

Support to the Ministry of Labour, Employment, Veteran and Social Affairs (MoLEVSA) for the preparation of the new legislation

Development of the Law on the National Standard Classification of Occupations (NSCO)

Key Activities:

- a) To develop the methodology for conducting the ex-ante impact analysis of the law on the NSCO;
- b) To conduct the ex-ante impact analysis of the law on the NSCO;
- c) To develop the draft new law on the NSCO, based on the agreed outline and consultation process with MoLEVSA and other stakeholders, incorporating key recommendations from the ex-ante impact analysis;
- d) To participate and provide advice in a consultative process within the preparation and adoption of the Law.
- e) To provide other forms of consultative support to MoLEVSA in aspects relevant to the process of preparing a draft law for submission (e.g. facilitation of meetings, development of the Report on the conducted ex-ante impact analysis; collecting and sorting comments and proposals received during the public debate; etc).

1. Background and Context

The Swiss Agency for Development Cooperation (SDC) assigned NIRAS Germany to implement the project “From Education to Employment” (hereinafter: E2E) – Phase III that commenced in May 2024 and will last until 30th April 2028.

The E2E, through NIRAS, supports evidence-based approaches in the employment policies in Serbia. At the national level, the key line ministry in charge of the implementation of the employment and employability policies in Serbia relevant for implementation of the E2E is the Ministry of Labour, Employment, Veteran and Social Affairs (hereinafter: MoLEVSA). The E2E also closely cooperates with several other relevant institutions and organizations i.e. the National Employment Service, the Qualification Agency, the Office for Dual Education and National Qualification Framework, the Chambre of Commerce and Standing Conference of Towns and Municipalities. The E2E supports national policy partners in improving legal and strategic framework for employment, as well as in establishing the system of CGC support and accreditation of nonformal trainings.

On the local level, the E2E aims at enhancing employability in fifteen districts, through cooperation with local partners, mainly civil society organizations, that establish and accredit career centres entitled *Job Info Centre*. Through the promotion of CGC services for students as well as the job seekers, the E2E facilitates the entry of young people into working life.

The overall goal of the E2E is that women and men, including vulnerable groups benefit from new or better employment opportunities through improved employment support services and industry-led training offer. The project has three outcomes:

Outcome 1 (People): More women and men make use of better CGC, improved employment support services and training solutions.

Outcome 2 (Services): Companies make use of employment support and advisory services to improve their training offer and HR practices.

Outcome 3 (Enabling Environment): Sub-national and national policy makers and implementers create a more enabling institutional and policy environment for employment and employability.

Output 4.1 – Goal: Ministry of Labour adjusts the legal and strategic framework and changes their ALMMs practices to enable the allocation of public funds towards CSOs (Employment Law; Youth Guarantee Initiative, Occupational Standards).

This Terms of Reference (ToR) is primarily related to the achievement of Outcome 3, Output 4.1 and aim to support the MoLEVSA as an institutional focal point for the E2E in development of National Standard Classification of Occupations (hereinafter: NSCO). This activity is envisaged in the Memorandum of Understanding between the SDC and MoLEVSA signed on December 6th, 2023, stipulating a detailed list of policy activities that will be supported through E2E/NIRAS. However, the deliverables of this ToR will strongly contribute to the achievement of other stated outcomes of the E2E.

There is an extensive list of the results that MoLEVSA has achieved in the field of the NSCO development with the E2E support:

- new Codebook of Occupations aligned with the International Standard Classification of Occupations (International Labour Organization, 2008; hereinafter: ISCO 08) and adopted in 2018 by the Government of the Republic of Serbia;
- improving of the webpage for interactive communication with users of the Codebook of occupations (employers, institutions, citizens...) and enabling new functionalities: <http://kodekssifara.minrzs.gov.rs/>;
- Draft methodology for occupational standards development - in 2020/2021;
- 1st round of piloting the Draft methodology through development of the proposal of 10 occupational standards: locksmith, machines locksmith, welding technician, universal welder, metalworking operator on numerically controlled machines, cook, head chef, waiter, bartender, hotel receptionist - in 2021/2022;
- 2nd round of piloting the Draft methodology through development of the proposal of 23 occupational standards: 4 relating to the Youth Guarantee implementation (youth worker, employment counsellor, career counselor and expert in career guidance and counselling), 8 from the Energy sector and 11 from the ICT sector - in 2023/2024;
- four videos (60 seconds each) for the occupational standards for locksmith, CNC operator, head chef and hotel receptionist;
- Harmonization of the translation of the definitions of the ISCO 08 classification units into Serbian with the list of occupations in the Republic of Serbia and the local context;
- revision and updating of the Draft methodology for occupational standards development based on recommendations from two rounds of piloting and the consultations with the MoLEVSA, Working group for NSCO development and E2E experts.

Having in mind that the occupation is the main characteristic of the person on the labour market, all listed results facilitate unequivocal understanding between actors on the labour market which is extremely important for the analysis of the situation and trends on the labour market and planning of the evidence-based employment policy. But, until the NSCO is not recognized within the legal framework of the employment policy, the most important results such as the Draft methodology for occupational standards development and proposal of 33 occupational standards remain in the form of proposals can only be used with some reserve by potential users (employers, education system when produce qualification standards and learning programs, career practitioners when providing career information and counselling, and others). Therefore, the MoLEVSA decided to develop a specific law on the NSCO considering that it is the best solution for regulating such an important area (compared to the previous idea that the NSCO would be regulated within the framework of the Law on Employment and Unemployment Insurance).

In order to secure the sustainability of all listed results, the E2E will strongly support the MoLEVSA in development of the specific law on the NSCO based on this ToR.

2. Objective of the Assignment

The objective of the assignment is to conduct a detailed ex-ante impact analysis of the law on the NSCO in line with the Law on the Planning System and the Regulation on the methodology of public policy management, impact analysis of public policies and regulations, and the content of individual public policy documents (hereinafter: the Regulation), and to provide expert advice and support to the Sector for Labour and Employment of MoLEVSA in the process of development of new legislation.

The tasks of the Expert Team shall be:

1. To develop the methodology for conducting the ex-ante impact analysis of the law on the NSCO;
2. To develop the ex-ante impact analysis of the law on the NSCO;
3. To develop the draft new law on the NSCO, based on the agreed outline and consultation process with MoLEVSA and other stakeholders, incorporating key recommendations from the ex-ante impact analysis;
4. To participate and provide advice in a consultative process within the preparation and adoption of the Law.
5. To provide other forms of consultative support to MoLEVSA in aspects relevant to the process of preparing a draft law for submission (e.g. facilitation of meetings, development of the Report on the conducted ex-ante impact analysis; collecting and sorting comments and proposals received during the public debate; etc).

In line with the Regulation, the ex-ante impact analysis should include the following main aspects and should be structured as follows:

- Analysis of the existing situation:
 - analysis of the achieved results in the field of the NSCO development;
 - identification of planning documents and especially public policy documents, as well as regulations, which have a direct impact on the situation in the area to which the Law on the NSCO applies and analysis of that impact, with the aim of consistent and coordinated action in that area;
 - identification of challenges, their scope, importance and causes, and the consequences they cause in practice, as well as determining the key problem that needs to be solved, that is, the identification of the change to be achieved;
 - analysis of the option of not taking additional measures to change the existing situation (status quo option), by projecting the existing situation in the future in order to assess whether it is possible to achieve change without additional intervention.
- Developing objectives of the Law on the NSCO taking into account already established priorities in the specific area of planning and implementation of public policies to which the Law on the NSCO contributes, where the objectives are related to the change to be achieved.
- Developing performance indicators to be used for measuring the achievement of the objectives - quantitative, with possible exceptions.
- Identification of options for achieving the objectives of the Law on the NSCO.
- The analysis of the effects of the identified options includes the analysis of financial impact, economic impact, social/impact on society, governance impact and risk analysis. As part of the analysis of the impact on society, it is necessary to perform the Gender Equality Test and take into account its findings during further work on the analysis.
- Selection of the optimum option or optimum combination of the analysed options to achieve the objectives of the Law on the NSCO - in close cooperation with the MoLEVSA.

- Identification of the competent authorities and required resources for implementing the optimum option, for monitoring its implementation, evaluating the performance of the Law and reporting on the achieved results.

Listed main aspects within the preparation of the ex-ante impact analysis are described in the Regulation. Providing answers to the questions in appendix 2–10 of the Regulation can also be helpful in making the analysis, although the questions need not be limited to those listed in the appendices. Further, the ex-ante impact analysis should include:

- final identification of resources, that is, the assessment of financial effects on the budget of Republic of Serbia for the selected option.

The mandate shall be performed in close cooperation and consultation with MoLEVSA and E2E PIU.

3. The Expert's Team profile

The proposed key staff shall have the following skills, experience and qualifications:

Team Leader:

- University degree in legal sciences
- At least 10 years working experience in relevant field (legal or social sciences)
- Experience in conducting analyses or other written materials in the field of employment
- Sound understanding of policy, institutional and legal employment context in Republic of Serbia
- Strong familiarity with the national and international standards in the field of occupations (Codebook of Occupations in Serbia, ISCO 08, ESCO)
- Strong familiarity with the Law on the Planning System in Serbia and accompanying bylaws
- Understanding of policy, institutional and legal context of the education system in the Republic of Serbia
- Experience in cooperation with national and international stakeholders (civil society, public administration, social partners, etc.)
- Experience in development of National Standard Classification of Occupations in the Republic of Serbia will be considered as an advantage
- Analytical, writing and reporting skills
- Communication skills
- English language

Key Expert:

- University degree in economic science
- At least 10 years of experience in the field of economy/statistics
- Strong experience in budgeting for public policy documents and setting indicators for its monitoring
- Sound understanding of policy, institutional and legal employment context in Republic of Serbia
- Strong familiarity with the Law on the Planning System in Serbia and accompanying bylaws
- Analytical, writing and reporting skills

4. Deliverables

The deliverables of the assignment shall comprise:

For the Task 1:

- Develop a working plan and draft methodology for the development of the ex-ante impact analysis of the Law on the NSCO, including the list of stakeholders/actors to be consulted – by March 10th, 2025;
- Conduct the consultation process with MoLEVSA and E2E, collect and integrate different feedbacks and submit the final working plan and methodology for the development of the ex-ante impact analysis of the Law on the NSCO – by March 17th, 2025.

For the Task 2:

- Create the 1st draft the ex-ante impact analysis of the Law on the NSCO – by April 14th, 2025;
- Conduct the consultation process with MoLEVSA and E2E, collect and integrate feedback regarding the proposed 1st draft and submit the 2nd draft ex-ante impact analysis of the Law on the NSCO – by May 6th, 2025;
- Conduct the consultation process with MoLEVSA, E2E and other stakeholders, collect and integrate feedback regarding the proposed 2nd draft and submit the final ex-ante impact analysis of the of the Law on the NSCO – by May 23rd, 2025.

For the Task 3:

- Create and submit the 1st version of the Law on the NSCO based on the agreed outline and consultation process with MoLEVSA and other stakeholders, incorporating key recommendations from the ex-ante analysis – by June 16th, 2025;
- Conduct the consultation process with MoLEVSA, E2E and other stakeholders, collect and integrate feedback regarding the proposed 1st version and submit the 2nd version of the Law on the NSCO – by September 8th, 2025.

For the Task 4:

- Submit copies of proving documentation (presentations, minutes, reports, etc) – by January 16th, 2026.

For the Task 5:

- Submit copies of proving documentation (e.g. the Report on the conducted ex-ante impact analysis; the report on collected and sorted comments and proposals received during the public debate, etc) - by January 16th, 2026.

All the deliverables, for all tasks, should be created in close communication with the main beneficiary (MoLEVSA) and E2E and submitted in Serbian language.

5. Timeline, Venue, and Reporting

For the realization of tasks defined in Article 2, the assigned number of days is up to 100 working days, which is expected to be realized in the period March 3rd, 2025 – January 16th, 2026.

All tasks will be carried out in Belgrade with the possibility of meetings to be held outside of Belgrade, whereby the expenses of the experts (travel costs, hotel) will be paid by the E2E.

Depending on performance and actual needs in the field the time might be extended, and the number of performance days increased.

The Expert Team is reporting to the Policy and LLM Governance Advisor – Nevena Letić.

6. Estimated budget and contracting

The service contract which is to be signed by contracting parties shall cover the period between March 3rd, 2025 and January 31st, 2026.

Remuneration shall include gross fee per day based on a service contract which is to be agreed and signed by the contracting parties.

Financial offer should be calculated on gross amount/fee. If Consultant apply as a “physical person”, and according to the Serbian Taxation and Labour Law, the Company (NIRAS) will calculate and pay taxes as a deduction from the gross amount and pay net amount to the Consultant.

E2E will further bear all costs regarding transportation and accommodation in the field.

7. Dynamics of Payment

- First instalment – against timesheets and deliverables after completing the Tasks 1 and 2;
- Second instalment - against timesheets and deliverables after completing the Task 3;
- Third instalment – against timesheets and deliverables after completing the Tasks 4 and 5.

8. Application Procedure

Deadline for Application: February 20th, 2025

Individual consultants and organizations can apply for this assignment.

Applicants are requested to submit the following:

- Technical offer - suggested methodology and timeline for implementing the five tasks;
- Information on the experience of the experts or organization in the implementation of similar activities (at least 2 reference projects);
- CVs of the experts;
- Financial offer based on man-days per task in gross CHF covering the anticipation and division of working days per each expert and each five tasks.

Submission of Applications should be done to the email address: E2E@Niras.com and Nevena Letić nele@niras.com no later than February 20th, 2025.

Only shortlisted candidates will be contacted by February 25th, 2025.

National Short Term Expert Team for the development of the Law on the NSCO			
		Expert/organization	
FINANCIAL CRITERIA filled by the PIU		Fee expectations (CHF gross per day/average)	
		Offer min*max.points/Offer	
		Total points (weighting 30%)	
TECHNICAL CRITERIA		(1) Criteria Subcriteria	(2) Weighting (ponder)
Team Leader	Education	University degree in legal sciences	10
	Training	Relevant to the task	5
	Work experience	At least 10 years working experience in relevant field (legal or social sciences)	9
		Experience in conducting analyses or other written materials in the field of employment	9
		Experience in development of National Standard Classification of Occupations in the Republic of Serbia	6
	Other skills and competences	Sound understanding of policy, institutional and legal employment context in Republic of Serbia	10
		Strong familiarity with Codebook of Occupations in Serbia, ISCO 08, ESCO	10
		Strong familiarity with the Law on the Planning System in Serbia and accompanying bylaws	10
		Understanding of policy, institutional and legal context of the education system in the Republic of Serbia	7
		Analytical, writing and reporting skills	10
		Communication skills	9
		English language	10
	Previous cooperation	Personal experience in working with this expert or recommendations	8
Key Expert	Education	University degree in economic science	10
	Training	Relevant to the Task	5
	Work experience	At least 10 years of experience in the field of economy/statistics	10
		Strong experience in budgeting for public policy documents and setting indicators for its monitoring	10
	Other skills and competences	Sound understanding of policy, institutional and legal employment context in Republic of Serbia	8
		Strong familiarity with the Law on the Planning System in Serbia and accompanying bylaws	9
		Analytical, writing and reporting skills	9
Previous cooperation	Personal experience in working with this expert or recommendations	7	
Quality of the Offer	Consize, to the point, proving sound understanding of policy, institutional and legal context in Serbia and good analytical approach		10
Total points			
Total points (weighing 70%)			
TOTAL POINTS			