



Republika e Kosovës
Republika Kosova – Republic of Kosovo
Qeveria – Vlada – Government

Ministrie e Kulturës, Rinisë dhe Sportit
Ministravo Kulturne, Omladina i Sporta – Ministry of Culture, Youth and Sport

CONCEPT DOCUMENT
ON GRADING AND WAGES OF CREATORS AND PERFORMERS OF CULTURE AND
PROFESSIONAL CULTURAL HERITAGE STAFF

Chapter 1: Introduction

Creating and developing appropriate policies, environment and mechanisms to promote culture as well as enhancing culture infrastructure with the view of creating adequate spatial, technical and professional conditions¹ are institutional objectives and also mid-term priorities set out in programme policies and relevant strategic documents.

In this sense, the area of culture and its institutional support are also part of Programmatic Vision 2017-2021 of the² Government of the Republic of Kosovo, i.e. one of the four strategic pillars of this vision, which are testimony to its importance and the institutional commitment to support and enhance this sector.

In this regard, the Programme of the Government of the Republic of Kosovo 2017-2021, in order to support and enhance cultural sector, sets out a number of measures and objectives, such as review, i.e., upgrading legal framework and developing new public policies, which ensure financial independence of cultural institutions and efficient management of their responsibilities; devising new cultural policies, with programmes to support artists and cultural initiatives; restructuring and reorganization of subordinate cultural institutions; promote culture and enhance cultural communication; education, training and active participation in protection of cultural heritage, etc³. Additionally, the applicable framework and strategic documents, such as National Cultural Heritage Strategy, setting out the support of subordinate cultural heritage institutions for research, inventorying, documenting, selecting, evaluating, supervising, conserving-restoring, studying and promoting cultural heritage⁴.

One of the most important issues in this regard is support to public institutions of cultural and cultural heritage, with special emphasis on building human capacities, which are a prerequisite to enhancing the institutional agenda of culture and cultural heritage as well as the institutional performance in fulfilling the mission and the scope of cultural institutions.

As a result, the issue of status of creators, performers of culture and cultural heritage employees have been explicitly dealt with and defined for the first time under Regulation No. 05/2011 on Grading and Wages of Creators and Performers of Culture and Professional Cultural Heritage Staff.

Although institutional legal framework governing culture and cultural heritage already established the scope and mandate of respective institutions (Law on Theatres; Law on Libraries, Law on Kosovo Philharmony, Opera and Ballet, Law on Song and Dance Ensemble "SHOTA", Law on Cinematographics, Law on Cultural Heritage), the said regulation sets out the system of grading and wages for creators, performers of culture and staff working in cultural heritage, in a normative and defined manner. Thus, the Regulation establishes culture and cultural heritage institutions involved in the grading process, grading criteria, functional categories of grading and salaries as well as legalization procedures. For the first time, grades and wages of staff in culture and cultural heritage institutions have been established, improving this

¹ Medium-Term Budget Framework 2018-2020, pg.57-58

² The Programme of the Government of the Republic of Kosovo - Programmatic Vision, pg. 9

³ Ibid, pg.51

⁴National Cultural Heritage Strategy

way their financial status in conjunction with entry into effect of Decision No. 01/176 on pay raises of all staff categories paid under the Budget of the Republic of Kosovo to a tune of 25% on base salary as well as Decision No. 06/29, dated 15.05.2015 on allowances related to experience and entitlements related to annual leave.

Although issuance of this normative act established and defined a considerable number of issues related to the status of culture employees such as grading, categorization, legalization of posts, some issues have been noted during implementation such as inadequate professional positioning; failure to grade based on adequate qualifications; compensations based on post duties and responsibilities; inadequate treatment involving specific circumstances and work hazard, low non-competitive salaries compared to the region, legalization of posts, etc. In this sense and with the view of addressing the said issues, it was necessary to review the applicable legislation governing issues of status and pay for staff in culture and cultural heritage institutions.

In this regard, the Ministry of Culture, Youth and Sports, as part of its Annual Government Work Plan, specifically the objective *Support to institutions to promote artistic work and sub-objective 2.1 - support to public cultural institutions*, List of Concept Documents for 2017, calls for development of a Concept Document for Grading and Wages of Creators and Performers in Culture Institutions and Professional Cultural Heritage staff, as a means to address issues above, i.e. ensure normative defining and their adequate treatment.

Chapter 2: Description and definition of issue/main problem

Explanation

Since the entry into effect of the regulation on grading and wages of culture and cultural heritage staff, i.e. in the course of implementation of this normative act, several difficulties have been noted due to shortcomings and uncertainties surrounding several of its provisions. Therefore, it was necessary review and subsequently complement/amend the said regulation.

Issues identified during the implementation period are as follows: current system of salaries and grades is inadequate; inadequate assignments to professional positions; failure to grade based on adequate qualifications; remuneration based on job duties and responsibilities; inadequate consideration of specific circumstances, responsibilities and work place hazards, issue of non-competitive salaries compared to the region, unequal treatment within institutions, procedural obstructions, often in contradiction with primary legislation.

One of the issues identified is failure to categories according to requirements set out in Regulation 05/2011, specifically failure to fill-in positions required under Article 8 and 9 of the Regulation, review of specific categories (sub-categories), legalizing positions of staff in cultural heritage institutions, adjustments/levelling, and better regulation of various allowances etc.

In this sense, review of current salaries of culture and cultural heritage staff will be a key activity to pursue objectives set out in policy programmes for culture and cultural heritage. The review will represent a step closer to attaining objectives laid out in the overall policy frameworks governing culture in Kosovo.

Poor salaries in public cultural institutions of the Republic of Kosovo represent a major obstacle in securing future generations of professionals of this area. Providing a salary, which is competitive with the region will contribute to better competition and increased interest of culture professionals to engage with public cultural institutions.

The issues above have affected the staff structure in culture and cultural heritage institutions. Institutions dealing with these issues are listed under Regulation No. 05/2011 and include the following:

1. Cultural institutions: Kosovo National Theatre; Kosovo Ballet; National Song and Dance Ensemble "Shota"; Kosovo Philharmony; Kosovo Art Gallery; Kosova Film; Kosovo Cinematography Centre; etc.

2. Cultural Heritage Institutions Kosovo Archaeological Institute; Museum of Kosovo; Kosovo Institute for Protection of Monuments and Regional Cultural Heritage Centres.

Current policies

The issues of the status of creators, performers of cultural and staff of cultural heritage is governed by Regulation 05/2011 on Grading and Wages of Creators and Performers of Culture and Professional Cultural Heritage Staff, currently in effect.

Regulation No. 05/2011 defines the grading and salaries system for creators, performers of culture and professional cultural heritage staff, in a normative and defined manner. Thus, the Regulation establishes culture and cultural heritage institutions involved in the grading process, grading criteria, functional categories of grading and salaries as well as legalization procedures.

Functional categories of grading and salary grades in the institutions included in Article 4 and 5 of this Regulation are set out based on specific cultural, artistic and professional circumstances and achievements. Based on the legislation in effect, there are three grading categories, each made of sub-categories, which are applicable to staff of the following cultural institutions: staff of Kosovo National Theatre; Kosovo Ballet; National Dance and Song Ensemble "Shota"; Kosovo Philharmony; Kosovo Art Gallery; Kosovafilm and Kosovo Cinematography Centre.

In view of close resemblances of work and internal organizations of cultural heritage institutions as well as categories and salary grades of these institutions, the regulation defined and established grades, categories and appointments of staff of cultural heritage in institutions subordinate to Ministry of Culture, Youth and Sports, such as Kosovo Archaeological Institute, Kosovo Museum: Kosovo Institute for Protection of Cultural Monuments and Regional Cultural Heritage Centres.

It is also worth noting that, as part of the regulation, the issue of allowances on top of base salaries is also defined, although the said provision was not widely implemented since entry into effect of the regulation.

In this sense, creators and performers of culture and professional cultural heritage staff holding scientific titles, such as PhD, MsC and MA are slated to receive higher pay. For the academic title of PhD, an allowance of 200 € is awarded, while MsC and MA will receive an allowance of 100 €.

One important issue arranged under the regulation is the issue of automatic legalization of posts in culture and cultural heritage institutions. Article 19 of the Regulation No. 05/2011 specifies criteria and mechanisms, such as ad-hoc Commission for Verification and Legalization of Posts in Culture and Cultural Heritage Institutions. However, in the course of implementation of this Regulation it transpired that there are staff whose posts have not been legalized yet.

Laws and by-laws:

1. Labour Law No. 03/L-212

The provisions of this law apply for employees and employers of private and public sector in the Republic of Kosovo, the provisions of which apply also to employees and employers, the employment of which is government by a special law, if such law regulates specific issues from labour relations.

2. Labour Law No. 03/L-149 on Civil Service of the Republic of Kosovo

This Law regulates the civil servants' status, as well as their labour relations with the central and municipal institutions, the purpose of the law, central and municipal administration bodies that fall under the purview of this law include: Assembly administration, Presidency administration, The Office of the Prime Minister and ministries, executive agencies, independent and regulatory agencies and municipal administration.

Based on this law, the civil servant status does not apply to the category of art creators and performers as well as professional cultural heritage staff. Their employment relation is governed by the Labour Law, special laws as well as collective bargaining agreements, or sectorial regulations.

3. Law No. 04/L - 106 on Theatres

This Law guarantess creative freedom for all stage artistic forms and expressions and regulates establishment, organisation, functioning, running, management and funding of theatres, the position of theatre artists and other related issues. The scopeof this law includes theatre activities, preparations and

public performance of drama works and various stage performances. This Law does not regulate the status of culture staff or their salaries.

4. Law No. 04/L-097 on Libraries

This Law establishes basic principles and norms of activities, organisation and functioning of libraries. The law regulates libraries, library operations, structure, organisation and funding of libraries, functions and responsibilities of libraries, development and processing collections, Kosovo Library Network. This Law does not regulate the status of staff in libraries or their salaries. The law sets out the manner of choosing the director of KNB and his/her authorities.

5. Law No. 04/L-164 on National Dance and Song Ensemble "Shota" and other ensembles

This law regulates the cultural-artistic activities, preparation of performances, choreography, songs, dances and material and spiritual cultural heritage.

This law regulates functioning of the cultural and artistic activity of the National Song and Dance Ensemble "Shota" and other ensembles, as well as types, establishment, organisation, funding, position of artists and other issues related to this activity.

6. Law No. 02/L-59 on Kosovo Philharmony, Opera and Ballet

This Law regulates establishment, continuation, work, organisation, activity and functioning of Kosovo Philharmony, Opera and Ballet. It specifically regulates: Establishment, continuation of work and activity of philharmony, opera and ballet; their internal regulation and organisation, their leadership and management; status, the rights and responsibilities of staff of philharmony, opera and ballet; other issues of importance for activity of philharmony, opera and ballet.

7. Law No. 2004/22 on Cinematography

This Law, particularly Article 1, establishes basic norms for discharge and proper operations of cinematography.

By-laws:

Normative acts intended to regulate this issue include:

1. Regulation No. 05/2011 on grading and salaries of creators and performers of culture and professional cultural heritage staff.
2. Regulation No. 02/2016 on Allowances for Artists and Technical-Artistic Staff of Kosovo Philharmony and Salaries of other supporters of Philharmony Concerts - Kosovo Opera.

3. Regulation No. 05/2016 on Incentives and Responsibilities of Resident Artists and Technical Staff of the Kosovo National Theatre.
4. Regulation No. 06/2016 on Payment of Fees for Hired Artists in Kosovo National Theatre.
5. Regulation No. 06/2017 on Assigning Public Cultural Heritage Institutions Subordinate to MCYS in the capacity of competent institutions.

Current Programme

Current Programme related to this issue is based on the current legal framework. Normative acts intended to regulate the issues of grading and salaries include:

Regulation No. 05/2011 on grading and salaries of creators and performers of culture and professional cultural heritage staff:

This regulation defines the grading and salaries system for creators, performers of culture and professional cultural heritage staff that work in the culture and cultural heritage institutions. The Regulation establishes culture and cultural heritage institutions involved in the grading process, grading criteria, functional categories of grading and salaries as well as legalization procedures.

Regulation No. 02/2016 on Allowances for Artists and Technical-Artistic Staff of Kosovo Philharmony and Salaries of other supporters of Philharmony Concerts - Kosovo Opera

This Regulation establishes beneficiaries of allowances, requirements and criteria, responsibilities as well as the manner of payment of allowances for KFO and other associates engaged in Kosovo Philharmony - Opera projects. Beneficiaries that are entitled to additional allowances under this Regulation, requirements and conditions to hire other artists and associates in other KFO artistic concerts, responsible persons of management of Kosovo Philharmony - Opera on the manner of engaging artists and other contracted associates, payments and description of duties and responsibilities of such contracted staff.

Regulation No. 05/2016 on Incentives and Responsibilities of Resident Artists and Technical Staff of the Kosovo National Theatre:

This Regulation governs categories, conditions, criteria, procedures, responsibilities and the manner of payment for overtime work for resident artists and technical staff of the Kosovo National Theatre (hereafter KNT), categories of resident artists on permanent work as well as their engagement with additional work/shows, responsibilities of management bodies of the Kosovo National Theatre on the manner of engaging and treating resident artists, payments and job descriptions of full-time artists and staff as well as additional works/shows/on TKK.

Regulation No. 06/2016 on Payment of Fees for Hired Artists in Kosovo National Theatre.

This Regulation governs categories, conditions, criteria, procedures, responsibilities and the manner of payment of fees for artists hired under special service contracts for Kosovo National Theatre (hereafter KNT) projects, categories of artists hired on fees, responsible managers of the Kosovo National Theatre on the manner of engaging and treating special service artists, payments and job descriptions of special service artists in KNT.

National Cultural Heritage Strategy 2017 - 2027 is a comprehensive Strategy of the Government of Kosovo in the area of cultural heritage, which aims to establish longterm framework on the vision to provide solutions, based on the principle of sustainability. This strategic document aims to promote the systems and mechanism for protection of cultural heritage in Kosovo in compliance with legal framework, principles and international standards, as well as on the bases of sustainable economic, social and cultural development.

Running costs

Category of expenditure	Actual previous year expenditure	Current budget	Next year's MDEF
Ministry budget: (indicate each type of expenditure)	1,158,837.44	1,163,614.88	1,168,485.26
Other budget: (indicate each type of expenditure)	None	None	None
Donor funding	None	None	None
Direct expenditure by Ministry of finance	None	None	None

Experience of other countries

In European union, there is unified policy or common legal framework, which regulates grading of creators and performers. The area of culture, according to EU, is mostly defined as a competency of member states, i.e. countries aspiring to join EU. The role of EU in the area of culture consists in promoting cooperation between cultural operators in various EU countries, or in complementing mutual activities. EU implements certain measure in support of cultural initiatives, such as: The Creative Europe Programme and Cultural Heritage Days Initiative and the European Capital of Culture. However, European Union has no particular authority over this area. According to Article 167 of the European Union Charter, the EU shall encourage cooperation between member countries and, if necessary, support and complement their actions in the area of preserving and protecting cultural heritage of European importance.

In this sense, EU has no binding legislation in this area, which means that drafting legal acts for grading and salaries of creators and performers of culture and professional cultural heritage staff is a matter of national policy.

Whatever the case may be, a research into practices of regional and European countries, such as Bulgaria, Czech Republic, Slovenia, Croatia and Macedonia, indicates that the status of grades and especially salaries of culture and cultural heritage staff varies widely from country to country.

Bulgaria

In 2016, the average annual salary in (public) culture sector, according to National Statistics Agency, was 8966 lev (4583.14 EUR), average salary in "education sector" was 10,670 lev (5454.18 EUR) and 9,769 lev (4993.62 EUR) for sub-sector "professional, scientific and technical activities".

Czech Republic

Culture accounts for 3.3% of workers in the labour market, i.e. around 85,500 persons and the volume of production in the culture sector represents 1.6% of the overall production in Czech Republic. Total average salary in the culture sector in 2013 was 24431 CZK (904 EUR) per month, which is 7% lower than the national average. Average monthly salary in the area of cultural heritage is slightly above 19,000 CZK (703 EUR), in the area of commercials and press the average is above 27,000 CZK (999 EUR) and in the area of audio-visual and interactive technology, it is above 34,000 CZK (1258 EUR).⁵

Slovenia

According to data of Slovenia Statistics Agency, in 2013 there were 24,436 culture staff, of which 17,743 are employed in public institutions and private sector, while 6,693 were self-employed. The number of culture workers in Slovenia, it accounts for 3% of all labour of Slovenian economy, which has been

⁵<http://www.nipos-mk.cz/wp-content/uploads/2010/01/V%C3%BDsledky-%C3%BA%C4%8Dtu-kultury-%C4%8CR-za-rok-2013.pdf>

constantly growing in the period 2000-2010. (Source: Ministry of Culture RS), reaching 2.48% in 2002, 2.63% in 2005, 2.75% in 2008, 2.92% in 2009, 3.04% in 2010 and 3.09% in 2011 and 2012.

Table 1: Number of employed and self-employed culture staff, 2005-2013

Year	Persons employed in culture	Persons self-employed in culture	Total number of culture staff
2005	17 480	3 942	21 422
2006	17 975	4 154	22 129
2007	18 401	4 366	22 767
2008	19 248	4 986	24 234
2009	19 080	5 556	24 636
2010	18 889	5 977	24 866
2011	18 629	6 203	24 832
2012	18 314	6 179	24 493
2013	17 743	6 693	24 436

Table 2: Average gross salary in culture sector 2000-2005 and growth indices

Year	Average Gross Salary (Euro)	Growth index
2000	990.01	
2005	1 358.71	106.54 (approx.) 2000-2005)
2006	1 399.93	103.03
2007	1 471.91	105.14
2008	1 594.37	108.32
2009	1 662.14	104.25
2010	1 694.90	101.97

Table 3: Average gross salaries in various occupations 2005-2010

Year	Average Gross Salary EUR: Cultural activities - all	Public sector staff in the area of culture	Workers in non-culture occupations in Slovenia	Doctors (in hospitals)	Teachers (secondary school)	Teachers (universities)	Judges
2005	1 358.71	1 398.31	1 157.07	1 427.54	1 553.60	1 928.88	1 539.76
2006	1 399.93	1 445.64	1 212.80	1 473.24	1 622.67	1 951.05	1 560.38
2007	1 471.91	1 491.97	1 284.79	/	/	/	/
2008	1 594.37	1 644.38	1 391.43	1 737.51	1 795.89	2 136.69	1 737.91
2009	1 662.14	1 765.56	1 438.96	1 993.54	1 852.93	2 245.68	1 822.10
2010	1 694.90	1 795.17	1 494.88	1 987.72	1 868.26	2 316.91	1 831.95

In 2003, the Law on Salary System in Public Sector was adopted. This Law established a unified salaries system for all civil and public servants. The main reason for adoption of this Law was unification of salaries system. In September 2008, implementation of the new system achieved its final stages and salaries for public culture workers increased by 16%, thus aligning them to their public sector salaries.

Macedonia:

In August 2017, according to Macedonian National Statistics Office, the average net salary per worker (per month) in culture sector was 21,948 MKD, which is equivalent to 356.44 EUR, compared to education which was 22,285 MKD or 361.88 EUR.

22 285	22 251	22 292	100.4	100.0	100.3	100.3	P		ARSIMI
22 285	22 251	22 292	100.4	100.0	100.3	100.3		85	Education
24 992	24 919	24 958	101.7	100.5	100.4	101.6	Q		HUMAN HEALTH AND SOCIAL WORK ACTIVITIES
27 108	27 028	27 071	101.8	100.5	100.6	101.7		86	Human health act
19 529	19 362	19 416	101.7	102.0	100.2	102.1		87	Residential care activities
16 790	16 749	16 801	100.8	100.1	99.5	100.7		88	Social work activities without accommodation
21 948	20 927	21 590	104.0	110.8	110.9	103.0	R		ARTS, ENTERTAINMENT AND RECREATION ACTIVITIES
22 318	22 308	22 341	100.4	99.7	99.7	100.2		90	Creative, arts and entertainment activities
20 351	20 299	20 275	99.2	100.8	99.0	99.4		91	Libraries, archive museums and other cultural activities
19 982	19 459	19 076	109.9	108.2	110.0	108.4		92	Gambling and betting activities
40 556	30 079	42 359	92.0	180.1	171.2	87.9		93	Sports activities and amusement and recreation activities
26 843	26 778	27 009	102.7	99.3	103.4	102.7	S		OTHER SERVICE ACTIVITIES
34 513	34 545	34 637	101.8	99.7	103.3	102.2		94	Activities of membership organisations

19 766	18 983	19 480	106.9	102.2	108.0	102.1		95	Repair of comput and personal and household goods
18 405	18 260	18 494	104.5	99.6	102.8	104.0		96	Other personal se activities

Based on data secured from regional culture institutions, salaries of performers in public institutions (actors) are at the following levels:

Salaries of actors of National Theatres (of the region) are:

- Croatia – 1080 – 1400
- Slovenia – 1600 - 1800
- Bosnia – 900 – 1100
- Serbia – 1000 – 1200
- Macedonia – 850 – 1000

What approaches may be viable in Kosovo

Whatever the case may be, a research into practices of regional and European countries, such as Bulgaria, Czech Republic, Slovenia, Croatia and Macedonia, indicates that the status of grades and especially salaries of culture and cultural heritage staff varies widely from country to country. Therefore, there is no single model to which we may refer, however, if we look at the level of salaries in the countries of the region, staff is categorized at the level of other professional staff, such as: University professors, judges, doctors, etc.

Taking into account the practices of the countries above, Kosovo should decide on a sustainable model (such as the one from Slovenia), regarding the issue of salary, grading and categorization of staff of culture and cultural heritage institutions.

Chapter 3. goals and objectives

Goal

To improve the status of creators, performers and professional - scientific personnel of cultural heritage and of other public professional institutions.

Objectives

- Harmonize and align the grades and salaries of culture and cultural heritage staff.
- Review of salaries of creators and culture performers and of professional cultural heritage staff.
- Improve performance of culture and cultural heritage institutions as well as staff of these institutions.

Addressing these objectives will produce a direct impact on the process of categorization and grading of staff, by redefining existing categories, adequate professional positioning, grading based on adequate qualification, equal treatment within institutions, adequate treatment vis-a-vis specific circumstances and responsibilities as well as work hazard, issues of pay, for all staff of public institutions of culture and cultural heritage, as set out under Regulation 05/2011.

With reference to the Government work plan, as well as the list of Concept Documents, the concept document, which treats the said issue is set to complete and be submitted to Government of the Republic of Kosovo during 2017.

Chapter 4. Options

Option 1. Status quo (no change)

If the status-quo is maintained, then the undefined and unviable current system of grades and categories will persist, as well as inadequate status and assignments, grading not based on adequate qualification, remuneration which does not reflect current duties and responsibilities, as well as the issue of low, non-competitive salaries compared to the region. Therefore, if the current policies persist, i.e. the implementation of Regulation No. 05/2011, discrepancies between salaries and grades between creators and performers and professional cultural heritage staff, but also prolong inadequate performance in terms of implementing policies of cultural institutions.

Option 2. Change of existing policies

Ministry of Culture, Youth and Sports believes the current policies should change by amending and complementing Regulation No. 05/2011, with the view of improving the status and professional assignments to posts, grading based on adequate qualification, compensation based on actual duties and responsibilities, as well as review of non-competitive salaries compared to the region.

Adopting a revised and amended would introduce considerable enhancements to efficiency and transparency of the entire process of grading and salaries of creators and performers of culture and professional cultural heritage staff.

Responsible institution for implementing the new policy will be Ministry of culture, youth and sports with its subordinate institutions of culture and cultural heritage. Revising and amending the Regulation does not require additional personnel, but rather only alignment of grades and salaries. New policy will be communicated to all subordinate institutions and staff in conformity with Government Rules of Procedure and Regulation on Minimal Standards of Public Consultation.

Option 3. Change the current approach to implementation

The change in existing approach would only address issues such as allowances and filling in posts required by regulation, hitherto vacant. Implementation of existing approach would introduce partial solutions, however, it would not address key issues related to alignment of grades and salaries of staff in culture and cultural heritage institutions. The Ministry of Culture, Youth and Sports and its subordinate institutions are responsible for changing the current approach.

Chapter 5: Summary of options

Summary of options			
Main features	Option 1	Option 2	Option 3
Main features of the option	No action related to change in policy and current situation.	Improve the condition with amendment and addenda to applicable Regulation.	Improve the condition by changing existing approach to implementation of Regulation.
Sector			
Features of implementation - responsible entities.	Ministry of Culture, Youth and Sports and subordinate institutions in the area of culture and cultural heritage	Government of the Republic of Kosovo, Ministry of Culture, Youth and Sports and subordinate institutions in the area of culture and cultural heritage	Ministry of Culture, Youth and Sports and subordinate institutions in the area of culture and cultural heritage
Administration or implementation of the programme or service.	////	/////	/////
Laws, by-laws, changes and addenda to existing laws, implementation and sanctions.	Regulation No. 05/2011 on Grading and Wages of Creators and Performers of Culture and Professional	Amendment and addenda to regulation in effect.	Regulation No. 05/2011 on Grading and Wages of Creators and Performers of Culture and Professional Cultural Heritage Staff.

	Cultural Heritage Staff.		
Economic incentives or lack thereof - subsidies or fees.	/////	////////	////////
Education and communication campaign.	/////	////////	////////
Instructions and codes	/////	////////	/////
Timeframe - entry into effect of the chosen option.	Regulation is in effect.	2017/18	2018

Chapter 6: Options analysis

Pros

Option 1 - Despite shortcomings exposed by the implementation of the Regulation in practice, the regulation did establish a system of grading and salaries for creators, performers of culture and professional cultural heritage staff, in a normative and defined manner. Thus, the Regulation establishes culture and cultural heritage institutions involved in the grading process, grading criteria, functional categories of grading and salaries as well as legalization procedures.

Option 2 - Revising - amending the Regulation would address the following issues: defined system of grading and categorization of staff of culture and cultural heritage institutions, adequate professional position assignments, grading based on adequate qualification, remuneration based on duties and responsibilities related to work place, adequate treatment with respect to responsibilities and hazard at work place, competitive pay, equal treatment within institutions, etc.

Option 3 - If the current policies persist unchanged, however a change in approach to implementation is introduced, some issues would be defined, which partially improve current situation involving grades and salaries of culture and cultural institutions staff.

Adverse consequences

Option 1 - Continuation of existing policies would cause deepening of issues discussed hereunder.

Option 2 - Introducing amendment to regulation may trigger additional budgetary costs.

Option 3 - Changing the current approach to implementation may substantially change the situation.

Distribution effect

With the exception of impact in culture and cultural heritage public institutions, current and proposed policies will not impact other sectors, rural or urban areas, age groups or genders.

Cost

Summary of Financial Impact Assessment	
(000 Euro)	

	Curretn Year 2017	Year 2018.	Year 2019.
Option 1			
Net difference in alocating of expenditure	1,163,614.88	1,168,485.26	1,173,280.03
Net difference in revenue generation	None	None	None
Expected donor funding	None	None	None
Option 2			
Net difference in alocating of expenditure	1,163,614.88	1,752,727.89	1,759,920.05
Net difference in revenue generation	None	None	None
Expected donor funding	None	None	None
Option 3			
Net difference in alocating of expenditure	1,163,614.88	1,268,485.26	1,273,280.03
Net difference in revenue generation	None	None	None
Expected donor funding	None	None	None

Aneks - special table of financial impact for each option

Chapter 7: Consultation

In the process of drafting this Concept Document, experts, staff of public culture and cultural heritage institutions as well as union representatives have been consulted (Union of Kosovo National Theatee). The consultation process will be done in conformity with Regulation No. 09/2011 of Government Rules of Procedure No. 05/2016 on minimal standards of public consultation process.

Chapter 8: Comparing options

Option 1. -Status-quo - maintaing the current situation would extend the current situation. Status of creators, performers and professional staff of cultural heritage, under the current regulation, will remain deficient, not fully defined, which in turn, will affect the institutional and programmatic performance.

Option 2 - Amending and supplementing the Regulation would address and define essential issues, which presently represent challenges: current system of salaries and grades is inadequate; inadequate assignments to professional positions; failure to grade based on adequate qualifications; remuneration based on job duties and responsibilites; inadequate consideration of specific circumstances, responsibilities and work place hazards, issue of non-competitive salaries compared to the region, unequal treatment within institutions, etc.

Option 3 - Changing current approach to implementation would lead to some improvement, however, the situation involving grading and categorization, legalization of posts, deemed to be major issues, may not be improved at all.

The Option that provides that best change of achieving our goals and objectives to resolve the issues above is amendment and addenda to Regulation 05/2011 on Grading and Wages of Creators and Performers of Culture and Professional Cultural Heritage Staff.

Chapter 9: Recommendation

It is recommended that the Government of the Republic of Kosovo may adopt the second option (2) of the Concept Document, i.e. amending - supplementing the Regulation 05/2011 on grading and salaries of Creators and Performers of Culture and Professional Cultural Heritage Staff, which would regulate issues of salary system, grade and categorization of creators, performers of culture and cultural heritage staff. This option carries budgetary implications, which are represented in the financial impact assessment form. In case of adoption of the Concept Document, the Ministry of Culture, Youth and Sports, in cooperation with its subordinate institutions of culture and cultural heritage as well as relevant stakeholders will draft and submit for adoption by the Government the draft Regulation for amending-supplementing Regulation 05/2011 on Grading and Wages of Creators and Performers of Culture and Professional Cultural Heritage Staff. Development and review for adoption will be done in the course of 2017.

Chapter 10: Communication

Upon adoption of this concept document, the Ministry of Culture, Youth and Sports, in line with its regulations and procedures, will communicate to all stakeholders the decision of the Government regarding changes to be effected in the categorization system, grading and salaries of professional culture and cultural heritage staff. The manner of communication will be in conformity with Government Rules of Procedure and Regulation No. 05/2016 on minimal standards of public consultation process. The main message will be notice on new opportunities to be extended by the amendment/change of regulation.

This draft Concept Document has been submitted for prior consultation to all relevant stakeholders, according to Article 7 (3) of the Government Rules of Procedures and procedures thereunder. All recommendations received have been reviewed in this draft concept document.

11. Government's draft Decision

1. The Concept Document on grading and wages of creators and performers of culture and professional cultural heritage staff is hereby adopted.

2. Ministry of Culture, Youth and Sports and other institutions are tasked with implementation of this decision, in conformity with Government Rules of Procedure.
3. This Decision shall enter into effect upon signature.