

LEGAL INFRASTRUCTURE AND PROFESSIONAL TRAINING CENTERS IN KOSOVO*

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* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence

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INTRODUCTION

The purpose of this report is to present a general situation regarding the functioning of the Vocational Training Centers in Kosovo* by highlighting and analysing in particular the legal aspects related to these centers.

Once the legal aspect has been analysed, the report then proceeds to address the possible forms through each Vocational Training Centers that could work in the future. The actual or current mode of regulation, the possibility to organise through the Public-Private Partnership form, and finally, through the private sector, through forms of business organisation, shall be treated initially.

The report itself contains analysis from three different economies that are also members of the European Union (Slovenia, Croatia and Hungary) to see very briefly how vocational training works in these economies and what would be needed at this stage so that Kosovo* can benefit from the experiences of these economies.

Finally, the report contains very concrete conclusions and recommendations that will help the entire process of vocational training in Kosovo*, as well as the strengthening and well-organised Vocational Training Centers, in the future.

1. METHODOLOGY

The methodology contains three main elements on the basis of which the entire analysis was conducted: the legal component or relevant policy component, interviews / meetings with relevant actors and a final workshop where the respective findings were presented.

Moreover, this task has been accomplished using a comprehensive approach taking into account differing attitudes and assessments from all relevant institutions and stakeholders. The legal expert interacted with different levels of government, the Employment Agency, the Ministry of Labor and Social Welfare and the Vocational Training Centers in Kosovo*. Following the recommendations received from the beneficiary (Employment Agency), the expert also met with other relevant institutions and donors.

Consequently, these were the steps that were taken while preparing this analysis and which, of course led to the completion of this report:

- Primary and secondary legislation, various reports and other various strategic documents were reviewed.
- Numbers of meetings have been carried out with the government institutions (ministries), agencies and other stakeholders.
- The analysis has been conducted in full mandate and full coordination with the Director General of the Employment Agency and the Regional Cooperation Council.

The analysis of the legal framework of the Vocational Training Centers in Kosovo* included the regular meetings, interviews with competent authorities and officials as well as on-site trips to the Vocational Training Centers themselves. Through the meetings and analysis of the above-mentioned categories, it was possible to review and analyse the current situation regarding the functionality of the vocational training centers. In doing so, I think that some of the existing barriers have been identified and consequently based on these findings the concrete recommendations on how to get out of the current situation have been provided.

In addition, this report supports its findings also on the basis of comparative analysis, referring to the region or experiences of EU member countries regarding the organisation of vocational training. The comparisons are mainly based on the legal aspects of organising the vocational training as well as the relationships between key actors (the practitioners, businesses and economic chambers and government).

The report was finally presented at the workshop organised with the relevant local and international actors where the recommendations on how to move on were presented.

2. THE ROLE OF INSTITUTIONS AND POLICIES FOR VOCATIONAL TRAINING CENTERS

There are some elements that make up a functional vocational training system, such as the government institutions, interest groups (socio-economic partners), employers, and level of education of young people, which jointly determine the course of development or stagnation in vocational training. Indeed, the formation of vocational training is a shared responsibility, the purpose of which goes beyond the narrow expression of technical knowledge and skills and involves the formation of an identity of the profession.

The Employment Agency of Kosovo* with the Law adopted in 2016 is responsible for the institutional management of the vocational training process in Kosovo, which is made up of eight VTCs and 6 Mobile Training Units. These institutions offer training / workshops of different kinds in order to enhance the professional skills of new staff. According to the data reported in the Vocational Training Strategy 2012-2014, all these centers have approx. 80 full-time staff.

Vocational Training Centers already have a nearly 15-year experience in training people (mainly young people), thus making it very important for the overall economic development of the country. Initially, the donors were the ones who took over the development of these centers eventually turning into subordinate institutions of the Ministry of Labor and Social Welfare and now with the Law on Employment Agency they have become a part of the agency. Of course, we will talk later in this report regarding the institutional and especially the legal organisation.

Like all other national institutions, Vocational Training Centers in their institutional journey have had and continue to have problems of different nature. With the actual capacities, VTCs have developed a good foundation for raising their interns' skills or to support them to find a job right after the end of the programme. However it is necessary to work even more in this regard to finally have adequate connection between the market needs as standard and vocational training as a measure to achieve those standards. This may also depend on many other factors, whether political, economic, social, and educational. In no way vocational training should not be understood as a mechanism that replaces education.

Regarding the evaluation of the teaching, testing, availability of information and student experience from the point of view of practitioners, it is evident that the VTCs themselves have contributed to the development of vocational training while also considering the connection of the semesters taking place in these centers with the need of the labor market. However, Vocational Training Centers cannot be burdened and accountable for the often inadequate and satisfactory level of education of candidates, as the primary and secondary education criteria continue to be the responsibility of policies and educational institutions in Kosovo*.

Consequently, the responsibility for improving the services offered by the Vocational Training Centers, while at the same time developing the respective capacities, skills and competencies, is

not just the task of an institution. All national institutions, but also those that represent the interests of different actors from the private sector, are indispensable to jointly engage in making better functionality of the Vocational Training Centers.

The system is and should always be seen as a holistic structure where one part cannot be effective as an individual without the rest. It has also been said in various reports that VTCs cannot continuously prepare the interns for employment without the active participation of businesses in providing workplace practices that are unable to provide such a thing, particularly in Kosovo*, without a facility of fiscal or non-fiscal austerity by national institutions. A commitment of the business community and other relevant stakeholders in raising the practical aspects of the candidates should always be seen in addition to what VTCs offer to candidates.¹

3. LEGAL INFRASTRUCTURE AND VOCATIONAL TRAINING CENTERS

To properly address the issues related to the way VTCs operate, it is necessary to analyze, in advance, the respective legal infrastructure. The legal infrastructure for the development of the concept of "Vocational Training" in Kosovo* is adopted in a chronological order through legal acts and by-laws adopted in the past until the adoption of the Law on Employment Agency.

Initially, in Law no. 02 / L-42 on Education and Vocational Training from 2006, apart from the definition of the scope of this law, the terms "vocational education" and "vocational training" have been mentioned separately. According to this "vocational training" would be understood as a sphere that includes all activities aimed at providing knowledge, practical skills for efficient realisation of activities within a profession or group of professions. Also, this law envisaged the informal professional education as a form of training that could be realised either inside or outside the educational institution. In 2011, Law No. 04 / L-032 on Pre-University Education in Kosovo* only paradoxically repeals Law no. 02 / L-42 on Vocational Education and Training but Article 11 stipulates that the 2006 Law would apply to education and vocational training. Consequently, for the part related to vocational training the provisions of Law no. 02 / L-42 on Vocational Education and Training from 2006, continue to apply. Although, Law No. 04 / L-032 on Pre-University Education in Kosovo* repeals Law no. 02 / L-42 on Vocational Education and Training of 2006, the provisions on vocational training remain in force. However, the Vocational Training Centers from 2009 to 2014 have practically functioned with a sub-legal act, namely the Administrative Instruction 07/2009 on Organisation Function and Scope of Vocational Training Centers in Kosovo*.² This is because neither the Law from 2006 nor the 2011 one specified the form of organisation and functioning of VTCs.

¹ Note: In Vocational Training Centers 70% of trainings are focused on practical aspects and 30% in theory

² Vrejtje: Udhëzimin Administrativ 07/2009 për Organizimin Funkcionimin dhe Fushëveprimin e Qendrave për Aftësimin Profesional në Republikën e Kosovës është shfuqizuar me datë

Based on Article 1 of this Administrative Instruction, "the organisation, functioning and scope of the Vocational Training Centers established by the MLSW, which provide services to jobseekers with regard to their training, retraining and qualification, is determined, with the purpose of increasing employment opportunities and productive self-employment, in line with labor market requirements". So what fails to be included in both of these laws will be included and defined in Administrative Instruction 07/2009. Despite the fact that the Administrative Instruction 07/2009 has been repealed, the functioning of the VTC is still carried out by relying on this sub-legal act.³

According to this by-law, the Vocational Training Centers are the organisational structure of the Ministry of Labor and Social Welfare within the Department of Labor and Employment, operating within the territory of Kosovo*.⁴ With this sub-legal act the VTCs were determined to have a director who will lead the center and report directly to the Division for Vocational Training within the Ministry of Labor and Social Welfare. The Administrative Instruction also stipulates that the centers to have an Advisory Board which "discusses issues related to vocational training policies and flows in the labor market". According to this Administrative Instruction, the Employment Office has the obligation, through career guidance counselors and vocational training advisors, to advise the jobseekers for training, retraining and qualifications in the profiles provided by the VTC.

It should be noted at the same time that the responsibilities that were part of the former Administrative Instruction 07/2009 have already been transferred into the Regulation on Active Measures as a new legal instrument in this area.

However, the entire flow, not only legal but I would say institutional, will be changed by the adoption of the Law on the Employment Agency of Kosovo* (KESR), in which case the responsibilities for and about the Vocational Training Centers will be even greater. I think this will help the VTCs to achieve the best of their objectives.

1. From the perspective of the Employment Agency, a good legal foundation has already been established, which covers the vocational training field and the regulation of the functioning of the VTCs. This legal basis for the time being is incomplete in four legal instruments, out of which one is still only a draft: Law on Employment Agency of Kosovo*
2. Law no. 05 / L -077 on the Registration and Provision of Services to Unemployed, Job Seekers and Employer
3. Regulation no. 13/2015 on Internal Organisation and Systematisation of Jobs in the Employment Agency of Kosovo* and

³ Shih: Një informatë e tillë është konfirmuar edhe nga takimi me zyrtaret e Agjencisë së e Punësimit, takim ky i realizuar me date 14 Shkurt 2018.

⁴ Vrejtje: Udhëzimi Administrativë 07/2009 ndër të tjera do ketë si synim krijimin dhe sigurimin e programeve për aftësimi profesional për të papunësuarit dhe punëkërkuessit për të përmirësuar mundësitë e tyre të punësimit sipas nevojave të tregut të punës.

4. Draft Regulation on Active Labour Market Measures⁵

However, as far as the vocational training field is concerned, a good part of the legislation in the domain of the Ministry of Education and Science, refers to this issue. As far as vocational training policies are concerned, the Employment Agency of Kosovo* (SRP) and the MLSW share responsibility with the Ministry of Education, Science and Technology (MEST) in joint efforts to reduce the unemployment through the vocational education and training.

While MEST focuses on the formal general vocational education, the Employment Agency of Kosovo* offers an informal professional training for jobseekers. The difference lies in their approach, the duration of the training / education, and the purpose they serve. The first one is applied to the upper secondary education (ISCED 3) where the education and training last up to 3 years, while the second one includes a job-oriented training (ISCED 1-3) that does not last longer than 3 months .

The adoption of the Law on Employment Agency in Kosovo* is one of the greatest achievements at least in a legal aspect, which proved to be a solution for the VTC function. According to this law, " The Employment Agency of Kosovo* is a public service provider in the labor market, which aims to manage the labor market and implement policies on employment and vocational training".⁶

Article 8 of this law defines the duties and responsibilities of Vocational Training Centers. Based on this article the tasks and responsibilities of VTCs are as follows:

- Provision of vocational training services required by the labor market;
- Evaluation and Certification of candidates;
- Knowledge of prior learning;
- Monitoring of other training providers who develop training in agreement with the agency, evaluation and certification of candidates;
- Preparation of the Individual Training Plan for candidates performing internships in the company as well as monitoring, evaluation and certification;
- Preparation of information on the progress of training; and
- Carries out other duties and duties determined by other relevant legal acts

Looking at the formal prism, with the aim of addressing developmental, economic and social issues, the law on Employment Agency authorises the agency to become a key player in the vocational training sector in Kosovo* (through VTCs) and to demonstrate strong capacities and quality in providing services related to the professional training for a wide range of focus groups and categories.

⁶ Shih neni 2 paragrafi 1 i ligjit për Agjensin e Punësimit të Republikës së Kosovës

Despite all these innovations and a better definition of the role and responsibilities of the Vocational Training Centers, I think that the Law on Employment Agency needs to be amended especially in terms of the need for defining and developing standards that will link the labor market needs with vocational training and subsequently these standards would be transformed into curricula adopted by the Ministry of Education, Science and Technology (see also the part related to the Law on Education and Vocational Education). Apart from the Law on Employment Agency, which, as stated above, places the vocational training as one of the competencies of this institution, the same approach is followed by Regulation No.13 / 2015 on Internal Organisation and Systematisation of Jobs in the Employment Agency. Article 4 of this regulation provides: " According to the legislation in force, the Agency's main duty is to provide services in the labor market and to implement the employment and vocational training policies for the purpose of managing the labor market".

In accordance with this regulation, there is a Department for Vocational Training within the Employment Agency, which is then divided into two divisions, first for vocational training services and a division for quality development and certification. The duties of these two divisions are set out in Articles 13 and 14 of the Regulation No.13/2015 on Internal Organisation and Systematisation of Jobs in the Employment Agency. According to the officials of the Employment Agency, more exactly the Department for Vocational Training, the current placement of these centers is adequate, so they should be part of the Employment Agency because it is the place where they can also be linked to the labour market.

However, precisely at the point built upon the fulfillment of a function defined by this law, there is a need to improve their performance and, of course, the way of functioning - a dependence on public institutions. If we refer only to the first function or responsibility of VTCs, "the provision of vocational training services required by the labor market" is precisely this point where, as the Employment Agency but also other relevant institutions have a dose of reluctance that, as they now stand, VTCs may be able to fulfill their mission.⁷

The adoption of the law we have already mentioned has led to the need for the adoption of sub-legal acts that will implement the law in question. One of these acts inevitably relates to aspects of the organisation and functioning of VTCs. Consequently, the Employment Agency along with other relevant stakeholders is at the end of the sub-legal act (which will be the Regulation) on active employment measures and will in fact replace the Administrative Instruction 07/2009 which, as we have said above is formally abolished.

On the one hand, the need to demand the provision of services always appears with the Employment Agency (also based on the law in force), while on the other hand the definition of

⁷ Vrejtje: Një konstatim i tillë është daluar nga takimi me zyrtarët e Agjencisë së Punësimit dhe zyrtarëve të Ministrisë së Arsimit Shkencës dhe Teknologjisë.

the curriculum and many other related aspects or already regulated legislation in force by the Employment Agency and the MLSW are foreseen by legislation in the field of education, science and technology. Based on the contacts with the two institutions mentioned above, and especially with the Employment Agency, these legal circumstances or such ambivalence often create problems of different nature which ultimately affect the (non) effective implementation of the agency's policies in the report on the vocational training policy.

There are some laws that, in one form or another, place the "vocational training" as part of the capacity and scope of these laws.

Law no. 04 / L-138 on Education and Vocational Training - Article 1 of this Law reads: "The purpose of this law is to regulate the system of vocational education and training in accordance with the economic and social development needs of Kosovo*, including economic and technological changes, labor market demands and individual needs". However, these changes that relate to labor market requirements are aspects that are fully monitored by the Employment Agency and consequently it is up to them to take care of this issue before any other institution.

Article 12 of this law seems to represent one of the main legal issues that should be addressed in the near future. Specifically, the aspects of developing standards for vocational training need a different treatment. Standards related to the needs of the vocational training market should be identified by the Employment Agency, the Kosovo* Chamber of Commerce or other social partners. After such identification, it is quite normal that the drafting of the curricula and the verification of these curricula remain the responsibility of the Kosovo* Accreditation Agency. Consequently, I consider that one of the immediate needs is to amend the law on vocational education and training, precisely Article 12 of this law. The question now is how much both institutions are in the process of developing respective policies to address such a need.

The same law in Article 13 establishes the Agency for Education and Vocational Training. Paragraph 2 item 1 of this article, inter alia, stipulates that the Agency shall be responsible for "administration and management of VET institutions and co-ordination of vocational and adult education and training". On the other hand, the competences of the vocational training administration are not only envisaged by the Law on Employment Agency, but are also applied in practice by the Employment Agency as mentioned above. Consequently, such a legal provision at the present moment is completely unnecessary and meaningless as it only creates a collision between norms and creates a sense of conflict of responsibility between the two institutions, which is at least in the interest of improving the level of vocational training. When we are in these two institutions, here things change in practice as VTCs develop active measures that prepare jobseekers and unemployed faster for the labor market and VTC trainings are provided free of charge. On the other hand, at the Agency for Education and Vocational Training, they have not yet started short courses and the same are likely to be paid.

Another issue that needs to be taken into account is the one that is related to the harmonisation of legislation governing the vocational training field, partly in line with the EU Acquis and the main principles of EU Law. The degree of harmonisation of legislation achieved over these years, according to the assessment made in the SAA, "can be generally estimated at its initial level, considering that EU legislation in the area of vocational training qualification is very wide and extensive"⁸.

A concrete plan for further transposition of European legislation has been specified in the National Programme for the Implementation of the SAA, which should also assist the Employment Agency of Kosovo* in harmonising and adjusting its own legislation with the EU legislation.

4. ORGANISATION AND FUNCTIONING OF VOCATIONAL TRAINING CENTRES IN THE FUTURE

Below we analyse three possible options of legislation in Kosovo* according to which the vocational training can be organized and at the same time we will give concrete recommendations as to why and what should be the way of organising and strengthening the role of these centers in providing such education.

4.1. VOCATIONAL TRAINING CENTERS AND CENTRALISED MANAGEMENT THROUGH EMPLOYMENT AGENCY

In fact, this form of organisation of these centers and vocational training in general, is in place at the moment. Therefore, it may not be necessary to talk about this model of organisation since it has only been elaborated earlier in this report and the same is the main consideration of this report.

Suffice it to say here that the financial burden of establishing the Vocational Training Centers in Kosovo* has been divided since then between public money and the Kosovo* budget and various donor funds in Kosovo*. It was the Ministry of Labor and Social Welfare through the vocational training department that it managed with the vocational training process to later establish the vocational training centers themselves. Consequently, all the activities and engagements of the Vocational Training Department have been made in a centralized environment which in managerial terms has guaranteed better accountability for the Ministry of Labor and Social Welfare (MLSW).

Apart from the public good invested and still used for the maintenance of these centers and vocational training development, that has been a great financial burden in the past, various donors present in Kosovo since the post-war period played a role in this. It is precisely these

⁸ See Sectorial Strategy 2018 – 2020 Ministry of Labour and Social Welfare

factors that, in some way, condition that the management and organisation of vocational training centers in Kosovo* are maintained under the umbrella of the Employment Agency. However, in order for these centers to be able to fulfill their mandate as well as expectations, a number of immediate and long-term measures must be undertaken. This implies, first of all, filling the legal infrastructure; setting up a mechanism for monitoring the work of these centers; planning and increasing the budget for these centers; investment in capacity building of employees in these centers, updating of training curricula, etc. These measures will be detailed in the conclusions and recommendations of this report.

4.2. VOCATIONAL TRAINING CENTERS AND PUBLIC- PRIVATE PARTNERSHIP

A Public-Private Partnership is a modern contractual mechanism through which public authorities and the private sector cooperate to ensure funding, construction, reconstruction, management, operation and / or maintenance of infrastructure and / or services. PPP is a method that ensures more efficient growth of public services without charging public finances.

The scope of the Law on Public-Private Partnerships extends also to the field of education as an opportunity in which the form of public-private management can be carried out. According to Article 5, paragraph 1 of the Public-Private Partnership Law (PPP) "A Public Authority may enter a Public-Private Partnership if the relevant Public Authority is, according to the law, directly responsible for the provision of a public service or a public infrastructure". As a result of this, it is very evident that such a form of partnership can be applied even in the case of vocational training centers.

Prior to initiating the tender procedures of any PPP project, the public authority (in this case the Employment Agency) should make a feasibility study of the project which serves as a basis for deciding whether a potential project should be implemented and submitted to Public-Private Partnership Committee for approval.

An important issue is also the selection of a private partner, which according to the applicable law must go through several phases. The interested PPP bidders must meet the eligibility criteria set out in the Public Procurement Law and meet the professional, economic and financial eligibility criteria as well as the technical and professional capacities set out in the qualification request. Taking into account the manner of organising and functioning of PPPs, we estimate that such an approach would be unmanageable, at this stage, for public institutions, in this case for the Employment Agency in financial terms and consequently it could not contribute sufficiently to the modernisation of infrastructure and services provided by Vocational Training Centers.

However, what can we recommend at this stage and it might be good for the Kosovo* Employment Agency to take measures to test one of the existing VTCs in the form of a Public-Private Partnership reorganisation. This would be a pilot project that would also help the

Employment Agency to analyse, after a period of time, whether this form will yield satisfactory results. One needs to be careful because the public-private partnership already exists with the involvement of the Kosovo* Chamber of Commerce and other stakeholders as a social partner in defining and developing policies related to Vocational Training Centers.

4.3. VOCATIONAL TRAINING CENTERS AS PRIVATE ENTITIES

The organisation of Vocational Training Centers in the form of business organisations is also an additional option which public institutions think they should always encourage in the spirit of a free market economy.

The Law on Business Organisations in Kosovo* foresees some forms of business organisation in our economy and consequently the same should be seen as an opportunity through which vocational training can be organised and offered.

The current professional centers of professional attitudes are owned by the public institutions of Kosovo* and the same ones have been raised by various donations. I think that it is legally impossible to transform them into any of the business organisations envisaged by the legislation in force. Consequently, we do not recommend this form to be applied to existing Vocational Training Centers as they should initially be subject to the privatisation process as public entities.

5. EXPERIENCES FROM OTHER ECONOMIES

In order to concrete recommendations that would help all involved institutions to come up with concrete and understandable proposals, this is based on the perception of some of our economies in the region or even further.

The experiences of third economies should play a major role in approaching the issue of improving the way the VTCs operate. It is also quite natural that experiences that would help the situation of vocational training in Kosovo* are of those economies that have only gone through only those stages that are now undergoing the professional training in Kosovo*undergoes now. Consequently, we are oriented here to 3 different economies such as Slovenia, Hungary and Croatia.

5.1. SLOVENIA

Vocational training in the Republic of Slovenia is associated with the Center or Institute for Vocational Education and Training, which is established as a public institution in 1995 by the Government and co-financed by the Chamber of Commerce and Industry of Slovenia and the

Chamber of Crafts of Slovenia. In accordance with the legal basis approved by this Center and the Law on Financing of Education⁹, the Center conducts research, development and advisory activities and represents a focal point in which the interests of the state and social partners in the field of vocational training and technical education are coordinated.¹⁰ It is a national central institution in the field of vocational education and training and is responsible for linking social partners and supporting development, research, implementation and system development processes that contribute to the quality of vocational education and training for Slovenian citizens in the context of lifelong learning.

In recent years, Slovenia has reformed its vocational education and training system to ensure that it responds to economic and social changes. The reforms undertaken especially since 2009 aim to reduce the prevalence of state and public institutions in the system of vocational education and training and set big objectives for the system itself: increasing the level of basic education in order to improve the employment; encouraging people's autonomy and their ability to work in a team; expanding the study of foreign languages; developing private initiative; and creating closer links between education and the labor market.

These reforms aimed to modernise teaching and learning in vocational training, improve the quality of vocational training provision, establish links between learning paths with a practical aspect and here mainly with the labor market, transforming professional training into an appealing phenomenon and moving from governance through public mechanisms in the form of new partnerships and financing arrangements from different partners, where the ultimate goal of this ambitious reform is to establish the vocational training system as an important employment factor and competitive entrepreneurship.

5.2. HUNGARY

Education and vocational training in Hungary has been in a transition ever since the political and economic changes in 1989. Since 1998 the duties and responsibilities of the former Ministry of Labor have been redistributed among various ministries. The tasks related to vocational training are divided as follows:

The Ministry of Education is responsible for:

- Developing professional skills and training
- Supervising a professional development;
- Developing the adult training programmes;
- Controlling the Vocational Training Fund.

⁹ See Law on financing Education (Official Gazette) No. 12/96 http://www.mizs.gov.si/fileadmin/mizs.gov.si/pageuploads/ANG/Organisation_and_Financing_of_Education_Act_Oct_2016.pdf

¹⁰ See web page <http://www.cpi.si/en>

The Ministry of Social and Family Affairs as a legal successor of the Ministry of Labor is responsible for:

- Employment policies and labor legislation;
- Inspection of work and safety at work;
- Collecting labor and research statistics.

Ministry of Economy is responsible for:

- Payroll policies and wage negotiations,
- Employment policy;
- Implementing policies related to active labor force measures.

Legislation governed by the different areas of vocational training is:

- Public Education Act of 1993
- The Vocational Training Act (1993), which regulates vocational training in and out of the school system, regulates the issue of the National List of State Qualified Professional Qualifications (NQFs).
- The 1991 Labor Act regulates training and retraining for the unemployed and determines the range of those eligible for legal support (for more details see section 4.1).
- The Labor Code (1992) is the basic document regulating the relationship between employers and employees.

In the meantime, in 2000, the Hungarian Government brought two fundamental reforms: the creation of a system of qualifications based on competence and qualification structure, and the second reform related to the curricula renewal and the concentration of a highly fragmented institutional system in the regional formation of centers, respectively integrated professional skills. As a consequence of such a situation created, the main actors of the economy have expressed a lot of dissatisfaction with the quality and quantity of skilled workers. As a result, in the last decade, the vocational training policy has continued to strengthen the role of social partners and, in particular, the chambers of commerce. Since 2010, the new administration has been committed to increasing the role of the latter and now pays greater importance to practical training, enabling the vocational training to start at an earlier age. The ultimate goal is to increase the attractiveness of vocational training and consequently to increase the percentage of those trained in vocational programmes.

5.3. CROATIA

Croatia has built a system of vocational education and training based on the Law on Vocational Education and Training from 2009. According to this law, the vocational training policy is managed by the Agency for Vocational Education and Training. The Agency for Vocational

Education and Training and Adult Education is a public institution, established in June 2010 in accordance with the state Law on the Agency for Vocational Education and Training and Adult Education. This Agency has been comprised of two existing agencies as of June 2010: The Agency for Adult Education and the Agency for Vocational Education and Training. The work of the Agency is governed by this law and by the Law on Vocational Education and Training and the Law on Adult Education.

A vision of this agency in relation to the professional qualification is: acceptable, flexible and permeable system of vocational education and adult education, based on competencies in the function of individual needs and society, supporting the development of the Croatian economy and higher employment rate.

So this agency is established within state institutions and financed from public funds. According to this law, interested parties in the field of vocational training are the ministries responsible for the particular sectors, local and regional authorities, trade unions, employers' associations, professional associations and others, chambers of commerce, higher education institutions, legal entities mediating in the employment process and training and vocational training institutions. Among the main tasks of this agency are: development of existing curricula of vocational training and training. Sector Councils involving representatives of all partners and stakeholders in Vocational Education and Training play an important role in the process of harmonising the vocational training system with labour market needs.

The practice of integrating and functioning a professional qualification system is recommended as an example that the institutions of Kosovo* should have as their point of reference, especially when it comes to harmonising most of the legislation in formal and non-formal education.

6. CONCLUSIONS AND RECOMMENDATION

Taking into account the current circumstances in which the Vocational Training Centers operate as well as investments made in them through the national budget as well as through various donors, it is natural to conclude that the legal status of these centers should not be changed. Therefore, the Employment Agency of Kosovo* will have to exercise its authority as prescribed by the Law on VTC. However, what needs to be changed is the approach to these centers themselves.

Taking into account the current structure of the VTCs and the legal infrastructure created by the new Law on Employment Agency and provided that the two documents mentioned (sub-legal act and manual with concrete instructions) are approved, the main recommendations are as follows:

- The organisation and the way of functioning should be more open to the public and yet accountable to users and the public;
- The Employment Agency should strengthen the role of monitoring and controlling the work of the VTCs;
- The Law on Employment Agency should be amended accordingly in Article 8 of this Law and a text should be added ,which gives an authority to the Employment Agency, together with social partners, to define and develop the standards that will interconnect the labor market need with professional training.
- The Employment Agency, in particular, and the Government of Kosovo* should plan to increase the capacities, both, financial and managerial efficiency of the CTC centers;
- The Employment Agency should be ensured in creating conditions that would affect the improvement of the quality of services provided by the Vocational Training Centers;
- The Employment Agency should take measures through various public campaigns to influence the public perception of the VTCs and vocational training. A positive perception would also affect the improvement of the participation of marginalised groups in vocational training programmes;
- The Employment Agency should influence the training capacity of the VTCs and ensure the diversification of the VTCs and training services offered;
- The Employment Agency should complete the legal infrastructure through a sub-legal act (now there is only one such act is in the drafting process), which will have, in detail, to determine the way of organising and functioning of the VTCs.
- Develop a detailed manual for the work of VTCs;
- The Employment Agency would help establish the VTC Association, which would serve as a joint mechanism and encourage developments related to better functioning and coordinated vocational training in the Vocational Training Centers.