Education and Training ("Official Gazette of the Republic of Macedonia" No. 71/2006, 117/2008, 148/2009, 17/2011, 24/2013, 137/2013, 41/2014 and 145/2015) .

I. GENERAL PROVISIONS

Article 1

This Law regulates the organization, structure and the management of the vocational education and training system.

Definitions

Article 2

Specific definitions and terms used in this Law shall have the following meaning:

1. **Vocational education and training** is part of the educational system which provides individual development of the personality through acquisition of competencies, knowledge and skills necessary for participation in the labor market or continuation of the education.

2. **Vocational education and training institution** is an institution whose main activity is the vocational education and training.

3. **Employers** are companies, institutions or craftsmen where practical training is takes place, in the original environment of their activity, and this training is not their main activity.

4. **Social partners** are the associations representing the interests of the workers and the employers which, in cooperation with the institutions of the central government and the local self-government units, deliver the vocational education and training system.

5. **Occupational standards** is the determination of the occupation, the level and requirements of the work and the necessary competences, knowledge and skills.

6. **Module** is an independent learning unit, which, as a part of the program whole enables acquisition of knowledge, skills and competencies in particular area.

7. **Diploma, certificate** are public certificates which confirm that the person has graduated specific vocational education and training program.

Scope of the vocational education and training

Article 3

Vocational education and training includes:

- ***The secondary vocational education and training*** which is part of the secondary education and enables initial acquisition with first, second or third level of vocational qualifications.

- ***Postsecondary vocational education and training*** is part of the educational system which enables the persons, who graduated from secondary education, to acquire the fourth level of vocational qualifications.

Goals and tasks of the vocational education and training

Article 4

The goal of the vocational education and training is to make the person capable for work or continue its education.

The tasks of the vocational education and training are:

- to provide quality vocational education and training in compliance with the modern levels of science, technology and culture;
- to provide conditions for acquisition and upgrade of specific levels of vocational qualifications in accordance with the labor market needs;
- to stimulate the interest in the vocational education and training;
- to develop competencies, knowledge and skills necessary for the vocational activities of the person, as well as self-employment in the society based on the market and democratic principles;
- to provide basis for lifelong learning.

The vocational education and training system

Article 5

According to this Law, the vocational education and training is delivered by vocational education and training institutions, the employers and the social partners.

Vocational education and training institutions are:

- vocational education and training schools which deliver general and vocational-theoretical education and practical training, and
- centers for vocational training where vocational-theoretical education and practical training are delivered.

II. COMPETENCIES REGARDING THE VOCATIONAL EDUCATION AND TRAINING

Competencies regarding the vocational education and training

Article 6

Institutions competent for vocational education and training are the Ministry of Education (hereinafter: the Ministry), the Ministry of Labor and Social Policy, Vocational Education and Training Council and the social partners.

Competencies of the Ministry of Education and Science regarding vocational education and training

Article 7

The Ministry of Education has the following competencies:

- propose to the Government a network of vocational education and training institutions;
- provide opinion about the termination of the vocational education and training institutions work, in accordance with a Law;
- to verify the vocational education and training institutions, in accordance with a Law;
- does accreditation of institutions which organize the training of teachers;
- adopts national framework teaching plans and programs;
- in cooperation with Chamber of Commerce of Macedonia, the Association of Chambers of Macedonia and the Chamber of Craftsmen of Macedonia (hereinafter: the Chambers) controls the employers on whether the conditions for realization of practical training are present;
- following the Vocational Education and Training Center proposal (hereinafter: the Center), adopts teaching plans and curricula for vocational-didactical training of the trainees by the employers where practical training is being delivered;
- decides on the Occupational Standards List for vocational education and training and publishes it in the „Official Gazette of the Republic of Macedonia“;
- does other activities in accordance with the Laws.

Competencies of the Ministry of Labor regarding vocational education and training

Article 8

The Ministry of Labor has the following competencies:

- is involved in the implementation of the state policy in the field of vocational education and training, in accordance with this Law;
- identifies the needs for vocational education and training staff by analyzing the labor market and provides opinion on the enrollment policy to the Council, accordingly.;
- is involved in the development and harmonization of the vocational qualification for the standards;
- in cooperation with the Center to initiate the need for development of new vocational qualifications for standards;
- is involved in the drafting of the Occupational Standards List;
- is involved in the organization of professional orientation of the students;

- monitoring over the regulations which prescribe the conditions for protection during delivery of the practical training.

Vocational Education and training Council

Article 9

a) The Government of the Republic of Macedonia, with a special decision establishes the Vocational Education and Training Council (hereinafter: the Council) as an advisory body which proposes strategic issues regarding policy for development of the vocational education and training.

b) The Council is consisted of 11 members, as follows: three members from the Ministry, of which one is from the Bureau for Development of Education, the Ministry of Economy, the Ministry of Finance; the majority Trade Union, the Association of Local Self-government Units (ZELS) and the Employment Agency of the Republic of Macedonia.

c) The principle of appropriate and equitable representation of the communities (minorities) in Macedonia is applied in the appointment of the members of the Council, considering also the languages in which the secondary education process is being delivered, without disrupting the criteria prescribed by this Law.

d) The Director of the Council is also involved in the work of the Center, but has not have the right to vote in the decision making process.

e) The Council elects president from its membership. The Mandate of the Council members is five years.

f) The Council adopts Rules and Procedures for its work. For its work, the Council prepares the Annual Report which is submitted to the Government of the Republic of Macedonia and the Ministry.

The administrative works of the Council are done by the Center.

The obligations of the Council are the following:

- provides opinion on strategy for development of the vocational education and training;

- proposes to the Ministry changes and amendments to the List of Occupational Standards for Vocational Education and Training;

- proposes to the Ministry National Qualifications and Occupational standards;

- in cooperation with the municipalities, the Ministry provides proposal for development of network of vocational education and training institutions.

Competencies of the local self-government units in the field of vocational education and training

Article 10

The Council of the Municipality i.e. of the City of Skopje:

- analyzes the labor market needs on local level and states the conclusions for the needs to the Center and the institutions for vocational education and training;
- submits proposals to the Ministry and to the Center about the developmental needs of the teaching plans and programs;
- submits proposals regarding the enrolment policy in the vocational education and training to the Ministry.

Social partners in the fields of vocational education and training

Article 11

The Chambers performs the following activities:

- submit proposals to the Center regarding adoption of new and improvement of the current teaching plans and programs;
- submit proposals to the Center regarding development of new occupational standards.
- are involved in the final exam committees in the vocational education and training;
- maintain Registry of agreements signed between the vocational education and training institutions and the employers regarding practical training of the students;
- provide an annual report to the Ministry regarding employers verified (certified) for delivery of practical trainings.

Article 12

The majority Trade Union provides proposals for improvement of the conditions for practical training of the students at the employers.

Verification (certification) of the employers for implementation of practical training

Article 13

- a) The employers can deliver practical training for students if they meet the requirements with regards to premises, equipment and appropriate staff.
- b) The standards on equipment and premises from Paragraph 1 of this Article are developed by the Center and adopted by the Chamber in its according area.
- c) The standard for expert and other staff for implementation of practical training at the employer is developed by the Center and adopted by the Chambers, following previous positive opinion by the Ministry.
- d) The verification on whether the conditions from Paragraphs 1, 2 and 3 of this Article have been met, is done by the Chambers.
- e) The Chambers maintain Registry for verification of the practical training employers.

f)The form, the content and procedures with regards to maintenance of the Registry for verification of the practical training employers is prescribed by the Minister of Education (hereinafter: the Minister).

III. ORGANIZATION OF VOCATIONAL EDUCATION AND TRAINING

The rights and obligations of the vocational education and training institutions

Article 14

a) The vocational education and training institution has the following rights:

- To organize and deliver vocational education and training according to the requirements of this Law;
- To propose changes and amendments to the existing, or propose new teaching plans and programs;
- To get involved in commercial and economic activities, while the finances earned from these activities to be used for improvement of the work of the particular institution.

b) The vocational education and training institution has the following obligations:

- To provide safe working conditions in the frames of the educational and training process;
- To meet its obligations with regards to the training agreements;
- To submit the training agreements to the Chambers;
- To supervise the realization of the training agreements;
- To provide the employers with timely information regarding latest changes in the teaching plans and programs.

Rights and obligations of the employers involved in the practical training

Article 15

The employer has the following rights:

- To benefit from financial, customs and tax incentives prescribed by the Law; and
- To propose changes and amendments to the existing, or propose new teaching plans and programs.

The employer has the following obligation:

- To achieve the practical training objectives from the teaching plans and programs in accordance with the foreseen number of teaching hours;
- To sign an agreement with the vocational education and training institution, as well as with the student, regarding delivery of the practical training;
- To provide remuneration for the students' work in accordance with the conditions prescribed with the agreement; and
- To provide safety at work in accordance with the Law.

Training Agreements

Article 16

a) Training agreements are signed for the training period between the vocational education and training institution, the employer and the student. When a minor student is in questions, then the agreement is signed by the students' parent or guardian.

b) The agreement from Paragraph 1 of this Article defines the training conditions, the work and the remuneration for the work.

Before the practical training starts, the agreement must be signed and registered in the Registry of students who have concluded practical training agreements with the vocational education and training institutions and the employer.

The chambers maintain the Registry of students who have concluded practical training agreements with vocational education and training institutions and the employer.

Chambers provide a report on the concluded practical training agreements for students with vocational education and training institutions and the employer to the Ministry of Education and Science and the VET Center every three months.

The form, content and manner of keeping Registry of students who have concluded practical training agreements with vocational education and training institutions and the employer is prescribed by the Minister.

Article 17

The content, the form and the procedure for signing of this training agreement is established by the Chambers.

Types of vocational education and training, duration and levels of vocational qualifications

Article 18

The vocational education and training is delivered through teaching plans and programs for the following:

1. **Vocational training** for jobs with lower requirements which provides practical knowledge and skills for various labor areas.

The vocational training programs can include students that graduated from elementary education as well as those who have not graduated, but with an obligation, in parallel with the vocational training, to finish their elementary education.

The vocational training, depending on the complexity of the occupation, can last up to two years.

After the students finish the vocational training, they acquire I level of vocational qualifications.

The students that have graduated vocational training which lasted minimum one year, can continue their education into the second year of the appropriate vocational training for occupation.

2. Vocational training for occupation is dedicated to meet the needs of the economy.

Students that have graduated from elementary education can enroll in the first year of vocational training for occupation.

The vocational training for occupation lasts three years.

The vocational training for occupation is delivered in a vocational education and training school, while the practical training is delivered in the school and in the employers premises.

After the students finish the secondary vocational training for occupation, they acquire the II level of vocational qualifications.

The students that have graduated the vocational training for occupation can continue their education in the IVth year of technical education, or after minimum of three years on-job practice to get involved in postsecondary vocational education and training programs (hereinafter: postsecondary education).

3. Technical education is education which mainly produces staff for employment in all fields of labor, but also for continuation of the education.

Students that have graduated elementary education, or have graduated vocational training, can get enrolled in the first year of technical education.

The technical education duration is four years.

After graduating from technical education, the students acquire IIIrd level of vocational qualifications.

Students that have graduated technical education can continue their education into postsecondary education on the basis of continuous programs, or after two years of on-job working experience.

Students that have graduated technical education can continue their education into university institutions, if they acquire state matura.

4. Postsecondary education and training is a type of education which produces final staff for specific professional duties for particular segments of the labor process.

Students that have graduated postsecondary education acquire IVth level of vocational qualifications.

Students that have graduated postsecondary education can continue their education into high vocational education.

The means and procedures for transfer from one into another type of vocational education are prescribed by the Minister.

5. Adult education is realized in the vocational education and training institutions as an integral part of the lifelong learning, which relates the particular segments and types of education into unique system.

The means of realization, planning, programming, organization, management and financing of the adult education is arranged with separate law.

Exams at the end of the vocational education and training

Article 19

After the end of each type of vocational education and training, the following exams must be taken: vocational training exam, final exam, state (matura) graduation, specialized exam and (master) craftsmen exam.

Students that have graduated postsecondary education pass specialized exam i.e. master exam.

Students that have graduated technical education pass state (matura) graduation i.e. final exam.

Students that have graduated vocational education for occupation pass final exam.

Students that have graduated vocational training pass exam for vocational training.

Article 20

The exam programs for master exam and the exam programs for vocational training for crafts are adopted by the Chamber of Craftsmen of Macedonia, following a previous consent by the Minister.

The exam programs for the specialized exams are developed by the Center in cooperation with the Chamber of Commerce of Macedonia, and approved by the Minister.

The structure, organization and realization of the exams at the end of each type of vocational education and training shall be arranged with bylaws and with the concept for state (matura) graduation and for final exam – both approved by the Minister.

Diplomas, certificates

Article 21

Diplomas and certificates recognized by the State are the following:

- Certificate for vocational training;
- Diploma for finished exam;
- Diploma for state (matura) graduation;
- Diploma for specialized education;
- Diploma for (master) craftsmen exam.

The content, the form and the ways how to issue the diplomas and certificates from Paragraph 1 of this Article are prescribed by the Minister.

Rights and obligations of the students in the vocational education and training

Article 22

The students have the following rights:

- to shift from one type of vocational education and training into another i.e. from one into another level of vocational qualifications;
- to be provided with remuneration for the work during the training that is done in the employers' premises, and arranged by an agreement;

- to use summer and winter holiday;
- to cancel the agreement according to the conditions foreseen in the agreement.

The students have the following obligations:

- to regularly attend the practical training and to meet their working obligations as foreseen by the contract;
- during the training to comply to the working guidelines of the employer and the school, during practical training;
- to keep the business secrets of the employer;
- to comply to the rules for health and safety at work;
- to also meet their other obligations as foreseen in the contract.

Other rights and obligations of the students are arranged with the Law on Secondary Education and other regulations.

Content of the vocational education and training

Article 23

The vocational education and training is consisted of:

- general education;
- vocational-theoretical education;
- practical training.

IV. POSTSECONDARY EDUCATION AND TRAINING

Content of the postsecondary education and training

Article 24

The postsecondary education and training is delivered through teaching plans and programs for:

- specialized education;
- (master) craftsmen exam.

Goals of the postsecondary education and training

Article 25

The postsecondary education and training provide more in-depth training for the job which requires specific competencies, knowledge and skills in relation to technology, organization or management of operational works in the production process or in the area of services.

Post secondary education institutions

Article 26

The postsecondary education and training institution is the institution whose activity is to provide postsecondary education and training.

The postsecondary education and training can be delivered in public and private institutions, verified by the Ministry.

Conditions for verification of particular postsecondary education and training institution are the following:

- it must have financial assets necessary for its work;
- it must have adopted teaching plans and programs for postsecondary education and training
- it must have the appropriate equipment, facilities, teaching staff in all subjects according to the pedagogic standards and norms.

The standards and norms from Paragraph 3 of this Article are developed by the Center and adopted by the Chambers, with previous positive opinion by the Ministry.

Enrollment into the postsecondary education and training institutions

Article 27

Persons that are employees of the employers, or unemployed persons, can be enrolled in the postsecondary education and training institutions. The following persons can also get enrolled:

- persons that like to improve their qualifications, and
- persons that want to acquire new specialization.

The persons from Paragraph 1 of this Article can get enrolled in postsecondary education and training only if they have graduated technical education or vocational education for occupation, pursuant to Article 18 of this Law.

A person that has graduated gymnasium or art education, and has three years of appropriate working experience, can be also involved in the specialized education.

Rights and obligations of the persons involved in the postsecondary education and training

Article 28

The rights and obligations of the persons enrolled in the postsecondary education and training institutions are determined by an agreement signed between that person and the postsecondary education and training institution.

Teaching plans and curricula for postsecondary education and training

Article 29

a) The postsecondary education and training are delivered in accordance with the teaching plans and programs who are designed in a modular way.

b) The teaching plans and programs from Paragraph 1 of this Article for specialized education are proposed by the Center and adopted by the Minister. The teaching plans and program from Paragraph 1 of this Article for master exam are developed by the Center and adopted by the Chamber of Craftsmen of Macedonia, with previous consent by the Ministry.

c) Part of the modules in the postsecondary education are recognized as credits when moving towards high vocational education.

V. VOCATIONAL EDUCATION AND TRAINING CENTER

Establishment

Article 30

a) The Vocational Education and Training Center is a public institution for vocational education and training in the Republic of Macedonia.

b) The Center is established by the Government of the Republic of Macedonia.

c) The Vocational Education and Training Center has the status of a legal entity.

d) The seat of the Center is in Skopje.

Article 31

a) The Center joins together and integrates the public interests and the interests of the social partners in the vocational education and training in Macedonia.

b) The Center coordinates the cooperation with international institutions and organizations in the field of vocational education and training.

Article 32

The Center performs the following activities:

- develops the vocational education and training in order to harmonize it to the needs of the modern technological and social development;

- provides support to the social partnership on all levels and phases in the planning, development and realization of the vocational education and training;

- relates the education and work in the lifelong learning content;

- develops the European orientation of the vocational education, with provided transparency and competitiveness of the acquired vocational competencies, adjusted to the international labor market needs;

- is involved in the labor market research in cooperation with social partners;

- is involved in the implementation of the accreditation procedures for provision of services in relation to implementation of the programs for training of the appropriate staff in vocational-theoretical subjects and practical training;

- develops concepts for all types of vocational education and training;

- develops occupational standards as a basis for development of the teaching plans and (programs) curricula ;
- proposes and develops teaching plans for all types and levels of vocational education and training and submits them for opinion to the Bureau for Development of Education;
- develops the models for teaching (programs) curricula for the vocational subjects for vocational education and training;
- implements the public procurements for provision of services in development of new teaching (programs) curricula for the vocational subjects i.e. modernization of the existing teaching (programs) curricula in vocational subjects, in accordance with the Law;
- monitors the delivery of services of the selected bidders, with regards to their quality and timely delivery;
- proposes exam programs in accordance with the established standards for implementation of the exams at the end of every type of vocational education and training;
- monitors the results from the exam at the end of every type of vocational education and training;
- drafts and proposes a List of Standards for Occupation for vocational education and training;
- provides support to the vocational education through expertise, instructions and mentorship of the teachers and trainers in vocational subjects in the vocational education and training;
- provides opinions on whether the institutions that require verification for delivery of vocational education and training have met the requirements;
- drafts standards for premises and equipment for the schools;
- mediates in the career development and professional orientation of the students in the vocational education and training;
- proposes solutions for improvement of relations between the vocational education and elementary education, vocational education and general education and the vocational education and high education.

Article 33

The Center cooperates with the following institutions:

- Ministry of Education and Science;
- Ministry of Labor and Social Policy;
- Ministry of Economy;
- Employment Agency of the Republic of Macedonia;
- State Statistical Office;
- Chamber of Commerce of Macedonia;
- Chamber of Craftsmen of Macedonia;
- The Trade Union;
- The Bureau for Development of Education;
- The State Center for Examinations;
- vocational education and training institutions;
- Universities in Macedonia;
- international institutions and organizations in the field of vocational education and training.

Management of the Center

Article 34

The Center is managed by a Management Board.

The Management Board is composed of nine members, as follows: one member from the Ministry, one from the Ministry of Labor, one from the Association of Local Self-government Units, one from each Chamber and four members from the experts and staff employed in the Center.

The principle of appropriate and equitable representation of the communities (minorities) in Macedonia is applied in the appointment of the members of the Management Board of the Center, considering also the languages in which the secondary education process is being delivered, without disrupting the criteria prescribed by this Law..

The mandate of the Management Board members is five years.

The Management Board members are appointed and dismissed by the Government of Macedonia.

Article 35

The Management Board of the Center:

- adopts the Statute of the Center;
- adopts the annual working program of the Center;
- proposes annual financial plan and final financial statement to the Government of Macedonia;
- announces public competition for appointment of a Director;
- interviews the director candidates that have applied to the competition;
- selects a director manager from all candidates that have applied on the public competition;
- decides on appeals raised by the Center staff;
- does other activities as prescribed in the Statute.

The Ministry issues its consent to the Statute of the Center.

Article 36

Director of the Center can be any person that meets the following conditions:

- must have been a teacher with minimum seven years of working experience in the vocational education, or
- must have been an employee minimum seven years in an administrative body competent for educational issues.

The mandate of the Centers' Director is five years.

Article 37

- The Director of the Center:
- organizes and manages the work of the Center;
 - is accountable for the legality of the work of the Center;
 - represents the Center in dealings with third parties;
 - proposes the annual working program of the Center;
 - realizes the decisions made by the Management Board of the Center;
- Center;
- decides on hiring of people in the Center;
 - does other activities as prescribed by the laws and by the Statute of the Center.

VI. FINANCING OF THE WORK OF THE CENTER

Article 38

The funds for realization of the work of the Center are provided from the National Budget of Macedonia and from sources which originate from the services delivered::

- legacies, gifts and donations;
- other sources.

VII. SUPERVISION

Article 39

Supervision over the implementation of this Law is done by the Ministry.

VIII. PENALTY PROVISIONS

Article 40

Monetary penalty in the amount from 10.000 up to 40.000 denars will be imposed for misdemeanor done by the responsible person of the employer if:

- (he) one that starts to deliver practical training for students before there is a decision that the requirements have been met with regards to facilities, equipment and staff (Article 13);
- does not sign an agreement with the vocational education and training institution and with the student on realization of the practical training (Articles 15 and 16);
- does not remunerate the students for their work in accordance with the conditions foreseen by the agreement (Article 16);
- does provide health and safety at work in accordance with the Law (Article 16).

IX. TRANSITIONAL AND FINAL PROVISIONS

Article 41

The public secondary schools where the vocational education and training is delivered, within one year after this Law has entered into force, will harmonize their organizational structure, work, statutes and other general acts of the school to the provisions of this Law.

Article 42

The Government of Macedonia will establish the Center for Secondary Vocational Education and Training within 6 months from the date of entry into force of this Law.

The Government of Macedonia will establish the Council for Vocational Education and Training within 6 months from the date of entry into force of this Law.

Article 43

The bylaws prescribed by this law will be adopted within one year from the date of entry into force of this Law.

Article 44

The employees of the Bureau for Development of Education that are working on the issues related to vocational education and training will resume their work, now as employees of the Center for Vocational Education and Training starting from the day of its establishment.

The funds, the equipment, inventory and the documentation related to the work of the staff from Paragraph 1 of this Article will be undertaken by the Center on the day of its establishment.

Article 45

The provisions from the Law on Secondary Education ("Official Gazette of the Republic of Macedonia" no. 44/95, 24/96, 34/96, 35/97, 82/99, 29/2002, 40/2003, 42/2003, 67/2004, 55 /2005, 113/2005 and 35/2006) that are related to the secondary vocational education will cease to be valid on the day when this Law enters into force.

Article 46

This Law enters into force on the 8th day from the day when it is published in the Official Gazette of the Republic of Macedonia.