



## TERMS OF REFERENCE

**Title of the action:** Conduct survey with businesses in the gastronomy sector to monitor the implementation of labor related legislation in Kosovo

### 1. BACKGROUND AND RATIONALE

IKS is implementing the project “Toward Social Justice and Equity”, funded by International Swedish Agency for development – SIDA, through Community Development Fund - CDF. The Overall Objective of the Project is to contribute to greater social justice by improving implementation of labour rights and labour-related legislation through enabling active engagement of civil society and social partners. A greater social justice would contribute to better distribution of opportunities, wealth and privileges in the society. This would directly enhance the condition in the labour market for all workers and especially the more vulnerable groups: women and formally and informally employed in the private sector, as the least protected categories in the labour market at risk of being poor. To achieve this, we have set the specific objectives of the Project such as:

SO1: Increase civil society and citizen engagement in reporting labour-related violations and enforcement of labour rights and Occupational Safety and Health;

SO2: Promote social justice and especially OSH law enforcement across the labour-market and in public domain;

SO3: Strengthen the capacities of Social Partners to more effectively represent their constituencies;

SO4: Contribute to Policy Debate by analysing, debating and initiating policy change;

SO5: influence and support initiatives for establishment of trade unions in the private sector in non-traditional trade union sectors.

### AUDIENCE AND USE OF REPORT





This research services will constitute of conceptualization and implementation of a survey with employers and employees of gastronomy sector in Kosovo. By giving an overview of the situation with the labour in this sector, the study will also assess their knowledge on labor-related laws.

This report will be based on field monitoring visits, whose findings should serve the decision-makers to identify the most problematic aspects of the implementation of these two basic laws in the field of labor and employment. At the same time, this will serve as a guide for law enforcement agencies about the problems identified in the field.

The purpose of monitoring is to measure for the first time the level of implementation of these two laws and advocate for the elimination of identified problems in the gastronomy sector. This research will stand as a reference for the work IKS will be doing throughout this project but it will not limit to its duration. The findings will be used beyond the project duration. Specific audiences include relevant line ministry, labour inspectorate, civil society and the public at large.

### **3. RESEARCH PURPOSE AND OBJECTIVES**

The purpose of this research is to assess the current situation in the gastronomy sector in Kosovo about the labor rights and health and safety working conditions. The survey results will be presented to stakeholders and serve for improving the legislation and/or implementation of existing legal base.

### **4. ETHICS AND RISKS**

Conflict of interest should be disclosed. Interviews should be conducted with respect to cultural sensitivity of the interviewees and based on a clear consent. Interviewees should be informed about the nature of the research, who is conducting it and for whom.

### **5. KEY SOURCES AND PEOPLE TO BE CONSULTED**

Key sources will include besides Civil Society Organizations itself, Kosovo Assembly and relevant committees, Ministry of Finance, Labour and Transfers, Economic Chambers International Agencies, Governmental agencies, decentralized administrative structures, etc. People who to be consulted will include people knowledgeable on issues of grassroots CSOs, civil society organizations, especially those at



local level to assess their actual needs. Meetings and interviews are to be organized; questionnaires and other information shall be used in order to get as much as possible information.

## 6. DELIVERABLES / FINAL REPORT

The overall objective of the research team will be to deliver a high quality and publishable report, but this project includes various deliverables:

- a) The definitive Research Report should not exceed 45 pages; appendices can be added in annex. The report should include an executive summary.
- b) The research team will elaborate a clear and attractive Power Point Presentation (PPT) to present the main findings, conclusions and recommendations of the research report that can be used in different public arenas.
- d) The researcher will be asked to make a comprehensive Public Presentation of the final report based on the PPT presentation to stakeholders. IKS will be responsible to organize this event.

The report will represent an analytical document with charts and illustrations of results and clear recommendations and conclusions on the findings from the research. The tentative structure of the report will include:

- Executive Summary
- Background
  - Project background
  - Situation background
- Findings from the Survey
  - Situation on labour and employment rights in gastronomy sector
  - Contracts and holidays
  - Harassment and stress
  - Annual Leave
  - Maternity Leave
- Conclusions and Recommendations
- Annex 1: Cross-tabulations from all variables



## 6.1. Style and content of the report

Indicatively the report should include an introduction, a review of the available literature, a description of the research purpose, objectives and questions, the methodology applied including the research matrix, guiding questions and questionnaire (in annex), limitations of the study and research team profile. The research findings should be presented and analyzed according to the research plan, using an accessible and plain language. Conclusions should highlighting and correlate results with the research hypotheses and validate or reject them. The report should include clear and workable recommendations.

## 7. PROPOSED TIMETABLE

The work will be completed in no more than two calendar months, or a total of maximum 45 working days. The work will be done in three stages as follows:

Stage one : Draft of the outline.

Stage two: Research and completion of first draft.

Stage three: Review of first draft and completion of final draft.

## 8. PROJECT MANAGEMENT, TIMING AND REPORTING

### 8.1 Responsible body

The Kosovo Stability Initiative as the organization implementing the project.

### 8.2. Commencement date and period of execution

The intended commencement period is 1<sup>st</sup> of August 2024 and the period of execution of the contract will be 45 days from this date. The fieldwork should be completed before the 30<sup>th</sup> of September 2024.

### 8.3. Reporting requirements





Within 5 days of signature of the contract the Contractor will submit a detailed implementation schedule, revised instruments, and sample in English detailing the methodology and implementation plans and timeframe for the project.

No longer than 10 days after completion of the research, the Contractor will submit a research report setting out the data discovered and the analysis of findings and will make a presentation of these to the SSP project and its stakeholders. The Contractor will then have 30 days following submission of report to question the Contractor's findings and analysis and ask for any clarifications.

Final report should be in English and Albanian, to be sent in electronic form by e-mail to SSP focal points.

## 9. APPLICATION PROCESS

Companies/experts submitting proposals are invited to demonstrate their capability and credentials to offer these services. Interested companies should submit their proposal including the required documents such as:

- A proposal of the methodological approach;
- At least two references of similar work in the past;
- Financial offer,
- Business ID (for companies/organizations only); and
- Personal CV (for individuals only) or CV of one of the experts involved in the research (for companies only).

All required documents should be submitted to the email [brikena\\_berisha@iksweb.org](mailto:brikena_berisha@iksweb.org), no later than the 24<sup>th</sup> of July at 17:00.

## 10. EVALUATION OF PROPOSALS

Companies/Organizations submitting proposals are invited to demonstrate their capability and credentials to offer these services (e.g. experience in the field), set out their methodological approach and quote a price for the services requested.





Evaluation factors will include proposed cost of services, quality and detail of the proposal, integrity of the proposed methodology and integrity of the research administration plan; the degree, to which the proposals demonstrate knowledge and understanding of Kosovo's EU integration process and the challenges faced, and; the relevance and creativity of the proposed research questionnaire.

IKS team will select the proposals that demonstrates the best combination of price and proposed methodology/ implementation plan.

